Digitalisation, Health, and Participation

A BRIEF ON COLOMBIA

Country Context

In terms of internet access, Colombia has recorded significant progress.[1] At the end of 2023, 63% of the country's population had access to the internet, compared to 38% of the population in 2014.

More than half of Colombians aged 15 or older have made or received digital payments, marking a substantial increase from 37% in 2017. While Colombia's steady progress in digitalisation was hampered by the Covid-19 pandemic, it is emerging as a leading player in the digital landscape of Latin America and the Caribbean (LAC), trailing only Brazil and Mexico and today hosts 12.8% of the region's digital firms[3]. Nonetheless, significant challenges persist in terms of digital access, connectivity, and rights of marginalised groups. In the next stage of development, it will be important to address equal access and protection of the human right to health through effective governance.

This brief provides an analysis of the current context of digitalisation in Colombia and how it shapes the digital access to health for young adults and marginalised populations. The brief addresses the following issue:

(i) Multiple digital divides

(ii) Young adult experiences from previous research

(iii) Digital health governance

Based on this, we offer policy recommendations and share plans for future research.

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[1] World Bank (2023). *Digital economy for Latin America and the Caribbean - country diagnostic: Colombia*. Washington, DC: World Bank. Available at: https://openknowledge.worldbank.org/entities/publication/88948415-77f6-41fb-a8c0-5d8d415134b5

[2] Ibid, World Bank (2023).

[3] International Telecommunications Union (ITU) (2023). *Colombia country review: regulation at the forefront of digital transformation*. ITU Publications. Available at: https://digitalregulation.org/wp-content/uploads/D-PREF-THEM.27_Colombia-2023-PDF-E.pdf.

Multiple digital divides

Colombia's digital revolution has largely been driven by public and private investment in infrastructure.[4] Since 2010, there have been nationwide and departmental programmes to install free internet points.[5] To bolster connectivity, the government has installed 1,180 free Wi-Fi zones in 162 rural municipalities. These Wi-Fi zones are located in rural public schools, allowing students and the community to connect from their mobile devices.[6]
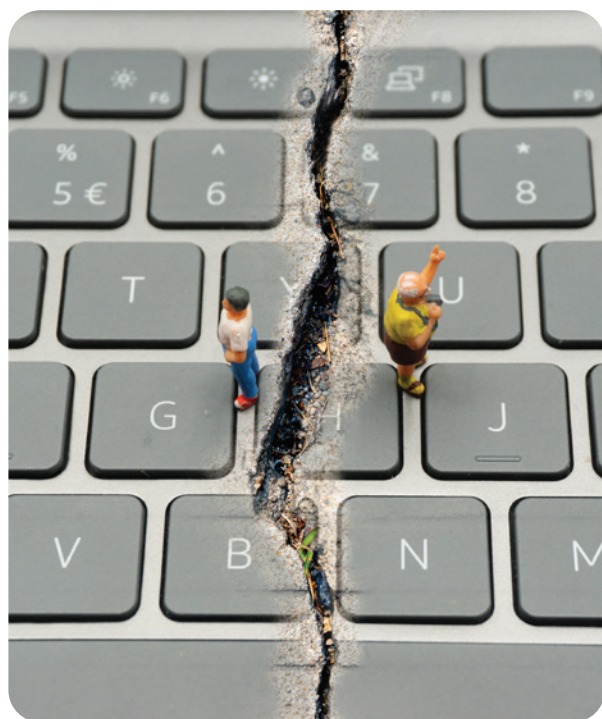
At the same time, Colombia still faces digital divides, including the need to expand digital skills for all and to continue to improve unequal access to internet for specific geographical locations. Equitable acquisition of digital skills is challenging due to multiple barriers, such as the higher number of young people who neither study nor work, socio-economic disparities, quality of education and unequal access to digital infrastructure.[7] A 2021 survey by the Ministry of Information and Communications Technologies (MinTic) assessed the ability to use Information and Communication Technologies (ICT) effectively, considering different levels of literacy and technological skills; and highlighted the marked disparities between traditionally central departments (based on production or administrative roles), and those located farther from the center.[8] In Bogotá, the country's capital, the index is 0.2546; but in a nearby department traditionally focused on agriculture and livestock, such as Meta, the index is 0.4177 (closeness to 0 represents higher level of skills).[9] The survey indicated significant disparities in skill levels between the major departments and those with more rural traditions.

Similarly, internet access remains uneven: 81% of households in Bogotá, 74% in Santander, and the remaining seven departments had internet penetration of over 60%, while 10 other departments recorded between 40% and 59.9% internet access for households.[10] In municipal capitals, 2.7% of people rate their internet service as poor, and 22.7% consider

[4] World Bank (2023). Digital economy for Latin America and the Caribbean - country diagnostic: Colombia. Washington, DC: World Bank. Available at: https://openknowledge.worldbank.org/entities/publication/88948415-77f6-41fb-a8c0-5d8d415134b5

[2] Ibid, World Bank (2023).

[3] International Telecommunications Union (ITU) (2023). Colombia country review: regulation at the forefront of digital transformation. ITU Publications. Available at: https://digitalregulation.org/wp-content/uploads/D-PREF-THEM.27_Colombia-2023-PDF-E.pdf.

[4] Ibid, ITU (2023).

[5] Alliance for Affordable Internet (2020). Colombia: Planning for inclusive, affordable connectivity. Good Practice Database. Available at: https://a4ai.org/research/good-practices/planning-for-inclusive-affordable-connectivity.

[6] El Tiempo (2023). 1180 escuelas de municipios PDET tendran Internet, asi como las comunidades cercanas a estas. Available at: https://www.eltiempo.com/mas-contenido/internet-gratis-llegara-a-1180-escuelas-de-municipios-pdet-816059

[7] World Bank (2023). *Digital economy for Latin America and the Caribbean - country diagnostic: Colombia*

[8] Ministerio de Tecnologias de la Informacion y Comunicaciones. *Encuesta de Tecnologias de la Informacion y las Comunicaciones en Hogares* (2021). Available at: https://www.dane.gov.co/files/investigaciones/boletines/entic/bol_entic_hogares_2021.pdf

[9] Ibid, Ministerio de Tecnologias de la Informacion y Comunicaciones (2021).

[10] Ibid, Ministerio de Tecnologias de la Informacion y Comunicaciones (2021).

it average. These numbers are considerably higher in rural areas, with 7.2% and 4.2%, respectively.[11]

The cost of internet access and the lack of high-speed internet connectivity in some regions also remain major sources of concern in Colombia.[12] This is in part due to limited infrastructure within rural and peri-urban areas. In Amazonas, Guainía, and Vaupés, the percentage of households in rural areas with a fixed Internet connection is close to zero.[13]

Colombia has a low digital gender gap ratio: in 2023, it was 0.975, indicating equitable digital access between males and females.[14] However, due to higher economic status, men typically enjoy better-quality connections with superior devices, faster speeds, more data, and more frequent internet use. According to the World Wide Web Foundation (WWF), 51% of men have access to a 4G connection, whereas only 36% of women do.[15]

Globally there were

259 million more men ♂ > **than women** ♀ online in 2023

Gender gap in mobile internet adoption

34% ♂ **59%** ♀ **39%**

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[10] Ibid, Ministerio de Tecnologias de la Informacion y Comunicaciones (2021).
[11] Ibid, Ministerio de Tecnologias de la Informacion y Comunicaciones (2021).
[12] World Bank (2023). *Digital economy for Latin America and the Caribbean - country diagnostic: Colombia*
[13] Ibid, World Bank (2023).
[14] Kashyap, R., Weber, I., Rotondi, V et al., (2023). Digital gender gaps: Colombia. Web page: https://www.digitalgendergaps.org/
[15] World Wide Web Foundation (2020). *Women's Rights Online: Closing the digital gender gap for a more equal world.* Available at:
    http://webfoundation.org/docs/2020/10/Womens-Rights-Online-Report-1.pdf

Impact on Young Adults: Findings from our previous research

In 2021-22 the Digital Health and Rights Project, in collaboration with researchers at Universidad de los Andes and BRAC University in Bangladesh, conducted a community-engaged study to explore the impact of digitization on the human rights of young adults in Colombia and Bangladesh.[16]

In Colombia, Andes researchers held 6 focus group discussions (FGDs) with 26 young people (aged 18-30) in Bogota and Medellin, including some openly living with HIV; 18 individual interviews with selected young adults, including transgender women; and 14 key informant interviews with HIV activists and community leaders representing transgender people living with HIV and women living with HIV.

The study highlighted the importance of digital health within key populations and communities living with HIV in Colombia, as well as some concerns. Young adult participants indicated that they preferred to seek health information from youth-friendly content creators on social media rather than in formal health systems, due to conservative social norms that prevail within clinics (especially of concern for transgender women in the study). At the same time, they highlighted concerns about the credibility of online health information. The study revealed a spectrum of concerns about online privacy and security for key populations such as gay men living with HIV. Cases of online bullying and discrimination were reported. Platforms such as WhatsApp groups and Instagram emerged as havens for peer support for people living with HIV; however, some women living with HIV reported feeling unwelcome in these groups. Women living with HIV also described challenges with digital skills and ability to afford their own mobile phones.

During 2022-23, Andes researchers held a series of community visits to validate the findings based on the lived experiences and expectations of the participants. This was followed by a public presentation of the research findings at the university, attended by project participants, communities of people living with HIV, representatives of public and private organisations providing services to people living with HIV, and academics.

> Sometimes out of fear or fear of going to an establishment where you are going to be treated badly, where you are going to be discriminated against, where you are going to be violated -- you are like, "Oh, no, I better ask by WhatsApp."

Digital health governance in Colombia: An overview

While there is no specific governance framework on digital health governance in Colombia, there are several institutions that have regulatory oversight on Colombia's digital transformation, with relevant legislation.

An important challenge facing the government is to build on this framework and create a national digital health strategy that meets the diverse needs of the country.

Four core bodies are responsible for digital governance: the National Planning Department *(Departamento Nacional de Planeación (DNP)*, the Administrative

[16] Digital Health and Rights Project Consortium (DHRPC). (Under review). *Navigating the digital realm: A community engagement study of young adults mobile phones, and the right to health in Bangladesh and Colombia.*

4

Department of Public Service *(Departamento Administrativo de la Función Pública (DAFP))*, the Ministry of Trade, Industry and Commerce *(Ministro de Comercio, Industria y Turismo (MINCIT))*[17] and the Ministry for the Information and Communications Technologies *(Ministerio de Tecnologías de la Información y Comunicaciones de Colombia (MINTIC))*.[18] Evidently, collaboration is the watermark of Colombia's digital governance.[19] This collaborative framework is underpinned by *The National Constitution* (1991); national laws on privacy and data Protection; national laws and policies on ICT and Cybersecurity, including a new *National Digital Strategy*; and national health laws. We briefly note some of the most relevant provisions below.

Colombia's *Political Constitution* guarantees and protects Colombian citizens' right to health and other related rights. The Constitution also establishes provisions that protect rights in the digital world: Article 15 establishes the right to personal and family privacy, the right of every person to know, update, and rectify information about them, and the protection of correspondence and other forms of private communication.[20] Additionally, Law 1341 of 2009 regulated ICT, defined principles and concepts of the information society, including digital governance, and created the National Spectrum Agency (ANE), which provides technical support for the management, planning, exercise of surveillance and control of the radio electric spectrum, as well as the quality and coverage of telecommunications services. The law establishes that the principles of equality, non-discrimination, and respect for human rights must guide the development of ICT.[21]

Law 1419 of 2010 further established guidelines for the development of telehealth and defines telehealth as the set of activities related to health, services, and methods carried out remotely with the help of ICT. Law 1419 was regulated by Resolution 2654 of 2019, which requires that for the practice of telemedicine in Colombia, healthcare providers must obtain informed consent and communicate potential risks, benefits, responsibilities, and privacy and confidentiality of data.[22] Additionally, Law 1581 of 2012 regulates general provisions on privacy, protection of personal data. The Statutory Law also defines special categories of data, two of which are sensitive data and data concerning children and adolescents.[23] In 2023, MinTIC launched a National Digital Strategy to address such issues as connectivity, data infrastructure, digital trust and security, digital skills and talent, artificial intelligence (AI), the digital public transformation, digital economy, and digital society.[24]

Despite the plethora of laws, there are outstanding challenges that can hinder progress towards an all-inclusive digital society.[25] The existence of many regulations has not necessarily translated into an effective implementation regime.[26] A legal and strategic framework governing digital health could help to better regulate digital health management. Barriers to participation and empowerment of individuals and communities in development of these strategies and concerns about unlawful surveillance on digital platforms by government may hinder use of digital health by some populations.[27]

5

[17] International Telecommunications Union (ITU) (2023). *Colombia country review: regulation at the forefront of digital transformation.* ITU Publications. Available at: https://digitalregulation.org/wp-content/uploads/D-PREF-THEM.27_Colombia-2023-PDF-E.pdf.

[18] Political Constitution of Colombia (2005) (Article 11). Available online: https://www.constituteproject.org/constitution/Colombia_2005.pdf

[19] ITU (2023). *Colombia country review: regulation at the forefront of digital transformation.*

[20] Political Constitution of Colombia (rev 2005).

[21] Congreso de Colombia (2009) Por la cual se definen principios y conceptos sobre la sociedad de la información y la organización de las Tecnologías de la Información y las Comunicaciones, se crea la Agencia Nacional de Espectro y se dictan otras disposiciones. Available at: http://www.secretariasenado.gov.co/senado/basedoc/ley_1341_2009.html.

[22] Congreso de Colombia (2010) Por la cual se establecen los lineamientos para el desarrollo de la Telesalud en Colombia. Available at: https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=40937

[23] Congreso de Colombia (2013) Por el cual se reglamenta parcialmente la Ley 1581 de 2012, Derogado Parcialmente por el Decreto 1081 de 2015. Availabe at: https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=53646

[24] Mejía RS and Gonzalez G, (2024). Access alert: Colombia releases national digital strategy 2023-26. Website, 16 February. Available: https://accesspartnership.com/access-alert-colombia-releases-national-digital-strategy-2023-2026/.

[25] ITU (2023). *Colombia country review: regulation at the forefront of digital transformation.*

[26] Ibid, PI (2023).

[27] Privacy International (PI) (2023). *Colombia's compliance with the ICCPR: PI's submission to the UN Human Rights Committee.* Available online: https://privacyinternational.org/sites/default/files/2023-07/UNHRC%20submission%20on%20Colombia_PI%20Final-1_Web_R.pdf

Further research: The Future of Human Rights in the Digital Age

In 2023-26, the *Future of Human Rights in the Digital Age* study will build on the feedback and experiences from our previous research and advocacy engagement to incorporate grass-roots evidence and perspectives into global policies and practices.

Utilising a transnational participatory approach, to explore the future of human rights in the digital age. The new study will focus on the role played by diverse grass-roots communities in Colombia, Ghana, Kenya and Vietnam in shaping the future of human rights, focusing on three thematic areas — namely:

(i) Digital literacy and empowerment: exploring the kinds of literacy that young people and communities need..

(ii) Political determinants of digital health: exploring from the ground-up, laws and policies that put criminalised and stigmatised population at risk.

(iii) Meaningful youth participation in digital governance: investigating the right to meaningful participation and the extent to which diverse actors can collaborate to promote human rights in the use of data and digital technologies.

The study empowers young people to become both learners and researchers through a transnational participatory research approach. The project has established a Community Advisory Team (CAT) in Colombia, with young adults from previous research, health advocates, and human rights advocates represented. The CAT advises on the research, leads national dissemination and advocacy plans, and participates in digital empowerment training. In addition, they elect a representative to the project's global steering committee. This approach elevates grass-roots voices, by providing a platform to address issues that directly affect their lives.[28]

Recommendations

- The United Nations, regional bodies and other global health agencies should support the Colombian government to expand internet access to under-served locations, improve digital skills, and strengthen data protection.

- The government of Colombia should ensure that the processing and use of data by the private sector in the delivery of healthcare services and information, as well as in the management and provision of healthcare infrastructure, is effectively regulated and subject to robust accountability mechanisms.

- The government of Colombia should work with the private sector, civil societies, youth associations and communities to enhance transparency and participation in digital governance. Specifically, government can work with the stakeholders to assess varying levels of proficiency among young adults and marginalised populations with a view to providing digital empowerment trainings.

[28] DHRPC, and Davis S.L.M. (2022). Towards digital justice: participatory action research in global digital health. *BMJ Global Health* 2022;7:e009351

Conclusion

While Colombia's digital transformation is informed by an expansive legal framework, there is no specific governance policy on digital health. Additionally, infrastructural barriers in terms of internet speed and coverage, coincide to affect rural and peri-urban communities. As the government considers how it will prioritise and address digital health in the country in future, it should consider the voices and needs of rural and marginalised populations (migrants, LGBTQI+ and PLHIV). The current research will address these complex intersecting issues from the ground-up.

About the Digital Health and Rights Project

The Digital Health and Rights Project (DHRP) consortium brings together international social scientists, human rights lawyers, health advocates, and networks of people living with HIV, to conduct research and advocate for rights-based digital governance in Colombia, Ghana, Kenya, Vietnam, and globally.

warwick.ac.uk/fac/cross_fac/cim/research/digital-health-rights/about/

The Universidad de Los Andes (Uniandes) is a consortium member of the DHRP and the co-investigator for the Future of Human Rights in the Digital Age Study in Colombia.

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7

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