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EDITORIAL

The *Latin American Journal of European Studies* is an open-access, double-blind peer-reviewed publication of the Latin American Center of European Studies (LACES), supported by the Jean Monnet Network Policy Debate “BRIDGE Watch: Values and Democracy in the EU and Latin America” (Project ID 101126807), co-funded by the Erasmus+ Programme of the European Union. Published twice a year in English, Spanish, and Portuguese, the journal aims to foster academic dialogue, comparative research, and the exchange of best practices between the European Union and Latin America.

This tenth issue of the *Latin American Journal of European Studies* presents the dossier “Digital Transformation and Innovative Solutions”, dedicated to examining the intersections between law, governance, and technology from a comparative Euro-Latin American perspective. In an era increasingly shaped by artificial intelligence, data governance, and digital infrastructures, the articles gathered in this volume reflect on how technological change redefines legal systems, regulatory cooperation, and the protection of fundamental rights.

This topic also served as the central theme of the X Jean Monnet Network Seminar – BRIDGE, held from September 29 to October 2, 2025, at the Institute of International Studies of the University of Chile (IEI-UChile) and the Economic Commission for Latin America and the Caribbean (ECLAC) in Santiago, Chile. The event featured a rich program comprising a Seminar, a Training Course, an Advanced Course, and a Workshop on “*Digital Transformation and Innovative Solutions*.”

Distinguished authorities and experts contributed to the discussions, including Claudia Gintersdorfer, Ambassador of the European Union to Chile; Marco Llinás, Director of the Division of Productive and Business Development at ECLAC; María José Macho, representative of the United Nations System in Chile; Sergio Scarabino, from the International Telecommunication Union (ITU);

Patricia Roa, from the International Labour Organization (ILO); Sebastián Rovira, from ECLAC; and Victor Fajnzylber, from XR Labs – University of Chile.

The Workshop featured the presentations of 60 papers, authored by 91 researchers from across the world. The papers were carefully chosen by the Scientific Committee, which included Professors Fabíola Wüst Zibetti (Universidad de Chile, Chile), Aline Beltrame de Moura (Universidade Federal de Santa Catarina, Brazil) and Nuno Cunha Rodrigues (Universidade de Lisboa, Portugal).

The opening article, *From Transparency to Standards: The Role of the TBT Agreement in Addressing AI Regulatory Challenges*, by Milena da Fonseca Azevedo, winner of the *Jean Monnet BRIDGE Watch Scientific Merit Award*, examines how the WTO's Agreement on Technical Barriers to Trade can contribute to global AI governance. By emphasizing transparency and the adoption of international standards, the study highlights how trade instruments can mitigate regulatory fragmentation and promote cooperation among States.

Building on this intersection between innovation and legal frameworks, Luiz Otávio Pimentel and Ana Paula Gomes Pinto in *Transformações digitais e patentes: SEP e licença FRAND (Digital Transformations and Patents: SEP and FRAND Licensing)* discuss the challenges of standard essential patents and FRAND licensing in Brazil. Their analysis explores the balance between intellectual property protection, fair competition, and access to technology, in alignment with the Sustainable Development Goals.

Fabíola Wüst Zibetti's article *Las patentes esenciales a las normas técnicas en servicios: SSEP en el sistema multilateral de comercio (Digital Services Standards Essential Patents (SSEP) in the Multilateral Trading System)* examines how a new generation of service-oriented standard essential patents, embedded in software, telecommunications networks, and digital platforms, challenges existing WTO disciplines. The text highlights regulatory gaps and fragmented domestic approaches, showing how the resulting legal uncertainty for cross-border providers of digital services may operate as a de facto non-tariff barrier and pointing to the need for a more coherent multilateral framework.

In a complementary perspective, *Cloud Sovereignty and International Law: Balancing Digital Autonomy and Transnational Cyber Governance*, authored by Danilo Vicente García Cáceres, analyzes the tensions between digital sovereignty, cloud computing, and international law. The article underscores the need for international norms capable of reconciling cross-border data flows with legal accountability and cybersecurity in an increasingly multipolar digital environment.

Strengthening this global vision, Keren Susana Herrera Ciro, in *El camino al fortalecimiento de la cooperación estratégica digital entre la Unión Europea y América Latina y el Caribe (The Path Toward Strengthening Strategic Digital Cooperation between the European Union and Latin America and the Caribbean)*, explores the opportunities and challenges of Euro–Latin American digital integration. The article proposes a joint Digital Integration Agenda inspired by the European Digital Decade, aimed at promoting sustainable innovation and regional cooperation.

A group of contributions then turns to the regulation of artificial intelligence, focusing on risk-based approaches and the protection of fundamental rights. In *Between Innovation and Risk: Regulating Artificial Intelligence under Brazilian Bill № 2.338/2023 and the EU AI Act (Regulation EU 2024/1689)*, Cristina Mendes Bertoni Corrêa, Desirre Dorneles de Ávila Bollmann, and Álvaro Sampaio Corrêa Neto compare the European and Brazilian frameworks, identifying convergences and gaps in ensuring effective human rights protection. Similarly, Victória Fernandes de Moraes, recipient of an *Honourable Mention* at the *5th Jean Monnet Prize for Social Sciences, Young Researchers Competition*, in *A proteção dos direitos fundamentais em sistemas de risco elevado no Regulamento de Inteligência Artificial da União Europeia (The Protection of Fundamental Rights in High-Risk AI Systems under the European Union's Artificial Intelligence Regulation)*, offers a critical assessment of the EU AI Act's capacity to safeguard fundamental rights in the face of rapid technological evolution. Adding a technical and ethical dimension, René Palacios Garita, in

Artificial Intelligence: Challenges of Explainability on Disinformation through Chatbots, explores the risks of misinformation and algorithmic bias in chatbots, proposing explainable AI (XAI) as a key principle for the ethical and transparent use of such technologies.

Expanding the debate toward digital rights, Eduardo Kanahuati Fares, in *La evolución y aportación europea en el reconocimiento de la autodeterminación informativa y la protección de datos personales como derechos humanos* (*The European Contribution to the Recognition of Informational Self-Determination and Data Protection as Human Rights*), traces the evolution of privacy and data protection in Europe and their influence on the Inter-American system, advocating stronger international coordination. In a forward-looking approach, Luis Clóvis Machado da Rocha Junior, in *A proteção das gerações futuras no constitucionalismo digital: sustentabilidade, responsabilidade e justiça intergeracional* (*The Protection of Future Generations in Digital Constitutionalism: Sustainability, Responsibility and Intergenerational Justice*), examines how digital constitutionalism incorporates sustainability and intergenerational justice into the framework of fundamental rights. Complementarily, Claudia Marchetti da Silva, in *Automação inteligente e exclusão intergeracional: uma proposta de contribuição para a segurança social* (*Intelligent Automation and Intergenerational Exclusion: A Proposal for Social Security Reform*), analyzes the socioeconomic impacts of intelligent automation on pension systems and proposes fiscal instruments to redistribute technological gains and promote intergenerational equity.

Environmental and governance concerns emerge in *Criptominería y su huella ecológica: un estudio previo de la situación en Paraguay* (*Cryptomining and its Ecological Footprint: A Preliminary Study of the Situation in Paraguay*), by Cecílio Arnaldo Rivas Ayala, Danielle de Ouro Mamed, and Noelia Bernadett Ozuna González, which evaluates the environmental and regulatory challenges of cryptomining, calling for state action to balance energy sovereignty and environmental sustainability. In turn, Claudio Eduardo Regis de Figueiredo e Silva, in *Proceso digital en el Poder Judicial brasileño: crisis y oportunidades*

(*Digital Process in the Brazilian Judiciary: Crises and Opportunities*), reflects on the digital transformation of the Brazilian judiciary and the implementation of AI tools under CNJ Resolution 615/2025, emphasizing transparency, efficiency, and human-centered innovation. Along similar lines of practical innovation, *Concil-IA Project: Final Findings and Digital Innovations for Conflict Resolution*, by Maykon Marcos Junior and co-authors, presents the results of the UFSC Concil-IA Project, which developed and validated an explainable AI platform for online dispute resolution, achieving high levels of institutional acceptance.

Closing the thematic dossier, the article *Contratos eletrônicos realizados por meio do aplicativo WhatsApp: um estudo entre Brasil e União Europeia* (*Electronic Contracts Made Through the WhatsApp Application: A Study Between Brazil and the European Union*), by Elaine Sant'Anna de Carvalho, Geanne Gschwendtner de Lima and Thainá Schroeder Ribeiro, examines the validity of legal transactions concluded via WhatsApp in a context marked by the consolidation of "social commerce" and the absence of specific regulation. Drawing on European models, the text argues that such contracts are, in principle, valid, while highlighting the need for clearer rules and safer contractual practices to strengthen legal certainty in digital transactions.

The issue also broadens the discussion toward regional and human rights governance. In *Notas sobre la reforma de la Corte Interamericana de Derechos Humanos* (*Notes on the Reform of the Inter-American Court of Human Rights*), Manuel Becerra Ramírez reflects on the current weaknesses of the Inter-American system and proposes reforms inspired by the European experience to strengthen compliance and effectiveness. Similarly, *El régimen global de sanciones de la Unión Europea como instrumento frente a las graves violaciones de derechos humanos en América Latina* (*The European Union's Global Human Rights Sanctions Regime as a Tool Against Serious Human Rights Violations in Latin America*), authored by José Rodrigo Alva Gastañadui, Patricia Vega Pacheco, and Carol Jazmin Orbegoso Moreno, winners of the 5th Jean Monnet Prize for Social Sciences, Young Researchers Competition, compares the EU's

sanctions regime with the Inter-American human rights system, emphasizing the need for coherence, transparency, and coordinated action between the two frameworks. Finally, Nuria Puentes Ruiz, recipient of an *Honourable Mention* at the same competition, in *La globalización de los conceptos democráticos y de Estado de Derecho de la Unión Europea: el caso de América Latina y el Caribe* (*The Globalization of Democratic and Rule of Law Concepts of the European Union: The Case of Latin America and the Caribbean*), analyzes the internationalization of European democratic values and their alignment with the UN Sustainable Development Goals, highlighting their contribution to regional cooperation and the strengthening of governance.

As editors of this issue, we extend our sincere gratitude to all the authors and contributors whose intellectual commitment made this edition of the *Latin American Journal of European Studies* possible. We hope that the reflections gathered here will contribute to advancing the dialogue between Latin America and Europe on the challenges and opportunities of digital transformation, fostering a shared understanding of how innovation, law, and governance can promote rights, equality, and democratic values in the digital age.

Aline Beltrame de Moura & Naiara Posenato.