The advertising field presents a fertile terrain to analyze and to characterize principles of universal ethics. Moreover, an examination of developments in media and the persuasive communication industry in a specific area within the global context provides the opportunity to establish the theoretical foundations to bring increased understanding across the conceptual and philosophical domain of academics and the applied marketplace of practitioners. The advertising sector has gained relative importance in Spanish-speaking economies (see Etayo & Preciado Hoyos, 2009), thus requiring an extensive assessment of the adherence to ethical standards and principles by not only the advertising agencies, but also advertisers of products and services in the Spanish speaking countries in the Americas.

This chapter analyzes the development of media and advertising in Latin America. Twenty countries in the region are examined in respect to their compliance with the universal moral values of human dignity and social responsibility. This review exploring Latin American advertising ethics is organized around the similarities of government guidelines and conventional formats for moral principles, for codes of ethics (see Christians, 2019, p. 6), and regulatory mechanisms of advertising agency associations. Special attention is paid to the formal and informal regulation of children, health, tobacco and alcohol advertising in each nation-state.

**CONTEXTUALIZING THE LATIN AMERICAN TERRITORY**

While the Spanish and Portuguese languages are the thread that binds these nation-states of Latin-America together, it should be noted that Latin America is a diverse region with complex and varied political and economic systems and with vast differences among its lands and peoples. It is a geographic region that was in existence “long before the name emerged as a concept” (Holloway, 2011, p. 3), and a region that recently has come under scrutiny regarding “the validity of the label” (Mignolo, as cited in Holloway, 2011, p. 3) as a coherent construct. Nonetheless, the term Latin America continues to be conveniently used in academic studies, as well as in public economic, social, cultural, and political discourse.

The first use of the expression “Latin America” can be traced to the 1850s, as part of the “pan-Latinism” movement that emerged in French intellectual circles. It was also found in the
writings of Michel Chevalier who traveled in Mexico, Cuba and the United States during the late 1830s (Holloway, 2011), juxtaposing the “Anglo-Saxon” people with the “Latin” inhabitants of the Americas (Ardao, 1986, p. 38; see also Mignolo, 2005, p. 57).

When classifying the Americas, geographers typically divide the territory into two continental landmasses (North America and South America) and two sub-regions (Central America Isthmus and the Caribbean insular territory). Such classification can create confusion in certain circumstances. For instance, Mexico is in North America for its geographic coordinates and for economic activities such as the former North American Free Trade Agreement (NAFTA), but given the nation’s historic tradition it is considered a Latin American country. Similarly, the Commonwealth of Puerto Rico, despite its political ties to the United States, is “historically and culturally part of Latin America” (Holloway, 2011, p. 6).

It becomes imperative to clarify that the term Latin America refers to the more than seven million square miles of the Americas stretching from South of the Rio Grande in the United States (Rio Bravo in Mexico) to Tierra del Fuego in South America, including several island nation-states in the Caribbean. The number of nations considered to be Latin American typically ranges from 20–24, depending on the criteria selected. holloway (2011) states that the most common grouping usually does not include Suriname, Belize and French Guiana because their historical trajectories are not directly connected to occupations by Spain or Portugal; and he also asserts that Haiti’s historical narrative is entangled with the colonial period of Hispaniola in the eighteenth century which, therefore makes it more of a cousin to the English/French-speaking Caribbean than a relative of Latin America (see Holloway, 2011, pp. 5–6).

Even though Arturo Ardao (1980) claims that the expression “Latin America” designates “the set of American Countries” (p. 20) whose languages are Spanish, Portuguese and French, other authors refer to the region as republics that may be compared to “twenty planets revolving around a distant star” (Buckman, 1996, p. 5) which may align “once in a thousand years” (p. 5). These independent nations of “all different sizes and moving at different speeds” (p. 5) are greatly influenced by Latin cultural traditions from the Southwestern neck of land in Europe with the “near-universal influence of the Roman Catholic Church over five hundred years” (p. 6). Ironically, while Catholicism was instrumental in the colonization project and Latin was the language of choice for the religious services, apparently there is no connection between the label “Latin America” and Church Latin (Holloway, 2011, p. 6).

Hence, for the purposes of this chapter, the Latin American context will be limited to those nations originally claimed by Spain and Portugal, whose predominant language in the twenty-first century is linked to those of the Iberian Peninsula (Spanish or Portuguese). The countries are grouped by the region they occupy in the map as follows:

- North America (Mexico)
- Central America (Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Panama)
- Spanish-speaking Caribbean (Cuba, Dominican Republic, Puerto Rico)
- South America (Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay, Venezuela)

TRADITIONAL AND EMERGING MEDIA OUTLETS IN LATIN AMERICA

Research concerning what determines news media use in Latin America is practically absent (Salzman, 2011, p. 24). Furthermore, any exploratory investigation that seeks to develop a coherent and unified comprehension of media presence, practice and influence in the region becomes
even more challenging, when one comes to realize that “one size does not fit all.” There appears to be no consensus about what media exist and where they exist. Just as the 20 nations selected are enormously different geographically, culturally and economically, so are their mass communication systems (Cole, 1996).

To examine and understand the media of Latin America, “one must discard the North American stereotype” (Buckman, 1996, p. 5) about the region being homogenous in the economic, ethnic, linguistic, and cultural realms. Traditional media in Latin American countries are of extraordinary singularity, as well as dynamic and complex. In the early years, the newspapers in the region played a vanguard role like the one they played worldwide. However, television and radio earned the most audience share. This can be explained by the literacy required to read newspapers, one that is not required for radio and TV news consumption (see Salzman, 2011, p. 36; Salzman & Salzman, 2010, p. 8). Also, individuals living in isolated communities, rely on radio more than any other traditional media form, because of delivery issues for newspapers, as well as electricity and broadcasts signal for TV. Salzman (2011) further shows that radio stations are more dispersed, and their signals penetrate rural areas more effectively than the small screen.

Thus, in the third millennium, as a case in point, anyone who travels to remote rural areas in Latin America, will observe that people have come up with creative ideas for erecting homemade antennas on their rooftops, and power radio receivers or TV sets from car batteries and, most recently, from solar panels or other alternative sources of energy. Conversely, emerging media such as internet and social sites also have been adopted by Latin American citizens and it is not rare to observe urban individuals from different social strata carrying the most sophisticated and latest models of digital mobile devices in the majority of the countries in the region, contrasting with the poverty levels these nations exhibit.

The evolution of Spanish-speaking Latin American media traced by Tunstall (2008) shows peculiar features and delineates the decline of U.S. political and media influence over the past 60 years (p. 385). Changes have occurred in the control of international news agenda setting for print media in Central and South America. A study of eight Latin American newspapers in the late 1990s shows them relying on European agencies (see Tunstall, 2008, pp. 400–401). El Mercurio (Chile) was the Associated Press’ “best customer in 1997” (p. 400), but the news agencies from Europe accounted for 64 percent of its foreign news. The development of airwaves in the region followed a similar pattern. Radio broadcasting in Latin America began concurrently with that in the United States and Europe, with corporations such as Westinghouse and General Electric providing technological service and support. Whereas in some countries, the public sector initiated the broadcasting process, later allowing the intervention of entrepreneurs, in Argentina, Chile and Cuba the opposite occurred and private investors took the lead, followed by the government. Nonetheless, Brazil presents a unique case, beginning with privately owned non-commercial radio stations (see Buckman, 1996, pp. 27–28).

According to Veras (2009), one radio station with significant impact in the continent was the Voice of America (VOA), founded in Washington in the mid-1940s, with a very good shortwave signal and programming for all audiences in several languages. Most Latin Americans listened to their transmissions in Spanish and to the news bulletins provided by this station until the mid-1990s when the VOA evolved to new technological platforms and ceased transmitting through the airwaves (see Veras, 2009, pp. 491–493).

As of the third millennium, even though radio is the only communication device available to some inhabitants in areas of the remote South American jungle, the news provider factor is not necessarily the same. Local radio in Latin America is different from local radio in any other part of the globe albeit sharing some similarities with radio in Europe and Africa, when it comes to the point of being the only news/entertainment source available in the area. In Latin American
countries, radio is a technology that has been appropriated to serve vicinities and community systems. It is highly commercial but involves people in collective participation and gives voice to neighborhood-level discourse, interests, and demands (see Martín-Barbero, 1993).

Television broadcasting began slowly, and it was advanced by the private sector in some countries and by the government/public sector in others. Color programming came at a much slower pace and stations in the region rely heavily on dubbed imported shows, primarily from the U.S. (Buckman, 1996, p. 28). Despite significant differences between the score of nations that comprise the region of Latin America, there are similarities which they share as far as broadcast and cable television is concerned. In contrast to the state-owned and usually public service models upon which most countries of the world began their television systems, Latin American countries almost all adopted the US private-owned, commercial model right from the start. The most popular kind of programs throughout the entire region is the telenovela (Sinclair, 2004, p. 88; also see Tungate, 2007, p. 221; Tunstall, 2008), the characteristic Latin American primetime series, equivalent to United States soap operas and ‘influenced by the Mexican radio soap, already strong by1950’ (Tunstall, 2008, p. 394). As of September 2012, Fortune attributed the success of Televisa, a Mexican TV network and conglomerate, to its huge output of the country’s most popular telenovelas. The first one was produced in 1956 and ever since has rivaled Brazil as a producer of TV soaps (see Tunstall, 2008).

Sinclair (2004) suggests that due to the expansion of cable and satellite television, the region has experienced a rapid growth in the number of channels available and of outlets for soundtracks in different languages. This, in turn, has brought new service and content providers, including U.S. corporations, now in a position to compete with Latin American networks on their own ground. However, Sinclair states that the age of CNN en Español, MTV Latino, HBO Olé and other services provided by the major U.S. cable channels already is moving to a further stage defined by the advent of digital direct-to-home satellite delivery (see Sinclair, 2004).

In terms of usage and consumption, certain countries in the region are at disadvantage. Television consumption is relatively low compared to other, more developed nations. Much of this is due to low average income levels in the region.

Many households in Central America “do not have electrical energy” (Salzman & Salzman, 2010, p. 9), or the means to buy a TV set. For this reason, television has historically been reserved for individuals and families in “upper classes in urban areas” (p. 9). Nevertheless, with significant changes in technology and economic improvements in the region, the situation is shifting.

“A digital divide persists in certain areas and nations in Latin America, where 56 percent of metropolitan Brazilians and Mexicans are online” (see Strohmenger, 2010). However, internet use continues to grow throughout the region, providing the unique and profound potential to disseminate information without the traditional expense and “elite-controlled avenues that exist for other forms of media” (Salzman & Salzman, 2010, p. 9; see also Salzman & Albarran, 2011). Such change has been closely observed by the leading companies in the industry. An example of this is that in recent times Google has established offices in Argentina, Brazil, Colombia, Mexico and Peru and opened a data center in Chile in 2013 to eliminate the geographic disadvantage of its users in Latin America.

In fact, the internet has gradually been adopted by inhabitants in the region. The emerging medium penetration surpassed optimistic predictions and grew over 100 percent between 1997 and 1999 (see Gomez, 2004, pp. 72–73), just a few years after its introduction in the region in the late 1980s and early 1990s. Such growth has attracted the interest of internet giants to the region. What started as Cybercafés in the late 1990s has changed to a more mobile approach, with the advent of the smart phones offered by cell phone providers, which have been promoting the 4G capabilities in some of the major, as well as in some not so large markets, in the region. But, Latin
America’s addiction to cellphones did not immediately translate into adoption of mobile Internet. According to Strohmenger (2010) online Brazilians and Mexicans were just “starting to familiarize with the Web” in the first decade of the twenty-first century, fully embracing activities like checking email and searching the Web. In more recent days, social networking services adoption is almost a norm, although the preferences vary depending on age and media literacy.

Moreover, the growth of the mobile network worldwide since the late 1990s has exceeded any expectations. In the early days of the second decade of the third millennium, the British Broadcasting Corporation (BBC), based on a report by the International Telecommunications Union (ITU), wondered whether almost everyone on earth had a cellular phone. On May 9, 2013, the BBC reported that according to ITU calculations, there were 6.8 billion mobile-cellular subscriptions in the world, which was close to the world population of 7.1 billion. In Latin America, mobile telephony has shown a higher growth rate than the world average. Scholars who have studied the trend, determined that in the first quarter of 2013, the majority of the countries had a penetration above 100 subscriptions per 100 inhabitants, with outstanding rates in Chile, Uruguay and El Salvador of 155, 144 and 143, respectively (see Mariscal et al., 2014).

One other significant aspect of mobile communications in the territory is the use of social networking. The increase in social media presence in Latin America is comparable to the rapidly growing interactive media worldwide. Several studies have determined that, similarly to their counterparts in other geographic areas around the globe, Latin Americans mainly use social media platforms to maintain contact with friends and family. For instance, it was found that the most-liked activities are sharing photos and reconnecting with old friends (Albarran & Hutton as cited in Goodrich & De Mooij, 2014, p. 104). Furthermore, from Facebook (to get updates from family) to Instagram (for pictures exchange), regardless of country, young Latin Americans are very active in social media sites, which challenges traditional media to pursue better strategies to catch their attention (Arango-Forero & Roncallo-Dow, 2013, p. 653).

ADVERTISING THE “LATIN AMERICAN WAY”

The road that leads to the formation and evolution of the formal practice of advertising in Latin America was neither direct nor lined with directional signs that pointed the way for early practitioners to follow. Scholarship has been concerned more with specific aspects of the advertising industry. This explains in part why academics are more likely trying to explain economic, creative and technological factors rather than writing about advertising’s genesis and development. In his book, Ad Land: A Global History of Advertising, Tungate (2007) proclaims that as well as having strong historic, cultural and mercantile links, the Spanish and the South Americans produce a similar kind of advertising. He also theorizes that there was a Hispanic advertising culture, with links as far-flung as Argentina, Cuba and Miami.

Buckman (1996) notices that technological demands on Latin American broadcast media, mainly TV, are subject to the same pressures as the print media. In fact, print and broadcast media must compete against each other as well (Buckman, 1996, p. 28). And this represents an interesting perspective for advertising revenue. However, the situation in Mexico presents a distinctive issue and approach, where Televisa is nearly a monopoly in terms of absorbing the advertising budgets. The bulk of radio and TV advertising in Mexican territory goes to radio and TV. This could be due to dishonest activities employed by the newspapers in the form of inflated circulation data and “paid announcements presented as editorial material” (see Tunstall, 2008, p. 393). But it is significant to acknowledge that this is a widely known and accepted corrupt practice in journalism, also common to other countries in the region including the Dominican Republic (see
Wiarda & Kryzanek, 1992), where “journalists are not always well paid and sometimes accept additional remuneration from government offices, political parties, or firms” (Hartlyn, 2001, p. 199). Those practices have made ad agencies in the region unwilling to use the newspapers as vehicles for persuasive communication.

Latin American advertising began to gain international visibility and increased impact after the Brazilians “reaped an impressive pile of awards” at the Cannes festival in the 1980s (Tungate, 2007, p. 220). Over the years other countries have had a significant presence in this prestigious contest, building respect for creativity and production in the region.

Several academics have noticed that one of the most prevalent programing forms in Latin American television is the telenovela, mainly produced in Brazil, Mexico, Venezuela, and more recently in Colombia. It is consumed avidly as a primetime show in most of the countries; in some more than others. As a case in point, Tungate (2007) proposes that Brazilians are “gluttonous TV viewers” (p. 222) and contrasts the power of television as an advertising medium versus print, pointing out that in terms of the cost of reaching the audience, a telenovela could pull in 90 percent of all households (p. 222). Furthermore, he indicates that for the price of a double-page spread in a magazine aimed at an upper scale market, an ad agency could place a 30-second spot during the television news broadcast and reach 45 million people (p. 222).

The internet’s growth as an advertising option has evolved strongly, consistent with how this approach has unfolded in other countries across the globe, including the United States, where pop-up, tweets and digital media present unprecedented challenges, not only concerning consumers reached, but also how they impact individual purchasing behavior. However, despite the “slightly above the world average” (Fragoso and Maldonado, 2010, p. 201) general penetration rate of 22.6 percent, this emerging form of mass media must still establish itself as a predominant advertising medium in Latin American nation-states.

An advertising industry that has mastered the art and science of using traditional media to deliver messages to consumers finds itself faced with the challenges of connecting with their stakeholders within a “new media” environment in which even local advertisers are competing at a global scale (see Victor, 2012, pp. 200–201). According to Strohmenger (2010) marketers seeking an effective media allocation mix for the region must understand differences in behavior and level of engagement of their customers.

Latin American agencies and advertisers at first were uncertain about adopting the internet and social media as persuasive communication spaces due, in part, to the lack of reliable data to measure the cost effectiveness of the investment and the characteristics of the target audiences. But, as Bughin and Spittaels (2012) sustain, the use of online media is more affordable than the traditional media for some product categories and could reach more people than a typical advertisement (p. 3). Consequently, even though “digital advertising in the region remains lower than average around the globe” (see Cantor-Navas, 2019), recent studies suggest a changing trend and a slow, smooth, and steady transition to the internet-based advertising environment, that allows brands and consumers to engage across multiple channels.

INDUSTRY DEVELOPMENTS AND NEED FOR REGULATION

It is essential to understand the character of advertising agencies in the region, as well as the way the industry has changed since its beginnings several decades ago. But there is limited literature available to uncover the trends followed by the industry and to help clarify the extent to which standardization exists across the professional practices in this developing region. A brief sketch of the expansion of the agencies, and more specifically the developments in the
industry after the appearance of multinational agencies in Latin America, helps shed light on
the current state of the business.

Historical developments are closely linked to the spreading out of United States established
industries in the early 1900s. According to Torres-Baumgarten (2011), the internationalization
process can be traced back to 1929 when the New York based agency J. Walter Thompson (JWT)
opened its first office in Brazil and during that year opened subsidiaries in Argentina, Chile and
Uruguay (see Torres-Baumgarten, 2011). This strategic move was based on a “pivotal agree-
ment” (p. 234) between JWT and General Motors, where the agency committed itself to follow
the international expansion of the car manufacturer. McCann-Erickson also set foot in Latin
America early on and became another alternative for North American firms that were considering
expansion overseas prior to World War II. The development process continued and by the 1960s
and 1970s major U.S. agencies opened more than 250 branch offices (see Fejes, 1980), but in the
mid-1970s consolidation changed the face of the industry worldwide and Latin America was no
exception. Nonetheless, following the mergers and acquisitions, the trade continued its growth
into the twenty-first century, circumnavigating the ups and downs of the 1980s and 1990s (see

In monetary terms, the advertising business in this progressive zone of the Americas is not
much different from that of Europe, Asia or other developed regions of the world. In fact, in
many Latin American countries, local advertising agencies can compete with large multinational
conglomerates and manage a substantial advertising budget. However, despite the lack of reliable
data to document advertising expenditures in the 20 countries, there is no dispute over the fact
that the billings of the global advertisers give them substantial advantage in relation to the locally
owned and operated firms.

Like any other region of the globe, advertising agencies in the Latin American countries
analyzed have moved toward integration, either as associations or federations, with the intention
of providing its members a unified way to practice advertising professionally. One of the main
roles for these grouping entities is developing ethical standards for the industry and establishing
self-regulatory codes for their members.

**ADVERTISING REGULATORY PRACTICES IN LATIN AMERICA**

This section is an effort to understand the attempts to regulate advertising in Latin American
geographies. It encompasses the approaches taken by government officials, as well as the private
sector, both individually and collectively. This information sets the stage for a more detailed
discussion of the institutions and instruments used by the state to control advertising in the 20
countries. In addition, this description helps determine the amount of self-regulatory efforts that
are followed within the nation-states.

**Argentina**

This developing nation has had times of political uncertainty with dictatorships ruling the coun-
try. In such periods, laws were made by decree. Nonetheless, after the return of democracy in
1983 independent branches of government were reintroduced. The legislation is now in the hands
of the National Congress, which is responsible for passing federal laws. However, given the polit-
cal structure, the laws need to be approved or rejected by the president.

The groundwork for commercial persuasive communication practices in Argentina is laid out
in the Constitution of 1994 (see Gronemeyer, 2014a, p. 44). This set of fundamental principles
holds the government responsible for consumer protection and specifically addresses issues of misleading or abusive advertising. Also, there are several laws regulating advertising practices and adherence to moral standards and decency. One of the most recent ones is Law 26.522, which regulates the audiovisual and communications services. The bill was introduced in the House of Deputies and approved after undergoing more than 100 modifications (www.argentina.gob.ar). This legislation establishes the guidelines governing the operation of broadcast media and advertising agencies. It was enacted in October 2009, to replace Law 22.285, which had been voted by the dictatorship in 1980, to regulate broadcasting. Article No. 81 of the new legislation refers to specific regulation regarding broadcast advertising and emphasizes aspects such as language and child protection provisions. Also, it postulates that advertising aimed at girls and boys should not encourage the purchase of products exploiting their inexperience and credulity. Article No. 82 sets policies regarding the amount of time allowed for advertising. It limits advertising broadcast time to 14 minutes per broadcast hour for audio and 12 minutes for open television.

The State has also regulated the advertising of tobacco products. Article No. 2 of Law 23.344 limits in the broadcast media the advertising of cigars, cigarettes and other products used for smoking. The law is concerned with the protection of minors. Restrictions include the following limitations: commercials cannot be aired between the times of 8:00 am and 10:00 pm., except if only the brand is identified; advertisements shall not be broadcast during children’s programming or in movies where minors are in attendance (see Gronemeyer, 2014a, p. 45).

Another interesting aspect concerning government regulation can be found in Article No.128 of the Penal Code, which sanctions anyone who publishes, creates, reproduces, or distributes obscene material. Although it does not refer specifically to advertising practices, the article includes legal implications to agencies engaged in producing obscene advertising.

In terms of self-regulation, Argentina relies on the Asociación Argentina de Agencias de Publicidad (AAAP: Argentinean Association of Advertising Agencies), established in 1933. Members of AAAP assume the responsibility to compete ethically for advertising accounts and to observe as their responsibility the promotion of the dignity of advertising as a profession. Agencies that make up AAAP operate based on the principles of ethics, truth and appropriateness to strengthen confidence in the products and services they promote.

Argentineans also have another private, nonprofit organization that promotes advertising self-regulation. In November 2001, the Consejo de Autorregulación Publicitaria (CONARP: Advertising Self-Regulation Council) was formed with the responsibility to promote self-regulatory practices among advertisers, agencies, and media. The council’s mission is to ensure ethics and responsible exercise of freedom of commercial speech, by promoting social responsibility in advertising practices.

The Argentinean Council’s Code of Advertising has incorporated the most relevant experiences, rules and procedures of countries in Europe (see Gronemeyer, 2014a, p. 47) The code emphasizes respect for freedom and human dignity and “requires advertisers to adhere to the fundamental principles of honesty, fairness, integrity and good taste in all messages” (p. 47). The manual encourages AAAP to refrain from statements that directly or indirectly attack religious beliefs or to create messages that threaten the country’s sovereignty. Furthermore, the code considers advertising issues through new media and mobile telephony (see Gronemeyer, 2014a, pp. 47–48). In addition, the ethical standards established in the Code of Ethics and in the AAAP Declaration of Principles stress that advertising agencies must refrain from using misleading ads, creating messages with morally offensive representations or distorting the truth.

The 2012 CONARP’s declaration of principles and self-regulation code review became a substantial supplement to the AAAP Code of Ethics. It presents a set of 45 articles that address issues related to truth, dignity, advertising to children, comparative and new media advertising.
Bolivia

When compared with other nations in the region, Bolivia is relatively smaller and less developed. Nonetheless, its advertising industry includes global agencies like JWT, Lintas and DDB, and a substantial group of locally owned advertising companies whose history and development are hard to trace.

The current situation for the regulation of Bolivian advertising is closely tied to political changes and economic growth, but there are no norms specific to advertising. The South American nation-state has a handful of laws encompassing advertising regulation. One of the most manifest ones was the 1995 Law of Telecommunication. However, in the early years of the twenty-first century, legislators passed several Bills containing advertising related issues. In 2006 the Anti-tobacco Law incorporated regulation for advertising and promotion of tobacco products to protect the population’s health. Since the Law was approved by Congress another related ruling was in the making: The Anti-alcohol Bill. The preliminary draft for the Law to Control Selling and Consumption of Alcoholic Beverages established control and regulation of advertising in the mass media. The normative restrictions laid down in Article No. 8 of the Law states that alcohol advertising should not include minors, cartoon characters and should not suggest that alcohol consumption promotes personal, social, sports or sexual success. Also, the Bill dictates that advertisements should be disseminated at appropriate times. One other regulation approved in 2012 was the Integral Law against Trafficking of Human Beings that establishes the prohibition of any mass mediated communication promoting sexual services.

The industry’s self-regulatory practices have been hard to locate. Advertising agencies are still a rare commodity to some advertisers and thus the rules are not quite clear. The trade association, Cámara Paceña de Empresas de Publicidad (CAPEP: La Paz City Chamber of Advertising Businesses) governs the agencies in the country and is in charge of supervising the principles of self-regulation.

Brazil

This country has distinct characteristics in terms of landmass and language: it is the largest republic in South America and the only Portuguese-speaking republic in the region. Also, this newly developed nation, part of the BRIC countries (Brazil, Russia, India, and China), has a solid advertising industry that was born in the big cities. Initially, advertisers used newspapers for the placement of their persuasive messages and later expanded their efforts to magazines, radio, television and Internet. The country has grown to be recognized for producing some of the world’s most creative advertising, and for having a fully functioning self-regulation system (O’Barr, as cited in Gossett, 2011, p. 121). This bourgeoning business also has the means of controlling the mass mediated messaging via legislation.

The first attempts to regulate Brazilian advertising were “enacted in the 1960s at a time where Brazil was under a dictatorship” (Gossett, 2011, p. 121) that harshly censured advertising and encouraged the industry to create self-regulation. The government regulatory system dates to February 1966, with the Decree 57,690 which established the scope for advertising and advertising agencies, as well as the restrictions of the content of advertising or propaganda. Also, the Decree referred to Law No. 4,680 that had established a Code of Professional Ethics of the Propaganda in 1965. In the 1990s, the legislators also set rules on a Federal basis, through Law No. 8,078/90 (Consumer Protection), Law No. 9,279/96 (Industrial Property) and Law No. 9,610/98 (Copyright).
The Code for the Protection and Defense of the Consumer, in Article No. 6, touches base with advertising regulation by saying one of the many basic rights of the consumer is protection against deceitful and abusive advertising, coercive or unfair commercial methods, as well as abusive practices and conditions that may be imposed when supplying products and services. In Article No. 36 the Code establishes that advertising must be presented in such a way that the consumer can identify it as such easily and immediately. It also states that any supplier of advertising goods or services shall inform, to those legitimately interested, the scientific and technical facts to support the message. Article No. 37 of the Code offers detailed explanation about the prohibition of all deceptive or abusive advertising and concludes that advertising is considered deceptive by omission when it fails to inform about some essential fact concerning the product or service.

In the twenty-first century Brazilians continued to pass legislation to regulate advertising. One noticeable political action took place in September 2006, when São Paulo’s mayor Gilberto Kassab proposed a change in culture with the “Lei Cidade Limpa” (Clean City Law) to ban all outdoor advertising. In addition to billboards, the prohibition included transit advertising, posters, flyers, pamphlets and painted walls in front of stores. Before its enactment the law triggered adverse reactions from city businesses and outdoor advertising companies. Despite the apprehensions and controversy, the law passed and 15,000 billboards cluttering the city were taken down. According to Kohlstedt (2016), an additional 300,000 business signs were also subject to a fine if they were not removed promptly. This legislation, aimed at eliminating the visual pollution of this large metropolis, went to effect on January 1, 2007 and companies were given 90 days to comply with the new directive. After this initiative, other cities have shown interest in implementing similar regulations and Rio de Janeiro prohibited billboards in the city’s center in order to preserve the ancient location.

A few additional government regulations were passed afterwards. Under Resolution No. 163, issued in March 2014, it is considered abusive to engage in the practice of targeting children in advertising and marketing communications with the intention of persuading them to consume any good or service using a wide range of means from childish language to cartoons or similar products. This provision applies to persuasive messages issued at places, events, public spaces, television, websites and even daycare centers or educational institutions (including school uniforms and textbooks). However, this resolution does not apply to public service campaigns related to better child development.

In 2017 the Agência Nacional do Cinema (ANCINE: National Cinema Agency) acted to modify sections of the Normative 95/2011 and introduced the Normative Instruction 134/2017 to regulate Brazilian advertisements broadcast on the internet or distributed via social media platforms. One of the requirements of these regulatory stipulations is that foreign audiovisual ads targeting Brazilian consumers may only be aired if they are properly dubbed or subtitled in Portuguese, which is the official language of the nation. Similar to its antecessor, the new regulation states that the adaptation must be done by companies registered with ANCINE and supervised by Brazilian advertisers.

Even though those Federal Laws applicable to advertising exist in Brazil, the self-regulation Code is observed by most advertisers and advertising agencies in the country. It was the result of consensus among advertising agencies, advertisers and the media in 1978, when the “Brazilian Advertising Self-Regulation Code” was enacted. The Code resulted from a comprehensive study conducted by a group of broadcasters who researched ethics in advertising in Brazil and abroad with the purpose of finding alternatives to both the lack of regulation and the total control of the Government regulatory function (Rocha et al., 2003). Among the main principles in the Code are social responsibility, principles of fair competition, conformity to education and cultural development.
Other important standards set by the Code that need to be considered in national advertising are related to decency, honesty, children and teenagers, comparative advertising, truthful presentation and respect for human dignity. Furthermore, the Code points out special advertisement categories that are subject to specific rules. The ethical standards set forth in the Code are to be observed by all the entities involved in the advertising industry, from practitioners to the media. The reason for this compliance is that the mass media have accepted them as ethical guidelines for the advertising industry, although they are not legally binding (Rocha et al., 2003).

Compliance with ethical values is strictly enforced by the Conselho Nacional de Autorregulamentação Publicitária (CONAR: National Council for Advertising Self-Regulation), a Non-Profit Organization which deals with “advertising content” (Faustino, 2014, p. 53) and that has “defended freedom of expression and encouraged the self-regulation of advertising” (p. 55) in the country for more than 30 years. But there are other institutions committed to the success of the industry’s ethical behavior. Among those, the Associação Brasileira de Agências de Publicidade (ABAP: Brazilian Association of Advertising Agencies) plays a significant role in helping its associates to comply with the principles and avoid costly discrepancies.

Rocha et al. (2003) consider that self-regulation has been extremely successful in Brazil and has helped companies save millions of dollars by settling disputes without having to use the court system (p. 12), which can be very slow in some jurisdictions. Likewise, Gossett (2011) asserts that the country’s self-regulation system has proven to be very advantageous to generally all parties affected and that although legislation has not been completely replaced, government laws yield to the self-regulation practices.

Chile

Like other nations in the region, Chile was ruled by a military regime from 1973 to 1989. But today this South American republic exhibits a central democratic government with the neoliberal free market economic model that began during the regime and “has been maintained since the return to democracy in 1990” (Gronemeyer, 2014b, p. 63). Additionally, the state-owned Televisión Nacional de Chile (TVN: Chilean National Television) network does not depend on government financing, but rather on advertising revenues (p. 63).

The Chilean republic’s advertising regulatory body operates similarly to legislation in other nations in the region. One shared government regulation in most countries in Latin America is that of the advertising of alcohol and tobacco products. The regulations also respond to “the demands placed upon the country by international treaties that Chile has signed” (Gronemeyer, 2014b, p. 64), such as that with the World Health Organization (WHO). In this respect, there are several restrictions on Chilean television for products considered sensitive. Additionally, regarding schedule, alcoholic beverage ads can only be aired between 10:00 p.m. and 6:00 a.m., although a motion was introduced in Congress to restrict alcohol related products advertising to six hours, starting at midnight. The Bill regarding alcohol, and aimed at regulating advertisements that encourage the consumption of alcoholic beverages, as well as to reverse underage drinking, was modified in 2015. Among the corrections passed by the Senate were to include in TV ads the warning: “Excessive drinking damages your health and can harm others” for a lapse of not less than three seconds while the commercial is displayed. In the case of radio advertising, the warning must be reproduced following the advertisement for the same time indicated.

Also, in March 2013, Law No. 19.419 was modified by Law No. 20.660. The new Tobacco Law, in Article No. 3, describes the changes to tobacco advertising regulation. It bans the consumption of products made of tobacco in mass media. The prohibition includes live broadcast, television or radio, the appearance of people smoking or indicating favorable characteristics to
the consumption of tobacco in children television shows. Law No. 20.660 also polices advertising on Websites with Chilean URLs.

Beginning in 2016, Chile also joined the growing trend in Latin American, Asian and European countries to establish restrictions on the advertising of certain products, especially foods and drinks for children. In July 2012, the Chilean Senate approved the Law of Food Labeling and Advertising. The main objective of Law No. 20.606 on the Nutritional Composition of Food and its Advertising is to demand special labeling for Genetically Modified Foods (GMO). The legislators developed this law to improve the labeling and advertising of foods produced and marketed in Chile to help consumers better understand food information and to protect children from overexposure of advertising. The regulatory norms to guide implementation of the law staggered over 3 years and were released in 2016 after “intense lobbying on both sides of the issue by government, civil society and industry” (Pérez Escamilla et al., 2017, p. 30).

Self-control is observed by the industry and has improved by adding more actors to the scene. Gronemeyer (2014b) indicates that Western trends, and membership in the Latin American network for advertising self-regulation, have forced Chilean advertisers to agree on self-regulatory principles for the business (see Gronemeyer, 2014b, p. 66). The Asociación Chilena de Agencias de Publicidad (ACHAP: Chilean Association of Advertising Agencies) has been the institution responsible for the free flow of professional persuasive communications in the nation. It guaranteed that members subscribed to the limitations imposed by ethics, public order and decency. However, in recent years, the Consejo de Autorregulación y Ética Publicitaria (CONAR: Council for Self-regulation of Ethics in Advertising) was formed. In addition to ACHAP the council brings together other important representatives of advertising practices in the country: the Asociación Nacional de Avisadores (ANDA: National Advertisers Association), the Asociación Nacional de Televisión (ANATEL: National Association of Television), the Asociación de Radiodifusores de Chile (ARCHI: Association of Broadcasters of Chile), and the Interactive Advertising Bureau. CONAR seeks to “make advertising a reliable and credible tool” (Gronemeyer, 2014b, p. 67). Therefore, the council has developed the Chilean Code of Advertising Ethics and is now the institution that receives reports on alleged ethical breaches of advertising campaigns and decides on them. The Code considers areas such as the legal system, morality and respect for human dignity. It includes 32 articles with regulations about truth in advertising, children and youth advertising, comparative advertisements, and ads for tobacco, alcohol and pharmaceutical products. Regarding children, the norms are very specific. The Code emphasizes that messages should promote appropriate behavior for the age range avoiding any psychological distortion. The norms also state that alcohol and tobacco messages must be aimed exclusively at adults. Even though CONAR does not have the force of the law, the council’s decisions are respected and accepted (see Gronemeyer, 2014b, pp. 67–68).

Colombia

This South American democratic republic pioneered constitutional government in the region. But, in terms of the State regulating advertising practice, the story is not as promising. There is “no specific advertising law” (Medina, 2014b, p. 73) in the country. The bodies of laws are spread out into a diverse range of government agencies. Message content is controlled by many rules with multiple independent authorities to ensure compliance with the rulings. It is therefore confusing to determine which standards are directly linked to advertising and who is responsible to enforce legislation.

Like most Latin American countries, the Ministry of Health is responsible for the supervision of advertising practice in many areas. One such area concerns persuasive communication for
medicine. In this respect, advertisements for prescription drugs in newspapers, radio and other mass communication media are prohibited. Medications are only to be advertised or promoted in scientific publications for the medical and dental professions.

As recently as 2011, the Colombian government approved Law 1480. This law aims to defend consumer rights and procures respect for their dignity, promoting consumer education and special protection for children and adolescents. The new end-user statute will control misleading advertising and false benefits promised by some products. Article No. 30 of the law prohibits deceptive ads and in case these types of persuasive communication messages affect consumers, the main culprit is considered to be the advertiser.

The self-regulating environment of the country incorporates the combined effort of the Unión Colombiana de Empresas Publicitarias (UCEP: Colombian Union of Advertising Companies) and the Asociación Nacional de Anunciantes (ANDA: National Advertisers Association). Representatives of both institutions were the founders in 1998 of the Consejo de Autorregulación Publicitaria (CONARP: Self-Regulation Council). The code of advertising’s self-regulation put forth by CONARP is evidence that the advertising industry is interested in developing healthy competition and in producing transparent messages to the public. CONARP also has tried to clarify the governmental regulations of the advertising activity in Colombia and created a compendium of the norms related to advertising issues, in order to facilitate access and understanding of each of the topics by the different players of the industry. The document classified the norms in three specific areas: General Rules, Special Categories, and Media.

In 2013, Colombia formally became a member of the European Advertising Standards Alliance (EASA). The private sector is interested in keeping consistency with global definitions and to ensure that their self-regulatory body can deal with new forms of advertising. The Colombian self-regulatory mechanism is in the process of revision by CONARP with the intention of presenting an updated Code considering new needs and trends in the industry. According to Medina (2014b), the industry members desire to “create a self-regulatory body similar to Spain’s” (p. 76).

Costa Rica

Different from other countries in the region, this small Central American nation has seen little civil conflicts over the years and has no regular military forces (CIA, 2013). Once dubbed the “Switzerland of Central America” for its political stability, almost a decade ago Costa Rica’s image was affected by allegations of corruption in the government; a couple of former presidents were incarcerated. But in the advertising realm, state regulations are worth mentioning as almost impeccable.

Among the substantial body of laws in the nation, a few deserve attention. Law No. 6220 sets the general overview about Advertising Agency and Media ownership and rules on the closing of any of these types of businesses after a third repeat offense. Also, of great importance, Law No. 5811 establishes censorship when advertisers utilize pictures or illustrations that can be degrading to the image of women. Accordingly, the Ministry of the Interior must approve commercial advertisements that portray women.

A noteworthy rule is Article No. 37 in Law No. 7472 (for the Promotion of Competition and Effective Defense of the Consumer), which states that advertising cannot mislead or deceive the consumer. The regulation also sets the parameters for comparative advertising, pointing out that the comparison is not admissible when it is limited to the proclamation, general and indiscriminate, of a product’s superiority.

One more significant legislative piece concerns advertising related to alcohol consumption. In June of 2012, the power to regulate this aspect was given to the Instituto sobre Alcoholismo y
Farmacodependencia (IAFA: Institute on Alcoholism and Drug Dependency). But a new ruling that year gave control back to the Ministry of Health with Law No 9047 that has delegated to this government unit the regulation of the commercial advertising of alcoholic beverages.

The Board Control of Cigarette Advertising (a subset of the Ministry of Health) has the responsibility to enforce regulations and authorize advertisements for tobacco related products. Decree No. 20196 established a large set of restrictions on cigarette and tobacco advertising, which include the prohibition of using minors in promoting these products, banning cigarette ads from print and broadcast media and impeding such ads in the movies before 5:00 p.m.

Decree No. 28466 regulates the advertising of medicine. The Commission of Medicine, a sub-division of the Ministry of Health, was given authority to approve or reject the content in ads for medication. However, the Decree did not include advertising of over-the-counter (OTC) products.

The trade associations involved in the self-regulatory process of advertising in Costa Rica are the Asociación de Agencias de Publicidad de Costa Rica (ASCAP: Association of Advertising Agencies of Costa Rica), a chapter of the International Advertising Association (IAA), and the Instituto Nacional de Publicidad (INPUB: National Advertising Institute), which brings together the country’s main advertisers, media, advertising agencies and suppliers. Recently the INPUB evolved into the Cámara de la Comunicación Comercial (CAMCO: Chamber for Commercial Communication) adding media brokers as members of the trade association.

In 2010 the INPUB approved a Code written by GALA (Global Advertising Lawyers Alliance) to regulate all commercial communications in Costa Rica. The main purpose of this self-regulating document is to create an effective system to monitor the entire advertising industry, complementing the government regulatory system and eliminating ambiguities.

Also, it is worth noting that the tobacco companies have developed their own self-regulation Code to limit the promotion and advertising of cigarettes. It establishes restrictions regarding the scheduling of commercials, aiming ads at minors, outdoor advertising of cigarettes, and the truthfulness of messages.

Cuba

Economic and political conditions in Cuba, as well as openness in technology acquisition, have experienced some change in the island since the rise of Raul Castro to power as the president of this Caribbean nation-state. But there are no significant fluctuations in the government’s control of the media (Artero, 2009, p. 193) and its use of “party-controlled newspaper” (Buckman, 1996, p. 5) and “government-operated propagandistic broadcast stations” (p. 5) as ideological vehicles for the Marxist-Leninist regime. Private ownership of electronic media is prohibited (Central Intelligence Agency (CIA), 2013) and only 16 percent of Cubans have access to internet. Among those who do, less than half use social media platforms (Ramos, 2016). The Cuban government also controls all aspects of advertising, limiting ads to public service announcements. However, as a result of Cuba’s opening to foreign investment, there has been a tendency to display ads in print media. Nonetheless, commercial advertising is restricted to publications aimed at foreign investors and tourists.

Despite the absence of an independent advertising industry, the former Asociación Cubana de Publicitarios y Propagandistas (ACPP: Cuban Association or Publicists and Propagandists), founded in 1991, is actively engaged in advertising and public relations practices in the country. In 2013, the organization changed its name to Asociación Cubana de Comunicadores Sociales (ACCS: Cuban Association of Social Communicators). Members of the institution are subject to a code of conduct and ethical norms, but there are no codes of ethics to regulate advertising practices.
Dominican Republic

As of the twenty-first century, the advertising industry in the Dominican Republic is still effervescent even in adverse worldwide economic conditions. Even though the internet made its way into the nation-state in the mid-nineties, it took almost a decade for skeptical advertisers to jump on the bandwagon. By the end of 2010, the country had gradually embraced the global trends in emergent media and all the major players in the advertising arena had established offices and partnerships in the nation. Indeed, more than 20 global agencies have offices in Santo Domingo, including such firms as Leo Burnett, J. Walter Thompson, Y&R, BBDO, Saatchi & Saatchi, Ogilvy and McCann-Ericson (Victor, 2012, pp. 42–43).

Concurrently, mobile telephony and social media have begun to catch on among the Dominican people of every economic level, and the ad industry started using this medium for buzz marketing and digital advertising. However, when budgets are allocated traditional media still receive a significantly larger amount. In the book, *Análisis del Desarrollo Mediático en República Dominicana*, Grullón Morillo (2017) indicates that advertising investment on television was 70 percent, and digital media received less than 5 percent in 2015. He further discloses that the State is among the top ten advertisers in the country, investing around three hundred million dollars annually to promote its actions and accomplishments, and that the criterion for placing government ads in the local media is neither regulated, nor transparent (Grullón Morillo, 2017); he posits that the government’s advertising strategy is perceived as “opaque and discriminatory” (p. 119).

Much of the legal framework for advertising in this island nation was first established during the autocratic regime that ruled the country from 1930 to 1961 and experience changes during the 1970s (see Lugo Lovatón, 2006) and onwards. In 1971, the government created Regulation No. 824 (with ten chapters and 135 articles) for the operation of the *Comisión Nacional de Espectáculos Públicos y Radiofonía* (CNEPR: National Commission for Public Entertainment and Radio). It was also used as a State’s mechanism to exercise control over the creation, production and dissemination of advertisements. Chapter IV of the regulatory document provides guidelines related to advertising and propaganda in the nation. Of interest in Regulation No. 824 is Article No. 70, which stipulates that advertising messages, especially those created for prescription or over-the-counter drugs, “should conform strictly to the norms imposed by the culture, good manners, and the proper use of the language, in order to prevent erroneous interpretations” (Lugo Lovatón, 2006, p. 217). Despite being created as an instrument to protect the Power of the State, with its scope and content intended for an era without many of the technological innovations and the emerging digital media of the twenty-first century, this obsolete directive is still in use.

Yet, as the country moved to a more stable democracy, an entire new body of legislation to oversee Dominican advertising has been developed, with provisions coming from various State agencies, including the *Ministerio de Salud Pública y Asistencia Social* (MISPAS: Ministry of Public Health and Social Welfare) and the *Instituto Nacional de Protección de los Derechos del Consumidor* (PROCOSUMIDOR: National Institute for Protection of Consumer Rights).

The regulation on drug advertising, including alcohol and cigarettes, is under the authority of the Ministry of Public Health and the General Health Law from 2001. In June 2012 some improvements were made to Law No. 42–01 when MISPAS put into effect Resolution No. 0000020 containing the Standard to regulate the advertising of medicines, cosmetics, personal hygiene, home and sanitary products. Three years later, after being discussed and agreed upon by the various actors involved in the process, it was replaced by Resolution No. 000033. This
Technical Regulation, to be applied by all units of the National Health System, encompasses a comprehensive list of specifications concerning the promotion of pharmaceutical products to doctors and the advertising of said drugs to the general public.

Within the wide range of legislation in the Dominican Republic, an important document for advertisers and patrons is the General Law No. 358–05 on the Protection of Consumer and User’s Rights. The legislative text establishes a series of statements and regulatory provisions for commercial advertising but does not establish limits or obligations to the media. The intention of the legislation is to facilitate truth in advertising and to eliminate messages that produce doubt, error, deception or confusion about price and features of the product or service. Besides, Grullón Morillo (2017) proposes that the inclusion of the regulation of advertising in Law 358–05 is a “step forward in Dominican legislation and brings up an old concern of different national sectors” (Grullón Morillo, 2017, p. 121). However, “this regulation has not translated into concrete actions that improve the quality of advertising, avoiding deception, discrimination and the transmission of prejudices and anti-values” (p. 121).

One more body of regulation is the Law 14–94, later modified by the Law 136–03 or Code for the Protection of Fundamental Rights of Children and Adolescents, which place restrictions on advertising directed to minors and youth. Article No. 21 of the Code states that when alcoholic beverages, tobacco, weapons and ammunition are exposed to the public, the ethical and social values of human beings must be respected. The ruling also prohibits the sale and advertising of this type of merchandise in public and private places intended for minors.

It is also worth paying attention to another legislative action that involves advertising: The Electoral Law 33–18 for the regulation of Political Parties, Groups and Movements. Among other things, it specifies the details about political propaganda and advertising. Article No. 44 of the law states that during the period of the pre-campaign or actual campaign, it is forbidden to paint streets, sidewalks, electric poles, trees, as well as any public property, with the candidate’s colors, emblems or symbols or the party, group or political movement that the person represents. It prohibits the use of outdoor advertising, unless the out-of-home advertisement is placed on political parties’ properties. The legislation also restricts any political propaganda that may be perceived, disrespectful or contains negative messages regarding religion, race or sexual preference. In addition to regulating advertising messages in traditional audiovisual outlets, Law 33–18 also covers digital media and prohibits the dissemination of negative messages through social networks that tarnish the image of the candidates.

Although the Central Electoral Board is the body responsible for ensuring compliance with the legislation and is responsible for enforcing, through regulation, everything concerning propaganda and advertising of candidates and parties during the political pre-campaign, violations of the provision for digital advertising are punished in accordance with articles 21 and 22 of Law No.53–07, on Crimes and Offenses of High Technology.

But what is the purpose of having so much legislation regulating advertising if there is not a mechanism to prevent the deceptive daily practices of advertisers and media, or the indiscriminate purchase of spaces for government advertising. According to Grullón Morillo (2017), the honest habit of paying for the placement of advertisements in print and broadcast (clearly different from editorial or entertainment content) is changing “rapidly and radically since there has been a trend towards the commercialization of information in the Dominican Republic” (p. 119). The activity that started with the newspapers (see Hartlyn, 2001), now has expanded to the audiovisual arena. This modern unethical practice consists of charging for interviews on radio and television stations. And to top it off, in the Public Sector, there are journalists, or “communicators”, at the service of government political interests who have been identified as “bocinas del gobierno” (government megaphones). These individuals benefit from abundant advertising
budgets, since the State does not have a procedural code to control its advertising investment in the different media. Likewise, institutions or companies that do not advertise are adversely affected, because they are at a disadvantage in the media when they need them to report something of public interest (see Grullón Morillo, 2017, p. 119).

Nonetheless, there is a latent need to protect consumers and users with practices reflecting ethical principles. Legislators have made clear through Law 358–05, Article No.88, the need to self-regulate the content of advertising. The law itself calls for regulatory actions initiated by advertisers, the media, advertising agencies and other relevant companies or institutions (Grullón Morillo, 2017, p. 121; Lugo Lovatón, 2006, p. 247; see also Cruz Taveras, 2016). In response to this autoregulation invitation there have been attempts in the island nation-state to create a self-control body such as CONAR in Brazil. That has been the intention of the Liga Dominicana de Agencias Publicitarias (LIDAP: Dominican League of Advertising Agencies), now called the Asociación Dominicana de Empresas de Comunicación Comercial (ADECC: Dominican Association of Commercial Communication Companies), but so far, this self-regulatory code or council remains stagnant.

Despite all the efforts and attempts, the Dominican Republic still does not have an existing law responsible for the regulation of its advertising industry. Cruz Taveras (2016) emphasizes that the country needs “adequate legislation or a public or private entity capable of preventing and resolving conflicts that arise when companies and institutions advertise their products and services” (p. 181). Similarly, Grullón Morillo (2017) suggests that Government advertising must be “regulated to guarantee fairness in its placement” and to contribute to the welfare that the State must promote through its institutions (p. 122). The proposal is consistent with efforts by the Private Sector to establish the Law of Advertising in the Dominican Republic, comparable to the one that exists in Spain. The legislative piece initially was put together as a self-regulation code in 2008 by LIDAP, in conjunction with the Asociación Dominicana de Anunciantes (ADAN: Dominican Association of Advertisers) and the Asociación de Radiodifusoras (ADORA: Dominican Association of Broadcasters) but, as Sergio Forcadell mentioned in a telephone conversation (March 1, 2019), the Bill has not received significant attention by legislators and has been shelved in Congress since it was introduced.

However, not everything is lost in terms of self-control in Dominican advertising. In 2014 LIDAP announced the establishment of a Code of Ethics for the participation in biddings with future clients or advertisers in order to provide transparency to the process and to ensure fairness. This initiative allows the selection process of an advertising agency to be healthy, guaranteeing results according to the needs of the advertiser. This Code includes equity, confidentiality, intellectual property, commitment and recognition as basic points. It also regulates the respect (by the advertiser) of the intellectual property of the ideas presented by the agencies that are not finally chosen.

Other groups have also started to implement self-control in the promotion of their products. Independently, and almost a decade apart, the Asociación de Fabricantes de Cerveza (ADOFACE: Dominican Association of Beer Manufacturers) and the Asociación Dominicana de Productores de Ron (ADOPRON: Dominican Association of Rum Producers) created their self-regulatory standards in 2006 and 2017 respectively. ADOFACE’s code is aimed at reaffirming the commitment of the brewers with society, ensuring that beer advertising is honest, with a sense of social responsibility and within the limits of ethics, and human dignity. ADOPRON, on the other hand, supports the responsible consumption of beverages with alcoholic content by people of legal age. Consequently, the marketing and advertising of the products manufactured by its members must be carried out responsibly. It is worth observing that both codes give particular attention to avoid targeting or presenting minors in their ads.
Ecuador

On the State side, the regulation of advertising in this small South American republic begins with the Constitution, which encompasses several sections devoted to political advertising. One such guideline prohibits political candidates from using billboards for political advertising. Also, the broadcast of advertisements promoting racism, discrimination, sexist, religious or political intolerance is forbidden by the *Magna Law*. One other aspect stated in the Constitution is that the State shall control and regulate advertising for alcohol and tobacco. Similarly, Law No. 22 bans direct or indirect advertising of tobacco, medication and political content. The same law prohibits advertisements that violate human dignity and safety; it also forbids deceptive and subliminal advertising.

The Organic Media Law, submitted to Congress in 2009, has not yet been made official. The Bill prohibits advertising and propaganda for child pornography, cigarettes and narcotic drugs. It also states that alcohol advertising should only be aired in adult programs. The Consumer Protection Law of 1990 contains some restrictions and guidelines for advertising goods and services and emphasizes truthfulness when ads refer to quality, quantity, price, and safety.

The *Asociación Ecuatoriana de Agencias de Publicidad* (AEAP: Ecuadorian Association of Advertising Agencies), founded in 1970, is the institution representing the advertising agencies legally constituted in Ecuador. Its mission is to safeguard the members’ observance of the rules of ethics and of the self-regulation of advertising practices set forth in their Code of Ethics.

El Salvador

The Government has relied primarily on the Consumer Protection Law of 1996 for advertising regulation. The law establishes parameters for the advertising of goods and services to the consumer. It highlights that it is forbidden for advertising to contain false or misleading information as to the origin, quality, quantity, content, price, guarantee or use of products or services.

The private sector seems to be more involved in self-regulating the industry. In the 1960s the *Asociación Salvadoreña de Agencias de Publicidad* (ASAP: Salvadoran Association of Advertising Agencies) was founded to professionalize the business in the nation. El Salvador became then the first country in Central America with an advertising trade association. Concurrently, ASAP joined forces with the *Asociación de Medios Publicitarios Salvadoreños* (AMPS: Salvadoran Association of Advertising Media) and the *Asociación Nacional de Anunciantes de El Salvador* (ANAES: National Advertisers Association of El Salvador) to form the *Consejo Nacional de Publicidad* (CNP: National Advertising Council) in order to encourage growth in the industry and to ensure honest, legal and moral practices in the business. A few decades later, CNP agreed to create a Code of Ethics for El Salvador to set out the principles governing creativity and the spread of mass mediated persuasive communication.

The Code affirms that the interests of the consumer will always take precedence over the interests of the advertiser, medium or agency. It incorporates regulations for social interests, for respecting human dignity, and for patriotic symbols among others. The normative document also accentuates that advertisements should neither favor nor promote any type of discrimination and that messages must conform to moral standards and public order. In fact, Article No. 22 of the Code emphasizes that ads must use language based on universal principles of good morals and condemns expressions that exaggerate or distort the truth.

In addition to the CNP actions to comply with moral standards, the Brewing Association of El Salvador has also established its own framework for self-regulating its marketing practices, implementing the Code of Self-Regulation for Commercial Communication which lays down the
norms to develop responsible beer advertising. The brewers agreed to produce socially responsible ads, respecting human dignity and integrity; promoting their products in compliance with the legal provision that prohibits the purchase and consumption of beer by youth under 18; and without suggesting that beer consumption is essential for business, professional, academic, sexual, athletic or social success.

Guatemala

This Central American country, cradle to the Mayan civilization, experienced government instability and tumultuous times during the twentieth century. But, as of the twenty-first century the country has enjoyed economic development and more stable governments.

There are some restrictions on advertising on behalf of the State. The Law of the Consumer regulates freedom of expression and declares that falsehood in the quality of products is a violation of the law. This is to deter the broadcasting of advertisements that deceptive regarding the quality of the product or service. The Code of Health controls the advertising of medication. In this respect, any advertisement or publicity about medicinal products must meet the terms of the Ministry of Public Health and Social Assistance. As a final point, Law-Decree 433 protects national producers by ruling that radio jingles and television commercials should be produced in Guatemala.

Regarding tobacco regulation, the Guatemala body of laws is limited to a few restrictions about advertising times and health warnings on ads. Commercials are prohibited between 6:00 am and 9:00 pm and print ads are forbidden in publications aimed at minors. Also, ads must not show people smoking. The Ministry of Health is ultimately responsible for the supervision of tobacco products advertising. Decree No. 74–2008 replaced the Decree 90–97 (Health Code governing tobacco advertising). Most of the rulings in the new government document are concerned with smoking in public places.

The responsibility to ensure self-regulation rests on the Unión Guatemalteca de Agencias Publicitarias (UgAP: Guatemalan Union of Advertising Agencies), the society that brings together advertising agencies of this Central American country. The Association has promoted professionalism and ethical principles to its members for over 20 years. It came to life as the result of several actions that began in the 1950s with the creation of the Cámara de Agencias Publicitarias Guatemaltecas (Guatemalan Chamber of Advertising Agencies). But in the 1980s several dissidents formed the Association of Advertising Agencies (AGAP). However, the effort did not prosper and 1991 witnessed the merger of the members of AGAP and the Chamber to form UgAP.

Honduras

Although this country is one of the poorest in the region, Etayo and Preciado Hoyos (2009) stressed that Honduras is one of the Spanish-speaking nations that has allotted one of the largest percentages of Gross Domestic Product (GDP) to investments in advertising, with worldwide well-known agencies, such as BBDO and JWT doing business in this Central American nation.

State and self-imposed regulations on advertising are relatively scarce. The Law on Health has several restrictions for the advertising of medications. But, perhaps the most significant advances in regard to legislation can be found in the Consumer Protection Law which regulates advertising actions and prohibits all advertisements that could be totally or partially misleading. There are not too many specific regulations on advertising of alcoholic beverages.
The Special Law for Tobacco Control in 2011 included the prohibition of any form of broadcast, print or outdoor advertising of tobacco products, as well as sponsorships aimed at minors.

The industry is led by the Agencias Publicitarias Hondureñas Asociadas (APHA: Associated Honduran Advertising Agencies), which dictates the standards of conduct for its members.

Mexico

The advertising tradition in this nation state, the only Latin American republic located in North America, is parallel to that of the United States. Perhaps due to their proximity, the sequence of historical events in the media is quite similar. However, in regard to national regulation of advertising, the two nations are not as close. According to García Calderón (2011) the State has virtually abandoned its regulatory activity to become an “observer” (p. 183) of the game of interests in the advertising industry. Moreover, she concludes that the Mexican governments’ policy regarding advertising has never claimed to infringe on the rights of the advertisers nor to limit the exercise of their activity (p. 183).

Nonetheless, initiatives to regulate advertising have been set within the political agenda of the government of the day (see Medina, 2014a, p. 23). The State has created mechanisms to prevent advertising from harming individuals. For instance, the 1970 Law on Radio and Television restricted propaganda, that is, announcements of industrial or commercial products that could deceive the public. The same legislation prohibited advertising offensive to moral principles, decency and good habits. In regard to alcoholic beverages, Article No. 68 of the Law prohibits children from appearing in this type of ads. At the genesis of the twenty-first century, the new Law of Health repealed the 1986 regulation and established a ruling on the advertising of alcoholic beverages and tobacco products, when it incorporated a chapter related to the Code of Ethics and the Advertising Council.

Mexican advertising has followed the trend that globalization has set for the advertising industry, advancing deregulation and striving for fewer government control. The self-regulatory process brought to life several organizations created to “curb regulations, negotiate them and to establish codes of ethics” (García Calderón, 2011, p. 182). Among those institutions are the Asociación Mexicana de Agencias de Publicidad (AMAP: Mexican Association of Advertising Agencies), an IAA chapter, and the Consejo de Autorregulación y Etica Publicitaria (CONAR: Council for Self-Regulation and Advertising Ethics). The latter is a private initiative autonomous entity, formed by Mexican advertisers, advertising agencies and the media, to act as mediator in controversies created by advertising practices.

CONAR was established in 1996 to promote a self-regulating culture among advertisers, media outlets, advertising and public relations agencies, as well as higher education institutions in Mexico. The Council promotes the exercise of freedom of expression and is responsible for the Code of Ethics followed by its members. The most recent accomplishment of the organization is the Código PABI para la Autorregulación de la Publicidad para Alimentos y Bebidas Infantiles (PABI Code: Self-Regulatory Code of Children’s Food and Beverage Advertising) which came into effect in 2009, establishing the guidelines and ethical principles related to the advertising of food and non-alcoholic beverages to children, thus contributing to the prevention of overweight and obesity.

The PABI Code is comprised of 30 articles with clear specifications of restrictions on the advertising of food and non-alcoholic beverages to children under 12 years old. Among the principles emphasized by this self-regulatory document are honesty, decency, truthfulness, human dignity and fair competition.
Nicaragua

This Central American nation is no stranger to historical vicissitudes suffered by the majority of the peoples of the region in terms of governmental regimes. Nicaragua was home to one of the most severe and long-lived Latin American military dictatorships that ended in 1979. Then, the country experienced a gradual change towards a democratic approach, through guerrilla struggles and natural disasters that affected business growth as well as the development of advertising and its regulatory framework.

Although the advertising industry generates more than 130 million dollars every year, the Republic of Nicaragua is still far below other Central American countries (see Galo Romero, 2012). Despite constant growth in the percentage of GDP that the country allocated to advertising in the past decade (see Etayo & Preciado Hoyos, 2009), Nicaragua ranks as the market with the lowest mass media investment compared to other countries in the region, with an average of 8 percent share (see Galo Romero, 2013).

In terms of State regulation, Law No. 182 on Protection of the Consumer of 1994, in Article No. 12 stipulates that consumers must be given accurate, timely, clear and adequate information on the goods and services available in the market. Chapter Four of the law refers to promotion and advertising. Article No. 19 of the Law specifies that false or misleading advertising of products, activities or services constitutes a crime. In the first quarter of 2013 a Bill was introduced in Congress to modify Law No. 182 and to fully regulate deceptive and abusive advertising practices.

As in most countries of the region, the Ministry of Health is responsible for ensuring medication advertising and follows the ethical guidelines dictated by the World Health Organization (see Vacca et al., 2011). In this sense, in 1998 Law No. 192 in its Title VI, established the ruling about information and the promotion of pharmaceutical products, totally prohibiting prescription drug advertising.

The presence of the private sector is limited to the actions taken by the Organización Nicaragüense de Agencias de Publicidad (ONAP: Nicaraguan Organization of Advertising Agencies), which in 2019 celebrated its 55th anniversary. The institution has focused on promoting the dignity of the profession, emphasizing ethics in advertising and promoting self-regulation in order to prevent abuse and harm to people in exercising the freedom of commercial communication. ONAP also took the initiative in founding the Federación Centroamericana de Agencias de Publicidad (FECAP: Central American Federation of Advertising Agencies) in 1970.

Panama

This nation state also experienced the effects of political turmoil fostered by military power and corruption. Democracy was re-established with the aid of the United States at the dawn of the 1990s. Nonetheless, this strategically located Central American nation has a significant number of government rulings related to commercial communication. In 1947, Law No. 66 established the Public Health Code and introduced the censorship of advertising for medications. Also, in 1956 Decree 601 implemented similar regulations for the advertising of pharmaceutical products.

Decree 129 in 1978 was set forth to dictate measures regarding advertising of alcoholic and non-alcoholic beverages, cigarettes and tobacco. The disposition prohibited the presentation of people consuming the product in advertisements. In 1992, the government took further measures by voting Decree 299 to regulate the advertising of beer and cigarettes. The
statute clarified the types of alcoholic beverages and established specific prohibitions. The Decree also added the socially responsible messages related to the dangers of drinking and/or smoking. And it prohibited the exhibition of these products in advertising programs aimed at minors.

Law No. 3 that went into effect in 1994 established the Family Code that has to do with regulations regarding minors, and their treatment by publications. In 2007, Law No. 45 for Consumer Protection was added to regulate deceptive advertising.

The private sector has also done its share to self-regulate advertising activities. The Asociación Panameña de Agencias de Publicidad (APAP: Panamanian Association of Advertising Agencies), formed in 1958, is the organization that brings together the country’s national and international advertising agencies. APAP has overseen the development of industry and the orderly exercise of the advertising profession for almost half a century. The main operating principles of the association are truthfulness in advertising executions and the promotion of ethical standards among its members.

APAP is member of the Federación de Agencias de Publicidad de Centroamérica y Panamá (FECAP: Federation of Advertising Agencies of Central America and Panama) and the Asociación Latinoamericana de Agencias de Publicidad (ALAP: Latin American Advertising Agencies Association).

Paraguay

Whereas in the twentieth century this nation faced a series of authoritarian regimes, in the twenty-first century the country is experiencing a rapid process of economic development and democratization. The current phase started in the mid-1990s, when the nation-state teamed up with three of its neighboring countries to create the Mercado Común del Sur (MERCOSUR: Southern Common Market).

The government has been very active in the regulation of commercial communication, specifically since the creation of MERCOSUR. As a case in point, Decree Nº 8,314 of 1995 was set forth to regulate the advertising of tobacco products and alcoholic beverages. The edict dictates the rules to follow for tobacco and alcohol advertising. Among those are the following: restricted broadcast of tobacco and alcohol ads before 8:00 p.m. (except for sponsored international sports events); ban of tobacco and alcohol ads portraying minors, showing family situations, or including explicit sexual content; billboards advertising tobacco or alcohol near schools, colleges and hospitals; and tobacco and alcohol ads on signs identifying healthcare establishments and primary and secondary schools.

The Health Code of the Public Health Ministry regulates the advertising of pharmaceutical products. Among its principal considerations, this resolution declares that prescription medication can only be promoted to health professionals through scientific publications. It also rules that this government branch must authorize body copy and illustrations for any medicine, food products, and alcoholic beverage advertisements. Other items restricted by law are misleading, comparative and false advertising, as well as children’s advertising.

Advertising Agencies in this small South American country are grouped together in the Asociación Paraguaya de Agencias de Publicidad (APAP: Paraguayan Association of Advertising Agencies), founded in 1966. The Code of Ethics consists of 11 chapters. Chapter Two establishes the commitment to respect family values and ideologies, suggesting members of APAP abide by principles consistent with ethics and morality. The Code also has a section of special considerations in relation to advertising aimed at children and adolescents, as well as the rules governing the advertising of medicines, alcohol and tobacco products.
The Centro de Regulación, Normas y Estudios de la Comunicación (CERNECO: Center for Regulation, Standards and Communication Studies) is in charge of regulating advertising issues and of promoting fair competition. Members (a wide range of commercial companies, including newspapers, alcoholic beverages bottlers, television networks, banks, radio stations, pharmaceutical firms) subscribe to an ethical agreement to respect the provisions of the Advertising Self-Regulatory Code of this institution.

Peru

This “multicultural and multiethnic nation” (Gronemeyer, 2014c, p. 80), located in the West coast of South America, bordering the Pacific Ocean, has been home to several ancient civilizations, including the Inca Empire. Also, similar to other Latin American countries, the Peruvian territory have experience dictatorships and “lived under the Revolutionary Government of the Armed Forces” (p. 80).

This republic’s public regulatory system has followed Western trends required by international treaties, and in recent years several laws to define the scope and limits of the advertising of products considered sensitive have passed (see Gronemeyer, 2014c, pp. 81–82). The Peruvian State is very protective of its citizens and their rights are clearly outlined in Article No. 65 of the Constitution, which establishes that in defense of consumers and users the State guarantees the right to information about the goods and services offered in the market. Moreover, it is responsible for watching over the population’s health (p. 82).

In addition to the generalities established by the Constitution, there are other legislative pieces directly related to advertising practices. Decree 691 dictates that advertisements must respect the laws and should not mislead consumers with the use of images that may create confusion. The same decree states that commercials for alcoholic beverages have to be aimed at an adult population and that cigarettes ads must include the phrase “smoking is hazardous to health”. Decree 716 demands truthful messages and appropriate information for consumers. The most recent government effort to regulate commercial communication is the Law for the Promotion of Healthy Food for children. In 2013 Congress passed legislation on the advertising of “junk food” to ensure the health and nutrition of children in Peru.

The industry self-regulatory system is under the supervision of the Consejo de Autorregulación y Ética Publicitaria (CONAR: National Advertising Self-Regulation Council). One attention-grabbing characteristic of CONAR’s self-imposed rules has to do with tobacco products. According to the ruling in their Code of Ethics cigarette advertising is subject to requirements of the law. In regard to alcohol products, another attention-grabbing aspect is that eroticism should be avoided.

Puerto Rico

This Caribbean island nation has a distinct political and economic character, different from the other republics in the region, mostly due to its status as Commonwealth to the U.S. This unique situation grants the country similarities with the United States in terms of regulations of the broadcasting industries (Artero, 2009, p. 196) and subsequently the regulatory guidelines for advertising practices.

The local government relies on the Departamento Asuntos del Consumidor (DACO: Department of Consumer Affairs) to ensure compliance with the legislation guiding the persuasive communication industry set forth in the Leyes de Puerto Rico Anotadas (LPrA: Laws of Puerto
Rico Annotated). Current legislation contains several provisions concerning deceitful or fraudulent advertising and emphasizes such aspects as relevant facts, visual representations, and price comparisons. The DACO also has a set of regulations governing the advertising and promotion of tobacco products.

On behalf of the industry, the agency responsible for ensuring that ethical standards in advertising are respected is the Asociación de Agencias Publicitarias de Puerto Rico (AAP: Puerto Rican Association of Advertising Agencies). It was founded in 1963 with the main purpose of improving professional advertising. The AAP is bound to self-regulation and to ethical principles in order to protect the public from deceptive practices by its associates. The organization’s Code of Ethics is based on the norms of the International Code of Commerce in Paris, with the extensions and modifications proposed by Puerto Rican advertisers to adapt it to their reality, within the framework of applicable laws. The Code does not aim to replace self-regulatory agreements already adopted by members, other industries, or the regulations of the various government agencies of the United States. It is comprised of 18 articles, among which are those related to advertising to children and comparative advertising.

One other important element boasted in the Code is related to responsibility for its application. The agency responsible for the implementation and penalties under the code is the Commission for the Supervision of the Advertising Agreements at the Chamber of Commerce of Puerto Rico, which operates as Consejo de Autorregulación Publicitaria (CONAR: Council of Self-Regulation and Advertising Ethics). In the case of United States advertisers operating in Puerto Rico, if a complaint related to the Code cannot be settled in the island nation-state, because it requires decisions from the company’s headquarters in the U.S., the complaint would be handled by National Advertising Division at the Council of Better Business Bureau of Puerto Rico.

**Uruguay**

As with other nations in Latin America, Uruguay does not have a specific set of regulations for advertising practices. Most of the government control is exercised through general laws that include rulings for the industry. The body of laws that dictates the legal principles of the advertising business in the country is spread through various institutions of the State and includes areas ranging from the advertising of tobacco and cigarettes to the definition of standards for advertising and propaganda from the government.

Relative to consumer protection it is imperative to note Law No. 17.250 that refers to misleading advertising, the objectivity of comparative advertising and truthful information in advertising messages. Law No. 18.256 prohibits the advertising of tobacco related products in print, broadcast, or outdoor media, and as of 2012 the Health Minister submitted a new Bill to Congress looking to completely shut down the advertising of tobacco products forever.

On the other hand, there are self-regulatory rules that are imposed by the actors of the advertising industry. Self-regulation standards set by the various trade associations are aimed at establishing the guidelines for ethical behavior in the industry. In this regard members of the Asociación Uruguay de Agencias Publicitarias (AUDAP: Uruguayan Association of Advertising Agencies) subscribe to the principles set forth in their 2005 Code of Ethics.

Also, advertising agencies and advertisers comply with the regulations of the Consejo Nacional de Autorregulación Publicitaria (CONARP: National Council of Advertising Self-Regulation) formed by the AUDAP and the Advertisers Chamber in 2009. Two other prominent self-regulatory institutions are the Asociación Nacional de Braodcasters Uruguyos (ANDEBU:...
Uruguayan National Broadcasters Association) and the local chapter of the International Advertising Association (IAA).

The IAA Code of Ethics covers a wide range of principles related to truthfulness in the advertising messages and also states the rules for using comparative prices and avoiding unfair practices, such as confusing consumers with products from the advertiser’s competitors.

Venezuela

This South American nation-state, once known as a very stable democracy in Latin America, is marked by periods of political instability, dictatorships, turbulence and constitutional fluctuations. Such changes have influenced the regulation of advertising practices, from both the government and industry standpoints. On the State side, advertising is regulated in the new Constitution of the Bolivarian Republic of Venezuela, as well as other public administration agencies. In the Private Sector, a joint effort of advertisers and ad agencies has laid down a Code of Ethics.

Venezuela can be ranked among the top three countries in the region in respect to government regulations. State restrictions imposed on advertising are based on public order and good customs. In this sense, the 1974 Consumer Protection Law forbids false or misleading practices in advertising that may harm the consumer. Also, similarly to many other nations in Latin America, the Venezuelan Ministry of Health watches over much of the lawmaking that concerns advertising.

Legislation ranging from drug promotion to advertising of tobacco and alcohol products are interrelated with regulations in other State branches, such as the former Instituto para la Defensa y Educación del Consumidor y al Usuario (INDECU: Institute for the Protection and Education of Consumers and Users). Now the consumer is protected under the Law for the Defense of People’s Access to Goods and Services and regulations are set forth by the Instituto para la Defensa de las Personas en el Acceso a los Bienes y Servicios (INDEPABIS: Institute for the Defense of People’s Access to Goods and Services). This division regulates deceptive, comparative and subliminal advertising. Additionally, the INDEPABIS supervises commercial messages to protect consumers from false claims that could compromise their health, and also to protect minors from the effects that advertising content and dissemination might exert on them. More explicitly, the Law forbids advertisements in which children are used to promote bad habits, or disrespect human dignity.

But the government is not the only entity concerned with the proper use of advertising. The industry also has set its own regulatory standards. The Federación Venezolana de Agencias de Publicidad (FEVAP: Venezuelan Advertising Agencies Federation) has been working to improve self-regulation, setting forth a Code of Ethics that emphasizes principles of respect for human dignity, the integrity of the family, the national interest, the constitutional authorities, public and private institutions, and national symbols. FEVAP members are reminded that any advertisement aimed at children most show respect for their ingenuity, inexperience and sense of loyalty. Furthermore, ads should not insinuate that the lack of consumption of certain products will make the children inferior. Another relevant aspect is laid out in Article No. 9 of the FEVAP’s Code. It states that advertising expressions should not carry out insinuations, claims or suggestions that are contrary to the principles of honor, truth, morality and nobility, generally accepted as normative principles of society.

The Asociación Nacional de Anunciantes (ANDA: National Advertisers Association) has also establish a Code modeled after the guidelines used in European countries, where the effectiveness of self-regulation systems for business has been amply proven.
CONCLUSION

This chapter has presented a macro view of the development of the media and advertising sector in Latin America, and a compendium of the most significant aspects regarding government and self-imposed regulations in the region. This latter subject is analyzed under the scrutiny of universal moral values, and more precisely from a critical perspective on corporate social responsibility. The creation and adherence to codes of ethics, either individually or collectively, is the key aspect of the inquiry.

The scholarship employed for examining the advertising industry in the 20 Latin American countries, is useful for determining commonalities and differences across the practices followed. Among the common patterns found, in the majority of the nation-states observed, was the formal establishment of ethical standards that are expected to be followed by practitioners and supervised, on the one hand by the different advertising associations in each country, and on the other hand by government authorities. Overall, there is singular evidence that Latin American advertising practitioners are following universal moral principles and that state governments have set forth laws and decrees to guarantee civility and respect to citizens from advertisers.

The advertising business has found itself criticized over several decades in the ethical arena for being either unprincipled or for utilizing principles seen as inadequate for the task (see Drumwright & Murphy, 2009; Rotzoll & Haefner, 1996). Further, the evolution of media technologies and the proliferation of digital platforms for connecting with consumers in Latin America create a vast terrain of new ethical problems, issues and challenges for advertising practitioners. Subjects for review and issues for consideration include image manipulation, image staging, subliminal messaging, false comparisons or misrepresentations (of products and people), the perpetuation of stereotypes, the use of the word *gratis* (free)—in many different forms, including buy-one-get-one—to induce a sale, product placement, and invasion of privacy (more likely via the digital context and social media) are among the many ethical minefields that continue to present enormous and sometimes unprecedented terrain that today’s advertising domain must navigate.

From all indications, as the world moves to the third decade of the twenty-first century, it is not abandoning the foundational principles of ethics and corporate social responsibility. Indeed, the observance of universal values is inevitably a substantial part of the core ethical standard of conduct practiced in the Latin American countries examined. Advertising to children and youth, respect for human dignity, the promotion of tobacco and alcohol products are the foci of both the State and the private sector basis for establishing regulation. These matters serve as the foundation to develop an ethical scheme of universal values as a theoretical framework for analysis.

Nonetheless, the rapidly expanding digital environment presents unprecedented and unanticipated challenges concerning ethics because the internet has overextended the nature of the marketplace. A fine example occurred in February 2019 when the Chilean government fined Groupon for deceptive advertising on its Website and for not exercising enough due diligence to ensure that a third-party provider was adhering to the expected standards of ethical conduct. Providers of goods and services are now advertising, marketing, and promoting in an integrated and interconnected space with trans-borders and collaborators. This situation underscores the need to pay careful attention to this e-commerce environment.

This exploratory effort related to the media and advertising industries in Latin America has been conducted with the intention to provide the space for further exploration, analysis, and discussion regarding the topics unveiled by this chapter. It opens up promising opportunities for academics, as it makes available a fresh agenda for the future.
REFERENCES


