

Repudiation note

On the attacks of the Temer government on the Internet Steering Committee in Brazil

The Coalition on Network Rights is publicly repudiating and denouncing the most recent measure of the Temer administration challenging the rights of Internet users in Brazil. On Tuesday, August 8th, the federal government unilaterally published a public consultation in the Official Gazette (DOU), aimed at changes in the composition, election process and powers of the Internet Steering Committee (CGI.br).

Composed of representatives of the government, the private sector, civil society, and technical and academic specialists, CGI.br has been responsible for establishing standards and procedures for the use and development of the Internet in Brazil since its creation in 1995. An international reference for multistakeholder Internet governance, the Committee had its role strengthened following the promulgation of the Internet Civil Rights Framework (Law 12.965/2014, known as the "Marco Civil") and its regulatory decree, which establishes that it is the responsibility of the Committee to define the guidelines for all issues related to the Internet's regulation. From then on, the CGI.br became the subject of the private sector's dispute and greater interest.

By publishing a public consultation to significantly change the Steering Committee model unilaterally, without any prior dialogue within the CGI.br itself, the government overrides the law and breaks with the pluralism that defines the debates on the Internet and its governance in Brazil.

The consultation was not the subject of the last CGI.br meeting, held in May. On Monday, August 7th, the day before publication in the DOU, the committee's coordinator appointed by the government, Maximiliano Martinhão, only sent an e-mail to the list of board members reporting that the Federal Government intended to discuss the issue - without informing that everything had already been agreed, and was in the process of being officially published. It is worth mentioning that, on August 18th, the first meeting of the new CGI.br management will take place, and the government could have waited to define the issue in a democratic way with the committee members. However, it preferred to act in an autocratic way.

Since his inauguration as coordinator last year, Martinhão - who is also the Information Technology Policy Secretary at the Ministry of Science, Technology, Innovation and Communications - has made public statements in support of changes to the Internet Steering Committee. As early as June 2016, in the first meeting he chaired at CGI.br, after the change in command of the federal government, he declared that he was "receiving demands from small providers, content providers and investors" to change the composition of the body.

The pressure to revise the strength of civil society in the committee grew, especially on the part of telecommunications operators, supporters of the government. In December, during the Internet Governance Forum in Mexico, organized by the United Nations, a group of civil society entities from more

than 20 countries expressed concern and denounced attempts to weaken CGI.br by the Temer administration. In the first half of 2017, the government maneuvered to impose a standstill on the Committee's activities, asserting that there was a questionable "economy of resources".

Martinhão and other members of the Kassab/Temer administration have also publicly defended the achievements of the Internet Civil Rights Framework, proposing the easing of network neutrality regulations and criticizing the need for users to consent to the processing of their personal data. In this context, the multi-sectoral composition of CGI.br has been fundamental to the defense of the pillars of the "Marco Civil" and basic principles that guarantee a free, open, and plural Internet.

For this reason, this Coalition - which brings together researchers, academics, developers, activists and consumer protection and freedom of speech entities - launched, during the last CGI electoral process, a public platform that called for the "strengthening of the Internet Steering Committee in Brazil, preserving its attributions and its multistakeholder character, as a guarantee of the multi-participatory and democratic governance of the Internet" in the country. After all, changing the CGI.br is strategic for the sectors that want to change the direction of Internet policies that have been implemented in the country.

In this sense, considering the "Marco Civil", the multistakeholder character of the CGI.br and also the political moment that the country is going through - for an interim government of questionable legitimacy to undertake such changes - the Coalition on Network Rights demands the immediate cancellation of this consultation.

It is unacceptable that a process directly related to Internet governance is effected and disguised by a dubious public consultation without its guidelines having been discussed before, internally, by CGI.br. It is another example of the modus operandi of the administration that occupies the federal government with little appreciation for democratic processes. We will continue to denounce such attacks and seek support from different sectors, both inside and outside OF Brazil, against the dismantling of the Internet Steering Committee.

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Coalition on Network Rights

Coalizão Direitos na Rede (CDR)

<https://direitosnarede.org.br>