UN Guidelines for consumers: the situation in Brazil for insertion of amendments on access to knowledge

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1. Introduction – Idec initiatives on access to knowledge

Idec - Instituto Brasileiro de Defesa do Consumidor (Brazilian Institute for Consumer Defense) is a Brazilian non-profit consumer's organization, founded in 1987. Idec's mission is to promote education, awareness, protection of consumer rights and ethics in consumer relations, with full political and economic independence. It has no ties with any corporations, governmental entities or political parties. Idec's meta-mission is: to help ensure that all citizens have access to essential goods and services and to social development, sustainable consumption, the planet's health, and consolidation of democracy in Brazilian society. For Idec, the concept of consumer is not restricted to those who participate in the market, exercising their purchasing power, but also covers those who can not access to essential goods and services due to lack of purchasing power.

The Institute conducts studies and research, promotes campaigns, mobilizes public opinion and pressures companies and governments in order to improve the consumer relations in the country. It also participates in national and international forums that define public policies in the area of consumer relations. It publishes a monthly magazine, "Revista do Idec", information on its website (www.Idec.org.br) and numerous other publications. Furthermore, it presents and tracks legal procedures to defend the collective and diffuse interests of consumers in general and of the Institute's members.

Idec is member of the Brazilian Internet Steering Committee (http://www.cgi.br/), as one of the four representatives of civil society, and participates in other important instances of consumers representation in this field. The monitoring and intervention activities conducted by Idec on a regular basis are part of a broader strategy for political intervention. The strategy aims to

1 http://A2Knetwork.org/guidelines
2 Lawyer at the Brazilian Institute for Consumer Defense (Idec).
coordinate actions to press decision-makers, to defend and represent the consumers’ rights and interests, to produce information, to provide training, to intervene in the media, and to coordinate and mobilize the consumer movement. All of these activities are orientated by guidelines developed from research on each of these issues: food, health, public services (telecommunications, electricity and water and sanitation), Internet, access to knowledge, quality and safety of products and services, banking services, education on consumption. Sustainable consumption, international trade, corporate social responsibilities are cross cutting issues. Idec has worked nationally and internationally on the issue of copyright from the consumers’ point of view. With the support of the Consumers International, on A2K project, the Ford Foundation and the Open Society, Idec develops projects of the civil society to debate the issue and to enable consumer awareness referring to copyright. Idec has a steady job advocacy and helps to consolidate improvements in the Brazilian law, always in order to reach a balance between recognition of the author and access to cultural heritage - and all relationships of symbolic exchanges and creative economy related to it.

Idec is a full member of Consumers International, a federation that brings together more than 250 consumer organizations that operate worldwide. The Institute is part of the National Forum of Civil Entities of Consumer Defense - designed to strengthen the consumer movement throughout the country; Abong - Brazilian Association of NGOs; and thematic networks as FBOMS - Brazilian Forum of NGOs and Social Movements for Environment and Development; REBRIP - Brazilian Network for the Integration of Peoples and the Front for the Restriction of Advertising of Unhealthy Foods to Children.

2. Brazilian context for incorporating the amendments into the guidelines

In Brazil, copyright is ruled by the law number 9.610, from 1998, the Copyright Act. Since its implementation, this legislation has not suffered any adjustments that included the new demands for access to culture and knowledge, new opportunities arising from technological innovations and the daily increasing use of the Internet.

Beyond the debate about the regulation of copyright in the digital age, in a previous diagnosis, Brazilian copyright law has proven itself insufficient and inadequate to account for the realization of
the fundamental rights of citizens and consumers. The right to education and access to culture, information and knowledge are constitutional rights with meager conditions to be realized under the aegis of the current copyright law.

Such situation is evident when considering some key points of the law, for example: (i) its incompatibility with the new uses of works permitted by new technologies, (ii) the absence of a clause that allows the full use of copyright works for educational and scientific purposes; (iii) the incompatibility with the appropriate preservation work of organizations to protect the cultural heritage, (iv) insufficient guarantees for access to works in the public domain and (v) inadequate protection of authors in their relationship with cultural intermediaries.

In that context, the current copyright law does not serve the public interest, which ranges from the fundamental rights to the full exercise of citizenship, which is necessary to respect consumers’ rights. A reform of the copyright law is ongoing in the country. According to the draft, the law would allow private copying, interoperability and other important limitations and exceptions. Moreover, there would be a state instance to supervise the collective management of copyright. Nevertheless, the reform project is stalled in the Executive branch.

In Brazil, the work with amendments to UN Guidelines is in this context. Bringing the guidelines to an intellectual property political agenda can help to press the approval of the new law. Acting by the reform, Idec adds the amendments to Guidelines in the advocacy work and articulation of civil society. With the international force and visibility of Guidelines, we can increase the work of institutional liaison with partner organizations to produce content for consumer awareness regarding their rights in the sphere of copyright and through the organization of public debates showing the extent of the theme for the society.

The work should also happen by organized pressure on the executive and legislative branches. We have to give special attention to the action in the Government, especially in the Ministry of Justice, which develops an important agenda on Internet Civil Framework, Data Protection Act, and, now, on the agenda of copyright. The Ministry of Foreign Affairs should also be convinced to include guidelines on the Brazilian international position with the United Nations.

Another work front is over the Legislative, which is processing several bills dealing with the agenda
of the guidelines, such as the Internet Framework; Draft Bill 84/99, that criminalizes the access to digital contents and represents a threat to consumers privacy; Data Protection Law, a positive draft bill to discipline principles and rules to protect the personal data; soon, the reform of Copyright Act, questions about e-commerce and digital content and others.

We have participated in many public hearings and meetings in the Federal Congress and exercised a good influence on important members. For amendments to the guidelines, it is necessary to increase this action.

The goal of Idec, with these actions, is to help ensure the amendment to UN Guidelines in Brazil to guarantee the consumer's right to knowledge, culture and information and to assure an effective balance between copyright protection and public interest.

3. Alignment of the amendments with the Brazilian legal order

In the current Brazilian context, effective adoption of UN guidelines related to consumer rights, in the specific field of the Internet, new technologies and access to knowledge, should exceedingly contribute to the process of changing the outline of standards and public policies aimed at compatibility of the fundamental rights to education, information, culture and copyright.

Brazil's situation is complicated, due to the paralysis of several important initiatives to guard consumer rights, such as the Civil Internet Framework (Bill 2.126/2011), which has yet to leave the Legislature, reform of the Copyright Act (Law 9.610/98), and a draft bill on personal data protection; these last two are stalled in the Office of the President. Add to this the diminished political will of the current Government, which had previously been willing to carry out these processes to the end, but which today shows few signs of continuing to do so.

In this sense, insertion of amendments regarding access to knowledge and other consumer rights in the information society could catalyze mobilization of organizations and
movements and be an important tool for pressuring the Executive and Legislative branches to continue progress on these bills. Sufficient input has been produced by organized civil society itself in the most varied areas (consumer defense, communication rights, free software, digital culture, right to education, student and teacher movements, art classes, etc.), which justify implementation of these laws and, with them, public policies aimed at democratization of access to culture in the digital age. What is missing is a positive public agenda that decisively contributes to making this demand visible, which actually translates into serving the public interest and balancing rights. And, in this sense, the debate on the consumer amendments in the Brazilian context will be of great value.

As a general desire, this demand is well reflected in the very suggestion of an amendment in line with the primary goal of the UN document: to include the right to participate in cultural, civil and educational relations as a consumer right. From a right to culture standpoint, the text is completely in accordance with article 215, of Brazil's Constitution, which guarantees all citizens the "full exercise of cultural rights and access to sources of national culture." Social and educational rights are also covered, since the proposed inclusion is consistent with articles 6 and 205 of the Constitution, which deal with this matter. The right to citizenship is equally covered by the amendment and is, in turn, one of the pillars of the constitutional text and is guaranteed in various ways, one of which is the fulfillment of the fundamental right to access to information, set forth in art. 5, XIV. This guarantee is in direct dialogue with the opportunities offered by a copyright that balances public and private interests.

Furthermore, the 2005 UNESCO Convention on Diversity, of which Brazil is a signatory and whose drafting relied on active participation by Brazil, also supports the suggested

3 Included in the number 1 goal of the amendment document is the phrase: "the rights to participate in cultural, civic and educational affairs," highlighted in the original text below: "1. Taking into account the interests and needs of consumers in all countries, particularly those in developing countries; recognizing that consumers often face imbalances in economic terms, educational levels, and bargaining power; and bearing in mind that consumers should have the right of access to non-hazardous products, the rights to participate in cultural, civic and educational affairs, as well as the right to promote just, equitable and sustainable economic and social development and environmental protection, these guidelines for consumer protection have the following objectives:"

4 Convention on protection and promotion of diversity of cultural expressions, of 2005, ratified by Brazil through Legislative Decree 485, of 2006. Available at: http://unesdoc.unesco.org/images/0015/001502/150224por.pdf
amendment. The foundational principle of this document is equal access to cultural expressions, goods and services, as well as the right of Parties to provide effective access to their means of production, dissemination and distribution. These norms were even reflected in the National Culture Plan (PNC - Law 12.343/2010), which establishes that everyone is entitled to art and culture (art. 1, IV) and to information and communication (art. 1, V). The PNC is even more incisive in a specific chapter on the role of the government, in its Annex, determining that it is up to the government to "revise Brazilian laws on copyrights, with a view to balancing the interests of creators, investors and users" (1.9.2) and "adapt the regulation of copyrights, their limitations and exceptions to the use of new information and communication technology.

Therefore, there is a basis in Brazil's legal order for the proposed amendments, in their general goal and in the other points of the UN guidelines, to be defended, adopted and internally validated.

4. Copyright and consumer rights

Unlike in previous years, especially from 2007 to 2010, when the public discussion was held on reformulating Brazilian copyright law, the current political scenario is worrisome. The Ministry of Culture (MinC), which is in charge of leading this process, has a different understanding of the need to adapt Law 9.610/98 to the demands suggested by digital reality and new technologies. Its political behavior and discourse - praised by sectors opposed to reform of the law, especially the reprography industry, recording industry and collective management associations – points to a different understanding, rather than the understanding that sees the current law as inefficient in serving the public interest to access works in line with creators’ rights to protection and remuneration. This has caused the MinC to postpone consolidation of the contributions of society, submitted for the draft reform bill, interrupting this process, which to this day is stagnated by the lack of consensus among the government's own Ministries.
Therefore, an anachronic law continues to be in effect in Brazil that is out of step with the new digital models of cultural production, distribution and consumption; a law that is insufficient for preserving cultural assets – as proven by serious restrictions on digitalization of collections – with few chances for private, non-commercial and, especially, educational use of work, with aggravating factors in the area of reprography; a law that is criminalizing and marginalizing in character, condemning the populace's everyday practices; a law that has no provisions allowing for public supervision of the collection and distribution of rights; and a law with insufficient guarantees for protection of authors themselves.

This is clear if we analyze the position of the Brazilian law in comparison with the laws of other countries. According to Consumers International’s IP Watchlist, Brazil's copyright law is ranked as the 7th worst in the 2010 country ranking, dropping to 4th worst in the 2011 ranking. This shows the few chances that it contains for other rights to be exercised, such as access to culture, to education and to information, in addition to the full enjoyment of products and services.

This last item deserves attention, because it is inserted in the specific area of consumer defense in Brazil. The LDA is inappropriate for a balanced discipline of the relationship established between authors and consumers of cultural goods. Cultural consumption, which is regarded as the most qualified consumption that exists because it involves acquisition of goods that are part of society's symbolic heritage and identity, is more hindered than helped by Brazilian laws.

That is because first, the law leaves room for abuse of basic consumer rights, such as freedom of choice, the right to information, and the full enjoyment of the product or service, all fully guaranteed in the Consumer Defense Code (CDC – Law 8.078/90). Such disrespect is mostly seen in the unlawful and uniformed imposition of technological restrictions (DRM – Digital Rights Management, or TPMs – Technological Protection Measures) on content offered in the market. These devices prevent consumers from fully
enjoying music, movies and other works in digital formats, even when legally acquired. Add to this the lack of provisions concerning interoperability, which allows for the use of content on different operational platforms, and the restriction of consumer rights is even more evident.

Moreover, the LDA has no concrete provisions to facilitate placement in the market of works that are now out of print, are no longer edited, or that are under the protection of the heirs of the authors. It also contains nothing on works financed using public funds (through scientific and academic productions paid for using research funding, calls for bids, and fiscal incentive laws in the culture area, educational book acquisition programs, etc.), which should legally have greater opportunities for circulation among and access by consumers, including free distribution or a reduced market price. A compulsory license in these cases would resolve these issues; however, this does not exist in Brazilian law.

The second problem for consumer rights regards the anachronism of the law, which was molded on outdated production and consumption models and bases. Law 9.610/98, of 1998, did not incorporate essential elements into the new economic arrangements developed using new technological and digital paradigms. Restrictions on the digitalization of works hinder greater circulation of content on the Internet and even the availability and preservation of public collections. Furthermore, new modalities for offering digital products and services, such as books, music and movies online, are based on a law that is insufficient when it comes to the versatility of the market, ineffective at protecting authors, and extremely restrictive for consumers, mostly because they are not adapted to the arrangements and specificities of the digital age.

The same is true for collaborative online creation, which places consumers in the position of co-producers of content, and for the sharing of goods and information, which is essential for the democratization of culture and knowledge and which is the object of a law-oriented criminalizing plot. The LDA is incompatible with the specificities and demands of this new reality, ignoring its potential precisely because it ignores its essence,
comprised of collaboration, interactivity, horizontality, the necessity for physical support and sharing.

This impasse between consumer rights and the restrictions of copyright laws in the digital area was proven by two studies done by Idec which serve as input for the work on the amendments to the United Nations guidelines. The first was published in April 2011, in Idec Magazine issue no. 153\(^5\). An analysis was done of three Brazilian companies connected to Internet providers that sell music in a digital format through streaming and download. Contracts, sales and publicity were checked, as was the dynamic in which services were provided and enjoyed.

The results found were worrisome, with several infractions of consumer rights made possible by provisions of copyright law: all of the companies had some kind of technological restriction that prevented enjoyment of the product. In some cases, the service was offered as unlimited in publicity materials; however, technological locks made content unlawfully unfeasible. Digital music was sold by all of the companies in closed standards or as the exclusive property of other companies, such as Microsoft; interoperability was prohibited or restricted and there were limits on copies, even though the content was private, while publicity materials gave the ideas that the service was unlimited without, however, stating that the products contained DRM restrictions. Once notified of the results, the companies justified their actions by basically invoking Law 9.610/98 and stating that the Consumer Defense Code was not fully valid for consumer relations on the Internet.

Another study, done in early 2012 and yet to be published by Idec, was geared towards the online movie industry, selling movies via streaming and download. The companies analyzed – the four largest players in the Brazilian market – were analyzed regarding their contracts, sales, publicity and services. The results indicate that issues such as the ability to place technological restrictions and the absence from the law of provisions concerning

interoperability make it very hard for consumers to access and enjoy these services.

These studies serve to provide practical evidence on this complicated situation in Brazil, which requires real compatibility of the rights of authors, market intermediaries, and consumers. And in this sense, the amendments proposed by Consumers International are very opportune, since they have a precise affect on the critical points in this conflict of rights.

The specific issues concerning basic rights in the enjoyment of cultural products and services is covered by amendment H, proposed as a new chapter on access to knowledge, and items that comprise it, such as the initial suggestion for consumer protection (55A), new models for the production and circulation of work, free licenses and collaborative projects (55E); consumer rights for educational goods (55F); technological restrictions (55H); and interoperability (55J).

The most generic right to access topic is dealt with in an important and exhaustive manner by the amendments in the same proposed chapter: reduction of the public domain and voluntary licensing (55B); digitalization and access to content through the Internet (55C); educational limitations and preservation of collections (55D); private copying and other exceptions and limitations (55F); fair use and replications (55G). These seem to be the most important points for Brazilian action concerning the amendments to the United Nations guidelines regarding interconnection between copyright and consumer rights. This work should be aimed at changing the current copyright law and consequent public policies for the area.

5. The Internet and Privacy

The Brazilian Congress is currently considering a bill (PL 2.126/2011), which includes principles, values, rights and responsibilities on the internet. This is the Civil Internet Regulatory Framework, a bill that was placed before public consultation in 2010 and which
received contributions from every segment working with the internet, including consumer
defense, through Idec. Public and widely discussed, the Civil Framework was complied
and is today one of the most complete texts in the world on guarantees for internet users.
For example, it contains consumer defense as one of its foundations, in addition to
essential principles such as freedom of speech and expression, protection of privacy and
personal data, and guaranteed net neutrality.

However, the Civil Framework has been stalled in Congress since it was proposed by the
President in August 2011. The Bill is not on the list of voting priorities for 2012 and the
outlook is that it will remain shelved until, at least, next year. In addition to being an
election year, other factors are influencing the lack of progress on the bill, among which is
an important discussion on neutrality, which was raised as a founding principle of the law,
but which runs the risk of being struck down – or relativized – by enormous pressure from
the Internet industry (infrastructure and content). If this happens, internet traffic support
and reduced speed depending on navigation will certainly be huge obstacles for
consumers.

Another discussion lies in the maintenance of connection records (logs), which if not
regulated could affect consumer intimacy and privacy. Right now, there is neither a legal
basis nor regulatory control over maintenance of these logs, and consumers are extremely
exposed by solely depending on the protection policies of the Internet providers, who are
few in number and who have millions of customers in their portfolios.

Add to this the lack of a civil regulatory framework for the Internet and the absence of a
specific law regarding privacy and protection of personal data. In 2010, a draft bill on the
topic was presented by the Ministry of Justice, led by the Department of Consumer
Defense and Protection (DPDC), through public consultation open to participation from
society, for which Idec submitted its contributions. The text was based on European
guidelines for protecting data and had indispensable provisions regarding how information

6 http://culturadigital.br/dadospessoais/
is handled on the Internet. In it, there were important principles, such as principles of purpose, proportionality, free access, transparency, quality, security and responsibility in preserving data. Furthermore, the duties of those dealing with data are established and a guaranteeing authority is created, with a regulatory and oversight role in this area. If passed, the bill would provide greater legal security to consumers and would prevent obtuse conduct in the consumer market. It would also serve as a legal shield against the advancement of normative initiatives that advocate for restriction of internet rights. Nevertheless, this bill has yet to leave the Executive Branch and there is no forecast for when it will be sent to Congress.

It is in this gap that various slights to consumers in the consumer market have arisen. Some of them were found in research done by Idec, providing concrete backing for the work on the amendments to United Nations consumer guidelines. The study looked at the four largest Internet connection service providers in Brazil, based on the CDC, the constitutional right to privacy and intimacy, and on the European principles compiled in the draft bill for the proposed data protection law. Issue no. 55 of Idec Magazine, from June 2011, disclosed the following study results: all of the companies had contracts that infringed upon the fundamental right to privacy and protection of data; the companies' contracts were counter to their own privacy policies; there is an unlawful transfer of data to third parties; operators exempt themselves of responsibility in handling data; and, in order to provide the service, data must necessarily be made available by the consumer without the consumer being informed of the purpose for collecting this data.

Also worrisome is the fact that two of the companies studied, Oi and Telefonica, provide services in conjunction with Phorm, a US software company that collects, processes and profiles Internet data. The company is the target of lawsuits and investigations in several countries, suspected of violating consumer privacy. One of these operators (Oi) was brought before the Administrative Council on Economic Law (Cade), which is responsible for approving corporate mergers in Brazil and where an administrative lawsuit is currently being heard.

7 http://www.idec.org.br/em-acao/revista/155/materia/consumidores-monitorados
investigating any anticompetitive conduct, since the other operator (Telefonica) also maintains a commercial connection with this US-based company.

More than this, the normative vacuum of a civil Internet framework and a law to protect data enables the proliferation of various initiatives aimed at restricting freedom, privacy and access online. The same line has been taken by the SOPA (Stop Online Piracy Act) and PIPA (Protect IP Act) bills proposed in the United States, as well as other international laws, such as the Sinde Act, in Spain, and the Hadopi Act, in France, all of which intend to restrict Internet rights to a greater or lesser degree. In Brazil, Bill 84/99 was proposed; it is also known as the Azeredo Act, after the Federal Congressman who proposed it.

Under the pretense that it will fight Internet crimes, the proposed Azeredo Act intends to create an atmosphere of online surveillance and monitoring, substantially restricting rights and freedoms and criminalizing everyday consumer conduct on the Internet. The bill establishes an undistinguishable saving of user connections, constantly monitoring navigation; it creates penal sanctions and types that go beyond current criminal laws; and it criminalizes trivial activities based on access and sharing of content and information, which are the basis upon which the internet functions.

Idec along with other organizations and partner movements has come out against this bill with the Mega Não\(^8\) movement, promoting the "Consumers against the Azeredo Act" campaign\(^9\), sending over 17 thousand consumer messages to legislators, and participating in public hearings in Brasília, demanding that the bill be defeated. Moreover, the Mega Não movement, supported by Idec, has collected more than 170 thousand signatures against the Bill 84. This initiative resulted in the Azeredo Act not going to a vote, providing room for a broader discussion on the Civil Internet Framework. In the meantime, the bill could be placed back on the agenda at any time.

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Another warning is geared towards the bill to reform the Copyright Act (Law 9.610/98). As previously explained, the draft bill for the reform was in public consultation and is now stalled at the Executive level. Although it has left Congress, its text has been publically debated in part and contained therein is a threat to consumers which appeared in the initial Civil Framework bill, but was withdrawn due to social pressure. This is the “notice and take down” system, through which a judicial order is not needed to take any content that supposedly violates copyright off the air. All that is needed to do this is a request from the supposed holder of the rights to the provider. In addition to harming the basic legal premise of the right to oppose, this provision is a threat to the freedom of online production and sharing and will have a significant impact on the capacity for democratization and circulation of knowledge on the Internet.

In this situation, the amendments to the UN guidelines regarding the right to access could make a substantial contribution towards the reactivation of the positive agenda (Civil Framework, data protection law, reform of the LDA) and towards preventing the continued negative political agenda which is extremely prejudicial to consumers. Furthermore, it will serve as a political fact for resuming articulation of civil organizations that debate the matter and place pressure on the government. These organizations were essential to the public discussion on the reform of the LDA, for example, by launching the "Copyright under Debate" publication that explains the implications of copyright on everyday life to the lay population, by holding various seminars, by producing input and materials, and by constituting a significant media presence.

The assimilation of the following amendments, proposed by the CI in chapter H, should effectively contribute to this initiative: removal of criminal sanctions (55I); neutrality as a right on the Internet (55L); privacy for consumers who access digital content (55M); and protection of personal data (55N).

6. Civil society initiatives
Based on this, and keeping in mind Brazil's participation in the amendment adoption project, Idec's work will continue to focus on articulation with civil society (between 2010 and 2011, there were around 30 organizations, movements and collectives working together on the access to knowledge agenda); on advocating at the government level; on production of input and evidence, through research and studies, justifying adoption of the amendments; and on promoting public debate, whether through a presence in informative media or by holding seminars.

Because of the institutional position that it holds, Idec plays an important role in the process of inserting the amendments in the political panorama of non-profits. Along with Intervozes and other partner institutions, it leads the "Broadband is your Right" campaign, which relies on many social organizations and movements and whose job is to pressure the Ministry of Communications and Anatel (National Telecommunications Regulatory Agency) to promote quality, universal broadband as a public service in Brazil. As a representative of civil society, it holds a Councilmember seat on the CGI (Brazilian Internet Steering Committee), a collegiate agency in charge of Internet governance in Brazil, and is a member of Anatel's Telecommunications Services User (Cdust) Committee.

In this sense, it is up to Idec to use these institutional spaces to promote and advocate for the consumer amendments, as well as activating the networks in which it participates, in order to hold a public debate and create social pressure.

One potential space for interlocution, in light of its recent reform, is the National Council for Combating Piracy (CNCP), a forum headed by the Ministry of Justice to deal with piracy related issues. Historically populated by representatives of the copyright industry, such as the Motion Pictures Association of America (MPAA) and the Brazilian Association of Record Producers (ABPD), the CNCP opened a public call for new organizations and selected, among them, the Center for Technology and Society at Fundação Getúlio Vargas (CTS-FGV) and the Public Policy on Access to Information Research Group (Gpopai), which are important academic partners and developers of essential research in the area of
copyrights, new technologies and access to knowledge.

For its work on the amendments at the Executive level, the Ministry of Justice deserves attention. The more progressive agenda related to the access agenda was under its command – such as the Civil Internet Framework and the proposed data protection bill – and its political positioning points to a space for greater interlocution than at the Ministry of Culture, for example.

The Ministry of Foreign Relations is also strategic. With an influential role in various international discussions in recent years that are significant to access to culture and to knowledge, under the auspices of the UN and UNESCO, this Ministry has defended progressive positions within this agenda and is indispensable for adoption by Brazil of the amendments proposed by the consumer defense movement.

Another front for work is the Legislature, where several of the proposed bills already mentioned, which are part of the agenda of the amendments, are under consideration (or should be up for consideration next year). Participation in public hearings with the Federal Congress will continue, with the aim of convincing members of congress of the importance of the amendments in order to provide continuity for bills being considered.

Finally, in the area of input, some research should be done in 2012 to support action on the amendments. One study will look at scientific textbooks, required reading at universities, that are not accessible by students because of roadblocks in copyright laws. The idea is to offer evidence on the need to broaden exceptions and limitations in the area of education. Another specifically deals with privacy and will assess the policies of top online companies, such as Google and Facebook, and any infractions in their handling of consumer data.