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Legal Overview

In Brazil, freedom of expression is officially guaranteed by the 1988 Federal Constitution. The media operates within a formal framework of freedom, but this is not exempt from pressure from the state and commercial interests, and while radio and television must observe a particular legal regime, the written press has no such obligations. There are also general rules for the protection of honor, privacy, and national security.

Brazil's constitution provides the framework for the legal functioning of the country. As such, freedom of expression laws are present in Art. 220.[1] The reform of the Constitution in 1988 proposed a chapter dedicated to communication policies. This established, among other things, that the media cannot be subject to monopoly or oligopoly. However, although this chapter was adapted, it was never applied, nor was there any significant progress in implementing its various initiatives, which would have adversely affected the interests of the country's main media groups.[2]

The neglect in the application of this chapter can be witnessed in a recent study, which shows that media, telecommunications, and big tech companies all have high levels of concentration.[3] Using the CR4 indicator, an index that analyzes the concentration of a given market based on the share that the four largest companies control in relation to the whole, the study highlights that the greatest concentration occurs in the Internet provision sector, followed by telecommunications and, finally, the media and cultural industries. On average, the CR4 of all the markets is around 80%.[4] In other words, the four largest companies hold roughly four-fifths of the entire market.

Among the international treaties concerning freedom of expression which have been adopted by Brazil are the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966), the American Convention on Human Rights (1969), and the Convention on the Rights of the Child (1989).

In addition, there are various bodies responsible for overseeing the media. These include the Ministry of Communications (MCOM), which is responsible for policies related to broadcasting throughout the country; the Social Communication Secretariat (SECOM), responsible for the Federal Government's internal and external communication policies; the National Data Protection Authority (ANPD), the body responsible for data protection policies; Anatel, the National Telecommunications Agency, responsible for telecommunications policies; the National Film Agency (ANCINE), primarily responsible for promoting the audiovisual sector; and the Ministry of Justice, responsible for establishing the classification of television programs, which allows, for instance, the protection of children. The advertising sector is left to regulate itself.

[1] Constitution of the Federative Republic of Brazil. (1988). https://www.oas.org/es/sla/ddi/docs/acceso_informacion_base_dc_leyes_pais_b_1_en.pdf.

[2] Ana Bizberge. (2000-2017). Digital convergence and communication policies in Argentina, Brazil and Mexico. Buenos Aires: El Colectivo, Instituto de Estudios de América Latina y el Caribe-IEALC. <https://drive.google.com/file/d/1fvmfSNCscfZ-KCKebA2kyp5BWgguGTAp/view>.

[3] Guillermo Mastrini, Martín Becerra, Ana Bizberge, Ornella Carboni, Agustín Espada, and Florencia Sosa. (2024). Communications, media and internet concentration in Brazil. Global Media and Internet Concentration Project. DOI: <http://doi.org/10.22215/gmicp/2024.3.19.2>.

[4] Mastrini. (2024). Communications, media..., *cit.*

Historical and Economic Context

To better understand the situation of the media in Brazil, it is important to explain its historical development. In January 2023, Luiz Inácio Lula da Silva began his third term as president of Brazil. Lula is one of the founders of the center-left Workers' Party (PT), which formed a broad alliance with center-right parties to create a majority in the government. PT's relationship with the mainstream media has never been good, although it has never reached the same levels of confrontation as those that exist, for example, in Venezuela or Argentina. Prior to 2022, mainstream media in Brazil supported center-right candidates, Lula's opponents at the time. With the 2022 presidential election, major media outlets took a much more critical stance towards Jair Bolsonaro, the candidate of the Liberal Party (PL) running for re-election.

With more than 214 million inhabitants, Brazil is the most populous country in Latin America, with huge urban conglomerations (such as São Paulo, Rio de Janeiro, Porto Alegre, Brasília, Recife, Salvador, and Manaus, among many others) and a powerful economy based on vigorous industrial and commercial development since the 1940s. Brazil's Gross Domestic Product (GDP) places it as the ninth largest economy in the world. The country has a multicultural social matrix and important socio-economic differences across its territory. While the most dynamic part of the economy is concentrated in the south and southeast regions, the Brazilian north tends to be more impoverished. Although the sustained growth of the national economy has improved the country's social scenario, economic inequality remains high. Brazil's Gini Index scored 52 in 2022, classifying it as one of the countries with the worst wealth distribution in Latin America, surpassed only by Colombia (54.8) and Belize (53.3). According to *The World Inequality Report 2022*, the richest 10% of the Brazilian population represent almost 59% of the country's income.

At the political level, the democratic system has been maintained for almost 40 years after a long dictatorship (1964-1985). However, it has gone through major crises, such as the dismissal of two presidents - Fernando Collor de Mello (1992) and Dilma Rousseff (2016). Prior to Lula's government, the administration of Jair Bolsonaro (2018-2022) showed characteristics similar to those of Donald Trump in the United States. After losing the election, Bolsonaro, like Trump, attempted a coup d'état which was unsuccessful.

Radio and television have been the gateway to accessing culture for millions of Brazilians. Media ownership is characterized by persistently high levels of concentration and is based on media groups owned by influential families, whose control is maintained through different generations of family members. Since the beginning of radio and television, these industries have remained geographically concentrated, with Rio de Janeiro and São Paulo serving as the main production centers.

A peculiarity of Brazil, which distinguishes it from other countries in the region, is that most radio and television licenses are in the hands of politicians, especially members of Congress, despite rules expressly forbidding such practice according to the Brazilian Constitution. Another institutional group that has a strong presence in media ownership is the church, both Catholic and Evangelical.[5]

[5] James Gorgen. (2009). Central media system: proposal for a model on conglomerates and communication in Brazil. Faculty of Library Science and Communication, Federal University of Rio Grande do Sul, Porto Alegre. <https://lume.ufrgs.br/handle/10183/17166>.

In order to understand the current situation, it is necessary to summarize the process the country went through in order to arrive at the political and economic model in which it currently finds itself. The constitution promulgated in 1988, known by the nickname 'citizen', is the milestone that decreed the resumption of Brazil's democratic period after the dictatorial regime. It laid down the main guidelines for the structures that are essential to the functioning of this new system. However, we need to understand the events that preceded its writing, and how they affected the power dynamics created or continued after its enactment.

Even during the dictatorship, which began with the civil-military coup of March 31, 1964, Brazil experienced vertiginous economic growth, driven by massive investment in the country's infrastructure and industrialization through numerous international loans taken out by the regime. The so-called "Brazilian economic miracle" took place more specifically between 1969 and 1973, when the country experienced a high rate of economic growth. The average annual rate of expansion of the GDP at the time was around 10.2%. During this period, there was a notable increase in investment in the telecommunications industry, which made it possible to integrate the country into the era of satellite communication. Broadcasting, which had already been practiced on Brazilian soil since the mid-1920s and was only regulated a decade later - with Decree 20.047 of May 27, 1931 - would then include TV channels, the first of which was TV Tupi, from the Diários e Emissoras Associados Group, headed by Assis Chateaubriand. In 1965, the Globo group was founded, during the expansion of telecommunications in the country, with the help of foreign capital from Time-Life.

From the outset, Globo, owned by Roberto Marinho, was chosen by the military regime to spearhead the process of selling the idea of a huge, integrated country to Brazilian citizens. This idealization was based on large constructions and impressive architectural structures built and distributed nationally by Marinho's company through the growing number of broadcasters he had already acquired, greatly assisted by the regional oligarchies interested in partnering with him.[6] Thus, Globo had a great head start as the country's largest media conglomerate, despite later attempts to combat this, such as the division of TV Tupi's assets between the Silvio Santos Group and the Bloch Group. This gave rise to the SBT and Rede Manchete channels, which were strongly encouraged by the Figueiredo government (1979-1985). With the formation of new networks, the government wanted to avoid Globo's monopoly, following the idea that, with a single group dominating the market, it could become a dangerous instrument of political destabilization.

Currently, the Constitution determines that radio and television services are public goods, meaning that it is up to the Federal Government to exploit these services, either directly or through concessions.[7] This format was based on an American model, which starts from the idea that the electromagnetic spectrum is a public good, and should be regulated exclusively by the Federal Government. However, since its implementation, the model has been criticized because broadcasting has always moved towards a privileged private model, which gives huge advantages to established groups, as well as barriers to entry which almost make new groups unviable. The alternative would be to distinguish them from essential public services made available privately, characterizing them as a public utility service, preferably with external regulatory measures.

[6] Daniel Herz. (1991). *The secret history of Rede Globo*, 14th ed. São Paulo: Ortiz.

[7] Constitution of the Federative Republic of Brazil. (1988)..., *cit.*

In this context, since re-democratization and the centralization of power in the hands of the elected President, consolidated by the Constituent Assembly, the process of granting and renewing licenses for broadcasting is directly linked to the Executive Branch, passing through the Broadcasting Secretariat and the Ministry of Communications, to finally reach its highest office. Thus, the executive, armed with the ability to define broadcasting licenses without going through the sieve of the other two branches of government, has more freedom to hand-pick representatives of civil society and companies that will receive these licenses in exchange for immediate political support, as described in the so-called "consortium neo-clientelism" during the Sarney administration, a practice that continues to this day.[8]

This practice was not left behind, even when the concessions were suspended during the short-lived Collor de Mello government (1990-1992). During President Fernando Henrique Cardoso's term in office (1995-2003), a debate on the subject was proposed and they underwent a moment of transformation in which Sérgio Motta, taking over the Ministry of Communications, adopted different rules for the new granting of concessions, criticizing the method of political choices that his predecessor, Antônio Carlos Magalhães, had followed. Instead of political criteria, technical criteria would be implemented, and the sale of concessions by public tender would be mandatory, with the exception of only educational broadcasters, which would continue to be granted by the Executive.[9] The reality, however, did not correspond to the theory.

Despite the continuity of these practices in the political sphere, even with different governments, Brazil has made a big leap in the last two decades in terms of the way the population approaches television. With the departure of President Fernando Henrique Cardoso from power at the end of 2002 and the entry of the first center-left government of the new republic, there were some differences in political perspective regarding media decisions. During Luiz Inácio Lula da Silva's first two terms in office (2003-2011), the definition of the Brazilian Digital Terrestrial Television System Forum (SBTVD) and the study of conditions for digitizing broadcasting, in order to put an end to the analog era, were the focus of the new executive. Despite the technological leap represented by these initiatives, this progress was not accompanied by a reduction of political involvement in the media.

At the time, the date set for the end of the network digitalization process was 2018, aligned with the release of the 4G broadband cellular network technology. However, the end date of the analog era was eventually postponed to December 31, 2023.[10] This technological leap was characterized by the distribution of influence in Brazilian broadcasting, but each new government still dragged its heels when it came to drastic change within the scope of social development policies.

[8] Paulino Motter. (2019). *The invisible battle of the Constituent Assembly: Private interests versus the public character of broadcasting in Brazil*. Rio de Janeiro: Fiocruz : Edições Livres. <https://portolivre.fiocruz.br/batalha-invis%C3%ADvel-da-constituente-interesses-privados-versus-car%C3%A1ter-p%C3%BAblico-da-radiodifus%C3%A3o-no>.

[9] Motter. (2019). *The invisible battle...*, *cit*.

[10] Samuel Possebon. End of analog TV is Lula's first challenge in the broadcasting sector. 2023. Teletime. <https://teletime.com.br/02/01/2023/fim-da-tv-analogica-e-primeiro-desafio-de-lula-no-setor-de-radiodifusao>.

Legal Framework

In addition to the 1988 constitution, there have been other advances over time. Although Brazil has passed some advanced laws relating to the media and the Internet in recent years, the basic legislation that still applies is more than 50 years old. Law No. 4.117/1962 establishes the Brazilian Telecommunications Code, and Decree No. 52.795/1963 approves the Regulation of Broadcasting Services. Law 4.117 has been amended several times, but remains valid, establishing the basic conditions for the operation of telecommunications and broadcasting services. Decree 52.795, which has also suffered vetoes and modifications since its sanction, establishes the technical and legal conditions for the provision of radio and television services.

Decree-Law 263/1967 limits the number of licenses per location and per partner, establishes that Brazilian citizenship is mandatory to obtain radio and television licenses, and stipulates what are considered abuses in the exercise of broadcasting. These include: "divulging state secrets or matters that harm national defense; outraging national honor; making propaganda for war or processes of subversion of the political and social order; and promoting discriminatory campaigns of class, color, race or religion." [11]

Law No. 10.610 of 2002, passed during the Fernando Henrique Cardoso administration, allowed foreign capital to participate in journalistic and broadcasting media, however, such participation may not exceed 30% of the total share capital. There are also other, more recent regulations worth highlighting. For example, Law No. 12.485, known as the Pay TV Law, passed during Dilma Rousseff's government (2011–2016), contains provisions to prevent cross-ownership concentration between media and telecommunications companies.

Among the advances made in the text of the Pay TV Law is the task of regulators in relation to the type of service, and not distribution technology. Previously, the texts regarding regulatory power were attributed to the type of technology used by the signal distributor (MMDS, DHT or cable), so there was a legislative inequality regarding the regulation of free-to-air TV compared to pay TV, which in many cases uses different distribution technologies. As a result, two theoretically direct competitors lacked equality under the law. With this update, the law prevents future lags in audiovisual sector regulations.[12] The law also establishes an increase in ANCINE's tasks in relation to the audiovisual sector, previously the body that only took care of national cinema, but which now regulates the pay TV service in its packaging and programming sectors. In addition, the law seeks to guide the principles of conditional access communication and the promotion of local production, through quotas for national channels. In article 17, a minimum of one third of national production companies are allocated to the conditioned programming service.[13]

During Michel Temer's administration (2016–2018), Congress sanctioned Law 13.424 of 2017, which relaxed the rules for radio and TV licenses by allowing, among other things, their automatic renewal, and the transfer of quotas and shares without the need to be authorized by the Executive.[14]

[11] Decree-Law No. 263. (1967). <https://www2.camara.leg.br/legin/fed/declei/1960-1969/deceto-lei-263-28-fevereiro-1967-376156-publicacaooriginal-1-pe.html>.

[12] Heverton Souza Lima. (2015). The pay TV law: impacts on the audiovisual market. School of Communications and Arts, University of São Paulo, São Paulo. <https://teses.usp.br/teses/disponiveis/27/27161/tde-26062015-162615/pt-br.php>.

[13] Souza Lima. (2015). The pay TV law..., *cit.*

[14] Bizberge. (2000–2017). Digital convergence..., *cit.*

In January 2024, President Lula sanctioned Bill 7/2023, which favors media concentration. The measure was proposed by PL and born out of an initiative by the Brazilian Congress, which has a majority currently composed of right-wing parties. The bill increases the number of TV concessions that the same group can hold at a national level from 10 to 20.[15]

For the telecommunications sector, the main regulatory instrument is Law No. 9.472 of July 16, 1997,[16] or the General Telecommunications Law (LGT). The law was passed to allow for the privatization of the former state telecommunications system, which is no longer maintained with government subsidies. The government's new role became solely that of a regulatory agent through the creation of Anatel, the National Telecommunications Agency. The legislation outlined the guidelines for the privatization of the Telebras System, the Brazilian telecommunications company which was the state-owned monopoly telephone system up until 1998.[17]

Before the creation of Anatel, the Telebras System was made up of state companies controlled by the Telebras holding company and associated companies with state capital, and was primarily responsible for the administration of all telecommunications services in the country[18]. The privatization process began in 1995, with the approval of Constitutional Amendment 8, and was consolidated with the enactment of the LGT.

The sale of Telebras stemmed from administrative reforms made during the government of Fernando Henrique Cardoso and characterized by the privatization of public services, among other neoliberal measures taken at the end of the 1990s. In general, privatization complied with the measures established by the government of the time, but the LGT, on the other hand, made it possible to implement a regulated competition mechanism.

Finally, it should be noted that Brazil has no regulatory bodies guiding practices related to Internet provision. However, in 2014, Law No. 12.965[19], popularly known as *Marco Civil da Internet* (MCI), the Civil Rights Framework for the Internet, was passed, which is one of the most advanced laws in Latin America. The framework adopted an innovative process from the conception of the basic text, which was guided by various public consultations held on the Internet, with broad participation from civil society.[20] According to Pedro Ekman and Bia Barbosa (2014), articles 7, 9, and 19 deserve to be highlighted.

Article 7 creates the legal responsibility of Internet providers for the personal data of their users, obliging them to develop and invest in protected systems. Article 9 tries to prevent the creation of agreements between corporations and network providers that could result in a concentration of content from certain sources, and to guarantee Internet neutrality. Finally, article 19 preserves the responsibility of intermediaries, attempting to create a healthier environment between the national judiciary and Internet providers, while at the same time holding content producers responsible in the first instance, and not the network provider.[21]

[15] Helena Martins. Congress increases media concentration. To strengthen democracy, Lula should veto it. 2023. Congress in Focus. <https://congressoemfoco.uol.com.br/area/congresso-nacional/com-apoio-dogoverno-congresso-aprova-ampliacao-da-concentracao-da-midia>.

[16] Law No. 9.472. (1997).

https://www.planalto.gov.br/ccivil_03/leis/l9472.htm#:~:text=LEI%20N%C2%BA%209.472%2C%20DE%2016%20DE%20JULHO%20DE%201997.&text=Disp%C3%B5e%20sobre%20a%20organiza%C3%A7%C3%A3o%20dos,Constitucional%20n%C2%BA%208%2C%20de%201995.

[17] Bernardo Estellita Lins. (2000). Privatization of Brazilian telecommunications: some lessons. Cadernos Aslegis. Brasília. <https://www.aslegis.org.br/files/cadernos/2000/Caderno10/Privatizacaodastelecomunicacoesbrasileir.pdf>.

[18] Estellita Lins. (2000). Privatization..., cit.

[19] Law No. 12.965 (2014). <http://www.cgi.br/pagina/marco-civil-da-internet-no-brasil/177>.

[20] Pedro Ekman and Bia Barbosa. Marco Civil approved: historic day for freedom of expression. 2014. Intervezes. <https://intervezes.org.br/marco-civil-aprovado-dia-historico-para-a-liberdade-de-expressao>.

[21] Law No. 12.965. (2014)...cit.

Access to Public Information

Law No. 12.527/2011 regulates the constitutional right of access to public information.[22] This law (LAI) came into force on May 16, 2012 and states that every citizen has the right to information regarding:

- "Institutional data of the bodies and entities of the Federal Executive Branch;
- General data for monitoring the programs and actions of agencies and entities;
- Inspections, audits, reports and accounts taken by internal and external control bodies;
- Records of any transfers of financial resources;
- Expense records;
- Tendering procedures, including the respective notices and results, as well as all contracts entered into;
- Ways of requesting information".[23]

The Bolsonaro government (2019–2022) issued a provisional measure suspending response deadlines via the LAI framework during the pandemic. The measure was widely contested because, according to experts such as Marcelo Träsel, the president of the Brazilian Association of Investigative Journalism (Abraji), there are already instruments in the LAI that allow the government to deny a request for information in exceptional situations. The provisional measure was later challenged in the Federal Supreme Court, when the restrictions to the LAI were unanimously overturned in plenary.[24]

Protection of Personal Data

In 2018, during Michel Temer's administration, the General Personal Data Protection Law (LGPD), Law No. 13,709, was passed. The main objective of the law is to regulate the processing of personal data.[25] Brazil is one of the first countries in Latin America that has specific legislation dedicated to processing personal data and protecting the privacy of its citizens in the digital sphere. The LGPD was implemented in the same year, 2018, as the European Union's General Data Protection Regulation (GDPR).

[22] Law No. 12.527. (2011). https://www.planalto.gov.br/ccivil_03/_ato2011-2014/2011/lei/l12527.htm.

[23] Regional Council of Social Work of São Paulo, 9th region. (2015). Citizen Information. <https://cress-sp.org.br/transparencia/informacao-ao-cidadao>.

[24] G1 and TV Globo. (2020). Bolsonaro issues MP suspending deadlines for responses via the Access to Information Law. <https://g1.globo.com/politica/noticia/2020/03/24/bolsonaro-edita-mp-que-suspende-prazos-de-respostas-a-lei-de-acesso-a-informacao.ghtml>.

[25] Law No. 13,709. (2018). https://www.planalto.gov.br/ccivil_03/_ato2015-2018/2018/lei/l13709compilado.htm.

One of the responsibilities established by the LGPD is the clear definition of the agents involved in data processing.[26] The National Data Protection Authority (ANPD) is a special authority linked to the Ministry of Justice and Public Security, with its own assets and technical and decision-making autonomy. Its main task is to ensure the application of the General Data Protection Law. Its guidelines are established by Law 13.853/2019, which amended Law 13.709 to include the local authority in the provisions of the LGPD.[27]

According to the provisions of the LGPD, before starting to process data, the purposes of the operation must be clearly recorded and the data subject must be informed of such purposes. In the case of public bodies, the main purpose of data processing involves the execution of public policies provided for by law, regulations or other legal instruments, such as contracts and agreements.

The LGPD establishes a legal framework that ensures the rights of personal data subjects throughout the data processing cycle conducted by public bodies or entities. In addition, the LGPD provides for mechanisms that deepen the obligations of transparency, both active and passive, and offers procedural instruments designed to facilitate the actions of the Public Administration in complying with these guidelines.

Digital Platforms and Internet Services

As already noted, there are two laws that regulate the operation of the Internet in Brazil: the Marco Civil da Internet (MCI) and the General Data Protection Law (LGPD). The MCI guarantees internet neutrality, while exempting intermediaries from responsibility for content uploaded by third parties. The LGPD prioritizes respect for privacy; freedom of expression, opinion, information and communication; inviolability of privacy, honor and image in a context of promoting human rights, freedom and dignity.

In February 2024, the Superior Electoral Court took a huge step in approving a resolution to permanently curb the use of Artificial Intelligence (AI) to spread disinformation prior to elections.[28]

The Press and Digital Media

For many years, an authoritarian Press Law was in force in Brazil. Law No. 5.250/67 was signed months after the 1967 Constitution was granted, at a time when the military regime was beginning to harden. In April 2009, when the Supreme Court decided to render the Press Law null and void, seven of the eleven Justices of the Court concluded that the law was incompatible with the Constitution, which guarantees freedom of expression. From that decision onwards, judges began to rely on the Constitution itself and the Criminal and Civil Codes when judging actions against journalists.

[26] Ministry of Sport. (2023). General Data Protection Law. <https://www.gov.br/esporte/pt-br/acao-informacao/lgpd>.

[27] Law No. 13,853. (2019). https://www.planalto.gov.br/ccivil_03/_Ato2019-2022/2019/Lei/L13853.htm#art2.

[28] Giullia Colombo. TSE approves resolution making platforms responsible for fake news. 2024. Poder 360. <https://www.poder360.com.br/justica/tse-aprova-resolucao-que-responsabiliza-plataformas-por-fake-news>.

Regulatory Authorities

As we have seen, the different sectors that make up communication in Brazil are regulated by many differing laws and decrees, with various overlapping aspects, which has led to a proliferation of the amount of regulatory authorities. The legislative package is disparate and even in some cases, contradictory, and although discourse has been present about the prospect of convergence, it has yet to materialize. The main regulatory agencies for each of the sectors are described below.

The Ministry of Communications

The Ministry of Communications (MCOM) is the government body responsible for managing national policies related to telecommunications, national broadcasting policy, postal services, telecommunications and broadcasting. The Ministry was created in 1967, through Decree-Law No. 200/1967, as an independent body. However, in 2016, the body joined the Ministry of Science, Technology and Innovation, and only became independent again in 2020, during the mandate of the former far-right president Jair Bolsonaro (2018–2022). With the aim of strengthening strategic areas of Brazilian communication, the Ministry is currently governed by Decree No. 11.335, of January 1, 2023, with its attributions found in Provisional Measure No. 980, of July 10, 2020. Anatel, Correios and Telebras are the main entities linked to and supervised by MCOM, although Anatel has a great deal of autonomy.

MCOM's main sector for managing broadcasting is the Secretariat for Electronic Social Communication (SECOE). SECOE is responsible for formulating, supervising and regulating broadcasting services, as well as promoting technological innovation in the sector. It is also responsible for planning and coordinating the processes for granting broadcasting services, both public and private, and supervising all activities related to these services, including the adoption of new technologies and the evaluation of their impact.

The Secretariat also acts as the body responsible for promoting freedom of expression, media diversity, and media education measures. In addition, the body decides, in the second instance, on administrative appeals in the communications field related to rejections, disqualifications, and the application of sanctions such as fines and suspensions.

It can also decide on the withdrawal of authorization to operate broadcasting services, and enter into partnerships with public and private entities to promote its activities. Other responsibilities include overseeing the provision of broadcasting services in accordance with legislation and advising regional units on issues related to their competencies.

Within the Ministry of Communications, there are several key authorities who play crucial roles. Juscelino Filho (União Brasil-MA) holds the position of Minister of Communications, leading the portfolio. Wilson Diniz Wellisch serves as Secretary of Electronic Social Communication, while Antônio Malva Neto is the Director of the Private Broadcasting Department.

MCOM Funding 2019 - 2024

YEAR	SUPERIOR BODY	LINKED BODY / ENTITY	ESTIMATED BUDGET	BUDGET COLLECTED
2019	Ministry of Communications	Anatel, National Telecommunications Agency	2,708,191	5,606,188
2020	Ministry of Communications	Anatel, National Telecommunications Agency	5,889,642	5,706,382
2021	Ministry of Communications	Anatel, National Telecommunications Agency	5,281,816	5,577,001
2022	Ministry of Communications	Anatel, National Telecommunications Agency	5,685,997	5,882,043
2023	Ministry of Communications	Anatel, National Telecommunications Agency	5,578,209	5,964,558
2024	Ministry of Communications	Anatel, National Telecommunications Agency	5,877,462	Not available

Source: Transparency Portal. (2024). Budget. <https://portaldatransparencia.gov.br/orcamento>. • Created with Datawrapper

There is a certain pattern of stability in the budget allocation for the promotion of broadcasting, with all funding linked to Anatel.

Anatel

Brazil's National Telecommunications Agency (Anatel) is an entity linked to the federal government and supervised by the Ministry of Communications, created following the enactment of the Telecommunications Law.^[29] The entity was established to organize the operation of telecommunications services in such a way as to create conditions in which the progress of information and communications technologies can effectively contribute to social improvements.

[29] Law No. 9.472. (1997)..., *cit.*

In order to do so, Anatel is responsible for issuing standards, inspecting services, and approving products in the broadcasting and telecommunications spheres. It represents Brazil in international telecommunications organizations; manages the radio spectrum and use of orbit, issuing the respective rules; issues regulations on the provision of telecommunications services in both the public and private sectors; publishes rules and standards regarding equipment; and ensures compatibility, integrated operation, and interconnection between networks, including telecommunication terminals.

Anatel’s highest decision-making authority is the Board of Directors, made up of Carlos Manuel Baigorri, who holds the position of Executive President of Anatel and Chairman of the Board of Directors; Vicente Bandeira de Aquino Neto; Artur Coimbra de Oliveira; Alexandre Reis Siqueira Freire; and Cristiana Camarate Silveira Martins Leão Quinalia, who serves as a Substitute Board Member.

Anatel also has an Advisory Council made up of 12 members. It seeks the participation of society, with representatives associated with the Federal Senate, the Chamber of Deputies, the Executive Branch of the Government, class entities of telecommunications service providers, entities representing users, and entities representing broader society.

Anatel's annual budget is fairly stable. However, in 2021, during Jair Bolsonaro’s administration, a reduced budget was implemented in several areas of the public sector. At the time, there was an argument for reducing public spending to the detriment of the economic policies of the then Minister of the Economy, Paulo Guedes. The approach was motivated by the impact of the Covid-19 pandemic on the country. In 2024, Anatel received a budget of R\$674 million.

Anatel Funding 2020 - 2024

YEAR	ANNUAL BUDGET	COMMITTED EXPENDITURE	PAID EXPENDITURE	SHARE OF PUBLIC SPENDING
2020	R\$ 629.31 MILLION	R\$ 561.62 MILLION	R\$ 458.63 MILLION	0.01%
2021	R\$ 583.90 MILLION	R\$ 550.81 MILLION	R\$ 467.02 MILLION	0.01%
2022	R\$ 627.49 MILLION	R\$ 569.28 MILLION	R\$ 484.87 MILLION	0.01%
2023	R\$ 616.74 MILLION	R\$ 602.32 MILLION	R\$ 505.80 MILLION	0.01%
2024/incomplete	R\$ 674.01 MILLION	R\$ 332.78 MILLION	R\$ 166.38 MILLION	0.01%

Source: Transparency Portal. Budget. 2024. Available at: <https://portaldatransparencia.gov.br/orcamento>. Accessed on May 15, 2024. • Created with Datawrapper

Social Communication Secretariat (SECOM)

The foundations for SECOM were laid in 1967, during the military dictatorship under the then president Emílio Garrastazu Médici. Initially called the Social Communication System of the Government's Executive Branch, the body was created with the aim of tightening the country's internal censorship and strengthening its external image, which was deteriorating at the time due to the regime. It wasn't until 1979 that SECOM was officially created.

The agency's objectives have changed over time. SECOM's main functions today are "to formulate and implement the federal executive branch's communication and social dissemination policy, and to assist in the policy of promoting freedom of expression and the press, within the scope of its competencies."^[30]

SECOM is currently headed by Minister Paulo Pimenta, who is also a journalist and a member of the federal parliament. He is affiliated with the Workers' Party (PT), the same party as President Lula. SECOM is also responsible for formulating, assisting, and coordinating public policies on combating disinformation, defending democracy, and access to information.^[31] The body has six internal secretariats: the Press Secretariat, the Strategy and Network Secretariat, the Advertising and Sponsorship Secretariat, the Audiovisual Content Production and Dissemination Secretariat and the recently established Public Policy Secretariat.

Print Media

In Brazil, the print media has no specific regulatory body.^[32] In general, it follows the constitutional rules of the media, with article 220 of the 1988 Federal Constitution ensuring the right to media freedom.

The Internet

Currently, the internet does not have a regulatory body for its content. However, there are some legal rules in Brazil that aim to govern it, such as the Marco Civil da Internet. Nevertheless, there is currently a strong movement in Brazil to update the rules regarding the online environment, a discussion that is gaining relevance, especially after the creation of the new Digital Policy Secretariat.

The main institutions responsible for internet provision and access in the country are the Digital Policies Secretariat, subordinate to SECOM, and the Brazilian Internet Steering Committee (CGI.br).

[30] SECOM. (2023). <https://www.gov.br/secom/pt-br/composicao/orgaos-especificos-singulares/secretaria-de-politicas-digitais/estrutura-e-competencias..>

[31] SECOM. (2023)..., *cit.*

[32] STF: Ten years since the historic judgment that repealed the press law. 2024. Migals.

<https://www.migalhas.com.br/quentes/299406/stf--dez-anos-do-julgamento-historico-que-revogou-lei-de-imprensa>

Digital Policy Secretariat

In order to analyze the general panorama of digital public policies, it is necessary to understand this new agency, as mentioned above. The Digital Policy Secretariat is still new, having been established in 2023, and its secretary is João Caldeira Brant, who holds a PhD in Political Science from the University of São Paulo (USP).

It's important to note that the Digital Policy Secretariat is at the center of discussions regarding legislation for the online environment and that the body's creation demonstrates a certain positioning of the current government in relation to such issues.[33] The current secretary of the Digital Policies Secretariat gave an interview at the time of his appointment to the post, in which he highlighted the important role that will fall into the arms of the newly created body, emphasizing the intention to prioritize the individual within a digital environment and recognizing the necessity to protect children and other vulnerable categories of internet users.

Brazilian Internet Steering Committee (CGI.br)

Created in 2003, CGI.br is responsible for establishing strategic conduct related to the use and development of Internet services in Brazil, and guidelines for the implementation of the registration of Domain Names, Internet Protocols, and administration pertinent to the Top Level Domain <.br>. The committee is also responsible for promoting studies and technical standards for the security of Internet networks and services, recommending procedures, norms and operational technical standards for the Internet in Brazil.

CGI.br promotes research and development programs related to the topic, including the production of indicators and statistics, and encourages the dissemination of this information throughout the country, as well as maintaining a certain level of technical quality and innovation in the use of the Internet. The collection and analysis of indicators is carried out by Cetic.br, and the management of operational networks is the responsibility of CEPTRO.br. Web technologies are developed and promoted by Ceweb.br, and Internet traffic exchange is managed by IX.br. These bodies work in an integrated manner to guarantee the efficiency, security, and development of Internet services and networks in Brazil.

CGI.br is one of the most influential institutions in terms of the agenda for dialog and decisions on major Internet-related issues in the country. Its composition relies on the effective participation of civil society in its actions, many of which are related to managing the growth of Internet use across Brazil. CGI.br members, representing civil society, are elected for three-year terms. Members are elected on the basis of votes cast by an electoral college made up of entities representing each segment (Scientific and Technological Community, Business, and Third Sector). Since 2003, the institution has been made up of 21 members, 11 of whom are representatives of civil society, nine of whom are representatives of government bodies, and one of whom has notable expertise in Internet matters. [34]

[33] Liz Nôbrega. Lula government creates secretariat to combat disinformation and hate speech on the internet. 2023. Desinformante. <https://desinformante.com.br/secretaria-politicas-digitais-joao-brant>.

[34] CGI.br. (2023). Meet the 11 civil society representatives elected to CGI.br. <https://tinyurl.com/2rzt8d66>.

At CGI.br, government sector representatives include CGI Coordinator Renata Vicentini Mielli; Public Policy and Government Management Specialist (EPPGG) Pedro Helena Pontual Machado; MCOM career civil servant and telecommunications specialist Hermano Barros Tercius; José Roberto de Moraes Rêgo Paiva Fernandes Júnior, Planning and Budget Analyst, currently working at the Ministry of Defense; Luiz Felipe Gondin Ramos, from the Ministry of Development, Industry, Trade and Services; Luanna Sant'Anna Roncaratti, from the Ministry of Management and Innovation in Public Services; Artur Coimbra de Oliveira, Member of the Board of Directors of Anatel; Débora Peres Menezes, Representative of the National Council for Scientific and Technological Development (CNPq); and Cláudio Furtado, from the National Council of State Secretaries for Science, Technology and Innovation, CONSECTI.

The business sector representatives include Cristiano Reis Lobato Flôres, an internet access and content provider; Marcos Adolfo Ribeiro Ferrari, an infrastructure and telecommunications provider; Henrique Faulhaber Barbosa, from the computer, telecommunications and software goods industry; and Nivaldo Cleto, representing the user business sector. Representing the third sector are Percival Henriques de Souza Neto, President of the National Association for Digital Inclusion; Beatriz Costa Barbosa, from the Rights on the Net Coalition; Bianca Kremer, digital rights activist; and Rodolfo da Silva Avelino, Cybersecurity and Data Protection Specialist. The representatives of the communications sector include Rafael de Almeida Evangelista, Marcelo Fornazin, and Lisandro Zambenedetti Granville. The Committee's Executive Secretary is Hartmut Richard Glase.

Data Protection

The National Data Protection Authority (ANPD) came about as a result of the General Data Protection Law (LGPD). The creation of the ANPD in 2020 was a measure provided in the law to supervise and regulate the processing of personal data in Brazil. The agency was established with the purpose of protecting citizens' privacy and ensuring that companies and organizations comply with the provisions of the LGPD regarding the handling of personal data. Its functions include regulating and supervising the processing of personal data by media companies, ensuring compliance with the LGPD.

The ANPD's highest governing body is the Board of Directors, made up of five Directors, one of whom is the CEO, who is responsible for the management and institutional representation of the Authority. The Board of Directors is made up of CEO Waldemar Gonçalves, and directors Arthur Sabbat, Joacil Rael and Miriam Wimmer. As of the date of writing of this report, one position on the Board is currently vacant, following the departure of former director Nairane Rabelo.

The ANPD is a direct administration body subordinate to the Presidency of the Republic. Hence, the Agency does not have budgetary autonomy, which results in its income and expenditure being presented alongside data from the Presidency of the Republic.

National Data Protection Authority Funding

DATE	SUPERIOR BODY	LINKED BODY/ ENTITY	AMOUNT COMMITTED	LIQUIDATED VALUE	AMOUNT PAID
Oct-23	Ministry of Justice and Public Security	ANPD	901,920	559,885	241,446
Nov-23	Ministry of Justice and Public Security	ANPD	501,737	795,205	634,503
Dec-24	Ministry of Justice and Public Security	ANPD	328,169	712,222	918,779
Jan-24	Ministry of Justice and Public Security	ANPD	4,917,010	344,073	5,318
Feb-24	Ministry of Justice and Public Security	ANPD	5,000,506	693,952	900,537
Mar-24	Ministry of Justice and Public Security	ANPD	5,000,000	144,904	385,055

Source: National Data Protection Authority (ANPD). (2021). Budgetary and financial execution. https://www.gov.br/anpd/pt-br/acesso-a-informacao_antigo/transparencia-e-prestacao-de-contas-1/transparencia-e-prestacao-de-contas-2021/execucao-orcamentaria-e-financeira • Created with Datawrapper

Decision-Making Process

Throughout its history, the country has maintained a presidential tradition that has given the National Executive Branch the power in political matters. The media has been no exception in this respect. The National Congress also has political initiative, although the Brazilian electoral system makes it difficult for majority coalitions to exist, so the enactment of laws requires long negotiation processes. An important part of regulation is developed at the second level, through decrees and regulations that are sanctioned by ministries and enforcement authorities. Although legally independent, these, in fact, face strong interference from the Executive Branch. Finally, the Executive Branch has the authority to sanction regulations through Provisional Measures or by vetoing a Law.

Within the government, the body responsible for planning communications policy is MCOM. Other important decision-makers are SECOM and Anatel. The Business Chambers (ABERT) have historically put pressure on the political system to obtain favorable regulations. In general, they have succeeded in making the regulatory system work for the commercial development of the media system. Their statements often have social repercussions, because they are reproduced by their own media channels.

Communications policy is not a matter of public debate, although in recent years the discussion around the Internet has increased.

Influencers

Empresa Brasil de Comunicação (EBC)

Empresa Brasil de Comunicação (Brazil Communication Company), nationally known by the acronym EBC, is a public broadcasting state-owned media conglomerate in Brazil. It was created in 2007, during the first National Forum of Public TV in Brasília, to provide public broadcasting services and manage federal public radio and television stations. As a public company, it is structured as an indirect administration body, and has been linked to MCOM since June 10, 2020. [35] In the past, the state-owned company was linked to the Government Secretariat through SECOM.

The organization controls EBC services, responsible for producing, among other things, the radio channel A Voz do Brasil (The Voice of Brazil), commissioned by the Government Secretariat of the Presidency of the Republic. As the longest-running radio program in Brazil and, indeed, in South America, it was created in 1935 under the name Programa Nacional (National Program) with the aim of broadcasting the acts of the Estado Novo (New State) during the Getúlio Vargas administration. [36]

The state-owned company also manages the National Radio network, licenses the programs of EBC's channels, monitors and analyzes social media, and carries out advertising for federal public administration bodies. EBC is also responsible for managing the National Public Communication Network (RNCP), TV, and Radio (33 TV and 11 radio affiliates).

Industry Players

The big media conglomerates that initially emerged during the formation of the industry have now consolidated their power, especially during the dictatorship, and thus have a great deal of influence and lobbying power over decisions that interest them, such as the suppression of the vote to set up the National Communication Council, which was provided for in the 1988 Constitution, but which was never actually put into practice because of the opposing interests of these groups.

It is worth noting that the industry's players don't form a homogeneous front of participation and interests. Firstly, there is a notorious difference between the large media groups located mainly in São Paulo, such as Bandeirantes and SBT, in addition to Rede Globo, based in Rio de Janeiro, which directly or indirectly control a large part of the media outlets throughout Brazil, and other smaller groups, with fewer affiliates.

[35] EBC. (2024). Services and business. The voice of Brazil. c2024. <https://www.ebc.com.br/servicos-e-negocios/a-voz-do-brasil>.
[36] EBC. (2024). Services and business..., *cit.*

The strongest groups in the country are those that have national coverage over most Brazilian states, through regional affiliate groups which, despite producing their own content, have most of their programming grids made up of retransmissions of material from the parent company. They also control networks in more than one branch of the industry, such as radio stations and print media, which increases the coverage and spread of their products.

The construction of this hegemonic power of a few Brazilian media networks can be explained, in part, by the path that many of them have followed. The print media publishers that were consolidated in Brazil at the beginning of the 20th century received many government incentives to diversify their market operations into broadcasting during the 1920s. These incentives were notably intensified with the boom in the number of television sets sold in Brazil in the 1960s and 1970s, when the dictatorship governments encouraged the opening of several TV channels, as they needed the help of these groups to sell their idea of the country. This trend, however, did not die at the end of the military dictatorship, or in subsequent democratic governments, as shown by the aforementioned practices of "consortium neo-clientelism"[37] exercised in the government of José Sarney (PMDB), and maintained by his successors in office.

These conglomerates have always played a major role in the policies approved during the Constituent Assembly process and, since then, by Congress and subsequent Presidents. An example of this is the protection given by Roberto Marinho, founder of the Globo group, to the first Minister of Communication of the "New Republic", Antônio Carlos Magalhães, who was the only minister to remain during Sarney's five-year term.

The Globo Group

The Globo group is the largest media conglomerate in Brazil and Latin America, with links to more than 380 media outlets across the country, 69 of which are its own. It distributes content to 26% of television stations, 4% of radio stations, and 3.6% of the country's newspapers.[38]

Created by Irineu Marinho in 1911, the Globo group began as a small newspaper printed in the then capital of Brazil, the city of Rio de Janeiro. To this day, the city is home to the production center for the main communication programs developed by the company controlled by the Marinho Family: Globo Group Studios. The studio complex, founded in 1995, is considered one of the largest television content production centers on the planet. From there, soap operas, talk shows, reality shows and daily news programs are produced, as well as all of the content streaming through their online platform Globoplay.

But what today appears to be the group's clear hegemony over other players in the industry only began to take shape after the agreement signed with American company Time-Life in 1962. In this agreement, Globo gained access to capital of approximately US\$ 6 million, which provided it with resources to acquire equipment and infrastructure, while Time-Life took a 30% share of all profits earned from the operation of the television network.[39]

[37] Motter. (2019). *The invisible battle...*, *cit.*

[38] Gorgen. (2009). *Central media system...*, *cit.*

[39] Herz. (1991). *The secret history...*, *cit.*

Another important step in this story begins with the institution of the civil-military coup in 1964. The military government that took over Brazil planned to present an idea of what the country was like to interested international parties, as well as the growing Brazilian population watching from within. This idea was based on a country of impressive size, but which remained connected and united, with no disagreements about the project of a better nation for all.

For this plan to succeed, however, it had to be publicized, both to Brazil's growing urban population and to foreigners who were beginning to see the opportunities. Thus, for much of the military government, Globo functioned as the official mouthpiece for the policies adopted by the military. From the constant coverage of the huge construction projects carried out throughout the country, such Rio-Niterói Bridge and Transamazônica, among others, to the establishment of Brazil as the country of soccer and samba, the actions disseminated by the group's broadcasters were aimed at building a perception of national unity and connection in a country which was gradually being interconnected.

Currently, the conglomerate controlled by the Marinho family stands out for the scope with which it participates in the content distribution areas, with complementary activities in the Internet, audiovisual, publishing, and phonographic areas.

Silvio Santos Group

Grupo Silvio Santos is a business group and the second largest media conglomerate in Brazil. It controls more than 190 media outlets, most notably its own 58 television stations, and more than 1,440 retransmissions stations.^[40] The group brings together all the companies owned by businessman Silvio Santos, the pseudonym of Senor Abravanel, a businessman from Rio born in the 1930s. This includes the Brazilian Television System (SBT) and Jequití, the cosmetics industry.

Unlike other large media groups created in the country, Silvio Santos' conglomerate grew through the purchase of some stations from the defunct TV Tupi in the 1980s, which made it impossible to take advantage of the benefits offered by Brazilian governments to media entrepreneurs for much of the last century. These state incentives given to print newspaper companies allowed them to expand into the radio market and, later, into television stations.

The group's higher focus on the television market can also be explained by the greater incidence of its target audience in this medium, which consists mostly of lower social classes. The lack of interest in news programs, in contrast to the massive investment in mass audience shows, and the choice not to enter the pay-TV market, which is geared towards middle and upper classes, are further evidence that Santos understands which battles he can win.

[40] Gorgen. (2009). Central media system..., *cit.*

Bandeirantes Communication Group

Grupo Bandeirantes de Comunicação, or simply Bandeirantes, is a Brazilian media conglomerate with a focus on electronic media. "Band", as it is known to the public, has direct control of 23 radio stations and 45 television stations.[41]

The conglomerate began with the inauguration of Rádio Bandeirantes, the group's first media outlet, which went on air in June 1937. São Paulo businessman João Jorge Saad took over the radio station after buying it from his father-in-law, politician Adhemar de Barros, and later transformed it into the third largest media group operating in Brazil, with the fourth largest television network. The current president is Johnny Saad, João Jorge's son, a position he has held since his father's death in 1999.

In addition to the group's strong presence in the television market, with a focus on free-to-air TV and control of some radio networks and independent local radio stations, the company is also active in various media businesses, with an open satellite channel, four pay-TV channels, two print publications, a record label, event and ticketing businesses, digital media companies, a media distribution company, as well as competing with the out-of-home advertising market.

Brazilian Association of Radio and Television Broadcasters (ABERT)

In order to understand the facts that led the group of the largest businessmen in the commercial area of Brazilian broadcasting to join together in the Brazilian Association of Radio and Television Broadcasters (ABERT), we must go back to the short period of government of the country's twenty-second democratically elected president, Jânio Quadros, who governed for just six months. In January 1961, discussions about the need to bring together all the broadcasting regulations into a single code had been going on for at least five years, since the first edition of the Brazilian Broadcasting Congress.

Shortly after taking over the top executive post, Jânio took a series of measures that created strong tensions with the broadcasting business. He ordered the revocation of concessions and permits granted under the Juscelino Kubitschek administration, as well as reducing the term of broadcasting licenses. The measures made clear the difference between the private interests of the telecommunications sector in Brazil and the interests shown by the Brazilian government in gaining greater control over this sector.

With Jânio's resignation a few months later, Congress finally approved the creation of the Brazilian Telecommunications Code in August 1962, largely influenced by private interests, who saw the opportunity to approve the law at a time of less tension. However, the actions of Jânio's successor, João Goulart, would come as a surprise to businessmen. Jango, as he was popularly known, applied 52 vetoes to the approved text, particularly directed at the chapters on broadcasting, parts of the text that most interested the business community, removing the guarantees for the private exploitation of these services.

[41] Gorgen. (2009). Central media system..., *cit.*

This episode resulted in the national mobilization of broadcasters putting pressure on Congress to overturn the vetoes. The movement, coordinated by Congressman João Calmon, resulted in the vetoes being overturned in their entirety, an unprecedented event in the history of Brazilian legislature. It also led to the creation of ABERT, a trade organization that defends the interests of businesspeople in the broadcasting sector, under the leadership of Diários Associados, the country's largest media network at the time, and which would later act during the redemocratization process of the National Constituent Assembly.

As the group that controlled TV Tupi fell from the top spot, the position was quickly usurped by the rise of the Globo group, led by Roberto Marinho, which became the dominant organization. Disputes with other broadcasters led to the creation of other entities representing the sector, such as the Brazilian Association of Broadcasters (ABRA).

Today, ABERT is the main body defending the interests of media owners and their prerogatives as executors of services of public interest, as well as their rights and guarantees; emphasizing the principles proper to Brazilian broadcasting, notably its educational, cultural, civic, informative and recreational expressions.[42]

Civil Society

Universal Church of the Kingdom of God

Edir Macedo Bezerra, known to the faithful as Bispo Macedo, is an evangelical bishop who also works as a businessman, writer, and theologian. Born into a Catholic family in Rio das Flores in 1945, he converted to evangelical Protestantism at the age of 19. The bishop's wealth is currently estimated at around US\$ 1.9 billion. He is also the author of more than 30 spiritual books, the sales of which have exceeded 10 million copies, making him one of the best-selling authors in Brazil.

In 1977, together with his brother-in-law Romildo Ribeiro Soares, Edir founded the Universal Church of the Kingdom of God (IURD), one of the largest religious organizations in Brazil and the 29th largest church in the world in terms of followers. Popularly known as Universal, it also forms a media conglomerate that has relationships with hundreds of groups spread throughout the federation, which control more than 150 channels from various broadcasting segments.

The number of media outlets and their geographical dispersion throughout Brazil guarantee national coverage for the Church, especially TV Record, a free-to-air broadcaster bought by the group in 1989 and co-owned by businessman Silvio Santos since 1972. The large distribution network with its own audiovisual content, combined with the power of the advertising machine formed by the broadcasters, results in the capitalization of programming that has become the hallmark of the channels maintained by the conglomerate. The religious programs, which increase the symbolic involvement of the viewer, work in conjunction with telephone sales, during the breaks, of various evangelical products such as CDs, magazine subscriptions, and books.

[42] Brazilian Association of Radio and Television Broadcasters (ABERT). (2024). Who We Are. <https://www.abert.org.br/site/sobre/quem-somos>.

FENAJ – National Federation of Journalists

The National Federation of Journalists was created in 1946 and has more than 40,000 journalists associated with its 27 state and 4 municipal unions. FENAJ works to defend journalists, regulate professional practices, and guarantee public access to ethical and quality information.[43]

The achievements of FENAJ include participation in professional regulation in 1969 and the coordination of the National Front for the Struggle for Democratic Communication Policies in 1991, which resulted in the creation of the National Forum for the Democratization of Communication. FENAJ also participated with civil society in the drafting of the so-called Cable Law in 1994, and was an ally in the caucus responsible for the creation of the Social Communication Council (CCS), installed in 2002. Finally, FENAJ was decisive in the effort to decriminalize and regulate community radios at the Ministry of Communications in 2003.

National Forum for the Democratization of Communication (FNDC)

The National Forum for the Democratization of Communication (FNDC) is an organization that brings together organizations from civil society to tackle problems in the field of communications in Brazil.[44] The group believes that only the effective democratization of the media can ensure the existence of true democracy in the country. According to the Forum's website, there are several affiliated organizations, all struggling to transform the current media environment.

First gathered in 1991, the group was created to promote the democratization of the communications industry. Four years later, on August 20 1995, the FNDC came into existence as an entity. In its more than 20 years of existence since its formal establishment, the Forum has contributed to Community Broadcasting, created regulations, added their voice to the formation of the Press Law, and oversaw the emergence of the Social Communication Council of the National Congress (CCS). [45] FNDC has also taken part in the discussions that led to the creation of EBC.

Intervozes

Founded on September 7, 2003, Intervozes, Coletivo Brasil de Comunicação Social (Brazil's Collective of Social Communication), is a non-profit organization that aims to make the right to communication a reality in the country.[46] The collective is an association recognized by the Federal Government and distributed over 15 states, specializing in Communications, Journalism, and Human Rights. They aim to improve policies, promote citizens' participation, defend civil rights, and mobilize of society at a federal level.[47]

[43] National Federation of Journalists (FENAJ). (2024). The Federation. <https://fenaj.org.br/fenaj/a-federacao>.

[44] National Forum for the Democratization of Communication (FNDC). (2024). Who we Are. <https://fndc.org.br/quem-somos>.

[45] Mariana Ferreira Reis. (2023). Networked and on the move: Communication organizations and collectives in the Northeast of Brazil. Atena Editora [s.l.], DOI: <http://doi.org/10.22533/at.ed.4002323053>

[46] Intervozes - Brazilian Social Communication Collective. (2024). Who We Are. <https://intervozes.org.br/quem-somos>.

[47] Office of the Federal Controller General. (2023). Intervozes - Coletivo Brasil de Comunicação Social. <https://www.gov.br/cgu/pt-br/governo-aberto/iniciativas-de-governo-aberto/organizacoes-da-sociedade-civil/de-a-a-z/intervozes-coletivo-brasil-de-comunicacao-social>.

DiraCom

DiraCom, Right to Communication and Democracy, is an organization which was established in 2022. They aim to defend and promote rights and combat inequalities, injustices, and historical oppressions present in society which are reflected in the media and digital technology services.[48] The project has members including activists, militants, researchers, and professionals from various locations in Brazil, who work against disinformation and the misuse of digital communications platforms.

DiraCom believes that the legal regulatory provisions and the defence of fundamental rights over the mass media are not fully functional. Hence, it is necessary for agents of society to take action so that the population can have their rights fulfilled.

Direitos na Rede

Direitos na Rede (Rights on the Net) is a coalition, which by definition in Portuguese, refers to a political agreement or inter-party alliance to achieve a common end, such as the administration of an entity. In this case, the Rights on the Net Coalition is an independent network formed in 2016, made up of more than 50 civil society organizations. It is committed to universal Internet access, respect for Internet net neutrality, freedom of expression and information, privacy protection, and data security.[49]

Intercom

Intercom - the Brazilian Society for Interdisciplinary Communication Studies - is a non-profit organization founded in 1977.[50] It aims to promote scientific research, and the exchange of knowledge between professionals, teachers, masters, doctors, and students of communications. The institution holds periodic meetings, one of which is an annual national congress, currently one of the most prestigious events in the area of communications research in Brazil. It also promotes research groups, online courses, books, magazines, and partnerships with other entities that share the same objective, both in Brazil and elsewhere.

[48] DiraCom. (2022). Right to Communication and Democracy. <https://diracom.org/sobre-nos>.

[49] Coalition Rights on the Net. (2016). Who We Are. <https://direitosnarede.org.br/quem-somos>.

[50] Intercom - Brazilian Society for Interdisciplinary Communication Studies. (2024). Intercom. <https://portalintercom.org.br/a-intercom>.

The logo for the Media and Journalism Research Center (MJRC) is centered within a thin black rectangular border. It features the acronym "MJRC" in a large, bold, blue serif font. Below the acronym, the full name "MEDIA & JOURNALISM RESEARCH CENTER" is written in a smaller, blue, all-caps sans-serif font, with "MEDIA & JOURNALISM" on the top line and "RESEARCH CENTER" on the bottom line.

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Media and Journalism Research Center

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For more information about the project:

Media Influence Matrix
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Artificial Intelligence (AI) Disclosure Statement

This study is the English adaptation of a report originally written in Portuguese by a team of experts from Brazil and published by the Media and Journalism Research Center. In generating the English version of the study, we used DeepL for the overall translation of the report from Portuguese into English. No AI tools were used to adapt and edit the analysis in the report, as the editorial preparation of the study was done entirely by MJRC experts and editors.