

Brazil Wants Google to Cough Up or Leave the Country

Contributed by José Wilson Miranda
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Brazil's Justice Department wants to fine and if needed to close the Brazilian bureau of Google if they don't comply with several requests to disclose information on users of its Orkut service.

Brazil is charging the American Internet company with causing moral damages to the country, presenting illicit contents in its invitation-only relationship site and then protecting criminals, refusing to name those responsible for posting illegal material.

The Federal Prosecutor should file in the coming days two lawsuits against Google: one civil and another criminal. The civil action will be for collective moral damage and will require that the company pay a daily stiff fine till it complies with the judicial order. The criminal action charges the company with protecting criminals and disobeying orders from the Brazilian justice.

Google has responded to the charges saying that it always cooperates with the Brazilian authorities when it is asked to comply through the company head office in the US. The company's press department released a note telling that the site has developed "tools to detect and remove inappropriate content in the site."

They also said that in the last two months, for example, they made available information for at least eight lawsuits and preserved the data in more than 60 other cases so that investigations can continue.

The Federal Prosecutor in the state of São Paulo, Sérgio Gardenghi Suiama, however, tells another story. He says that he got a court order compelling Google Brasil to release the data from the creators of 27 Orkut communities but the information was never turned in. Five months after getting the order Google hasn't yet complied, according to Suiama.

The prosecution says it is acting against Orkut users who create criminal profiles and communities that spread child pornography, preach hatred against other races and ethnic groups. They are also after those who promote the practice of murder, suicide, pedophilia, satanic rites, rape and gay bashing.

"It is inadmissible that a company comes to Brazil to make money and refuses to help solve crimes being investigated by the country's authorities. You need to take steps so that the judicial orders be fulfilled. We don't want to shut down the company, but they are the only Internet company not complying with court orders," says Suiama.

SaferNet Brasil, a Non-Governmental Organization specialized in investigating charges of Internet crimes has conducted a study from January to August 2006, on the most common complaints against Internet criminal activities and found out that 94.6% of 86.188 cases were against profiles or communities on Orkut.

"It is no use taking the page off the air. New profiles and communities are being created all the time. Moreover, the company must keep the crime's evidence (the page)," says SaferNet's president.

From the 81,549 charges against Orkut, 42% (34,161) were for pedophilia and child pornography. SaferNet estimates that Orkut exhibits more than 44,000 pictures of children and teens in pornographic poses. Thiago Tavares Nunes, the president of the ONG accuses Google of being remiss in answering the charges.

While Google never caught up in the US, the service is all the rage in Brazil. For millions of Brazilians Orkut is the Internet. It's believed that 3% of the Brazilian population (do the math: Brazil has 187 million people, 3% is 5.6 million) has an Orkut account. 66% of all Orkut users are Brazilians, followed by Americans (13%) and India (7%).