Brazil, China and Internet Governance: Mapping Divergence and Convergence[1]

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Abstract: The Internet has continuously been drawing the attention of states. Governance became a central aspect to negotiating tensions between state and non-state actors involved in the Internet ecosystem. This paper draws a comparative analysis between China and Brazil – with a particular emphasis on the latter – in the negotiations on global Internet governance. The primary objective of this work is to identify similarities and differences between both countries' cyber-policies lying at the intersection of security, privacy, and surveillance. More specifically, it aims to is to determine if Brazil and China can cooperate on a common agenda in the BRICS and assess how the two states deal with the role of the United States in Internet governance. The last section focuses in mapping the challenges and opportunities that emerge from these dynamics, in particular their impact within the BRICS.

Keywords: Internet governance, China, Brazil, BRICS, cyber-policies

Introduction

The main goal of this paper is to determine if Brazil and China can cooperate on a common agenda in the BRICS (Brazil, Russia, India, China, and South Africa) concerning Internet governance, in spite of big differences on this issue – in areas such as freedom of expression and privacy protection. Our conclusion is a qualified "yes", based upon a shared interest in giving more influence to the United Nations in Internet governance, and a criticism of the role of the US in the Internet Corporation for Assigned Names and Numbers (ICANN).

Brazil and China became important global players in the debates about Internet governance, and have taken leadership roles among developing countries with an agenda critical of the current model. In this paper, we highlight two policies have oriented the

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participation of Brazil and China in this field: (i) resistance to US dominance; and (ii) defence of the UN system as an ideal space for Internet governance debates.

However, there are many disagreements between Brasilia and Beijing, and most of them come from their different domestic political regimes, the way they structure their foreign policy towards Internet governance, and how they seek to promote change in current global Internet governance arrangements. Even though this does not prevent them from cooperating, it establishes some obstacles and limitations to the scope of their dialogue.

In this paper, we start with an analysis of Brazil's cyber-policies, and discuss the creation of the Internet Bill of Rights, the international context in which it was approved, and how it strengthened the country's position in responding to revelations on the National Security Agency's (NSA) mass surveillance. We argue that the approval of this bill results from a particular context of convergence between domestic and foreign policy.

In the second part, we outline the convergences and divergences of Brazil and China in global discussions about Internet governance, in particular on the "constitutional moments" that led to the creation of ICANN in 1998 and to the World Summit on the Information Society (2005).

The final section analyses how Brazil and China are dealing with these issues within the BRICS, and how the theme has been framed in the high level meetings. Also, we highlight the possibilities that the group created for a better internal cooperation, in spite of their many differences.

Brazil's Two-level Game Cyber-policy

Brazil has gradually been building its role as a global player cyber-policy. This is mostly due to the development and implementation of comprehensive domestic legislation on the issue – also referred to as the Brazilian Internet Bill of Rights (*Marco Civil da Internet*) – and to the country's activities in multilateral organizations such as the General Assembly and the Human Rights Council of the United Nations. As we will see, these measures are part of a "two-level game" between domestic policy and diplomacy (Putnam, 1988).

Putnam´s seminal concept describes a political dynamic where domestic and foreign policy goals are linked. In seeking to better understand the complexities of diplomacy, foreign policy, and domestic policy, Putnam suggests that both national and

international levels play equally important roles in analysing government behaviour and also a tool to understand diplomatic positions that otherwise would not make sense. In the Brazilian case, the unpacking of the relationship between domestic and foreign policy dimensions provides insights with regards to how the country achieved a prominent role in Internet governance – despite the lack of a strong presence in the global Information Technology industry.

Although Brazil is one of the world´s ten largest economies and a rising power on many global issues, its leadership in Internet governance is surprising. Approximately 66% of Brazilian households do not have access to the Internet (TIC Domicílios, 2017), and the country does not have a strong IT industry. This contrasts with China that, on one hand, holds a 53% Internet penetration rate (ITU, 2017) but, on the other, encompasses a favourable domestic and international market with tech giants such as Huawei, Alibaba, Baidu, ZTE, Lenovo, and Tencent. Thus, what partly explains the important role that Brazil is playing internationally refers to a specific set of domestic institutions that link government officials, civil society representatives, and corporate executives (Santoro, 2015). This network with positive consequences began in the early 2000s, with the open source software movement (Borges, 2010) and the consolidation of the Brazilian Internet Steering Committee (CGI.br).

In 2003, Luiz Inácio Lula da Silva became the president of Brazil, commanding a complex centre-left coalition. His Minister of Culture was the singer and composer Gilberto Gil, a supporter of Creative Commons and similar initiatives. Together with sympathetic officials at the Ministries of Science and Planning, Gil engaged the government in the open source movement and opened the doors for many activists and scholars concerned with digital rights. They established a partnership with the state that, in time, went far beyond the original issues.

Gil was also a key supporter inside the government of the idea that Internet governance should be addressed by the UN. Together with the ministers of Science (Sérgio Rezende) and Strategic Affairs (Roberto Mangabeira Unger) he created a steering committee to develop policies for digital inclusion in Brazil that was announced at the opening of the Internet Governance Forum (IGF) 2007, in Rio de Janeiro[4].

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[4] See, for example: http://idgnow.com.br/internet/2007/11/12/idgnoticia.2007-11-12.7200759792/ and http://www.intervozes.org.br/direitoacomunicacao/?p=19784.

Even though CGI.br had been created in 1995, it was only in 2003 that the governance model was explicitly defined. The 2003 presidential decree was a milestone in the institutional development of the multistakeholder approach in Brazil (Glaser and Canabarro, 2015), as it defined that CGI.br's board would be composed of members from the government, civil society, and private sector, and contained one Internet expert and representatives from the technical community.

Both the elaboration of a domestic policy that upheld open software as part of the national plan for development and the consolidation of a multistakeholder body for national Internet governance laid significant grounds for what would later become the Brazilian Internet Bill of Rights. However, the rising importance of multistakeholder approaches as part of the national Internet governance also requires particular attention to the *process* through which the Bill was elaborated.

> The growth of Internet use affected the legislative agenda, which began to focus on users' rights, duties or behaviour during the late 1990s, when many bills proposed rules about Internet user behaviour. Most of them [...] set criminal conduct - prohibiting the use of the World Wide Web for criminal purposes, fighting pedophilia and child pornography, filtering inappropriate content and anonymity [...]. (Rossini, Brito Cruz & Doneda, 2015: 3)

One of the challenging factors was that, while Internet access continued to grow in Brazil, the legal responses and the institutional mechanisms were unable to follow the changes provoked by social interaction online. Within this context, new legislative proposals emerged in response to the growing notoriety of cybercrimes. In 2006, Senator Eduardo Azeredo proposed a cybercrime bill that focused on the criminalization of online activity and prescribed serious limitations for freedom of expression (Article 19, 2012). Fearful of the repercussions that such a bill could cause to digital rights, civil society groups and academics pronounced themselves against it (Magrani, 2014; Rossini, Brito Cruz & Doneda, 2015).

In the years that followed, this coalition reacted to several conservative proposals of the Brazilian Congress about the regulation of the Internet with its own legislative initiative: the *Marco Civil*. The original draft was available on the Web and citizens could give their ideas and suggestions in an open manner through online consultations (O'Maley, 2016).

There are, of course, gaps and contradictions in the *Marco Civil*. For example, the law protects personal data, but does not define what it stands for – a task left mostly to

the Data Protection Bill, to be discussed in the future, in a difficult context when the rise of Big Data and metadata call into question traditional definitions. There are also many discussions on how to deal with cybercrime, a topic that is not the central point of the *Marco Civil*. Notwithstanding, some judges have interpreted the law in a controversial way, resulting in attempts to block message services such as WhatsApp due to conflicts in criminal investigations regarding cryptography and unanswered requests for information from the company (Arnaudo, 2017). This leaves the legislation at the crossroads of how to strike a balance between law-enforcement practices and protecting users' rights.

There was always strong opposition in Congress against the *Marco Civil*, especially from politicians backed by telecommunications companies that do not look favourably upon net neutrality – for them, it a loss of market opportunity. Parliament waited two years to vote on it – the law was approved right after Edward Snowden's revelations about the American NSA's surveillance on Brazil, which resulted in a strong reaction from Brazilian public opinion, urging the government to do something about the protection of rights online (Borges & Santoro, 2017).

President Dilma Rousseff went to the General Assembly of the United Nations and presented the *Marco Civil* as the base of a future international treaty for the multilateral regulation of the Internet:

> Time is ripe to create the conditions to prevent cyberspace from being used as a weapon of war, through espionage, sabotage, and attacks against systems and infrastructure of other countries. *The United Nations must play a leading role in the effort to regulate the conduct of States with regard to these technologies.* For this reason, Brazil will present proposals for the establishment of *a civilian multilateral framework for the governance and use of the Internet* and to ensure the effective protection of data that travels through the web [emphasis added] (Rousseff, 2013).

During 2013 and 2014, Brazil worked together with other countries, especially Germany – also a major target of the NSA – and co-sponsored two resolutions at the UN General Assembly (69/166 and 68/167), both entitled "The right to privacy in the digital age". Both resolutions call upon countries to protect the right to privacy, take measures to preserve it, and review its own actions. These were the first Brazilian attempts at the UN "to trigger a norms cascade" (Abdenur & Gama, 2015) on the issue. The General Assembly's resolutions are tools of soft law and are not binding, but they could be the first step to reaching a formal agreement.

In October 2013, leaders of organizations responsible for the coordination of the Internet's technical infrastructure released the ICANN's Montevideo Statement. It called for the "need to continually strengthen and evoke" the "unique mechanisms" developed for global multistakeholder Internet cooperation, which included the "the globalization of ICANN and IANA[5] functions, towards an environment in which all stakeholders, including all governments, participate on an equal footing" (ICANN, 2013). This was followed by Fadi Chehadé's announcement that he had met with President Rousseff and that the government had agreed to convene a global multistakeholder summit on Internet governance.

Civil society groups saw the summit as a potential way of assessing mass surveillance, privacy, human rights violations, and the transition of the IANA functions (Malcom, 2013). On the other hand, the uncertainty of what would be the main topic of discussion and what form this meeting would take generated unrest among the different stakeholder groups. At the early stages of negotiations, the Brazilian Minister of Communications, Paulo Bernando, argued that Rousseff and Chehadé met to discuss a *multilateral project* that would include the private sector and all of the actors involved in Internet governance, and that the initiative would be linked to the United Nations. In spite of the preceding controversies and competing interests, Brazil was regarded as a trustworthy country to lead the international efforts for a more inclusive multistakeholder process (Malcom, 2013). This later on led to the official organization of the "Global Multistakeholder Meeting on the Future of the Internet" in 2014, also called NETmundial conference.

The signing of the *Marco Civil* and the release of the Multistakeholder Statement during the NETmundial conference portrays the encounter between the national and international dimension of Brazil's position in Internet governance. Prior to that, the country had already hosted ICANN 16 in 2003 and the IGF in 2007 and were followed not only by the 2014 NETmundial,conference, but also the 2015 Internet Governance Forum (held in João Pessoa). This development – with an emphasis on the post-2013 Revelations – was particularly important for the consolidation of the country as a prominent player in global Internet governance. Also, it highlighted the international relevance of Brazil's statements at the UN alongside the implementation of the *Marco*

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[5] Internet Assigned Numbers Authority.

Civil. Both 2014 and 2015 conferences discussed issues dear to the Brazilian agenda, such as privacy, which endorsed the country's proposals.

The *Marco Civil* quickly became an international reference because of its innovative content. The collaborative and participative process of elaborating the Brazilian Internet Bill of Rights also had significant impacts on policy-development processes in other countries. Internationally, the *Marco Civil* and Brazilian Internet Steering Committee's decalogue of principles both served as international examples and the basis for the development of Italy's *Dichiarazzione dei Diritti in Internet* (Italian Declaration of Rights on the Internet) (Canabarro, 2015).

Moreover, it translated into the digital realm the broad political and civil rights prescribed in the Brazilian democratic 1988 Constitution, such as freedom of expression and privacy; coupled with new principles, such as net neutrality and the protection of privacy in the face of government surveillance (officials can only access data with a judicial warrant) or even revenge porn (in these cases, sites have to take down the images and content).

Overall, Brazil's position and response to curbing mass surveillance are not to be viewed as detached from a wider socio-technical (Canabarro, 2014) process of consolidating national Internet governance. They link directly to a historical analysis of domestic policy-making processes – as we saw with the tension among a criminal-based and rights-based approach in the 1990s – and previous multistakeholder experience with the institutional development of the CGI.br.

Furthermore, the Brazilian case is far from being a monocausal process; rather, it should be understood as a combination of (i) existing political processes, (ii) the ongoing institutionalization of Internet governance-dedicated institutions – namely CGI.br, and (iii) multidimensional governance (Hurel, 2016): a specific moment of domestic and foreign policy alignment.

Crossroads: Tensions and Developments in Global Internet Governance

The 2005 UN World Summit on the Information Society (WSIS) was an important "constitutional moment" (Mueller, 2002) in the history of the global Internet governance, and an important occasion to look at the convergences and divergences in how China and Brazil perceive their interests on the issue.

The WSIS expanded the understanding of Internet governance. Previous conceptualizations of the term often pinned it down to "technical aspects" (Drake, 2004;

Aguerre & Galperín, 2015; Hoffman, 2015) and mirrored the perspective of developed countries that had been involved in the Internet's early days. At that point in time, the now-called governance of the Internet mainly referred to bodies involved in the management of the infrastructure, mainly the Domain Names System (DNS), address space, and technical standards (Hoffman, 2015). In this setting, the WSIS "openly questioned the institutional legitimacy of these early governance arrangements [... and] emphasized the political implications of the decisions being made through ICANN and other technical forums" (Aguerre & Galperín, 2015: 6).

While developing countries often lagged behind in the technical management and coordination of Internet governance, some of them shared the view that the WSIS process was a window of opportunity for advocating for greater governmental representativeness. This was also the case for Brazil. During the preparatory meetings of the WSIS process, the country stressed the need for developing countries to have a say in decision-making bodies and processes related to the structure and function of cyberspace (Hoffman, 2015). However, in order to understand the positions taken by Brazil and China in the development of Internet governance, one might consider taking into account the processes and organizations that preceded the establishment of the WSIS.

The 1990s were a crucial decade to define the international regulation of an increasingly global Internet, but still under the hegemonic influence of the American government and IT companies. The tense result of the these negotiations was the creation of the ICANN and its unique regime based in a civil society corporation that signed a contract with the US Department of Commerce and was part of a multistakeholder system which put together officials and representatives of private companies, activists, the technical community, engineers, and scholars.

Brazil and China did not look favourably at this scenario. Both countries rejected American primacy over Internet governance and supported a solution that posited the United Nations and the International Telecommunication Union (ITU) as possible alternatives to the direct association between Internet governance and ICANN. This position was popular among nations of the Global South and had a strong link to political mobilizations about a New World Information and Communication Order (NWICO) that started in the 1970s (Bhuiyan, 2014).

The NWICO was discussed in the MacBride report[6] and based on the criticism of the concentration of economic power in rich countries – most notably the US and the UK. Furthermore, Siochrú (2004: 208) argues that this was the first time that "a full range of information, telecommunication, media and related issues were argued in a truly global way". The NWICO emerged as a response to the consolidation of a western-centred neoliberal model of development and a calling for the redistribution of international communication resources (Chakravartty, 2007). The initiative also proposed changes in the regulation of media and telecommunications to benefit developing nations.

However, global politics went in another direction. Changes within NWICO, along with the conservative turn of the 1980s, resulted in a policy agenda of privatization and deregulation concerning the information industry. This approach is embedded in the framework of ICANN´s multistakeholder model, with its openness to corporations in the decision-making process.

In the 2000s, Brazil and China were both among the key supporters for greater engagement of the United Nations in Internet governance, and celebrated the proposal of the WSIS. They shared an opposition to the American hegemony in the global Internet regime, but had disagreements on other issues. China did not support a multistakeholder approach that gave foreign companies and civil society a greater role. Together with countries such as Iran, Chinese authorities claimed that states should be in charge of the Internet. On one tense occasion, these discussions even led to the expulsion of the president of ICANN from a UN meeting, under the claim that he was not an official from any government (Bhuiyan, 2014).

Brazil had a different position. The development of the Brazilian Internet Steering Committee was a fundamental piece for the consolidation of the country's own domestic multistakeholder experience in Internet governance. Civil society, the technical community, and academic researchers were active players in building Internet infrastructure in the country in partnership with the government. Brazilian diplomats were willing to engage in ICANN's policy processes, even if they were not entirely comfortable with the regime (Lucero, 2011).

In addition, Brazil was a newly re-established democracy, which cherished civil and political freedoms and was experiencing rising mobilization concerning digital rights.

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[6] Known as the MacBride report, "Many Voices, One World" was a 1981 UNESCO publication by the International Commission for the Study of Communication Problems.

The process that would result in open source software policy and in the *Marco Civil* was already going on. During the opening of the IGF in 2007, Mangabeira Unger publicly defended a multistakeholder approach to Internet governance and called for a change in the ICANN-centralized administration of critical Internet resources (Intervozes, 2007). Brazilian leaders did not concur with the prospect of an international regime totally run by governments, including authoritarian states.

The debates at the UN were an attempt to compromise on the issues of the stakeholder model and the role of the United States. The Geneva Declaration of Principles, adopted in 2003, attempts to link the discussions on Internet governance with other United Nations priorities, such as the Millennium Development Goals, and acknowledges that greater focus should be given to developing countries. Point 48 highlights the conflicts:

> The Internet has evolved into a global facility available to the public and its governance should constitute a core issue of the Information Society agenda. The international management of the Internet should be multilateral, transparent and democratic, with the full involvement of governments, the private sector, civil society and international organizations. It should ensure an equitable distribution of resources, facilitate access for all and ensure a stable and secure functioning of the Internet, taking into account multilingualism.

There were also many compliments to democracy and transparency. The same tension was present in the UN Working Group on Internet Governance (WGIG), whose 2005 report stated:

> Internet governance is the development and application by Governments, the private sector and civil society, in their respective roles, of shared principles, norms, rules, decision-making procedures, and programmes that shape the evolution and use of the Internet.

The report was very critical of the American role in the system, reflecting the widespread consensus among other nations that it was a problem. However, at the World Summit, the US government was able to build a coalition around ICANN and the multistakeholder approach. It largely explored the fears of democratic countries – such as Brazil – that the model proposed by China would be an obstacle to the freedom of information on the Internet (Lucero, 2011).

Brazil supported the final statements and decisions of the World Summit, such as the creation of the IGF as a voice for civil society. But the meeting also stated that public policy about the Net is "a sovereign right of states".

The tensions between some developing countries and the setting of this international regime nonetheless resurfaced on different occasions. In 2009, the Internet Governance Forum approached a decisive moment of reviewing its mandate and stakeholders took different views on what was yet to be the future of the IGF. During the Sharm el Sheikh meeting in November, China, Brazil and other developing countries envisioned changes to global Internet governance that would aid in shifting US predominance and promoting greater governmental representativeness (Kurbalija, 2017).

That same year, during the December meeting of the United Nations' Second Committee, Brazil proactively called for the building of a multilateral, transparent, inclusive, and democratic regime for global Internet governance in the UN. In addition, the country expressed concerns over ICANN's Affirmation of Commitments, which signalled the intention of the organization to becoming more independent. The Brazilian representative at the United Nations' Second Committee highlighted that the document lacked the status to grant ICANN an international legal personality or to "change the unilateral and exclusive nature of controls over the root directory of DNS"[7]. Broadly speaking, issues of voice and the participation of governments and multilateral organizations in matters relating to the Internet governance regime remained unresolved.

In early 2010, the G77 and China proposal at the 65th General Assembly meeting also suggested that the forum be more anchored within the UN system and that it should delve more deeply into policy issues, in order to aid in shifting the unilateral control of critical Internet resources – in other words, ICANN's umbilical relationship with the US. The group also endorsed the need to maximize developing countries' participation in Internet governance decisions – principles previously highlighted in the WSIS 2005 Tunis Agenda – as well as the IGF as a venue capable of resolving public policy issues "such as the unilateral control of the critical Internet resources and measures in enhancing access to the Internet" (G77, 2010).

Resisting US predominance in Internet governance has been a common political thread for both China and Brazil foreign policy. The review of the International

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[7] United Nations Second Committee A/C.2/64/SR.23

Telecommunications Regulations (ITRs) during the World Conference on Telecommunications Meeting, in 2012, highlighted important divergences. Scholars portray this particular moment as a landmark in opposing views and rising tensions regarding Internet governance. The WCIT-12 meeting ended in a "diplomatic éclat" after it became clear that debates were divided into two main perspectives. Maurer and Morgus (2014) take the view that this division was drawn between a bottom-up stakeholder-inclusive approach and a top-down approach that placed governments at the epicentre of the ITU (2014). In this "either/or" moment in Internet governance, China and Russia were the main proponents for the empowerment of the ITU and the increased role of states, while Brazil was considered to be a "swing state" in-between dichotomies (Maurer & Morgus, 2014).

BRICS: Making Policies Converge?

While we are able to identify important convergences and divergences between Brazil and China in the structuration of an international Internet governance regime, one should be able to visualize it as a complex composition of different governance models, experiences, visions, and arrangements (Hurel, 2016).

As the Internet ascended as a global policy concern, it also became an ever-more central topic to the cooperation and agenda setting processes between stakeholders. This section focuses on the role of Brazil and China vis à vis the shifts in Internet governance as a "mutual concern" among the BRICS countries.

The year of 2014 was of great importance to the consolidation of Internet-related issues in the common agenda. The almost non-existent reference to Information and Communications Technology (ICT) security in the 2013 eThekwini Declaration shifted from a marginal concern to a notorious piece of the group's international response for circumventing international surveillance and espionage. Among the strategies was the re-emergence of the BRICS cable that had been first proposed in 2012 and finally gained traction in this context (Lee, 2016); the launch of China's first World Internet Conference – an annual conference to discuss Internet policy; the support for the NETmundial conference co-organized by Brazil; and the emphatic reference to the "central role" of the UN in global Internet governance debates. However, attendees reaffirmed that such efforts would not lead to the consolidation of an effective revision of the security architecture by the BRICS in the years to come; rather, they were seen as an opportunity for creating agendas and identifying converging interests (Stuenkel, 2017).

Building on previous developments, the 2015 meeting was perhaps the moment when Internet governance gained greater attention. The Ufa Declaration and Plan of Action reinforced the need for states to participate on and equal footing, and adopted a somewhat similar definition of Internet governance as the one achieved by the WGIG. However, the declaration stressed that inclusion referred to the involvement of "relevant" stakeholders in their respective roles and responsibilities (BRICS, 2015b). Moreover, the establishment of the Working Group of Experts on security in the use of ICTs made it clear that, within Internet governance, security had become a topic of utmost interest. Emphasis on promoting cooperation, universal access, privacy, and ICT development also traces back to the adoption of multilateralism as the best choice for international cooperation for Internet governance:

> Considering the necessity to ensure the secure, stable and continued operation and use of ICTs, including Internet, the Parties note the importance of the establishment of mechanism for the Internet governance based on the principles of multilateralism, democracy, transparency and mutual trust and involving relevant stakeholders in their respective roles and responsibilities (BRICS, 2015a).

While the BRICS attempted to establish common ground, members often took different views on certain subjects. This was the case of India in 2015, when IT minister Ravi Shankar Prasad presented an "Indian vision for the Internet" during ICANN 53 in Buenos Aires. Taking a turn in the political stand of the BRICS, the vision supported a multistakeholder approach and thus suggested the approximation between government, the private sector, and civil society in policy-making processes (Prasad, 2015; Sukumar, 2015).

Scepticism with regards to the effective capacity of the BRICS in promoting policy coordination was also followed by critiques related to the different views of Internet governance – Brazil, South Africa, and India, on one hand, and Russia and China on the other (Grigsby, 2015; Kleinwächter, 2017).

Developments within the BRICS are part of the multidimensional interplay *among* and *within* different networks (Hurel, 2016). Policy strategies laid out by the BRICS are not only a reflection of the tensions in the two-level games of each country, but also overlap with developments in other international forums such as the G20, G77, IBSA, and the Shanghai Cooperation Organization in the case of China and Russia (Kleinwächter, 2017) – and should be understood as part of a wider landscape of international negotiations shaping global Internet governance.

Previous to the formal introduction of Internet governance as part of the vocabulary in its agenda, the BRICS focused mainly on promoting cooperation for ICT development. However, under the narrative umbrella of developing countries, they found common ground within the principles outlined by both the Geneva and Tunis agendas. Resistance to US dominance remained a shared concern, as well as support for the role of the UN as a desirable venue for political articulation. Gradually, the group became yet another space for negotiating common ground and thus shaping foreign policy with regards to the future of the Internet – though the degree of endurance for political and contextual shifts are yet to tell, in the long run, if such attempts were successful.

Conclusion

Brazil and China have been critical of the global governance of the Internet, mostly because of the role and influence of the United States in managing its critical Internet resources. While both countries have sought to take on a more prominent role in shaping global Internet governance, they have done so in different ways. They disagree about how civil society should be a part of the system and on the proper distribution of responsibilities between ICANN and the United Nations, for instance.

When we look at Brazil, there is a particular paradoxical relationship between domestic and foreign policy. While, the country adopted and developed national institutions and multistakeholder mechanisms for Internet governance, it nonetheless advocated for a greater UN anchoring internationally. Yet, foreign policy is blurrier, especially when we look at 2014 (e.g.: swing states, WCIT-12, NETmundial).

China, on the other hand, has firmly and clearly stood by these two policy orientations. Domestically, the country has also advanced in promoting legal mechanisms and policy orientations that further consolidate these standings – i.e., the International Strategy of Cooperation on Cyberspace (Hurel, 2017). Through the establishment of national forums such as the World Internet Conference, China has not only sought to consolidate their internal strategies in this arena, but also broadcast internationally their views on Internet governance.

As Putnam (1988:434) notes, "the politics of international negotiations can usefully be conceived as a two level game". This notwithstanding, despite their different national experiences, both countries converged in moments where the processes in global Internet governance were either being reviewed or conceived. This was the case of the

Sharm al Sheikh IGF meeting, the revision of the ITRs at WCIT 2012, and throughout the WSIS process.

Brazil and China have also been cooperating concerning the Internet and IT, albeit in a limited manner. The BRICS, in particular, offers them a forum where both countries can search for convergence and common ground in issues that are important to them. It is different at the UN, with more political actors and a bigger agenda, which makes cooperation between Brasília and Beijing more difficult.

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