

Ban on Elon Musk's X platform upheld by Brazil Supreme Court

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Brasilia, September 2 (RHC)-- All five judges on a Supreme Court panel have voted to uphold a ban on Elon Musk's X social media platform in Brazil.

The move on Monday backs the decision by Justice Alexandre de Moraes, one of the five judges, to shut down X in Brazil. The ban, which went into effect on Saturday, was ordered by Moraes after the company missed a court-imposed deadline to name a legal representative in the South American country.

"It is not possible for a company to operate in the territory of a country and intend to impose its vision on which rules should be valid or applied," Justice Flavio Dino said as he joined Justice Cristiano Zanin in siding with Moraes. "A party that intentionally fails to comply with court decisions appears to consider

itself above the rule of law. And so it can turn into an outlaw.”

Justices Carmen Lucia and Luiz Fux also backed Moraes, making the decision unanimous. However, some of the judges said that the suspension could be reversed if X complies with previous court rulings.

Moraes’s original order, which was released on Friday, had called Musk an “outlaw” who intended to “allow the massive spread of disinformation, hate speech and attacks on the democratic rule of law, violating the free choice of the electorate, by keeping voters away from real and accurate information”.

It ordered all telecom providers in the country to shut down X. The ban is to remain in place until X complies with Moraes’s order and pays outstanding fines that exceeded \$3m as of last week.

Elon Musk, who bought X, formerly known as Twitter, in 2022, decried the move as censorship. On Friday, he called the platform the top “source of Truth” in Brazil. He further called Moraes a “dictator.”

Since X was purchased by Musk, the South African-born businessman got rid of most of the platform’s content moderation teams, and has increasingly pushed far-right content and unsubstantiated claims on his own personal feed, most recently getting into a spat with the United Kingdom’s government over anti-migrant and anti-Muslim riots in the country. He has also endorsed Donald Trump for United States president, and in August held a two-hour long, exclusive interview with the former president and Republican candidate for November’s election.

But Brazil appears to be serious about clamping down on X in its current iteration. The ban threatens one of the company’s largest markets, and comes at a time when Musk has struggled to harness advertising revenue. There are an estimated 40 million X users in Brazil, which has a population of about 215 million.

Companies and individuals caught using the platform through an encrypted connection can face hefty fines of up to 50,000 reais (\$9,000) per day. Shortly before the vote on Monday, satellite internet provider Starlink notified Brazil’s telecom regulator it would not comply with the order to ban X.

Starlink is also owned by Musk and is a subsidiary of his SpaceX company. Moraes last week froze Starlink’s Brazilian bank accounts, in a decision that stemmed from a separate dispute over unpaid fines X was ordered to pay due to its failure to turn over some documents.

Starlink, which has more than 200,000 customers in Brazil, said it would not comply with the order to ban X until its accounts were unfrozen.

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