

Brazil's 2002 Civil Code contains four ambiguous articles that protect privacy but clash head-on with the Constitution's declaration of free speech:

Article 17. A person's name cannot be used by others in publications or representations that expose the person to public scorn, even when there is no defamatory intent.

Article 18. A person's name cannot be used in advertising without that person's authorization.

Article 20. Unless authorized or necessary to the administration of justice or the maintenance of public order, the dissemination of words or writings or the display or use of a person's image may be prohibited at his or her request regardless of any applicable damages which may ensue, if it harms the honor, good reputation or respectability of the individual, or if intended for commercial purposes.

If the person is dead or missing, the spouse or relatives may apply for this protection.

Article 21. An individual's private life is inviolable, and a judge, at the request of the interested party, may take necessary measures to prevent or terminate any acts contrary to this standard.