



RELIGIOUS INTOLERANCE AND VIOLENCE IN BRAZIL: A STUDY IN RESPONSE TO THE UNITED NATIONS OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

Intolerância religiosa e violência no Brasil: um estudo em resposta ao Escritório do Alto Comissariado das Nações Unidas para os Direitos Humanos

Henrique Napoleão Alves

Inter-American Commission on Human Rights

ORCID: <https://orcid.org/0000-0001-5530-6080>

E-mail: hnalves.dir@gmail.com

Trabalho enviado em 23 de junho de 2023 e aceito em 31 de dezembro de 2023



This work is licensed under a Creative Commons Attribution 4.0 International License.



Rev. Quaestio Iuris., Rio de Janeiro, Vol. 17, N.04, 2024, p. 1-28

Henrique Napoleão Alves

DOI: 10.12957/rqi.2024.77209

ABSTRACT

In September 2021, the UN High Commissioner for Human Rights invited stakeholders to submit information about intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence based on religion or belief. The present article is the result of a study dedicated to answer this invitation with systematized information regarding Brazil. The study investigated instances of religious intolerance and violence in the country, as documented by UN and Inter-American human rights mechanisms. It included a literature review and document analysis encompassing reports and other publications from the universal and regional human rights systems, as well as normative acts, caselaw, and media sources. This research is justified by the legal, historical, and social importance of understanding religious-related intolerance and violence. It may interest practical jurists and civil servants, as well as people interested in international law, international human rights law, constitutional law, human and fundamental rights, and Brazilian sociology.

Keywords: United Nations; human rights; religious intolerance; Human Rights Council; Brazil.

RESUMO

Em setembro de 2021, o Alto Comissariado das Nações Unidas para os Direitos Humanos convidou as partes interessadas a apresentarem informações sobre intolerância, estereotipação negativa, estigmatização, discriminação, incitação à violência e violência com base na religião ou crença. O presente artigo é o resultado de um estudo que responde a esse convite com informações sistematizadas sobre o Brasil. O estudo investigou situações de intolerância religiosa e violência no país, conforme documentação pelos mecanismos de direitos humanos da ONU e do Sistema Interamericano. O estudo faz uma análise da literatura e de documentos como relatórios e outras publicações dos sistemas universal e regional de direitos humanos, atos normativos, jurisprudência e fontes da imprensa. A pesquisa se justifica pela importância legal, histórica e social de compreender a intolerância e a violência relacionadas à religião. Pode interessar a juristas práticos e servidores públicos, bem como a pessoas interessadas em direito internacional, direito internacional dos direitos humanos, direito constitucional, direitos humanos e fundamentais, e sociologia brasileira.

Palavras-chave: Nações Unidas; direitos humanos; intolerância religiosa; Conselho de Direitos Humanos; Brasil.



1. INTRODUCTION

The *global or universal human rights system* refers to a set of norms and mechanisms or institutional instruments that emerge within the United Nations (UN). The founding document of the organization, the UN Charter, establishes, *inter alia*, the promotion of human rights for all as one of the purposes of the United Nations (Article 1) and a key aspect of international economic and social cooperation (Article 55), and entrusts the UN General Assembly with initiating studies and making recommendations for the realization of human rights (Article 13) (UNITED NATIONS, 1945)¹.

On 20 December 1965, the UN General Assembly adopted resolution 2081(XX) deciding that an international conference should be convened in order to review the progress which had been made in human rights to evaluate the effectiveness of the methods used by the UN in the field (UNITED NATIONS, 1965).² Almost two and a half years later, the International Conference on Human Rights was held in Tehran from 22 April to 13 May 1968 (UNITED NATIONS, 1968).³ On 19 December 1968, the UN General Assembly, in resolution 2442 (XXII) stated that the Conference had made an important constructive contribution to human rights and its results should be translated into effective action (UNITED NATIONS, 1968).⁴ It would take 25 years, however, for another global conference on human rights to occur: the World Conference on Human Rights, which was held by the UN in Vienna, Austria, on 14 to 25 June 1993 (UNITED NATIONS, 1990).⁵

The main result of this Conference was the adoption, by consensus, of a human rights declaration on 25 June 1993, the *Vienna Declaration and Programme of Action* (VDPA), which recommended the establishment of a High Commissioner for Human Rights as part of the efforts to adapt the UN human rights machinery to current and future needs in the promotion and protection of human rights (UNITED NATIONS, 1993).⁶ Subsequently, the post of UN High Commissioner

¹ UNITED NATIONS. Charter of the United Nations and Statute of the International Court of Justice. San Francisco, 1945. Available at: <https://treaties.un.org/doc/publication/ctc/uncharter.pdf> >. Accessed on 27 January 2023 (articles 1, 13 and 55).

² UNITED NATIONS. General Assembly Resolution 2081(XX), adopted at the 1404th plenary meeting. UN Doc. A/RES/2081(XX). 20 December 1965.

³ UNITED NATIONS. 1968: Final Act of the International Conference on Human Rights and the Proclamation of Teheran. Available at: <https://daccess-ods.un.org/tmp/4611040.65179825.html> .Accessed on Jan 30, 2023.

⁴ UNITED NATIONS. General Assembly Resolution 2442 (XXII). UN Doc.A/RES/2442. 19 December 1968. Available at: <https://www.refworld.org/docid/3b00f05520.html>. Accessed on Jan 30, 2023.

⁵ UNITED NATIONS. 1990: General Assembly decision to convene a World Conference on Human Rights. Available at: <https://undocs.org/A/RES/45/155>. Accessed on Jan 30, 2023.

⁶ UNITED NATIONS. Vienna Declaration and Programme of Action. UN Doc. A/CONF.157/23. Geneva, 12 July 1993. Available at: https://digitallibrary.un.org/record/183139/files/A_CONF.157_23-EN.pdf. Accessed Jan 30, 2023. The World Conference on Human Rights recognized “the necessity for a continuing adaptation of the United Nations human rights machinery to the current and future needs in the promotion and protection of human rights” and recommended to the General Assembly to “begin, as a matter of priority, consideration of the question of the

for Human Rights, the principal human rights official of the UN, was established by UN General Assembly Resolution 48/141(UNITED NATIONS, 1994).⁷

In accordance with the aforementioned resolution, the United Nations High Commissioner for Human Rights is appointed by the Secretary-General of the United Nations and approved by the General Assembly, with due regard to geographical rotation, for a fixed term of four years with a possibility of one renewal for another four years (UNITED NATIONS, 1994).⁸ The High Commissioner is accountable to the Secretary-General and is responsible for all the activities of the Office of the High Commissioner for Human Rights (OHCHR), as well as for its administration (OHCHR).⁹

Combating intolerance against persons based on religion or belief is a topic of present concern in the agenda of the UN and the UN High Commissioner. In this sense, v.g., the Secretary-General has recently submitted annual reports to the General Assembly that include information provided by the High Commissioner on steps taken by States to combat intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief. Furthermore, the High Commissioner has prepared and submitted to the Human Rights Council, comprehensive follow-up reports with elaborated conclusions based upon information provided by States on the efforts and measures taken for the implementation of the action plan outlined above, and views on potential follow-up measures for further improvement of the implementation of that plan (OHCHR).¹⁰

On 24 March 2021, the Human Rights Council adopted Resolution 46/27, entitled “Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief”. In its paragraphs 7 and 8, the Resolution

establishment of a High Commissioner for Human Rights for the promotion and protection of all human rights.” UNITED NATIONS. Vienna Declaration and Programme of Action. UN Doc. A/CONF.157/23. Geneva, 12 July 1993, page 11, paragraphs 17 and 18.

⁷ UNITED NATIONS. General Assembly Resolution 48/141. UN Doc. A/RES/48/141. 7 January 1994. Available at: https://digitallibrary.un.org/record/180226/files/A_RES_48_141-EN.pdf. Accessed on Jan 30, 2023.

⁸ The Resolution established that “the High Commissioner for Human Rights shall be appointed by the Secretary-General of the United Nations and approved by the General Assembly, with due regard to geographical rotation, and have a fixed term of four years with a possibility of one renewal for another fixed term of four years.” UNITED NATIONS. General Assembly Resolution 48/141. UN Doc. A/RES/48/141. 7 January 1994, paragraph 2.

⁹ OHCHR - “The role of the High Commissioner for Human Rights.” n.d. OHCHR. Available at: <https://www.ohchr.org/en/about-us/high-commissioner>. Accessed on Jan 30, 2023. See, also: CONNORS, Jane. “United Nations”. In: MOECKLI, Daniel; SHAH, Sangeeta; SIVAKUMARAN, Sandesh; HARRIS, David (eds.). *International Human Rights Law*. 3 ed. Oxford: Oxford University Press, 2018, p. 400-403.

¹⁰ OHCHR - “Combating Intolerance against Persons Based on Religion or Belief.” n.d. OHCHR. Available at: <https://www.ohchr.org/en/minorities/combating-intolerance-against-persons-based-religion-or-belief>. Accessed on Jan 23, 2023.

outlined an action plan for combating intolerance based on religion or belief (UNITED NATIONS, 2021)¹¹:

7. [The Human Rights Council n]otes the speech given by the Secretary-General of the Organization of the Islamic Conference at the fifteenth session of the Human Rights Council, and draws upon his call on States to take the following actions to foster a domestic environment of religious tolerance, peace and respect by:

- (a) Encouraging the creation of collaborative networks to build mutual understanding, promoting dialogue and inspiring constructive action towards shared policy goals and the pursuit of tangible outcomes, such as servicing projects in the fields of education, health, conflict prevention, employment, integration and media education;
- (b) Creating an appropriate mechanism within Governments to, inter alia, identify and address potential areas of tension between members of different religious communities, and assisting with conflict prevention and mediation;
- (c) Encouraging the training of government officials in effective outreach strategies;
- (d) Encouraging the efforts of leaders to discuss within their communities the causes of discrimination, and evolving strategies to counter those causes;
- (e) Speaking out against intolerance, including advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence;
- (f) Adopting measures to criminalize incitement to imminent violence on the basis of religion or belief;
- (g) Understanding the need to combat denigration and negative religious stereotyping of persons and incitement to religious hatred by strategizing and harmonizing actions at the local, national, regional and international levels through, inter alia, education and awareness-building;
- (h) Recognizing that the open, constructive and respectful debate of ideas and interfaith and intercultural dialogue at the local, national and international levels can play a positive role in combating religious hatred, incitement and violence;

8. [The Human Rights Council c]alls upon all States:

- (a) To take effective measures to ensure that public functionaries, in the conduct of their public duties, do not discriminate against individuals on the basis of religion or belief;
- (b) To foster religious freedom and pluralism by promoting the ability of members of all religious communities to manifest their religion and to contribute openly and on an equal footing to society;
- (c) To encourage the representation and meaningful participation of individuals, irrespective of their religion, in all sectors of society;
- (d) To make a strong effort to counter religious profiling, which is understood to be the invidious use of religion as a criterion in conducting questionings, searches and other law enforcement investigative procedures.

The Resolution also asked the High Commissioner to prepare a follow-up report on the matter and submit it to the Human Rights Council by September 2021 (UNITED NATIONS, 2021).¹²

¹¹ UNITED NATIONS. 46/27. Combating intolerance, negative stereotyping, and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief. Resolution adopted by the Human Rights Council on 24 March 2021. UN Doc. A/HRC/RES/46/27, 6 April 2021, paragraphs 7, 8.

¹² UNITED NATIONS. 46/27. Combating intolerance, negative stereotyping, and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief. Resolution adopted by the Human Rights Council on 24 March 2021. UN Doc. A/HRC/RES/46/27, 6 April 2021, paragraph 13.

Following up on this request, the OHCHR issued a call for inputs inviting relevant stakeholders to send “any contributions” and “views on potential follow-up measures” (UNITED NATIONS, 2021).¹³

The present article is the result of a research conducted in order to respond to the call for inputs by identifying and systematizing relevant information regarding religious intolerance in Brazil, as previously documented by international human rights systems. In this sense, the article focuses on how cases of religious intolerance were previously documented by different human rights mechanisms of both the UN and the Inter-American human rights systems. The resulting information is complemented by information from specialized literature, national legislation and jurisprudence, and public information from media outlets (ALVES, 2023).¹⁴

Among the complementary sources, arguably the most comprehensive and updated research on cases of religious intolerance in Brazil, the 2023 *Report on Religious Intolerance* by the Center for the Articulation of Marginalized Populations (“Centro de Articulação de Populações Marginalizadas”) (CEAP) (SANTOS; DIAS; SANTOS, 2023)¹⁵, which documents recent examples of situations that were addressed by the UN in 2010 and 2015, thus demonstrating the current relevance of past UN contributions (see Section 2.2 infra).

In addition to being an international legal concern, religious intolerance is also contrary to the Brazilian constitutional order (BRASIL, 1988).¹⁶ The results of the article may therefore be of interest to individuals and organizations who are engaged with international human rights law, as well as those who work with the matter in national levels – practical jurists (members of the private and public legal practice, including human rights lawyers and activists; members of the judiciary; public attorneys and defenders; prosecutors working with human rights-related issues; etc.), public administrators and servants, academics, researchers, and so on. In terms of academic fields, the results may be of interest to those who are interested in international law, international human rights law, constitutional law, fundamental and human rights, sociology, Latin-American Studies, and Brazilian Studies.

¹³ UNITED NATIONS. “Call for inputs on combating intolerance based on religion or belief.” 26 July 2021.

¹⁴ For a similar methodological approach, see, e.g., ALVES, Henrique Napoleão. Impacto e importância, para Brasil, de ocho informes temáticos de la Relatoría Especial de Naciones Unidas sobre la Tortura. *Revista de Derecho*, n. 27, p. 1-29, enero-junio 2023.

¹⁵ SANTOS, Carlos Alberto Ivanir; DIAS, Bruno Bonsanto; SANTOS, Luan Costa Ivanir. *II Relatório sobre Intolerância Religiosa: Brasil, América Latina e Caribe*. Rio de Janeiro: CEAP, 2023, p. 15-200.

¹⁶ In this sense, v.g., the Brazilian Federal Constitution recognizes in its Article 5, sections VI, VII, VIII, the right to freedom of religion, and belief seeking to protect places of worship, religious celebrations and rituals, while affirming that no one shall be deprived of any rights because of religious beliefs. See, BRASIL. Constituição da República Federativa do Brasil de 1988. Brasília: Presidência da República, 1988. Available at: <https://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm>. Accessed on 27 Jan. 2023.

2. THE ROLE OF THE UN SPECIAL PROCEDURES IN DOCUMENTING RELIGIOUS INTOLERANCE IN BRAZIL

Article 7 of the UN Charter established the main organs of the organization, among them the Economic and Social Council (UNITED NATIONS, 1945).¹⁷ This Council created the UN Commission on Human Rights in 1946 to function as a subsidiary body responsible for the universal promotion and protection of human rights. The Commission operated until 2006 when, following UN General Assembly Resolution 60/251, it was replaced by the current Human Rights Council (UNITED NATIONS, 2006).¹⁸ Based on the general duty to promote human rights under the UN Charter, the former Commission on Human Rights developed “special procedures” for monitoring or analyzing the human rights situation around the world, through investigations of public or confidential nature, pursuant to Resolutions 1235 (XLII) of June 6, 1967, and 1503 (XLVIII) of May 27, 1970 (UNITED NATIONS, 1967).¹⁹ In 2006, the Commission was abolished and replaced by the Human Rights Council, which was entrusted with the task of reviewing and maintaining the special procedures. In 2007, Resolution 1503 was updated by Human Rights Council Resolution 5/1 (UNITED NATIONS, 2007).²⁰

¹⁷ UNITED NATIONS. Charter of the United Nations and Statute of the International Court of Justice. San Francisco, 1945. Available at: < <https://treaties.un.org/doc/publication/ctc/uncharter.pdf> >. Accessed on dec. 19, 2022 (art. 7º).

¹⁸ The Human Rights Council has been entrusted with different functions, among them: promoting human rights; making recommendations concerning human rights to the General Assembly; cooperating with governments and civil society organizations regarding human rights; as well as submitting an annual report to the General Assembly. UNITED NATIONS. General Assembly Resolution 60/251. Human Rights Council. UN Doc. A/RES/60/251. 3 April 2006, § 5. See also: UPTON, Helen. The Human Rights Council: First Impressions and Future Challenges. *Human Rights Law Review*, Volume 7, Issue 1, 2007, p. 29-39; RISPOLI, Eduardo; LAEGER, Mariana. “O Conselho de Direitos Humanos das Nações Unidas: novas perspectivas diante de uma intolerância universal consolidada”. In: OLIVEIRA, Bárbara da Costa Pinto; SILVA, Roberto Luiz (orgs.). *Manual de direito processual internacional*. São Paulo: Saraiva, 2012, p. 459.

¹⁹ UNITED NATIONS. Economic and Social Council Resolution 1235 (XLII). UN Doc. E/RES/1235(XLII). 6 June 1967; UNITED NATIONS. Economic and Social Council Resolution 1503 (XLVIII). UN Doc. E/RES/1503(XLVIII). 27 May 1970. On the origins of the Special Procedures, see: CONNORS, Jane. “United Nations”. In: MOECKLI, Daniel; SHAH, Sangeeta; SIVAKUMARAN, Sandesh; HARRIS, David (eds.). *International Human Rights Law*. 3 ed. Oxford: Oxford University Press, 2018, p. 377 (referring to the *Working Group on Enforced and Involuntary Disappearances* as the first mechanism established under the special procedures); CANÇADO TRINDADE, Antonio Augusto. *Tratado de Direito Internacional dos Direitos Humanos – Volume I*. 2 ed. revista e atualizada. Porto Alegre: Sergio Antonio Fabris Editor, 2003, p. 253 (referring to these procedures as “special extra-conventional procedures”, and mentioning that the origin of these procedures dates back to the 1960s, and was a response to the persistence of *apartheid*); RAMOS, André de Carvalho. *Curso de direitos humanos*. 7 ed. São Paulo: Saraiva, 2020, p. 266 (ebook numbering) (also situating the origin of the special procedures in the 1960s).

²⁰ UNITED NATIONS. Human Rights Council Resolution 5/1. UN Doc. A/HRC/5/L.2. 18 June 2007. Available at: https://digitallibrary.un.org/record/601912/files/A_HRC_5_L.2-EN.pdf. Accessed on Jan. 30 2023. See also: CONNORS, Jane. “United Nations”. In: MOECKLI, Daniel; SHAH, Sangeeta; SIVAKUMARAN, Sandesh; HARRIS, David (eds.). *International Human Rights Law*. 3 ed. Oxford: Oxford University Press, 2018, p. 377;



The UN Special Procedures include bodies or mechanisms that investigate human rights violations with a thematic or geographic scope. These bodies or mechanisms can be unipersonal, as in the case of *Special Rapporteurs* and *Independent Experts*; and collective or collegiate, as in the case of Working Groups. The mandate holders that integrate both types of mechanisms are specialists chosen through public selection processes. The selected persons exercise their mandates in a personal capacity, not representing their State of nationality, under an oath of independence and autonomy in relation to the States. All special procedures have the technical and administrative support of the OHCHR. Its work involves the collection of data through studies, questionnaires, and consultations, as well as country missions and visits (with the consent of States), and includes the preparation and submission of reports and other communications. Final reports may contain recommendations for action to States. These documents are sent to States and to the Human Rights Council and the UN General Assembly CANÇADO TRINDADE, 2003).²¹

In the following sections, the article examines contributions of two distinct mechanisms of the UN Special Procedures to the theme of religious intolerance in Brazil: the UN Special Rapporteur on Minority Issues, and the then UN Independent Expert in the field of Cultural Rights (now UN Special Rapporteur in the field of Cultural Rights). The article first describes and systematizes them and, thenceforth, assesses their topicality, or present relevance, in light of more recent evidence of religious intolerance in the country.

2.1. RELIGIOUS INTOLERANCE AGAINST AFRO-BRAZILIAN PRACTITIONERS

In 2010, the then UN Independent Expert in the field of Cultural Rights, Ms. Farida Shaheed, undertook a mission to Brazil after an invitation of the Brazilian Government. The resulting report documents contributions from stakeholders and contextual information gathered. According to that

RAMOS, André de Carvalho. *Curso de direitos humanos*. 7 ed. São Paulo: Saraiva, 2020, p. 266 (numeração do ebook); RISPOLI, Eduardo; LAEGER, Mariana. “O Conselho de Direitos Humanos das Nações Unidas: novas perspectivas diante de uma intolerância universal consolidada”. In: OLIVEIRA, Bárbara da Costa Pinto; SILVA, Roberto Luiz (orgs.). *Manual de direito processual internacional*. São Paulo: Saraiva, 2012, p. 462 *et seqs.*

²¹ CANÇADO TRINDADE, Antonio Augusto. *Tratado de Direito Internacional dos Direitos Humanos – Volume I*. 2 ed. revista e atualizada. Porto Alegre: Sergio Antonio Fabris Editor, 2003, p. 253 (pointing out that the Special Procedures “constitute today a real human rights monitoring system, whose main function is to investigate (sometimes in situ) situations and formulate recommendations”); RAMOS, André de Carvalho. *Curso de direitos humanos*. 7 ed. São Paulo: Saraiva, 2020, p. 266-267 (ebook numbering), free translation; RISPOLI, Eduardo; LAEGER, Mariana. “O Conselho de Direitos Humanos das Nações Unidas: novas perspectivas diante de uma intolerância universal consolidada”. In: OLIVEIRA, Bárbara da Costa Pinto; SILVA, Roberto Luiz (orgs.). *Manual de direito processual internacional*. São Paulo: Saraiva, 2012, p. 462-476; CONNORS, Jane. “United Nations”. In: MOECKLI, Daniel; SHAH, Sangeeta; SIVAKUMARAN, Sandesh; HARRIS, David (eds.). *International Human Rights Law*. 3 ed. Oxford: Oxford University Press, 2018, p. 377-381.

information, the report concluded that Afro-Brazilian religions were historically subject to restrictive policies at the national level; they have been persecuted and prohibited at certain times, as well as consistently labeled as “superstitions”, “cults” and “witchcraft”, and also as “primitive” and “archaic” manifestations of belief that would one day disappear (UNITED NATIONS, 2011).²²

When examining the normative level, the report correctly asserted that the Brazilian Federal Constitution recognizes the right to freedom of thought, conscience, religion and belief and seeks to protect places of worship, religious celebrations and rituals, and the free exercise of religious belief, while affirming that no one shall be deprived of any rights because of religious beliefs or philosophical or political convictions (UNITED NATIONS, 2011).²³ Additionally, it recalls that the Constitution prescribes that religious education shall be offered as an optional course during normal school hours in public elementary schools, and mentions that this norm was further and relevantly developed by Law 9.475 of 1997 (modifying Law 9.394 of 1996), which stresses that the implementation of the Constitutional provision should ensure respect for the religious diversity of Brazil and proscribes any form of proselytism (UNITED NATIONS, 2011).²⁴

In practice, however, the reality observed in Brazil fails to live up to the legal standards posed by the Constitution and special legislation. During the time of the Independent Expert’s visit, there were several reports of religious instruction being left to the discretion of teachers and principals and determined by their personal belief system, a practice with especially detrimental consequences for religions of African origin. Also, religious teaching is often imposed as compulsory in public schools and is limited to the beliefs of the majority of the population, leading to the subsequent exclusion of religions of African origin from the curriculum. It was reported at the same time that the State lacked neutrality or secular character, since religious teaching was being used to proselytize and public funds were being used to purchase only certain religious books and teaching materials for schools (UNITED NATIONS, 2011).²⁵

Furthermore, the Independent Expert has reported complaints of i) religious intolerance against students, families and educational professionals engaged in or related to the practice of Candomblé, Umbanda and other religions of African roots; ii) physical violence against students, including punching, and even stoning; iii) involuntary resignation or removal of educational professionals

²² UNITED NATIONS. Report of the independent expert in the field of cultural rights, Farida Shaheed, on her mission to Brazil. UN Doc. A/HRC/17/38/Add.1, 21 March 2011, paragraph 79.

²³ UNITED NATIONS. Report of the independent expert in the field of cultural rights, Farida Shaheed, on her mission to Brazil. UN Doc. A/HRC/17/38/Add.1, 21 March 2011, paragraph 74.

²⁴ UNITED NATIONS. Report of the independent expert in the field of cultural rights, Farida Shaheed, on her mission to Brazil. UN Doc. A/HRC/17/38/Add.1, 21 March 2011, paragraph 75.

²⁵ UNITED NATIONS. Report of the independent expert in the field of cultural rights, Farida Shaheed, on her mission to Brazil. UN Doc. A/HRC/17/38/Add.1, 21 March 2011, paragraphs 76-78.

that adhere to religions of African origin or who are committed to teach the content of those religions in class; iv) the banning of certain textbooks that present a more inclusive approach to Afro-Brazilian religions; v) unequal access to school spaces by religious leaders, in particular those related to religions of African origin; iv) lack of action and accountability when addressing cases of discrimination or abuse of power by teachers and principals against persons that follow religions of African origin (UNITED NATIONS, 2011).²⁶

These situations were understood as the base of numerous harmful consequences to Afro-Brazilian children, such as failure or low performance of students in class, drop-out or requests for moving schools, as well as loss of self-esteem and cultural identity (UNITED NATIONS, 2011).²⁷ It is important to mention that the Independent Expert highlighted that the depreciation of the cultural expressions of Afro-Brazilian communities has specific adverse impacts on children, as seen above.

Another issue documented by the Independent Expert concerns the differentiated access to State benefits. For example, tax exemptions are common for institutionalized and legally recognized religious institutions, but since Afro-Brazilian religions operate in more informal structures, they are not eligible for such benefits (UNITED NATIONS, 2011).²⁸

Finally, the report mentions complaints of attacks on persons and locations associated with religions of African origin. Those attacks are, in some circumstances, perpetrated by followers of Pentecostal religions who use the media to portray religious-cultural Afro-descent groups as “devil worshipers”. According to the report, the raids and attacks on places of religions of African origin were still occurring in several Brazilian states, and the same was true to provocation and physical aggression against its practitioners, including invasions of Candomblé and Umbanda places of worship by the police itself (UNITED NATIONS, 2011).²⁹

Another relevant instance examined was the report resulting from the official visit of the then UN Special Rapporteur on Minority Issues, Ms. Rita Izsák, to Brazil in 2015. According to the report, despite being a demographic majority, Afro-Brazilians experience racial discrimination and face severe disadvantages when compared to other Brazilians. Following a long history of slavery and oppression, Afro-Brazilians are still subjected to high levels of violence (including State

²⁶ UNITED NATIONS. Report of the independent expert in the field of cultural rights, Farida Shaheed, on her mission to Brazil. UN Doc. A/HRC/17/38/Add.1, 21 March 2011, paragraph 80.

²⁷ UNITED NATIONS. Report of the independent expert in the field of cultural rights, Farida Shaheed, on her mission to Brazil. UN Doc. A/HRC/17/38/Add.1, 21 March 2011, paragraph 80.

²⁸ UNITED NATIONS. Report of the independent expert in the field of cultural rights, Farida Shaheed, on her mission to Brazil. UN Doc. A/HRC/17/38/Add.1, 21 March 2011, paragraph 79.

²⁹ UNITED NATIONS. Report of the independent expert in the field of cultural rights, Farida Shaheed, on her mission to Brazil. UN Doc. A/HRC/17/38/Add.1, 21 March 2011, paragraph 81.

violence, that is often addressed with complete impunity) and lower levels of socioeconomic development. They still face disproportionate poverty and poor social and economic conditions, with precarious access to education, employment, health care and housing. There were also reports of overall exclusion from positions of power and influence (despite affirmative action policies) extremely high rates of incarceration associated with the “war on drugs” and of a negative stereotyping of Afro-Brazilians, who are often portrayed by mainstream media as criminals. Lastly, the report highlighted a particular vulnerability of Afro-Brazilian women and girls to abuse (UNITED NATIONS, 2016).³⁰

The Special Rapporteur also considered that, although there was, generally, a low degree of religious intolerance in Brazil, one exception was the situation of Afro-Brazilian religions, for they were still facing an increasing number of incidents of violence, intimidation and discrimination (UNITED NATIONS, 2016).³¹ In this sense, the Special Rapporteur noted, *inter alia*,

i) a concerning increase in reports of harassment, intimidation, hate speech and even acts of violence against individual members of Afro-Brazilian religions such as Candomblé and Umbanda;

ii) vandalism of places of worship, including the burning of temples and the desecration of Afro-Brazilian religious symbols;

iii) discrimination against members of Afro-Brazilian religions as a result of traditional dress, beads or symbols, which are often banned from the workplace, while other religious symbols, such as crucifixes, are not; *Terreiro*³² women domestic workers reported not being allowed to wear traditional clothes or religious symbols in their workplaces; there were also reports of discrimination against children for wearing traditional dress in schools, and the banning of Afro-Brazilian religious leaders from performing symbolic rituals in hospitals for members of their faith;

iv) reports of Afro-Brazilian religious practitioners being harassed by Evangelicals, including negative stereotyping against them by mainstream media owned by Evangelicals and attempts to criminalize religious animal sacrifice as a means of criminalizing Afro-Brazilian religious practices;

v) concerns that Afro-Brazilian religions are not given equal protection and official recognition as religions, but rather considered as folklore or as a mere cultural manifestation;

³⁰ UNITED NATIONS. Report of the Special Rapporteur on minority issues on her mission to Brazil. UN Doc. A/HRC/31/56/Add.1. 9 February 2016, *passim* and paragraphs 88-93.

³¹ UNITED NATIONS. Report of the Special Rapporteur on minority issues on her mission to Brazil. UN Doc. A/HRC/31/56/Add.1. 9 February 2016, paragraphs 80-81 *et seqs.*

³² “Terreiro” is the word for the religious temples of Afro-Brazilian religions such as Candomblé.

iv) Lack of responsiveness to complaints filed and failure to investigate allegations of attacks against Afro-Brazilian religion practitioners and their places of worship and of instances of discrimination, including against children in schools (UNITED NATIONS, 2016).³³

Regarding the latter, the Special Rapporteur was especially concerned that the failure to promote accountability and trust in law-enforcement services had led to supporters of Afro-religions reporting to feel unsafe in their neighborhoods and cities. It was further noted that there is a need for police and judicial training in order to better guarantee that the rights of *Terreiros* and their followers will be protected (UNITED NATIONS, 2016),³⁴ and that the increasing dominance of certain religious groups and their concentration in power – including recent attempts to alter the Constitution so as to give religious associations the capacity to challenge the constitutionality of laws – could negatively impact the secularist nature of the Brazilian State (UNITED NATIONS, 2016).³⁵

2.2. THE CURRENT RELEVANCE OF THE 2010 AND 2015 UN CONTRIBUTIONS

The 2010 and 2015 contributions from the UN Procedures (see previous topic) cover, in sum, the following instances of religious intolerance: i) negative stereotyping promoted by the media (particularly media owned by Evangelicals); ii) harassment, intimidation, hate speech and even acts of violence against practitioners; iii) vandalism of places of worship; iv) acts of religious intolerance against students, families and educational professionals; v) discrimination in the workplace, schools, hospitals and public places as a result of wearing traditional clothing, beads or symbols; vi) attempts to criminalize Afro-Brazilian religious rites involving animal sacrifice; vii) concerns that Afro-religions are not given equal protection and official recognition; and viii) impunity.

One of these instances, the attempts to criminalize Afro-Brazilian religious rites involving animal sacrifice, has seen a key institutional development after the Brazilian constitutional court, the Federal Supreme Court (“Supremo Tribunal Federal”) (STF), clarified that religious animal sacrifice is constitutional during the landmark case of Extraordinary Appeal (“Recurso Extraordinário”) RE 494601. The State of Rio Grande do Sul adopted a legislation in 2003 prohibiting cruel treatment of non-human animals. In 2004, the law was modified to expressly

³³ United Nations. Report of the Special Rapporteur on minority issues on her mission to Brazil. UN Doc. A/HRC/31/56/Add.1. 9 February 2016, paragraphs 81-85.

³⁴ United Nations. Report of the Special Rapporteur on minority issues on her mission to Brazil. UN Doc. A/HRC/31/56/Add.1. 9 February 2016, paragraph 85.

³⁵ United Nations. Report of the Special Rapporteur on minority issues on her mission to Brazil. UN Doc. A/HRC/31/56/Add.1. 9 February 2016, paragraph 87.



authorize religious animal sacrifice. The Public Attorney of Rio Grande do Sul, however, filed a judicial action questioning the constitutionality of this authorization. After being examined by the lower judicial instances, the case reached STF and was finally settled by the Court on 19 November 2019. The ruling affirms, *inter alia*, that i) the practice and rituals related to animal sacrifice are an intangible cultural heritage and constitute the ways of creating, doing and living of different religious communities; ii) the community dimension of religious freedom is worthy of constitutional protection and does not violate the principle of secularism; iii) the specific protection of cults of religions of African origin is compatible with the principle of equality, since their stigmatization, the result of structural prejudice, is deserving of special attention from the State (STF, 2019).³⁶

There is evidence, however, that all the other topics covered by the 2010 and 2015 UN contributions continue to be vivid in national life. This is shown, for instance, by a detailed and updated research on cases of religious intolerance in Brazil, the *2023 Report on Religious Intolerance* by the CEAP (SANTOS; DIAS; SANTOS, 2023).³⁷

CEAP is a Brazilian civil society organization based on Rio de Janeiro. The organization is focused on tackling racism in the country. In 2015, CEAP conceived an Observatory of Religious Freedoms (“Observatório das Liberdades Religiosas”) (OLR/CEAP), a research project dedicated to the preparation of reports and data on religious intolerance in Brazil. With the support of the United Nations Educational, Scientific and Cultural Organization (UNESCO), OLR/CEAP recently published its 2023 report on religious intolerance. The report covers data from varied sources: i) “Disque 100”, a service of the Ministry of Human Rights which functions as a hotline for reports of human rights violations; ii) public data from the Public Security Institute of Rio de Janeiro (“Instituto de Segurança Pública do Rio de Janeiro”) and the State Secretariat for Human Rights of Rio de Janeiro (“Secretaria Estadual de Direitos Humanos do Rio de Janeiro”); iii) cases documented by the Commission to Combat Religious Intolerance (“Comissão de Combate à Intolerância Religiosa”) (CCIR) (SANTOS; DIAS; SANTOS, 2023)³⁸; iv) cases reported by the Brazilian

³⁶ Supremo Tribunal Federal. Plenário. Recurso Extraordinário 494601, Rio Grande do Sul. Relator Ministro Marco Aurélio. Redator do acórdão Ministro Edson Fachin. Recorrente: Ministério Público do Estado do Rio Grande do Sul. Recorridos: Governador do Estado do Rio Grande do Sul, Assembleia Legislativa do Estado do Rio Grande do Sul. Julgado em 28 de março de 2019. Publicado em 19 de novembro de 2019. <<https://portal.stf.jus.br/processos/downloadPeca.asp?id=15341718509&ext=.pdf>>.

³⁷ SANTOS, Carlos Alberto Ivanir; DIAS, Bruno Bonsanto; SANTOS, Luan Costa Ivanir. *II Relatório sobre Intolerância Religiosa: Brasil, América Latina e Caribe*. Rio de Janeiro: CEAP, 2023, p. 15-200.

³⁸ SANTOS, Carlos Alberto Ivanir; DIAS, Bruno Bonsanto; SANTOS, Luan Costa Ivanir. *II Relatório sobre Intolerância Religiosa: Brasil, América Latina e Caribe*. Rio de Janeiro: CEAP, 2023, p. 17 (“The Commission to Combat Religious Intolerance (CCIR) is an articulation of civil society, formed by members of different religions and members of institutions linked to protecting rights such as the Brazilian Bar Association, the Public Attorney Office, the Civil Police, among others. It was articulated in 2008, after episodes of religious intolerance

media; v) cases reported by the Brazilian indigenous, Muslim and Jewish communities (SANTOS; DIAS; SANTOS, 2023).³⁹

The following table illustrates how the topics addressed by the UN in 2010 and 2015 remain relevant to the present, as it associates each of the topics with one or more concrete examples drawn from the OLR/CEAP 2023 Report:

Topics addressed by the UN in 2010 and 2015	Recent examples
<p>Negative stereotyping promoted by the media;</p> <p>Harassment, intimidation, hate speech and even acts of violence against practitioners</p>	<p>In May 2022, an Umbanda temple in Acre denounced an evangelical priest for religious intolerance and prejudice after repeated verbal offences against Mother Marajoana de Xangô, of the “Luz da Vida” Umbanda temple, and against Afro-Brazilian religions, during a service and in a religious TV channel. The case is under investigation (SANTOS; DIAS; SANTOS, 2023).⁴⁰</p> <p>In August 2021, in Pernambuco, an investigation was initiated against an evangelical priest from Igarassu for continually broadcasting messages of hate against practitioners of Afro-Brazilian religions through social media (SANTOS; DIAS; SANTOS, 2023).⁴¹</p> <p>In February 2021, in Belford Roxo, Baixada Fluminense, Rio de Janeiro, an evangelical priest destroyed the object used in</p>

which took place, in the same year, at the favela Morro do Dendê, when drug traffickers allied with evangelical religious Leaders to expel African-Brazilian religions from the community”) (“A Comissão de Combate à Intolerância Religiosa (CCIR) é uma articulação da sociedade civil, formada por integrantes de diversas religiões e membros de instituições ligadas a garantias de direitos como a Ordem dos Advogados do Brasil (OAB), o Ministério Público, a Polícia Civil, entre outros. Foi articulada em 2008, após os episódios de intolerância religiosa que aconteceram, no mesmo ano, no Morro do Dendê, onde traficantes expulsaram terreiros da comunidade aliados com lideranças religiosas evangélicas”).

³⁹ SANTOS, Carlos Alberto Ivanir; DIAS, Bruno Bonsanto; SANTOS, Luan Costa Ivanir. *II Relatório sobre Intolerância Religiosa: Brasil, América Latina e Caribe*. Rio de Janeiro: CEAP, 2023, p. 15.

⁴⁰ SANTOS, Carlos Alberto Ivanir; DIAS, Bruno Bonsanto; SANTOS, Luan Costa Ivanir. *II Relatório sobre Intolerância Religiosa: Brasil, América Latina e Caribe*. Rio de Janeiro: CEAP, 2023, p. 71; Aline Nascimento. Tenda de umbanda do Acre denuncia pastor por intolerância religiosa e preconceito e MP investiga caso. Globo G1, 22 May 2022. < <https://g1.globo.com/ac/acre/noticia/2022/05/22/tenda-de-umbanda-do-acre-denuncia-pastor-por-intolerancia-religiosa-e-preconceito-e-mp-investiga-caso.ghtml> >.

⁴¹ SANTOS, Carlos Alberto Ivanir; DIAS, Bruno Bonsanto; SANTOS, Luan Costa Ivanir. *II Relatório sobre Intolerância Religiosa: Brasil, América Latina e Caribe*. Rio de Janeiro: CEAP, 2023, p. 92.

	<p>an Afro-Brazilian religious ritual while saying that he was shattering it “in the name of Jesus”. The action was recorded and broadcasted in the evangelical temple of the aggressor (SANTOS; DIAS; SANTOS, 2023).⁴²</p> <p>In August 2021, in the metropolitan region of Inhaúma, Rio de Janeiro, Candomblé practitioners were run over by two cars after leaving a traditional ritual at the Inhaúma Cemetery (SANTOS; DIAS; SANTOS, 2023).⁴³</p>
<p>Vandalism of places of worship</p>	<p>In January 2021, in Baixada Fluminense, an evangelical vandalized a neighboring Umbanda temple, including with arson, while screaming that “the pastor gave the order to destroy all the demons he saw in front of” him. He was arrested while attempting to escape to the house of another member of the same evangelical church (SANTOS; DIAS; SANTOS, 2023).⁴⁴</p>
<p>Religious intolerance against students, families, and educational professionals;</p> <p>Discrimination in the workplace, schools,</p>	<p>In March 2018, a student from Mato Grosso who is also a practitioner of Candomblé was barred at the door of a school while wearing white clothes that are associated with the Afro-Brazilian religion. The school claimed that the student was not barred for wearing these clothes. The case was under investigation (SANTOS; DIAS; SANTOS, 2023).⁴⁵</p> <p>In April 2022, a teacher from Gaspar, Santa Catarina, was targeted by evangelical parents of students for being a practitioner of Candomblé and for wearing white clothes in his daily life as a teacher (SANTOS; DIAS; SANTOS, 2023).⁴⁶</p>

⁴² SANTOS, Carlos Alberto Ivanir; DIAS, Bruno Bonsanto; SANTOS, Luan Costa Ivanir. *II Relatório sobre Intolerância Religiosa: Brasil, América Latina e Caribe*. Rio de Janeiro: CEAP, 2023, p. 21.

⁴³ SANTOS, Carlos Alberto Ivanir; DIAS, Bruno Bonsanto; SANTOS, Luan Costa Ivanir. *II Relatório sobre Intolerância Religiosa: Brasil, América Latina e Caribe*. Rio de Janeiro: CEAP, 2023, p. 24.

⁴⁴ SANTOS, Carlos Alberto Ivanir; DIAS, Bruno Bonsanto; SANTOS, Luan Costa Ivanir. *II Relatório sobre Intolerância Religiosa: Brasil, América Latina e Caribe*. Rio de Janeiro: CEAP, 2023, p. 21.

⁴⁵ SANTOS, Carlos Alberto Ivanir; DIAS, Bruno Bonsanto; SANTOS, Luan Costa Ivanir. *II Relatório sobre Intolerância Religiosa: Brasil, América Latina e Caribe*. Rio de Janeiro: CEAP, 2023, p. 83.

⁴⁶ SANTOS, Carlos Alberto Ivanir; DIAS, Bruno Bonsanto; SANTOS, Luan Costa Ivanir. *II Relatório sobre Intolerância Religiosa: Brasil, América Latina e Caribe*. Rio de Janeiro: CEAP, 2023, p. 99.

<p>hospitals, and public places as a result of wearing traditional dress, beads, or symbols</p>	<p>In August 2020, in Fortaleza, Ceará, a woman practitioner of Umbanda, while picking her children at school and heading to the support house where she lived and worked, had her traditional “ojá” (religious clothes worn over the head) forcefully removed from her head by an evangelical woman who also called her a “witchcraft scum” (SANTOS; DIAS; SANTOS, 2023).⁴⁷</p>
<p>Concerns that Afro-religions are not given equal protection and official recognition and do not access benefits that are made available to institutionalized and legally recognized religions;</p> <p>Impunity regarding the acts of violence, hostility, and discrimination against Afro-Brazilian religious practitioners and temples</p>	<p>In November 2021, in São Gonçalo, Rio de Janeiro, the mayor allocated municipal funds for the construction of three religious museums. The Catholic and the Evangelical museums would receive a budget of one million reais, while the Umbanda museum would receive only ten thousand reais (SANTOS; DIAS; SANTOS, 2023).⁴⁸</p> <p>In June 2021, an Afro-Brazilian religious priest complained that police officers in Ceilândia, Distrito Federal, invaded a temple and broke religious items and symbols while searching for a criminal in the region (SANTOS; DIAS; SANTOS, 2023).⁴⁹</p> <p>In February 2021, in Maricá, Rio de Janeiro, a Candomblé and Catimbó priestess had her Acarajé stand burnt down. The victim was informed that she would have to pay for an investigation of the site to be carried out (SANTOS; DIAS; SANTOS, 2023).⁵⁰</p> <p>In May 2022, a survey in the State of Minas Gerais indicated a 23% increase in cases of religious intolerance, from 78 complaints in 2020 to 96 complaints in 2021. Most of the cases concern attacks against Afro-Brazilian religious practitioners</p>

⁴⁷ SANTOS, Carlos Alberto Ivanir; DIAS, Bruno Bonsanto; SANTOS, Luan Costa Ivanir. *II Relatório sobre Intolerância Religiosa: Brasil, América Latina e Caribe*. Rio de Janeiro: CEAP, 2023, p. 78.

⁴⁸ SANTOS, Carlos Alberto Ivanir; DIAS, Bruno Bonsanto; SANTOS, Luan Costa Ivanir. *II Relatório sobre Intolerância Religiosa: Brasil, América Latina e Caribe*. Rio de Janeiro, CEAP, 2023, p. 25.

⁴⁹ SANTOS, Carlos Alberto Ivanir; DIAS, Bruno Bonsanto; SANTOS, Luan Costa Ivanir. *II Relatório sobre Intolerância Religiosa: Brasil, América Latina e Caribe*. Rio de Janeiro, CEAP, 2023, p. 82.

⁵⁰ SANTOS, Carlos Alberto Ivanir; DIAS, Bruno Bonsanto; SANTOS, Luan Costa Ivanir. *II Relatório sobre Intolerância Religiosa: Brasil, América Latina e Caribe*. Rio de Janeiro, CEAP, 2023, p. 21.

	and their temples. Practitioners of Umbanda and Candomblé complained about impunity as the crimes linked with religious intolerance committed against them are generally left unpunished (SANTOS; DIAS; SANTOS, 2023). ⁵¹
--	--

3. DOCUMENTED TOPICS OF CONCERN FROM THE INTER-AMERICAN HUMAN RIGHTS SYSTEM

The *Inter-American Human Rights System* refers to a set of norms and mechanisms or institutional instruments that emerge within the Organization of American States (OAS).

The founding document of the organization, the Charter of the OAS, was adopted in 1948 and amended in 1967, 1985, 1992, and 1993 (ORGANIZATION OF AMERICAN STATES, 1948).⁵² The Charter refers to the consolidation of a system of individual liberty and social justice based on respect for the essential rights of men as key to regional peace and solidarity (Preamble), and establishes the fundamental rights of the individual to be exercised without discrimination as one of the principles of the American States (Article 3.1) (ORGANIZATION OF AMERICAN STATES, 1948).⁵³ During the 1948 conference which adopted the Charter of the OAS, the American States also adopted the *American Declaration of the Rights and Duties of Man*, an instrument that further clarified the meaning and scope of the “essential” or “fundamental” rights referred to in the OAS founding treaty (ORGANIZATION OF AMERICAN STATES, 1948).⁵⁴ The first American treaty on human rights would be adopted more than two decades later, in 1969: the American Convention on Human Rights (ORGANIZATION OF AMERICAN STATES, 1969).⁵⁵

The Inter-American Commission on Human Rights (IACHR) is a permanent organ of the OAS whose principal function, according to Article 106 of the OAS Charter, is “to promote the observance and protection of human rights and to serve as a consultative organ of the Organization

⁵¹ SANTOS, Carlos Alberto Ivanir; DIAS, Bruno Bonsanto; SANTOS, Luan Costa Ivanir. II Relatório sobre Intolerância Religiosa: Brasil, América Latina e Caribe. Rio de Janeiro, CEAP, 2023, p. 85.

⁵² ORGANIZATION OF AMERICAN STATES - OAS. Charter of the Organisation of American States, 30 April 1948. Available at: https://www.oas.org/en/sla/dil/docs/inter_american_treaties_A-41_charter_OAS.pdf. Accessed on Jan. 31, 2023.

⁵³ ORGANIZATION OF AMERICAN STATES - OAS. Charter of the Organisation of American States, 30 April 1948. Available at: https://www.oas.org/en/sla/dil/docs/inter_american_treaties_A-41_charter_OAS.pdf. Accessed on Jan. 31, 2023.

⁵⁴ ORGANIZATION OF AMERICAN STATES - OAS. American Declaration on the Rights and Duties of Man, adopted by the 9th International Conference of American States. 8 October 1948. Available at: <https://www.cidh.oas.org/basicos/english/basic2.american%20declaration.htm>. Accessed on Jan. 31, 2023.

⁵⁵ ORGANIZATION OF AMERICAN STATES – OAS. American Convention on Human Rights, "Pact of San Jose", Costa Rica, 22 November 1969, available at: <https://www.cidh.oas.org/basicos/english/basic3.american%20convention.htm>. Accessed on: 19 June 2023.

in these matters” (ORGANIZATION OF AMERICAN STATES, 1948).⁵⁶ The American Convention sets the IACHR and the Inter-American Court of Human Rights as the organs with the competence with respect to matters relating to the fulfillment of human rights commitments (Article 33). The American Convention also establishes the main role of the IACHR – to promote respect for, and defense of, human rights –, and the Commission’s functions and powers: to develop an awareness of human rights among the peoples of America; to make recommendations to the governments of the member states for the adoption of progressive measures in favor of human rights; to prepare studies or reports as it considers advisable in the performance of its duties; to request the governments to supply it with information on the measures adopted by them in matters of human rights; to respond to inquiries made by the member states on matters related to human rights; to take action on petitions and other communications; and to submit an annual report to the General Assembly of the OAS (Article 41) (ORGANIZATION OF AMERICAN STATES, 1948).⁵⁷

In the following sections, I shall examine the documented contributions of the IACHR to the theme of religious intolerance in Brazil. These contributions stem from different instruments that the Commission uses to fulfil its mandate – namely, a ruling on a request for precautionary measures, a thematic report, and a country report (ORGANIZATION OF AMERICAN STATES, 1969).⁵⁸ The other organ of the Inter-American Human Rights System, the Inter-American Court, is yet to deal with religious intolerance in Brazil through its works of examining contentious cases and issuing advisory opinions (ORGANIZATION OF AMERICAN STATES, 1969).⁵⁹

⁵⁶ ORGANIZATION OF AMERICAN STATES - OAS. Charter of the Organisation of American States, 30 April 1948. Available at: https://www.oas.org/en/sla/dil/docs/inter_american_treaties_A-41_charter_OAS.pdf. Accessed on Jan. 31, 2023. Article 106.

⁵⁷ ORGANIZATION OF AMERICAN STATES - OAS. Charter of the Organisation of American States, 30 April 1948. Available at: https://www.oas.org/en/sla/dil/docs/inter_american_treaties_A-41_charter_OAS.pdf. Accessed on Jan. 31, 2023. Article 41. SALVIOLI, Fabián. *El Sistema Interamericano de Protección de los Instrumentos, Órganos, Procedimientos Jurisprudencia*. Instituto de Estudios Constitucionales del Estado de Querétaro, México, 1 ed. 2020. P. 196-214. HENNEBEL, Ludovic; TRIGROUDJA, Héléne. *The American Convention on Human Rights – a commentary*. New York: Oxford University Press, 2022. P. 903 – 1198. PIOVESAN, Flávia. *Direitos Humanos e o Direito Constitucional Internacional*. 14ª ed. São Paulo: Saraiva, 2013. P. 345-350.

⁵⁸ ORGANIZATION OF AMERICAN STATES – OAS. American Convention on Human Rights, "Pact of San Jose", Costa Rica, 22 November 1969, available at: <https://www.cidh.oas.org/basicos/english/basic3.american%20convention.htm>. Accessed on: 19 June 2023. Articles 33 to 51.

⁵⁹ ORGANIZATION OF AMERICAN STATES – OAS. American Convention on Human Rights, "Pact of San Jose", Costa Rica, 22 November 1969, available at: <https://www.cidh.oas.org/basicos/english/basic3.american%20convention.htm>. Accessed on: 19 June 2023. Articles 33, 52 to 69. PIOVESAN, Flávia. *Direitos Humanos e o Direito Constitucional Internacional*. 14ª ed. São Paulo: Saraiva, 2013. P. 350-382. PASQUALUCCI, JO M. *The Practice and Procedure of the Inter-American Court of Human Rights*. 2 ed. New York: Cambridge University Press, 2013. Part II - The Contentious Jurisdiction of the Inter-American Court of Human Rights; ZICCARDI, Natalia S.; MARTÍNEZ, Jimena; CASTELÁN, Brianda; VALVERDE, María José. *Friendly Settlements in the Inter-American Human Rights System: Efficiency,*

3.1. REPORTED IMPAIRMENT OF QUILOMBOLA RELIGIOUS RITES

Quilombolas are traditional communities, comparable to indigenous peoples, that have also a special relation to their land. Many *Quilombos*, which is the denomination of the settlement of such communities in Brazil, were established by people of African-descent, including formerly enslaved persons.

One of those communities is the Quilombola Community of Rio dos Macacos, situated in the province of Bahia, Brazil. The community in Rio dos Macacos was reported to exist for more than two hundred years, and has its heritage deeply linked to the process of black resistance during the period of slavery. Members of the community reported to the IACHR that, decades ago, the Brazilian Navy began a process of invasion of their traditional territory. As a consequence of this process, there was a construction of a river dam and the installation of a military residential condominium in the region (INTER-AMERICAN COMMISSION ON HUMAN RIGHTS, 2020).⁶⁰

In light of those events, the IACHR adopted Resolution 42/2020, granting precautionary measures to members of the Quilombola Community of Rio dos Macacos. In this case, the applicants submitted that the beneficiaries were at risk due to threats, harassment, and acts of violence perpetrated against them in the context of their dispute for recognition of their territory, and in view of the potential collapse of the dam that is close to the territory. Upon analyzing the submissions of fact and law, the Commission considered that the information demonstrates *prima facie* that the members of the community were facing a serious and urgent situation of irreparable harm given that their rights to life and personal integrity were at serious risk. Consequently, the Commission requested Brazil to adopt the necessary measures to protect the rights to life and personal integrity of the members of the community. The IACHR also asked the State to protect them from threats and acts of harassment and violence committed by both state officials and third parties, in compliance with international law of human rights; to consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and to report on the measures adopted in order to investigate the facts that led to the adoption of this precautionary

Effectiveness and Scope. In: ENGSTROM, Par. The Inter-American Human Rights System. Palgrave Macmillan; Switzerland: Springer International Publishing AG, 2019. P. 70.

⁶⁰ Comisión Interamericana de Derechos Humanos (Inter-American Commission on Human Rights). Resolución No. 44/2020. Medida Cautelar No. 1211-19. Comunidad Remanente del Quilombo Rio dos Macacos respecto de Brasil. 6 de agosto de 2020, paragraph 4.

measure and thus avoid its reoccurrence (INTER-AMERICAN COMMISSION ON HUMAN RIGHTS, 2020).⁶¹

One point of particular relevance: the cited Resolution 42/2020 mentioned that the State was informed of previous complaints by community members and their follow-up by State authorities. Those reports included the closure of a *Terreiro*, inside the Quilombola territory after invaders attacked, intimidated and threatened practitioners (INTER-AMERICAN COMMISSION ON HUMAN RIGHTS, 2020).⁶²

In its 2021 Report regarding the Situation of Human Rights in Brazil, the Inter-American Commission of Human Rights (IACHR) observed the “precarious plight” of the Quilombola Community of Rio dos Macacos. The Report mentioned that Rio dos Macacos was chosen by the Brazilian Navy 47 years ago as the site it needed for its Aratu Naval Town, a military residential condominium. The IACHR noted that since then, many conflicts emerged as a consequence of violations of the community members’ right to freedom of movement by the Armed Forces personnel (INTER-AMERICAN COMMISSION ON HUMAN RIGHTS, 2021).⁶³ The Commission called attention to the existing discussion concerning the construction of a wall by the Armed Forces in Rio dos Macacos. Such discussions were viewed by the IACHR as potentially harmful to the community's traditional way of life, especially when it comes to fishing, agriculture *and religious rites* (INTER-AMERICAN COMMISSION ON HUMAN RIGHTS, 2021).⁶⁴

3.2. REPORTED VIOLATIONS OF FREEDOM OF RELIGION IN THERAPEUTIC COMMUNITIES

In the *supra* cited 2021 Report regarding the Situation of Human Rights in Brazil, the IACHR addressed human rights concerns related to the Brazilian “therapeutic communities”. The so-called “therapeutic communities” are private entities, including entities financed with government funds, that treat persons with alleged drug and alcohol use issues. They operate as temporary residences

⁶¹ Comisión Interamericana de Derechos Humanos (Inter-American Commission on Human Rights). Resolución No. 44/2020. Medida Cautelar No. 1211-19. Comunidad Remanente del Quilombo Rio dos Macacos respecto de Brasil. 6 de agosto de 2020, *passim*.

⁶² Comisión Interamericana de Derechos Humanos (Inter-American Commission on Human Rights). Resolución No. 44/2020. Medida Cautelar No. 1211-19. Comunidad Remanente del Quilombo Rio dos Macacos respecto de Brasil. 6 de agosto de 2020, paragraph 12.

⁶³ Inter-American Commission on Human Rights. Situation of Human Rights in Brazil. OEA/Ser.L/V/II. Doc. 9 February 12, 2021, paragraph 42.

⁶⁴ Inter-American Commission on Human Rights. Situation of Human Rights in Brazil. OEA/Ser.L/V/II. Doc. 9 February 12, 2021, paragraph 44.

in which patients are collectively housed, often isolated, in order to keep them abstinent (INTER-AMERICAN COMMISSION ON HUMAN RIGHTS, 2021).⁶⁵

According to the Commission, the absence of State control mechanisms in these institutions leaves space to the occurrence of arbitrary practices and human rights violations. In this sense, the IACHR was informed of a variety of violations committed in these therapeutic communities, which include forced internment, arbitrary medication, restrictions on contact with family members, forced labor, physical abuse, the internment of adolescents and *violation of freedom of religion and conscience* (INTER-AMERICAN COMMISSION ON HUMAN RIGHTS, 2021).⁶⁶

The Commission reported that the treatment offered by many of these therapeutic institutions is based on religious practices, at times to the detriment of medical care or specialized treatment; and that people admitted to the facilities are imposed to religious beliefs that differ from their own. In the Commission's view, such imposition could violate people's right to religious freedom" (INTER-AMERICAN COMMISSION ON HUMAN RIGHTS, 2021).⁶⁷

Additionally, civil society organizations also complained of religious indoctrination measures, the banning of manifestations of religions that are different from the one espoused by the institution, and the imposition of certain religious activities under threat of corporal punishment (INTER-AMERICAN COMMISSION ON HUMAN RIGHTS, 2021).⁶⁸

3.3. VIOLENCE AGAINST LGBT PERSONS WITH MACABRE RELIGIOUS ASPECTS

In the already cited 2021 Report regarding the Situation of Human Rights in Brazil, the IACHR noted with special concern the reported occurrence of acts of violence against transgender and diverse gender persons. According to data provided by civil society institutions, 164 such persons were murdered in 2018 and 124 in 2019. Regarding the latter year, another survey indicated that 80% of the deaths were especially cruel (INTER-AMERICAN COMMISSION ON HUMAN RIGHTS, 2021).⁶⁹

⁶⁵ Inter-American Commission on Human Rights. Situation of Human Rights in Brazil. OEA/Ser.L/V/II. Doc. 9 February 12, 2021, paragraph 224.

⁶⁶ Inter-American Commission on Human Rights. Situation of Human Rights in Brazil. OEA/Ser.L/V/II. Doc. 9 February 12, 2021, paragraph 229.

⁶⁷ Inter-American Commission on Human Rights. Situation of Human Rights in Brazil. OEA/Ser.L/V/II. Doc. 9 February 12, 2021, paragraph 230.

⁶⁸ Inter-American Commission on Human Rights. Situation of Human Rights in Brazil. OEA/Ser.L/V/II. Doc. 9 February 12, 2021, paragraph 230.

⁶⁹ Inter-American Commission on Human Rights. Situation of Human Rights in Brazil. OEA/Ser.L/V/II. Doc. 9 February 12, 2021, paragraph 267.

One of the documented examples had a macabre religious aspect: Quelly da Silva, a trans woman, was murdered and had her heart ripped out and replaced with a religious image (INTER-AMERICAN COMMISSION ON HUMAN RIGHTS, 2021).⁷⁰ According to different accounts from the press, Quelly’s murderer admitted guilt and affirmed, as justification for his brutal acts, that Ms. Quelly da Silva was “a demon” of a sort (INTER-AMERICAN COMMISSION ON HUMAN RIGHTS, 2021).⁷¹

Another relevant case is in the Inter-American Commission’s 2015 Report on “Violence against Lesbian, Gay, Bisexual, Trans and Intersex Persons in the Americas”. In its report, the IACHR mentioned how it had been informed that in various occasions, attacks against LGBT persons are religiously motivated. The example given by the Commission concerned the attack of a 19-year-old gay man in Brazil, perpetrated by three adult men. In this case, two of the attackers “punched the victim repeatedly while the third prayed for the victim to be saved from his ‘sins’.” After that, “one of the attackers wrapped the victim’s arm in a cloth and set it on fire. The attackers allegedly abandoned the victim with a note in his pocket that read: ‘the fire of purification was set upon he who declared his bestial lover’” (INTER-AMERICAN COMMISSION ON HUMAN RIGHTS, 2015).⁷²

4. CONCLUDING REMARKS

The previous developments make it possible to meet, in a justified manner, the general objective of investigating religious intolerance in Brazil through the documentation of UN and Inter-American human rights mechanisms. From what has been examined and discussed, the following points of synthesis and conclusion are presented:

4.1. There has been past documentation of issues of intolerance against practitioners of Afro-Brazilian religions by UN mechanisms. In this sense, *e.g.*, after a mission to Brazil in November 2010, the UN Independent Expert in the Field of Cultural Rights reported, *inter alia*, that: i) Afro-Brazilian religions and belief systems were historically subjected to discrimination and negative stereotyping; religious instruction is often biased against religions of African origin and in favour of the beliefs of the majority of the population; ii) there are reports of religious intolerance against

⁷⁰ Inter-American Commission on Human Rights. Situation of Human Rights in Brazil. OEA/Ser.L/V/II. Doc. 9 February 12, 2021, paragraph 267.

⁷¹ Inter-American Commission on Human Rights. Situation of Human Rights in Brazil. OEA/Ser.L/V/II. Doc. 9 February 12, 2021, paragraph 267; Andréa Martinelli; Leda Antunes; HuffPost. “Quelly da Silva: O nome da travesti que foi assassinada e teve o coração arrancado”. Portal Geledés, 25 January 2019; G1 Campinas. “Companheiro de transexual que teve coração arrancado diz que autor ‘não pode viver em sociedade’”. Globo G1, 23 January 2019.

⁷² Inter-American Commission on Human Rights. Violence against Lesbian, Gay, Bisexual, Trans, and Intersex Persons in the Americas. OAS/Ser.L/V/II.rev.1 Doc. 36, 12 November 2015, paragraph 212.

students, families and educational professionals related to the practice of Afro-Brazilian religions, including physical violence against students, forced resignation and removal of professionals, the ban of books, unequal access to school facilities by Afro-Brazilian religious leaders and inaction to address instances of discrimination or abuse of power by teachers and principals against persons professing Afro-Brazilian religions; iii) these situations conduce to the failure or low performance of students, drop-out or requests for transfer to other schools, as well as loss of self-esteem and cultural identity, with particularly adverse impacts on children; iv) Afro-Brazilian religions operating in culturally informal structures have difficulties accessing benefits that are made available to institutionalized and legally recognized religions, including tax exemptions; v) there are reports of attacks against persons and sites associated with religions of African origin by followers of Pentecostal religions who use the media to portray Afro-Brazilian groups as “devil worshipers”.

4.2. Similar problems were reported by the UN Special Rapporteur on Minority Issues after a mission to Brazil in September 2015. According to the report, in sum, i) despite being a demographic majority, Afro-Brazilians experience racial discrimination and face severe disadvantage compared with other Brazilians; ii) although there was, generally, a high degree of religious tolerance in Brazil, one exception was the situation of Afro-Brazilian religions, which were facing an increasing number of incidents of violence, intimidation and discrimination (including harassment, intimidation, hate speech and even acts of violence against practitioners; vandalism of places of worship; discrimination in the workplace, in schools and in hospitals as a result of traditional dress, beads or symbols; harassment of practitioners by Evangelicals, negative stereotyping promoted by mainstream media owned by Evangelicals and attempts to criminalize Afro-Brazilian religious rites involving animal sacrifice); iii) there were reports of widespread impunity regarding the acts of discrimination, hostility *et cetera*, as well as concerns that Afro-religions are not given equal protection and official recognition.

4.3. Both the 2010 and 2015 contributions from UN mechanisms continue to be relevant to the present context of the country, as they refer to problems which have also been documented by the 2023 CEAP Report on religious intolerance. Supported by UNESCO, this civil society report is arguably the most comprehensive and up-to-date collection and systematization of data on religious intolerance in Brazil.

4.4. There has also been documentation on religious intolerance in Brazil by the Inter-American Human Rights System, particularly in the works of the IACHR. Comparable to indigenous peoples, Quilombolas are also traditional communities with a special relation to their land. The IACHR

reported a possible impairment of Quilombola religious rites in the context of a land dispute regarding the Quilombola Community of Rio dos Macacos.

4.5. The IACHR also reported violations of freedom of religion in therapeutic communities – private entities that operate as temporary collective residences in which patients are housed and often isolated to keep them abstinent. These reported violations included forced internment, arbitrary medication, restrictions on contact with family members, forced labour, physical abuse, the internment of adolescents and the imposition of religious beliefs and practices as part of the “treatment” under threat of corporal punishment. Moreover, the IACHR reported two cases of extreme violence against LGBT persons with macabre religious aspects that took place in Brazil, as well as information on how attacks against LGBT persons can be religiously motivated.

REFERENCES

ALVES, Henrique Napoleão. Impacto e importancia, para Brasil, de ocho informes temáticos de la Relatoría Especial de Naciones Unidas sobre la Tortura. *Revista de Derecho*, n. 27, p. 1-29, enero-junio 2023.

BRASIL. Constituição da República Federativa do Brasil de 1988. Brasília: Presidência da República, 1988. Available at: <https://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm>. Accessed on 27 Jan. 2023.

CANÇADO TRINDADE, Antonio Augusto. *Tratado de Direito Internacional dos Direitos Humanos – Volume I*. 2 ed. revista e atualizada. Porto Alegre: Sergio Antonio Fabris Editor, 2003.

CIDH - Inter-American Commission on Human Rights. Resolución No. 44/2020. Medida Cautelar No. 1211-19. Comunidad Remanente del Quilombo Rio dos Macacos respecto de Brasil. 6 de agosto de 2020, paragraph 4.

CIDH - Inter-American Commission on Human Rights. Situation of Human Rights in Brazil. OEA/Ser.L/V/II. Doc. 9 February 12, 2021.

CIDH - Inter-American Commission on Human Rights. Violence against Lesbian, Gay, Bisexual, Trans, and Intersex Persons in the Americas. OAS/Ser.L/V/II.rev.1 Doc. 36, 12 November 2015.



CONNORS, Jane. “United Nations”. In: MOECKLI, Daniel; SHAH, Sangeeta; SIVAKUMARAN, Sandesh; HARRIS, David (eds.). *International Human Rights Law*. 3 ed. Oxford: Oxford University Press, 2018.

G1 Campinas. “Companheiro de transexual que teve coração arrancado diz que autor 'não pode viver em sociedade’”. Globo G1, 23 January 2019.

HENNEBEL, Ludovic; TRIGROUDJA, H  l  ne. *The American Convention on Human Rights – a commentary*. New York: Oxford University Press, 2022. P. 903 – 1198.

MARTINELLI, Andr  a; ANTUNES, Leda. “Quelly da Silva: O nome da travesti que foi assassinada e teve o cora  o arrancado”. Portal Geled  s, 25 January 2019.

OAS - ORGANIZATION OF AMERICAN STATES. American Convention on Human Rights, "Pact of San Jose", Costa Rica, 22 November 1969, available at: <https://www.cidh.oas.org/basicos/english/basic3.american%20convention.htm>. Accessed on: 19 June 2023.

OAS - ORGANIZATION OF AMERICAN STATES. American Declaration on the Rights and Duties of Man, adopted by the 9th International Conference of American States. 8 October 1948. Available at: <https://www.cidh.oas.org/basicos/english/basic2.american%20declaration.htm>. Accessed on Jan. 31, 2023.

OAS - ORGANIZATION OF AMERICAN STATES. Charter of the Organisation of American States, 30 April 1948. Available at: https://www.oas.org/en/sla/dil/docs/inter_american_treaties_A-41_charter_OAS.pdf. Accessed on Jan. 31, 2023.

OHCHR - “Combating Intolerance against Persons Based on Religion or Belief.” n.d. OHCHR. Available at: <https://www.ohchr.org/en/minorities/combating-intolerance-against-persons-based-religion-or-belief>. Accessed on Jan 23, 2023.

OHCHR - “The role of the High Commissioner for Human Rights.” n.d. OHCHR. Available at: <https://www.ohchr.org/en/about-us/high-commissioner>. Accessed on Jan 30, 2023.



PASQUALUCCI, JO M. *The Practice and Procedure of the Inter-American Court of Human Rights*. 2 ed. New York: Cambridge University Press, 2013.

PIOVESAN, Flávia. *Direitos Humanos e o Direito Constitucional Internacional*. 14ª ed. São Paulo: Saraiva, 2013.

RAMOS, André de Carvalho. *Curso de direitos humanos*. 7 ed. São Paulo: Saraiva, 2020.

RISPOLI, Eduardo; LAEGER, Mariana. “O Conselho de Direitos Humanos das Nações Unidas: novas perspectivas diante de uma intolerância universal consolidada”. In: OLIVEIRA, Bárbara da Costa Pinto; SILVA, Roberto Luiz (orgs.). *Manual de direito processual internacional*. São Paulo: Saraiva, 2012, p. 459.

SALVIOLI, Fabián. *El Sistema Interamericano de Protección de los Instrumentos, Órganos, Procedimientos Jurisprudencia*. Instituto de Estudios Constitucionales del Estado de Querétaro, México, 1 ed. 2020. P. 196-214.

SANTOS, Carlos Alberto Ivanir; DIAS, Bruno Bonsanto; SANTOS, Luan Costa Ivanir. *II Relatório sobre Intolerância Religiosa: Brasil, América Latina e Caribe*. Rio de Janeiro: CEAP, 2023, p. 15-200.

STF - Supremo Tribunal Federal. Plenário. Recurso Extraordinário 494601, Rio Grande do Sul. Relator Ministro Marco Aurélio. Redator do acórdão Ministro Edson Fachin. Recorrente: Ministério Público do Estado do Rio Grande do Sul. Recorridos: Governador do Estado do Rio Grande do Sul, Assembleia Legislativa do Estado do Rio Grande do Sul. Julgado em 28 de março de 2019. Publicado em 19 de novembro de 2019. <<https://portal.stf.jus.br/processos/downloadPeca.asp?id=15341718509&ext=.pdf>>.

UNITED NATIONS. “Call for inputs on combating intolerance based on religion or belief.” 26 July 2021.

UNITED NATIONS. 1968: Final Act of the International Conference on Human Rights and the Proclamation of Teheran. Available at: <https://daccess-ods.un.org/tmp/4611040.65179825.html>. Accessed on Jan 30, 2023.



UNITED NATIONS. 1990: General Assembly decision to convene a World Conference on Human Rights. Available at: <https://undocs.org/A/RES/45/155>. Accessed on Jan 30, 2023.

UNITED NATIONS. 46/27. Combating intolerance, negative stereotyping, and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief. Resolution adopted by the Human Rights Council on 24 March 2021. UN Doc. A/HRC/RES/46/27, 6 April 2021.

UNITED NATIONS. Charter of the United Nations and Statute of the International Court of Justice. San Francisco, 1945. Available at: <https://treaties.un.org/doc/publication/ctc/uncharter.pdf> >. Accessed on 27 January 2023.

UNITED NATIONS. Economic and Social Council Resolution 1235 (XLII). UN Doc. E/RES/1235(XLII). 6 June 1967.

UNITED NATIONS. Economic and Social Council Resolution 1503 (XLVIII). UN Doc. E/RES/1503(XLVIII). 27 May 1970.

UNITED NATIONS. General Assembly Resolution 2081(XX), adopted at the 1404th plenary meeting. UN Doc. A/RES/2081(XX). 20 December 1965.

UNITED NATIONS. General Assembly Resolution 2442 (XXII). UN Doc.A/RES/2442. 19 December 1968. Available at: <https://www.refworld.org/docid/3b00f05520.html>. Accessed on Jan 30, 2023.

UNITED NATIONS. General Assembly Resolution 48/141. UN Doc. A/RES/48/141. 7 January 1994. Available at: https://digitallibrary.un.org/record/180226/files/A_RES_48_141-EN.pdf. Accessed on Jan 30, 2023.

UNITED NATIONS. General Assembly Resolution 60/251. Human Rights Council. UN Doc. A/RES/60/251. 3 April 2006.

UNITED NATIONS. Human Rights Council Resolution 5/1. UN Doc. A/HRC/5/L.2. 18 June 2007. Available at: https://digitallibrary.un.org/record/601912/files/A_HRC_5_L.2-EN.pdf. Accessed on Jan. 30 2023.

UNITED NATIONS. Report of the independent expert in the field of cultural rights, Farida Shaheed, on her mission to Brazil. UN Doc. A/HRC/17/38/Add.1, 21 March 2011, paragraph 79.

UNITED NATIONS. Report of the Special Rapporteur on minority issues on her mission to Brazil. UN Doc. A/HRC/31/56/Add.1. 9 February 2016.

UNITED NATIONS. Vienna Declaration and Programme of Action. UN Doc. A/CONF.157/23. Geneva, 12 July 1993. Available at: https://digitallibrary.un.org/record/183139/files/A_CONF.157_23-EN.pdf. Accessed Jan 30, 2023.

UPTON, Helen. The Human Rights Council: First Impressions and Future Challenges. *Human Rights Law Review*, Volume 7, Issue 1, 2007.

ZICCARDI, Natalia S.; MARTÍNEZ, Jimena; CASTELÁN, Brianda; VALVERDE, María José. Friendly Settlements in the Inter-American Human Rights System: Efficiency, Effectiveness and Scope. In: ENGSTROM, Par. *The Inter-American Human Rights System*. Palgrave Macmillan; Switzerland: Springer International Publishing AG. 2019.

Sobre o autor:

Henrique Napoleão Alves

Director and Chief Researcher, Facts and Norms Institute (www.factsandnorms.com), MG-Brazil. Ph.D. in Law from the Federal University of Minas Gerais (Brazil). Former Visiting Researcher at the University of Texas at Austin (United States of America). Former Postdoctoral Researcher at the University of Coimbra (Portugal). Attorney and Legal Consultant, Inter-American Commission on Human Rights, Washington D. C, US. This article expresses the views of its author in his individual capacity. Master of Science (Law), UFMG, Brazil, Ph.D. (Law), UFMG, Brazil
Inter-American Commission on Human Rights
ORCID: <https://orcid.org/0000-0001-5530-6080>
E-mail: hnalves.dir@gmail.com

