



CÂMARA DOS DEPUTADOS
COMISSÃO DE DIREITOS HUMANOS
E MINORIAS

Official Letter No. 569/2020-P

Brasília, December 7, 2020

Mrs. E. Tendayi Achiume

Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

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Mrs. Special Rapporteur,

Introduction

Official Letter nº 255/2020-P, dated June 16, 2020, reported a series of public demonstrations by the President of the Palmares Cultural Foundation (FCP, in its Portuguese initials), Mr. Sérgio Camargo, that affront the dignity of blacks. The Official Letter also reported structural changes carried out in the Foundation through the Ordinance no. 45/2020, which extinguished seven collegiate.

On November 13, the advisor to the SP questioned the structural changes that directly affected the participation of Afro-Brazilian communities in decision-making within the Foundation.

1. SOCIAL PARTICIPATION

1.1 Ordinance 45/2020

Ordinance no. 45/2020¹ extinguished seven collegiate. Among them, five were replaced a month later, with minor changes². Two of them, however, were definitively extinct: the Open Data Committee and the Management Committee of the Quilombo dos Palmares Memorial Park.

The Open Data Committee aimed to provide transparency to the FCP's management.

¹ Available in <https://www.in.gov.br/web/dou/-/portaria-n-45-de-2-de-marco-de-2020-247018684>

² <http://www.palmares.gov.br/?p=55849>



CÂMARA DOS DEPUTADOS
COMISSÃO DE DIREITOS HUMANOS
E MINORIAS

As for the Management Committee of the Quilombo dos Palmares Memorial Park, we note that:

- The Quilombo dos Palmares Memorial Park was consecrated as a Mercosur Cultural Heritage in 2017 and is located in Serra da Barriga in Alagoas, with an area of 27 km².
- FCP informed that in April 2020 a collegiate body would be created to manage Serra da Barriga, but we did not find any norms establishing such a management committee.
- According to Coletivo AfroCaeté, the Management Committee of the Quilombo dos Palmares Memorial Park was composed of “members of diverse profiles and leaders from Alagoas of the African religion, for whom the soil, the waters, the air of Palmares are sacred”³.
- With the extinction of the Committee, the decision-making power over the park remains centralized in the hands of President Sérgio Camargo⁴.

1.2. What social leaders say?

Adna do Santos, known as Mãe Baiana, leader of African-based communities, informed that representatives of the agendas of black movements lost access to spaces for dialogue on decisions and policy making by the FCP.

Leaders of the Conaq⁵ informed that dialogue with FCP is completely closed. On February 13 and March 29, 2020, they requested meetings with the FCP. The requests were not even answered.

1.3. Other collegiate of social participation related to the quilombola agenda and racial equality

The Management Committee for the Quilombola Social Agenda⁶, implemented through the “Brasil Quilombola” program and which would bring together the Federal Government’s efforts in terms of quilombola policy, met only once in 2019 and did not work in 2020, indicating a deactivation of the agenda. This information was provided by the National Secretariat for the Promotion of Racial Equality (SNPIR)⁷.

³ <https://www.cartacapital.com.br/politica/fundacao-palmares-e-desidratada-e-presidente-diz-tirar-esquerdistas/>

⁴ <https://psol50.org.br/psol-quer-anular-extincao-de-orgaos-colegiados-da-fundacao-palmares/>

⁵ Articulação das Comunidades Negras Rurais Quilombolas (Articulation of Black Rural Quilombola Communities).

⁶ See Decree n.6.261, of November 20, 2007.

⁷ Available in

https://www.camara.leg.br/proposicoesWeb/prop_mostrarintegra?codteor=1938323&filename=Tramitacao-RIC+1122/2020, accessed on 17/11/2020, p. 59.



CÂMARA DOS DEPUTADOS
COMISSÃO DE DIREITOS HUMANOS
E MINORIAS

Jair Bolsonaro extinguished⁸ the PLANAPIR (National Plan for the Promotion of Racial Equality) Committee. SNPIR recognized it made “it difficult for PLANAPIR to become operational, given that the committee was responsible for planning, goals, actions and priorities for the monitoring and implementation of public policies affirmative action”⁹

The Ministry of Economy extinguished the Forum Interconselhos, an initiative of the former government that included participatory monitoring of transversal agendas, such as the fight against racism, in multi-annual plans. According to the Ministry¹⁰, the policy was discontinued in 2018. Forum Interconselhos was awarded with the United Nations Public Service Awards in 2014¹¹.

2. ADDITIONAL INFORMATION

2.1. Exclusion of black personalities

FCP, since 2011, publishes a list of black personalities that have marked the history of Brazil and the world. For this reason, among its 92 names, there are Brazilians such as Machado de Assis and foreigners, such as the Americans Martin Luther King and Malcom X. The choice of names over the years was made by a curatorial council and was recognized by social movements, artists, intellectuals and political leaders.

But on November 11, 2020, Ordinance no. 189/2020, signed by the President of FCP¹², changed the rules for the selection and publication of the names and biographies of notable black personalities on the entity's website. The new rule establishes that the tributes will be posthumous and concentrates decisions in the hands of the Foundation's president.

With the changes implemented by the ordinance signed in November, the list loses 24 names. Limiting tributes to deceased persons is a subterfuge to exclude influential people from the list of notable personalities¹³.

⁸ <https://www2.camara.leg.br/legin/fed/decret/2019/decreto-10087-5-novembro-2019-789347-publicacaooriginal-159330-pe.html>

⁹ In response to RIC No. 1,122 / 2020, available at https://www.camara.leg.br/proposicoesWeb/prop_mostrarintegra?codteor=1938323, accessed 11/13/2020, pg.54-55.

¹⁰ According to the answer available at https://www.camara.leg.br/proposicoesWeb/prop_mostrarintegra?codteor=1940779&filename=Tramitacao-RIC+1171/2020, accessed 11/13/2020.

¹¹ As reported in <https://www.ipea.gov.br/participacao/noticiasmidia/participacao-institucional/1155-iniciativa-brasileira-de-participacao-social-recebe-premio-da-onu>, accessed 11/13/2020.

¹² <https://www.in.gov.br/web/dou/-/portaria-n-189-de-10-de-novembro-de-2020-287514544>

¹³ <https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=2265180>



CÂMARA DOS DEPUTADOS
COMISSÃO DE DIREITOS HUMANOS
E MINORIAS

2.2. Missing articles

Also silencing of the history and voice of black men and women, articles about Zumbi dos Palmares, abolitionists Luís Gama and André Rebouças, writer Carolina de Jesus and many other black men and women of historical projection disappeared from the website of FCP. In addition, official website publishes now articles that put the figure of Zumbi dos Palmares in doubt. Such facts led the Federal Public Ministry to institute a procedure to investigate possible administrative improbity of the Sérgio Camargo.¹⁴

2.3. Denial of racism

On November 20, the date for the celebration of the Black Consciousness, amid the repercussions of the beatings followed by the death of a black man by two security guards from a supermarket chain¹⁵, Sérgio Camargo denied racism in a social network. He wrote: "There is no structural racism in Brazil; our racism is circumstantial – that is, there are some imbeciles who commit the crime. The 'omnipresent structure' that oppresses and marginalizes all blacks day and night, as the left defends, makes no sense or has any foundation".

Afterwards, Camargo shared a video in which he says: "Of course, Black Awareness Day in Brazil must end. It is a date that the left has appropriated to propagate victimism and racial resentment". In the recording, he also says that the FCP will not give any support to the date.

2.4. Misuse of purpose

A FCP Technical Note supported for the installation of a large power line in Amazonas. It will affect 4 quilombola communities, dispensing, without any legal basis, consultation with the Maratubinha, Arapucu, Mondongo and Igarapé-Açu dos Lopes quilombos. The Public Prosecutor's Office asked for the opinion to be annulled. "There was a violation of the rights of quilombolas by the FCP, which has its genesis in the promotion and preservation of cultural, historical, social and economic values resulting from the black influence in the formation of Brazilian society (...) The simple analysis of the magnitude and complexity of the enterprise in the

¹⁴ <http://www.mpf.mp.br/pfdc/noticias/pfdc-pede-analise-sobre-possivel-desvio-de-finalidade-na-atuacao-do-presidente-da-fundacao-cultural-palmares>

¹⁵ <https://noticias.uol.com.br/cotidiano/ultimas-noticias/2020/11/20/video-mostra-homem-sendo-e-espancado-por-segurancas-do-carrefour-no-rs.htm>



CÂMARA DOS DEPUTADOS
COMISSÃO DE DIREITOS HUMANOS
E MINORIAS

absence of prior consultation, the violation and disregard for the way of life of the communities protected here is evident”, says the lawsuit in Santarém, in western Pará¹⁶.

Thus, considering the facts narrated and observing the regulatory powers that the CDHM has to receive, evaluate and investigate complaints regarding the threat or violation of human rights, to collaborate with national and international civil society entities that act in the defense of human rights and to promote racial equality (Internal Regulation of the Chamber of Deputies, art. 32, item VIII, subparagraphs a, c, g), we provide this additional information. We expect the confirmation of your Excellency's visit to Brazil in 2021, the Brazilian State's permanent invitation to UN special procedures.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Helder Salomão', is positioned above the printed name.

Deputy Helder Salomão

Chairman
Human Rights and Minorities Committee

¹⁶ <https://www.oliberal.com/para/mpf-pede-anulacao-de-licenca-de-linhao-de-energia-eletrica-entre-cidades-do-para-e-amazonas-1.280053>