



**CHAMBER OF DEPUTIES**  
FEDERATIVE REPUBLIC OF BRAZIL

Brasília, December 9th, 2019

**URGENT APPEAL**  
**GROWING CENSORSHIP AGAINST ARTS AND CULTURE**

**BRAZIL**

Letter number 42/2019

Ref. Report about growing censorship against arts and culture in Brazil

**Mr. David Kaye**

*UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression*

Palais des Nations, CH-1211 Geneva 10 - Switzerland

Fax: +41 22 917 9006

Email: freedex@ohchr.org

**Ms. Michelle Bachelet Jeria,**

*United Nations High Commissioner for Human Rights*

Office of the United Nations High Commissioner for Human Rights (OHCHR)

Palais Wilson, CH-1201 Geneva - Switzerland

Email for urgent appeals: urgent-action@ohchr.org

**ÁUREA CAROLINA, BENEDITA DA SILVA, DAVID MIRANDA, JANDIRA FEGHALI, MARIA DO ROSÁRIO,** and **TÚLIO GADELHA,** federal deputies from the Federative Republic of Brazil, members of the Permanent Commission of Culture from Brazil's Chamber of Deputies; **IVAN VALENTE, FERNANDA MELCHIONNA, EDMILSON RODRIGUES, GLAUBER BRAGA, LUIZA ERUNDINA, MARCELO FREIXO, SÂMIA BOMFIM, TALÍRIA PETRONE,** federal deputies from the Socialism and Liberty Party (*Partido Socialismo e Liberdade* - PSOL, in its acronym in Portuguese); and **CIDA FALABELLA,** local councillor from PSOL in the Belo Horizonte municipality (state of Minas Gerais) and member of the local Commission of Culture, respectfully address to these bodies in order to report a grave situation of growing censorship against arts and culture in Brazil.

## **Overview**

Since the beginning of Jair Bolsonaro's government in January 2019, objective authoritarian actions taken by the federal government and some state governments have promoted censorship and the structural dismantling of guarantees for the right to freedom of opinion and artistic and cultural expressions in Brazil. These actions affect, in particular, the right to freedom of expression of social and ethnic-racial groups already excluded from spaces of power in the country, such as blacks, quilombolas, indigenous peoples, and the LGBTQI community.

Such measures directly contradict the international standards for the protection of freedom of opinion and expression, such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR) and International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). Moreover, they disrespect the Inter-American Human Rights System, notably art. 13 of the American

Convention on Human Rights, art. IV of the American Declaration of Human Rights and art. 4th of the Inter-American Democratic Charter.

As shown below, censorship in relation to artistic and cultural expressions in the country advances especially through direct government actions over contents, events and exhibitions; prior political restrictions for funding; and radical changes in positions of command in order to limit the freedom and diversity of art and culture in Brazil.

### **Censorship against videos, cultural events and art exhibitions**

In May 2019, the board of the federal public bank *Banco do Nordeste* decided<sup>1</sup> to remove a banner from its cultural center's facade in the city of Fortaleza, the state capital of Ceará. The banner, which was part of an art exhibition hosted by the cultural center about gay marriage, was removed without the consent of the authors or the curator. It read: "*Em terra de homofóbicos, casamento gay é arte*", which in a free translation stands for: "In the land of homophobes, gay marriage is art".

During the 2019 Rio de Janeiro Book Biennial in September, inspectors were sent to act as censors, under the orders of the municipal secretary of Public Order, Colonel Wolney Dias, and the mayor Marcelo Crivella<sup>2</sup>. The action intended to confiscate the Portuguese version of Marvel's magazine "Avengers - The Children's Crusade", which features two male characters kissing on its cover.

In that same month, the Brazilian embassy in Montevideo banned the film "*Chico: artista brasileiro*" (in a free translation: "Chico: Brazilian Artist") from its film festival in Uruguay<sup>3</sup>. The movie portrays the life of Chico Buarque, one of Brazil's most iconic artists

---

<sup>1</sup> <https://g1.globo.com/ce/ceara/noticia/2019/05/28/banco-do-nordeste-manda-retirar-faixa-em-exposicao-sobre-casamento-gay-artistas-acusam-censura.ghtml>

<sup>2</sup> <https://entretenimento.uol.com.br/noticias/redacao/2019/09/06/crivella-manda-recolher-livros-que-considera-improprios-na-bienal-do-rio.htm>

<sup>3</sup> <https://www.terra.com.br/diversao/arte-e-cultura/filme-sobre-chico-buarque-teria-sido-censurado-por-embaixada,c82693250cef62521ffcec7a16a55dc6lzo108g0.html>

who openly opposes the current government and is well known for his opposition to the Brazilian dictatorship regime (1964-1985), which is publicly endorsed by President Bolsonaro.

At the beginning of this month, employees from *TV Brasil*, a channel of the Brazilian public communication company (EBC, in its acronym in Portuguese), were ordered<sup>4</sup> to remove the music video “*O real existe*” (in a free translation: “The real exists”), by Brazilian singer and songwriter Arnaldo Antunes, which features scenes of police violence and prejudice in Brazil in a critical perspective. This was not the first censorship case in EBC: in October, the image of Marielle Franco - human rights defender and Rio de Janeiro local councillor who was murdered in March 2018 - was censored from one of the *TV Brasil*'s videos<sup>5</sup>.

### **Censorship through prior political restrictions for funding for culture**

In August, President Jair Bolsonaro declared that the Brazilian Film Agency (Ancine, in its acronym in Portuguese) and one of Brazil's main laws for funding culture, known as Rouanet Law, should not allow “so-called cultural pieces that go against our Judeo-Christian interests and tradition”<sup>6</sup>. He defended the existence of a “filter” for funding<sup>7</sup>, neglecting the secularity of the Brazilian state, the religious plurality manifested in the country and the rights to freedom of expression and opinion.

In that same month, Brazil's biggest public bank, *Banco do Brasil*, issued a call for audiovisual proposals which contained questions on the existence of religious or political

---

<sup>4</sup> <https://congressoemfoco.uol.com.br/governo/tv-brasil-censura-clipe-de-arnaldo-antunes-que-cita-milicianos/>

<sup>5</sup> <https://epoca.globo.com/guilherme-amado/video-ebc-censurou-imagem-de-marielle-em-programa-da-tv-brasil-24013650>

<sup>6</sup> <https://www.facebook.com/watch/?v=344978939789783>

<sup>7</sup> <https://oglobo.globo.com/cultura/bolsonaro-fala-em-extinguir-ancine-se-nao-puder-ter-filtro-ou-transformar-agencia-em-secretaria-23819229>

scenes in the proposed projects<sup>8</sup>. In October, *Caixa Econômica Federal*, another main public bank in Brazil, also established a prior censorship system its cultural centers' projects<sup>9</sup>. According to the bank's director: "One is not supposed to make a political position in the middle of a play"<sup>10</sup>.

In the same context, President Bolsonaro announced that Ancine would not carry out funds for projects just recently approved from a public call if they were connected to LGBT themes or to the promotion of racial diversity. According to Brazil's president, projects like this "have no place" and he would "cut off the heads" of the Ancine board<sup>11</sup>. The Citizenship minister issued an ordinance censuring the projects as Bolsonaro wanted, but a court decision revoked the government decision.

### **Ideological control of public institutions linked to culture and arts**

Recent appointments by the federal government for strategic positions in the Special Secretariat of Culture also pose a serious threat to the promotion of cultural rights and freedom of expression in Brazil. The current special secretary of Culture, Mr. Roberto Rego Pinheiro, known as Roberto Alvim, answers for a number of accusations, including censorship<sup>12</sup>. Mr. Alvim has established a regime of ideological control in the institutions linked to his Secretary portfolio, by appointing managers with little or no qualifications in the area, or people who have publicly violated the principles of the institutions they should now be responsible for<sup>13</sup>.

---

<sup>8</sup> <https://veja.abril.com.br/entretenimento/serao-exibidas-cenas-de-nudez-pergunta-edital-do-bb-para-filmes/>

<sup>9</sup> <https://www1.folha.uol.com.br/ilustrada/2019/10/caixa-economica-cria-sistema-de-censura-previa-a-projetos-de-seus-centros-culturais.shtml>

<sup>10</sup> <https://oglobo.globo.com/cultura/nao-para-fazer-posicionamento-politico-no-meio-de-uma-peca-diz-presidente-da-caixa-24005257>

<sup>11</sup> <https://br.noticias.yahoo.com/bolsonaro-veto-recurso-filmes-lgbt-004140822.html>

<sup>12</sup> <https://observatoriodoteatro.bol.uol.com.br/destaque/2019/08/em-carta-grupo-acusa-roberto-alvim-de-censurar-peca-que-estrear-na-funarte-em-outubro>

<sup>13</sup> [https://cultura.estadao.com.br/noticias/geral,nomeacoes-da-secretaria-de-cultura-de-roberto-alvim-preocupam-produtores-culturais,70003106198?utm\\_source=estadao:whatsapp&utm\\_medium=link](https://cultura.estadao.com.br/noticias/geral,nomeacoes-da-secretaria-de-cultura-de-roberto-alvim-preocupam-produtores-culturais,70003106198?utm_source=estadao:whatsapp&utm_medium=link)

Just recently, his nomination of Rafael Nogueira as president of the of Brazil's National Library Foundation was heavily criticised by numerous Library's public servers<sup>14</sup>. Nogueira is an open supporter of the Monarchy's return to Brazil and his lack of technical qualifications in the area of public policy for the preservation of bibliographic memory is as alarming as some of his public opinions about culture and arts<sup>15</sup>.

The government also decided to change the director of the Palmares Cultural Foundation, the institution responsible for the valorization and preservation of black culture in Brazil. The nominated president, Sergio Camargo, however, had already publicly stated that he believes that there is no racism in Brazil and that slavery would have been beneficial to African descendants. Currently this nomination has been suspended by a court order<sup>16</sup>.

## Conclusions

Given all of the above, there is no doubt that the Federative Republic of Brazil has been going through an authoritarian political moment in which there is a growing limitation of the right to freedom of opinion and artistic and cultural expressions. Besides violating its own Constitution and laws, Brazil is also disrespecting international standards, such as those expressed by the Universal Declaration of Human Rights, the ICCPR, the ICESCR, the ICERD, the American Convention on Human Rights, the American Declaration of Human Rights and the Inter-American Democratic Charter.

In view of the foregoing, we urgently request:

- to process this communication as an Urgent Appeal, in view of the gravity and

---

<sup>14</sup> <https://oglobo.globo.com/cultura/servidores-da-biblioteca-nacional-reagem-escolha-de-novo-presidente-24116328>

<sup>15</sup> <https://www1.folha.uol.com.br/ilustrada/2019/12/presidente-da-biblioteca-nacional-associa-caetano-veloso-ao-analfabetismo.shtml>

<sup>16</sup> <https://oglobo.globo.com/cultura/juiz-do-ceara-suspende-nomeacao-de-presidente-da-fundacao-palmares-por-comentarios-racistas-24117995>

urgency of the matter;

- to arrange an emergency visit of the UN Special Rapporteurs which are related to the matter to Brazil in order to assess the situation on the ground
- to issue a public statement, considering the gravity and urgency of the facts and violations described;
- to request from the Brazilian Permanent Mission to the UN in Geneva explanations for the violations described herein;
- to publicize the relevant exchange of letter in the OHCHR report on communications;
- to include the human rights violations above mentioned in the Universal Periodic Review (UPR);
- to remain seized of the matter.

Yours sincerely,



**Áurea Carolina**  
PSOL - Minas Gerais  
Vice-president of the Commission of Culture



**Benedita da Silva**  
PT - Rio de Janeiro  
President of the Commission of Culture



**David Miranda**  
PSOL - Rio de Janeiro  
Member of the Commission of Culture



**Jandira Feghali**  
PCdoB - Rio de Janeiro  
Member of the Commission of Culture



**Maria do Rosário**  
PT - Rio Grande do Sul  
Vice-president of the Commission of Culture



**Túlio Gadelha**  
PDT - Pernambuco  
Member of the Commission of Culture



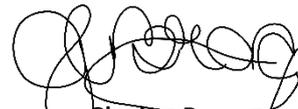
**Ivan Valente**  
PSOL leader



**Fernanda Melchionna**  
PSOL vice-leader



**Edmilson Rodrigues**  
PSOL - Pará



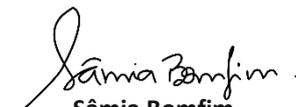
**Glauber Braga**  
PSOL - Rio de Janeiro



**Luiza Erundina**  
PSOL - São Paulo



**Marcelo Freixo**  
PSOL - Rio de Janeiro



**Sâmia Bomfim**  
PSOL - São Paulo



**Talíria Petrone**  
PSOL - Rio de Janeiro



**Cida Falabella**  
PSOL – Belo Horizonte