

# HERITAGE EDUCATION AS A HUMAN RIGHT AND AN INSTRUMENT TO PROMOTE CULTURAL HERITAGE AND PREVENT ENVIRONMENTAL RACISM

RECEIVED:	MAY 15, 2024
ACCEPTED:	SEPTEMBER 18, 2024

**Debora Louise Filgueira**

 <https://orcid.org/0000-0001-5916-6003>

Federal University of Paraíba

João Pessoa, Paraíba, Brasil

E-mail: [louisefilgueira@gmail.com](mailto:louisefilgueira@gmail.com)

**Maria Creusa de Araújo Borges**

 <https://orcid.org/0000-0002-9982-1217>

Federal University of Paraíba

João Pessoa, Paraíba, Brasil

E-mail: [mcaborges@gmail.com](mailto:mcaborges@gmail.com)

**How to cite this paper:** FILGUEIRA, D. L.; BORGES, M. C. de A. Heritage education as a human right and an instrument to promote cultural heritage and prevent environmental racism. *Revista Direito Mackenzie*, São Paulo, SP, v. 18, n. 2, e17093EN, 2024. <http://dx.doi.org/10.5935/2317-2622/direitomackenzie.v18n217093>



• DEBORA LOUISE FILGUEIRA  
• MARIA CREUSA DE ARAÚJO BORGES

- **ABSTRACT:** The article examines heritage education as a human right in the context of environmental racism perpetrated against traditional and vulnerable communities. Therefore, the main objective is to analyze heritage education, focusing on interculturality, as a tool in the process of promoting cultural heritage and preventing environmental racism. Heritage education promotes awareness of the importance of different worldviews, cultures, knowledge, and ways of living, allowing individuals and communities to recognize and preserve their identities. Additionally, by emphasizing the connection between cultural heritage and the environment, the article highlights how protecting cultural heritage can be an effective strategy against environmental racism, ensuring that affected individuals are heard in the fight for social and environmental justice. Thus, heritage education emerges as a tool to build more just and inclusive societies, promoting equality of rights and citizenship.
- **KEYWORDS:** Cultural heritage; heritage education; environmental racism; traditional communities.

## A EDUCAÇÃO PATRIMONIAL COMO UM DIREITO HUMANO, INSTRUMENTO DE VALORIZAÇÃO DO PATRIMÔNIO CULTURAL E DE PREVENÇÃO AO RACISMO AMBIENTAL

- **RESUMO:** O artigo examina a educação patrimonial como um direito humano no contexto do racismo ambiental perpetrado contra as comunidades tradicionais e vulneráveis. Dessa forma, o objetivo principal consiste em analisar a educação patrimonial, com eixo na interculturalidade, como ferramenta no processo de valorização do patrimônio cultural e de prevenção ao racismo ambiental. A educação patrimonial promove a conscientização sobre a importância das diferentes cosmovisões, culturas, saberes e modos de viver permitindo que indivíduos e comunidades reconheçam e preservem suas identidades. Além disso, ao enfatizar a conexão entre patrimônio cultural e meio ambiente, o artigo ressalta como a proteção das heranças culturais pode ser uma estratégia eficaz contra o racismo ambiental, garantindo que os sujeitos atingidos sejam ouvidos na luta pela justiça social e ambiental. Assim, a educação patrimonial se revela



um instrumento para construir sociedades mais justas e inclusivas, promovendo a igualdade de direitos e a cidadania.

- **PALAVRAS-CHAVE:** Patrimônio cultural; educação patrimonial; racismo ambiental; comunidades tradicionais.

## 1. Introduction

The struggles for the realization of cultural rights and rights related to the achievement of an ecologically balanced environment have become central in recent decades due to environmental crises and catastrophes. Those originate from the adoption of an economic development model that operates through a logic of the exploitation of nature relying on predatory practices that destroy cultures, homogenize world-views, ways of being, creating, doing, and existing in the world, disregarding diverse knowledge bases and marginalizing cultures.

In this context, the struggles faced by traditional, rural, and peasant communities, as well as the most vulnerable who disproportionately bear the burden of environmental impacts, leading to irreversible damage to cultures, identities, traditions, and the sense of belonging of various groups, stand out.

Therefore, it's important to articulate an analysis that considers the dimensions intersecting in the context of vulnerabilities. To that end, we establish herein between environmental issues, economic questions, cultural diversity, and education. Thus, the problem that guided this research aimed to understand how heritage education as a human right can function as a tool in the process of promoting cultural heritage and preventing environmental racism.

This article is based on the premise that heritage education should be considered a human right and based on the principle of interculturality, and can be seen as a tool for enabling true sustainability in the fight against environmental racism, as it promotes the dialogue of knowledge, cultural diversity, traditional knowledge, and ways of creating, doing, and living.

Therefore, this concept is directly related to the notion of human dignity and the need to preserve collective memory and identities. By recognizing heritage education as a human right, there is a critical awareness of cultural heritage that promotes citizen participation in its protection and promotion.



- DEBORA LOUISE FILGUEIRA
- MARIA CREUSA DE ARAÚJO BORGES

Thus, this article aims to analyze heritage education from a human rights perspective, highlighting its importance in preserving cultural identity, strengthening citizenship, and promoting sustainable development.

The article is divided into three sections. Firstly, it addresses the theme of traditional lands, their material and immaterial aspects expressed through cultural practices directly linked to the cosmological dimension that permeates the values, traditions, and knowledge of these peoples connected to the environment and sustainable environmental practices.

Secondly, it examines the concept of environmental racism based on the principles of sociocultural diversity and territoriality from a decolonial perspective. It analyzes the importance of the dialogue of knowledge for the development of new practices based on a new paradigm, environmental rationality as defined by Leff (2006).

Finally, it presents the concept, theoretical foundations, and principled aspects of heritage education as a human right, as well as the standardization movements at the international and national levels and their impacts on culture and the environment.

The methodological design of this study is anchored in a qualitative approach, based on predominantly bibliographic and documentary research. The documentary research aimed to analyze international and domestic regulations, addressing heritage education and the protection of material and immaterial heritage of traditional communities, drawing on the following regulatory and documentary framework: the Universal Declaration of Human Rights of 1948; the International Covenant on Economic, Social and Cultural Rights of 1966; the Indigenous and Tribal Peoples Convention No. 169 of 1989; Convention Concerning the Protection of the World Cultural and Natural Heritage of 1972; Unesco Universal Declaration on Cultural Diversity of 2001; the Convention for the Safeguarding of the Intangible Cultural Heritage of 2003; the Convention on the Protection and Promotion of the Diversity of Cultural Expressions of 2005, and the Mondiacult Declaration of 2022.

## 2. Traditional communities: territory, cultural heritage and sustainability

The connection between territory, culture, and nature has become central in the global ecological debate concerning the right to a balanced environment. Efforts are being made to find alternatives to the disproportionate relationship between the



environment and production, where nature is seen as an endless source of resources disproportionately affecting vulnerable groups, such as indigenous peoples and traditional communities.

In this conception, development exceeds the limits of the economic field, transcending the ideals of wealth and evolution based on hegemonic and neo-developmental thinking, which prioritizes economic-technological rationality (Leff, 2021). This rationality, focused on maximizing profit and productive potential, marginalizes reflections on cultural diversity, social justice, and environmental issues.

According to the International Labor Organization (ILO) Convention No. 169 and Decree No. 6.040/2007, traditional communities are those that constitute territories that harbor ancestral knowledge, civilizational values, and unique ways of creating, doing, and living that are closely linked to their cultural practices, identities, and the environment. These territories are essential for the social, cultural, economic, and religious reproduction of these communities.

Article 3. For the purposes of this Decree and its Annex, the following shall be understood:

I - Indigenous Peoples and Traditional Communities: culturally differentiated groups who recognize themselves as such, who have their own forms of social organization, who occupy and use territories and natural resources as a condition for their cultural, social, religious, ancestral, and economic reproduction, using knowledge, innovations, and practices generated and transmitted by tradition. II - Traditional Territories: the spaces necessary for the cultural, social, and economic reproduction of indigenous peoples and traditional communities, whether used permanently or temporarily, taking into account, when it comes to indigenous peoples and quilombolas, respectively, the provisions of Articles 231 of the Constitution and 68 of the Transitional Constitutional Provisions Act and other regulations (Brasil, 2007).

ILO Convention No. 169, ratified by Brazil through Decree No. 5.051 of April 19, 2004, constitutes a relevant international instrument to protect the rights, fundamental freedoms and cultural heritage of indigenous peoples and traditional communities. The convention determines that special measures must be adopted “to safeguard the persons, institutions, goods, cultures, and environment of the interested peoples” (Article 4).

Furthermore, it reinforces that the social, cultural, religious, and spiritual values and practices of the peoples must be recognized and protected (Article 5) (ILO, 1989).



- DEBORA LOUISE FILGUEIRA
- MARIA CREUSA DE ARAÚJO BORGES

The protection of the symbolic dimension of ethnically differentiated territories is also ensured in Article 13 of the Convention as follows:

Article 13.

1. In applying the provisions of this part of the Convention, governments shall respect the special importance that the lands or territories, or both, according to each case, occupied or used in any way by the concerned peoples, have for their cultures and spiritual values, particularly the collective aspects of this relationship (Brasil, 2004).

In this context, these communities depend on the land as a means of survival, social reproduction, and expression of territoriality. According to Filgueira (2020), the relationships these groups have with the land are of work and belonging. Therefore, the territory is characterized not only as a source of work and livelihood, but as a source of life, as these people preserve their identity relations and sustain their existential, ecological, and symbolic values in the principle of life, based on profound knowledge of ecosystems, articulating their traditions and culture with nature (Leff, 2021). These are ethnic-cultural territories.

Bonnemaison (2012) emphasizes that territory is understood as a material and political appropriation of space, but also as a cultural space associated with the immaterial dimension laden with history and symbols. Territory is the result of the group's cultural action. Attachment to a specific space is not due solely to the space itself, but to what individuals build from their lived space. Likewise, Haesbaert (2004, p. 45) affirms: "territory is a 'product of symbolic appropriation' and, beyond its economic character of material basis, it is also a cultural symbol."

According to Leff (2006), the group's identity maintains a strong connection with the territory. This is conceived through the collective experience of each individual, as it is in the territory where material and immaterial relationships are processed, the symbolic and the imaginary that are part of the group's social memory. In this sense, understanding culture as heritage leads us to consider the symbolic dimensions of territorial construction as a reference point. The territory contains within it various meanings, and one of them is the symbolic sense that guides and enables the strengthening of territorialities and the sense of belonging to the territory (Rodrigues; Marques, 2018, p. 119).



Pelegrini (2006, p. 126) says that: “cultural heritage is not limited to material goods or human productions, it encompasses the environment and nature and is present in numerous forms of intangible cultural manifestations”. In this sense, the World Conference on Cultural Policies of 1985 defined by Unesco, stated that the cultural heritage of a people includes:

[...] the works of its artists, architects, musicians, writers, and wise men, as well as the anonymous creations born of the popular soul and the set of values that give meaning to life. In other words, the material and non-material works that express the creativity of this people: the language, the rituals, the beliefs, the places and historical monuments, the culture, the works of art, and the archives and libraries. Every people has the right and duty to defend and preserve their cultural heritage, as societies recognize themselves through the values in which they find sources of creative inspiration (Unesco, 1985, p. 8).

With the advent of the 1988 Constitution in Brazil, cultural heritage starts to occupy a prominent place within the debate on cultural rights and the environment, including tangible and intangible assets. From the constitutional text, a new status was granted to the legal protection of cultural assets, which was crystallized in the chapter on social order, especially through the provisions dealing with cultural rights (Article 215), cultural heritage (Article 216), and the environment (Article 225).

Art. 216 of the 1988 Constitution of the Federative Republic of Brazil (CRFB) states that Brazilian cultural heritage encompasses material and immaterial assets carrying a set of identity references from different groups, including the protection of knowledge, celebrations, language, forms of expression, and ways of creating, doing, and living (Brasil, 1988).

Therefore, cultural heritage also includes the entirety of the knowledge that certain groups forge in society, leaving behind their ideological, political, and symbolic marks, and their traditions, also encompassing the ways in which human beings exist, think, and express themselves, as well as the symbolic manifestations of their knowledge, artistic and ceremonial practices, systems of values, and traditions. According to Le Goff (1997), the preservation and dissemination of cultural assets marks the beginning of the construction of cultural ethos and citizenship.

- DEBORA LOUISE FILGUEIRA
- MARIA CREUSA DE ARAÚJO BORGES

Article 2 of the Convention for the Safeguarding of Intangible Cultural Heritage, adopted in Paris on October 17, 2003, and ratified by Brazil through Decree No. 5,753 on April 12, 2006, addresses the concept of intangible cultural heritage as:

#### Article 2 - Definitions

For the purposes of this Convention,

1. “Intangible cultural heritage” means the practices, representations, expressions, knowledge, skills - as well as the instruments, objects, artefacts and cultural spaces associated therewith - that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity. For the purposes of this Convention, consideration will be given solely to such intangible cultural heritage as is compatible with existing international human rights instruments, as well as with the requirements of mutual respect among communities, groups and individuals, and of sustainable development.
2. The “intangible cultural heritage”, as defined in paragraph 1 above, is manifested inter alia in the following domains:
  - (a) oral traditions and expressions, including language as a vehicle of the intangible cultural heritage;
  - (b) performing arts;
  - (c) social practices, rituals and festive events;
  - (d) knowledge and practices concerning nature and the universe;
  - (e) traditional craftsmanship (Unesco, 2003).

Knowledge about the diversity of cultural heritage allows for the proposal of models and techniques that can contribute to more sustainable and resilient economic sectors. Additionally, they can function as a tool to confront environmental racism based on the principles of sustainability and the dialogue of knowledge that permeate traditional knowledge and wisdom that support the sustainable use of nature.

Furthermore, the promotion of cultural heritage promotes social cohesion and a sense of belonging through the connection between social life, culture, and the built/natural environment, contributing to the strengthening of identities, culture, and





collective memory. This favors the construction of more just and inclusive societies, promoting equality of rights and citizenship.

### 3. Environmental racism and the struggle to re-appropriate territories

Despite the broad and complex legal framework concerning environmental issues outlined in international and domestic statutes that include the right to a healthy and balanced environment as a human right, the realization of this right often remains at the discursive level or is carried out in an unequal and discriminatory manner.

The actions of States and agents of capital, influenced by coloniality, appear as agents of maintenance and persistence of a subordinate relationship, where certain groups are disproportionately subjected to the risks of economic development at any cost (Silva, 2016).

As Rabelo (2010) argues, the environmental racism constitutes a type of environmental injustice directly linked to social injustices arising from a globalized and degrading economic model. The burden of environmental destruction falls more heavily on certain individuals, groups, and peripheral communities that suffer due to the unequal and disproportionate burden of environmental impacts, accentuating the vulnerabilities to which they are commonly exposed.

The theoretical framework that deals with the category of “environmental racism” is incipient in order to address the particularities and specificities of this phenomenon. However, environmental racism has gained relevance on the international and Brazilian scene. In this sense, Alfredo Seguel (2004) states that environmental racism consists of a violation of human rights based on discrimination caused by the State or the private sector, whether through actions or inactions, which intentionally or unintentionally affect the environment, health, biodiversity, ways of life, and the security of communities and individuals based on race, class, color, gender, ethnicity, or national origin.

Herculano (2008) defines environmental racism as a set of ideas of social and governmental practices that bankrupt certain vulnerable/marginalized groups (blacks, indigenous people, migrants, fishermen, among others) in pursuit of development. Certain communities and individuals suffer the negative impacts of economic growth. According to the author, environmental racism can be seen as:



- DEBORA LOUISE FILGUEIRA
- MARIA CREUSA DE ARAÚJO BORGES

[...] a set of ideas and practices of societies and their governments, which accept environmental and human degradation, under the justification of pursuing development and with the implicit naturalization of the inferiority of certain segments of the affected population – black people, indigenous people, migrants, gatherers, fishermen, poor workers, who suffer the negative impacts of economic growth and bare the sacrifice for the benefit of others (Herculano, 2008, p. 10).

According to Porto, Pacheco, and Leroy (2013), environmental racism reflects the injustices of a development model imposed by the State and the private sector, characterized by the concentration of power over territories and wealth where only a small elite benefits at the expense of minority groups and socially vulnerable groups who bear the greatest burdens of environmental harm and impact. In this sense, “in opposition to the hegemonic discourse of development, the notion of environmental justice aims to overcome purely economic rationality, proposing a notion of justice that encompasses not only equitable distribution of parts” (Zhourri; Oliveira, 2007, p. 132).

Pacheco (2008) argues that the existence of practices denouncing the presence of environmental racism challenges us to expand our worldviews and to fight for a new civilizational paradigm. It is important to highlight that environmental racism transcends merely racial and ethnic issues, encompassing injustices, discrimination, and inequalities that afflict populations and vulnerable groups in the struggle for an egalitarian and just society, one in which full democracy and active citizenship are not the rights of a mere privileged few.

In the Global South, the segregation of traditional communities has been emphasized by the unequal power relations that justify environmental degradation with the argument of seeking development, assigning the negative impacts to those groups. Traditional and more vulnerable communities are frequently targeted by polluting companies and industries not randomly or accidentally, but as a result of conscious and strategic choices. These communities are characterized by low levels of education and therefore lack the financial and technical resources necessary to resist environmentally hazardous facilities and have less access to the tools of justice to alleviate and question these burdens.

According to the United Nations Special Report on Contemporary forms of racism, racial discrimination, xenophobia and related intolerance, “the global ecological crisis is simultaneously a crisis of racial justice” (UN, 2022, p. 3). Significant mitigation



or resolution of the global ecological crisis cannot occur without specific action to address systemic racism, as well as the historical and contemporary legacies of colonialism and slavery.

Pacheco (2008) states that the roots underlying social injustices and environmental racism are deep and ingrained in the social fabric, the State, and its institutions. Being aware of these circumstances and factors is essential to combat them, as well as essential for the construction of a democratic process and true citizenship. In this context, the assumption of a protective and pedagogical paradigm based on the dialogue of knowledge, on the fertility of the meeting of different cultures, on these “other knowledges” that safeguard the genes of human emancipation is necessary (Leff, 2006).

### 3.1 Environmental rationality and the dialogue of knowledge

In response to the environmental crisis, Leff supports an alternative paradigm based on “an ontology of diversity, a politics of difference and an ethics of alterity, in the opening of thought to listen to other voices, other languages, other reasons” (Leff, 2021, p. 34).

In this context, environmental rationality has as its contribution sustainability based on the imaginaries, principles, and values of the “people of the Earth”, in their ways of inhabiting, in their rootedness and belonging to their territories based on the potentialities of cultural imaginaries, social relations, and productive practices of different ways of appropriating nature, in the reinvention and reconstruction of their life-territory for the construction of a sustainable productive rationality (Leff, 2021).

In this sense, the peoples of the Earth, who support their ecological and symbolic values in the principle of life, offer the basis for a new rationality, a new productive paradigm for an alternative development, combining the potentials of nature and culture. This process has driven socio-environmental movements that resist the imposition of a single model of development linked to the capitalization of nature, the exploitation of labor in search of the re-signification of their territories, the strengthening of their identities, and their ways of being, living, and producing.

In the field of political ecology, self-management of production, cultural diversity, ethnic identities, and direct democracy extend environmental demands and conflicts beyond the arena of the relationship between the use and depletion of natural

- DEBORA LOUISE FILGUEIRA
- MARIA CREUSA DE ARAÚJO BORGES

resources, as well as responses to the distribution of environmental impacts, debt, and ecological costs. It is about understanding environmental issues from a dialogue of knowledge and social and cultural dimensions (Leff, 2021).

According to Leff (2021), the challenges of environmental preservation involve the promotion of culture and the adoption of a dialogue of knowledge. Environmental conflicts are not limited to economic compensation for environmental damages already caused and countless and historically irreversible ecological debts, and should move away from the conception that considers nature-related issues as a mere question of management, not connected to society and that must be solved according to the parameters of the bureaucratic rationalist tradition characteristic of the hegemonic conception of development. Therefore, it is necessary to analyze society, culture, and the environment in an interconnected way.

According to Zhouri (2004) measures to combat discrimination related to institutional arrangements and the governance system of reparation include actions aimed at environmental democracy, ensuring representativeness and diversity for decision-making spaces, ensuring the free, active, and meaningful participation of all interested parties.

The participation of the affected population in the process of remediation and prevention of environmental impacts is essential to ensuring its legitimacy, ensuring that the many different perspectives and worldviews are considered both in the formulation of programs and actions aimed at response and reparations as well as in their evaluation process. Therefore, the solution lies in reorienting the desire to generate new emancipatory processes and the construction of a new productive paradigm based on ecological productivity, cultural values, subjective meanings, and human creativity.

The construction of a new production paradigm based on principles and foundations of environmental rationality implies a strategy of deconstruction of economic rationality through social actors capable of mobilizing political processes that lead to productive transformations and knowledge to achieve sustainability goals (Leff, 2006).

Several actions and strategies have been developed at the international and national levels seeking to contribute to the formulation of a new scenario in which the promotion of culture, alterity, awareness, and popular participation are encouraged, ensuring the cultural, economic, and environmental rights of individuals. In this sense, cultural heritage education stands out as an indispensable right in the process of preservation and promotion of culture and the environment.



## 4. Heritage education as a human right and the potential of new sustainable paradigms

It is well known that the overwhelming process of World War II imprinted the marks of cruelty on history. However, the post-war period was marked by a paradigm shift in the international scenario regarding the pursuit of the promotion of human dignity. Therefore, there was a concern to establish international peace and security, giving rise to the creation of a new system of international relations based on the notion of solidarity and cooperation among nations respecting human rights (Borges, 2009).

After the massive destruction of entire people and the horrors caused by the World War II, a new consciousness emerged that it would not be possible to achieve peace between nations without respect for human rights (Comparato, 2019). In this post-war context, the United Nations (UN) was founded, with its founding charter signed in the city of San Francisco in June 1945.

With the emergence of the UN, the construction of an international normative framework for the protection of human rights began. Through its founding charter, the principles, purposes, and common superior guidelines enshrining the safeguarding of human rights and the establishment of methods for the achievement of the organization's objectives were consecrated: to maintain international peace and security; to develop peaceful and friendly relations among nations; to seek international cooperation in order to solve international problems of an economic, social, cultural, or humanitarian nature and to be a center aimed at directing the action of nations towards the realization of these common objectives (UN, 1945).

The principles and axiological repertoire proposed in the charter constitutes an important milestone in the process of building a new reality that recognizes the universal nature of human rights and seeks to protect the dignity of every human being without distinction of race, sex, language, nationality, religion, or any other factor. From this perspective, the Universal Declaration of Human Rights (UDHR) adopted by the UN General Assembly in December 1948 was proclaimed.



- DEBORA LOUISE FILGUEIRA
- MARIA CREUSA DE ARAÚJO BORGES

The ethics of human rights works with the language of reciprocity. It is an ethics that sees in the other a being deserving of equal consideration and profound respect, endowed with the right to develop their potential freely and fully. It is from this historical perspective that I now turn to the Universal Declaration of 1948, which was born as a response to the totalitarian barbarism, atrocities, and horrors committed during the Hitler era. It innovates greatly in the grammar of human rights, by introducing the contemporary conception in response to three questions: who has rights, why rights, and what rights? (Piovesan, 2009, p. 107).

The Universal Declaration of Human Rights (UDHR) of 1948 highlights both education and culture as universal rights of man, as well as recognizing the cultural dimension of human rights. In Arts. 22 and Art. 27, the UDHR guarantees every human being access to economic, social, and cultural rights, as well as providing for the right of every human being to freely participate in the cultural life of the community (Unesco, 1948).

The Universal Declaration on Cultural Diversity of 2002 refers to culture as at the core in contemporary debates on identity, social cohesion and the development of an economy based on various knowledge bases, as well as referring to cultural diversity as a factor in development.

Article 1 - Cultural diversity: the common heritage of humanity Culture takes diverse forms across time and space. This diversity is embodied in the uniqueness and plurality of the identities of the groups and societies making up humankind. As a source of exchange, innovation and creativity, cultural diversity is as necessary for humankind as biodiversity is for nature. In this sense, it is the common heritage of humanity and should be recognized and affirmed for the benefit of present and future generations (Unesco, 2002, p. 1).

Education, as a human right, is also expressly included in the UDHR. In its preamble, it emphasizes the importance of teaching and education in promoting respect for other rights and freedoms established in the declaration. Furthermore, Article 26 reaffirms the importance of teaching for the full development of the human personality, as well as for strengthening respect for human rights and fundamental freedoms (UN, 1948).

Therefore, this article reinforces the role of education beyond the development of knowledge and cognitive skills, but as a relevant instrument in the construction of a



new international order and essential for the exercise of other human rights promoting values such as peace, tolerance, and mutual respect (Borges, 2016).

The UDHR argues that education should be a comprehensive process that contributes to personal, social, and cultural development. These principles highlight education as an important pillar in the construction of just and equitable societies capable of facing challenges such as racism, social exclusion, and other forms of discrimination. Thus, according to Borges (2016), the concept of teaching refers to activities carried out in school, in the formal context, but also points to education as a social practice that goes beyond the school space, encompassing cultural practices, social movements, work, among others.

The second stage of the institutionalization process of human rights occurred 18 years after the drafting of the UDHR, in 1966, with the approval of two agreements: the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). In this sense, the ICESCR also stands out as an important normative instrument with supranational dimensions that corroborates the protection of human rights through which the UN require Member States to adopt positive measures that ensure the full realization of the rights enshrined in its core.

In Art. 13 and Art. 14, the treaty decides that it is the responsibility of States to recognize the right of every person to education and that it “shall aim at the full development of the human personality and the sense of their dignity and strengthen respect for human rights and fundamental freedoms” (UN, 1966). Also in Article 13, it is agreed that education (at all levels: primary, secondary – including technical and vocational secondary education – and higher education) should enable all individuals to effectively participate in a free society, promote understanding, tolerance, and friendships among nations and different racial, ethnic, and religious groups, and advance the activities of the United Nations for the maintenance of peace (UN, 1966).

#### Art. 13

1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial,



- DEBORA LOUISE FILGUEIRA
- MARIA CREUSA DE ARAÚJO BORGES

ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace [...] (UN, 1996, p. 7).

Trindade (2017) refers to these two instruments as symbolic documents since they reflect the international protection of human rights. Through these two documents, education came to be understood as a human right supported by the system of International Law. Furthermore, it became understood as an essential means to promote other human rights, democracy, citizenship, and a culture of peace. Moreover, it is recognized as a public good by the United Nations Educational, Scientific and Cultural Organization (Unesco). It is important to emphasize that human rights are not given. They are constructed and are constantly in a process of construction and reconstruction. According to Bobbio (2004, p. 9) “rights do not all arise at once. They arise when they must or can arise.”

The author highlights the historical and mutable role of human rights. This aspect is even more significant given the reality of the globalization process. In this context, new demands from an increasingly interconnected and interdependent world are emerging: social inequality, environmental injustice, climate change, and various crises that underscore the need for quality, equitable, and inclusive education.

These changes require a critical education to assist in the process of transforming realities. It is not intended to claim that all problems will be solved. However, education can serve as a tool to help people understand the biases of the world and the realities in which they live, in order to promote a social transformation in an innovative way towards a more just, peaceful, tolerant, inclusive, safe, and sustainable world.

Quality education promotes competencies such as critical thinking, reflection on future scenarios, collaborative decision-making, and develops actions that take place through the lens of transversality, allowing the practice to be aligned with local knowledge, based on the promotion of a balanced relationship with the environment and cultural heritage, and aiming to prepare individuals for the challenges of the 21<sup>st</sup> century in order to exercise global citizenship.

In this way, diverse knowledge bases, cultures, competencies, and values of respect for cultural diversity are necessary for citizens to exercise full citizenship and assume an active role both locally and globally to address and solve challenges based on local specificities and particularities. It is in this context that heritage education emerges as a human right.





Heritage education aims to promote competencies such as critical thinking for the preservation of cultural heritage through community participation that is active, ongoing, and responsible. Furthermore, it seeks to develop actions that take place through interdisciplinary, multidisciplinary, and transdisciplinary approaches, articulating practice with local knowledge, based on the appreciation of plurality and cultural diversity, considering the idea that the culture-education dichotomy is inseparable.

With the adoption of the Sustainable Development Goals (SDGs) of the United Nations' 2030 Agenda, heritage education as a human right takes on centrality in the context of the need for the adoption of public policies. Next, we examine the main international documents and instruments, more specifically within the framework of the United Nations Educational, Scientific and Cultural Organization (Unesco), which have contributed to the development of the foundations, principles, and objectives of heritage education as a human right.

#### 4.1 Foundations of heritage education in international human rights law

With the advent of the 1972 Unesco Convention on World Cultural and Natural Heritage, heritage education was given a public initiative and citizen education character, no longer being suggested as a private initiative of local agents (Gonçalves; De Mari, 2023), but having a formal character with the objective of protection, conservation, promotion, and transmission of cultural heritage to future generations (Unesco, 1972). International cooperation also appears in the 1972 Convention as an important instrument to assist States in their efforts to preserve and identify cultural heritages (Unesco, 1972).

##### Part VI - Educational Programs

##### Article 27

- 1 - The States parties to this Convention shall endeavor, by all appropriate means, including through education and information programs, to strengthen the respect and attachment of their peoples to the cultural and natural heritage defined in Articles 1 and 2 of the Convention.
- 2 - They undertake to inform the public widely of the threats to which such heritage is subject and of the activities carried out in accordance with this Convention (Unesco, 1972).



- DEBORA LOUISE FILGUEIRA
- MARIA CREUSA DE ARAÚJO BORGES

According to Gonçalves and De Mari (2023), from the 1980s onwards, countries on the periphery of capitalism began to join Unesco as member states due to the decolonization period that started after World War II. In this context, the meaning of heritage undergoes a process of expansion and transformation in response to the demands of these countries. Intangible cultural assets such as arts, literature, languages, ways of life, celebrations, traditions, and beliefs become part of Unesco debates and are consolidated through the Mexico Statement adopted at the World Conference on Cultural Policies in 1985.

Cultural heritage has often been damaged or destroyed due to neglect and processes of urbanization, industrialization, and technological penetration. Even more unacceptable, however, are the attacks on cultural heritage carried out by colonialism, armed conflicts, foreign occupations, and the imposition of foreign values. All these actions contribute to breaking the link and memory of peoples in relation to their past. The preservation and appreciation of cultural heritage allow peoples to defend their sovereignty and independence, and therefore assert and promote their cultural identity (Unesco, 1985, p. 3).

Furthermore, the Mexico Statement of 1985 highlights the cultural dimension of development and reaffirms the role of education in preserving, promoting, and transmitting cultural traditions to future generations as a testimony of human experience and aspirations (Unesco, 1985). The cultural dimension of development is becoming more prominent with the aim of nurturing creativity in all its diversity and establishing a true dialogue between cultures to build a better future, supported by the foundation of a multicultural human society.

Culture constitutes a fundamental dimension of the development process and contributes to strengthening the independence, sovereignty, and identity of nations. Growth has often been conceived in quantitative terms, without taking into account its necessary qualitative dimension, that is, the satisfaction of spiritual and cultural aspirations of individuals. Authentic development seeks the constant well-being and satisfaction of each and everyone (Unesco, 1985, p. 2).

The document above understands that “education and culture, whose meaning and scope have expanded considerably, are essential for the true development of the



individual and society” (Unesco, 1985, p. 1). Thus, culture was assigned a central role in the qualitative dimension of development, to be experienced by all without any discrimination. With this focus, the Declaration of 1985, in the section entitled Relations between Culture, Education, Science, and Communication, understood that development is a cultural policy, not just economic.

Education is the primary means to transmit national and universal cultural values, and should seek the assimilation of scientific and technical knowledge without neglecting the capacities and values of peoples. Currently, what is required is a comprehensive and innovative education that not only informs and transmits but also shapes and renews, enabling students to become aware of the reality of their time and environment, fostering the flowering of personality, instilling self-discipline, respect for others, social and international solidarity, preparing individuals for organization and productivity, for the production of genuinely needed goods and services, inspiring innovation and stimulating creativity (Unesco, 1985).

Similarly, Article 3 of the Universal Declaration on Cultural Diversity of 2002 reaffirms cultural diversity as a factor of development: “Art. 3. Cultural diversity expands the choices available to everyone; it is one of the sources of development, understood not only in terms of economic growth but also as a means of access to a satisfying intellectual, emotional, moral, and spiritual existence” (Unesco, 2002).

In this context, we highlight the relationship between culture and education as an inseparable pair to promote cultural differences and promote respect, dialogue of knowledge bases, emphasizing that “the educational and cultural value is essential for efforts to establish a new international economic order” (Unesco, 1985). The Convention for the Safeguarding of Intangible Cultural Heritage also emphasizes the role of education, as well as the participation of communities, groups, and individuals involved, ensuring effective and broad participation “of individuals who create, maintain, and transmit this heritage and actively involve them in its management” (Unesco, 2003).

#### Article 14 - Education, awareness-raising and capacity-building

Each State Party shall endeavour, by all appropriate means, to:

- (a) ensure recognition of, respect for, and enhancement of the intangible cultural heritage in society, in particular through:



- DEBORA LOUISE FILGUEIRA
- MARIA CREUSA DE ARAÚJO BORGES

- (i) educational, awareness-raising and information programmes, aimed at the general public, in particular young people;
  - (ii) specific educational and training programmes within the communities and groups concerned;
  - (iii) capacity-building activities for the safeguarding of the intangible cultural heritage, in particular management and scientific research; and
  - (iv) non-formal means of transmitting knowledge;
- (b) keep the public informed of the dangers threatening such heritage, and of the activities carried out in pursuance of this Convention;
- (c) promote education for the protection of natural spaces and places of memory whose existence is necessary for expressing the intangible cultural heritage (Unesco, 2003).

Recently, the UN developed the 2030 Agenda, establishing 17 sustainable development goals and 169 global action targets to be achieved by 2030. Among the 17 goals, the fourth goal ensures quality education, aiming to “guarantee inclusive, quality, and equitable education and promote lifelong learning opportunities for all” (UN, 2015). Concern for the environment and development, therefore, is one of the fundamental axes for quality education that must be linked to the cultural dimension. Target 4.7 is highlighted, which provides access to knowledge and skills for all students to promote the appreciation of cultural diversity and sustainable development (UN, 2015).

Forty years after the first Cultural Policies Conference in Mexico, the World Conference on Cultural Policies and Sustainable Development occurred in Mexico City September 28-30, 2022. The 2022 Mondiacult Declaration establishes some areas of fundamental importance for political investment in the cultural field, to strengthen individual and collective cultural rights. In addition to recognizing culture as a global public good, a commitment was made to strengthen cultural policies by giving more prominence to culture in development perspectives, particularly through an autonomous objective on culture as a driver and facilitator of sustainable and inclusive development. It also emphasized the need to address the impact of technology on the cultural and creative sector; link culture to climate sustainability; protect cultural heritage in times of crisis and combat its illicit trafficking and destruction; and promote the connection between culture and education (Unesco, 2022).



Therefore, the crucial role of the UN in promoting heritage education, sustainable development, human rights, and consequently, an education focused on the preservation and appreciation of cultural diversity for development is emphasized. That is to say, a heritage education that promotes a culture of peace and global citizenship. In this context, with support for the advancement of international norms on heritage education, the issue becomes central, becoming a present theme included in domestic policies, as will be seen in the case of Brazil.

#### 4.2 On the protection of cultural heritage in Brazilian legislation

Since the 1930s, the theme of cultural heritage has gained new meanings and scope internationally due to the conceptual transformation of heritage and the shifting of responsibility for its safeguard and political and economic objectives (Gonçalves; De Mari, 2023). In Brazil, starting in the 1980s, environmental education gained prominence through the Institute of National Historic and Artistic Heritage (Iphan), in the context of discussion and the development of methodologies for the implementation of heritage education activities. Despite the shortcomings in this normative field and the long road that still needs to be travelled regarding the development and implementation of heritage policies, it is not possible to ignore the advancements achieved over the years.

The Brazilian Federal Constitution of 1988 also constitutes a landmark in the protection of tangible and intangible cultural heritage. The Constitution established in Article 27 that every person has the right to freely participate in the cultural life of the community. Furthermore, in Section II of Chapter 3, entitled Education, culture and sports, culture was established as a right for everyone: “The State shall guarantee to everyone the full exercise of cultural rights and access to the sources of national culture, and shall support and encourage the promotion and dissemination of cultural manifestations” (Brasil, 1988). Like the UDHR, the Constitution established culture as a right for everyone.

In addition to the CRFB (1988), within the Brazilian normative system for the protection of cultural heritage, we can also highlight: Law No. 3924/61 on archaeological heritage; Law No. 12343/10 establishing the National Culture Plan - PNC and the National System of Cultural Information and Indicators; Law No. 13018/14 establishing the National Policy on Living Culture (PNCV); Decree No. 3551/2000 establishing



- DEBORA LOUISE FILGUEIRA
- MARIA CREUSA DE ARAÚJO BORGES

the Register of Intangible Cultural Heritage that makes up Brazilian cultural heritage and creating the National Intangible Heritage Program; as well as various interministerial ordinances and Iphan ordinances.

Law No. 9394/96, which establishes the Guidelines and Bases of National Education (LDB), provides in Article 1: “Education encompasses the formative processes that unfold in family life, human interaction, work, educational and research institutions, social movements and civil society organizations, and cultural manifestations” (Brasil, 1996). In this way, Article 26 determines that curricula must have a common national base, to be complemented, in each educational system and in each school, by a diversified component required by the regional and local characteristics of society, culture, economy, and students in order to ensure respect for national and regional cultural and artistic values (Brasil, 1988).

This guidance leads to the development of a contextualized curriculum based on the specificities and particularities of local, social, and individual realities. In this way, education becomes a fundamental resource for the appreciation of cultural diversity and the strengthening of local identities, creating conditions for cultures to flourish and interact freely for mutual benefit. In this context, policies for the preservation of cultural heritage should emphasize the collective and democratic construction of knowledge through the active participation of the involved subjects, promoting the dialogue of knowledge.

In 1999, Iphan launched the *Basic Guide for Heritage Education*. This defines heritage education as an “ongoing and systematic” process with an emphasis on “cultural heritage as a primary source of knowledge and individual and collective enrichment whose methodology applies to any material evidence or cultural manifestation” (Horta; Grunberg; Monteiro, 1999, p. 6). Currently, the Coordination of Heritage Education (Ceduc/Iphan) advocates that:

Heritage education consists of all formal and informal educational processes that focus on Cultural Heritage, socially appropriated as a resource for the socio-historical understanding of cultural references in all their manifestations, in order to contribute to their recognition, appreciation, and preservation. It also considers that educational processes should prioritize the collective and democratic construction of knowledge, through ongoing dialogue between cultural and social agents and the active participation of communities holding and producing cultural references, where various notions of Cultural Heritage coexist (Iphan, 2014, p. 9).



With the advent of Decree No. 3.551 of August 4, 2000, the Registry of Intangible Cultural Heritage was established, which is comprised of Brazilian cultural heritage, and the National Intangible Heritage Program was created. Since then, public policies have been implemented aiming for the recognition, promotion, and sustainable support of intangible cultural heritage. Therefore, knowledge, celebrations, language, and ways of life, as well as places where cultural practices and collective celebrations are concentrated or reproduced, have systematically become the subject of inventories, proposals for registration, safeguarding actions, and projects.

Heritage education is a continuous and permanent component of national education, which must be present in an cohesive manner at all levels and forms of formal and non-formal education, based on the participatory and democratic principle. It considers the environment in its entirety and the interdependence between the natural, socio-economic, and cultural environments. It emphasizes the promotion of pluralism of ideas and pedagogical concepts based on interdisciplinary, transdisciplinary, and multidisciplinary perspectives, highlighting respect for cultural plurality and diversity.

The pivotal role of education is evident in the process of dismantling the Eurocentric and anthropocentric development model based on the historical subaltern condition of certain people and education toward development based on the protagonism of individuals as agents of transformation. In this perspective, education, through the sharing of knowledge and a focus on the promotion of culture and the environment, contributes to the process of recovering the relationship between the sense of belonging to history and culture and the construction of personal and collective histories.

Heritage education seeks to overcome the supposed disconnection between nature, culture, and society. It is crucial to involve different actors with their cultures, traditions, worldviews, and knowledge to break through the “zone of non-being” (Fanon, 2008). Therefore, heritage education rebels against the hegemonic Eurocentric project and its claim to universality, which denied the material and symbolic production of traditional communities, reducing them to manifestations without value (Achinte, 2013, p. 462).

Through a new understanding of the relationship between humans and nature, based on the appreciation of the diversity of knowledge and cultures, heritage education is essential for the exercise of full citizenship and strengthening the pillars of democratization of environmental relationships, knowledge-sharing dialogue, and the



- DEBORA LOUISE FILGUEIRA
- MARIA CREUSA DE ARAÚJO BORGES

qualification of individuals to act in decision-making spaces with a critical consciousness that provokes a transformative posture towards reality.

Heritage education is an instrument that emphasizes the promotion and preservation of material and intangible cultural assets, taking into account identity in relation to material and intangible cultural assets, natural assets, landscapes, artistic, historical, and archaeological assets, while also valuing local knowledge, dialogue, and the interaction of different perspectives and cultures in building a more sustainable, safe and developed world.

It is an ongoing and systematic process of educational work focused on Cultural Heritage as a primary source of knowledge and individual and collective enrichment. Through direct experience and contact with the evidence and manifestations of culture, in all its multiple aspects, senses, and meanings, the work of Heritage Education seeks to lead children and adults to an active process of knowledge, appropriation, and appreciation of their cultural heritage, empowering them to better enjoy these assets, and fostering the generation and production of new knowledge, in a continuous process of cultural creation. Critical knowledge and conscious appropriation by communities of their heritage are essential factors in the process of sustainable preservation of these assets, as well as in strengthening feelings of identity and citizenship. Heritage Education is a tool for “cultural literacy” which enables individuals to read the world around them, leading them to understand the sociocultural universe and historical-temporal trajectory in which they are inserted. This process reinforces the self-esteem of individuals and communities and values Brazilian culture, understood as multiple and plural (Horta; Grunberg; Monteiro, 1999, p. 6).

Therefore, heritage education promotes skills such knowledge-sharing dialogue, critical thinking, reflection on future scenarios, and decision-making collaboratively, and develops actions that allow the combination of practice with local knowledge. It is based on the promotion of culture, toward the goal of an increase in social awareness of sustainable and less harmful acts towards the environment through the appreciation of cultural diversity and awareness of conflicts and environmental injustices through a holistic evaluation based on the ethical-moral principles of a multicultural/multiethnic society, supported by the principles of justice, equality, and well-being.





## 5. Final considerations

Supported by interculturality, heritage education as a human right presents itself as an essential tool in the process of awareness-raising that is based on a model of development focused on sustainability. It promotes the protagonism of individuals as agents of transformation through the sharing of knowledge and traditions with an emphasis on the promotion of culture, the environment, and sustainability. Environmental issues manifest themselves in a strategic and politically heterogeneous field, in which material processes connect with social interests and cultural meanings to build different forms of nature appropriation and environmental rationalities. Those are understood as the assemblage of cultural imaginaries, social relations, and productive practices that mobilize the biosphere's metabolism through their different modes of nature appropriation.

For a change in the environmental scenario to occur, a reevaluation of values, ideologies, knowledge, and paradigms that have served as instruments for the reproduction of injustices and inequalities derived from the hegemonic development model are necessary. In this context, the importance of internalizing knowledge oriented towards the construction of a new rationality based on sociocultural diversity, sustainability and the valorization of collective interests stands out to build a more sustainable society.

Therefore, heritage education as a human right can be considered a relevant strategic tool in the prevention of environmental racism and in the construction of consciousness in favor of environmental protection. This is because it advances the fight and the redefinition of cultural reappropriation processes for territories, through the promotion and preservation of the culture, knowledge, and traditions of traditional communities closely related to the environment in a sustainable way.

## REFERENCES

ACHINTE, A. A. *Pedagogias de la Re-Existencia. Artistas indígenas y afrocolombianos. In: WALSH, C. Pedagogias decoloniales. Prácticas insurgentes de resistir, (re) existir y (re)vivir. Tomo I. Serie Pensamiento Decolonial. Quito: Abya Yala. 2013, p. 443-468.*

BOBBIO, N. *A era dos direitos*. Rio de Janeiro: Elsevier, 2004.



• DEBORA LOUISE FILGUEIRA  
• MARIA CREUSA DE ARAÚJO BORGES

BONNEMAISON, J. Viagem em torno do território. In: CORRÊA, R. L.; ROZENDHAL, Z. (org.). *Geografia Cultural: uma antologia*. Rio de Janeiro: Ed. UERJ, 2002.

BORGES, M. C. de A. O direito à educação na normativa internacional de proteção dos direitos humanos e sua regulação no ordenamento jurídico nacional: análise preliminar a partir da declaração universal dos direitos humanos e do pacto internacional dos direitos econômicos, sociais e culturais. *Conpedi Law Review*. [S. l.], v. 1, n. 3, p. 219-234, 2016. DOI 10.26668/2448-3931\_conpedilaw-review/2015.v1i3.3405. Available at: <https://indexlaw.org/index.php/conpedireview/article/view/3405>. Access on: 15 Sep. 2024.

BORGES, M. C. de A. *Do direito à educação nos documentos internacionais de proteção dos direitos humanos - O caso da educação superior*. 2009. Dissertação (Mestrado em Ciências Jurídicas) - Universidade Federal da Paraíba, João Pessoa, 2009.

BOSI, E. *Memória e sociedade: lembranças de velhos*. São Paulo: T. A. QUEIROZ, EDITOR, LTDA, 1979.

BOSELDMANN, K. *O princípio da sustentabilidade: transformando direito e governança*. Tradução Phillip Gil França. São Paulo: Revista dos Tribunais, 2015.

BRASIL. [Constituição (1988)]. Constituição da República Federativa do Brasil de 1988. Brasília, DF: Presidência da República, [2016]. Available at: [https://www.planalto.gov.br/ccivil\\_03/constituicao/constituicaocompilado.htm](https://www.planalto.gov.br/ccivil_03/constituicao/constituicaocompilado.htm). Access on: 5 June 2024.

BRASIL. Decreto Federal 6.040, de 7 de fevereiro de 2007. Institui a Política Nacional de Desenvolvimento Sustentável dos Povos e Comunidades Tradicionais. *Diário Oficial da União*. Brasília, DF: 8 Feb. 2007. Available at: [http://www.planalto.gov.br/ccivil\\_03/\\_ato2007-2010/2007/decreto/d6040.htm](http://www.planalto.gov.br/ccivil_03/_ato2007-2010/2007/decreto/d6040.htm). Access on: 20 Jan. 2024.

BRASIL. Decreto nº 3.551, de 4 de agosto de 2000. Institui o Registro de Bens Culturais de Natureza Imaterial que constituem patrimônio cultural brasileiro, cria o Programa Nacional do Patrimônio Imaterial e dá outras providências. *Diário Oficial da União*. Brasília, DF: Available at: [https://www.planalto.gov.br/ccivil\\_03/decreto/d3551.htm#:~:text=DECRETO%20N%C2%BA%203.551%2C%20DE%204,Imaterial%20e%20d%C3%A1%20outras%20provid%C3%AAs](https://www.planalto.gov.br/ccivil_03/decreto/d3551.htm#:~:text=DECRETO%20N%C2%BA%203.551%2C%20DE%204,Imaterial%20e%20d%C3%A1%20outras%20provid%C3%AAs). Access on: 12 Mar. 2024.

BRASIL. *Lei nº 9.394, de 20 de dezembro de 1996*. Estabelece as diretrizes e bases da educação nacional. Brasília. Available at: [https://www.planalto.gov.br/ccivil\\_03/leis/l9394.htm](https://www.planalto.gov.br/ccivil_03/leis/l9394.htm). Access on: 12 Mar. 2024.

COMPARATO, F. K. *A afirmação histórica dos direitos humanos*. São Paulo: Editora Saraiva, 2019.

FANON, F. *Pele negra, máscaras brancas*. Salvador: EDUFBA, 2008.

FILGUEIRA, D. L. *Identidade, Territorialidade e o Processo de Regularização Fundiária da Comunidade Quilombola de Mitaçu - PB*. 2020. 182f. Dissertação (Mestrado em Direitos Humanos, Cidadania e Políticas) - Universidade Federal da Paraíba, João Pessoa, Paraíba, 2020.

GONÇALVES, A.; DEMARI, C. L. The political pedagogical projects of heritage education: an analysis of the proposals of UNESCO. *SciELO Preprints*, 2023. DOI 10.1590/SciELOPreprints.5513. Available at: <https://preprints.scielo.org/index.php/scielo/preprint/view/5513>. Access on: 10 Jan. 2024.

HAESBAERT, R. *O Mito da Desterritorialização: do “fim dos territórios” à multiterritorialidade*. Rio de Janeiro: Bertrand Brasil, 2004.



HERCULANO, S. O clamor por justiça ambiental e contra o racismo ambiental. *Revista de Gestão Integrada em saúde do trabalho e meio ambiente*. [S.l.], v. 3. n. 1. jan./ abril 2008. Available at: <https://www3.sp.senac.br/hotsites/blogs/InterfacEHS/wp-content/uploads/2013/07/art-2-2008-6.pdf>. Access on: 5 Jan. 2023.

HORTA, M. de L. P.; GRUMBERG, E.; MONTEIRO, A. Q. *Guia Básico de Educação Patrimonial*. Brasília: Instituto do Patrimônio Histórico e Artístico Nacional: Museu Imperial, 1999. Available at: [http://portal.iphan.gov.br/uploads/temp/guia\\_educacao\\_patrimonial.pdf](http://portal.iphan.gov.br/uploads/temp/guia_educacao_patrimonial.pdf). Access on: 28 Nov. 2023.

IPHAN. Instituto do Patrimônio Histórico e Artístico Nacional. *Educação Patrimonial: Histórico, conceitos e processos*. 2014. Available at: [http://portal.iphan.gov.br/uploads/ckfinder/arquivos/Educao\\_Patrimonial.pdf](http://portal.iphan.gov.br/uploads/ckfinder/arquivos/Educao_Patrimonial.pdf). Access on: 18 July 2024.

LEFF, E. *Racionalidade ambiental: a reapropriação social da natureza*. Rio de Janeiro: Civilização Brasileira, 2006.

LEFF, E. *Ecologia política: Da desconstrução do capital à territorialização da vida*. Campinas: Editora da Unicamp, 2021.

LE GOFF, J. Patrimônio histórico, cidadania e identidade cultural: o direito à memória. In: BITTEN-COURT, C. (org.). *O saber histórico na sala de aula*. São Paulo: Contexto, 1997.

ORGANIZAÇÃO DAS NAÇÕES UNIDAS. *Agenda 21*. 1992. Available at: [https://edisciplinas.usp.br/pluginfile.php/528199/mod\\_resource/content/0/Agenda%2021.pdf](https://edisciplinas.usp.br/pluginfile.php/528199/mod_resource/content/0/Agenda%2021.pdf) Access on: 20 Mar. 2024.

ORGANIZAÇÃO DAS NAÇÕES UNIDAS. *Agenda 2030 para o Desenvolvimento Sustentável*. 2015. Available at: <https://brasil.un.org/sites/default/files/2020-09/agenda2030-pt-br.pdf>. Access on: 1 Sep. 2024.

ORGANIZAÇÃO DAS NAÇÕES UNIDAS. *Carta das Nações Unidas*. São Francisco, 1945. Available at: <https://www.oas.org/dil/port/1945%20Carta%20das%20Na%C3%A7%C3%B5es%20Unidas.pdf>. Access on: 23 May 2024.

ORGANIZAÇÃO DAS NAÇÕES UNIDAS. *Declaração Universal dos Direitos Humanos*, 1948. Available at: <https://www.unicef.org/brazil/declaracao-universal-dos-direitos-humanos>. Access on: 20 Mar. 2024.

ORGANIZAÇÃO DAS NAÇÕES UNIDAS. *Pacto Internacional dos Direitos Econômicos, Sociais e Culturais*, 1966. Available at: <https://oas.org/dil/port/1966%20Pacto%20Internacional%20sobre%20os%20Direitos%20Econ%C3%B3micos,%20Sociais%20e%20Culturais.pdf>. Access on: 20 Mar. 2024.

ORGANIZAÇÃO DAS NAÇÕES UNIDAS. *Contemporary forms of racism, racial discrimination, xenophobia and related intolerance. Note by the Secretary-General*. 2022. Available at: [https://promiseinstitute.law.ucla.edu/wp-content/uploads/2022/10/A\\_77\\_2990\\_AdvanceUneditedVersion.pdf](https://promiseinstitute.law.ucla.edu/wp-content/uploads/2022/10/A_77_2990_AdvanceUneditedVersion.pdf). Access on: 8 Sep. 2024.

ORGANIZAÇÃO INTERNACIONAL DO TRABALHO. *Convenção n. 169 da OIT sobre povos indígenas e tribais*. 1989. Available at: <https://www.oas.org/dil/port/1989%20Conven%C3%A7%C3%A3o%20sobre%20Povos%20Ind%C3%ADgenas%20e%20Tribais%20Conven%C3%A7%C3%A3o%20OIT%20n%20%C2%BA%20169.pdf>. Access on: 8 Sep. 2024.

PACHECO, T. Racismo ambiental: expropriação do território e negação da cidadania. In: SECRETARIA DE MEIO AMBIENTE E RECURSOS HÍDRICOS. *Superintendência de Recursos Hídricos. Justiça pelas águas: enfrentamento ao racismo ambiental*. Salvador: SRH, 2008. p. 11-23.



• DEBORA LOUISE FILGUEIRA  
• MARIA CREUSA DE ARAÚJO BORGES

PACHECO, T.; FAUSTINO, C. A Iniludível e Desumana Prevalência do Racismo Ambiental nos Conflitos do Mapa. In: PORTO, M. F.; PACHECO, T.; LEROY, J. P. (org.). *Injustiça ambiental e saúde no Brasil: o Mapa de Conflitos*. Rio de Janeiro: Editora FIOCRUZ, 2013, p. 73-114. Available at: <http://www.jstor.org/stable/10.7476/9788575415764.6>. Access on: 10 Jan. 2024.

PELEGRINI, S. Cultura e natureza: os desafios das práticas preservacionistas na esfera do patrimônio cultural e ambiental. *Revista Brasileira de História*, [s. l.], v. 26, n. 51, p. 115-140, jan./jun. 2006.

PIOVESAN, F. Direitos humanos: Desafios e perspectivas contemporâneas. *Revista TST*, Brasília, v. 75, n. 1, p. 107-113, jan/mar 2009. Available at: [https://juslaboris.tst.jus.br/bitstream/handle/20.500.12178/6566/010\\_piovesan.pdf?sequence=5](https://juslaboris.tst.jus.br/bitstream/handle/20.500.12178/6566/010_piovesan.pdf?sequence=5). Access on: 12 Sep. 2024.

POMPEU, G. V. M.; ARAÚJO, L. M. S. C. Dignidade humana e combate ao racismo ambiental: acor-do regional de Escazú e Programa E-Carroceiros, em Fortaleza, Ceará. *Espaço Jurídico Journal of Law [EJL]*, Joaçaba, v. 21, n. 1, p. 169-190, 2020.

POQUIVIQUI, A. *Racismo ambiental e violência identitária: Um estudo sociológico dos impactos socioambientais de projetos de barragens no Estado do Mato Grosso*. 2019. 253f. Tese (Doutorado em Sociologia) - Universidade Federal de São Carlos, São Paulo, 2019.

PORTO, M. F.; PACHECO, T.; LEROY, J. P. *Injustiça Ambiental e saúde no Brasil o mapa de conflitos*. Rio de Janeiro: Ed. Fiocruz. 2013.

RABELO, J. B. Conflitos ambientais gerados pelo racismo ambiental no processo de implantação do conselho gestor da ReBio Serra Negra em terras Indígenas, PE. *Cadernos de Estudos Sociais*, Recife, v. 25, n. 2, p. 303-312, July/Dec. 2010.

RODRIGUES, M. F. F.; MARQUES, A. C. N. (org.). *A geografia dos povos tradicionais: marcos legais e construções sociais*. João Pessoa: Ed. UFPB, 2018.

SANTOS, B. de S. Para além do pensamento abissal: das linhas globais a uma ecologia de saberes. *Novos estudos CEBRAP* [online]. 2007, n. 79, pp. 71-94. Available at: <https://doi.org/10.1590/S0101-33002007000300004>. Access on: 12 June 2022.

SEGUEL, A. Racismo ambiental em território mapuche. *Bio Diversidad LA*, 3, Nov. 2004. Available at: [https://www.biodiversidadla.org/Noticias/Racismo\\_ambiental\\_en\\_el\\_territorio\\_mapuche\\_por\\_Alfredo\\_Seguel](https://www.biodiversidadla.org/Noticias/Racismo_ambiental_en_el_territorio_mapuche_por_Alfredo_Seguel). Access on: 18 Jan. 2023.

SILVA, J. I. A. O. Reflexões teóricas acerca da “crise ambiental”: possibilidades de novas orientações para as políticas públicas ambientais. *Revista de Ciências Sociais Unisinos*, v. 52, n. 2 (2016). Available at: [https://revistas.unisinos.br/index.php/ciencias\\_sociais/article/view/csu.2016.52.2.07](https://revistas.unisinos.br/index.php/ciencias_sociais/article/view/csu.2016.52.2.07). Access on: 2 Aug. 2024.

TRINDADE, A. A. C. *Princípios do direito internacional contemporâneo*. 2. ed. rev. atual. Brasília: FUNAG, 2017.

UNESCO. *Convenção para a Salvaguarda do Patrimônio Cultural Imaterial*, Paris, 17 de outubro de 2003. UNESCO, 2003. Available at: [https://unesdoc.unesco.org/ark:/48223/pf0000132540\\_por?1=null&queryId=bb121606-4122-40d7-9c84-18200dce07ca](https://unesdoc.unesco.org/ark:/48223/pf0000132540_por?1=null&queryId=bb121606-4122-40d7-9c84-18200dce07ca). Access on: 20 Mar. 2023.

UNESCO. *Convenção para a salvaguarda do Patrimônio Mundial, Cultural e Natural*, Paris, 17-20 de novembro de 1972. UNESCO, 1972. Available at: [https://unesdoc.unesco.org/ark:/48223/pf0000133369\\_por](https://unesdoc.unesco.org/ark:/48223/pf0000133369_por). Access on: 20 Mar. 2024.



UNESCO. *Convenção sobre a Proteção e Promoção da Diversidade das Expressões Culturais*, Paris, 03-21 outubro de 2005. UNESCO, 2005. Available at: <https://unesdoc.unesco.org/ark:/48223/pf0000150224>. Access on: 20 Mar. 2024.

UNESCO. *Declaração do México*, 1985. Cidade do México, 6 Ago. 1985 Available at: <https://unesdoc.unesco.org/ark:/48223/pf0000054668>. Access on: 20 Mar. 2024.

UNESCO. *Declaração Universal sobre a Diversidade Cultural*, 2001. Paris, 2 Nov. 2001. UNESCO, 2002a. Available at: <https://unesdoc.unesco.org/ark:/48223/pf0000127160>. Access on: 20 Mar. 2022.

UNESCO. *World Conference on Cultural Policies and Sustainable Development, MONDIACULT 2022*. México, 28-30 Sep. 2022. Available at: <https://unesdoc.unesco.org/ark:/48223/pf0000388877/PD-F/388877eng.pdf.multi>. Access on: 10 Jan. 2024.

ZHOURI, A. A Re-volta da ecologia política: conflitos ambientais no Brasil. *Ambiente & Sociedade*. Rio de Janeiro, v. 7, n. 2, p. 211-213, jul. 2004.

ZHOURI, A.; OLIVEIRA, R. Desenvolvimento, conflitos sociais e violência no Brasil rural: o caso das usinas hidrelétricas. *Ambiente & Sociedade*, Rio de Janeiro, v. 10, n. 2, p. 119-135, jul. 2007.

### Debora Louise Filgueira

Lawyer. PhD candidate in Legal Sciences at the Federal University of Paraíba (CCJ/UFPB). Master's in Human Rights, Citizenship, and Public Policies - PPGDH/UFPB (2020). Member of the Research Group "Constitutional Courts, Right to Education, and Society" (CNPQ). Associate of the National Council for Research and Graduate Studies in Law (Conpedi).

Federal University of Paraíba

João Pessoa, Paraíba, Brasil

E-mail: [louisefilgueira@gmail.com](mailto:louisefilgueira@gmail.com)

### Maria Creusa de Araújo Borges

PhD in Sociology from the Federal University of Pernambuco. Master's in Legal Sciences from the Federal University of Paraíba and Master's in Education from the Federal University of Pernambuco. Professor, with exclusive dedication, at the Department of Private Law at the Center for Legal Sciences of the Federal University of Paraíba (UFPB). Permanent Professor in the Graduate Program in Legal Sciences and the Graduate Program in Political Science and International Relations at UFPB.

Federal University of Paraíba

João Pessoa, Paraíba, Brasil

E-mail: [mcaborges@gmail.com](mailto:mcaborges@gmail.com)

### Equipe editorial

*Editor Acadêmico* Felipe Chiarello de Souza Pinto

*Editor Executivo* Marco Antonio Loschiavo Leme de Barros

### Produção editorial

*Coordenação Editorial* Andréia Ferreira Cominetti

*Diagramação* Libro Comunicação

*Estagiária editorial* Isabelle Callegari Lopes

