

BRAZIL AND THE INTERAMERICAN SYSTEM OF PROTECTION OF HUMAN RIGHTS: THE CONVENTIONALITY CONTROL ON THE PENAL ACTION N 470

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It took at least two World Wars until the international community is convinced of the importance to establish international mechanisms aimed at protecting the human race.

There is no denying the importance of the Inter-American system for the protection of Human Rights. Together with the European supranational system, is among the most complete system for the protection of human rights in the world, having provided debates across America.

In Brazil, the Supreme Court has repeatedly affirmed the supremacy of the Constitution in Brazilian law. This means that no legal act overlaps the normative force of the Constitutional text.

But what about the obligation of the commitments made in good faith by the Brazilian government before other nations also committed? And how it defines the role of the International Commission and Court of Human Rights in a intergovernmental regional international organization?

The discussion of the Criminal Case 470 in the Inter-American Commission of Human Rights raises a deep analysis about the very role of the Inter American Court and Commission of Human Rights and its impact on judgments of the Supreme Court of Brazil.

On this discuss is important to verify what are the constitutional limits of double jurisdiction presents on the American Convention of Human Rights? In the conflict between international human rights treaties and the competence of the Brazilian Constitution, how reconcile it with the privilege of forum without violating the International Treaty?

This study looks at all these issues, inserted into the dogmatic control of conventionality in Brazil, and its possible developments in the operations of the Inter-American System of Human Rights Protection and it's decisions on the violating of human rights.

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