

Intersessional Workshop on Cultural Rights and the Protection of Cultural Heritage, 14-15 June 2021

Talking points for the Deputy High Commissioner's opening remarks

Your Excellencies,
Dear Ernesto,
Professor Karima Bennoune,
Distinguished panelists,

I am delighted to be participating in the launch of this Workshop on Cultural Rights and the Protection of Cultural Heritage targeting the development of tools for the dissemination of a rights-based approach to the protection, restoration and preservation of cultural heritage, in response to HRC resolution 37/17.

The protection of cultural heritage is provided for in the Universal Declaration of Human Rights and the two International Covenants - on Economic, Social and Cultural Rights and on Civil and Political Rights.

Its legal basis derives from the right to take part in cultural life and includes the rights of any person or group to access, enjoy, choose and transmit cultural resources that carry identity, values and meaning as part of heritage; and to maintain and develop specific ways of life, whilst still ensuring space for what is considered heritage to evolve over time.

The Committee on Economic, Social and Cultural Rights has repeatedly recognized the obligation of States to respect cultural heritage in all its forms, and to protect it against intentional destruction in times of war and peace, and from the negative impacts of natural disasters. The Committee also emphasized the need for cultural heritage to be

preserved, developed, enriched and transmitted, not only for the benefit of future generations, but also for the world at large, as a resource to promote peaceful dialogue, understanding and creative diversity.

We know that the full implementation of cultural rights and the preservation and promotion of cultural heritage contributes to the realization of all other human rights by giving a rights-based framework to preserve individual and collective identities, and foster peaceful dialogue between generations and societies.

And yet, those critical rights and the importance of a rights-based approach to their fulfillment are often overlooked, or insufficiently prioritized.

This is not just about saving monuments and built heritage- it is also about preserving the manifold cultural practices and knowledge of people who have meaningful relationships with these resources. This is the essence of identity- and the right of each person to participate in the identification, interpretation and development of heritage, and in designing and implementing practices to safeguard it. A human rights-based approach here must therefore promote the enabling environment for all to access, participate in and dynamically contribute to their cultural heritage.

This is especially critical in times of conflict where cultural emblems and symbols are often targeted to delegitimize certain historical narratives and establish new ones. Such cultural erasure must end - the rights to access ancestral practices and places of worship and to know about

those of others, to engage in multi-cultural practices, must be preserved and protected.

During the COVID-19 pandemic, as highlighted by the Special Rapporteur in the field of Cultural Rights, many artists were hit by the virus and lost their lives, while many artists, cultural practitioners, museum workers and others remained unemployed. The artists who perform live and technical teams supporting performances were especially affected given their relationships with live audiences.

In its report “Museums around the world in the face of COVID-19”, UNESCO noted that approximately 90 per cent of the world’s museums were closed at one point or another during the pandemic, with UNESCO and the International Council of Museums warning as early as in May 2020 that 13 per cent of them might never reopen.

We at the UN Human Rights have spoken consistently about COVID-19’s exposure of deep underlying inequalities and insufficient investment in socio-economic infrastructure. We must Recover Better, the time has come to provide cultural rights and the protection of cultural heritage with the attention they deserve. We must give visibility to foster a better understanding of the deep impact of their realization for all –how we are impoverished when they are violated, and how much we gain by their fulfillment.

Throughout, the role of cultural rights defenders makes them especially vulnerable to persecution. Given the realities of cultural criticism, such engaged artists must have the freedom to express themselves, without facing censorship or having to resort to self-censorship to be safe.

I hope this workshop will provide an opportunity to explore ways to ensure better protection for and support to cultural rights and cultural heritage, in times of peace as well as in times of conflict or crisis.

Thank you and I wish you successful deliberations.
