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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Human rights and cultural diversity

Report of the Secretary-General

Summary

The present report is submitted pursuant to paragraph 24 of General Assembly resolution [72/170](#), in which the Assembly requested the Secretary-General to prepare a report on the implementation of the resolution, including efforts undertaken at the national, regional and international levels regarding the recognition and importance of cultural diversity, and taking into account the views of Member States, relevant United Nations agencies and non-governmental organizations.

Following the General Assembly's request, the Office of the United Nations High Commissioner for Human Rights invited States, United Nations agencies and non-governmental organizations to submit written information on efforts undertaken in that regard, and the present report provides a summary of the submissions received. The submissions from Governments focus on measures taken within the State to promote cultural diversity and to protect and ensure access to cultural heritage.

* [A/74/150](#).



I. Introduction

1. The present report is submitted pursuant to paragraph 24 of General Assembly resolution [72/170](#) on human rights and cultural diversity, in which the Assembly requested the Secretary-General to prepare a report on the implementation of the resolution, including efforts undertaken at the national, regional and international levels regarding the recognition and importance of cultural diversity, and taking into account the views of Member States, relevant United Nations agencies and non-governmental organizations. The Assembly also requested the Secretary-General to submit the report to it at its seventy-fourth session. Following a call for submissions, the Office of the United Nations High Commissioner for Human Rights (OHCHR) received replies from Member States, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and several non-governmental organizations, summaries of which are provided in sections II, III and IV below.

II. Summary of information received from Governments

A. Azerbaijan

2. Azerbaijan focused on the promotion of intercultural and interfaith dialogue, a particularly important example being the initiation in 2008 of the Baku process for the promotion of intercultural dialogue. At the Council of Europe Conference of Ministers Responsible for Culture, during which the process was launched, emphasis was placed on the importance of dialogue among European and neighbouring Muslim countries. Azerbaijan followed up on the Baku process with an invitation to more than 10 European countries to participate in a ministerial round table on the theme “Fostering dialogue and cultural diversity – Baku process: new challenge for dialogue between civilizations”.

3. Since 2011, Azerbaijan has been hosting the World Forum on Intercultural Dialogue every two years, drawing more than 6,000 participants from more than 160 countries. The Forum and the Baku process have helped to position intercultural dialogue and cultural diversity higher on the international agenda as critical elements for the achievement of human security. In addition, against a challenging global context, Azerbaijan hosted the fifth World Forum on Intercultural Dialogue, on 2 and 3 May 2019, which was focused on dialogue as an instrument for action against discrimination, inequality and violent conflict. The second high-level panel of the heads of international organizations, held within the Forum, sought to build synergies and partnerships among various stakeholders, including those active in the political, economic, financial, military, humanitarian and social spheres.

B. Côte d’Ivoire

4. Côte d’Ivoire stated that, in the current context, the role of culture and the arts in global development is gaining ever greater importance. The recognition and importance of cultural diversity, as well as of the human rights of all peoples, lie at the heart of national reflection. Over the past four years, several policies, laws and other measures have been adopted with a view to promoting Ivorian culture and diversity. Those policies and measures demonstrate the will of the Government to ensure that culture becomes a key driver of national and regional development as a response to the Sustainable Development Goals and in giving effect to the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions,

adopted in 2005, and other international instruments that aim to protect and promote the diversity of cultural expression.

5. The law on the national cultural policy of Côte d'Ivoire (Act No. 2014-425 of 14 July 2014) is aimed at affirming the country's cultural character while remaining attentive and receptive to the contribution that different cultures are able to bring. The law has as an objective the protection of the national cultural heritage and the professionalization of the arts and culture sector and, ultimately, the positioning of culture at the centre of development strategies. Its specific objectives include to protect and promote the rich diversity of Ivorian cultural expression; to ensure cultural integration and facilitate social cohesion and dialogue among peoples; to develop cultural research as a means of affirming and enriching national cultural identities; and to promote creativity and digital innovation. In relation to cultural programmes dedicated to young people, the Government has initiated, most notably, the "Clap Ivoire" festival and the Abidjan international book fair. Since 2013, the Government has organized the annual festival of arts and culture in schools. Involving all local agencies and bodies, the festival is aimed at promoting the diversity of cultural expression in the school environment.

6. Côte d'Ivoire has increasingly positioned itself as the cultural capital of francophone sub-Saharan Africa, through initiatives such as "Afrik Fashion Show", the Parliament of Laughter (*le Parlement du Rire*), the francophone film awards and the Abidjan international book fair. Côte d'Ivoire has taken important measures to ensure cultural diversity, including the ratification of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions and the implementation of a national policy on culture. The results of those measures have been evident and have demonstrated the need to preserve and value Ivorian heritage and culture. It is an undeniable fact that globalization threatens the culture of all countries, in particular the poorer countries, for which maintaining their specific cultures remains a challenge.

C. Ireland

7. Ireland focused on its legislative framework to address discrimination in various spheres. The framework provides protection from discrimination on nine grounds: gender, civil status, family status, age, race (encompassing nationality and ethnicity), religion, disability, sexual orientation and membership of the Traveller community. The Employment Equality Acts (1998–2015) outlaw discrimination in the workplace, including with regard to recruitment and promotion, equal pay, working conditions, training and work experience and dismissal and harassment. The Equal Status Acts (2000–2015) outlaw discrimination outside the workplace, in particular in the provision of goods and services, education and the disposal of property. The Workplace Relations Commission investigates and mediates unlawful discrimination under the legislation on equality. In accordance with the duties of public bodies laid down in section 42 of the Irish Human Rights and Equality Commission Act 2014, all public bodies in Ireland now have a statutory responsibility to promote equality, prevent discrimination and protect the human rights of their staff, service users and anyone affected by their policies and plans. Those duties provide an important impetus for public bodies to consider the impact of how they deliver their services to people while taking into account one or more of the characteristics protected under the legislation on equality.

8. The Government's approach to migrant integration is framed within a comprehensive migrant integration strategy covering the period from 2017 to 2020. The strategy contains 76 specific actions for Government departments, local authorities and other public bodies across a range of public policy and service

provision areas, including promoting intercultural awareness and combating racism and xenophobia; education; access to public services and social inclusion; employment and pathways to work; and active citizenship. Many actions involve the participation of non-Government actors, including community and voluntary sector organizations, local communities, the business sector and sporting and arts organizations.

9. Combating racism is a key theme within the migrant integration strategy. Commitments made under the theme are as follows: training on intercultural awareness will be provided by all Government departments and agencies and reviewed at intervals to ensure that it is adequate and up to date; front-line staff will receive ongoing cultural awareness training appropriate to their role and operational requirements; and all relevant public sector bodies will explore additional ways of working in cooperation with communities affected by stigmatization and develop appropriate relationships with minority communities to avoid the danger of external groups having negative influences on marginalized communities. The Department of Justice and Equality provides funding through several programmes for projects aimed at combating racism, including the National Integration Funding Programme, the European Union Asylum, Migration and Integration Fund and the Communities Integration Fund.

D. Italy

10. Italy emphasized that the international community recognized, through the adoption of the 2030 Agenda for Sustainable Development, the decisive role of culture as a driver of change and development. The 2030 Agenda is implemented through a national strategy for sustainable development, which is focused on people, the planet, peace, prosperity, partnerships and sustainability-related vectors. The Code of Education, adopted by the Ministry of Education, Universities and Research, provides for the promotion of arts curricula in schools and the fostering of creativity, knowledge and skills through professional training connected with the arts industry. The Ministry recognizes the academic curricula promoted by arts-related institutions, including music conservatories, academies of fine and applied arts, dance and drama.

11. Constitutional provisions provide protections for linguistic minorities living in Italy, and Act No. 482/99 provides protections for the language and culture of 12 minorities recognized in the national territory, namely, the Catalan, Ladin, Greek, Germanic, Croatian, Sardinian, Occitanic, Franco-Provençal, French, Albanian, Slovenian and Friulian minorities. Those populations benefit from specific measures in various fields, such as education, communications, radio, print media and public television. The Department of Regional Affairs and Autonomies ensures the financing of projects relating to language help desks, training, toponymy and cultural activities submitted by public administrations and local authorities pursuant to articles 9 and 15 of Act No. 482/99. As at 2017, funding allocations had increased by approximately 55 per cent compared with the allocations for 2016 and the processes for the transfer of funds had been accelerated.

12. With a view to promoting the integration of minority communities, the national strategy for the inclusion of the Roma, Sinti and Caminanti (2012–2020) was adopted in line with the European Union framework for national Roma integration strategies up to 2020.¹ Furthermore, the National Office against Racial Discrimination is engaged in combating discrimination in all its forms and is responsible for protecting

¹ “Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions”, Brussels, document COM(2011) 173 final, 5 April 2011.

its victims. The functions of the Office may be grouped into several broad categories, closely related to the following goals: raising awareness among the public and among stakeholders through information and communication activities; addressing discrimination; and promoting the principle of equal treatment and the effectiveness of protection mechanisms through studies, research, training activities and monitoring.

E. Jordan

13. The Ministry of Culture of Jordan plays a leading role in ensuring innovation and enhancing the appreciation of culture. It has supported cultural events focused on fostering cultural diversity, which is an important basis upon which the Ministry promotes cultural initiatives. Jordan is a unique cultural centre, and the Government supports the development of literature and the arts and artistic creativity through theatre, drama and cinema aimed at young people. In relation to young people, the Ministry develops and implements programmes to encourage cultural dialogue and facilitate festivals and annual competitions that foster creativity.

14. Under the plan for cultural development (2017) of the Ministry of Culture, several projects have been initiated to facilitate cultural and artistic development. The legislative framework includes a law on the preservation of culture (2006), a regulation on the dissemination of culture and heritage (2007) and various regulations providing for competitions in the field of artistic creativity. With regard to cultural expression, Jordan promotes different forms of cultural expression under the auspices of the Ministry of Culture. The Ministry of Tourism and Antiquities also organizes festivals and other events to increase cooperation and engagement with local communities.

15. Weekly articles on cultural affairs feature in key publications, such as *Al-Ra'i* and *Al-Dustur*. As part of other measures to enable public engagement in the fostering of cultural expression, the Ministry of Culture has initiated a project to provide access to mobile libraries for children and is involved in the dissemination of children's books. Jordan emphasized the importance of building democracy by respecting human rights, including freedom of expression and opinion, in accordance with its Constitution.

III. Summary of information received from the United Nations Educational, Scientific and Cultural Organization

16. A central pillar of the work of UNESCO on cultural diversity is the implementation of its standard-setting instruments in the field of culture. Flagship programmes and actions are anchored in cultural rights and range from targeted technical assistance to advice on cultural policies to protect, safeguard and transmit cultural heritage and promote the diversity of cultural expression. A new initiative, implemented together with the Special Rapporteur in the field of cultural rights and OHCHR, concerns the integration of a human rights-based approach to cultural diversity and the safeguarding of cultural heritage in humanitarian action and security, peacebuilding and peacekeeping operations.

17. In 2018, within the scope of intercultural dialogue, UNESCO conducted a survey, the first in the field, to establish a baseline of comparable data and to analyse the situation, trends, challenges and ideas emerging from Member States. Common elements in the 43 responses received were: (a) the importance of context in defining intercultural dialogue; (b) the acknowledgement that it is an instrument to achieve a wide range of objectives, including human rights; and (c) the recognition that there

are insufficient data on the subject. Following the survey, UNESCO, in partnership with the Institute for Economics and Peace, is working on an initiative to collect data covering both the enabling conditions for and the impact of dialogue. The collection, processing and analysis of the data are under way, on the basis of a scoping exercise conducted in December 2018 with the participation of experts from the World Bank, the Organization for Economic Cooperation and Development, the United Nations Development Programme, the Council of Europe, the Nordic Culture Fund and several academic institutions.

18. The Regional Global Citizenship Education Network for Latin America and the Caribbean, established by UNESCO in 2017, has cultural diversity as one of its priorities. Research in Latin America and the Caribbean addresses cultural diversity in education policies, with a particular focus on indigenous peoples. Findings demonstrate the effect of cultural processes on the improvement of learning outcomes in schools. UNESCO also provides technical assistance to Member States. In Chile, for example, UNESCO supports the Ministry of Education in the revitalization of indigenous languages and cultures through the development of linguistic and educational programmes and the inclusion of a new subject on indigenous peoples in the national curriculum.

19. Cities can be agents for positive social transformations that enhance cultural diversity, and UNESCO harnesses their potential through its International Coalition of Inclusive and Sustainable Cities. The ten-point plan of action developed by the Coalition is an avenue through which UNESCO combats discrimination and promotes cultural diversity in policies and service delivery. The development of appropriate tools and capacity-building has been a priority across regions. In 2017 and 2018, UNESCO, together with the UNESCO Chair on Intermediate Cities: Urbanization and Development, of the University of Lleida, Spain, organized a series of workshops in African cities to develop road maps to facilitate the implementation at the local level of Sustainable Development Goal 11, to make cities and human settlements inclusive, safe, resilient and sustainable.

20. Advocacy efforts build upon the celebration of international days, major international anniversaries and international years, and respond to specific challenges for the protection of diversity. For example, to mark the World Day for Cultural Diversity for Dialogue and Development (21 May) and the seventieth anniversary of the Universal Declaration of Human Rights, UNESCO hosted an event on increasing access to culture. The event was held with the participation of high-level actors from the museums sector, the technology industry and international organizations, including the Special Rapporteur in the field of cultural rights. The official global celebration of World Press Freedom Day, held at the headquarters of the African Union in Addis Ababa on 2 and 3 May 2019, included a session on the theme “Enlarging choices: artistic freedom and diversity of contents”, during which participants examined how media professionals and cultural actors could collaborate to enable citizens to make informed decisions. On 31 October 2018, World Cities Day, UNESCO fostered reflection on how local authorities, together with their own constituents, can take the lead in integrating the sociocultural fabric of urban spaces, using, among other tools, urban creativity and art.

IV. Summary of information received from non-governmental entities

A. Active Remedy (United Kingdom of Great Britain and Northern Ireland)

21. The organization, Active Remedy, noted that the wealth of knowledge and expertise that indigenous peoples and local communities have developed over generations is extensive and is likely to be crucial for the realization of all cultural diversity, all human rights, climate adaptation and sustainable development efforts. Indigenous peoples and local communities play a major role in the protection of ecosystems, and this role is weakened when their basic human rights are undermined. As affirmed in the outcome document of the World Conference on Indigenous Peoples (General Assembly resolution 69/2), many of the practices developed by indigenous peoples are based on their respect for and understanding of the balance within biodiversity that maintains all earth systems. That understanding is of great significance for developing best practices on climate mitigation and adaptation in a holistic and integrated manner.

22. A new approach to land management is urgently needed, given the rapid degradation of many essential ecosystems and the increasingly catastrophic impacts that this is having on water and climate. Moreover, all human rights will be threatened if the global water cycle ceases to function. By strengthening the rights of indigenous people and increasing their participation in all actions related to land use, climate change and sustainable development, a sustainable future is possible.

B. International Federation of Library Associations and Institutions (Netherlands)

23. The preservation of documentary heritage is a key mission of libraries. The International Federation of Library Associations and Institutions works with its 16 preservation and conservation centres to ensure that library and archive materials, published and unpublished, in all formats, will be preserved and in accessible form for as long as possible. Increasing attention is being paid to the treatment of the heritage of indigenous and marginalized communities, and there is a growing body of experience on how to respect and engage those communities and build strong relationships on the basis of a growing awareness that past practices have risked creating skewed collections, owing to certain cultures having been accorded greater importance than others.

24. In line with articles 31 and 34 of the United Nations Declaration on the Rights of Indigenous Peoples and the principles of the UNESCO Universal Declaration on Cultural Diversity, adopted in 2001, the Indigenous Matters Section of the Federation provides guidance on how to engage indigenous communities in the identification, selection, classification, interpretation, preservation, safeguarding and development of indigenous cultural heritage. Libraries are increasingly aware of their role in encouraging and fostering cultural diversity. Their ability to offer a physical space, open to all and without commercial pressure, makes them particularly valuable in this regard. In addition to access to information and literature, libraries offer creative writing programmes and support journalism, handicrafts and other activities that involve the enjoyment of artistic and creative freedom for all.

C. National Association for the Promotion and Protection of Human Rights (Cameroon)

25. The Ministry of Arts and Culture of Cameroon is responsible for the development and implementation of the policy of the Government on the promotion of artistic and cultural development. Other agencies involved in supporting the work include parastatal institutions, technical ministries such as the Ministry of Small- and Medium-sized Enterprises, Social Economy and Handicrafts, international organizations and accredited cultural societies.

26. Several policies and programmes on cultural diversity are being implemented in Cameroon: (a) a policy to ensure regional balance and, consequently, access to senior political office for all ethnicities; (b) the promotion of national artistic and cultural expression, which allows the originality and plurality of ethnic groups in Cameroon to be valued; (c) the placing of value on maternal and national languages, thus allowing the Cameroonian people to express their cultural diversity and assert their identity; and (d) the promotion of tourist sites, such as the Bimbila slave trade village.

27. A number of good practices in promoting cultural diversity exist in Cameroon. The promotion of local language through the media encourages the learning of dialects and appreciation for the cultural wealth of Cameroon in such areas as culinary art, traditional clothing, and habits and customs. The “Languemat” website promotes the development of African cultures abroad, in particular in France, and Africans living in France can benefit from African language courses and enjoy access to books written in African languages. The teaching of local languages in primary schools in Cameroon, the creation of tourist sites as repositories of collective memory, and an inventory of historical archives are also identified as good practices.

D. World Federation of the Deaf (Finland)

28. The World Federation of the Deaf indicated that the deaf community is both a linguistic and a cultural minority and a community of persons with disabilities, and the protection of their rights falls within the framework of disability-related policies, legislation and international instruments, as well as legislative and other frameworks addressing their linguistic and cultural status. The deaf community may, however, be distinguished from other communities affected by disability by the use of sign language specific to that community. Sign languages are fully fledged languages with linguistic properties, including grammatical features, such as morphology, phonology and syntax, and may be considered the mother tongue and natural languages of deaf people. They are the means for the inclusion of deaf people in both deaf communities and the broader society, and the provision of professional sign language interpreters is essential for ensuring the social interaction necessary to achieve their full inclusion.

29. The inclusion of deaf people in the deaf community and in society begins with education, and the provision of quality bilingual education to deaf children at an early age is a crucial safeguard for the cultural rights and diversity of deaf people. Currently, there is a lack of diversity in the education of deaf children, who are often placed in mainstream schools without opportunities to learn sign language and deaf culture. The education of deaf children is best achieved through bilingual education in national sign languages and national written languages, with bilingual schools following the official national educational curriculum and teaching sign languages and deaf culture. The learning environment should be such that teachers have a mastery of sign language with native-level fluency and that deaf children learn alongside their signing peers in inclusive settings.

30. In order to achieve cultural diversity in the context of the deaf community, the following action should be taken: (a) formally and legally recognizing national sign languages as equal to national spoken languages; (b) providing opportunities to give and receive information and official communications in sign language; (c) establishing bilingual schools in national sign languages and written languages to provide inclusive education to deaf children; (d) providing qualified and professional sign language interpreters to safeguard equal access to all services; (e) prioritizing deaf persons and sign language to strengthen deaf leadership in international development programmes; and (f) conducting regular consultations with deaf leaders of organizations of the deaf on matters of policy formulation, programme design and the development of new legislation.

V. Conclusion

31. While the submissions received by OHCHR covered a broad range of initiatives in the area of promoting human rights and cultural diversity, they also highlighted a number of common themes, namely, the preservation of cultural heritage and the involvement of young people in efforts to promote the diversity of cultural expression. Several submissions included allusions to the current global context and the impetus it provides for the preservation of cultural diversity and the challenges it poses for work in this area. The submissions indicate that international cooperation in programmes, projects and events is a significant component of the efforts to protect cultural diversity, evoking strongly the duty of States to take steps, individually and through international assistance and cooperation, to achieve the progressive realization of economic, social and cultural rights.
