

Mandate of the Special Rapporteur in the field of cultural rights

30 March 2020

Dear Madame, Sir,

I have the honour to address you in my capacity as the United Nations Special Rapporteur in the field of cultural rights, pursuant to Human Rights Council resolution 37/12. The current global pandemic is gravely affecting many people and their human rights, and is also likely to complicate collaboration between Special Rapporteurs, states, civil society and experts. Nevertheless, the current moment is also a reminder of the need to collectively address global threats to human rights and therefore I am endeavouring to continue this work in safe ways. I would be most grateful for any responses you are able to provide under these difficult circumstances.

In my 2020 report to the General Assembly, I will explore the theme of climate change, culture and cultural rights. The report will address both the threats posed by climate change to culture, cultural heritage and the cultural rights guaranteed by international law, as well as the positive potential of culture, heritage, traditional knowledge and the enjoyment of cultural rights, including scientific freedom, to help avoid catastrophic climate change and to adapt to the changes already in motion.

Climate change is a complex phenomenon which is altering the natural and human environments in which people participate in cultural life. It poses a threat to human survival, including cultural survival. The Intergovernmental Panel on Climate Change (IPCC) Special Report on Global Warming of 1.5° C urges action within a very short timescale, pointing to 2030 as the cut-off for ambitious greenhouse gas reductions in order to avoid catastrophic climate change. This deadline implies an even shorter horizon—within the next few years—to put in place necessary policies. The changes necessitated are referred to in the report as a “societal transformation” and “transformational adaptation.” Adopting alternative pathways and engaging in thoughtful, participatory, rights-respecting cultural change will be essential to maximize any possibility of maintaining climate stability.

The focus of the mandate on cultural rights is not on protecting culture per se, but rather on the conditions allowing all people, without discrimination, to access, participate in and contribute to cultural life and policies that have an impact on it through a process of continuous development. These conditions are greatly jeopardized when culture in all its manifestations is at risk or destroyed.

While there are many threats to culture, cultural diversity and heritage, climate change is today amongst the greatest threats to the cultural rights of all, and to the heritage of all humankind, with particular impacts on inter alia women, persons with disabilities, indigenous peoples and rural people and the inhabitants of low lying island nations.

There is a myriad of ongoing and potential impacts. For example, “climate change is likely to affect cultural diversity and socio-cultural interactions.”¹ This is because people will be forced “to change their work habits and ways of life, to compete for resources or to migrate elsewhere.”² In addition, heritage sites face threats from temperature changes, soil erosion, sea-level rise, flooding and storms.

Moreover, climate change is a “threat multiplier” which magnifies existing threats to culture, such as fueling resource conflicts in which heritage destruction may take place. It is also a threat multiplier for a number of pre-existing environmental problems—such as water scarcity and loss of biodiversity - and all of these problems could have serious implications for traditional cultural practices. Damage to and destruction of culture and heritage when those most closely connected to them are suffering from other severe impacts of climate change also takes away key resources that can build resilience and help these people to cope at the very moment when they need such resources the most. How can international human rights law norms which guarantee cultural rights be best interpreted so as to respond effectively to these and other threats?

Conversely, cultural resources, such as heritage, traditional knowledge, creativity and scientific freedom, can represent powerful resources for preventing and addressing challenges caused by climate change in a human rights respecting manner. In other words, culture and cultural rights are not only potential casualties; they are also part of the response, part of the solution. Addressing climate change requires marshaling cultural resources and necessitates cultural change, including improving the culture of our relationship with nature.

As the Office of the UN High Commissioner for Human Rights explained in a 2009 study, “The application of a human rights approach in preventing and responding to the effects of climate change serves to empower individuals and groups, who should be perceived as active agents of change and not as passive victims.”³ Such a human rights approach must include cultural rights.

In order to better assess threats posed by climate change to culture and all of the cultural rights covered by my mandate⁴, I have prepared a questionnaire (attached), and would hereby invite all States, United Nations agencies, academics, experts and civil society organizations to share their contributions.

Submissions should be sent electronically no later than **1 May 2020** to srculturalrights@ohchr.org, using the email title: “Submission: Cultural rights and climate change”. Please feel free to answer only the questions relevant to your work. Kindly limit your responses to **2,500 words** and attach annexes where necessary. To facilitate their consideration, it would be preferable if responses could be sent in the working languages of the OHCHR, English, French or Spanish.

¹ Sabine von Schorlemer and Sylvia Maus, *Climate Change as a Threat to Peace: Impacts on Cultural Heritage and Cultural Diversity*, Peter Lang, Frankfurt am Main, 2014.

² Id.

³ A/HRC/10/61, para. 94.

⁴ See, inter alia, article 15 of the International Covenant on Economic, Social and Cultural Rights, as well as the webpage of the mandate for the various rights covered:
www.ohchr.org/EN/Issues/CulturalRights/Pages/SRCulturalRightsIndex.aspx.

Please also indicate if you have any objections with regard to your reply being posted on the OHCHR website.

I wish to thank you in advance for your cooperation and I hope to continue a constructive dialogue on issues related to my mandate.

Please accept the assurances of my highest consideration.

A handwritten signature in blue ink, appearing to read 'K. Bennoune', with a stylized flourish at the end.

Karima Bennoune
Special Rapporteur in the field of cultural rights