



Special Rapporteur in the field of cultural rights

The Special Rapporteurs



Ms. [Farida Shaheed](#) (Pakistan) took up her functions as Independent Expert in the field of cultural rights in 2009 and continued as a Special Rapporteur on the same issue, following Human Rights Council Resolution 19/6. Ms. Shaheed, a sociologist who has worked for more than 25 years promoting and protecting cultural rights by fostering policies and projects designed in culturally sensitive ways to support the rights of marginalized sectors, including women, peasants, and religious and ethnic minorities, served as the first Special Rapporteur in the field of cultural rights until October 2015. At present, she is the Executive Director of Shirkat Gah-Women's Resource Centre in Pakistan.

Ms. [Karima Bennoune](#) (Algeria – USA) was Special Rapporteur in the field of cultural rights from October 2015 to October 2021. Karima Bennoune is Professor of Law and Martin Luther King Jr. Hall Research Scholar. During her tenure as mandate holder, Ms. Bennoune taught courses on human rights and international law at the University of California-Davis School of Law. Her research and writing, including on cultural rights issues, have been widely published in leading journals and periodicals. She has received numerous awards, including the Dayton Literary Peace Prize (2014). Upon entering the mandate, Ms. Bennoune had worked in the field of human rights for more than 20 years, including with governments and non-governmental organizations, had carried out field missions, trial observation, election observation and research in many regions of the world and had served as a consultant for UNESCO.



Ms. [Alexandra Xanthaki](#) was appointed Special Rapporteur in the field of cultural rights in October 2021. Ms. Xanthaki is Greek and lives in the United Kingdom where she works as a Professor of Laws at Brunel University, London. Throughout her academic career, Ms. Xanthaki has published on the cultural rights of minorities and indigenous peoples, cultural diversity, cultural heritage, balancing cultural rights with other rights and interests, and multiculturalism and integration in international human rights law. She has worked on issues relating to human rights with civil society. Before taking up the mandate, Ms. Xanthaki had already worked closely with several mandates at the United Nations and had advised several States on human rights issues.

The mandate of the Special Rapporteur

By its resolution 10/23 of 26 March 2009, the Human Rights Council decided to establish, for a period of three years, a new special procedure entitled “independent expert in the field of cultural rights”, as set out in the relevant United Nations human rights instruments.

The mandate was extended in March 2012 for a period of three years, conferring to the mandate holder the status of Special Rapporteur in the field of cultural rights (resolution 19/6). This mandate was further extended in 2015 for a period of three years through resolution 28/9 of 10 April, in 2018, through resolution 37/12 of 22 March, in 2021, through resolution 46/9 of 26 March, and in 2024, through resolution 55/5 of 3 April.

Legal framework

The mandate of the Special Rapporteur includes the following:

- (a) Identify best practices in the promotion and protection of cultural rights at the local, national, regional and international levels;
- (b) Identify possible obstacles to the promotion and protection of cultural rights, and to submit proposals and/or recommendations to the Council on possible actions in that regard;
- (c) Work in cooperation with States in order to foster the adoption of measures at the local, national, regional and international levels aimed at the promotion and protection of cultural rights through concrete proposals enhancing sub-regional, regional and international cooperation in that regard;
- (d) Study the relationship between cultural rights and cultural diversity, in close collaboration with States and other relevant actors, including in particular the United Nations Educational, Scientific and Cultural Organization, with the aim of further promoting cultural rights;
- (e) Integrate a gender and disabilities perspective into his and her work;
- (f) Work in close coordination, while avoiding unnecessary duplication, with intergovernmental and non-governmental organizations, other special procedures of the Council, the Committee on Economic, Social and Cultural Rights and the United Nations Educational, Scientific and Cultural Organization, as well as with other relevant actors representing the broadest possible range of interests and experiences, within their respective mandates, including by attending and following up on relevant international conferences and events.

The mandate of the Special Rapporteur is not to protect culture and cultural heritage *per se*, but to promote the conditions allowing all people without discrimination to access, participate and contribute to cultural life in a continuously developing manner. Therefore, the focus of Special Rapporteur’s country visits is not on visiting cultural sites and institutions *per se*, but rather on considering how particular policies, legal framework relating to such sites and institutions as well as other aspects of cultural heritage and discrimination contribute to the realization of cultural rights and respect for diversity on the ground. To that end, she would like to meet individuals and communities, managers of cultural sites and directors of cultural and educational institutions, policy makers and administrators.

Thematic issues addressed by the Special Rapporteur

2010

In her first thematic report (submitted to the Human Rights Council), submitted in June 2010 (A/HRC/14/36), the Special Rapporteur examined which human rights may be considered cultural and how to further define their content.

Taking into consideration various instruments and studies, she underlined that cultural rights relate to a broad range of issues, such as expression and creation, including in diverse material and non-material forms of art; information and communication; language; identity and belonging to multiple, diverse and changing communities; development of specific world visions and the pursuit of specific ways of life; education and training; access, contribution and participation in cultural life; the conduct of cultural practices and access to tangible and intangible cultural heritage.

She stressed that cultural rights protect the rights for each person, individually and in community with others, as well as groups of people, to develop and express their humanity, their world view and the meanings they give to their existence and their development through, inter alia, values, beliefs, convictions, languages, knowledge and the arts, institutions and ways of life. Cultural rights, she underlined, may also be considered as protecting access to cultural heritage and resources that allow such identification and development processes to take place.

The Special Rapporteur also noted that many explicit and implicit references to cultural rights can be found in international instruments and the practice of human rights mechanisms, in particular:

- 1) The right to take part or participate in cultural life is widely recognized in human rights instruments, and in particular in article 27 of the Universal Declaration of Human Rights and article 15, paragraph 1 (a), of the International Covenant on Economic, Social and Cultural Rights. In its General Comment No. 21, the Committee on Economic, Social and Cultural Rights further clarified the scope and content of this right.
- 2) The right to enjoy the benefits of scientific progress and its applications, enshrined in article 27 of the Universal Declaration of Human Rights and article 15, paragraph 1 (b), of the International Covenant on Economic, Social and Cultural Rights,
- 3) The right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which a person is the author, enshrined in article 27 of the Universal Declaration of Human Rights and article 15, paragraph 1 (c), of the International Covenant on Economic, Social and Cultural Rights. In 2005, the Committee on Economic, Social and Cultural Rights adopted its General Comment No. 17 on this right,
- 4) The freedom indispensable for scientific research and creative activity, set out in article 15, paragraph 3, of the International Covenant on Economic, Social and Cultural Rights. Article 19, paragraph 2, of the International Covenant on Civil and Political Rights

must also be mentioned as it recognizes that the right to freedom of expression shall include the freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of one's choice.

5) The right to education, enshrined in numerous international instruments, in particular articles 13 and 14 of the International Covenant on Economic, Social and Cultural Rights, and articles 28 and 29 of the Convention on the Rights of the Child. As stressed in the World Declaration on Education for All (1990), people develop their own particular but ever-evolving world visions and capacities through a lifelong process of education; and it is education that allows access to knowledge, values and cultural heritage.

6) Many other references to cultural rights can be found in provisions and instruments relating to minorities (in particular in article 27 of the International Covenant on Civil and Political Rights and in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities) and indigenous peoples (in particular the United Nations Declaration on the Rights of Indigenous Peoples and the Convention concerning Indigenous and Tribal Peoples in Independent Countries, 1989 (No. 169) of the International Labour Organization).

7) The International Convention on the Protection of the Rights of Migrant Workers and Members of Their Families also contains provisions relating to cultural rights, including article 43, paragraph 1 (g), and article 45, paragraph 1 (d), on access to and participation in cultural life. Article 31 relates to the respect for the cultural identity of migrant workers.

8) The non-discrimination principle, enshrined in a large number of international legal instruments, constitutes an important legal basis for the work of the Special Rapporteur. She noted that it is generally agreed that the enjoyment of rights and freedoms on an equal footing “does not mean identical treatment in every instance”, which enables the accommodation required to respect and facilitate the expression of various cultural identities.

9) The right of everyone to rest and leisure, as set out in article 24 of the Universal Declaration of Human Rights, is closely linked to cultural rights and their full implementation.

2011



In her second thematic report, submitted to the Human Rights Council ([A/HRC/17/38](#)), the Special Rapporteur focused on **the right of access to, and enjoyment of cultural heritage**. She stressed that cultural heritage is important not only in itself, but also in relation to its human dimension, in particular its significance for individuals and communities in terms of both their identity and development processes. As set out in the report, the right of access to and enjoyment of cultural heritage finds its legal

basis in various human rights norms. It includes the right of individuals and communities to,

inter alia, know, understand, enter, visit, make use of, maintain, exchange and develop cultural heritage, as well as to benefit from the cultural heritage and the creation of others. It also includes the right to participate in the identification, interpretation and development of cultural heritage, as well as in the design and implementation of preservation/safeguard policies and programmes. However, varying degrees of access and enjoyment may be recognized, taking into consideration the diverse interests of individuals and communities depending on their relationship to specific cultural heritages. In order to promote a human rights-based approach to cultural heritage matters, the Special Rapporteur concluded her report with a number of recommendations addressed to States, professionals working in the field of cultural heritage and cultural institutions, researchers and tourism and entertainment industries.

2012



In her third thematic report, submitted to the Human Rights Council ([A/HRC/20/26](#)), the Special Rapporteur addressed **the right to benefit from scientific progress and its applications**. She stressed the strong link of this right with the right to participate in cultural life, as well as other human rights. The normative content of the right to benefit from scientific progress and its applications includes (a) access by everyone without discrimination to the benefits of science and its applications, including scientific knowledge; (b) opportunities for all to contribute to the scientific enterprise and freedom indispensable for scientific research; (c) participation of individuals and communities in decision-making and the related right to information; and (d) an enabling environment fostering the conservation, development and diffusion of science and technology. The Special Rapporteur made a number of recommendations, most of which could be implemented in a timely manner. She also recommended that further work be conducted to enhance the conceptual clarity of the right to enjoy the benefits of scientific progress and its applications, and proposed to adopt a public good approach to knowledge innovation and diffusion.



In her fourth thematic report, submitted to the General Assembly ([A/67/287](#)), the Special Rapporteur focused on **the enjoyment of cultural rights by women on an equal basis with men**. She proposed to shift the paradigm from one that views culture as an obstacle to women's rights to one that seeks to ensure equal enjoyment of cultural rights. Women have the right to access, participate in and contribute to all aspects of cultural life. This encompasses their right to actively engage in identifying and interpreting cultural heritage and to decide which cultural traditions, values or practices are to be kept intact, modified or discarded altogether. Throughout her report, the Special Rapporteur underlined that cultural rights must be understood as also relating to who in the community holds the power to define its collective identity, and that the reality of intra-community diversity makes it imperative to ensure that all voices within a community, including those that represent the interests, desires and perspectives of specific groups, are heard, without discrimination. She analysed notions of gender that restrict the cultural rights of women and proposed a set of questions to be asked

whenever gender-biased social arrangements are defended in the name of culture. In particular, the Special Rapporteur recommended that States address the issue of restrictions on women wishing to undertake any form of art and self-expression, to enter cultural heritage sites or premises, to participate in cultural events or ceremonies and to engage in interpreting and applying particular texts, rituals or customs. This includes identifying cultural and religious practices, customs and traditions that prohibit such engagement by women.

2013



In her fifth thematic report ([A/HRC/23/34](#)), the Special Rapporteur focused on **the right to freedom of artistic expression and creation**, which includes the right of all persons to freely experience and contribute to artistic expressions and creations, through individual or joint practice, to have access to and enjoy the arts, and to disseminate their expressions and creations. This report addresses laws and regulations restricting artistic freedoms as well as economic and financial issues significantly impacting on such freedoms. The underlying motivations are most often political, religious, cultural or moral, or lie in economic interests, or are a combination of those. The Special Rapporteur studied in detail the international framework on possible limitations to artistic freedom, and also stressed positive obligations of States in support of the right of people to enjoy the arts and their artistic freedoms. The Special Rapporteur

encouraged States to critically review their legislation and practices imposing restrictions on the right to freedom of artistic expression and creativity, taking into consideration their obligations to respect, protect and fulfil this right.

In her sixth thematic report ([A/68/296](#)), the Special Rapporteur considered the issue of **the writing and teaching of history, with a particular focus on history textbooks**. The Special Rapporteur noted the importance of historical narratives as cultural heritage and collective identity, with people striving to retrieve, validate, make known and have acknowledged by others their own history on the one hand and contesting interpretations on the other. In other cases, certain groups are excluded from or portrayed negatively in history teaching. The Special Rapporteur therefore sought to identify the circumstances under which the official historical narrative promoted by the State in schools becomes problematic from the perspective of human rights and peace, in addition to proposing a set of recommendations to ensure a multiperspective approach in history teaching.



2014

In her seventh thematic report ([A/HRC/25/49](#)), the Special Rapporteur addressed **memorialization processes of the events of the past** in post-conflict and divided societies, with a specific focus on memorials and museums of history/memory. The Special Rapporteur

stressed the significance of actions in the cultural field for achieving the overall societal goals of transitional justice, while noting that entire cultural and symbolic landscapes are designed through memorials and museums, which both reflect and shape, negatively or positively, social interactions and people's cognition of identities – their own as well as that of others. Addressing some difficult challenges encountered in memorializing the past, the Special Rapporteur made a number of recommendations grounded in the principle that memorialization should be understood as a process that provides to those



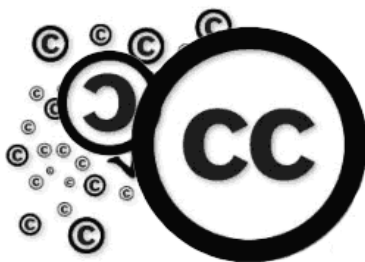
affected by human rights violations the spaces necessary to articulate their narratives. Memorial practices should stimulate and promote civic engagement, critical thinking and discussion regarding the representation of the past, but equally the contemporary challenges of exclusion and violence.

In her eight thematic report ([A/69/286](#)), the Special Rapporteur considered **the impact commercial advertising and marketing practices have on the enjoyment of cultural rights**, with a particular focus on freedom of thought, opinion and expression, cultural diversity and ways of life, the rights of children with respect to education and leisure, academic and artistic freedom and the right to participate in cultural life and to enjoy the arts. Examining new trends in advertising and



marketing strategies, the Special Rapporteur expressed concern about the increasingly blurred line between commercial advertising and other content, especially in the areas of culture and education. An overall concern relates to the disproportionate presence of commercial advertising and marketing in public spaces, the myriad advertisements and marketing messages people receive daily, the dissemination of such communications using a large variety of media in a systematic and integrated way and the resort to techniques aimed at circumventing individual rational decision-making. States should protect people from undue levels of commercial advertising and marketing while increasing the space for not-for-profit expressions. Within the framework of article 19 of the International Covenant on Civil and Political Rights and based on the view that commercial messaging may be granted less protection than other forms of speech, the Special Rapporteur recommended that States regulate the area more effectively. Of particular note is the recommendation to ban all commercial advertising and marketing in public and private schools.

2015



In her ninth thematic report, presented to the Human Rights Council ([A/HRC/28/57](#)), the Special Rapporteur examined more closely **copyright law and policy from the perspective of the right to science and culture**, emphasizing both the need for protection of authorship and increased opportunities for participation in cultural life. The report recalls that “intellectual property” is an umbrella term encompassing a number of distinct legal regimes that create private property

rights related to intangible assets. As protection of authorship differs from copyright protection, the Special Rapporteur proposed several tools to advance the human rights interests of authors, as well as ways to expand copyright exceptions and limitations to empower new creativity, increase educational opportunities, preserve space for non-commercial culture and promote inclusion and access to cultural works. She also recommended to promote cultural and scientific participation by encouraging the use of open licenses, such as those offered by Creative Commons.

The tenth thematic report, presented to the General Assembly ([A/70/279](#)), continued the work on intellectual property addressing **the implications of patent policy for the human right to science and culture**. The Special Rapporteur reaffirmed the distinction to be made between intellectual property rights and human rights, emphasizing that the right to the protection of the moral and material interests of authors does not necessarily coincide with the prevailing approach to intellectual property law. There is no human right to patent protection. The right to protection of moral and material interests cannot be used to defend patent laws that inadequately impact the right to participate in cultural life, to enjoy the benefits of scientific progress and its applications, to scientific freedoms, as well as the rights to food and health and the rights of indigenous peoples and local communities.

The Special Rapporteur recalls that, when properly structured, patents may expand the options and well-being of all people by making new possibilities available. Yet, they also give patent-holders the power to deny access to others, thereby limiting or denying the public's right of participation to science and culture. The human rights perspective demands that patents do not extend so far as to interfere with individuals' dignity and well-being. Where patent rights and human rights are in conflict, human rights must prevail. Whereas from the perspective of trade law, exclusions, exceptions and flexibilities under international intellectual property law, such as the World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights, remain optional, from the perspective of human rights, they are often to be considered as obligations.



2016

In March 2016, the newly appointed mandate holder presented her first report to the Human Rights Council ([A/HRC/31/59](#)). The report first reflects on the valuable work undertaken by the previous mandate holder and highlights priority areas in which the new Special Rapporteur believes further advances should be made. The report also builds on the second thematic report devoted to the right to enjoy and access cultural heritage ([A/HRC/17/38](#)) to introduce, as eleventh thematic report, the issue of the



intentional destruction of cultural heritage as a violation of human rights. The Special Rapporteur presented her initial observations and indicated her intention to study this issue more in depth for her upcoming report to the General Assembly. This decision was welcomed by a cross-regional statement made to the Council in March 2016 by an

unprecedented coalition of 146 States. The statement condemned intentional destruction of cultural heritage and called for identification of best practices for its prevention, and for “raising awareness on the mutually reinforcing relation between the protection of cultural heritage and human rights and on the risks faced by defenders of cultural heritage.”



The twelfth thematic report, presented to the General Assembly ([A/71/317](#)), pursued further the study of **intentional destruction of cultural heritage**, setting out a human rights approach to this field. The report considers intentional destruction in conflict and non-conflict situations, by States and non-State actors. The Special Rapporteur examines the impact of such destruction on a range of human rights, including the right to take part in cultural life; calls for effective national and international strategies for preventing, and holding accountable those alleged to have taken part in, such destruction. The Special Rapporteur also calls for support for and protection of defenders of cultural heritage at risk.

2017

In the thirteenth thematic report, presented to the Human Rights Council ([A/HRC/34/56](#)), the Special Rapporteur addresses **the rise of fundamentalism and extremism, in diverse forms, and their grave impact on the enjoyment of cultural rights**. She stresses that these represents major threats to universal human rights worldwide and a growing challenge that must be faced with urgency, using a human rights approach. The report maps how such ideologies, in all their form, gravely undermine the enjoyment of cultural rights, have in common a mind-set based on intolerance of differences and pluralism and attempt to stamp out cultural diversity and dissent. The Special Rapporteur stresses the centrality of cultural rights in combating fundamentalism and extremism, stating that arts, education, science and culture are critical to creating alternatives, making space for peaceful contestation, promoting inclusion and protecting youth from radicalization. She makes a number of recommendations, including a call to the international community to give much more consideration to the local opponents of fundamentalism and extremism, human rights defenders, including women human rights defenders, in international gatherings to discuss strategy on how to battle these ideologies.

The fourteenth thematic report, presented to the General Assembly ([A/72/155](#)), addressed further the **impact of fundamentalism and extremism**, this time **focusing on the cultural rights of women**. The Special Rapporteur stresses that a human rights-based response to fundamentalism and extremism must be fully gender sensitive, centring the cultural rights and equality of women, and defending universality. She stresses in particular that women’s human rights, including cultural rights, are an essential part of the fight against fundamentalism and extremism, without which it cannot succeed.

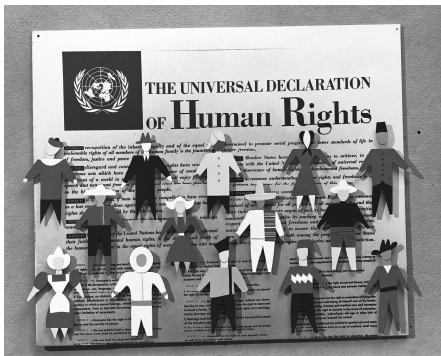


 2018



In the fifteenth thematic report, presented to the Human Rights Council ([A/HRC/37/55](#)), the Special Rapporteur addresses how **actions in the field of arts and culture can make significant contributions towards creating, developing and maintaining societies in which all human rights are increasingly realized**. By engaging people and encouraging their interaction through artistic and

cultural expression, actions in the field of culture can open a space in which individuals and groups can reflect upon their society, confront and modify their perception of one another, express their fears and grievances in a non-violent manner, develop resilience after violent or traumatic experiences, including human rights violations, and imagine the future they want for themselves and how to better realize human rights in the society they live in. The increased social interactions, mutual understanding and trust that can be built or rebuilt through these initiatives are essential to achieve a range of human rights goals and to respect cultural diversity. The Special Rapporteur considers how cultural rights, and other human rights, are exercised through and affected by these actions in the cultural field; the specific challenges artists and cultural workers face when engaging in initiatives that question the representation of society and seek to address its contemporary challenges of discrimination, exclusion and violence; the specific contribution these initiatives make to society; and the responsibilities of State and non-State actors in creating and maintaining the conditions for such actions.



To mark the 70th anniversary of the Universal Declaration of Human Rights (2018), the sixteenth thematic report, presented to the General Assembly ([A/73/227](#)), examines the **cultural rights approach to the universality of human rights** and the close interrelationship between universality and cultural diversity. The Special Rapporteur documents different types of threats to the human rights system and cultural diversity, and in particular selective approaches to universality – excluding certain rights, certain persons or groups and recognizing

only civil and political *or* economic, social and cultural rights as real human rights – and various cultural relativist arguments. While pointing towards abuse of cultural arguments to justify violations of human rights, she also demonstrates how cultural diversity and cultural rights contribute to strengthening the universal framework of human rights. She calls for a foundational renewal and vigorous defence of universality that is grounded in cultural diversity.

 2019

To mark the tenth anniversary of the mandate on cultural rights (2019) and the seventieth anniversary of the Universal Declaration of Human Rights, the seventeenth thematic report, presented by the Special Rapporteur to the Human Rights Council ([A/HRC/40/53](#)), provides

an **overview of the work of her mandate since its creation** in 2009 and suggests strategies for advancing cultural rights during the next decade. The Special Rapporteur argues that the anniversaries are a critical moment for recommitting to the realization of article 27 of the Universal Declaration of Human Rights, which guarantees, inter alia, the right of all freely to take part in cultural life. That is vital because of the inherent importance of those rights within the universal human rights framework and so as to implement other rights in the Declaration and achieve other critical goals such as sustainable development, peace and inclusion.

In the eighteenth thematic report, presented to the General Assembly ([A/74/255](#)), the Special Rapporteur addresses **the importance of public spaces for the exercise of cultural rights** and the challenges that must be addressed so that everyone can access and enjoy such spaces.



Acknowledging the fact that issues pertaining to public spaces have been raised by a variety of stakeholders and from different perspectives, the Special Rapporteur notes that much of this work is sector specific and not holistic or human rights based. Accordingly, the report reviews existing frameworks, provides an overview from a cultural rights perspective of key questions and proposes a more holistic human rights-based approach for policymaking. Issues considered include: 1) the challenges faced by various groups of person in accessing and enjoying public spaces, 2) security concerns, 3) possibilities to exercise cultural practices and organise events in public spaces, 4) the impact of design and urban planning on making public spaces welcoming to diversity, 5) the rights to access natural spaces and 6) cyberspace as public spaces. The Special Rapporteur affirms the responsibility of public authorities to create, protect, secure, develop and maintain open and inclusive public spaces for the exercise of all human rights and cultural rights in particular

2020

The nineteenth thematic report, presented by the Special Rapporteur to the Human Rights Council ([A/HRC/43/50](#)), examines the situation of **cultural rights defenders**, human rights defenders who defend cultural rights in accordance with international standards. The Special Rapporteur highlights their importance among human rights defenders, and the fact that their work in every region of the world is essential for the implementation of an integral part of the universal human rights framework: cultural rights. The aim of the report is to raise awareness about the work of cultural rights defenders, with a view to enhancing the attention and assistance they receive. The report includes a definition of cultural rights defenders; an overview of the diverse human rights work they engage in; discussion of the challenges and risks they face and of the international legal framework protecting and enabling their work; and specific recommendations for better recognizing, defending and supporting them.

In the twentieth thematic report, presented to the General Assembly ([A/75/298](#)), the Special Rapporteur addresses the cultural and **cultural rights dimensions of the current climate emergency**, which have too often been overlooked. In it, she considers the negative impacts of climate change on human cultures and on the enjoyment of cultural rights, and the positive potential of cultures and the exercise of cultural rights to serve as critical tools in responding to the climate emergency. The expert addresses the limitations of current mitigation and



the right to scientific knowledge.

adaptation measures and urges a human-rights-based approach that respects the cultural rights of affected people. She also considers examples of how cultural practices can be used to share information and to combat the effects of climate change, including through greater use of traditional knowledge. In the [annex to the report](#), the Special Rapporteur discusses the legal framework surrounding cultural rights and climate change, as well as climate change denial and

2021

The [twenty-first thematic report](#), presented to the Human Rights Council ([A/HRC/46/34](#)), is focused on the **impact of the coronavirus disease (COVID-19) pandemic on cultures and cultural rights**. In the report, the Special Rapporteur surveys the negative impacts of COVID-19 on cultures and cultural rights worldwide, and the positive potential of cultures and cultural rights, including the right to science, to enhance rights-respecting solutions and build resilience. The report also contains relevant recommendations for action.



equality in defining and redefining cultures, specifically ensuring these rights for those facing pervasive or historic discrimination.

In the [twenty-second thematic report](#), presented to the General Assembly ([A/76/178](#)), the Special Rapporteur calls for greater recognition of human rights-respecting **cultural mixing and syncretism** and increased respect for mixed cultural identities, all of which is necessary for the implementation of cultural rights for all. She calls for the defense of open and multiple understandings of culture and of intercultural relations, spaces and heritage that fully respect all human rights, the recognition of new ways of being and the diversity of diversities and for greater consideration of how we transmit histories of syncretism and cultural mixing. Main recommendations include the need to create the conditions that enable everyone, including marginalized members of society, to participate in cultural life in a meaningful way, including by dismantling structural barriers, such as poverty and discrimination and ensuring the right of everyone to participate on a basis of

2022

The twenty-third thematic report, presented to the Human Rights Council ([A/HRC/49/54](#)), is the first report of the third Special Rapporteur in the field of cultural rights, Ms. Alexandra Xanthaki. In it, Ms Xanthaki presents an **overview of her vision for the mandate**. Building on the important work conducted by her predecessors, the Special Rapporteur highlights important aspects in the evolution of the nature and scope of cultural rights and reflects on the corresponding States' obligations.



In the report, the Special Rapporteur emphasizes the positive nature of culture for the individual and the empowering force of cultural rights. The Special Rapporteur commits to working more closely with United Nations bodies in promoting cultural rights and cultural diversity, recalls the importance of good practice and identifies a preliminary list of issues deserving more attention that she intends to address during her tenure.

In the twenty-fourth thematic report, presented to the General Assembly ([A/77/290](#)), the Special Rapporteur addresses the role of **culture in sustainable development**, including the cultures of development, with a view to assess how cultural diversity and cultural rights have been mainstreamed in the sustainable development agenda so far, take stock of the experiences made in leveraging cultural resources and cultural rights in the pursuit of a more sustainable development as well as the weaknesses encountered in doing so, and highlight areas where increased cultural awareness may contribute to reaching the sustainable development goals during the second half of its implementation.



2023

In the twenty-fifth thematic report, presented to the Human Rights Council ([A/HRC/52/35](#)), the Special Rapporteur underlines **the rights of migrants** to have access to and effectively participate in all aspects of cultural lives, both of the host State and their own cultures. The Special Rapporteur recalls that international human rights law provisions protect those rights, regardless of the legal status of migrants, notes the need to ensure substantial equality in protecting cultural rights and emphasises the importance of the effective participation of migrants in all aspects of cultural rights. The Special Rapporteur reflects on overcoming the obstacles that migrant artists face and highlights the need for intercultural exchange and interaction to ensure dynamic, diverse and democratic societies.





The twenty-sixth thematic report, presented to the General Assembly ([A/78/213](#)), is the second of two consecutive reports addressing **cultural rights in the sustainable development frameworks**. The Special Rapporteur emphasises that international development and trade organisations are currently failing cultural rights. Some of the reasons she analyses include the rejection by some organisations of their responsibility to respect cultural rights; the lack of understanding of the scope of cultural rights and their linkage with the work of the organisations; or/and the sacrifice of cultural rights in the name of economic development or other interests. The Special Rapporteur acknowledges that some progress has been made by some trade and development agencies, but these need to be fully implemented. All agencies need to work beyond their silos in

a comprehensive and inclusive manner to ensure that cultural rights are not violated in development and trade processes, to develop clear processes that mitigate the prevent the violations of cultural rights, advance cultural rights in development and ensure effective participation and consultation according to the current standards. States have an important role to play in ensuring the organisations of which they are members endorse cultural development and ensure that cultural rights are respected and infused in all aspects of the organisations work, so that truly no one is left behind.

2024

In the twenty-seventh thematic report, presented to the Human Rights Council ([A/HRC/55/44](#)), the Special Rapporteur emphasizes the importance of **an inclusive approach to the right to access to and participate in science**. She recalls the evolution of the meaning of science, which now encompasses all scientific approaches. The Special Rapporteur stresses that the right to participate in science through varied modalities must be guaranteed for all and she advocates for multiple and wide-ranging science-policy interfaces and special measures to remove obstacles to the exercise of that right. Scientific freedom must be guaranteed and a human rights approach to science must be implemented at all levels by all actors.



For more information, please see:

www.ohchr.org/EN/Issues/CulturalRights/Pages/SRCulturalRightsIndex.aspx