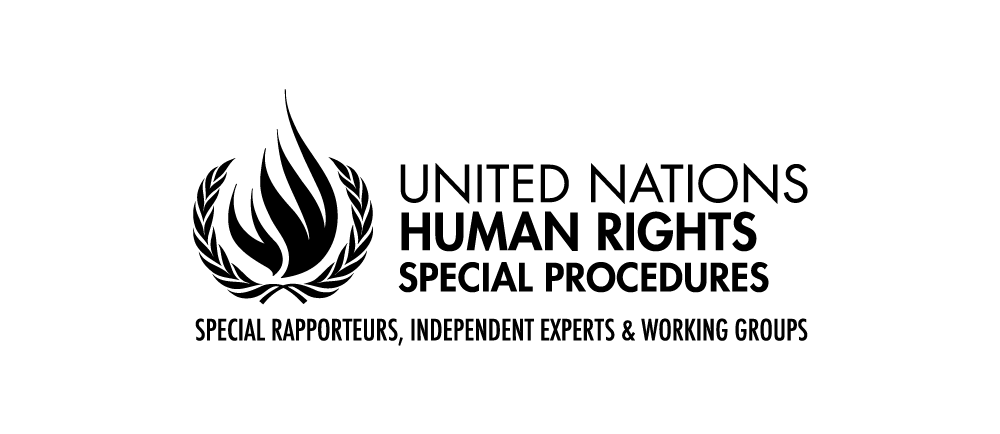
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**Interactive Dialogue Statement**

**Special Rapporteur in the field of cultural rights**

**Alexandra Xanthaki**

**Human Rights Council, 55th Session**

**Item 3**

**7 March 2024**

**Geneva**



Good afternoon Your Excellencies and all,

I am delighted to be before you today.

Before presenting my reports to you, I would like to recall that when I first took the floor before you in 2022, my first words were for Ukraine. I stressed that the justification of any war must step away from rhetoric that denies the identity and the history of a nation, and I referred to the well-recognised and legally-binding right to self-determination.

Two years have passed, and what I said then is still true today. It is also true for Gaza. Since October last year, jointly with other Special procedures, we have called for a permanent ceasefire, demanded support for UNRWA, and expressed concern at the apocalyptic humanitarian conditions, destruction, mass killing, wounding and irreparable trauma endured by civilians. I am appalled by the annihilation of the cultural sector in Gaza and the destruction of cultural heritage sites. States in this assembly must do all they can to stop that violence. Armed attacks and military responses have already proven incapable of leading to security and respect for human rights of all. Restoring international legality, accountability and respect for humanity and dignity of all must prevail, including an end to Israel’s 56 years of military occupation. This also of course applies to other places such as Libya, Myanmar or Sudan.

**Dear all, last year I visited Germany.**

At the outset, I would like to thank Germany for its invitation and for the many rich and open discussion I could conduct while in the country about the laws, policies and efforts to implement the right of all to participate in cultural life and to freely express one’s world views, values and ways of life.

Germany must be congratulated on many grounds:

* for the variety and diversity of its cultural sector;
* for the richness of the debates it fosters on the integration of the diversity of people living in the country, and on the difficult chapters of its past. Germany has really taken a self/reflective look at its colonial past and is in the process of taking specific steps to address past injustices including restitution.
* and for the way it addresses the challenges linked with the far-right movement.

In my report, I highlight many of the numerous commendable initiatives respecting and implementing cultural rights, especially those of migrants, refugees, and LGBTIQ+ persons, on which I had a specific focus.

I am however concerned that most of these are either voluntary initiatives from institutions or civil society groups, or operate on a project basis, and do not benefit from the financial, structural, and institutional context for their continuity. In my report, I make a number of recommendations to help anchor these positive practices in time and normalize the standards across the country.

I also noticed that more could be done to ensure full knowledge and part taking from all levels of Government about cultural rights standards and norms, and about the role each institution and department should play in integrating and implementing these in their work. My report provides ideas about how to improve the situation, including by explicitly citing cultural rights in legislative instruments, developing guidelines and minimum standards that should be respected nation-wide and including cultural rights in curricula and trainings. These types of solutions could be implemented while maintaining Germany’s governance system that encourages bottom-up and participatory leadership in the fields of culture, language, history teaching and education, and could help minimize the disparities in the respect and protection of cultural rights across Länder.

During my visit, I have been informed about numerous legislative processes that were ongoing and offered opportunities to improve the protection and implementation of cultural rights, including the ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, a Participation Act, the Self-determination Act, a revision of the law on citizenship to facilitate the naturalization of long-term migrants and a review of the General Equal Treatment Act. I hope to hear more from the Government about these developments and to continue the dialogue on the implementation of the recommendations of my report in the future.

**Excellencies and all,**

I am delighted to present to you **my report on the right of all people to participate in science**.

Its starting point is that science may only have transformative **positive effects** on addressing complex and interconnected challenges, in a manner that benefits all, if conducted within a **human rights framework, fully taking into consideration the right to access to and participate in science**.

Too little attention has been given, however, to the human rights dimensions of science. Without much debate or people’s participation, science is too often presented in an uncritical and undisputed way. Policy decisions on science are neglecting the right to participate in science, which is restricted in practice to a few.

**As science and technology are portrayed as the solutions to our planetary crises, the right to science is being undermined in several ways.** These includeefforts to gag academic and scientific researchers, whether professionals or not, whose ideas do not fit the preferred political narratives. The under-funding of universities and reduced public research funding, often through austerity measures, also restrict the right to participate in science. This feeds the acceleration of the privatization and commodification of science, at odds with considering science as a common good. Disparities in funding between the global North and the global South continue to be enormous. Lastly, of concern to me is the instrumentalization of science, through mis and disinformation, to manipulate public opinion and delay policy decisions that may run against private interests.

**Excellencies and all,**

There is a need to use law, including human rights law, in implementing science, and to reinforce the legal, regulatory and policy framework to allow for democratic control over the scientific enterprise. Democratic control does not equate with state control. States must allow a variety of voices rather than ensuring their monopoly in decision-making regarding scientific matters.

In my report, I recall that the right to participate in science must be recognised to everyone, as mentioned in the Universal Declaration of Human Rights, its article 27 protecting the right of everyone to share in scientific advancement and its benefits.

That does not mean that everyone should be recognized as a high-level scientific researcher and their views received with the same attention.

**But it does mean that**:

* **First, the meaning of science must be inclusive and not exclusive.** Therefore,due consideration should be given to **scientific diversity**, acknowledging that scientific knowledge is produced by communities that are historically and culturally situated. That means understanding sciences in the plural form, from various traditions and cultural backgrounds, in various languages and following diverse ways of researching and carried by a variety of scientific or epistemic communities, from very local ones to cross-cultural ones.
* **Second, States must ensure that everyone has different opportunities to participate,** and depart fromthe rigid distinction between the scientist who produces science and the general population, entitled only to enjoy the benefits derived from research conducted by scientists.

The circle of experts who have enhanced participation is not as exclusive as it used to be, and experts are not the only ones with the right to participate in science.

People might do research in their own fields and in relation to their own concerns and aspirations, using knowledge and refining it for their own personal development. There are many ways in which people can participate in science without undermining the expertise of scientific professionals, complementing it in many ways and demanding that science respond to their needs and those of the wider society. It is hence not only professionals who have the right to participate in science. Open science is very important in that regard.

**Adequately funded public education in this respect is an essential pre-condition for the right to participate.**

**Participation in decision-making is also key.**

It is now more and more widely accepted that States should endeavour to align their policies with the best scientific evidence available. They should do so while using the whole array of sciences including for example, sociology, psychology and history, which must interact with natural sciences to provide evidence and inform political decisions, including by opening up and untangling issues of ethical considerations in more depth and deconstructing “techno-solutionism”. The recent past has shown that difficult ways forward need to be based on science, in all its diversity but must also inform people of their basis and be open to their questioning and critical enquiry.

States must not use scientists to hide behind for important political decisions that are to be made. We have seen how tensions from lack of participation in important decisions portrayed as directly deriving from scientific evidence have created the distrust and resentment of scientific experts. Their expertise is doubted, and some have been threatened, detained, undermined or ridiculed. Meanwhile, unscientific suggestions and populist, oversimplified explanations and uncritical suggestions become dominant in the public sphere, often through social media.

At the same time, States must ensure that disinformation is limited. The right to participate in science per se should not hinder the right to the best applications of science. The unlimited participation of non-experts can lead to erroneous conclusions and claims. The reality is that we do not all have equal epistemic capacity. The difference between certified expertise and experiential expertise cannot be neglected.

Finally, **Participation in benefits and in preventing harms is essential.** In particular, focusing on the participation modalities of vulnerable and marginalized groups, including indigenous peoples, peasants and those located in remote areas, is essential.

I thank you for your attention and look forward to our fruitful dialogue.

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