

I want to congratulate the organizers of this event for continuing their work despite the uncertainties of the pandemic. I think the meeting has been very rich. However, its ultimate success depends not on what we did today and yesterday, but what we do going forward. I want everyone – whether you are a government delegate or an NGO advocate or an expert to write down one or two things that you are committing to do to follow up on this meeting. Please do this while you are listening to me. I will also do this myself. For example, I want to go back and review the communications I have sent to states and other actors regarding cultural heritage protection to determine their status and assess what follow up remains necessary.

I saw in our deliberations the tremendous progress we have made since the last inter-sessional meeting in 2017. We have now consolidated the view of cultural heritage as a human rights and cultural rights issues. We are witnessing the emergence of new strategies for holding perpetrators accountable. We have made cultural rights defenders part of the lexicon, part of the vocabulary. So we have been able in this meeting to speak operationally rather than having to spend our time defending this framework. This is very positive. However, we are going to have to work to maintain these advances, and protect them from backsliding. Because outside of meeting rooms in Geneva or New York it is all too common for this vocabulary to magically disappear, or for it to disappear in the context of implementation. There are also recent developments of concern which could thwart the development of the new cultural heritage destruction-related jurisprudence in international criminal law. So we need to be vigilant, even while seeking to maintain the advances, and indeed advance further.

The key themes of this meeting have included: 1) the need for accountability – for violations of the right to access and enjoy cultural heritage, for violations of the rights of cultural rights defenders, 2) the need for implementation and the need to find new and creative modes of

and forums for implementation, 3) the need to support cultural rights defenders working in the field of heritage protection, 4) the need to recognize the role of local cultural rights defenders, and sometimes entire populations in heritage protection, 5) the need to ensure consultation and participation of key constituencies.

We have also heard expert views from around the world confirming the way in which the protection of cultural heritage is connected to so many human rights issues – the protection of cultural rights, but also many other human rights. It is also linked to respect for cultural diversity in accordance with international standards. I was very moved by many remarks made here, including those of Mr. Omar Mohammed. He reminded us of the link between extremist and fundamentalist ideology<sup>1</sup>, and attacks on minorities and cultural heritage protection. He gave us the terrible example of what I have called cultural engineering. He reminded us of how much there is to fear from such agendas. But he also reminded us of hope – of the ways populations and cultural rights defenders push back, of how culture is resilient, of how young people are committed to a better future and how young people like him can develop what he called a passion to know history based on intergenerational encounters. We must reflect on that experience and build tools to foster many such encounters, to make sure that we are always involving and empowering youth in cultural heritage initiatives.

We have, in this meeting, repeatedly reiterated the importance of cultural heritage protection for the enjoyment of human rights. What will we do to ensure that we have the tools we need to guarantee that protection? I would ask all states to conduct internal assessments of what they have done to implement a human rights approach to cultural heritage protection and

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<sup>1</sup> [A/HRC/34/56 - E - A/HRC/34/56 -Desktop \(undocs.org\)](https://undocs.org/A/HRC/34/56-E-A/HRC/34/56-Desktop)

what tools they have available and where the gaps are. I would also ask them, in accordance with Article 15(4) of the International Covenant on Economic, Social and Cultural Rights, that they assess what international cooperation they have undertaken to implement this approach and assist other states with fewer resources in doing so.

With regard to the cultural rights mandate, let me ask states to ensure that when they receive communications from me or my successor regarding threats to cultural heritage that they will take them very seriously, investigate thoroughly, in accordance with international standards, and reply substantively, take immediate remedial action to stop ongoing violations, and make sure to bring alleged perpetrators to justice. Let me ask all states to go back and review past communications I have sent in this area. I would also ask all states where I have carried out country missions to go back and assess whether or not they have implemented the recommendations I made in my country reports.<sup>2</sup>

States committed to seeing this work within the mandate continue and increase could seek ways that are in compliance with the Code of Conduct to directly support the cultural rights mandate, perhaps through the funding of a post for an expert on cultural heritage to work with the Special Rapporteur, and through the creation of an implementation toolkit on the basis of my two 2016 reports on cultural heritage, and the earlier report by my predecessor, Farida Shaheed. We need creative tools, such as YouTube videos about the work of frontline cultural rights defenders, and to make other creative use of social media.

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<sup>2</sup> [OHCHR | Country visits](#)

I reiterate here some Recommendations from my report for the 10<sup>th</sup> anniversary of the cultural rights mandate.<sup>3</sup> States should:

(1) Put in place mechanisms, if they have not already done so, to ensure systematic follow-up to country missions and review progress in implementing thematic recommendations from the mandate; (2) Review all past communications received from the mandate and ensure they have fully investigated allegations and, where appropriate, taken measures to halt violations and hold perpetrators accountable); (3) Ensure effective remedies for all violations of cultural rights and the justiciability of those rights, make reparation to victims and ensure alleged perpetrators are brought to justice in accordance with international standards; (4) Respect and ensure the rights of cultural rights defenders, support civil society working in the cultural sector and ensure that its work is not impeded; (5) Ensure that respect for cultural rights in accordance with international standards is taught throughout educational systems and to the general public; (6) Increase funding for the cultural sector to meet at least the UNESCO minimum target of 1% per cent of total government expenditures.

I sincerely thank everyone who has collaborated with me in the mandate's work since 2015. This work has been very collaborative. Let me conclude my saying that today, in our collective role as custodians of the past achievements of humanity, we are faced with a stark choice. Will we engage with cultural heritage in its diversity in such a way as to allow cultural rights to flourish and will we protect it, teach youth about it, learn from it and from the history of its destruction, and make use of heritage and its reconstruction to understand ourselves and find solutions to the grave problems that we face? Will we be up to the challenge of protecting the

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<sup>3</sup> [A/HRC/40/53 - E - A/HRC/40/53 -Desktop \(undocs.org\)](https://undocs.org/A/HRC/40/53-E-A/HRC/40/53-Desktop)

heritage of humanity? If the answer is no, the rights of current generations will be violated, and we will incur the scorn of future generations. Would we not prefer to bequeath a richer legacy?

The intentional destruction of cultural heritage is a human rights issue. The approach to stopping it needs to be a holistic one, encompassing all regions, focused on both prevention and punishment, and targeting acts committed by both State and non-State actors, in conflict and non-conflict situations. We must not only respond urgently, but also take the long view, as we conclude this important meeting and move forward together to continue this critical human rights work.