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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 [74/159](#), 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, to be submitted to the Assembly at its seventy-sixth session.

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/76/150](#).



I. Introduction

1. The present report is submitted pursuant to paragraph 24 of General Assembly resolution 74/159, 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-sixth session. Following a call for submissions, the Office of the United Nations High Commissioner for Human Rights (OHCHR) received a total of 19 contributions from Member States, national human rights institutions, the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Council of Europe and several non-governmental organizations, summaries of which are provided in sections II, III, IV, V and VI below.

II. Summary of information received from Governments

A. Bosnia and Herzegovina

2. Bosnia and Herzegovina is a multinational, multi-religious and multicultural country of three constituent peoples (Bosniaks, Serbs and Croats) and 17 national minorities, as recognized in its Constitution. It is committed to strengthening dialogue among different ethnic groups as a primary means of promoting diversity and developing tolerance in society. The Interreligious Council of Bosnia and Herzegovina was established in 1997 and works with the Council of Ministers and the Parliamentary Assembly, along with the Board on Roma. The assemblies of the Federation of Bosnia and Herzegovina and the Republika Srpska have both instituted councils for national minorities. During religious holidays, public television stations broadcast programmes on religious practices to strengthen relations between communities. The Interreligious Council of Bosnia and Herzegovina, consisting of the Islamic community, the Serbian Orthodox Church, the Catholic Church and the Jewish community, has printed a glossary of religious terms to facilitate understanding between religious groups.

3. Since the conflict, the country has undertaken to restore its multicultural heritage in Sarajevo, Mostar and elsewhere, and has criminalized acts that destroy or damage cultural heritage. The Commission to Preserve National Monuments was established under the General Framework Agreement for Peace in Bosnia and Herzegovina to monitor and protect national monuments in danger. The Ministry of Education and Culture supports the social inclusion of the most vulnerable and marginalized groups through grants for social cohesion and inclusion projects, such as the Special Library for Blind and Visually Impaired Persons of the Republika Srpska.

B. Cuba

4. In Cuba, access to culture is a collective right for the enjoyment of all. Through the Proclamation of Latin America and the Caribbean as a Zone of Peace, signed in Havana in 2014, the States members of the Community of Latin American and Caribbean States committed to fully respect the inalienable right of every State to choose its political, economic, social and cultural system, as an essential condition for ensuring peaceful coexistence among nations. The adoption of the 2019

Constitution, national policy documents and the progress made in the implementation of the 2030 Agenda for Sustainable Development created a framework for development of the diversity of cultural expressions.

5. Article 13 of the Constitution establishes the protection of the nation's natural, historical and cultural heritage and the educational, scientific, technical and cultural development of the country. Title III, "Principles of educational, scientific and cultural policy" reinforces, in article 32, the role of the State in guiding, fostering and promoting education, science and culture in all of their forms, and the promotion of freedom of artistic creation in all its forms of expression. Under title V, chapter II, on "Rights", the Constitution protects the right to culture in article 46 and the right to participate in the cultural and artistic life of the nation in article 79.

6. Cuba continues to work on implementing the national cultural policy and the cultural development programme of the Ministry of Culture, which is aimed at conserving, protecting and disseminating cultural heritage, recognizing cultural diversity, promoting and encouraging artistic and literary creation, and recognizing the role of culture in the promotion and orientation of socioeconomic processes. Cuba has ratified all the UNESCO cultural conventions, subsidized the price of books and other cultural products and services, and promoted the active participation of civil society organizations in cultural policy decisions and their implementation. Through cultural development programmes, special attention has been paid to the cultural rights of children, older persons, persons with disabilities and the incarcerated population. Cuba reports that its culture sector continues to be affected by the implementation of the embargo policy by the United States of America against Cuba.

C. Cyprus

7. The Ministry of Education, Culture, Sport and Youth of Cyprus took measures to promote social inclusion and diversity in education, focusing on the challenges experienced by children with disabilities, children in a difficult family environment and those facing economic hardship. Special attention was given to migrant children to assist them in their integration, including through the provision of Greek language classes. During the coronavirus disease (COVID-19) pandemic, measures taken by the Ministry included providing online education and electronic devices (tablet computers) to children in need. A programme on peace and anti-racist education brought Greek-Cypriot and Turkish-Cypriot students and teachers together online.

8. The Ministry supported schools in their implementation of its Code of Conduct against Racism and Guide for Managing and Recording Racist Incidents, providing guidance on how to deal with racism, bullying and discrimination through online training, a website and a support hotline. It also continued to implement a policy and action plan for the integration of pupils with a migrant background and the national strategy and action plan for preventing and addressing school violence. The Cyprus Constitution recognizes three religious minorities: Armenians, Maronites and Catholics. Their rights are safeguarded through the Framework Convention for the Protection of National Minorities of the Council of Europe, and their special educational and cultural needs are safeguarded through the implementation of the European Charter for Regional or Minority Languages of the Council of Europe.

D. Iraq

9. The Constitution of Iraq protects freedom of thought, conscience, religion and belief, including by providing effective remedies in cases where those rights are violated. It affirms the right of minorities to educate their children in their native

languages (Turkmen, Syriac, Armenian and Mandaic) and protects religious minorities (Christians, Yazidis, Kaka'i, Zoroastrians, Sabaeen Mandaean and Baha'i). These rights have been translated into a draft law on the protection of diversity and prevention of discrimination; the Official Languages Act (Act No. 7 of 2014); the Electoral Act (Act No. 9 of 2020), which gives minorities fixed quotas of allocated seats in parliament; the Yazidi Survivors Act (Act No. 8 of 2021), to compensate survivors of crimes against humanity; and the national policy for community security.

E. Italy

10. Italy promotes inclusion and diversity in its education system as part of its "Inclusion" national operational programme. Specific education and training projects are directed at teachers, educators and cultural mediators working in schools with a high number of foreign students. The youth projects of the Ministry of Education, Universities and Research are aimed at preventing and combating discrimination in schools and enhancing understanding of cultural diversity and inclusion. In 2010, Italy established the Observatory for Security against Acts of Discrimination within the Ministry of Interior, Central Directorate of Criminal Police. The Observatory receives reports of hate crimes and assists victims in submitting complaints. It trained police officers on hate crimes, hate speech and human rights, with the involvement of the National Office against Racial Discrimination and civil society organizations working on human rights. In 2018, the Observatory, in conjunction with the Union of Italian Jewish Communities, released the Guide to Judaism for Police Officers to strengthen reporting on anti-Semitic hate crimes.

11. The National Office against Racial Discrimination is responsible for ensuring protection against discrimination based on race, ethnic origin, religion or belief, age, sexual orientation or gender identity, through awareness-raising and capacity-building, and the judicial protection of victims through civil actions against discrimination. It maintains a register of associations and bodies that carry out activities in the field of combating discrimination. In 2020–2021, the National Office funded 67 projects on intercultural confrontation, the promotion of human rights and non-discrimination. The National Office is also engaged in promoting the integration of Roma communities. A new national Roma integration strategy 2021–2030 was designed with the Roma Platform instituted by the National Office in 2017, when the National Office launched a strategy for the promotion of Roma culture, including educational activities on the history and culture of Roma, Sinti and Traveller communities.

12. Following the onset of the COVID-19 crisis in March 2020, the National Office against Racial Discrimination engaged with Roma communities living in overcrowded camps that had limited access to basic services, to assess the impact of the pandemic. During the pandemic, it financed specific needs assessment activities in Roma settlements in several cities and undertook several activities, which included supplying food, providing educational aids for distance learning such as personal computers and tablets, and supplying milk and diapers. The National Office also collaborates with other institutions on combating anti-Semitism, including through the celebration of the Day of Remembrance of the Holocaust and for the Prevention of Crimes against Humanity. The National Office also developed activities for the prevention of cyberracism and online hate speech, including several seminars and an awareness-raising campaign. It has submitted to the European Commission a project entitled "REASON – REAct in the Struggle against ONline hate speech", which will strengthen action to combat hate crimes and online hate speech through a broad institutional partnership. Finally, the National Office set up a permanent round table

for the protection of the rights of lesbian, gay, bisexual, transgender, queer and intersex persons, to develop a strategic plan in this area.

F. Mexico

13. Mexico is a multicultural and multilingual country that has 68 indigenous peoples and an Afro-Mexican population. To promote cultural diversity and the conservation and development of culture, Mexico enacted a law in 2018 establishing the National Institute of Indigenous Peoples. It also launched the national indigenous peoples programme 2018–2024 and a programme for the integral well-being of indigenous peoples, set up the system of indigenous cultural broadcasters and established the University of Indigenous Languages of Mexico.

14. During the COVID-19 pandemic, Mexico developed a guide for the care of indigenous and Afro-Mexican peoples and communities in response to the health emergency; disseminated information in all indigenous languages on public health and COVID-19 prevention through the system of indigenous cultural broadcasters; set up a cultural promoters programme to produce bilingual cultural and educational materials; and established the National Network of Traditional Physicians to disseminate key messages regarding the National COVID-19 Vaccination Plan. It also promoted several projects as part of the “Creative Mexico” initiative, including a survey to measure perceptions of the impact of COVID-19 on the cultural and creative economies sector in Mexico, and a programme to support State cultural institutions in the development of projects within the framework of the federal cultural policy.

G. Nepal

15. Nepal is a multicultural, multilingual and multi-religious country. In its preamble, the Constitution of Nepal contains a commitment to protecting and promoting social and cultural solidarity and tolerance. Article 32 guarantees every person and community the right to use their languages, participate in the cultural life of their communities and preserve and promote their language, culture and heritage. Article 26 guarantees the right to freedom of religion. The State is directed to build a civilized and egalitarian society that acknowledges cultural values and diversity by protecting and developing languages, culture and literature, and the heritage of the country’s various cultural and social groups, tribes and communities.

16. The COVID-19 pandemic had a significant impact on social, economic and cultural activities. As a result of national lockdowns, the celebration of marriages and other social ceremonies was restricted, most temples were closed and many religious and cultural festivals were cancelled or restricted, which also led, in some cases, to protests and clashes.

H. Qatar

17. Since 2010, the Katara Cultural Village Foundation has embraced the protection and promotion of cultural diversity by providing a platform for people from around the world to come together and accept and welcome cultural differences. The Foundation has hosted festivals reflecting the world’s cultural diversity, including the Katara Cultural Diversity Festival, the “Colours of the Desert” exhibitions and the European Jazz Festival.

18. The COVID-19 pandemic has had a negative impact on the culture and arts sector globally, significantly affecting cultural tourism, the social rights of creative

artists and professionals, the protection of a variety of cultural expressions and the education system. The Foundation moved some of its activities online, including the Katara Prize for Cartoon, the Short Story Competition (in English), an annual painting competition as part of the Katara Children's Festival, the Katara Novel and Fine Art Competition, and the Fine Arabic Calligraphy virtual exhibition organized in collaboration with the Turkish Cultural Centre in Doha. It also established the first centre for traditional crafts in the Arab world, in cooperation with the Arab League Educational, Cultural and Scientific Organization. The Foundation continues to carry out a series of activities that promote cultural diversity based on the commonality between culture and the arts and beauty, love and celebration of life.

I. Russian Federation

19. In the Russian Federation there are 193 indigenous peoples, of which a third live in the North, Siberia and Far East of the country and the Northern Caucasus, and which speak 277 languages and dialects. The principle of the self-determination of indigenous peoples is implemented through forms of national and cultural autonomy and self-government, which are recognized in law. Indigenous peoples are unique because of their specific ways of life based on traditional farming. The legislation promotes and guarantees the rights of indigenous minority peoples on an equal basis with other people in the country. The Russian Federation supported numerous cultural and educational activities, including the annual St. Petersburg International Cultural Forum and various festivals. The Russian Federation has also been actively involved in the preparation and implementation of the International Decade of Indigenous Languages (2022–2032).

20. Federal Act No. 273 of 2012 on education in the Russian Federation affirms the right of everyone to education without discrimination. Foreign nationals and stateless persons have the same rights to receive preschool, primary and secondary education and participate in vocational training programmes. The Russian Federation monitors implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, the concluding observations of the Committee on the Elimination of Racial Discrimination, and General Assembly resolution [75/187](#) on combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief, through the State information system for monitoring in the field of inter-ethnic and inter-faith relations and early warning of conflict situations.

J. Syrian Arab Republic

21. The Ministry of Culture of the Syrian Arab Republic continued to support cultural activities during the COVID-19 pandemic, including the printing and publishing of books on human rights and cultural diversity, virtual visits to archaeological sites in the Syrian Arab Republic, a virtual fine arts exhibition and various online initiatives to raise awareness of the virus. Support was also provided to film production and dissemination through an electronic platform established by the General Film Corporation, and to theatrical performances promoted by the Higher Institute of Dramatic Arts. The Directorate of Cultural Relations overseeing Syrian cultural centres also held seminars to raise community awareness of the epidemic. Dar al-Assad for Culture and Arts organized numerous events, concerts and festivals. The Government also took steps to protect the country's intangible heritage by including it in the National List of Syrian Cultural Heritage. This included the social practices, rituals and celebrations of communities such as Alawis, Circassians, Christians, Hadidi, Kurds, Muslims and Syrians.

III. Summary of information received from intergovernmental organizations

Council of Europe

22. The action taken by the Council of Europe in response to the COVID-19 crisis included: the toolkit “Respecting democracy, rule of law and human rights in the framework of the COVID-19 sanitary crisis”;¹ the Athens Declaration by the Committee of Ministers on respecting human rights during pandemic emergencies (4 November 2020);² a report by the Secretary-General of the Council on the impact of the sanitary crisis on freedom of expression and media freedom;³ a survey on the impact of COVID-19 on the cultural routes of the Council of Europe and a related webinar;⁴ a report by the European Audiovisual Observatory on the European audiovisual industry in the time of COVID-19;⁵ a collection of country reports on measures taken by member States;⁶ a report on the impact of the COVID-19 pandemic on the cultural and creative sector;⁷ and a reader by the Steering Committee for Culture, Heritage and Landscape on culture in times of COVID-19.⁸

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

23. The COVID-19 pandemic has had a devastating impact on culture and cultural rights. UNESCO launched the ResiliArt movement for artists and cultural professionals, to ensure that their voices and needs are heard during the global crisis, and launched global surveys and reports on the impact of the pandemic on access to museums, World Heritage sites and living heritage practices. In the context of its normative instruments, including the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions and the 1980 Recommendation concerning the Status of the Artist, UNESCO continued to promote artistic freedom and gender equality in the cultural and creative industries. On World Press Freedom Day (3 May 2020), UNESCO and Cartooning for Peace raised awareness of freedom of expression during the COVID-19 pandemic. UNESCO also launched the publication “Freedom & creativity”, which provides an overview of advances and challenges in the legal protection of artistic freedom. The 2021 UNESCO report *Gender & creativity: progress on the precipice* highlights the gender gap in the cultural and creative industries and the unequal impact of the pandemic on women and gender-diverse artists and cultural professionals.

¹ <https://rm.coe.int/sg-inf-2020-11-respecting-democracy-rule-of-law-and-human-rights-in-th/16809e1f40>.

² https://coegreekchairmanship2020.gov.gr/wp-content/uploads/2020/11/The_Athens_Declaration.pdf.

³ <https://rm.coe.int/16809ef1c7>.

⁴ Survey: Covid-19 and the Cultural Routes of the Council of Europe: impacts and responses – Cultural Routes: newsroom (<https://www.coe.int/en/web/cultural-routes/-/survey-covid-19-and-the-cultural-routes-of-the-council-of-europe-impacts-and-reponses>); Webinar: “Covid-19 and the Cultural Routes of the Council of Europe: Impacts and Responses” – Cultural Routes: newsroom (<https://www.coe.int/en/web/cultural-routes/-/webinar-covid-19-and-the-cultural-routes-of-the-council-of-europe-impacts-and-reponses->).

⁵ <https://rm.coe.int/iris-plus-2020-2-the-european-audiovisual-industry-in-the-time-of-covi/16809f9a46>.

⁶ <https://www.culturalpolicies.net/covid-19/country-reports/>.

⁷ <https://rm.coe.int/covid-19-the-cultural-sector-/1680a096ba>.

⁸ www.coe.int/en/web/cdcp-committee/-/culture-in-times-of-covid-19-or-how-we-discovered-we-cannot-live-without-culture-and-creativity-impressions-and-lessons-learnt-from-covid-19.

24. UNESCO continued to promote a human rights-based approach to cultural diversity and the safeguarding of cultural and natural heritage in humanitarian action, disaster preparedness and response, security, peacebuilding and peacekeeping operations. UNESCO launched the “Li Beirut” initiative to support the reconstruction of cultural heritage and the revival of cultural life. UNESCO is also implementing the “Revive the Spirit of Mosul” initiative to promote intercultural dialogue and diversity through the reconstruction of cultural heritage sites and educational institutions.

25. Given that UNESCO is preparing for the International Decade of Indigenous Languages (2022–2032), it has multiplied its activities in this area. As part of the UNESCO/European Union programme “Supporting new regulatory frameworks to strengthen the cultural and creative industries and promote South-South cooperation”, UNESCO provides assistance in the designing of policies to support indigenous peoples and community radio in Mexico. UNESCO also continues to ensure the participation of indigenous peoples in the identification, nomination (with prior consent), management, protection and presentation of World Heritage sites, based on the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage.

V. Summary of information received from national human rights institutions

A. Liberia: Independent National Commission on Human Rights

26. The Independent National Commission on Human Rights in Liberia monitors human rights situations and engages with the Government to promote cultural diversity and peaceful coexistence. The Commission implements the National Palava Hut Programme (a local traditional alternative dispute method for conflict resolution run by the Commission to advance transitional justice), encourages State actors to respect the human rights of citizens in relation to way of life, and organizes meetings with civil society, including minority groups, on the promotion of human rights and cultural diversity.

27. As part of the Commission’s efforts to respond to the COVID-19 pandemic, a press release was issued calling on the Government of Liberia to take reasonable measures that would ensure citizens could carry out their cultural practices while observing COVID-19 health protocols. In rural Liberia, traditional herbalists were allowed to treat people who did not have access to health-care facilities. Traditional midwives were encouraged and monitored by the Commission’s field human rights officers in the provision of health-care services to rural women. The Commission has promoted cultural diversity by encouraging traditional methods of conflict resolution.

B. Nicaragua: Office of the Human Rights Advocate

28. The Political Constitution of Nicaragua recognizes the multi-ethnic and pluricultural nature of the nation, and the right of indigenous peoples and people of African descent to their identity and self-determination. The Statute of Autonomy of the Autonomous Regions of the Caribbean Coast of Nicaragua recognizes the cultural rights of the indigenous peoples and people of African descent of the Caribbean coast of Nicaragua. Laws governing aspects of the life and well-being of indigenous peoples and people of African descent include the law on the communal property regime of indigenous peoples and ethnic communities in the autonomous regions (Act No. 445); the law on the official use of the languages of the communities of the Caribbean coast of Nicaragua (Act No. 162); the law on traditional and ancestral

medicine (Act No. 759); and the law on strengthening and promoting the traditions, customs and gastronomy of the Nicaraguan people as the intangible cultural heritage of the nation (Act No. 991). The national legal framework also recognizes the State's obligation to provide indigenous peoples and people of African descent with services in accordance with their languages and cultures. Nicaragua is also a party to numerous international conventions, declarations, covenants and resolutions relating to the preservation and promotion of cultural heritage, which have been incorporated into domestic law and contribute to the process of formulating inclusive and culturally relevant public policies.

29. The principles of the legal framework are implemented through the national culture policy, which is part of the national human development plan. The plan promotes multiculturalism and the preservation and promotion of cultural heritage, linking them to international tourism. It promotes the culture and identity of indigenous communities and people of African descent, and drives the implementation of the Caribbean Coast Development Strategy, with the participation of peoples of African descent, indigenous peoples and ethnic communities in regional and national development processes, aimed at ensuring the provision of adequate services and fair opportunities.

30. Through the Nicaraguan Film Institute, Nicaragua supports national film production as a central element of efforts to rescue, restore and promote national culture. The National Cinematheque rescues, preserves and digitizes the country's film heritage, organizes training and generates opportunities for the development of national film production. More generally, Nicaragua promotes and develops creative industries through the National Commission for the Creative Economy and a national creative economy strategy. The "Creative Nicaragua" national programme generates jobs and income, while contributing to culture and identity.

VI. Summary of information received from non-governmental entities

A. Fundación para la Democracia Internacional (Argentina)

31. Cultural rights are key for life and a foundation for achievement of the 2030 Agenda. Urgent action is needed to guarantee cultural rights for all and to help those who dedicate themselves to the arts to survive during the COVID-19 pandemic. Governments should abide by their commitment to international law by taking action to protect cultural rights and to reflect this in their efforts to build back better. Civil society organizations and local authorities should work together to overcome nationalism and racism and promote intercultural dialogue and inclusion. Moving conferences and events online during the pandemic has made the international agenda of promoting cultural diversity more democratic and accessible to a larger number of organizations. Similarly, many museums and cultural institutions opened their doors online during this time. However, the lack of universal access to the Internet is an obstacle for many, and must be addressed.

B. International Human Rights Council (India)

32. The International Human Rights Council noted that cultural diversity generally refers to the coexistence of diverse knowledge, beliefs, arts, morals, laws, customs, religions, languages, abilities and disabilities, genders, ethnicities, races, nationalities and sexual orientations. While cultural diversity is a global phenomenon, since virtually every society is a melting pot of culture and diverse peoples must coexist,

people remain divided by factions. As a consequence, cultural groups feel, to varying degrees, that their members are being attacked, bullied, persecuted and discriminated against. The checks and balances reflected in international human rights law need to be incorporated into domestic law and enforced at the national level.

C. National Secular Society (United Kingdom of Great Britain and Northern Ireland)

33. The diaspora of those of Indian origin forms a significant proportion of the population of the United Kingdom of Great Britain and Northern Ireland. Part of that diaspora practises caste discrimination. A 2010 government-commissioned study⁹ identified evidence suggesting caste discrimination and harassment by higher castes against the lowest castes in relation to work (bullying, recruitment, promotion and task allocation); provision of services; and education (pupil-on-pupil bullying). Between 50,000 and 200,000 people living in the United Kingdom are at risk of caste discrimination.

34. In 2016, the Committee on the Elimination of Racial Discrimination recommended that the United Kingdom should “[i]nvoke Section 9(5)(a) of the Equality Act 2010 without further delay to ensure that caste-based discrimination is explicitly prohibited under law and that victims of this form of discrimination have access to effective remedies, taking into account the Committee’s general recommendation No. 29 (2002) on descent”.¹⁰ Despite that call, the United Kingdom has not yet outlawed discrimination based on caste.

D. Ukrainian Orthodox Church (Ukraine)

35. The Ukrainian Orthodox Church reported violations of the rights of its believers, and contested policies pursued by various authorities. The Ukrainian Orthodox Church contends that nearly 500 of its churches have been seized without supporting documentation since 2015, or illegally re-registered under the name “Orthodox Church of Ukraine” by virtue of orders issued by regional state administrations.

36. The Ukrainian Orthodox Church also expressed concern regarding the “law on renaming” adopted by the Parliament of Ukraine (Act No. 2662-VIII of 20 December 2018), which establishes an obligation for all religious organizations of the Ukrainian Orthodox Church to change their historical name. The Ukrainian Orthodox Church states that this is an example of discrimination and restrictions on freedom of religion, as it is seen as forcing believers of the Ukrainian Orthodox Church to renounce their canonical and historical identity. The Ukrainian Orthodox Church also noted that article 18 of the International Covenant on Civil and Political Rights guarantees the right to manifest one’s faith and practise one’s own religion freely, and argued that this should include the freedom to choose one’s unique historical name.

E. World Federation of the Deaf (Finland)

37. The World Federation of the Deaf emphasized that sign languages are the core means of ensuring that the human rights of deaf persons are upheld. The identity of deaf persons is tied to sign languages and the social connection built on the shared

⁹ www.niesr.ac.uk/sites/default/files/publications/caste-discrimination.pdf.

¹⁰ CERD/C/GBR/CO/21-23.

experience of sign language, known as deaf culture. Denying this minority their linguistic rights adversely affects their access to all areas of society.

38. During the COVID-19 pandemic, deaf persons faced challenges in accessing life-saving information and services in their national sign languages. Most States imposed social distancing measures without being systematically attentive to the specific requirements of deaf persons. The World Federation of the Deaf and the World Association of Sign Language Interpreters released Guidelines on Providing Access to Public Health Information in National Sign Languages during the Coronavirus Pandemic. While over 100 countries have provided national sign language interpretation during public announcements on COVID-19, these measures have been of variable quality. The World Federation of the Deaf called for access to information to be codified in law to ensure the health of deaf persons is not put at risk. The organization also highlighted the lack of access to emergency services and to quality health care for deaf persons in hospitals, owing to a lack of sign language interpretation.

39. Deaf persons have also faced challenges in gaining access to education during the pandemic, owing to the specific requirements of deaf learners. As many universities, colleges and other institutions of higher education have shifted to online teaching, it is important for devices to be accessible and usable by deaf students and staff, for video and captioning capability to be available, for broadband speeds to be appropriate and data unlimited, and for peripheral devices to be available for deafblind individuals who need refreshable Braille displays. Deaf children have also been faced with either a lack of educational alternatives or remote and online teaching of questionable accessibility during the pandemic. As deaf children and young people were at a heightened risk of suffering physical, psychological and/or sexual abuse and violence, the World Federation of the Deaf, the Federation's Youth Section and DeafKidz International issued a joint statement on responding to the safeguarding and protection needs of deaf children and youth during the COVID-19 pandemic.¹¹

VII. Conclusion

40. 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. They indicated that Member States had equipped themselves with advanced constitutional and legal frameworks that recognized the human rights of all without discrimination, including the right to education and cultural rights, in the diversity of their expressions. In a globalized world, promoting tolerance for diversity and dialogue among communities should be a priority not only for societies emerging from conflicts, but for all countries, in order to ensure social cohesion through the inclusion and integration of vulnerable and marginalized populations. These include migrants, refugees and stateless persons, persons living in extreme poverty, lesbian, gay, bisexual, transgender, queer and intersex and gender-diverse persons, and ethnic and religious minorities and indigenous peoples, together with their original cultures, languages and ways of life. Submissions also indicated that promoting tolerance for diversity and monitoring, preventing and combating systematic bullying, racism and discrimination, including homophobia, gender- or caste-based discrimination, begins in the education system at all levels.

41. Around the world, the COVID-19 pandemic has posed further challenges for those responses, with emerging negative and discriminatory impacts on

¹¹ <http://wfdeaf.org/news/resources/joint-statement-responding-to-the-safeguarding-and-protection-needs-of-deaf-children-and-youth-during-the-covid-19-pandemic-2/>.

human rights, including on education and culture and on the enjoyment of cultural rights, and cultural diversity. Schools and education institutions were closed, and cultural events were cancelled, reduced or had to be reinvented. The increased recourse to digital technologies offered potential opportunities for innovation in enhancing access to education and culture, and for facilitating the participation in the policy debate of individuals, groups and organizations in remote locations that previously had been barred because of a lack of access, information and resources, making the policy agenda more democratic. At the same time, it is important to address the gaps in Internet access and digital literacy, to ensure that virtual platforms are accessible to all, including persons with disabilities, and to offer alternative means of gaining access to information and resources and engaging with them in a meaningful way.

42. The submissions highlighted that the negative impacts of the pandemic were more acute for certain groups, such as workers in the creative and cultural industries; vulnerable and marginalized populations, including minorities, persons living in remote rural areas or in informal settlements with limited access to basic services and digital technologies; and migrants, indigenous peoples and persons with disabilities, such as deaf or blind persons. In different ways, these groups face similar language barriers, resulting in insufficient information to prevent and cope with the risks of the pandemic, directly affecting their right to health, and more broadly, resulting in social, economic and cultural exclusion and discrimination.

43. Cultural rights protect the rights of individuals, communities and groups to develop and express their humanity, their world view and the meaning they give to their existence and their development through, inter alia, values, beliefs, convictions, languages, knowledge and the arts, institutions and ways of life. They also protect access to cultural heritage and resources that enable such identification and development processes to take place.¹² States need to move from theory to practice by taking concrete steps to strengthen their capacities and by allocating adequate resources to ensure that human rights, including cultural rights and cultural diversity, are mainstreamed throughout policies, strategies, plans, programmes and budgets. They need to protect and preserve the existing diversity of cultural resources in their territory and to promote and increase access to these resources for all. They also need to develop and support spaces and opportunities for meeting, participation and mutual understanding and the creation of new resources.

44. In taking these steps, States should pay special attention to those left behind, to the creators of culture, artists and workers in the creative industries, and to society at large. Efforts should be strengthened to promote the inclusion of vulnerable populations and artists and cultural professionals in education and in social and public life and to ensure that their voices and needs are heard, especially during the pandemic. Particular attention should be paid to women, given the gender gap in the cultural and creative industries and the unequal impact of the pandemic on women and gender-diverse artists and cultural professionals.

¹² www.ohchr.org/EN/Issues/CulturalRights/Pages/InternationalStandards.aspx.