



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND

www.ohchr.org • TEL: +41 22 917 92 54 • FAX: +41 22 917 9006 • E-MAIL: srtruth@ohchr.org

The Office of the United Nations High Commissioner for Human Rights has the honour to transmit a letter and questionnaire from the Special Rapporteur in the field of cultural rights, Ms. Karima Bennoune. The Special Rapporteur hereby invites all civil society organizations, relevant United Nations agencies, funds and programmes, other international organizations, national human rights institutions and cultural rights defenders to contribute to a consultation aimed at informing her forthcoming report to the General Assembly on “Cultural rights and public spaces”.

This consultation will provide an opportunity for all interested stakeholders to share their views and experiences with the Special Rapporteur.

The Special Rapporteur would be grateful if the submissions could be sent electronically to srculturalrights@ohchr.org no later than **20 May 2019**. Kindly limit your responses to 2,500 words and attach annexes where necessary.

Those submitting information should feel free to only answer specific questions that they find most relevant.

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

23 April 2019

Mandate of the Special Rapporteur in the field of cultural rights

23 April 2019

Dear Sir, Madam,

I have the honour to address you in my capacity as the United Nations Special Rapporteur in the field of cultural rights, pursuant to Human Rights Council resolution 37/12.

In my forthcoming thematic report to the General Assembly, I will address the topic of “Cultural rights and public spaces”. I am eager to consult a wide range of stakeholders, including States, United Nations agencies, academics, experts, artists, scientists, cultural workers and practitioners, as well as civil society organizations, in order to benefit from their diverse views and experiences. Many multifaceted issues are indeed at stake, as explained in my questionnaire.

I would like to draw your attention to the fact that I use the term “public space” in its plural form, to underline the plurality and diversity of “public spaces” and their differences in nature and scope. Public spaces may include, for example, not only urban but also rural and natural spaces, real and virtual spaces.

Submissions should be sent electronically no later than **20 May 2019** to srculturalrights@ohchr.org, using the email title: “Submission: Cultural rights and public spaces”. Please feel free to answer only the questions relevant to your work. Kindly limit your responses to **2,500 words** and attach annexes where necessary. To facilitate their consideration, it would be preferable if responses could be sent in the working languages of the OHCHR, English, French or Spanish.

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

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

Please accept, Sir, Madam, the assurances of my highest consideration.



Karima Bennoune
Special Rapporteur in the field of cultural rights

QUESTIONNAIRE ON CULTURAL RIGHTS AND PUBLIC SPACES

The United Nations Special Rapporteur in the field of cultural rights, Ms. Karima Bennouna, will consider in her next report how actors from across the cultural ecosystem access and use public spaces, identify the challenges they face and the strategies they develop to overcome them, and analyse the impact this has on their cultural rights.

The Special Rapporteur will address multifaceted issues at stake, such as impediments in public spaces to cultural expression, the organization of cultural events, the conduct of cultural practices and the use of languages. She will consider the presence or absence of cultural narratives in public spaces, for example in the form of symbols, memorials, architecture or advertising.

Please note that the term “public spaces” in its plural form aims at underlining the plurality and diversity of “public spaces” and their differences in nature and scope. Public spaces may include, for example, not only urban but also rural and natural spaces, real and virtual spaces. Various degrees of privatization may affect public spaces. This may require different measures be adopted to ensure the realization of cultural rights.

Those submitting information should feel free to answer only specific questions that they find most relevant.

1. What are the various existing definitions of “public spaces” used in national legislation or proposed by international mechanisms, experts and civil society organizations? Are other terms used such as “civic space” and “public domain”? What is the scope of the concept of such public spaces?
2. What are the diverse legal frameworks, trends and practices at the national level that either promote or impede actors from across the cultural ecosystem, including women and persons with disabilities, from accessing and using public spaces? What strategies are most useful in overcoming such challenges?
3. What are the specific characteristics of public spaces that either are conducive to the realization of cultural rights, including of women and persons with disabilities, or are an impediment to them, including in relation to issues of discrimination, equal access, accessibility, availability, and adequacy?
4. What could be the contents and contours of a possible “right to public spaces”, and of legitimate restrictions that could be made to it, in accordance with international standards? Is this concept employed in your country or in your work? Is it helpful?

5. What is the role of cultural rights in ensuring the existence, availability, accessibility, and adequacy of public spaces that are conducive to widespread participation in cultural life, the realization of citizenship, cultural democracy, as well as the realization of other human rights?
6. What is the impact on the enjoyment of cultural rights of trends regarding privatization, which may affect a variety of public spaces?
7. What recommendations should be made to States and other stakeholders concerning these topics?