

| Cultural Rights and Human Rights |

Rationale:

Many of today's intercultural/religious conflicts are in fact conflicts of rights, either between different group's cultural rights, or between one group's cultural rights and internationally defined human rights. This activity can be helpful to understand some key issues today through the paradigm of human rights, and analyse the complexities which arise with some questions of cultural rights. This activity helps participants to:

- to become familiar with some key international human rights instruments.
- to examine the interdependence of cultural rights with other human rights.
- to identify areas of conflict around cultural rights.
- to better understand the complexity of some rights issues with a view to finding strategies for positive intercultural relations.

Requirements:

Materials: Chart paper and markers, sheets of paper and pencils, copies of the declaration of Human Rights and one of the declaration of Cultural Rights for each participant, or the handout "Excerpts from the Declarations....", one copy of each case study for each working group.

Time: 90 minutes

Note:

Be aware of the audience when deciding how much concentration to put on the Declarations themselves, as opposed to the understanding of the scenarios.

Directions:

1. Prepare the activity in asking the participants if there is a difference between Human Rights and Cultural Rights.
2. Ask them to give you some example of situations where the Human Rights and/or the Cultural Rights are not respected.
3. Ask participants to read the Universal Declaration on Human Rights and the UNESCO Draft Declaration on Cultural Rights, taking note of portions that relate specifically to religion. (If possible, these documents can be distributed in advance as preparation for the workshop.)
4. Divide the group in 4 small groups and give to each group the case study to analyse. The participants need to decide if their case study depends more on Cultural or Human Rights and to notice where is the conflict between these two instruments. They can use the following questions as a framework for analysis:

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- What rights could be violated in this situation?
- Is there a conflict between Human Rights and Cultural Rights?
- What recourses are available for someone in this situation?
- Are there others who can/should be involved in finding solutions to such situations?

Note:

For the scenarios provided on the next page, the following articles in the Human Rights documents have been cited as violated:

- Declaration of Human Rights Article 6/ UNESCO Declaration of Cultural Rights Article 31A
 - Declaration of Human Rights preamble, Articles 18 and 26/ UNESCO Declaration of Cultural Rights Article 3
 - UNESCO Declaration of Cultural Rights Article 4.2
 - Declaration of Human Rights Article 18/ UNESCO Declaration of Cultural Rights Articles 3.1, 9, 10
 - Declaration of Human Rights Article 2/ UNESCO Declaration of Cultural Rights Article 3A
5. Allow them between 35 to 45 minutes for small group work before asking them to return to the whole group. Ask them how was the activity, how do they feel.
 6. Ask a volunteer in each group to explain briefly to the rest of the group what was their case and how did they solve it.

Discussion Questions:

- The chosen examples seem to be realistic or not at all?
- Have you already heard about such a situation?
- In daily life, are situations more often solved according to Human Rights or Cultural Rights?
- With this new approach, do you think you will see things different now?

Note:

Be aware that the analysis of the scenario can be done from two different perspectives. Encourage the group to look at both.

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Options:

Option A: Ask participants to explore the personal side of human rights. These documents represent an ideal that we should all be striving for. Unfortunately, there are still systematic human rights abuses throughout the world, East and West, North and South. Is there an article in the Declarations that touches you particularly? Have you or your family ever been denied any of these rights? Have you witnessed others being denied their rights?

Option B: Ask to go into detail on potential conflicts in their surroundings in small groups, answering the following questions:

- Do you have any general observations or reactions to the Declarations?
- Recognising that cultural rights are part of, and do not supersede, human rights, do you see any areas of potential conflict between the two? (Ask small groups to list areas on flip chart)

Once small groups have shared and discussed areas of potential conflict in cultural rights, elicit examples from their own social context. "Looking at the situation in Europe today, what are some of the human and cultural rights issues, related to religion, that are of great concern?" Possible examples include:

- Gender – women's rights in some religious traditions, i.e.: headscarf

From these examples, continue with the case studies, either using their own situations or ones pre-prepared.

Option C: Research in newspaper others examples. Try to find examples from newspaper in the mother tongue of the participants.

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1. Forced marriage

The situation:

Leïla, was born in France, her parents are coming from Morocco. When she was 21 years old, she went to Morocco. While she was in Morocco, her family hid her passport from her and forced her to marry the person they believed was best for her.

2. Exclusion from school of a Muslim girl who wears Hijab

The situation:

Alma, a pupil of 16 years old, arrives at school. The Head of the school tells her she cannot enter the school with the scarf on her head.

3. Crucifix in a classroom in Italy

The situation:

A group of non-Catholic parents in an Italian public school make a formal complaint about the presence of crucifixes in every classroom.

4. Celebration of Yom Kippur in a secular school

The situation:

In order to celebrate one of the most important Jewish holidays of the year, the parents of David wrote the required letter to the Director, requesting permission for their son to miss one day of school. Their request was denied with the reason that there are enough official days off from school during the year.

5. Finding something to eat

The situation:

Noam went away on a group excursion for the weekend in an isolated mountain retreat house. After a long day travel, dinner was a welcome relief. There was one main dish available, with a sauce containing pieces of bacon. As she does not eat pork for religious reasons, Noam asked for something else to eat. In reply, the server suggested that she remove the pieces of bacon and eat the rest anyway.