

United Network of Young Peacebuilders (UNOY)

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Oral Statement

(subsequently edited and expanded)

Delivered at the public consultation organized by the Independent Expert in the field of cultural rights, Ms. Farida Shaheed, on:

“Access to cultural heritage as a human right”

Thursday, February 10th, 2011 – 10:00-13:00
Room XXI, Palais des Nations, Geneva, Switzerland

Thank you, Ms. Chairwoman.

My name is Oliver Rizzi Carlson, I am a peace educator and I represent a worldwide network of youth peacebuilding organizations.

I would like to make two main points about an important dimension of cultural heritage as a cultural right that has not been mentioned this morning. That is the wealth of peacemaking and peacebuilding traditions, practices, customs, ceremonies and rituals that are an essential part of the cultural heritage of peoples and whose accessibility through education should be recognized as a cultural and human right.

Mr. Logan mentioned the question of how one goes about determining significance in the process of creating cultural heritage from the cultural “property” of peoples. I would like to offer one answer to that question. Ms. Donders mentioned Article 34 of the UN Declaration on the Rights of Indigenous Peoples of 2007, which refers to the right to indigenous customs and institutions¹ – but which customs and which institutions? Mr. Shyllon mentioned that cultural traditions are part of cultural heritage – but which traditions? Ms. Shaheed also mentioned Article 27 of the International Covenant on Civil and Political Rights, which states that “persons belonging to [ethnic, religious or linguistic] minorities shall not be denied the right ... to enjoy their own culture”² – but what does their culture include? I maintain that peacemaking and peacebuilding customs, institutions, practices, ceremonies and traditions must to be recognized as a very important part of cultural heritage.

Ms. Shaheed stated earlier that access to cultural heritage is important because it is a fundamental feature of being a member of society. However, an equally valid answer is that access to cultural heritage is important because it includes those peacemaking and peacebuilding traditions, practices, customs and ceremonies that provide the indispensable cultural relevance and identity to the peace abilities of peoples. In fact, the very fact of being considered a member of society depends on the

¹ <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N06/512/07/PDF/N0651207.pdf?OpenElement>

² <http://www2.ohchr.org/english/law/pdf/ccpr.pdf>

cultural appropriateness of the abilities one has to deal with conflict in that social context.

The introduction to the Independent Expert's questionnaire on access to cultural heritage also states that "ensuring access to cultural heritage is a precondition for fostering dialogue and understanding across cultures and civilizations and, therefore, for creating an environment which enables the promotion of human rights for all."³ If access to cultural heritage in general provides the content to be shared in the pursuit of dialogue and mutual understanding, it is that part of cultural heritage dealing with peace traditions that informs us on *how* to carry out that dialogue in culturally appropriate ways that transform the conflict of difference through an appreciation of diversity.

I would like to call your attention to the fact that these vital peacemaking and peacebuilding skills and resources are *particularly endangered* among the various elements of cultural heritage. In fact, the traditional ways of dealing with conflict, peace, violence and reconciliation are very often made to have no legal recognition or value, or are forced to fit within the dominant modern state justice system. While this system is based on a specific conception of conflict and peace, thus not allowing for diversity, it is also often unable to carry out deep and meaningful processes of true transformation and healing in individuals and groups.

One may consider the Truth and Reconciliation Commission model used in certain countries to be an exception to this. In fact, the recognition of peace traditions as part of cultural heritage and cultural rights would support this valuable framework and provide further ideas for meaningful collective processes of healing and the sustainability of justice. However, States largely remain uninclusive of these resources and are unable to address the deeply rooted causes of violence in individuals and groups.

One reason for this is that the State is often administratively, if not culturally, removed from the specific reality of a given community and is unable to carry out localized processes of peacemaking or peacebuilding. On the other hand, traditional practices tend to be geared toward the community whose cultural heritage they are a part of and tend to be communal in nature, thus being able to involve the community members in the process. This constitutes a resource for the State, which can count on the contribution of all stakeholders in the peace process rather than having to shoulder the burden of it alone. Hence, the cultural monopoly of the State over peace processes places great strain on the government – negatively affecting the effectiveness of its efforts – while at the same time endangering the diversity and collective involvement that is required in peacemaking and peacebuilding processes. A further issue of endangerment is the fact that these traditional practices are not transmitted through the state educational system, putting their survival over generations in jeopardy.

Might I also suggest that this cultural endangerment is true in industrialized as well as in less industrialized countries, albeit it in different forms. In fact, while it may be easy to note the lack of support for an indigenous or minority group's culture and the disappearance of its language, ceremonies, cooking and weaving techniques,

³ http://www2.ohchr.org/english/issues/cultural_rights/cultural_heritage.htm

and so on, industrialized societies suffer from perhaps a more subtle form of erosion of their traditional peace practices. The thriving of these countries' economies, languages, customs, cuisine, dresses, and so on (aided by globalization), mask the abandonment into which its own traditional peace practices go. Also in industrialized countries the dominant, retributive justice system model takes alone the place of a variety of indigenous, native and traditional practices and traditions that are not necessarily linked to the development of the modern retributive justice system of the State. I would wager that the fact that we may have a difficult time thinking of those peace traditions is a sign of this very loss.

The peace traditions of peoples also often form the basis of restorative justice systems, which generate more effective, sustainable and comprehensive solutions than retributive justice systems. In fact, Article 34 of the UN Declaration on the Rights of Indigenous Peoples of 2007 mentioned earlier recognizes that “indigenous peoples have the right to promote, develop and maintain their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices and, in the cases where they exist, *juridical systems or customs*, in accordance with international human rights standards.”⁴ It is important to recognize that these juridical systems and customs are part of a wider patrimony of indigenous and traditional peacemaking and peacebuilding resources.

We might draw a parallel with traditional medicine. The knowledge of the herbs, energetic systems in the body, and various ancient techniques have proven very valuable in complement to modern allopathic medicine. This is attested by the growing popularity and effectiveness of acupuncture, homeopathy, ayurveda, and many others in societies where these are not indigenous but “imported” techniques. Traditional peace practices heal not bodies but relationships. And in the same way as traditional medicine, peace traditions are resources to benefit all. We must support the development of this diversity of peace practices and address their endangerment in order to give all our peoples the tools that will enable them to deal with conflict in a variety of circumstances.

While being especially endangered, *these peace resources are at the same time the ones that are essential for human life and our very survival*. Change and conflict are the only constant in life, and engaging with conflict in a transformative way is something that we all need to be able to do as a matter of survival (in physical, spiritual, emotional, intellectual and – of special relevance here – cultural terms). We all need to be well equipped for appreciating and transforming conflict in our lives so that conflict does not become violence, whether physical, structural or cultural violence, and peace traditions are important resources in that inherent human endeavor.

Further, the knowledge, attitudes, skills and values that are part of the peace heritage of cultures are required for the culturally relevant respect of all human rights, including the right to cultural heritage itself. Hence, recognizing, valuing, safeguarding, protecting and promoting the peace traditions of peoples as part of their right to cultural heritage is *a crucial matter of sustainability* for all human rights. This

⁴ <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N06/512/07/PDF/N0651207.pdf?OpenElement>

also points to the crucial relationship between cultural rights and cultural diversity, which is part of the Independent Expert's mandate. Given their mutually reinforcing nature, the protection of and access to either cultural rights or cultural diversity (especially in its peace traditions component) is required for the enjoyment of the other.

I should also like to point out the important fact that there is a great amount of scholarship on the subject of the peace traditions of various cultures. One prominent peace educator who has focused on the subject is Elise Boulding, whose writings include books such as "Cultures of Peace: The Hidden Side of History," as well as many others on the subject. These veritable cultures of peace are to be valued, preserved and made known as an essential part of any peace education and the creation of a global culture of peace where all peace traditions are valued and drawn from in the collective creation of a world of peace for all.

Let me also mention that the International Decade for a Culture of Peace and Nonviolence for the Children of the World just ended in 2010.⁵ After the Decade, efforts are now geared toward the implementation of the Programme of Action on a Culture of Peace.⁶ Article 1 of the Declaration on a Culture of Peace states that "a culture of peace is a set of values, attitudes, traditions and modes of behavior and ways of life."⁷ All of these are part of the cultural heritage of peoples and are very valuable for peace. In fact, Article 14 of the Programme of Action on a Culture of Peace highlights the need to "study further the local or indigenous practices and traditions of dispute settlement and promotion of tolerance with the objective of learning from them."⁸ Undertaking such a study will surely lead us to discover that peace traditions do not simply settle disputes, but transform the very relationships that are at the basis of peace, providing the community peacebuilding that is required for the resilience and sustainability of peace.

The extensive and growing civil society initiatives in the promotion of the Culture of Peace are documented in the World Report on the Decade for a Culture of Peace.⁹ It is clear that the effective implementation of the Programme of Action in the years following the Decade will require the use of culturally relevant peacemaking and peacebuilding knowledge, skills, attitudes and values. As Article 2 of the Declaration states, "progress in the fuller development of a culture of peace comes about through values, attitudes, modes of behaviour and ways of life conducive to the promotion of peace among individuals, groups and nations." Hence, peace traditions from around the world must be recognized and promoted in order to contribute to the realization of the Culture of Peace by giving value to a diverse array of cultures of peace.

⁵ http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/53/25&Lang=E

⁶ http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/53/243&Lang=E

⁷ Ibid.

⁸ Ibid.

⁹ http://decade-culture-of-peace.org/2010_civil_society_report.pdf

I would like to share with you a brief testimony from Uganda that I just found on the Internet. It is from a newsletter called *PeaceTalk*, and this issue is entitled, “Using Culture for Reconciliation:”

Culture in Karamoja is more original as it still has great attachment to the pre-colonial background. In our community, dances like “Edonga” are one of the cultural aspects that promote reconciliation and bring about peace. All clan heads are invited to a neutral ground where the dance is to take place. The rivaling clans are brought together to dance and if one clan misses out, disaster is believed to befall it. These communal dances therefore create a sense of brotherhood, thus leading to reconciliation and peace in the community. This practice makes me feel that our culture values reconciliation and I am proud of it.

Lopor Innocent Amaese
S6A, Moroto High School¹⁰

This kind of pride and connection with one’s own cultural traditions of peacemaking and peacebuilding is what is necessary for the sustainability of any peace.

I would also like to reiterate what was said by the delegates of the Russian Federation, France and Pakistan with respect to the importance of education. Of particular concern is the pervasive homogenizing effect of formal education, which must be transformed into an approach that appreciates diversity. Education, especially as regards education in and for peace, requires the appreciation of a diverse wealth of peace traditions as a rich legacy of wisdom to draw from in order to be able to deal with different conflicts in a healthy way. This diversity, crucial to education and thus to peace in our world, requires the recognition of peace traditions as part of our cultural heritage(s).

While, on the one hand, the peacemaking and peacebuilding heritage of peoples needs to be recognized, safeguarded and protected, on the other hand *it must also be valued and promoted through education*. The youth have a right to their peacemaking and peacebuilding cultural heritage, and educational systems and infrastructures should allow for this learning. This is a question of access to that part of the cultural heritage of peoples that would provide vital resources and tools for the sustainability of peace. Access to our peace heritage must be recognized as a cultural and human right.

Article 9 of the Programme of Action on a Culture of Peace states that “all relevant actors” at the “national, regional and international levels” must “ensure that children, from an early age, benefit from education on the values, attitudes, modes of behavior and ways of life to enable them to resolve any dispute peacefully and in a spirit of respect for human dignity and of tolerance and non-discrimination.” This peace knowledge is often rooted in traditional wisdom.

¹⁰ http://www.beyondjuba.org/peace_talk/PeaceTalk_Issue_10.pdf

Hence, the right to one's own peacemaking and peacebuilding heritage must be accompanied by the right to education for peace grounded in one's own traditions and customs. Further, a real commitment to the right to this education requires us to call for a right to the *institutionalization* of peace education, including education in traditional peacemaking and peacebuilding practices, customs and ceremonies.

I would like to call on UNESCO, the OHCHR, and all other relevant UN bodies and agencies to take these two interdependent elements into account in all their related work, projects and documents. Also Article 9 (f) of the Programme of Action on a Culture of Peace calls to "encourage and strengthen efforts by actors as identified in the Declaration, in particular the United Nations Educational, Scientific and Cultural Organization, aimed at developing values and skills conducive to a culture of peace, including education and training in promoting dialogue and consensus-building." Certainly, the promotion of the peacemaking and peacebuilding heritage of peoples is an extremely valuable resource in this work.

I also urge all delegates present here today to promote these two interrelated aspects of peace (peace traditions and education in them) within their governments and legislation. As I said earlier, while governments may be at times be far removed from the experience and reality of these traditional practices, they have a great vested interest in their promotion. If States do not contribute to promote peace collectively, using the wisdom and engagement of all stakeholders, they will have to expend much more energy attempting to *cure* violence on their own, as the only mandate-holder of the maintenance of physical public safety, order and security. Promoting their peoples' peace heritage and institutionalizing education in that heritage are two essential components of violence prevention and a unique aid in the creation of social harmony. As Article 1 of the Declaration on a Culture of Peace states, we need to create the "enabling national and international environment conducive to peace." Our governments have an important role to play in this through the promotion of peace traditions.

Finally, I strongly encourage the Independent Expert, Ms. Farida Shaheed, and others involved in the preparation of her Report and other documents to recognize and emphasize the importance of peacemaking and peacebuilding heritage, as well as the institutionalization of education in peace traditions and heritage.

Thank you, Ms. Chairwoman.