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## CHAPTER V

### Substantive issues arising in the implementation of the International Covenant on Economic, Social and Cultural Rights

#### A. Day of general discussion: The right to take part in cultural life (article 15, paragraph 1 (a) of the Covenant)

544. At its thirty-seventh session (6-24 November 2006), the Committee on Economic, Social and Cultural Rights decided to elaborate a general comment on the right to take part in cultural life (article 15, paragraph 1 (a), of the Covenant). To this end, it decided to organize a day of general discussion at its fortieth session (28 April-16 May 2008) on this topic.

545. At the 17th and 18th meetings of its fortieth session, on 9 May 2008, the Committee on Economic, Social and Cultural Rights held its day of general discussion on the right to take part in cultural life (article 15, paragraph 1 (a), of the Covenant). The aim of the day of general discussion was to assist the Rapporteurs responsible for the drafting of a general comment on this provision, Ms. Virginia Bonoan-Dandan and Mr. Jaime Marchán Romero, and to enable them to draw on the comments and suggestions made by Committee members, experts in the field, and other participants in the day of general discussion.

546. The following experts were invited to participate in the thematic debate:

Ms. Alessandra Aula, Director, International Catholic Child Bureau;  
Mr. Taieb Bacouche, Chairman of the Board, Arab Institute of Human Rights;  
Mr. Emmanuel Decaux, Professor of Public International Law, University of Paris II;  
Ms. Gabi Dolf-Bonekämper, Berlin curator, Member of the Fribourg Group;  
Ms. Caroline Dommen, Director, 3D: Trade, Human Rights, Equitable Economy;  
Ms. Yvonne Donders, Deputy Director, Amsterdam Centre for International Law, University of Amsterdam;  
Mr. Patrice Meyer-Bisch, Coordinator, Interdisciplinary Institute for Ethics and Human Rights, University of Fribourg;  
Ms. Annelise Oeschger, President of the Conference of International Non-Governmental Organisations of the Council of Europe;  
Ms. Julie Ringelheim, Senior Fellow, National Fund for Scientific Research, Centre for Legal Philosophy at the University of Louvain;  
Mr. Joost Smiers, Professor (emeritus) of Political Science of the Arts, Utrecht School of the Arts;

Mr. Abdulaye Sow, Coordinator, Interdisciplinary Centre on Cultural Rights, University of Nouakchott;  
Ms. Elissavet Stamatopoulou, Chief, Secretariat of the Permanent Forum on Indigenous Issues, United Nations Department of Economic and Social Affairs;  
Mr. Patrick Thornberry, Member of the Committee on the Elimination of Racial Discrimination.

547. United Nations bodies and specialized agencies and non-governmental organizations also attended the day of general discussion.

### **Morning session**

#### *Session 1: Definition of cultural life in the context of human rights*

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| 10.00-10.05 | Welcoming remarks, Philippe Texier, Chairperson of the Committee on Economic, Social and Cultural Rights   |
| 10.05-10.20 | Progress towards the elaboration of a draft general comment on article 15 (1) (a), Mr. Jaime Marchán Romero, member of the Committee on Economic, Social and Cultural Rights |
| 10.20-10.30 | Ms. Yvonne Donders, Deputy Director, Amsterdam Centre for International Law, University of Amsterdam   |
| 10.30-10.35 | Mr. Abdulaye Sow, Coordinator, Interdisciplinary Centre on Cultural Rights, University of Nouakchott   |
| 10.35-11.20 | Discussion   |

#### *Session 2: The right to have access to cultural life and to participate in cultural life*

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| 11.20-11.30 | Ms. Annelise Oeschger, President of the Conference of International Non-Governmental Organisations of the Council of Europe |
| 11.30-11.35 | Ms. Alessandra Aula, Director, International Catholic Child Bureau  |
| 11.35-12.05 | Discussion  |
| 12.05-12.15 | Ms. Gabi Dolf-Bonekämper, Berlin curator, Member of the Fribourg Group  |
| 12.15-12.25 | Mr. Joost Smiers, Professor (emeritus) of Political Science of the Arts, Utrecht School of the Arts                         |
| 12.25-13.00 | Discussion  |

~ **Lunch Break** ~

### **Afternoon session**

#### *Session 3: Cultural rights and universality of human rights*

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| 15.00-15.10 | Mr. Patrick Thornberry, Member of the Committee on the Elimination of Racial Discrimination |
| 15.10-15.15 | Mr. Taieb Bacouche, Chairman of the Board, Arab Institute of Human Rights                   |

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| 15.15-15.45 | Discussion   |
| 15.45-15.50 | Mr. Patrice Meyer-Bisch, Coordinator, Interdisciplinary Institute for Ethics and Human Rights, University of Fribourg                |
| 15.50-15.55 | Ms. Julie Ringelheim, Senior Fellow, National Fund for Scientific Research, Centre for Legal Philosophy at the University of Louvain |
| 15.55-16.20 | Discussion   |

*Session 4: The individual and collective dimensions of the right to take part in cultural life*

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| 16.20-16.30 | Mr. Ephraim Nimni, Reader on Nationalism and Ethnic Conflict Resolution, School of Politics, International Studies and Philosophy, Queen's University Belfast |
| 16.30-16.40 | Ms. Elissavet Stamatopoulou, Chief, Secretariat of the Permanent Forum on Indigenous Issues, United Nations Department of Economic and Social Affairs         |
| 16.40-17.15 | Discussion  |
| 17.15-17.20 | Mr. Emmanuel Decaux, Professor of Public International Law, University of Paris II  |
| 17.20-17.25 | Ms. Caroline Dommen, Director, 3D: Trade, Human Rights, Equitable Economy   |
| 17.25-17.50 | Discussion  |
| 17.50-18.00 | Closing remarks, Ms. Virginia Bonoan-Dandan, Member of the Committee on Economic, Social and Cultural Rights  |

548. At its 46th meeting, on 14 November 2008 (forty-first session), the Committee discussed its draft general comment on the right to take part in cultural life (article 15, paragraph 1 (a), of the Covenant) and decided to begin adopting the draft general comment at its forty-second session in May 2009.