



**Statement by Ms. Karima Bennouna**  
**SPECIAL RAPPORTEUR IN THE FIELD OF CULTURAL RIGHTS**

Symposium on Women in Culture and Science  
For International Women's Day

*Panel 1: Women, scientific freedom and creativity*

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SPECIAL RAPPORTEURS, INDEPENDENT EXPERTS & WORKING GROUPS

Good morning.

Happy international women's day. Je vous souhaite un très bon 8 mars.

It is truly an honor to be with you for this gathering on this day. I send my greetings to women around the world who are taking to the streets today to demand full equality and human rights. It is such an important occasion to mark. And yet, every single day should be international women's day until we achieve gender equality all around the world in practice, not just on paper. I also note that we are only about a month past 11 February, which since 2016 is the International Day of Women and Girls in Science as proclaimed by the General Assembly.

Let me thank the organizers (UNESCO, the Danish mission to UNESCO, the University of Copenhagen and Professor Helle Porsdam) for putting together this important event and inviting me to take part. I thought I would say a few words this morning about cultural rights and the cultural rights mandate which I hold, as well as the work of the mandate in the area of science, and women in science and particular, and why this topic is such an integral part of the cultural rights agenda.

So let me begin with a few words about the cultural rights framework for those perhaps not familiar with it. As the UN Human Rights Council has regularly reiterated, "cultural rights are an integral part of human rights, which are universal, indivisible, interrelated and interdependent." In recent years, cultural rights have gained in legitimacy. However, much remains to be done to fulfil the Council's vision. In my work as Special Rapporteur, I hope to continue demonstrating that cultural rights are key to the overall implementation of universal human rights and a crucial part of responses to many current challenges, from conflict to discrimination to poverty and extremism.

I recall the **definition of cultural rights** used by the first mandate holder:

Cultural rights protect the rights for each person, individually and in community with others, as well as groups of people, to develop and express their humanity, their world view and the meanings 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 may also be considered as protecting access to cultural heritage...

The normative grounding of the mandate is found mainly in Article 27 of the Universal Declaration of Human Rights, the 70<sup>th</sup> anniversary of which we are celebrating this year, and in article 15 of the Covenant on Economic, Social and Cultural Rights, which has 166 State parties. Both of these norms basically guarantee the right to take part in cultural life, without discrimination.

My predecessor Farida Shaheed has done a great deal of work as the first Special Rapporteur in the field of cultural rights in raising some of the important issues that are linked with the various parts of article 15 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), which recognizes the right of everyone: to enjoy the benefits of scientific progress and its applications (para. 1(b)), and to benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which s/he is the author (para. 1(c)). This article also calls for States parties to take the steps necessary for the conservation, the development and the diffusion of science and culture (para. 2), to respect the freedom indispensable for scientific research and creative activity, (para. 3), and to recognize the benefits to be derived from the encouragement and development of international contacts and co-operation in the scientific and cultural fields. (para. 4).

Her thematic work on the right to enjoy the benefits of scientific progress and its applications (report A/HRC/20/26), and on the impact of intellectual property regimes and policies (A/HRC/28/57 and A/70/279) have helped **define in a new way the human right to culture and science**, making more evident the links between these two parts of article 15 that used to be dealt with separately before.

I am particularly happy that the Committee on economic, social and cultural rights has decided to continue this work of defining the nature and obligations of all stakeholders in respecting, protecting and implementing this fundamental right of everyone to embrace knowledge passed on by researchers as part of our scientific heritage and express their own creativity through their participation in scientific endeavour. It is an especially timely moment to do this given the widespread attacks around the world today on rationality, reason and indeed the concept of evidence itself.

### 1) Gender as part of the mandate on cultural rights

As you might imagine, when the mandate in the field of cultural rights was established, many worried that these rights could be used against the rights of women or interpreted and implemented in a manner that would jeopardize the rights of women (under the cultural relativism argument). It is true that many practices and norms that discriminate against women are justified by reference to culture, religion and tradition.

However, the integration of a **gender perspective** was from the beginning embedded in the resolution that created the mandate, in order to devote particular attention to this threat, and both the former Special Rapporteur and myself have integrated this approach throughout our work. We have also from the beginning made a **clear distinction between cultural diversity**, which is a fact that needs to be taken into account to ensure the full implementation of Human Rights, **and cultural relativism**, which is a policy based on the premise that culture should supersede human rights (A/HRC/14/36, §32).

Let me also recall what cultural rights are not. They are not tantamount to cultural relativism. They are not an excuse for violations of other human rights. They do not justify discrimination or violence. They are not a licence to impose identities or practices on others or to exclude them from either in violation of international law. They are firmly embedded in the universal human rights framework. Hence, the implementation of human rights must take into consideration respect for cultural rights, even as cultural rights themselves must take into consideration respect for other universal human rights norms.

**Cultural diversity grounds the universality of human rights in the realities of our societies** by drawing attention to their appropriation by *all* individuals who can identify these rights with a sense of ownership. The fact that these rights and freedoms are meant to be exercised in a wide variety of cultural environments by no means implies that universal norms can be relativized in terms of their application (2009 UNESCO *World Report*, p.225, A/HRC/14/36, §33). And it has been a long standing principle now that that **no one may invoke cultural diversity to infringe upon human rights guaranteed by international law, nor to limit their scope** (Universal Declaration on cultural diversity, article 4; resolution 10/23 of the Human Rights Council, §4).

On the other hand, the tendency to view culture as largely an impediment to women's rights is both oversimplistic and problematic. By essentializing culture, making it static and immutable, we divert attention from specific actors, institutions, rules and regulations, keeping women subordinated within patriarchal systems and structures. Preserving the existence and cohesion of a specific cultural group, national or subnational, should not be achieved to the detriment of certain categories of persons within the group, for example, women. In the reports dedicated to the cultural rights of women (A/67/287) and the impact of various forms of fundamentalisms and extremisms on these rights (A/72/155), my predecessor and myself proposed to make a **shift in perspective**: rather than thinking about culture as an obstacle to the rights of women, **we should demand the implementation of the right of women to participate in culture on an equal basis with men.**

This should include participation in the field of science, meaning access to the knowledge, places and opportunities for its transmission on the basis of equality with men, as well as participation in and contribution to the benefits of scientific endeavour and its applications in various aspects of life.

## 2) Why it is important to have the participation of women in scientific endeavour

Why is it important to have women participate in science? As a first and obvious point, because women make up for half of the population of this planet: undercutting women's potential contribution to scientific endeavour and preventing women from bringing their creative energy to the research for the best solutions for humanity is not only a violations of their fundamental rights but is also a huge waste.

It is a **violation of women's fundamental rights to their full development and fulfilment.** Article 15 as a whole relates to human creativity: the human pursuit of knowledge and understanding, and the creative responses people can provide to a constantly changing world. Human creativity is not limited to any particular region, domain, class or segment of society. It includes the rights of everyone to reconsider, create and contribute in a continuously evolving manner to cultural meanings, expressions or manifestations and ways of life, as well as knowledge.

A prerequisite for the realization of this right and for creativity to flourish is ensuring the necessary conditions for everyone to continuously engage in critical thinking about themselves and the world they inhabit, and to have the opportunity and wherewithal to interrogate, investigate and contribute new knowledge with ideas, expressions and innovative applications, regardless of frontiers. This implies, as stated in the human right outlined in Article 15 of the IESCR, the right of everyone to benefit from the creativity of others while protecting the moral and material interests emanating from "any scientific, literary or artistic production".

Preventing the realisation of these rights for women **is also a huge waste.** In economic terms, according to the WG on discrimination against women in law and practice in their study on discrimination against women in economic and social life, with a focus on economic crises, "both theory and empirical evidence indicate that empowering women means a more efficient use of a nation's human capital endowment and that reducing gender inequality enhances productivity and economic growth." (A/HRC/26/39, §26)

New scientific knowledge and innovations increase the options available to people, thereby strengthening people's capacity to envisage a better future for which access to specific technologies may sometimes be pivotal. A core human rights principle in this field is that innovations essential for a life with dignity should be accessible to everyone, in particular marginalized populations. This includes not only physical but also economic accessibility. For instance, scientific advances such as electricity, information and communication technologies (ICT), nanotechnology and synthetic biology can have a significant impact on human rights and the possibilities of development.

The human right to science had largely been considered in terms of the ability of science to advance the realization of other human rights and to address "the needs common to all humanity". All-over the world, women are involved in creating and maintaining the conditions of a life with dignity, for themselves and for others. The human right to science entails ensuring that women have **opportunities** to engage in and contribute to the process of scientific inquiry in all the fields in which they are active, and that their creativity to these is fully **acknowledged**.

I note also that the General Assembly has committed to women's inclusion in science in its resolution 68/220 of 20 December 2013 on science, technology and innovation for development, in which it recognized that full and equal access to and participation in science, technology and innovation for women and girls of all ages is imperative for achieving gender equality and the empowerment of women and girls – remember of course that States have also committed to achieving such equality by 2030 in accordance with the **Sustainable Development Goals**, and that the GA has also recognized that such equality is also essential for achieving all other aspects of the SDGs.

### 3) Some areas where women face challenges

Through the work of the mandate, my predecessor and myself have come across a **range of areas where problems arise** for the participation of women in the scientific endeavour, which deserve attention and should continue to be considered, especially by the Committee, in its drafting efforts.

The right to access educational, cultural and scientific institutions and infrastructures includes securing **the right to freedom of movement** of women. Women need to be able to go out and travel alone to reach these institutions.

**The right to science education**, meaning an education that instils a spirit of scientific inquiry (or critical thinking in the social sciences) and enables children without discrimination to be introduced to and informed about main scientific theories and applications, as well as contesting views on particular theories, regardless of frontiers. Access to science education is essential to ensure that the decision to make use of any applications of scientific advances or technology remains an informed choice, and that individuals and peoples are able to consider both the possible improvements offered by scientific advances and their potential side effects or dangerous usages.

As stated by the CEDAW committee in their General recommendation no. 37 (2017), "Education plays a pivotal, transformative and empowering role in promoting human rights values and [...] the education of girls and women is considered to be one of the most effective investments for sustainable and inclusive development" (CEDAW/C/GC/36, § 1-2).

Educational, cultural and scientific institutions and infrastructures have an important role to play in **promoting substantive gender equality in society**, as these institutions sometimes contribute to shaping and reproducing gender-based inequalities and stereotypes, rather than challenging them. (CEDAW/C/GC/36, §16, 78-81 and section VI).

**Prohibition for women to exercise certain roles in society**, or rather *not* to exercise the traditional role of caregiver for younger and older members of a household. In some countries there are still or again restrictions on women entering certain areas of study or professions. However, even when there are no rules on paper to prohibit women from certain roles as is true in many other contexts, rigid social expectations often emphasizing family obligations over professional or academic opportunities. I encourage the Committee to vigorously challenge all cultural stereotypes and prejudices, sometimes openly expressed by world leaders and even leading figures in education and science, hampering women's full participation. Studies have shown that the belief that men are better than women at math, for example, negatively impacts girls' career aspirations and learning achievements from an early age.

As noted by the CEDAW Committee, in many schools, girls are often underrepresented in science, technology, engineering and mathematics, while, in vocational schools, women and girls predominate in areas such as food and nutrition, cosmetology and clerical studies. The stratification of students and knowledge ultimately leads to girls being propelled into what are socially regarded as low-status occupations (CEDAW/C/GC/36, § 60). Women teachers and scientific role models have been found to positively influence girls' perceptions, interests and confidence in scientific subjects, and this must be stressed.

In a lot of places, women are considered the guardians of traditional values, and are tasked with reproducing the dominant culture of their group, without sufficient space given to them to **discuss those values and practices**, and to exercise their right to express **dissident views, come up with alternative views, provide new interpretation of sources**. They are often asked to « preserve the culture of the group », otherwise they are considered traitors. In my view, these aspects deserve to be considered further, including in the work of the Committee and other human rights mechanisms.

More must be done to challenge what has sometimes been said to be a macho culture in parts of the scientific world in which women are made to feel like outsiders, and which may push them to exit such "toxic spaces". I also hope the Committee will consider some of the contemporary obstacles to scientific endeavour, including by women, such as the rise of the diverse fundamentalist and extremist movements all around the world, on which I have recently been focusing, and many of which have engaged in ideological attacks on notions of reason and evidence, and have sought to block, cancel, defund or otherwise thwart research with which they do not agree.

In conclusion, today, I pay tribute to the women scientists and researchers all around the world, and those throughout history who have often fought an uphill battle for inclusion and on whose shoulders all current generations of women scientists stand and all future generations of women scientists will stand. They were often belittled, excluded, diminished and downtrodden but they stood firm in their belief in their own intellects, in their equality and dignity as human beings, and in their commitment to scientific endeavour.

I think of the wonderful African American women mathematicians at NASA (National Air and Space Administration in the United States), who despite gender and racial discrimination, made such a significant contribution to the U.S. space program, that was until recently not known popularly until it was depicted in the film *Hidden figures* (2016). I want to end with the speech of one of them in response to a man in the film who expresses surprise that women are allowed to take part in what he calls “taxing work.” Katherine Johnson replies as follows:

On any given day, I analyze the velometer levels for air displacement, friction and velocity. And compute over ten thousand calculations by cosine, square root and lately analytic geometry. By hand. There are twenty, bright, highly capable (Black) Negro women in the west computing group, and we're proud to be doing our part for the country. So yes, they let women do some things at NASA, Mr. Johnson. And it's not because we wear skirts. It's because we wear glasses. Have a good day.

Let us all continue in her audacious spirit, with our skirts and our glasses, analysing and computing and contributing in every way possible, on February 11<sup>th</sup> and March 8<sup>th</sup> each year, and on every single day, until full equality in the scientific fields becomes a lived reality around the world.

Thank you.

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