



CURATING  
TOMORROW

# Museums and Human Rights

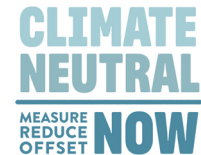
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Human rights as a basis for public service

Human beings are born free and equal in dignity and rights. Freedom of expression, Freedom of belief, Freedom from fear, Freedom in achievements, Diversity, Family, Community, Contribution, Peaceful assembly, Participation, Public service, Obligations, Rule of law, Rights and responsibilities, Accountability, Empowerment, Respect rights, Protect rights, Fulfil rights, All human beings are born free and equal in dignity and rights, Equality, Justice, Peace, Dignity, Freedom from fear, *Respect rights, Protect rights, Fulfil rights* Share in achievements, Community, Contribution, Political freedom, Zero discrimination, Public service, Obligations, Quality of life, Standard of living, Responsibilities, Accountability, Transparency, No discrimination, Fulfil rights, All human beings are born free and equal in dignity and rights, Dignity, Freedom of expression, Freedom of belief, Freedom of opportunity, Creativity, Share in achievements, Diversity, Family, Community, Zero discrimination, Peaceful assembly, Participation, Standard of living, Education, Rule of law, Rights and responsibilities, No discrimination, Empowerment, Respect rights, Protect rights, Fulfil rights

## Why should museums incorporate human rights into their work?

Because they can form a basis for transparent, effective and transformative public service.



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**Curating Tomorrow** is a consultancy for museums and the heritage sector, helping them draw on their unique resources to enhance their contributions to society and the natural environment, the Sustainable Development Goals, climate action and nature conservation. Curating Tomorrow also applies the museum-based skill of curating to thinking about and addressing real-world challenges, not necessarily involving museums or museum collections.



Curating Tomorrow draws on high-quality information and research; combines creativity and imagination with focus, selection and attention to the real world; and has a strong focus on supporting positive change. Depending on the context, this could involve curating collections, research, ideas, partnerships, exhibitions, events, consultations, policies and/or strategies together to address key challenges and questions. It will always involve enhancing your social and environmental impact through focused action directed to positive goals.

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*"Where, after all, do universal human rights begin?  
In small places, close to home - so close and so small that they  
cannot be seen on any maps of the world.*

Yet they are the world of the individual person; the neighborhood he [she] lives in; the school or college he [she] attends; the factory, farm, or office where he [she] works.

Such are the places where every man, woman, and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere.

Without concerted citizen action to uphold them close to home, we shall look in vain for progress in the larger world."

**Eleanor Roosevelt, 1958**



# 1





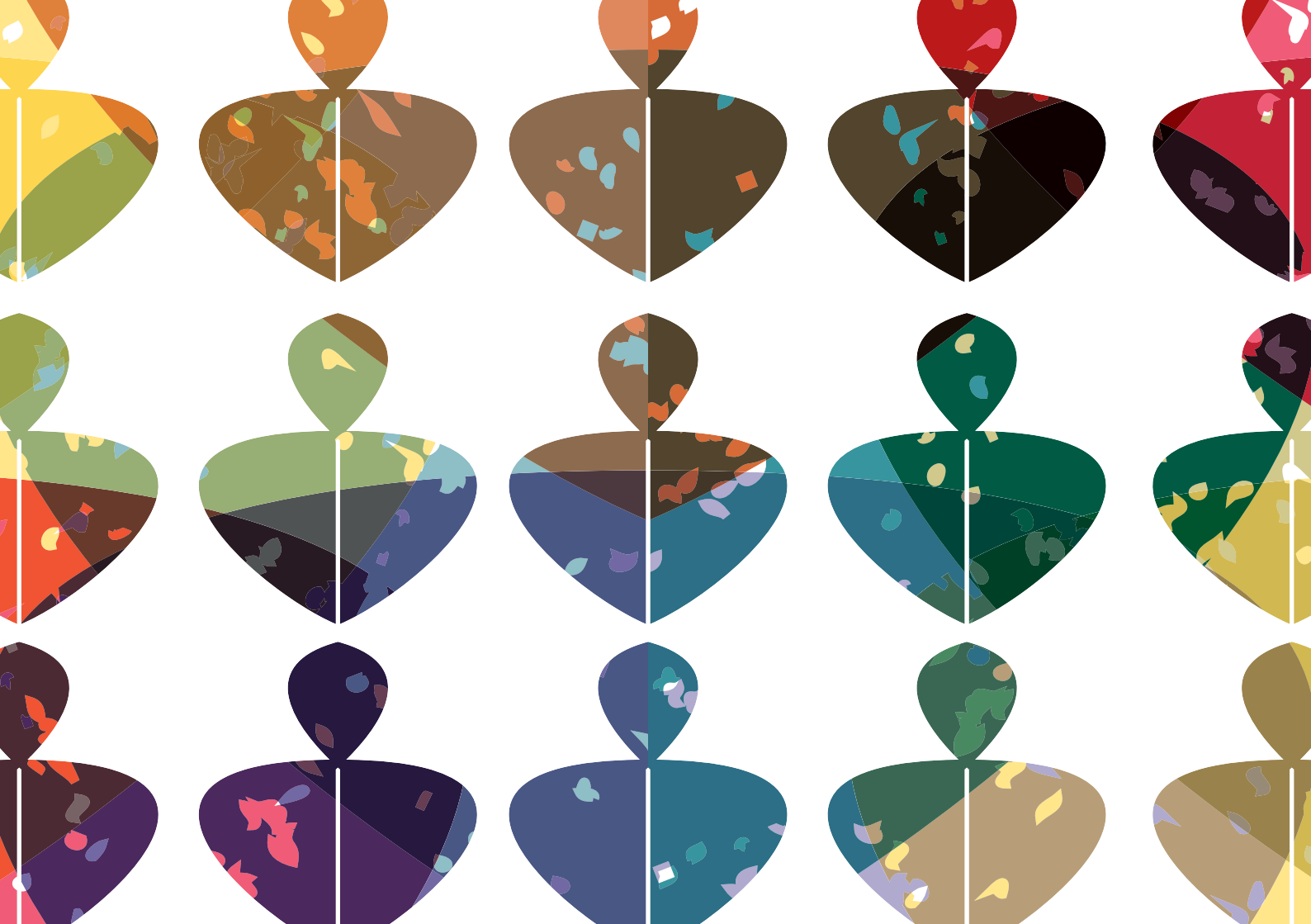
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## Section 1

# About This Guide and the Sustainable Development Goals

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## Introduction

**How many human rights can you name? Do you know your rights, or the rights of others? What have they got to do with museums and cultural institutions anyway?**

**If you're unsure of the answer to any of these questions, this short Guide should be of use to you.**

Whether they realize it or not, museums, and indeed every individual who works in and with them, have duties to fulfil regarding human rights. In fact, every individual in society has duties to uphold the rights of others, just as they should expect to be able to attain their own rights.

If people are to exercise their rights and responsibilities, they need to know about them, care about them, understand how they relate to their lives and work, and to have effective, transparent institutions that fulfil their responsibilities and obligations.

However, for the most part, human rights are not even talked about in museums or in society. Few museums incorporate human rights perspectives into their planning or across their areas of activity, and the basis of museums' decisions - their visions, missions, programming decisions and management - is often untransparent.

This Guide aims to support museums and museum workers to understand and fulfil their human rights duties with greater confidence, to use human rights as a basis for more effective public service, and to enable more people - whether as individuals, groups or communities - to be able to exercise their basic rights and freedoms through museums. It is not intended to be the last word on the subject, but to be a tool for empowerment.

Museums can be one of the places - recalling Eleanor Roosevelt's reference to 'small places' - where human rights begin, by supporting them every day, every how, everywhere, and for everyone.



## Using This Guide With 'Museums and the Sustainable Development Goals'

**This Guide is intended to be used as an overview of human rights in relation to museums, as a reference point, and as a planning tool to help mainstream human rights into the work - all aspects of work - of museums.**

It accompanies a similar Guide, 'Museums and the Sustainable Development Goals: a how-to guide for museums, galleries, cultural institutions and their partners'. That Guide sets out Seven Key Activities that museums can use as a blueprint for their contribution to sustainable development.

The Seven Key Activities are:

1. Protect and safeguard cultural and natural heritage, both in museums and more generally
2. Support and provide learning opportunities in support of the SDGs
3. Enable cultural participation for all
4. Support sustainable tourism
5. Enable research in support of the SDGs
6. Direct internal leadership, management and operations to support the SDGs
7. Direct external leadership, collaboration and partnerships towards the SDGs

Considering human rights as you address the Sustainable Development Goals through these Seven Key Activities can provide an effective template for transparent, outcomes-based and transformative public service.

For further detail on the Seven Key Activities and how they link to the Sustainable Development Goals and targets, see '[Museums and the Sustainable Development Goals](#)'.



# Human Rights and the Sustainable Development Goals

The 2030 Agenda, with its accompanying 17 Sustainable Development Goals, or SDGs for short, was agreed by the world's governments in 2015. The vision of Agenda 2030 is of “a world of universal respect for human rights and human dignity, the rule of law, justice, equality and non-discrimination... A just, equitable, tolerant, open and socially inclusive world in which the needs of the most vulnerable are met.”



Universal values, such as human rights, are foundational for the SDGs as they place “the person and their inherent dignity at the heart of development efforts, empowering all people to become active partners in this endeavour.”

The Universal Declaration of Human Rights and core human rights treaties are already embedded within the 2030 Agenda, its goals and targets. Working to support the SDGs and their targets is a very effective way of contributing to multiple issues that are related to human rights, working to empower everyone, everywhere, and supporting a future where people and nature flourish together.

The SDGs are not just for governments, but are an invitation to all sectors to collaborate to secure a sustainable future. Many museums are already playing a part in this endeavour, and many more want to scale up their contribution. In 2019, the International Council of Museums (ICOM) adopted a resolution [On Sustainability and the Implementation of Agenda 2030, Transforming Our World](#), encouraging its members and committees to work towards the SDGs to enhance their contributions to a sustainable future.

All human beings  
are born free and  
equal in dignity  
and rights.



# 2





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## Section 2

# Human Rights Conventions and Declarations



# What are Human Rights?

Human rights are rights inherent to all human beings. They are the rights each of us have purely and simply because we are human, a person.

## Human rights are:

- **Founded on respect for the dignity and worth of each person;**  
**universal: they belong and are applied equally and without discrimination to all people;**
- **inalienable, in that no one can have his or her human rights taken away (they can be limited in specific situations, for example if someone is found guilty of a crime they may be imprisoned).**
- **Human rights are indivisible, interrelated and interdependent: it is insufficient to respect some human rights and not others.**
- **All human rights should therefore be seen as having equal importance and of being equally essential to respect for the dignity and worth of every person.**

## **The Road to the Universal Declaration of Human Rights**

The concept of natural rights or universal human rights is an old one, extending back thousands of years to Persia and Ancient Greece. Through the Second World War, Franklin Roosevelt promoted the concept of Four Freedoms - of religion, of speech, from fear and from want - as essential principles (fundamental freedoms) to defend. In the aftermath of the Second World War, the United Nations was formed to ensure that the horrors encountered by, and inflicted upon, many millions of people would never happen again. In the UN's founding Charter, signed in 1945, members committed to "universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion."

The Universal Declaration of Human Rights was drafted to accompany the UN Charter, to clarify what rights and freedoms people had. Since its announcement on 10 December 1948, it has been a foundational document for human rights everywhere. It has been translated into over 500 languages.

# The Universal Declaration of Human Rights

**The Universal Declaration of Human Rights (or UDHR for short) sets out by recognizing that “the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.”**

It emphasizes the importance of a common understanding of the rights, “to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance.” We can consider ‘museums’ to represent an important ‘organ of society’ that can play a part in achieving these aims, and this Guide aims to help you understand both why and how to put museums to work to support human rights.

The UDHR consists of 30 Articles. These are included below, in summary form.<sup>1</sup> In practice, museums relate to most of the rights in some way; their strongest links are identified below in terms of the Seven Key Activities set out in ‘Museums and the Sustainable Development Goals’.

The Seven Key Activities are:

1. Protect and safeguard cultural and natural heritage, both in museums and more generally
2. Support and provide learning opportunities in support of the SDGs
3. Enable cultural participation for all
4. Support sustainable tourism
5. Enable research in support of the SDGs
6. Direct internal leadership, management and operations to support the SDGs
7. Direct external leadership, collaboration and partnerships towards the SDGs

<sup>1</sup>Adapted from the [Plain Language Version of the UDHR](#)

Article 1	All Human Beings are Born Free and Equal in Dignity and Rights	1. 2. 3. 4. 5. 6. 7.
Article 2	Freedom from Discrimination	1. 2. 3. 4. 5. 6. 7.
Article 3	Right to Life, Liberty, Personal Security	1. 2. 3. 4. 5. 6. 7.
Article 4	Freedom from Slavery	1. 2. 3. 4. 5. 6. 7.
Article 5	Freedom from Torture and Degrading Treatment	1. 2. 3. 4. 5. 6. 7.
Article 6	Right to Recognition as a Person Before the Law	1. 2. 3. 4. 5. 6. 7.
Article 7	Right to Equality Before the Law	1. 2. 3. 4. 5. 6. 7.
Article 8	Right to Remedy by Competent Tribunal	1. 2. 3. 4. 5. 6. 7.
Article 9	Freedom from Arbitrary Arrest and Exile	1. 2. 3. 4. 5. 6. 7.
Article 10	Right to Fair Public Hearing	1. 2. 3. 4. 5. 6. 7.
Article 11	Right to be Considered Innocent Until Proven Guilty	1. 2. 3. 4. 5. 6. 7.
Article 12	Freedom from Interference With Privacy, Family, Home and Correspondence	1. 2. 3. 4. 5. 6. 7.
Article 13	Right to Free Movement In and Out of the Country	1. 2. 3. 4. 5. 6. 7.
Article 14	Right to Asylum in Other Countries from Persecution	1. 2. 3. 4. 5. 6. 7.
Article 15	Right to a Nationality and the Freedom to Change It	1. 2. 3. 4. 5. 6. 7.
Article 16	Right to Marriage and Family	1. 2. 3. 4. 5. 6. 7.

Article 17	Right to Own Property	
Article 18	Freedom of Belief and Religion	
Article 19	Freedom of Opinion and Expression, and to Information	
Article 20	Right of Peaceful Assembly and Association	
Article 21	Right to Participate in Government and in Free Elections, and Equal Access to Public Service	
Article 22	Right to Social Security, Including Realization of Economic, Social and Cultural Rights	
Article 23	Right to Desirable Work and to Join Trade Unions	
Article 24	Right to Rest and Leisure	
Article 25	Right to Adequate Living Standard	
Article 26	Right to Education	
Article 27	Right to Participate in the Cultural Life of the Community, to Enjoy the Arts and to Share In Scientific Advancement and Its Benefits	
Article 28	Right to a Social and International Order	
Article 29	Community Duties Essential to Free and Full Development	
Article 30	Freedom From State or Personal Interference In the Above Rights	

**Civil and political rights** are rights that protect individuals from undue interference from governments or organizations, that ensure their fair treatment by the law, and that enable them to take part in political life.

**Economic rights** include the right to work, and to leisure, rest and holidays.

**Social rights** include the right to social security, to adequate living, to social and international order, to the right to health, and to education and training.

**Cultural rights** are “the rights of each person, individually, and in community with others, as well as groups of people, to develop and express their humanity, their worldview and the meanings they assign to their existence and development through... values, beliefs, convictions, languages, knowledge and the arts, institutions and ways of life. They also encompass the right to access and enjoy cultural heritage and resources that allow such identification and development processes to take place.” They include the right to education and training, and the right of everyone to take part in cultural life.

Over time, the distinction between groups of rights has become less defined, and all rights are seen as of equal importance, and are interconnected and indivisible.

*...all rights are seen  
as of equal importance,  
and are interconnected  
and indivisible.*

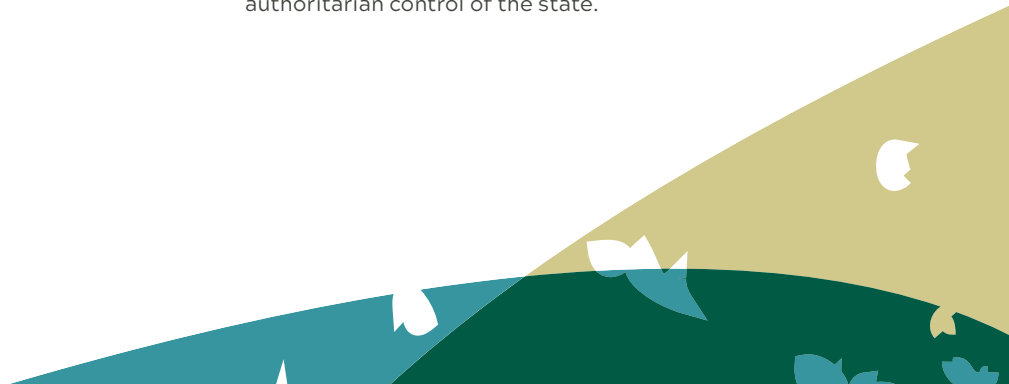
### Moral and Legal Standing

The Universal Declaration of Human Rights is a non-binding agreement, but its contents have been incorporated (with some modifications) into international law through two Covenants. The International Covenant on Civil and Political Rights (ICCPR) covers rights which protect the individual from undue interference from others, notably the state. The International Covenant on Economic, Social and Cultural Rights (ICESCR) is mainly concerned with equality and equality of opportunity.

The ICCPR and ICESCR were adopted by the UN General Assembly in December 1966. Both Covenants are accompanied by optional Protocols that provide a complaint mechanism for human rights violations. Both Covenants entered into force in 1976, and are legally binding. The UDHR and the two Covenants (with their optional protocols) form the International Bill of Human Rights.

In international law, Conventions and treaties have a legal standing, while Declarations do not. Universal human rights are incorporated into the laws of many countries (and may be modified depending on national contexts, but the overall rights remain the same), and in international human rights law through the two Covenants and a variety of other treaties. Governments are thus legally obliged to follow international human rights law to protect human rights and freedoms. Museums are legally obliged to adhere to national laws regarding human rights, and to international human rights law.

Although the UDHR itself is not legally binding, its non-binding nature has been considered to be one of its strengths, in that it provides “the notion of a fundamental baseline of human well-being.” The moral standing of the UDHR is of great importance to those sectors and institutions, such as museums, that aim to provide a public service, and that operate outside of the direct, authoritarian control of the state.



# Rights and Obligations

Human rights entail both rights and obligations. Obligations are usually defined as including obligations to respect, protect and fulfil human rights.

The obligation to **respect** means that nations must refrain from interfering with or curtailing the enjoyment of human rights.

The obligation to **protect** requires nations to protect individuals and groups against human rights abuses.

The obligation to **fulfil** means that nations must take positive action to help people attain their basic human rights.

These interpretations can be used by museums and others as they consider how they can support human rights through their own activities.

## Rights-holders and duty-bearers

Human rights are not only the responsibility of nations, but of institutions, including museums, and of every individual. Human rights are more than legal duties, but are moral responsibilities. At the individual level, while we are entitled to our human rights, we must also respect the human rights of others.

**Rights-holders** are individuals or social groups that have particular entitlements in relation to specific duty-bearers. In general terms, all human beings are rights-holders under the Universal Declaration of Human Rights. In particular contexts, there are often specific social groups whose human rights are not fully realized, respected, protected or fulfilled. These groups tend to include women and girls, impoverished people, children, older people, ethnic minorities, LGBTI people, Indigenous peoples, disabled people, refugees and asylum seekers, and migrants, among others.





**Duty-bearers** are those actors (sectors, organisations and networks) who have a particular obligation or responsibility to respect, protect and fulfil human rights, and to abstain from human rights violations. Duty-bearers include both nations (States) and non-state actors. However, the ultimate duty-bearer is the State as it ratifies the international Conventions.<sup>2</sup>

## Museums as duty-bearers

Museums have duties regarding human rights wherever they impinge on people's human rights through their ability or potential to contribute to the attainment of those rights, and where they undermine, or could undermine, those rights.

Looking back to the articles of the UDHR where museums have strong links, these can be taken as meaning that museums have duties to ensure they enable people to attain these rights, and that they modify their approaches where they are preventing people from attaining their rights.

<sup>2</sup>Adapted from UNICEF Finland (2015). Introduction to the Human Rights Based Approach: a guide for Finnish NGOs and their partners, p.6 available [here](#).

## Measures to address human rights

Measures taken to address human rights are sometimes distinguished as '4 A's' or '5 A's':

- **Availability** of measures and opportunities (places, institutions etc.) to exercise rights.
- **Accessibility** for individuals and communities to access these measures and opportunities without discrimination.
- **Acceptability** of measures and opportunities to the individuals and communities involved.
- **Adaptability** of measures and opportunities.
- **Appropriateness**, so that measures and opportunities to exercise rights are respectful to communities and any minorities involved.



# Other Human Rights Conventions and Declarations

**Many additional human rights Conventions have also been developed, relating to the rights of particular groups of people and addressing particular human rights abuses.**

**The most important are:**

Refugee Convention	1951
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	1965
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)	1979
Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	1984
Convention on the Rights of the Child (CRC)	1989
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICPMW)	1990
Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (Supporting the Convention on Transnational Crime)	2000
International Convention for the Protection of All Persons From Enforced Disappearance (CPED)	2006
Convention on the Rights of Persons With Disabilities (CRPD)	2006

**In addition to these, many Declarations have been agreed covering a wide range of topics relating to human rights.**

Some of these go beyond civil, political, economic, social and cultural rights, and are more concerned with progressive and group rights. These are sometimes called 'green rights'.

**These include:**

Declaration on the Granting of Independence to Colonial Countries and Peoples	1960
Declaration on the Right to Development	1986
UN Declaration on the Rights of Indigenous Peoples (UNDRIP)	2007
UN Declaration on the Rights of Peasants and Other People Working In Rural Areas (UNDROP)	2018

While not addressed in international law, rights introduced in these Declarations are important, going beyond simply fulfilling legal and moral obligations contained in legally binding treaties.

Some of the key aspects of these Conventions and Declarations are explored on the following pages, in terms of how they relate to the activities of museums. This list is not exhaustive and readers are encouraged to ask themselves what rights their work is supporting (or impeding), whose rights, where and how? Readers are encouraged to bear in mind the content of Article 1 of the UDHR, that "All human beings are born free and equal in dignity and rights."

## Refugee Convention

The Convention Relating to the Status of Refugees, usually called the Refugee Convention, was adopted in 1951 and came into force in 1954. It was developed in the aftermath of the Second World War, which saw huge numbers of people flee their home countries in fear for their lives. The Convention, with its 1967 Protocol, clearly identifies who is a refugee as well as the signatory countries' responsibilities towards them.

A refugee is defined as “a person who is outside his or her country of nationality or habitual residence; has a well-founded fear of being persecuted because of his or her race, religion, nationality, membership of a particular social group or political opinion; and is unable or unwilling to avail him- or herself of the protection of that country, or to return there, for fear of persecution (see Article 1A(2)). People who fulfil this definition are entitled to the rights and bound by the duties contained in the 1951 Convention.”

Among other rights, the signatories to the 1951 Convention committed to ensure that refugees:

- Cannot be expelled except under certain conditions (Article 32)
- Cannot be punished for illegal entry into a signatory country (Article 31)
- Have the right to work (Articles 17-19)
- Have the right to housing (Article 21)
- Have the right to education (Article 22)
- Have the right to public relief and assistance (Article 4)
- Have the right of freedom of movement within a signatory country (Article 26)
- Have the right to be provided with identity papers and travel documents by the signatory country when they don't have their own (Articles 27 and 28)

A guidance note on the Refugee Convention notes that “Since, by definition, refugees are not protected by their own governments, the international community steps in to ensure they are safe and protected.”



**Museums can support refugees by:**

- Helping ensure refugees' cultural and natural heritage is safeguarded.
- Ensuring refugees can access all forms of education and that it is sensitive to their needs and circumstances.
- Through education that combats all forms of intolerance and fosters a culture of peace and respect for human rights.
- Empowering everyone to understand the special status of refugees, and of countries' commitments and obligations towards them.
- Raising awareness and providing information on the plight of refugees and local activities to support them.
- Ensuring refugees can access their own cultural heritage, and enjoy cultural heritage and museum activities of all kinds on an equal basis as other people.
- Raising awareness of opportunities to support refugees, locally and more widely.
- Ensuring that people are well treated throughout museums' supply chains, to eliminate any human rights abuses of marginalized people.
- Working in partnership with refugees' organizations, and with local communities and individuals wishing to support refugees, and by facilitating support for refugees.

## International Convention on the Elimination of Racial Discrimination (ICERD)

The ICERD was adopted in 1965 and entered into force in 1969. It committed its signatories “to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law” in relation to a number of rights, including education, training and “the right to equal participation in cultural activities”, as well as in many other areas.

Article 7 of the ICERD concerns the promotion of tolerance: to “adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnical groups.”

Museums are thus implicated in the ICERD in the aforementioned ways, and also in terms of eliminating discrimination and securing equality of opportunity in employment, supply chains, and all other aspects of their activity, which are also covered in the ICERD.

Building on the ICERD, the Durban Declaration (2001) recognizes that colonialism and the Trans-Atlantic Slave Trade were abuses of human rights, and that they lie behind continuing inequality and racism today. Tendayi Achiume, UN Special Rapporteur on Contemporary Racism, Racial Discrimination, Xenophobia and Intolerance, since reported in 2019 that reparations for slavery and colonialism should address both historic wrongs and contemporary structural inequality built under slavery and colonialism. She recommended that reparations for colonialism and slavery should include educational measures “to ensure national and international consciousness of the scale, scope and contemporary legacies of racial discrimination, rooted [in] slavery and colonialism...”

Ensuring historical and political consciousness, especially among contemporary beneficiaries of slavery and colonialism, is an important step towards building the requisite political will to make reparations a reality. Ahistorical understandings of the present operate as a barrier to achieving reparations.”

Museums can play a key role in such educational measures, and support initiatives such as the International Decade for People of African Descent (2015-24), enabling people’s rights to information and to participate in public affairs (qqv.).

## Convention to Eliminate Discrimination Against Women (CEDAW)

The Convention was adopted in 1979 and came into force in 1981. The Convention reemphasizes the fundamental equality of men and women “to enjoy all economic, social, cultural, civil and political rights.”

The Convention notes that social norms, in terms of roles and stereotypes of men and women, are created through culture, and that steps should be taken in order to achieve “the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.”

Cultural institutions such as museums have a role to play in eliminating prejudices and stereotypes through their exhibitions and programmes, the way they work with community groups and other partners, and their employment practices.

## Convention on the Rights of Persons With Disabilities (CRPD)

The Convention was adopted in 2006 and came into force in 2008. It re-emphasizes the equal right of disabled people to participate in and benefit from society.

The Convention promotes measures that enable disabled people to access cultural materials in accessible formats, to enjoy equal access to cultural venues including museums, and to take part in and contribute to creative and intellectual activity. It highlights the importance of educational and awareness-raising programmes that address the rights of disabled people and that portray disabled people in such a way as to eliminate stigma and intolerance.

The Convention also covers rights relating to the full range of rights in the ICESCR and ICCPR, for example regarding employment.



## LGBTI People and Human Rights

LGBTI (lesbian, gay, bisexual, trans and intersex) people commonly face discrimination in education, employment and healthcare; mistreatment from their families; they are frequently targeted for violence, and have their free speech and right to expression curbed through fear and intimidation.

The Office of the High Commissioner of Human Rights (OHCHR) has noted that protecting LGBTI people from violence and discrimination does not (or should not) require a new set of human rights laws or standards, as their full and equal rights are already well established in international human rights law, based on the UDHR and other treaties.

Nations are legally required to safeguard the human rights of LGBTI people, with obligations to protect them from violence and intimidation; prevent torture and degrading treatment, such as conversion therapy; repeal laws against same-sex relationships and transgender people; prohibit discrimination; and safeguard freedoms of expression, association and peaceful assembly.



The OHCHR report 'Living Free and Equal' (2016) advises the following regarding public awareness and education programmes that address discrimination against LGBTI people, which is relevant to museums:

- The ultimate goal of an anti-hate crime strategy should be prevention.
- Public information messages on the unacceptability of hate crimes against LGBTI people can play an important foundation in prevention strategies.
- Combating misinformation, myths and stereotypes about LGBTI people is key to dispelling many of the prejudices faced by LGBTI people.
- Ensuring the general public has access to accurate information helps to bring discriminatory abuse into the public domain, and into perspective as a serious human rights issue.
- Information should be directed towards LGBTI people, so they are aware of their rights and how and where to access support should they need it (and using the standard approach of Available, Accessible, Acceptable, Adaptable and Appropriate information). Information should also be directed towards the public as a whole, to build empathy, respect and tolerance for LGBTI people.
- Public displays of solidarity and support, and promoting a no-tolerance approach to hate-motivated violence and abuse, help create a positive environment for LGBTI people.
- Awareness and public information campaigns must reach both urban and rural areas, and be designed for the local context.
- Measuring the impact of such campaigns is important to assess their effectiveness.
- Public campaigns and programmes need to address the full range and diversity of LGBTI people, respecting the great diversity that exists among them, and that they face different issues and patterns of violence and discrimination, varying depending on local context.

LGBTI people have equal rights to participate in cultural life (qv.), as in all other rights, and museums should respect their freedoms of expression, association and assembly, and their right to privacy.

## Slavery Convention, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons

Slavery consists of any situation where a person is treated as the property of another, and has their rights limited. It may include traditional slavery, forced labour, debt bondage, serfdom, child slavery, domestic slavery, sexual slavery and forced marriage. Ending slavery was first articulated in the 1926 [Slavery Convention](#) (pre-dating the UN formation); it is a commitment in Article 4 of the UDHR, and is legally binding in the ICCPR.

UNESCO's '[Legacies of Slavery](#)' provides an overview of how museums and other memory sites worldwide have been memorializing the Trans-Atlantic Slave Trade, and includes general recommendations and good practices based on a wide range of examples. This forms part of '[The Slave Route Project](#)', which is also accompanied by [educational resources](#).

Traditional slavery has been abolished worldwide as a legal labour system, but slavery still exists, and its impacts are far-reaching. An estimated 40 million people live in slavery today, with 25 million people in forced labour and 15 million women and girls in forced marriage. Shockingly, it has been claimed that there are [more enslaved people today than at the height of the slave trade](#).

Slavery is most often perpetrated in remote areas, but it can occur anywhere. It is mostly inflicted upon those who are impoverished, discriminated against, and marginalized/under-served in society. Eradicating slavery has much in common with eradicating poverty, as the two are connected.

**Museums can help eradicate - and reduce their contribution towards - modern slavery by:**

- Progressively working to reduce marginalization of people in local communities, ensuring people are aware of their rights and sources of advice and support.
- Educating and raising awareness of slavery - both historic and modern slavery - and empowering people to recognize modern slavery, to be tolerant of impoverished people and minorities, and to eradicate slavery-related products from their lives.
- Museums should also eradicate exploitation of people throughout their own supply chains: from the products in their cafés and shops, casual employment and delivery services, and from their pension funds and investments. Products that often rely on modern slavery include textile and garment manufacture; computers and mobile phones; cocoa; coffee and tea; sugarcane; and seafood. Services that often rely on modern slavery include agriculture, catering, delivery, cleaning and construction.
- Making a modern slavery commitment, made available in a public statement.

Ending modern slavery is particularly urgent in light of the COVID-19 pandemic, which risks pushing millions of people into poverty, and placing them at risk of exploitation through modern slavery.

Human trafficking is closely related to modern slavery. The Protocol to Prevent, Suppress and Punish Trafficking was adopted in 2000. Trafficking is defined in the Protocol as “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

People are put at increased risk of being forced into trafficking as a result of poverty, marginalization and discrimination. Ending these, in all their forms, is one of the main ways that museums can address human trafficking. Many human rights are violated by trafficking, and public authorities, civil society organizations and museums also have duties to respect, protect and fulfil the rights of those at risk of trafficking, or who have already been trafficked.

**Museums can help reduce human trafficking and its negative impacts, by:**

- Supporting people, notably young people, women, impoverished people, members of minorities and others who are marginalized/under-served, to complete basic education (notably literacy and numeracy) that can support livelihood options, and to participate fully in cultural life;
- promoting tolerance and inclusion of people before and after they are trafficked;
- promoting awareness of the complex reasons why people may make potentially dangerous migration decisions;
- providing access to support and information to people who may have been trafficked, and empowering all people to recognize the signs of trafficking.



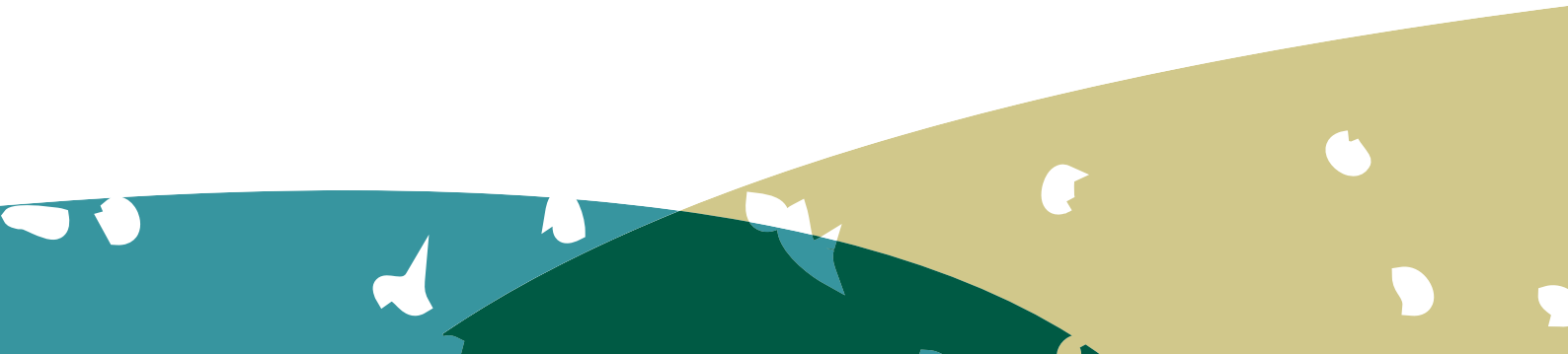
## International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICPMW)

One of the key points of [this Convention](#), which was adopted in 1990 and entered into force in 2003, is that migrant workers and their families should have equal treatment as nationals of a country, including in terms of access to educational institutions and services, access to training and placement schemes, and to participate in cultural life (qv.).

## Convention on the Rights of the Child (CRC)

[The Convention](#) was adopted in 1989 and entered into force in 1990. Article 29 notes that education of the child should be directed to developing their abilities to the fullest potential, respect for human rights and fundamental freedoms, respect for their family and cultural identity, and for other cultures.

Education should prepare the child “for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin”, and for respect for the natural environment. Article 31 acknowledges children’s right to recreation and play, and to participate in cultural life.



## Declaration on the Rights of Indigenous Peoples (UNDRIP)

The UNDRIP was adopted in 2007, and is the most comprehensive international agreement on the rights of Indigenous peoples, providing a set of “minimum standards for the survival, dignity and well-being of the indigenous peoples of the world.”

As it is a Declaration rather than a Convention, it is voluntary and non-binding. Indigenous peoples are not defined by the UN, but, in general, they self-identify as belonging to a group, demonstrate historical continuity with a link to particular places and natural resources; and they may have distinct cultural traditions and beliefs. They are frequently discriminated against, and may choose not to reveal or define their identity; these choices should be respected, while working to remove discrimination.

The Declaration recognizes historic injustices resulting from colonization and dispossession, and current discrimination.

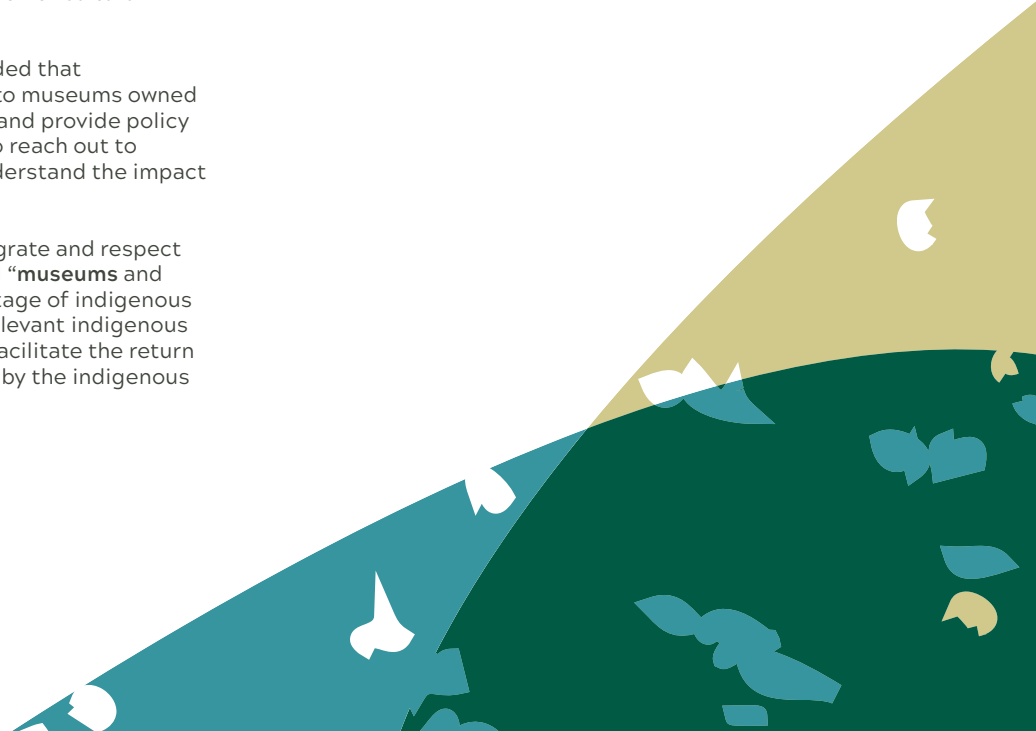
### Among other rights, the UNDRIP recognizes Indigenous peoples’ rights:

- to equal enjoyment of all human rights;
- to practise and revitalize their cultural, spiritual and religious traditions, including their right to maintain, protect, develop and use their cultural heritage, such as artefacts, arts and literature (among others);
- the right to practise, develop and teach their traditions, customs and ceremonies, and the right to the use and control of ceremonial objects.
- They are entitled to the dignity and diversity of their cultures, traditions, histories and aspirations, which should be appropriately reflected in education and public information.
- They have the right to cultural property taken without their permission, which should be restituted and/or developed in conjunction with Indigenous peoples.
- They have the right to the repatriation of human remains.

In 2015, a report was presented at the UN Human Rights Council on Indigenous peoples' rights respecting cultural heritage, and their participation in political and public life. This acknowledged that museums are sources of education and cultural understanding, but that museums often contribute to the misappropriation of cultural heritage of Indigenous peoples.

The resulting recommendations included that **governments** should provide funding to museums owned and managed by Indigenous peoples, and provide policy frameworks to encourage museums to reach out to Indigenous communities to better understand the impact of restoring stolen cultural heritage.

**International organizations** must integrate and respect the rights included in the UNDRIP, and “**museums** and other places in which the cultural heritage of indigenous peoples is stored should inform the relevant indigenous peoples and develop mechanisms to facilitate the return of such cultural heritage when sought by the indigenous peoples concerned.”



## Declaration on the Granting of Independence to Colonial Countries and Peoples

Decolonization, the undoing of colonialism, is closely linked to human rights, as it is the pursuit of freedom from coercive rule. In its original sense, decolonization means the empowerment of previously non self-governing peoples and territories to self-governance and control of resources, notably land and territory. Increasingly, and rather confusingly, the term is used in a different sense, regarding an awareness of the role of colonialism in the shaping of institutions (such as museums) and their various activities, and taking steps to address resulting biases and discriminatory practices.

The Declaration, adopted by the UN in 1960, affirmed the right of all people to self-determination, and that colonialism should be brought to an end. When the UN was founded in 1945, there were 750 million people living under colonial rule. Today, there are fewer than two million people in such conditions, in 17 non self-governing territories (10 administered by the UK, three by the USA, two by France, one by New Zealand, and the Western Sahara which is in the process of decolonization and self-governance). Human rights themselves have often been ‘colonized’, or misappropriated, by governments, and we

should guard against this to ensure that rights are being used in the interests of individuals, communities and all of humanity, as set out in the UDHR and in the Right to Development (qqv.).

Museums have increasingly become interested in ‘decolonizing’ themselves; this is commendable, but museums should also acknowledge and educate the public that colonialism is not a thing of the past, but alive and well, from previous and current colonialism and its legacies, imperialism and neocolonialism.

### **Museums may contribute to colonialism and its persistence, consciously or unconsciously, where they:**

- exclude colonized or formerly colonized peoples, or deny them their rights;
- facilitate the assimilation, erasure or extinction of cultural practices;
- tell one-sided or partial views of history or current affairs;
- or present colonialist viewpoints.

These serve to perpetuate structural inequality resulting from, and part of, colonialism.



Museums may be more or less actively involved in contemporary colonialism, just as they are in the legacies of historic colonialism, for example where their pension funds, investments and partners are financing neocolonialism (usually economic expansion and exploitation in the Global South), or where their shops sell goods made in exploitative industries in formerly colonized countries. They also contribute to, or at least are complicit in, contemporary colonialism, imperialism and neocolonialism when they are silent on aggressive expansion, the use of debt by States to control other States, forced assimilation and re-education, illegal occupation and other such human rights abuses worldwide, or where they fail to reduce their direct contributions to climate change (given that formerly colonized countries will be among the hardest hit by climate change impacts).

Museums should promote people's awareness and understanding of such abuses wherever relevant to their subject matter, as part of people's rights to education, access to information, and to participate in public affairs (qqv.). Museums should also be transparent on their own involvement in contemporary forms of colonialism as part of people's right to information.

'Soft power' refers to activities by the government of one territory to seek influence over the population of another territory for its own political and economic ends through indirect means. This commonly includes supporting, sponsoring or arranging cultural events, exhibitions and educational programmes. Museums should be cautious of participating in, or receiving support from, such initiatives (whether initiated by the government of their own country or another) as, in its emphasis on power, 'soft power' does not necessarily fulfil a human rights-based approach, but puts the interests of the State ahead of the interests of individuals, and is one of the main instruments of neocolonialism.



## Declaration on the Rights of Peasants and Other People Working In Rural Areas (UNDROP)

The Declaration was adopted by the UN in 2018; it is non-binding. It relates to people and communities engaged in small-scale agricultural production (including aquaculture and forestry); Indigenous peoples and landless peoples; and hired workers, migrant and seasonal workers engaged in agricultural production. The UNDROP thus relates to people in all countries.

### Among other rights, it establishes, or reasserts:

- their equal rights;
- these peoples' right to a safe and healthy working environment, decent income, right to land, rights to seeds and biodiversity;
- the right to adequate training suited to their particular environment, relating to productivity, marketing, and the ability to cope with threats to crops such as pests, chemicals, climate change and weather-related events.
- All children have the right to education in accordance with their culture.
- They have the right to maintain, enjoy and express their own culture and freely pursue their cultural development, including traditional and local knowledge, ways of life, and methods of production or technology, expressed through languages, culture, religions, literature and art.
- Measures should be taken to recognize and protect their traditional knowledge, and they have the right to benefit equally from any benefits arising from genetic resources or their traditional knowledge.

Museums should consider the rights of these people throughout their supply chains, as well as considering how they can support them directly through their collections (existing collections, and by developing new ones), cultural and educational programmes, and by providing markets for their products and ensuring fair benefits.

## Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms

This Declaration was adopted in 1998. It is important for museums, as it recognizes the key role that individuals, groups and associations play in promoting and protecting human rights and fundamental freedoms.

**The Declaration establishes that everyone has the right, individually and in association with others:**

- to promote human rights and fundamental freedoms;
- to know, seek, receive and hold information about all human rights and fundamental freedoms, including information on how those rights and freedoms are given effect in legal and administrative systems;
- to share their views, information and knowledge on all human rights and fundamental freedoms;
- to study, discuss, form and hold opinions on the observance of all human rights and fundamental freedoms, and to draw public attention to those matters;
- to develop and discuss new human rights ideas and principles and to advocate their acceptance.



## Declaration on the Right to Development (RtD)

The Declaration on the Right to Development was adopted in 1986. It draws attention to the fundamental rights and freedoms of all, and to widespread violations of rights resulting from colonialism and neo-colonialism, racism, foreign influence and territorial disputes, and by day-to-day discrimination.

The Declaration establishes the right of everyone “to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.”

Development is taken to mean “the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting therefrom.”

### The elements of the right to development are:

- **People-centred development.** The Declaration identifies “the human person” is the central subject, participant and beneficiary of development. This is an important point that museums should note. The emphasis is not on service provision, but on providing an enabling environment.
- **A human rights-based approach.** Development must be carried out in a manner “in which all human rights and fundamental freedoms can be fully realized”.
- **Participation.** The Declaration calls for the “active, free and meaningful participation” of people in development, and all people have a responsibility for development as part of their duties to the community.
- **Equity** and the fair distribution of the benefits of development.
- **Non-discrimination.**
- **Self-determination.** All people are entitled to self-determination, to pursue their economic, social and cultural development, without discrimination and without exception.

Human rights are  
rights inherent to  
all human beings.



# 3



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## Section 3

# Particular Human Rights Relevant to Museums

This section explores particular human rights that are relevant to museums. Many other rights are relevant and could have been included, but a number of these - such as copyright - are already well-explored in the museum sector.

To explore how Disaster Risk Reduction supports people's rights, see the accompanying Guide [Museums and Disaster Risk Reduction](#).

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# The Right of Everyone to Participate In Cultural Life

**The right of everyone to participate in cultural life is of special relevance to museums and similar institutions. The right forms part of Article 15 of the ICESCR, and is based on Article 27 of the UDHR.**

The right of everyone to participate in cultural life is also referred to in most, if not all, international human rights legal instruments. The right has been further defined as follows:

**‘Everyone’** means that cultural rights may be exercised by a person (a) as an individual, (b) in association with others, or (c) within a community or group.

**‘Cultural life’** acknowledges that culture has been defined in many ways: “culture is a broad, inclusive concept encompassing all manifestations of human existence. The expression ‘cultural life’ is an explicit reference to culture as a living process, historical, dynamic and evolving, with a past, a present and a future.”

The concept of ‘cultural life’ is a useful one for museums and similar institutions to consider. ‘Cultural life’ shifts the focus on to the person as an individual and the extent to which museums and cultural practices contribute towards their lives. This is a more inclusive and outcomes-based approach than an approach in which people are viewed as consumers of cultural productions (goods and services) arising from a cultural sector.

**“To participate”** (or “to take part”, used interchangeably) is considered as having three main components:

- (a) **Participation in cultural life:** the right of everyone to engage in cultural practices.
- (b) **Access to cultural life:** the right of everyone to know and understand their own culture and that of others through education and information.
- (c) **Contribution to cultural life:** the right of everyone to be involved in creating the spiritual, material, intellectual and emotional expressions of the community.



The following conditions are considered necessary for people to exercise their right to take part in cultural life, on the basis of equality and non-discrimination:

- (a) **Availability** of sites and cultural institutions such as museums, and events, resources and opportunities for cultural interaction.
- (b) **Accessibility** of opportunities for individuals and communities to take part in cultural life fully, within physical and financial reach without discrimination, and to seek information on culture.
- (c) **Acceptability** of measures (laws, policies, strategies, plans and programmes) to the individuals and communities involved, developed through consultation.
- (d) **Adaptability** of measures relating to cultural life.
- (e) **Appropriateness** of measures so they are respectful of the culture and cultural rights of individuals and communities, including minorities and Indigenous peoples.

Limitations to the right of everyone to take part in cultural life may be required in certain circumstances, for example where customs and traditions infringe upon other human rights.

## Non-discrimination and equal treatment

The ICESCR prohibits any discrimination regarding the right of everyone to take part in cultural life, and no one should be excluded from access to cultural practices or activities. This is worth noting for museums, who should not consciously (or unconsciously) seek to discourage or prevent anyone or any group from access to their services, whatever their opinions or other status (see also the section on Freedom of Speech and Expression). Special efforts to promote full inclusion of disadvantaged and marginalized/under-served individuals and groups should be undertaken, whatever level of resources are available.

## Specific legal obligations

The right of everyone to take part in cultural life, like the other rights enshrined in the ICESCR, imposes three types or levels of obligations: (a) the obligation to respect; (b) the obligation to protect; and (c) the obligation to fulfil. Museums can consider these duties, both in terms of how governments fulfil their obligations, and what obligations museums can, and therefore should, fulfil themselves:

**The obligation to respect:** governments are to refrain from interfering, directly or indirectly, with the enjoyment of the right to take part in cultural life. The obligation to respect means that proactive measures should be taken to achieve respect for the right of everyone to participate in cultural life.

**The obligation to protect:** steps should be taken to prevent third parties from interfering in the right of others to take part in cultural life. Obligations to respect and protect are often interconnected. For example,

- (a) to respect and protect cultural heritage in all its forms, and to preserve, develop and transmit cultural heritage “as a record of human experience and aspirations, in order to encourage creativity in all its diversity and to inspire a genuine dialogue between cultures.”
- (b) Respect and protect cultural heritage of all groups and communities, in particular the most disadvantaged and marginalized/under-served individuals and groups;

- (c) to respect and protect the cultural productions of Indigenous peoples; and

- (d) to promote existing legislation and policies that prohibit discrimination based on cultural identity, and tackle hate speech, hostility and violence.

**The obligation to fulfil:** requires active measures to achieve the full realization of the right. The obligation to fulfil can be subdivided into the obligations to facilitate, promote and provide. Facilitation includes creating opportunities for people to take part in cultural life, for example by establishing and supporting public institutions such as museums. The obligation to promote means the promotion of the right to participation in cultural life through education and public awareness, particularly in rural and deprived urban areas, for minorities, and for Indigenous peoples. The obligation to provide requires that nations, and others, must take affirmative steps that people are unable to take for themselves, for example by undertaking programmes to preserve and restore cultural heritage; providing educational opportunities; and providing “guaranteed access for all, without discrimination on grounds of financial or any other status, to museums, libraries, cinemas and theatres and to cultural activities, services and events.”

## Museums' responsibilities for the right of everyone to participate in cultural life

While primary responsibility for implementing the ICESCR lies with governments, the Committee for Economic, Social and Cultural Rights (CESCR) has also noted that “all members of civil society... also have responsibilities in relation to the effective implementation of the right of everyone to take part in cultural life... Communities and cultural associations play a fundamental role in the promotion of the right of everyone to take part in cultural life at the local and national levels...”

The duties to respect, protect and fulfil the right of everyone to participate in cultural life thus fall to museums (along with others), as institutions closely linked to the right of everyone to participate in cultural life.

*“Communities and cultural associations play a fundamental role”*

## The Right to Enjoy One's Own Culture

**Article 27 of the ICCPR provides for the right of members of minorities to enjoy their own culture, practice their own religion and use their own language.**

Although the Article is specifically about linguistic, religious and ethnic minorities, it can be a useful guide for considering how museums can support other minorities to enjoy and express their own culture. The right is closely linked to the right of everyone to participate in cultural life (qv.), and with freedoms of expression, religion and belief, and assembly and association.

**Museums can support people's right to enjoy their own culture by:**

1. Preserving and developing collections that reflect the cultural diversity of their place in an ongoing way, that help perpetuate and preserve cultural and natural heritage, and that document cultural change over time.
2. Providing educational opportunities for everyone to explore their own culture.
3. Ensuring that they enable all people, notably marginalized/under-served people and minorities, to take part in activities drawing on their own culture, and to contribute to the cultural life of their community and the wider community, on their own and with others.
4. Support sustainable tourism that enables people to enjoy their own culture, supports local cultural activities, supports livelihoods, and shares local culture with others.
5. Support research that helps understand and interpret cultures and traditions, including local traditions.
6. Ensure management decisions support everyone's right to enjoy their own culture, for example through access arrangements (eg. charging for entrance), and provide markets for local cultural products.
7. Participate in partnerships and collaborations that support activities drawing on local cultural traditions, and that enable distant communities to access collections and information.

# The Right of Everyone to Enjoy the Benefits of Scientific Progress and its Applications

**This right also forms part of Article 15 of the ICESCR and is based on part of Article 27 of the UDHR.**

The Committee on Economic, Social and Cultural Rights has stated that this right requires the availability of institutions and facilities for the development and diffusion of science, specifically museums, libraries and the Internet, and of “a strong research infrastructure”.

This right can be supported by providing public awareness and education regarding scientific topics, which can address a range of contemporary issues, including biodiversity loss, climate change, and health threats such as COVID-19.



**Museums can support this right in many ways. including by:**

1. Preserving and developing collections and collections information to be useful for scientific research purposes, and making them available online to aid discovery and use.
2. Supporting and providing educational opportunities to understand scientific topics, such as climate change, biodiversity loss and conservation, and health threats such as COVID-19.
3. Ensuring that all people and groups are empowered and enabled to engage with scientific topics, and to participate in activities linked to these topics, recognizing that scientific information alone will not necessarily provide people with the support that they need to respond.
4. Ensuring tourists and other visitors to places are empowered to understand scientific activities taking place in those places, for example scientific and environmental monitoring of species, habitats and climate-related impacts and management responses to these.
5. Supporting research and researchers that makes use of collections for scientific purposes, through suitable access arrangement, staff and equipment, and making the results of such research available to the wider public.
6. Ensuring that management decisions support the development of collections for scientific purposes, and that collections care and development are suitably budgeted for, and that there are suitably trained staff able to support scientists and other researchers with specialist enquiries.
7. Participating in partnerships and collaborations that make use of collections for scientific purposes, and that engage people with scientific research and topics, and ensuring that decision-makers and policy makers understand the value of collections for supporting scientific agendas, to ensure proper funding and support in an ongoing way.

## The Right of Access To and Enjoyment of Cultural Heritage

**The former Independent Expert in the Field of Cultural Rights, Farida Shaheed, stated to the Human Rights Council in 2011: “The concept of heritage reflects the dynamic character of something that has been developed, built or created, interpreted and re-interpreted in history, and transmitted from generation to generation.” From a human rights perspective she noted “cultural heritage is also to be understood as resources enabling the cultural identification and development processes of individuals and communities which they, implicitly or explicitly, wish to transmit to future generations.”**

This is an important point, in that it shifts the focus away from preserving the past as an end in itself, to considering the present as a point between the past and the future, and puts agency in the hands of people in the present to construct the future.

She reported that the right of access to and enjoyment of cultural heritage is both an individual and a collective human right, linked to many other rights including the right to take part in cultural life, the right of members

of minorities to enjoy their own culture, and the right of Indigenous peoples to self-determination and to their cultural heritage, as well as a number of other rights (freedom of expression, freedom of belief and religion, the right to information and the right to education). She acknowledged that “The right of access to and enjoyment of cultural heritage includes the right of individuals and communities to... know, understand, enter, visit, make use of, maintain, exchange and develop cultural heritage, as well as to benefit from the cultural heritage and the creation of others. It also includes the right to participate in the identification, interpretation and development of cultural heritage, as well as to the design and implementation of preservation/safeguard policies and programmes.”

She noted that “human rights issues may arise when elements of the cultural heritage of specific communities are stored or displayed in cultural institutions, in particular museums, libraries and archives, without the participation or consent of those communities, and/or in a manner not respecting the significance and interpretation they give to such heritage.



**Among other recommendations, she advocated that:**

- Cultural heritage should be acknowledged, respected and protected. The preservation/safeguarding of cultural heritage should aim at ensuring human development, the building of peaceful and democratic societies and the promotion of cultural diversity.
- Concerned communities and relevant individuals should be consulted and invited to actively participate in the whole process of identification, selection, classification, interpretation, preservation/safeguard, stewardship and development of cultural heritage.
- Professionals working in the field of cultural heritage should be encouraged to adopt a human rights-based approach and to develop rules and guidelines in this respect.
- Professionals working in the field of cultural heritage and cultural institutions (museums, libraries and archives in particular) should build stronger relationships with the communities and peoples whose cultural heritage they are the repositories of, respect their contributions regarding the significance, interpretation, sharing and display of such heritage, and consider in good faith their queries regarding repatriation.



## The Right to Participate in Public Affairs

**Article 25 of the ICCPR recognizes the right to participate in public affairs, including (a) the right to take part in the conduct of public affairs; (b) the right to vote and to be elected; and (c) the right to have access to public service (meaning to serve the public, not access to public services). Museums are most closely associated with the first of these three aspects, although ensuring their staff have opportunities to vote supports the second aspect, and ‘access to public service’ could be construed as including employment and volunteering.**

In a [General Comment](#), in 1996, the Human Rights Committee made the following points (among others) that are relevant to the Right to Participate in Public Affairs in a museum context:

“The conduct of public affairs... covers all aspects of public administration, and the formulation and implementation of policy at international, national, regional and local levels.”

“Citizens may participate directly by taking part in popular assemblies which have the power to make decisions about local issues or about the affairs of a particular community and in bodies established to represent citizens in consultation with government...”

Citizens also take part in the conduct of public affairs by exerting influence through public debate and dialogue with their representatives or through their capacity to organize themselves. This participation is supported by ensuring freedom of expression, assembly and association.”

This recognizes that “the free communication of information and ideas about public and political issues between citizens, candidates and elected representatives is essential. This implies a free press and other media able to comment on public issues without censorship or restraint and to inform public opinion.” Museums represent such a medium.

The right to participate in public affairs has been elaborated in '[Guidelines for States on the effective implementation of the right to participate in public affairs](#)' by the OHCHR. The Guidelines note that “participation makes decision-making more informed and sustainable, and public institutions more effective, accountable and transparent. This in turn enhances the legitimacy of States’ decisions and their ownership by all members of society.”

The right to participate requires an environment that supports people’s engagement with issues, through the provision of information, through consultation and dialogue, and through policy development involving the public. Decision-making processes may include agenda-setting, drafting, consultation, implementation, monitoring and re-development of policy decisions. Depending on the context, participation may include any or all of participation before, during or after decision-making.

To empower rights holders to participate in public affairs, civic education programmes should include knowledge of human rights, the importance of participation in society, and an understanding of the electoral and political system, and opportunities for participation.

Targeted capacity-building and civic education programmes should support those who are marginalized and prevented from participating in public affairs.

Museums should consider how they fulfil their obligations to connect people with agendas related to their subject matter. They should raise awareness of, and provide opportunities for people to participate in, international observance dates, International Decades related to human rights and sustainability issues, and in the governance of local development issues through debates, consultations and educational programmes for all ages.

*“Participation makes decision-making more informed and sustainable, and public institutions more effective, accountable and transparent”*

# The Right to Education

**The Right to Education is the subject of Articles 13 and 14 of the ICESCR. Education is both a right in itself, and an essential route to achieving other rights. The right applies to formal (in-school), non-formal (out-of-school) and informal (lifelong/experiential) education. Most museum educational activities are informal learning; school groups who visit museums and training courses are non-formal learning; museum activities in school are formal learning.**

The ICESCR states “education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms.”

The importance of lifelong learning is recognized as a crucial part of the right to education. A vision for education was launched in 2015 as ‘[Education 2030](#)’, which acknowledges that “The right to education begins at birth and continues throughout life... broad and flexible lifelong learning opportunities should be provided through non-formal pathways...”

UNESCO made a further ‘[Recommendation on Adult Learning and Education](#)’ in 2015. This recognized three types of adult learning: for literacy and basic skills; for continuing training and professional development; and for active citizenship (variously referred to as community, popular or liberal education), which “empowers people to actively engage with social issues such as poverty, gender, intergenerational solidarity, social mobility, justice, equity, exclusion, violence, unemployment, environmental protection and climate change. It also helps people to lead a decent life, in terms of health and well-being, culture, spirituality and in all other ways that contribute to personal development and dignity.” All of these aspects are of relevance to the work of museums. Freedom of Speech and Expression, and the Right to Information

# Freedom of Speech and Expression, and the Right to Information

## The ICCPR states that:

- “ 1. Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”

These rights carry special duties and responsibilities, meaning they may be restricted in certain circumstances, namely to respect the rights or reputations of others, for national security or public order, public health or morals. That is, freedom of speech does not equate with freedom to say or do whatever one likes without regard for its impact on others. Hate speech of any kind, whether in the forms of racist, religiously motivated, sexist or homophobic verbal abuse, or any other form of abuse, is unacceptable from a human rights perspective, and in many forms will be illegal in many countries. Museum workers should be protected from hate speech.

The right to information “includes records held by a public body.” This would include information on museum collections, obligating museums to make such information publicly available and accessible, except where it is not in the public interest.

## The Importance of Public Space in the Exercise of Cultural Rights

**In 2019, the Special Rapporteur on Cultural Rights, Karima Bennouna, emphasized that public spaces - which included museums - are crucial for the exercise of the right of everyone to take part in cultural life.**

She noted “it is necessary to preserve existing public spaces, as well as to create new ones, for people to learn, develop their creativity and experience the humanity of others, and to foster civic engagement.” Public spaces “are places where various, sometimes opposing, world visions can at times be expressed and where controversies can be debated in circumstances that respect the human rights of all.” Such actions are necessary to combat rising tensions within and between countries, for example nationalism, fundamentalism and extremism, intolerance of minorities, and hate speech.

The former Special Rapporteur, Farida Shaheed, previously (in 2014) raised concerns over the influence of commercial sponsors and marketing on cultural venues and public spaces, and its impact on people’s cultural rights, for example where exhibitions prominently feature particular commercial brands, or where advertising firms can influence communications from cultural institutions.

She recommended that cultural heritage sites and cultural institutions including museums “should be completely or especially protected from commercial advertising.”



# Museums, Memory and Human Rights

**In light of the rapid expansion in the number of museums dedicated to memorializing human rights issues, the former Special Rapporteur on Cultural Rights, Farida Shaheed, prepared a report in 2014 on memorialization of past events in post-conflict and divided societies, with a specific focus on memorials and museums of history and memory.**

She noted that memorialization includes cultural processes as well as the erection of physical monuments and museums, and that cultural rights should be considered in these processes:

“Memorial dynamics are always political processes. Memorializing the past evolves within particular political, social and cultural contexts and is modulated by different political forces, the weight of lobbies, the evolving concerns of society and the interests of key stakeholders....

The principle questions to be asked and debated in the public sphere each time are: what are the specific intended goals of the memorial? Who is it made for? What will be its likely sociopolitical impact? Who participates in its establishment, including in the design, execution and stewardship? Does it include plurality of narratives?”

She noted that “an essential element for successful memorialization is collaboration between the authorities, citizens and civil society, especially representatives of those directly affected by past events. Authorities have a key role to play: they have the responsibility of managing the public space and the capacity to maintain monuments and museums and develop national strategies across a territory and over the long term, taking into consideration a wide array of narratives. Civil society has the capacity to mobilize groups of population, grant popular legitimacy, organize events and generate public debates.”

**She recommended that memorialization processes should contribute towards:**

- Overcoming denial that fuels hatred, resentment and violence.
- Providing symbolic reparation and public recognition to the victims of oppression in ways that respond to their needs.
- The development of reconciliation policies and programmes between groups that were opposed during conflicts, and of public recognition of crimes committed.
- Prevention of intolerance, hate crime and human rights abuses through education, awareness and participatory programmes, to reduce the risk of further violence between groups opposed in the past.
- Redefining national identity by a policy of pluralism that acknowledges different communities and recognizes past and present human rights abuses.
- Promoting civic engagement, critical thinking and dialogue on the representation of the past, as well as contemporary challenges of exclusion and human rights abuses.

She made a number of further recommendations that museums should find useful as they deal with contested or difficult histories or aspects of their own history, relating to interpretation, objective and subjective representations of events, and reparation for past and present injustices.



# Human Rights and the Environment

The UN Environment Programme has noted that “Human rights and the environment are intertwined; human rights cannot be enjoyed without a safe, clean and healthy environment; and sustainable environmental governance cannot exist without the establishment of and respect for human rights.”

Any human rights that require a particular environmental standard to be met, such as air quality for health, are regarded as environmental rights.

Over 150 countries have made legally binding commitments to respect, protect and fulfil the human right to a healthy environment (the UK, Canada and USA are notable exceptions).

*“Human rights and the environment are intertwined”*

The Aarhus Convention was adopted in 1998 and entered into force in 2001. It establishes three rights relating to the environment:

- **The right of access to environmental information**, on the state of the environment and in relation to human health.
- **The right of public participation in environmental decision-making**, to enable the public to comment on projects, plans and programmes relating to the environment, and that their comments are taken into account in decision-making.
- **The right of access to justice**, the right to challenge decisions that have not taken the previous two rights or environmental law into consideration.

Museums are implicated in the first two rights, in that they have many opportunities and unique capacities to support people to attain these rights, and they can help empower people to assert the third right through education and awareness-raising.

The former Independent Expert on Human Rights and the Environment, John Knox, demonstrated that existing human rights law has many links with the environment. He developed a set of 16 Framework Principles in 2018, which relate to the environment and human rights. Many of these Principles are relevant to museums, relating to freedom of expression, association and peaceful assembly, education and public awareness, access to information, and facilitating public participation in matters relating to the environment. Although the report was intended for governments, museums can take note of these Principles and work to support them.

The Special Rapporteur on Human Rights and the Environment, David Boyd, reported in 2018 that the greening of many established rights (such as the right to health) had seen many positive benefits. He wrote: “The time has come for the United Nations to formally recognize the human right to a safe, clean, healthy and sustainable environment, or, more simply, the human right to a healthy environment... it is beyond debate that human beings are wholly dependent on a healthy environment in order to lead dignified, healthy and fulfilling lives. The ecological systems, biological diversity and planetary conditions that are the vital foundations of human existence are under unprecedented stress. Were the Universal Declaration of Human Rights to be drafted today, it is hard to imagine that it would fail to include the right to a healthy environment, a right so essential to human well-being and so widely recognized in national constitutions, legislation and regional agreements.”

*“Human beings  
are dependent  
on a healthy  
environment”*

# The Rights of Nature

**The rights of nature are already incorporated into a number of countries' constitutions, and in many Indigenous cultures.<sup>3</sup>**

The [Global Alliance for the Rights of Nature](#) is a leading organization campaigning for nature's rights and recognition. In 2010, the Alliance adopted a [Universal Declaration of the Rights of Mother Earth](#), which recognizes and promotes the following rights of nature:

**Mother Earth and all ecosystems and species of which she is composed have the following inherent rights:**

1. The right to life and to exist;
2. The right to be respected;
3. The right to continue their vital cycles and processes free from human disruptions;
4. The right to maintain their identify and integrity as distinct, self-regulating and interrelated beings;
5. The right to water as a source of life;
6. The right to clean air;
7. The right to integral health;
8. The right to habitat;
9. The right to be free from contamination, pollution, and toxic or radioactive waste;
10. The right to not have their genetic structures modified or disrupted in a manner that threatens their integrity or their vital or healthy functioning;
11. The right to live free from torture or cruel treatment by human beings;
12. The right to play their roles in Mother Earth for her harmonious functioning; and
13. The right to full and prompt restoration in the face of violations of the rights recognized in this Treaty caused in whole or in part by human activities.

<sup>3</sup>See Boyd, D. (2017). *The Rights of Nature*. ECW Press.

In response to the Universal Declaration of the Rights of Mother Earth, the International Union for Conservation of Nature adopted the idea of a Universal Declaration of the Rights of Nature in 2012. This was developed into the IUCN 'World Declaration on the Environmental Rule of Law', in 2016.

This includes the statement that "Nature has the inherent right to exist, thrive, and evolve". Although these Declarations have no legal standing, the concept of the rights of nature it one that museums are well-placed to explore with people and communities, and to consider as they make decisions regarding their own use of natural resources, and their climate change impacts.

*"Nature has the  
inherent right to exist,  
thrive, and evolve"*

Everyone has the right to participate in cultural life, and to contribute to the community.

# 4

The background features a vertical gold line on the left side. To its right, there are scattered yellow leaves and petals. A large, dark purple circle is positioned in the upper right quadrant, containing red and blue petals. The bottom right corner shows a red and yellow triangular shape.

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## Section 4

# Incorporating Human Rights Into the Work of Museums

How are Human Rights Incorporated Into the Museum Sector?	72
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Applying a Human Rights-Based Approach (HRBA) to Museums	77
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## How are Human Rights Incorporated Into the Museum Sector?

**Human rights are already incorporated into the seven UNESCO Cultural Conventions. For example, the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005) states “Cultural diversity can be protected and promoted only if human rights and fundamental freedoms, such as freedom of expression, information and communication, as well as the ability of individuals to choose cultural expressions, are guaranteed.”**

Some human rights are more or less inferred in codes of ethics from the museum sector, but the link between human rights and public service could be made clearer, more specific and more practical in many cases.

INTERCOM, the ICOM Committee on Museum Management, issued a statement in 2009, that “INTERCOM believes that it is a fundamental responsibility of museums, wherever possible, to be active in promoting diversity and human rights, respect and equality for people of all origins, beliefs and background” (see Fleming 2018).

There are many museums that deal with human rights issues, often on sites where atrocities occurred in the past. Networks of such museums include the International Coalition of Sites of Conscience, the Social Justice Alliance of Museums, and the Federation of International Human Rights Museums.

In 2019, the International Council of Museums (ICOM) adopted a resolution On Sustainability and the Implementation of Agenda 2030, ‘Transforming Our World’. This recommended that ICOM’s members and committees support Agenda 2030 and the SDGs. As previously mentioned, human rights are already embedded in Agenda 2030, the SDGs and their targets. Fulfilling the aims of this resolution also helps support human rights.



# Human Rights as a Basis for Public Service

**In order to provide effective public service, museums' decision-making should be transparent, and progressively eliminate the barriers that are responsible for the marginalization of individuals, groups and communities. But what standards should museums use? Human rights provide just such a set of standards, that can be applied across museum work.**

“Whatever other differences may exist in the world, starting with the 1948 Universal Declaration, human rights are the only internationally agreed expression of the entitlements that each and every one of us has simply because we are human beings. Thus, securing respect for human rights must be a central aim of governance at all levels, from the local to the global, and in the private sector no less than the public.”

John Ruggie, 2006

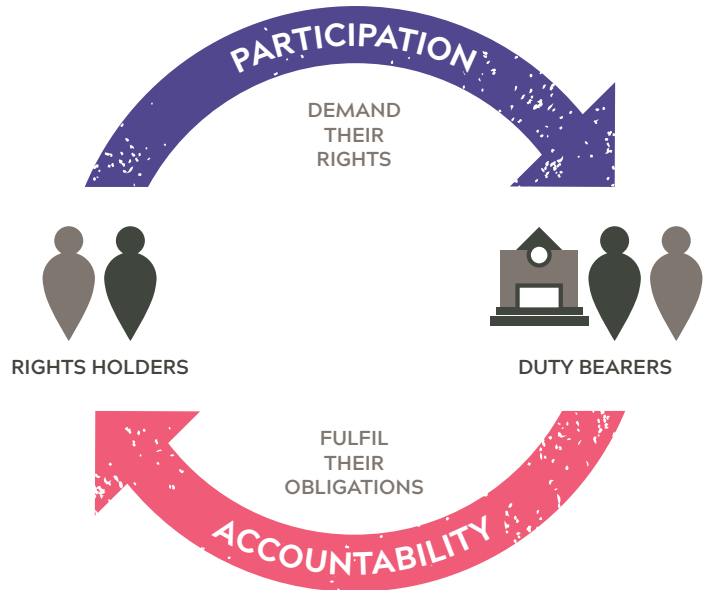
## What is a Human Rights-based Approach?

A human rights-based approach is:

1. a framework for public service and public participation
2. based on international human rights standards
3. that seeks to promote and protect human rights.

**A human rights-based approach has two main objectives:**

- To empower people - rights-holders - to claim and exercise their rights.
- To strengthen the capacity of actors - duty-bearers - who have a particular obligation or responsibility to respect, protect and fulfil particular rights, notably the rights of the poorest, most marginalized/ under-served, and to fulfil their obligations and duties.



“In each situation we confront, a rights-based approach requires us to ask: What is the content of the right? Who are the rights claim-holders? Who are the corresponding duty-bearers? Are claim holders and duty-bearers able to claim their rights and fulfil them? If not how can we help them to do so? This is the heart of a human rights based approach.”

Mary Robinson, 2003

The following elements are considered to be necessary, specific, and unique to a human rights-based approach:

- (a) Assessment and analysis in order to identify rights-holders and duty-bearers, and the immediate, underlying, and structural causes of the non-realization of rights.  
.....
- (b) Assessment of the capacity of rights-holders to claim their rights, and of duty-bearers to fulfil their obligations, and development of strategies to build these capacities.  
.....
- (c) Monitoring and evaluation of both outcomes and processes, guided by human rights standards and principles.  
.....

**A simple model of a human rights-based approach is the mnemonic PANEL: a human rights-based approach is:**

Participatory

Accountable

Non-discriminatory

Empowering

Linked to human rights standards

“A human rights-based approach not only recognises that the entitlements of rights-holders need to be respected, protected and fulfilled, it also considers rights-holders as active agents in the realisation of human rights and development - both directly and through organisations representing their interests.”

UNICEF

## Why use a human rights-based approach?

There are two main reasons:

- (a) a human rights-based approach is the right thing to do, morally and in many cases legally
- (b) using a human rights-based approach provides more effective, transparent and transformative public service.

Human rights-based approaches can help museums, and others, get better at recognising and addressing the bias in their service provision, to better 'serve the underserved'. It is not about charity or aid, but about fulfilling their obligations and duties to society, and shifting the dial of who is 'in' and who is 'out'. Rights-based approaches put the individual person - whether they be a visitor, non-visitor, or anyone else - at the centre of consideration.

Museums have to look beyond national perspectives or even national laws regarding rights (although they should be fulfilling these anyway), as many of their stakeholders - those whose rights are impacted by their activities - may be in other countries, for example where museum collections include objects from other countries, or that could contribute to combatting social and environmental challenges in those countries.

Many museums want to make a difference in the world, but are concerned about engaging with current issues in case they are seen to be 'political'. However, this is to conflate being neutral - doing nothing - with being impartial - treating everyone equally and on the same basis. Doing nothing is not a viable option as a basis for public service (it is akin to irrelevance, and doesn't sound like a good use of public funding), and as museum work is the result of choices, in the past and the present, museums are not neutral anyway.

Using a human rights-based approach enables museums to make a positive difference in the world based on internationally agreed standards that transcend party politics. They should help all people to attain their rights, without discrimination, in conjunction with attaining the rights of others. Supporting people's human rights should be the most basic and fundamental foundation of museum work.

# Applying a Human Rights-Based Approach (HRBA) to Museums

**The principles of the HRBA should be applied from the earliest stages in that:**

1. All people everywhere are entitled to their rights, and no-one can take them away.

This is the principle of universality and inalienability.

2. Human rights are indivisible and can't be placed in order of importance.

This is the principle of indivisibility.

3. In order to attain one right, other rights may need to be realized.

This is the principle of interdependence and inter-relatedness.

4. Everyone is equal in rights as a person. They must not be discriminated against on any basis.

This is the principle of non-discrimination.

5. Everyone is entitled to active, free and meaningful participation in, contribution to, and enjoyment of civil, economic, social, cultural and political development, through which human rights and fundamental freedoms can be realized.

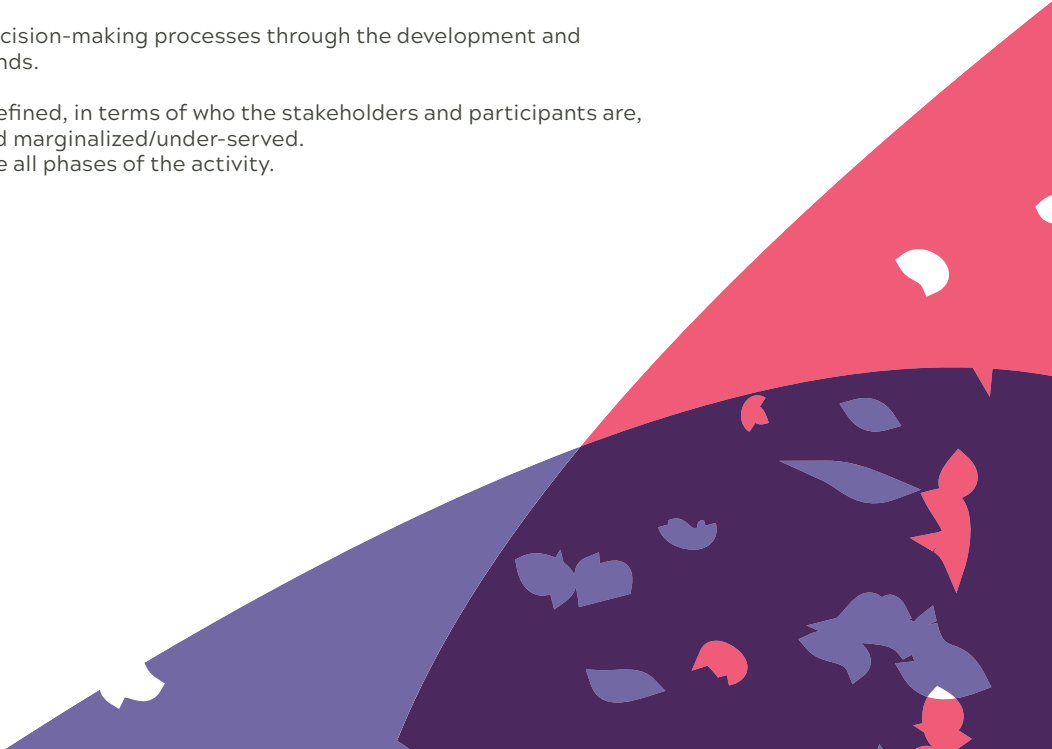
This is the principle of participation and inclusion.

6. Duty-bearers (whether nations or non-state actors, such as museums) must comply with legal norms and standards regarding human rights. Where they don't, rights-holders are entitled to make a complaint.

This is the principle of accountability and the rule of law.

**Accordingly, it is important to consider:**

1. How rights-holders and duty-bearers can take part in the development of activities (projects and programmes), to ensure that activities of all kinds are beneficial, and draw on people's knowledge and experience.
2. How rights-holders take part in decision-making processes through the development and implementation of activities of all kinds.
3. How programmes of activity are defined, in terms of who the stakeholders and participants are, notably those who are vulnerable and marginalized/under-served.  
Human rights principles should guide all phases of the activity.



## Working with marginalized/under-served and vulnerable people, groups and communities

A human rights-based approach recognizes that people are, or should be, active agents in their own development. This ensures that people are not simply passive subjects.

People and groups who are marginalized/under-served or vulnerable shouldn't be the subject of museum activities without their involvement in shaping activities to support their rights, or involvement from suitably experienced individuals or groups, to ensure that activities don't inadvertently marginalize or disempower them further by making assumptions about them (which only perpetuates stereotypes), by speaking for them, or by making the museum the centre of attention. The needs and aspirations of people, including marginalized/under-served and vulnerable people, must be the focus of activity and treated with respect.

Their voices, opinions and experiences should be given the opportunity to be heard in the realization of their rights. Activities that address the needs of minorities should form an ongoing commitment, to avoid tokenistic or one-off events. Applying a human rights-based approach should allow museums to progressively shift the balance of their activities, so that they are of value and relevance to more people, enabling more people to realize their rights.

*People are not simply passive subjects.*

## Project Planning

**Human Rights-Based Approach project planning has the following seven stages, which should be based on the HRBA core principles outlined above, and the participation of both rights-holders and duty-bearers throughout.**

1. **Situation analysis:** whose needs, rights and freedoms are not being met, where, and which rights in particular?
2. **Causality analysis:** what is the problem, what are its causes, and what are its impacts; is there an underlying root problem? Those affected by the problem should have an understanding of the problem to ensure their needs are handled sensitively.
3. **Role pattern analysis:** who are the rights-holders; who are the duty-bearers and what are their roles and responsibilities in relation to the elements of the problem? Recognize that people and groups may fall into both roles. Rights-duty relationships should be able to be identified or inferred from human rights instruments (e.g. UDHR, ICESCR, ICCPR). This stage should involve representatives of both rights-holders and duty-bearers.
4. **Capacity gap analysis:** this step identifies why particular rights are not being attained, using the presumption that rights-bearers lack the capacity to claim them and/or duty-bearers lack the capacity to fulfil their duties. Capacity is considered to include 1. responsibility/motivation/commitment/leadership, 2. authority to act, 3. access, control and allocation of resources, 4. evidence-based assessment and action planning, 5. communication capability, in terms of sourcing relevant information to attain rights, fulfil duties, and connect with stakeholders.
5. **Identification of candidate strategies and action:** summarize the findings of previous steps, and make a small number of strategic choices that reduce or close the capacity gaps of rights holders and duty-bearers.
6. **Partnership analysis:** identify who is working with the same or similar challenges, to identify synergies, draw on expertise, and use resources effectively.
7. **Project design:** priority actions should be drafted into a specific project, with clear objectives. Project activities should be clustered to the levels of society in which rights-holders and duty-bearers operate. At each level, some activities should aim to address the capacities of individuals or organisations as rights-holders, and some activities as duty-bearers.



## Project implementation

Project implementation in a HRBA project differs from other approaches in that:

1. Duty-bearers and rights-holders are both involved in the implementation process.
2. Implementation is about empowering both rights-holders to attain their rights, and duty-bearers to fulfil their duties and obligations.
3. Rights-holders are participants rather than subjects or spectators. Their voices, views and experiences form part of the activity itself.

## Monitoring and Evaluation

Monitoring and evaluation is a key component of HRBA projects. Strategies identified in the planning stage should have identified metrics for success.

Evaluating the shift in capacity of both rights-holders to claim their rights, and duty-bearers to fulfil their rights, and the extent to which capacity gaps have been closed, should be a key part of evaluation.<sup>4</sup>

<sup>4</sup> Adapted from UNICEF Finland (2015). Introduction to the Human Rights Based Approach: a guide for Finnish NGOs and their partners, p.6, available [here](#)



# UN Global Compact Ten Principles

**The Global Compact is the world's largest corporate sustainability initiative; it is a call to companies of all kinds to align their activities with universal principles on human rights, labour rights, the environment and anti-corruption, and to make a positive contribution to achieving societal goals.**

“Corporate sustainability starts with a company’s value system and a principles-based approach to doing business. This means operating in ways that, at a minimum, meet fundamental responsibilities in the areas of human rights, labour, environment and anti-corruption.

Responsible businesses enact the same values and principles wherever they have a presence, and know that good practices in one area do not offset harm in another.

By incorporating the Ten Principles of the UN Global Compact into strategies, policies and procedures, and establishing a culture of integrity, companies are not only upholding their basic responsibilities to people and planet, but also setting the stage for long-term success.”

UN Global Compact

## The Ten Principles of the Global Compact are listed below.

They can be considered alongside the Seven Key Activities in Museums and the Sustainable Development Goals.

### **Human Rights**

Principle 1: Businesses should support and respect the protection of internationally proclaimed human rights; and

Principle 2: make sure that they are not complicit in human rights abuses.

### **Labour**

Principle 3: Businesses should uphold the freedom of association and the effective recognition of the right to collective bargaining;

Principle 4: the elimination of all forms of forced and compulsory labour;

Principle 5: the effective abolition of child labour; and

Principle 6: the elimination of discrimination in respect of employment and occupation.

### **Environment**

Principle 7: Businesses should support a precautionary approach to environmental challenges;

Principle 8: undertake initiatives to promote greater environmental responsibility; and

Principle 9: encourage the development and diffusion of environmentally friendly technologies.

### **Anti-Corruption**

Principle 10: Businesses should work against corruption in all its forms, including extortion and bribery.

# UN Guiding Principles on Business and Human Rights

**The UN Guiding Principles on Business and Human Rights were developed by John Ruggie. They apply to museums just as they apply to any other form of business or organization.**

“The corporate responsibility to respect [human rights] exists independently of States’ duties... Furthermore, because the responsibility to respect is a baseline expectation, a company cannot compensate for human rights harm by performing good deeds elsewhere. Finally, ‘doing no harm’ is not merely a passive responsibility for firms but may entail positive steps.”

John Ruggie, 2008



## The Guiding Principles are that:

1. **Business enterprises should respect human rights.** This means that they should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved.  
.....
2. **The responsibility of business enterprises to respect human rights refers to internationally recognized human rights** - understood, at a minimum, as those expressed in the International Bill of Human Rights and the principles concerning fundamental rights set out in the International Labour Organization's Declaration on Fundamental Principles and Rights at Work.  
.....
3. **The responsibility to respect human rights requires that business enterprises:**
  - (a) Avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur;  
.....
  - (b) Seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.  
.....

**4. The responsibility of business enterprises to respect human rights applies to all enterprises regardless of their size, sector, operational context, ownership and structure.** Nevertheless, the scale and complexity of the means through which enterprises meet that responsibility may vary according to these factors and with the severity of the enterprise's adverse human rights impacts.

.....

**5. In order to meet their responsibility to respect human rights, business enterprises should have in place policies and processes appropriate to their size and circumstances, including:**

(a) A policy commitment to meet their responsibility to respect human rights;

.....

(b) A human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights;

.....

(c) Processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute.

.....

Supporting people's  
human rights should  
be the most basic and  
fundamental foundation  
of museum work.



# 5



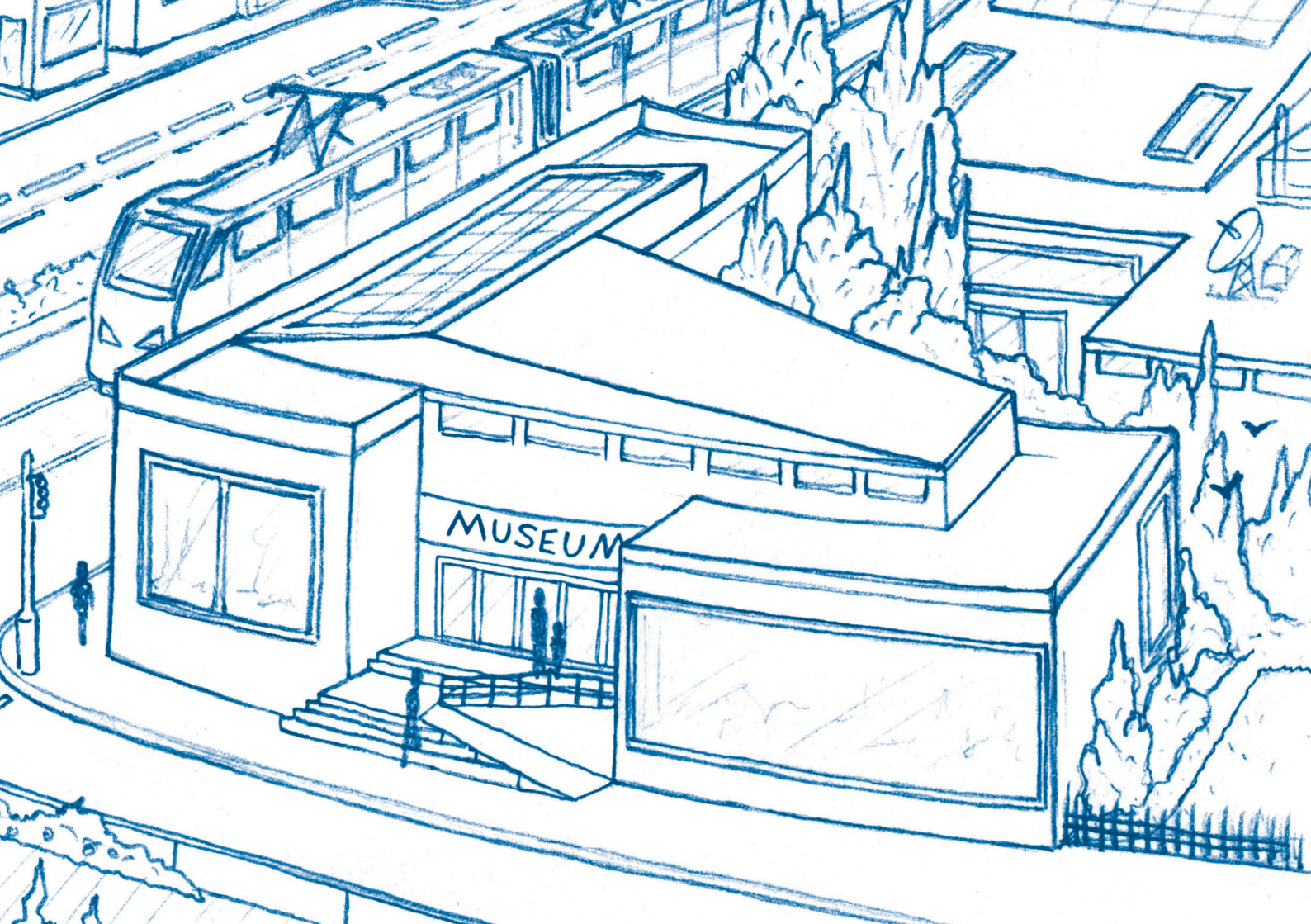


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Section 5

# Human Rights and Museums Our Shared Challenge, Our Shared Future





# Human Rights and Museums

**Let's conclude by returning to Eleanor Roosevelt's words, that human rights begin "in small places close to home". What does this mean? It means that human rights have to be part of everyday life: we must know them, share them, live them, expect them and uphold them. Otherwise we should not be surprised when we see them violated, eroded or forgotten. If we look around and see a world where the most basic rights and freedoms are not being met, we have to ask 'what should we be doing about it', and 'what are we doing about it?'. If the answer is 'not enough', then that recognition is at least a start, and a reason to do more.**

Museums are very obviously linked to many of the rights discussed in this Guide. They can be one of 'the small places close to home', small places that can help respect, protect and fulfil human rights. Indeed, they must be, or they are complicit in the failings that we see everywhere, every day. Museums have an obligation to society to acknowledge and deliver this duty as part of their public service. On the other hand, incorporating rights and rights-based approaches into museum's activities can help them provide transparent, effective and transformative public service. The extent to which museums help people attain their rights is arguably the most profound measure of their value to society.

Estimates of the numbers of museums range between 55,000-95,000. Imagine if they all directed their resources, energy and attention to empowering people to attain the rights that they can readily support, and if they worked together to do so? That would help empower people to meet the multiple challenges we face with greater confidence, and give us more of a chance of securing a sustainable future for all and, indeed, for museums themselves.

I hope that you have found this Guide useful, and wish you good luck in using it in your own work.

# 6



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Section 6

# Further Information and Reading



# Further Information and Reading

## Status and Development of Human Rights

[Office of the High Commissioner on Human Rights \(OHCHR\) main page](#)

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[The Universal Human Rights Index](#)

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[OHCHR Treaty Bodies information](#)

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[Status of Ratification of Human Rights Treaties](#)

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## Guides to Human Rights

[International Justice Resource Centre guide to human rights](#)

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[Claiming Human Rights](#)

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## Human Rights and Business

[UN Guiding Principles on Business and Human Rights](#)

[Joseph, S., Wynhoven, U., & Chandra, S. \(2017\). Human Rights Translated 2.0: A Business Reference Guide. \(2nd edition\) Castan Centre for Human Rights Law, Monash University.](#)

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## Human Rights Education and Participation

[Løkke Rasmussen, M. \(2012\). The Human Rights Education Toolbox. Danish Institute for Human Rights, Stockholm.](#)

[Stand up for Human Rights](#)

[United for Human Rights](#)

[Education in Human Rights](#)



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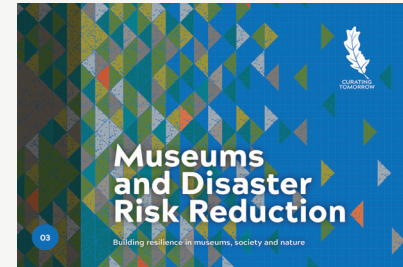
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## Other guides in the Curating Tomorrow series



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Human beings are born free and equal in dignity and rights. Freedom of expression, Freedom of belief, Freedom from fear, Freedom in achievements, Diversity, Family, Community, Contribution, Peaceful assembly, Participation, Public service, Obligations, Rule of law, Rights and responsibilities, Accountability, Government, Respect rights, Protect rights, Fulfil rights, Liberty and rights, Equality, Justice, Peace, Dignity, Freedom from fear, *Respect rights, Protect rights, Fulfil rights* Share in community, Contribution, Political freedom, Zero discrimination, Public service, Obligations, Quality of life, Standard of living, Responsibilities, Accountability, Transparency, No discrimination, Fulfil rights, All human beings are born free and equal, Liberty, Dignity, Freedom of expression, Freedom of belief, Freedom of opportunity, Creativity, Share in achievements, Diversity, Family, Freedom, Zero discrimination, Peaceful assembly, Participation, Standard of living, Education, Rule of law, Rights and responsibilities, No discrimination, Government, Respect rights, Protect rights

