



**Gabriella Battaini-Dragoni, Deputy Secretary General**

Intervention at the CDCPP meeting in Strasbourg, Wednesday 10 May 2017,  
on the occasion of a presentation of the

**"Wroclaw Commentaries" – a new dictionary on cultural rights<sup>1</sup>**

Dear CDCPP delegates, dear experts and observers,

As some of you will know, the protection of cultural rights is an issue very close to my heart. Defining cultural rights has proven to be a hugely challenging task. They are not mentioned, explicitly, in the European Convention on Human Rights. And, for many decades, they have remained the least developed category of rights, in terms of legal content and enforceability, compared to political, civic, economic and social rights.

There are many reasons for this neglect – too many for me to go into in detail here. One is the political and ideological tensions which often surround this set of rights. In addition, while it is obvious that cultural rights are rights "to culture", less obvious is what exactly the term "culture" includes, despite the numerous definitions which exist in various international documents.

For many years, many of us have therefore sought to clarify this ambiguity, and to secure, for cultural rights, the esteem, political support and legal protection they deserve. UNESCO, of course, who deserve immense credit for their efforts in this area. Here in Strasbourg, the European Court of Human Rights has helped strengthen the protection afforded to cultural rights through its case law, as have a number of important Council of Europe Conventions in the field of culture and cultural heritage. I should mention that, very recently, on 3 May, our Committee of Ministers adopted a new Convention to explicitly criminalise the destruction and trafficking of cultural heritage. This will open for signature when our Ministers meet in Nicosia next week.

---

<sup>1</sup> Wiesand, Andreas Joh.; Chainoglou, Kalliopi; Śledzińska-Simon, Anna with Yvonne Donders (Eds.): Culture and Human Rights: The Wroclaw Commentaries, Berlin/Boston: De Gruyter; Cologne: ARCCult Media, November 2016

So important progress has been, and is continually being made. But the fight for the full recognition of cultural rights goes on. And the *Wroclaw Commentaries* can, I believe, make a very useful contribution to this mission.

The *Commentaries* serve as a kind of dictionary of cultural rights; an impressive collection of insights into their place in our societies which can help enrich and inform debate. For that I want to thank the editors, the authors, the Scientific Committee, the City of Wroclaw, in particular its Mayor Rafał Dutkiewicz, and our long-standing cultural policy expert, Andreas Wiesand.

The 123 keyword contributions and 7 overview articles in this Handbook explore very real societal challenges. They are grounded in values-based assessments and rest, for the most part, on clear definitions and international legal instruments. In this sense, the text is a legal treasure trove for anyone interested in these issues. I am also very pleased to note that the *Commentaries* reflect the Council of Europe's understanding of heritage as spelled out in our own Faro Convention and, most recently, the "European Cultural Heritage Strategy for the 21<sup>st</sup> Century", both of which take a distinctly inclusive and collaborative approach to defining and preserving shared heritage.

On that note, let me stop and allow you to explore the text for yourselves. Suffice it to say that it is a rich resource, on a topic of great importance. I therefore take real pleasure in commending the Wroclaw Commentaries to policy makers, in Europe and beyond