**Dr Anna Śledzińska-Simon - Introduction to Human Rights, LLM 2019/20**

**Lecture 6**

**Human Rights and Cultures**

The aim of this lecture is to:

* Discuss the tension between universal human rights and culture
* Explain the meaning of cultural identity, as well as the concept of individual and collective cultural rights
* Explain the content of the [right to take part in cultural life](http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=4slQ6QSmlBEDzFEovLCuW1a0Szab0oXTdImnsJZZVQc5ReG9hKvddWC2ML5U76E63nT%2beY%2btmSVIRS0ynN0q4EDmpjJye7rC1DxEtC%2fGxx7WLBcmnxGwpWSXy0fmnHDS)
* Discuss the current and future challenges to universal human rights posed by certain cultures and their claims for cultural exemptions from universally binding laws.

**Take 4 STEPS**

**STEP 1**

Read Chapter IV “Human Rights and Cultures” in “Human Rights and Their Limits” (pp.143-186) by Wiktor Osiatyński.

**STEP 2**

Read the following decisions:

1. Amish before the US Supreme Court

**Wisconsin v. Yoder,**[**406 U.S. 205**](https://supreme.justia.com/cases/federal/us/406/205/)**(1972)**

<https://supreme.justia.com/cases/federal/us/406/205/#tab-opinion-1949690>

1. Roma before the ECtHR

Hudorovic and others v. Slovakia (2020)

<https://hudoc.echr.coe.int/eng#{%22itemid%22:[%22001-201646%22]}>

1. Endrois before the African Commission of Human Rights

276 / 2003 – Centre for Minority Rights Development (Kenya) and Minority Rights Group International on behalf of Endorois Welfare Council v Kenya (2010) <https://www.hrw.org/sites/default/files/related_material/2010_africa_commission_ruling_0.pdf>

**STEP 3**

Learn about the Lautsi ruling (ie. <https://www.ejiltalk.org/a-comment-on-lautsi/>)

and the watch the argument presented by Professor Weiler on behalf of the intervening states before the Grand Chamber

<https://www.youtube.com/watch?v=ioyIyxM-gnM>

**STEP 4**

Prepare for the discussion on whether cultural communities should have the right to be exempted from ordinary laws.