

Mandates of the Working Group of experts on people of African descent; the Special Rapporteur in the field of cultural rights; the Special Rapporteur on issues; and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

REFERENCE: OL
NLD 1/2015:

28 January 2015

Excellency,

We have the honour to address you in our capacities as Chair-Rapporteur of the Working Group of experts on people of African descent; Special Rapporteur in the field of cultural rights; Special Rapporteur on minority issues; and Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance pursuant to Human Rights Council resolutions 27/25, 19/6, 25/5, and 25/32.

This letter relates to communications sent to and received from Your Excellency's Government in 2013, and discussions held during the Working Group's official visit to the Netherlands in 2014, regarding the Dutch celebration of Black Pete as part of the Sinterklaas festival. We raised concerns about allegations that the character and image of Black Pete perpetuates a negative stereotyped representation of African people and people of African descent as second-class citizens, fostering an underlying sense of inferiority within Dutch society and stirring racial differences as well as racism. We conveyed how the Black Pete segment of Sinterklaas festival is experienced by African people and people of African descent as a living trace of past slavery and oppression, tracing back to the country's past involvement in the trade of African slaves in the previous centuries. From your Government's reply dated 10 July 2013, we noted that the Dutch Government was aware that Black Pete was considered as offensive by some and that there was no intention to nominate the Sinterklaas festival for inscription on the UNESCO Convention list.

In 2014 during its official visit the Working Group of experts on people of African descent was pleased that the issue was being seriously discussed at the national level and we emphasized that cultures and traditions are not static and may change in response to evolving contexts.

We are aware that Sinterklaas is one of the popular traditions in the Netherlands and we encourage the Government to engage and raise awareness of the public around the problematic aspects of the Black Pete tradition that need to be addressed. We strongly encourage the Government to support and facilitate an open debate in Dutch society, with

a view to creating an understanding of how this tradition is perceived by different groups and to identify steps that might respond to the views and concerns of all.

In this context we would like to bring to your Excellency's Government's attention information received that on 15 January 2015 the Dutch Cultural Historical Tradition "Sinterklaas festival and Black Pete" was placed on the National Inventory of Intangible Cultural Heritage by the Dutch Center for Folk Culture and Intangible Heritage. We were informed that concerned communities who find the tradition of Black Pete to be offensive were not informed nor consulted about this process.

In a spirit of constructive dialogue, we would like to clarify the circumstances surrounding the inscription of the tradition on the National Inventory. We would be grateful to receive Your Government's view on the accuracy of this information, and receive any additional information or explanation Your Government may deem relevant.

In particular, we would be grateful to receive further information on the status of the Dutch Center for Folk Culture and Intangible Heritage, the terms of the listing and the procedure that led to it, as well as the possible consequences of the listing. While we understand that a safeguarding plan is an obligatory part of every nomination for the National Inventory, including an analysis of the tradition, we would like to be informed of the opportunities that the listing offers to address, in a constructive manner, the controversial elements of that tradition.

We would appreciate a response within sixty days. Your Excellency's Government's response will be made available in a report to the Human Rights Council for its consideration.

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Please accept, Excellency, the assurances of our highest consideration.

Mireille Fanon Mendes-France
Chair-Rapporteur of the Working Group of experts on people of African descent

Farida Shaheed
Special Rapporteur in the field of cultural rights

IZSÁK Rita
Special Rapporteur on minority issues

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