

Artistic Freedom



Artistic Freedom

“The rights of artists to express themselves freely are under threat worldwide. Art has the extraordinary capacity to express resistance and rebellion, protest and hope. It injects a vital contribution to any flourishing democracy.”

DEEYAH KHAN
UNESCO Goodwill Ambassador for
Artistic Freedom and Creativity



Artistic freedom is the freedom to imagine, create and distribute diverse cultural expressions free of governmental censorship, political interference or the pressures of non-state actors. It includes the right of all citizens to have access to these works and is essential for the wellbeing of societies.

Artistic freedom embodies the following bundle of rights protected under international law:

- the right to create without censorship or intimidation
- the right to have artistic work supported, distributed, remunerated
- the right to freedom of movement
- the right to freedom of association
- the right to protection of social and economic rights
- the right to participate in cultural life

The 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions puts forward that

“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 have access to diverse cultural expressions, are guaranteed.”



United Nations
Educational, Scientific and
Cultural Organization



Diversity of
Cultural Expressions



Sustainable
Development
Goals

“ Artistic expression is not a luxury, it is a necessity – a defining element of our humanity and a fundamental human right enabling everyone to develop and express their humanity. ”

FARIDA SHAHEED

UN Special Rapporteur in the field of cultural rights,
The right to freedom of artistic expression and creativity (2013)

United Nations **Sustainable Development Goal 16** aims to “ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements” (target 16.10).



The 2005 Convention is an international agreement that provides a unique policy framework to implement Sustainable Development Goal 16 and gives a new impetus to promote and protect artistic freedom as a pillar of the fundamental freedom of expression.

➤ **MONITORING THE PROMOTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS WITH THE 2005 CONVENTION**

Area of monitoring	Core indicators	Expected result
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Artistic Freedom

Policies and measures promote and protect freedoms of creation and expression and participation in cultural life

Policies and measures promote and protect the social and economic rights of artists and cultural professionals

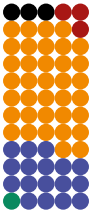
International and national legislation related to human rights and fundamental freedoms is implemented and promotes both artistic freedom and the social and economic rights of artists

Artistic freedom under threat

Artistic freedom is a global challenge. The rights of artists to express themselves freely are under threat worldwide, especially where artistic expressions contest or critique political ideologies, religious beliefs and cultural and social preferences. These threats range from **copyright** (by corporations, political, religious or other groups) to **imprisonment**, **physical threats**, and even **killings**.

ARTISTIC FREEDOM VIOLATIONS IN 2018

60 IMPRISONED



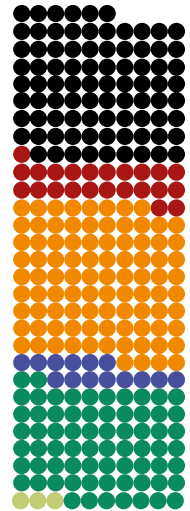
44 THREATENED



4 KILLED



286 CENSORED



97 DETAINED



55 PERSECUTED



37 PROSECUTED



DANCE FILM LITERATURE MULTIPLE ART FORMS MUSIC THEATRE VISUAL ARTS

Freemuse, 2019

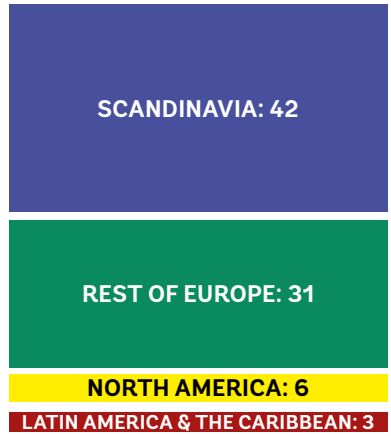
“ Attacks on the freedom of (cultural) expression from intolerant individuals and groups, hate-speech, racism, and xenophobia among others denote the denial of one of the fundamental prerequisites of democracy; the right of everyone to participate in debate as free and equal individuals. ”

Helsinki Declaration on Promoting Diversity of Cultural Expressions and Artistic Freedom in a Digital Age, Nordic Ministers of Culture (2016)

Policies in action

Threats to human rights and artistic freedom diminish and weaken the diversity of cultural expressions, while eroding individual wellbeing and quality of life. For artists and cultural professionals, particularly those living in conflict situations, these threats can put their lives and livelihoods in peril. In response, governments are creating policies to protect artistic freedom and organizations, such as the International Cities of Refuge Network (ICORN), have created safe havens for artists at risk.

CITIES OF REFUGE (2018)



TOTAL: 82*

*79% are ICORN placements

Ensuring distribution rights: France proclaims “artistic expression is free”

At a time when artistic creation is undergoing profound changes and the role of culture is continuously being questioned, a pioneering French law on artistic freedom, architecture and heritage, was adopted in July 2016, proclaiming that “artistic creation is free”.

For the first time in international law, it establishes artistic expressions as public goods and further specifies that the “dissemination of artistic creation is free” to ensure greater public access to artistic works.

With this law, the government expects to promote a dynamic ecosystem for artists and creativity, to establish a legislative framework for music labels and to set up an observatory for artistic creation and cultural diversity.

Removing barriers: New Zealand eases visa restrictions for artists

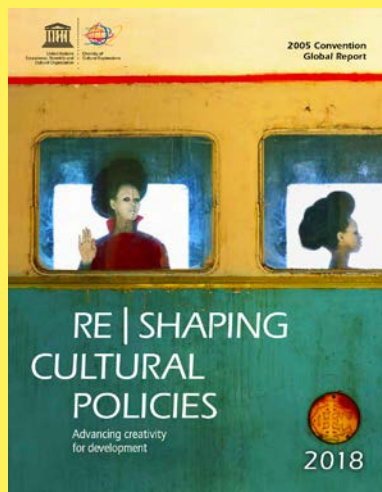
The New Zealand immigration authority has reduced immigration barriers for international performers, musicians and their support crew. Rather than obtaining work visas, they are granted visitor visas, which are cheaper and require less documentation.

The artists and crew members must be participating in recognized arts festivals, or promoted by a music promoter included on Immigration New Zealand’s Approved Music Promoter list. To date, 40 festivals and 41 music promoters have been approved by Immigration New Zealand.

Through these measures, the government expects to generate opportunities for local artists to acquire new skills and expertise through their interaction with international artists, as well as to improve access to diverse cultural expressions for local audiences.

With your help, we aim to increase...

- Information sharing and transparency through the collection of information, data and best practices
- Capacity development for policy design and implementation, including the development of specific training materials
- Stakeholder outreach by partnering with key international artists' associations and specialized networks



Through its Global Report series, UNESCO shares information on policies and measures that support human rights and fundamental freedoms and monitors progress and challenges over time.

UNESCO also works with international artists' associations to assess the impact of the 1980 Recommendation concerning the Status of the Artist in areas such as **digital technologies**, **freedom of expression**, **transnational mobility**, and **social and economic rights**.

« Member States, recognizing the essential role of art in the life and development of the individual and of society, accordingly have a duty to protect, defend and assist artists and their freedom of creation. For this purpose, they should take all necessary steps to stimulate artistic creativity and the flowering of talent, in particular by adopting measures to secure greater freedom for artists, without which they cannot fulfill their mission, and to improve their status by acknowledging their right to enjoy the fruits of their work»

1980 UNESCO Recommendation concerning the Status of the Artist

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