

SEGOVIA (SPAIN)  
35TH ITI WORLD  
CONGRESS

# TOOLS AND PARTNERS FOR ARTISTS RIGHTS

**ACAR**

*ITI Action Committee For Artists Rights*



International Theatre Institute  
World Organization for the Performing Arts

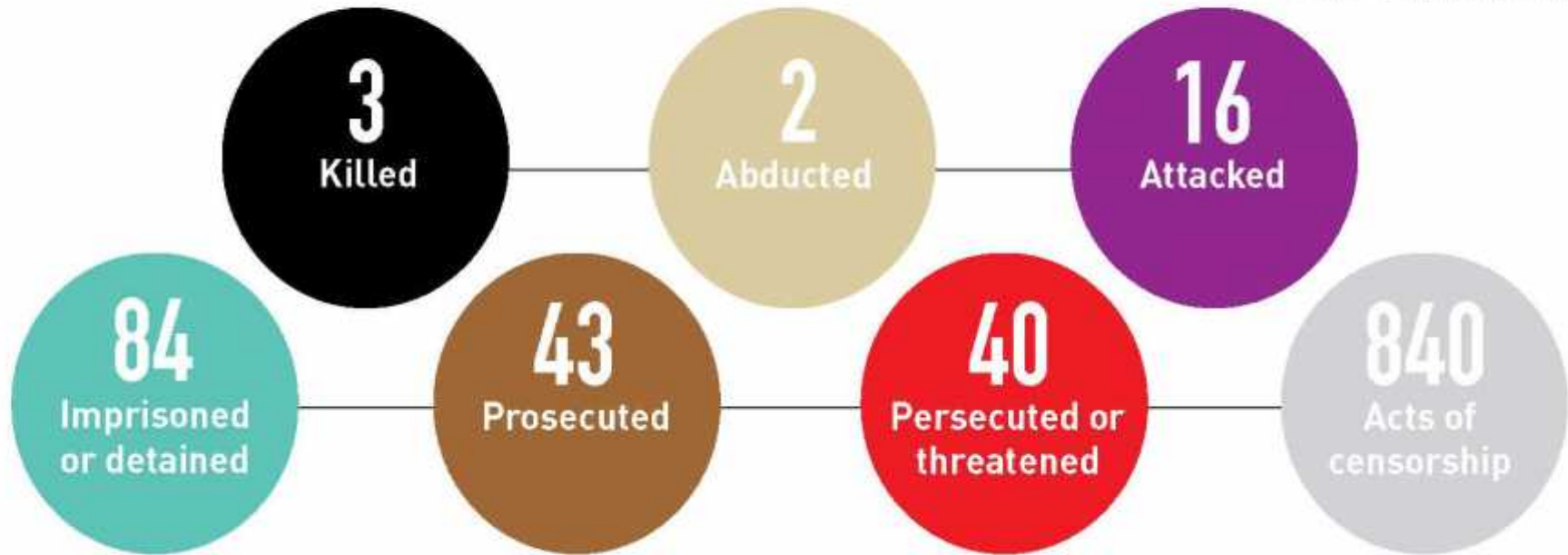
# ART UNDER THREAT

**FREEMUSE** ANNUAL STATISTICS ON CENSORSHIP  
AND ATTACKS ON ARTISTIC FREEDOM IN **2016**

**FREEMUSE**  
DEFENDING ARTISTIC FREEDOM

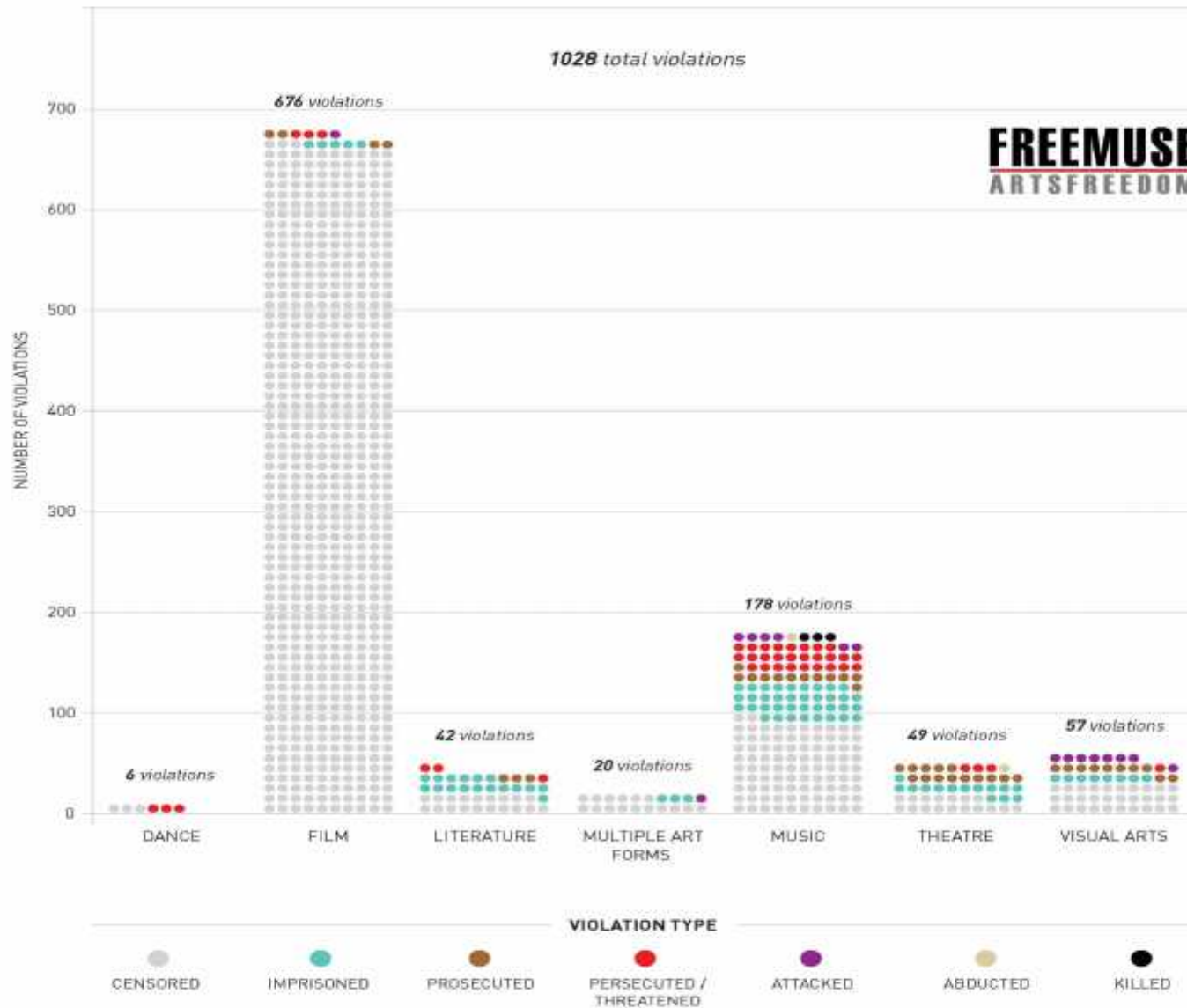
► VIOLATIONS OF ARTISTIC FREEDOM IN 2016

**FREEMUSE**  
ARTSFREEDOM



► VIOLATIONS OF ARTISTIC FREEDOM IN 2016 BY ART FORM

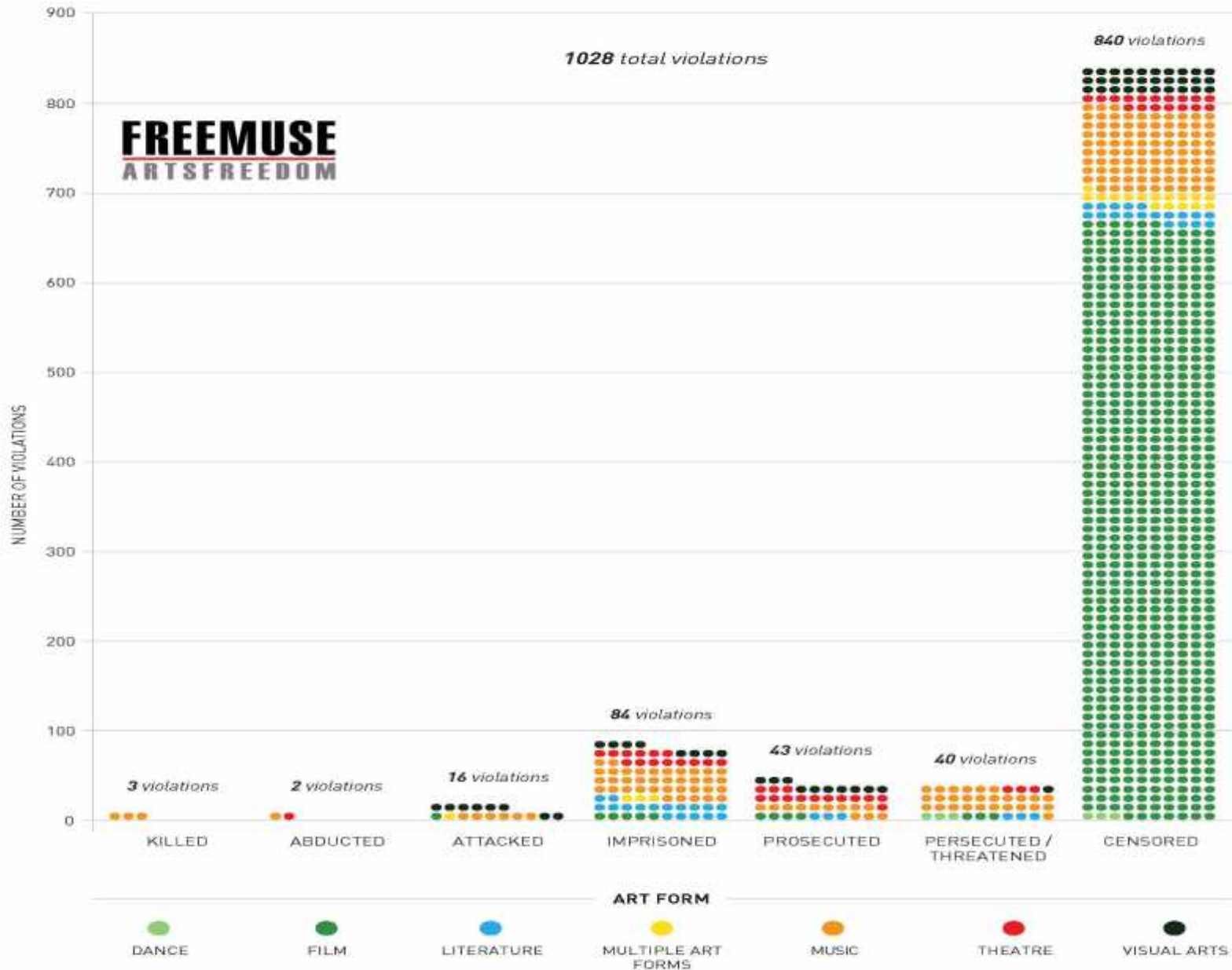
This bar graph shows the number of violations of artistic freedom separated into art form columns and colour-coded violation types within the columns.



The large number in the Film category is due to two censorship cases – one in Ukraine and one in Kuwait – wherein their governments released blacklists of 544 films and 54 films, respectively. Freemuse considers each of those censored films to be individual instances of censorship.

► VIOLATIONS OF ARTISTIC FREEDOM IN 2016 BY VIOLATION TYPE

This bar graph shows the number of violations of artistic freedom separated into violation type columns and colour-coded art forms within the columns.



The large number in the Censored category is due to two censorship cases – one in Ukraine and one in Kuwait – wherein their governments released blacklists of 544 films and 54 films, respectively. Freemuse considers each of those censored films to be individual instances of censorship.



# Arts Rights Justice

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International Theatre Institute  
World Organization for the Performing Arts

# ARJ PUBLIC TOOLKIT 2016



The political platform  
for Arts and Culture

Co-funded by the  
Creative Europe Programme  
of the European Union





DÉFENDRE LA LIBERTÉ  
D'EXPRESSION ET D'INFORMATION



Civil society platform  
for gathering, analyzing  
and distributing data  
on artists, social justice  
and human rights.

[www.centerforartandpolitics.org](http://www.centerforartandpolitics.org)  
[contact@centerforartandpolitics.org](mailto:contact@centerforartandpolitics.org)





# CONTENT

- Background: includes - who is the tool kit for, what is artistic freedom, motivations for censorship, who are the censors, pretexts for silencing artists:
- Information gathering
- Individuals at Risk
- Mobilisation
- Monitoring and Advocacy for Arts Freedom at Home
- Working with the UN and EU

# WHO HAS IT BEEN WRITTEN FOR?

- Artists, cultural workers and organisations, arts and cultural spaces facing violations of artistic freedom.
- Arts associations, networks and cultural organisations that may already have or want to have a role in protecting artists and artistic freedom.
- Human rights and free speech NGOs that may have or want to have a role in protecting artists and artistic freedom.
- Anyone who wants to collaborate on protecting artists and artistic freedom.

# BACKGROUND - WHAT IS ARTISTIC FREEDOM?

To be **free from obstacles** that impede *“the flourishing of artistic creativity, that carry an aesthetic and/or symbolic dimension, using different media including, but not limited to, painting and drawing, music, songs and dances, poetry and literature, theatre and circus, photography, cinema and video, architecture and sculpture, performances and public art interventions, etc., irrespective of whether their content is sacred or profane, political or apolitical, or whether it addresses social issues or not.”*

From the report of the UN Special Rapporteur in the field of cultural rights [http://www.cdc-ccd.org/IMG/pdf/The\\_right\\_to\\_freedom\\_of\\_artistic\\_expression\\_and\\_creativity.pdf](http://www.cdc-ccd.org/IMG/pdf/The_right_to_freedom_of_artistic_expression_and_creativity.pdf)

# BACKGROUND – SOME MOTIVATIONS FOR CENSORSHIP

Suppression of political dissent, policies favouring dominance of one group or idea over others, nation state building, religious feelings, sexuality and sexual orientation, child protection, corporate interests, foreign ideology v. national interest.

For arts institutions, funders and sponsors: fear of associating with a controversial issue, loss of sponsorship, funding, public opinion backlash.

# BACKGROUND - WHO ARE THE CENSORS?

States, non-State actors, including mass media, broadcasting, telecommunications and production companies, educational institutions, armed extremists, organized crime, religious authorities, traditional leaders, corporations, distribution companies and retailers, sponsors, civil society groups, etc.



# SELF CENSORSHIP

*“In many cases, censorship is counterproductive in that it gives wider publicity to controversial artworks. However, the fear censorship generates in artists and art institutions often leads to self-censorship, which stifles art expression and impoverishes the public sphere. Artistic creativity demands an environment free from fear and insecurity”.*

From the report of the UN Special Rapporteur in the field of cultural rights [http://www.cdc-ccd.org/IMG/pdf/The\\_right\\_to\\_freedom\\_of\\_artistic\\_expression\\_and\\_creativity.pdf](http://www.cdc-ccd.org/IMG/pdf/The_right_to_freedom_of_artistic_expression_and_creativity.pdf)

# PRETEXTS USED TO SILENCE ARTISTS

- Unclear laws, bureaucratic obstacles, non-transparent mechanisms, no possibility of appeal (ex: permits for cinema or public art).
- Prior censorship before the production of an artwork (ex: movies, theatre plays)..
- Restrictions on mobility (ex: for tours, concerts and festivals: retention of artists' passports and restriction of visa issuance and work permits).
- Economic and financial pressure (ex. restricted access to State support and market censorship, collecting rights and income).
- Obstacles to maintaining or developing an audience (ex: ban on audiences, fear mongering)

# INFORMATION GATHERING - SOURCES

- **Direct reports**
- **Your own organisation:** observes an attack on artistic freedom in your own country/area.
- **Other arts and human rights organisations**
- **Media reports**

# INFORMATION GATHERING

– 1

## INDEPENDENCE AND VERIFICATION

Is the information  
**independently verifiable**  
confirmed by one or more  
other reputable sources?

Consider:

- **political agendas:** ie representing a political party, using the incident as a way to undermine opposition.
- **criminal activities:** ie has the artist been involved in activities that could legitimately be considered criminal. This could include:
  - calls for violence: a clear call for violence against another person or group
  - hate speech: imagery or language that deliberately stirs up hatred against other individuals or groups.
  - pornography: such as material relating to sexual abuse or exploitation of children

# INFORMATION GATHERING – 2 INDEPENDENCE AND VERIFICATION

Is the information  
still up to date?

Events can move quickly but sources do not necessarily give updates, for example:

- An arts group reports the arrest of a member who is freed the following day, but does not think to issue an update as there is no longer a threat.
- The launch of a trial against a work of art is reported. The court case takes several months and many hearings, and ends with acquittal.
- After initially reporting the closure of an arts venue as politically motivated, it becomes clear that the action is related to other unrelated concerns.

**Do check that details are current and ask your sources to keep you informed of developments.**



# INFORMATION GATHERING – 3 INDEPENDENCE AND VERIFICATION

**Problematic imagery** and concepts **may be hidden**, or not understood outside the culture of their origin.

Do try to **find translation** of written work or interpretation of audio material so as to be fully informed of the content.

**Always ask for expert opinion.**

**Ask for comments.**

# INDIVIDUALS AT RISK – RESPONDING TO DIRECT APPROACHES

Take care **not to promise** to take action or give support that you may not be able to meet.

**Ask for details** of the repression: such as the source of the threat; has protection from the authorities has been requested and if so, official response; exact details of any legal action taken against them; to whom have they approached for support locally (ie: lawyers, other human rights organizations); the exact nature of the artistic work that has led to the event, etc.

Seek their view on **what action** they and/or their legal representative would consider to be appropriate for your organization to take, and conversely what would be unhelpful or detrimental.

**Referees:** Ask if there are other people or organisations they would be happy for you to approach.

Explain that you will **need to consult** with colleagues and others about what type of action, if any, can be taken.

# INDIVIDUALS AT RISK - NOTES OF CAUTION

- **Do not share information publicly**, unless it is decided that this is safe and appropriate to do so.

Restrict communications only to those directly involved.

- **Nothing about a person without the person**
- **Protect your digital communications**
- two excellent on-line sources of information and advice for human rights defenders on protecting communications
  - Tactical Tech's Security in a Box: <https://securityinabox.org/en>
  - Protection Online: <http://protectionline.org//>

## { ABOUT }



A website on protection for all human rights defenders and those seeking to contribute to their protection.

ProtectionLine is an initiative of Protection International, within its Mainstreaming Protection of Human Rights Defenders Programme. The website ProtectionLine was developed through the cooperation with Asian, American and African human rights defenders.

This platform aims to ensure information exchange between human rights defenders and foster solidarity for defenders worldwide.

## { HIGHLIGHTS }



THAILAND: HUMAN RIGHTS LAWYER SIRIGAN CHAROEN SIRI FACING CRIMINAL CHARGES AFTER FILING COMPLAINT AGAINST POLICE OFFICER

THAILAND / SOUTHEAST ASIA  
17 MARCH 2016

NEWS ON DEFENDERS | PRESS RELEASE

REPORTS ON DEFENDERS



THAILAND: WOMEN RIGHTS DEFENDERS HONOURED BY THE NATIONAL HUMAN RIGHTS COMMISSION

THAILAND / SOUTHEAST ASIA  
13 MARCH 2016

NEWS ON DEFENDERS | PRESS RELEASE

REPORTS ON DEFENDERS



THAILAND: THE SOUTHERN PEASANTS FEDERATION CLAIM THEIR RIGHTS TO CULTIVATE LAND

THAILAND / SOUTHEAST ASIA  
25 JANUARY 2016

DECLARATIONS & TOOLS

NEWS ON DEFENDERS

## { LATEST NEWS }



NORWAY  
"STUDENTS AT RISK PROGRAMME": EXTENDED DEADLINE 13 NOVEMBER 2015

08 NOVEMBER 2015

## { OTHER ONLINE PROJECTS }





## SECURITY IN A BOX - DIGITAL SECURITY TOOLS AND TACTICS

If you're new to digital security, the **Tactics Guides** cover the basic principles, including advice on how to use social networking platforms and mobile phones more safely. The **Tool Guides** offer step-by-step instructions to help you install and use the most essential digital security software and services

The **Community Guides** focus on specific groups of people sometimes in specific regions – who face severe digital threats. They include tailored advice on tools and tactics that are relevant to the needs of these particular groups.

Security in a Box is jointly developed by **Front Line Defenders** and **Tactical Technology Collective**, along with a global network of thousands of activists, trainers and digital security experts.

### TACTICS

These tactics guides cover digital security basics and identify tools related to each topic

[Protect your device from](#)

[Keep your online communication private](#)

### MOST POPULAR

[Protect yourself from malware and hackers](#)

[Stay safe on social networks](#)

[VeraCrypt – secure file storage](#)

[Thunderbird and OpenPGP – secure email](#)

[TorBrowser – anonymity and circumvention](#)

### RECENT POSTS

[Why we still recommend Signal over WhatsApp ... even though they both use end-to-end encryption](#)

By Maria Xynou and Chris Walker

[Read more](#)

[Lets Encrypt - Moving Towards an Encrypted Web](#)



# THE FURHTER PARTS OF THE TOOLKIT:

- Individuals at Risk
- Mobilisation
- Monitoring and  
Advocacy for Arts  
Freedom at Home
- Working with the UN  
and EU

# TACTICS



SOURCE : [WWW.NEWTACTICS.ORG](http://WWW.NEWTACTICS.ORG)

# ARTS RIGHTS JUSTICE TOOLKIT COMPANION

1. Statistics and Some High Profile Examples of Censorship
2. Foreign Governments Censor Artists Abroad
3. Policing Art
4. Art and the 'anti-terror' response
5. Religious Offence and Obscenity
6. Film Censorship
7. International Commemorative Days and Celebrations for Advocacy Work
8. Petitions and Statements
9. Providing Guidance and Training for Promotion of Arts Freedom at Home and Abroad
10. Effecting Legislative Change
11. Arts as Advocacy Platforms
12. Grants and Awards
13. Engaging with the UN, EU and other International Organisations
14. Individuals at Risk Safe Havens

Download: <http://cultureactioneurope.org/milestone/arj-arts-rights-justice>



Arts  
Rights  
Justice

an independent working group  
powered by

culture  
ACTION  
europe

Arts Rights Justice Working Group

Members

What we do

Current

Learn to Act: Toolkit & Companion

Freedom of Artistic Expression: Video Collection

Restricted Area

## Learn to Act: Toolkit & Companion

February 2017

### Why this toolkit?

- To build capacity within the arts and culture sector, providing knowledge on how artists can exercise their rights, and on how to support our collaborative partners.
- To support and encourage arts organisations and cultural workers in informing and encouraging their colleagues and members to protect, defend and support artists and cultural operators everywhere.
- To encourage better collaboration between the arts, culture, free speech and the human rights sectors.

### What does this toolkit offer?

- It is a collection of information for individuals interested in training others or presenting information on cultural rights to be read and absorbed.

Arts  
Rights  
Justice



UNITED NATIONS  
HUMAN RIGHTS  
OFFICE OF THE HIGH COMMISSIONER

WHAT ARE HUMAN RIGHTS? 

DONATE 

HOME ABOUT US ISSUES HUMAN RIGHTS BY COUNTRY WHERE WE WORK HUMAN RIGHTS BODIES NEWS AND EVENTS PUBLICATIONS AND RESOURCES

English > Your Human Rights > Expression

French | Spanish

## Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression



A Special Rapporteur is an independent expert appointed by the Human Rights Council to examine and report back on a country situation or a specific human rights theme. This position is honorary and the expert is not United Nations staff nor paid for his/her work. The Special Rapporteurs are part of the Special Procedures of the Human Rights Council.

For more on Special Rapporteurs, please refer

to Fact Sheet N° 27: Seventeen Frequently Asked Questions about United Nations Special Rapporteurs.

### Historical Background

In 1993, the United Nations Commission on Human Rights established the mandate of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.

After replacing the Commission on Human Rights, the Human Rights Council decided to extend the mandate for another three years in its resolution 7/36 of March 2008. The mandate was renewed again for additional three years in March 2011 (HRC resolution 16/4), and March 2014 (resolution 25/2).

On 21 March 2017, the Human Rights Council extended the mandate of the Special

Mandate
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression
International standards
Individual complaints-model questionnaire
Comments on legislation and policy
Annual Reports
Country visits
Recent activities of the Special Rapporteur
Issues in focus
Links
Documents
Feature Stories
2017 expert meeting on Faith for Rights

### Latest news

UN experts condemn Viet Nam's jailing of prominent blogger Mother Mushroom  
30 June 2017

Demand for Qatar to close Al-Jazeera "a major blow to media pluralism" – UN expert  
28 June 2017

More press releases and statements...

Archived news  
(over 3 years old)

### Highlights

Access to information in international organizations - consultations 16 June

2017 HRC Report : The role of digital access providers

Report of the Special Rapporteur to the General Assembly on the contemporary challenges to freedom of expression

Study on Telecommunications and Internet Access Sector



## Required information for cases sent to the Special Rapporteur on cultural rights

### Artistic freedom

**1. When and Where.** Date, time and precise location of the incident (country, region, municipality, area).

*If applicable indicate whether it is a public or private space (i.e. gallery, museum, theatre, street, cinema, etc)*

**2. What happened.** Detailed circumstances of the alleged violation. If an initial event leads to others, describe them chronologically.

*In case of general measures such as national legislation or policies, indicate their stage of development and how artists and cultural actors have or will be affected by them.*

#### INFORMATION REGARDING THE ALLEGED VIOLATION

1. Date:

2. Place:

3. Time:

4. The nature of the incident: Describe the circumstances of the incident:

**3. Victim(s).** Name, number and full details about the artist, cultural center or other concerned actor that has been or is at risk as result of alleged fact.

**4. Perpetrator(s).** Information on who allegedly committed the violation. If known, an explanation of the reasons why they are suspected of being responsible.

**5. Action taken by national authorities :** when the authorities are not the perpetrator, has the matter been reported to the national administrative or judicial authorities? If applicable, what actions have been taken by the relevant authorities to remedy the situation?

# ACAR

## KEY ACTIONS

ACAR acts on different levels:

- in making cases public by informing the national centres and via media;
- with official statements by the committee, and in the name of ITI worldwide,
- with official statements by the ITI President, the ITI Vice Presidents, the ITI General Secretary or the ITI/UNESCO Ambassadors.

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World Organization for the Performing Arts

# ITI ACAR WEBPAGE AND NEWSLETTER

<http://artistsrights.iti-germany.de>



[\*\*acar@iti-germany.de\*\*](mailto:acar@iti-germany.de)

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