

## Artistic freedom in focus at World Press Freedom Day

**What: Re-shaping cultural policies for artistic freedom: Ministerial panel and artists' panel**

**When: Tuesday 2 May 14:00-18:00, 2017**

**Who:** Freemuse co-founder Ole Reitov was keynote speaker at the World Press Freedom Day in Jakarta. Invited by UNESCO the outgoing Freemuse Executive Director talked about the importance of artistic freedom and addressed some of the main problems and threats faced by artists, cultural operators and citizens' rights to access cultural events. Reitov is a member of the 2005 UNESCO Convention Expert facility and author of the chapter on artistic freedom in the UNESCO 2015 Global Report "Re | Shaping Cultural Policies"

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### THE KEY NOTE:

Good afternoon,

Last year my organization Freemuse registered more than 1.000 attacks on artistic freedom worldwide.

These attacks include killings, abductions, imprisonment, threats and censorship of artistic work.

Three incidents pr. day, worldwide, does not sound like a lot!

After all, does it matter whether a book is banned, a musician threatened or a film cut into pieces every single day?

It certainly does.

Let me quote former UN Special Rapporteur in the field of cultural Rights, Ms Farida Shaheed,

"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"  
(unquote)

Artistic expression is not a luxury – it is a necessity.

The 2005 UNESCO Convention is very clear on the importance of arts and culture.

The first guiding Principle in Article 2 of the Convention affirms that – and I quote:

Cultural diversity can be protected and promoted only, if human rights and fundamental freedoms, such as freedom of expressions, information and communication, as well as the ability of individuals to choose cultural expressions are guaranteed.

Or, as we expressed this in the 2015 Global Report:

The recognition and protection of artistic freedom are germane not only to the being and creative practice of artists themselves but also to the rights of all cultural producers

Today we are witnessing many state parties to the 2005 Convention and other international human rights standards gravely violating the principles of these conventions.

We are witnessing militant, religious fundamentalists wiping out all cultural expressions in those territories they take as hostages.

We are witnesses to these terrorists' attacks on artists, cultural events and the cultural industries on several continents leaving many hundred people dead and millions of people in fear.

Copenhagen, Paris, Tunis, Peshawar, Lahore to mention a few

We are witnessing cultural industries – such as Hollywood bowing to financial and political interests of China. Major Hollywood companies, who was part of the US government led attacks on so- called communist actors in the 1950's are now bowing to content pressures from China while at the same time controlling the major global distribution chain.

We are witnessing countries abolishing arms- length principles in regards to funding.

We have followed attempts of the Israeli minister of culture to put laws in place that would tie funding to “loyalty to the state”.

We also hear such arguments in countries such as Hungary and Poland. And we've followed the cultural blacklist of Ms. Parks government in South Korea of an estimated 9.000 artists.

We are also witnessing an increasing amount of civil society pressure and threats on artists and cultural institutions through social media, threats that frequently lead to self-censorship.

As UNESCO Goodwill Ambassador for Artistic Freedom and Creativity, Ms Deeyah Khan said in an interview:

“The rights of artists to express themselves freely are under threat worldwide”.

She also answers to the question why this is:

“Art has the extraordinary capacity to express resistance and rebellion, protest and hope. It injects a vital contribution to any flourishing democracy.” She said.

Artistic freedom is challenged in every single country worldwide and there are much more than the average of three cases pr. day. that we can report on.

The 1.000 attacks annually are what we can verify.

But, most censorship cases are neither registered nor publicized as many states refrain from publishing decisions from censorship boards.

We are celebrating World Press Freedom Day this week in Jakarta.

Journalists and organisations defending media freedom have over the years managed to document, verify and publish violations on media freedom.

Journalists are articulate, well organized and their work for the protection of journalists has led to a number of international declarations and support programmes.

This is not the case with artists.

Artists express themselves differently and in many countries, they are poorly organized.

Many attacks and threats are therefore never reported.

And, unfortunately those organisations representing artists and cultural industries do neither document, monitor or report systematically on censorship and threats on artistic freedom.

Thus we do not have the full picture of violations.

But, even though the problem may be ten times bigger, than we can document, we can learn something from the registered cases. They do represent tendencies of repression, mechanisms of censorship, the motivations of repression the devastating effects these attacks have on artists and audiences' safety and on societies as such.

You may ask: What exactly is artistic freedom?

Well, obviously artistic freedom includes the right to create, publish and distribute without censorship or intimidation – and I will come back to this in a while, but when we talk about artistic freedom more broadly and not least in UNESCO context we also talk about

the right to have artistic work supported, distributed and remunerated;

the right to freedom of movement;

the right to freedom of association;

the right to protection of social and economic rights;

and the right to participate in cultural life.

The last mentioned right – the right to participate in cultural life – is not the least important.

Many people, especially women are discriminated from taking active part in cultural life.

Sometimes this is due to social and cultural traditions – and we all know that this takes time to change. But some states such as Iran and Saudi Arabia are systematically discriminating women's rights to take part in cultural life and that – at least technically speaking - is a violation of international human rights standards and must therefore continuously be addressed by UNESCO, the UN Human Rights Councils and by UN Rapporteurs and Treaty bodies.

Let me also point out artists's right to freedom of association.

The freedom of association is violated in many countries such as China, Egypt and Cuba.

In Egypt, the state controlled artists' syndicates decide on who is an artist and who is not an artist.

And not only that. The syndicates have been giving "policing" power to censor artists. This is totally unacceptable.

This is like having the wolf protecting the sheep or an arsonist leading the fire brigade

When artists cannot create unions without interference, they cannot collectively address many of the problems they face....and these problems are multiple.

Several countries are still not respecting intellectual property agreements. They may well have signed up to international treaties, but they do not police violations and additionally several production companies exploit this by paying artists poorly.

Artists like any other skilled people need protection for their social and economic rights, but artists in many countries – including several European countries are now being challenged by unemployment legislations, and on top of this lack of funding or even mind control of funding.

In March we witnessed how President Trump, in his first federal budget plan, proposed the elimination of the National Endowment for the Arts and the National Endowment for the Humanities.

This tendency of attacking the arts by eliminating funds or controlling funds in so -called interest of the nation is unfortunately spreading like a wildfire .

The 2005 UNESCO Convention and the Global Report "Re shaping cultural policies" explain very well how to promote and protect artistic freedom and diversity of cultural expressions.

Without freedom, there is no diversity.

The global report outlines how state parties can and should promote and monitor the convention and it clearly states that International and national legislation related to human rights and fundamental freedoms should be promote both artistic freedom and the social and economic rights of artists.

The report also provide a framework of core indicators for the implementation and monitoring.

Let me also point out that the 2005 Convention provides a unique policy framework to implement Goal 16 of the UN Sustainable Development Goals as one of the targets of Goal 16 is to ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements

Political- and public support of artistic freedom is more important than ever.

Ministers of Culture worldwide were very much involved in the development of the 2005 Convention.

It is time they join hands again and speak out for protection of artistic freedom.

One year ago, at the World Press Freedom Day, the Nordic Ministers of Culture made a declaration in support of artistic freedom.

Unfortunately, some of their colleagues round the world are now talking about limiting and controlling artistic freedom and are thus violating the principles of the Convention and other international human rights standards.by censoring, threatening and even imprisoning artists.

Musicians, writers and other artists are imprisoned in countries such as China, Turkey and Iran because they - through their art - express different worldviews and address issues such as cultural intolerance, political corruption or simply express themselves with genres of art that those repressive regimes do not tolerate.

So, what can be done, when states continue to violate the rights of artists to freedom of expressions and in some cases even incites hatred against artists?

What can UNESCO do?

It is time for UNESCO to modernize its complaints mechanism or Human Rights Procedure as this mechanism is officially called.

Already in 1994, an evaluation report by University of Minnesota Law School concluded that this procedure - and I quote: has failed to ensure the protection of victims' rights relating to UNESCO's field of competence-specifically freedom of expression and association.

Seen from the perspective of an international organisation, such as Freemuse, I believe the procedure continues to be a failure.

It is non-transparent and needs to be modernized on the same lines as the complaints mechanisms linked to the UN Special Rapporteurs.

I also call on the current and forthcoming Director General of UNESCO to strongly condemn censorship, imprisonments and attacks on artists, who are exercising their rights to freedom of Expression.

There should be no distinction between condemnation of attacks on journalists and artists. It is within the domain of UNESCO to do so.

UNESCO several years ago drafted the U.N. Plan of Action for the Safety of Journalists and the Issue of Impunity.

And, The U.N. General Assembly adopted Resolution 68/163 on the Safety of Journalists and the Issue of Impunity.

Now it is time for a U.N Plan of Action for the Safety of Artists and the issue of Impunity.

UNESCO should take this initiative.

So, what about militant, terror groups such as the Taliban, Daesh, Boko Haram and Ansar Dine and their systematic and intentional destruction of the living arts – the intangible cultural heritage.

Today I call on The International Criminal Court (ICC), to initiate investigations and to charge well-known and identifiable leaders of these terror organisation for their intentional destruction of intangible culture in countries such as Afghanistan, Pakistan, Syria and, Mali.

Not only are these terror leaders responsible for war crimes. Their attacks on cultural life and artists are crimes against humanity.

In addition, today I call for donor countries to develop with UNESCO support programmes for those artists and cultural industries that has suffered immensely from intentional destruction of the living arts.

And finally, ladies and gentlemen:

I call for the parties to the 2005 UNESCO Convention to show in action that they live up to the two main principles of the convention: Promotion and protection.

Thank you for your attention

