

FREE TO CREATE|CREATE TO BE FREE

DEFENDING ARTISTIC FREEDOM IN TIMES OF CONFLICT AND CRISIS

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CoE Manifesto on the Freedom of Expression of Arts & Culture in the Digital Era

- “Restrictions on freedom of expression and artistic freedom affect the whole of society, bereaving it of its pluralism and the vitality of the democratic process.”
- “Artistic freedom is associated with curiosity, creativity, innovation, self-realisation, critical thinking”

What is artistic freedom?

UNESCO definitions

1. the right to create without **censorship** or intimidation;
2. the right to have artistic work **supported, distributed & remunerated**;
3. the right to **freedom of movement** of cultural professionals;
4. the right to **freedom of association** in the cultural sphere;
5. the right to the protection of **social & economic rights** of cultural professionals;
6. the right to participate in **cultural life**

FREE TO CREATE: ARTISTIC FREEDOM IN EUROPE



*Council of Europe report
on the freedom of artistic expression*

Provisional version

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(CDCPP)

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DRAFT THEMATIC REPORT
by Sara Whyatt

Secretariat Memorandum
prepared by the
Culture and Heritage for Democracy Division,
Democratic Institutions and Freedoms Department

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Artists meeting at Stara Elektarna, Ljubljana – guests of Bunker cultural centre



New initiatives – 2023/2024

- Artistic freedom **gathering momentum**: identified as a right among others at summits, studies, including at the Council of Europe & in EU initiatives
- **Legislative change**: Malta strengthens artistic freedom in law & Ireland's basic income for artists initiative leads to improvements in artists' welfare
- Artist & Cultural workers: artists continue to take **creative action** to counter censorship
- ***“..the justice system should not become a tool in the hands of those who want to stifle the arts and freedom of thought”. (Malta)***

Recommendations & ways forward

- **States:** stand by ECHR & other international obligations to protect & artistic freedom, amend legislation, proactive steps to protect artistic freedom inc. complaint mechanisms, ensuring independence of cultural institutions etc.
- **Civil society & cultural organisations:** to **expand** remits & work together to counter repression of creative freedom.'
- **Education institutions:** include modules to promote **greater understanding** of artistic freedom
- **Artists:** **work together** to challenge repression, work with media & others for improved coverage & understanding of the importance of artistic freedom.
- **Council of Europe:** **promote** the Manifesto for artistic freedom within the Council & relevant debates, to provide cross-sectoral platforms for exchange including a possible database

Further recommendations

- Develop the **Free to Create website** & initiate a **database/observatory** to follow trends, developments & solutions
- **States** to support artistic freedom by enabling **platforms of exchange** across sectors
- **Artists & cultural workers** to be central in the development of these projects

Artists' comments

- “To be **provocative is an important thing** to do to open conversations, to break the status quo of the world we live in.”
- “The government states that there should be **one nation, one ideology and everyone should think in the same way** and try to be a good citizen, and you can’t even joke about it because it is forbidden!”
- **When we are talking about freedom of speech whose freedom of speech are we protecting?** Freedom of speech for everyone? How do we create dialogue? Everyone should be able to express their ideas. It won’t make those controversial ideas disappear if they are suppressed.”