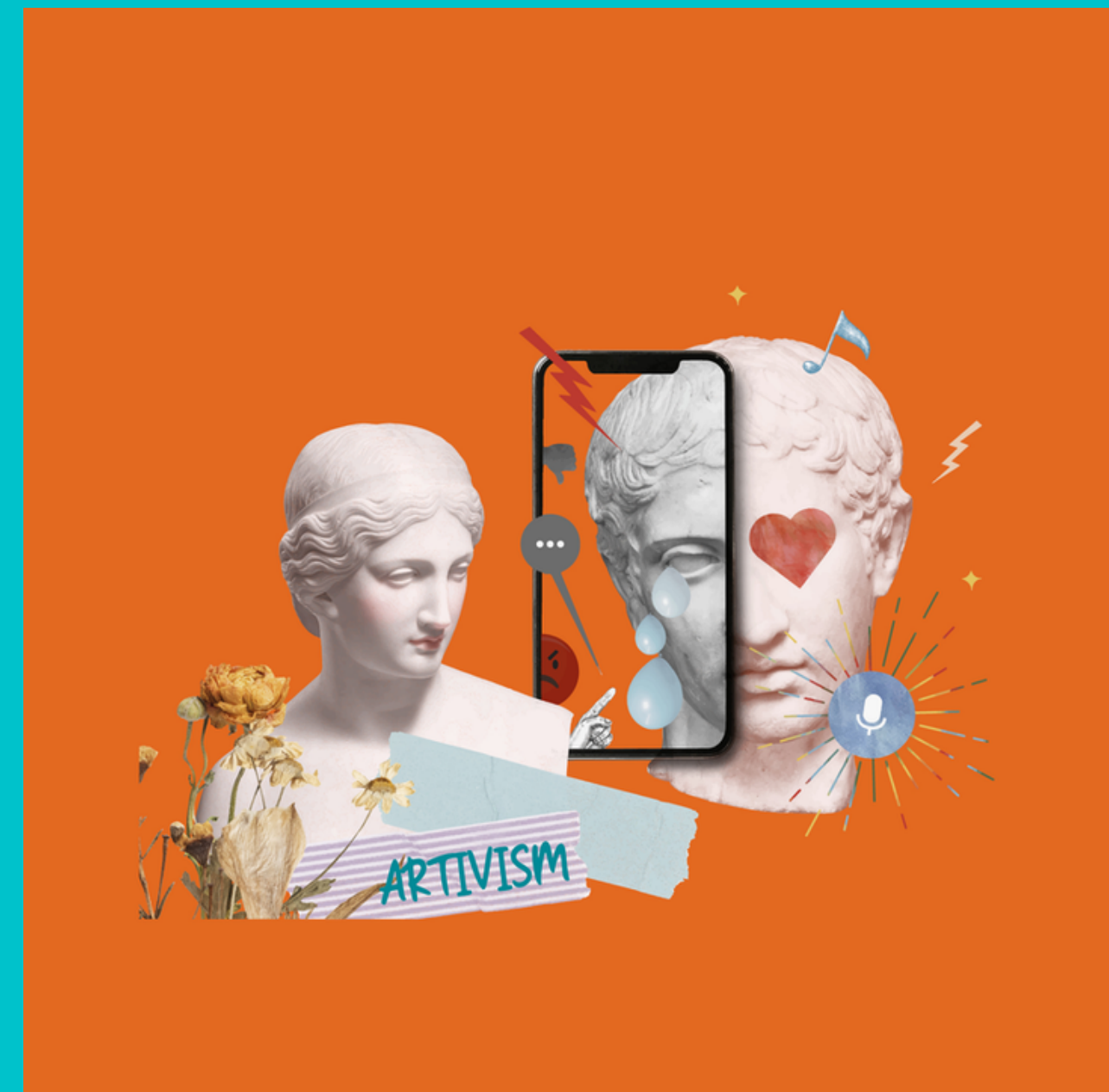




ARTIVISM

Art & rights-based approach



This project is funded by the European Union.

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AGENDA

- Opening by EU
- Grow Civic Program
- Introduction of participants
- Questions and answers
- Art and rights-based approach :
 - introduction to the RBA
 - international legal framework
 - monitoring and advocacy tools and actors
 - political obstacles
 - opportunities
 - promote collaborations
- Feedback and Discussion
- Wrap up



WHAT IS THE RIGHT-BASED APPROACH ?



WHAT IS THE RIGHT-BASED APPROACH ?

The adoption of the Universal Declaration of Human Rights

UNGA 1948

The starting point of the human rights framework

All human beings are born free and equal in dignity and rights....



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WHAT IS THE RIGHT-BASED APPROACH ?

The Declaration provides:

- Civil and Political Rights = prohibition of torture, forced labor, freedom of expression.
- Social, economic, and cultural rights = adequate food, to adequate housing, to education, to health, to social security, take part in cultural life, water and sanitation, and work.
- Solidarity rights = peace, development, healthy environment, sustainable policies, etc.



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WHAT IS THE RIGHT-BASED APPROACH ?

NEW TREATIES
AND DOCUMENTS

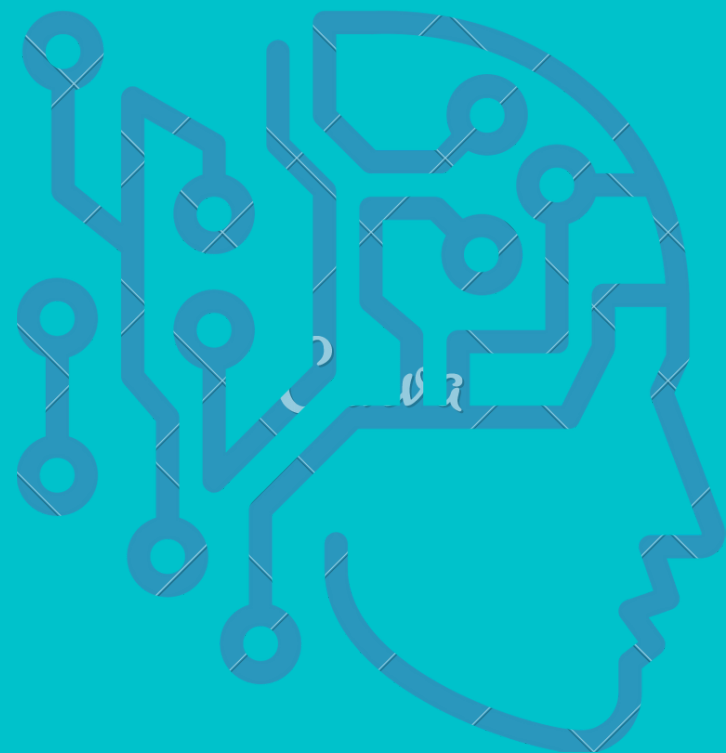
- Clarification of the rights underlying under the UDHR.
- New generation of rights following the progressive ideas about human dignity and emerging of threats and opportunities



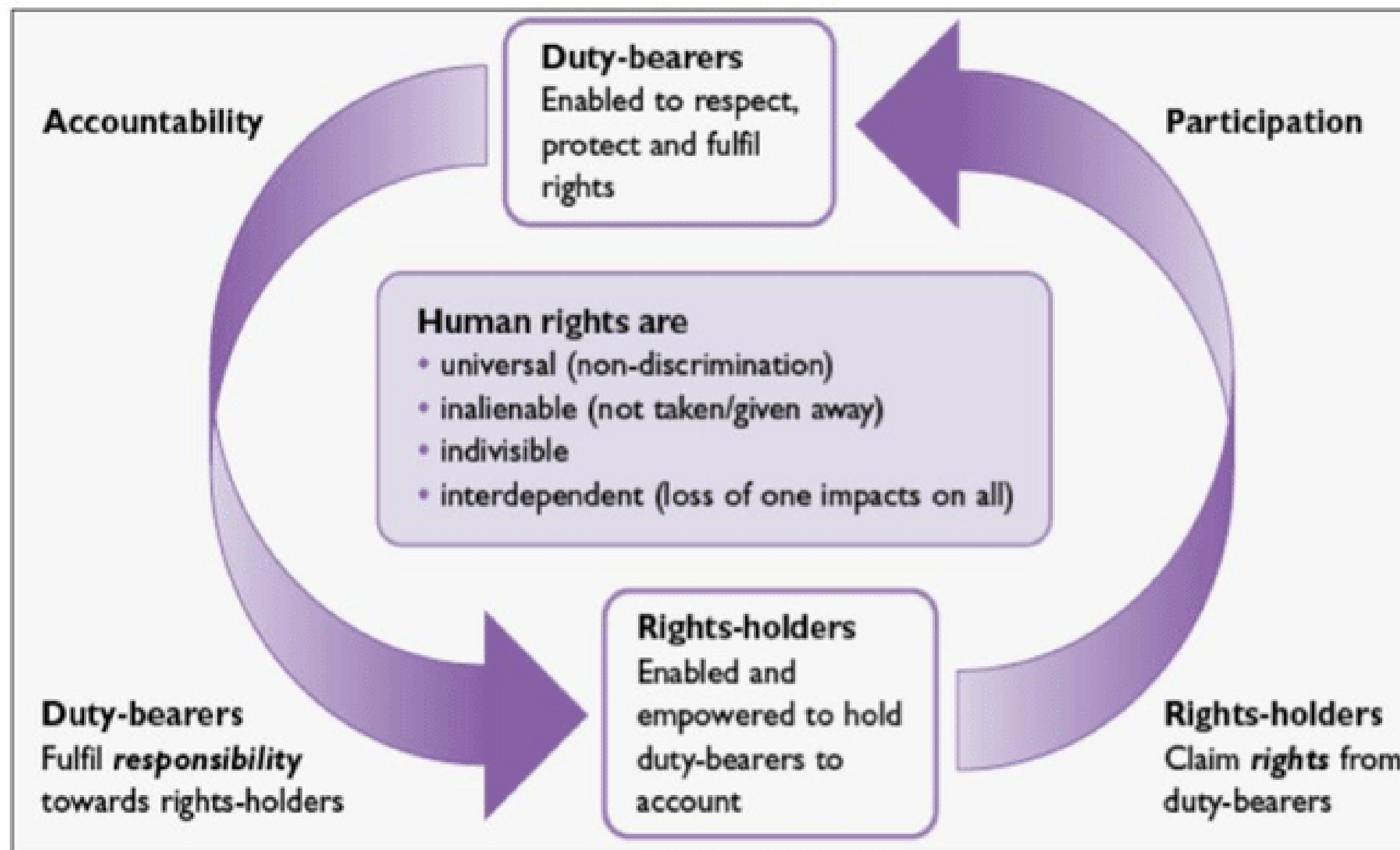
Recent fast technology development, create new opportunities for development but also **new possibilities for human rights violations.**



Biological and digital technologies raise new questions about **how to protect human dignity and human rights**



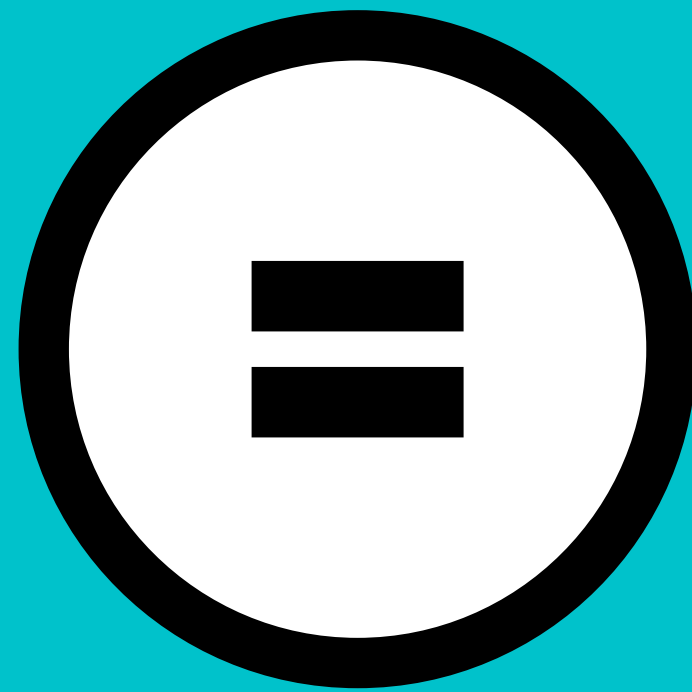
HRBA Basics ... the Duty-Bearer/ Rights-Holder relationship



WHAT CAN RBA DO FOR ARTS ?

My right to enjoy art or to produce art and
my access to fair justice or education, clean water, etc.

ARE EQUAL
ARE EQUAL
ARE EQUAL



Question :

**What is in common between arts and the
rights-based approach?**

Mentee.com

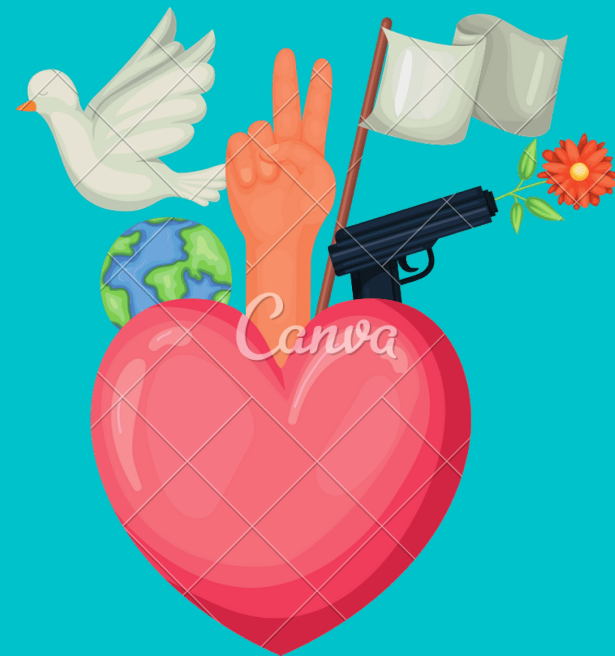
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WHAT CAN RBA DO FOR ARTS ?

Both are concerned with questions such as what is or what is not humanity, dignity, identity, the transformation of lives, the vision of the future, the mission of humankind, etc.

The rights-based approach addresses disparities and prejudice based on gender, culture, identity, and art helps to overcome barriers by bringing a counter discourse, contesting privilege narratives, and addressing today's global challenges.



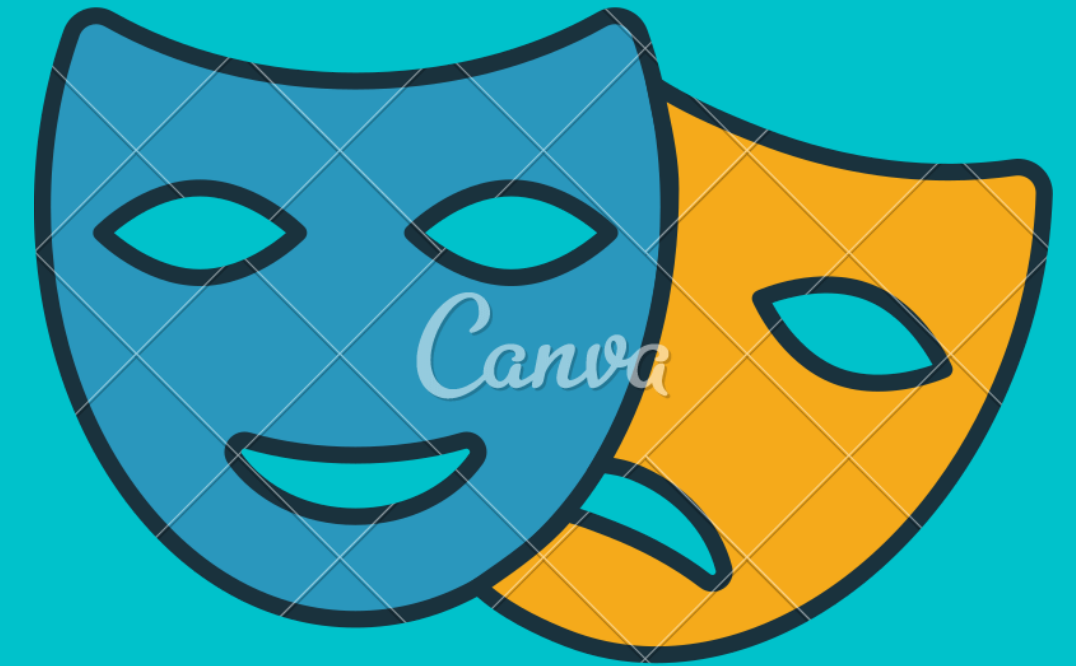
WHAT CAN RBA DO FOR ARTS ?

There is a right to create art, to admire it, critique it, respond it, ignore it, etc.

All those involved in art have human rights – creation, production, dissemination.

All persons have the right to enjoy and have access to art and cultural institutions.

Human rights can facilitate the creation of spaces for artists and art, the fulfillment of artist rights, etc.



WHAT ARE THE RELEVANT RIGHTS?

Legal framework – International and local instruments

The most explicit provisions protecting the freedom of artistic expression and creativity are :

Article 13 of the EU Charter of Fundamental rights, the artsshall be free of constraint.

Article 11
Freedom of expression.

Article 22
the right to cultural diversity.

Article 10
of the European
Convention for the
Safeguard of Human
Rights and Fundamental
Freedom.

Article 27
of the Universal Declaration
of Human Rights (UDHR),
everyone has the right “to
enjoy the arts”.

Article 19 (2) of ICCPR, which states that the right to
freedom of expression includes the freedom to seek,
receive and impart information and ideas of all kinds
“in the form of art”.

Article 15 (3) of ICESCR,
under which States
“undertake to respect the
freedom indispensable for...
creative activity”



WHAT ARE THE RELEVANT RIGHTS?

UNESCO : Recommendation Concerning the Status of the Artist 1980 and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions 2005.

The Council of Europe's Steering Committee for Culture, Heritage and Landscape launched on 10 November a Manifesto on the Freedom of Expression of Arts and Culture in the Digital Era - the importance of artistic creation and cultural industry for our democratic societies

Article 42 of the Arab Charter for Human Rights also contains such explicit provisions.

42



WHAT ARE THE RELEVANT RIGHTS?

21

Article 21 of the Convention on the Rights of Persons with Disabilities, stress that all persons, irrespective of their specific situation or status have the right to freedom of artistic expression and creativity

13-31

Articles 13 and 31 of the Convention on the Rights of the Child, sharing thoughts freely /rest, play and take part in cultural and creative activities

27

Article 27 of ICCPR is crucial for guaranteeing the artistic freedoms of persons belonging to ethnic, religious or linguistic minorities.



WHAT ARE THE RELEVANT RIGHTS?

Other important provisions linked to artistic freedoms relate to the right to:
freedom of opinion, freedom of thought, conscience,.....

The right to artistic freedom also relates to :

A

the right to
peaceful
assembly

B

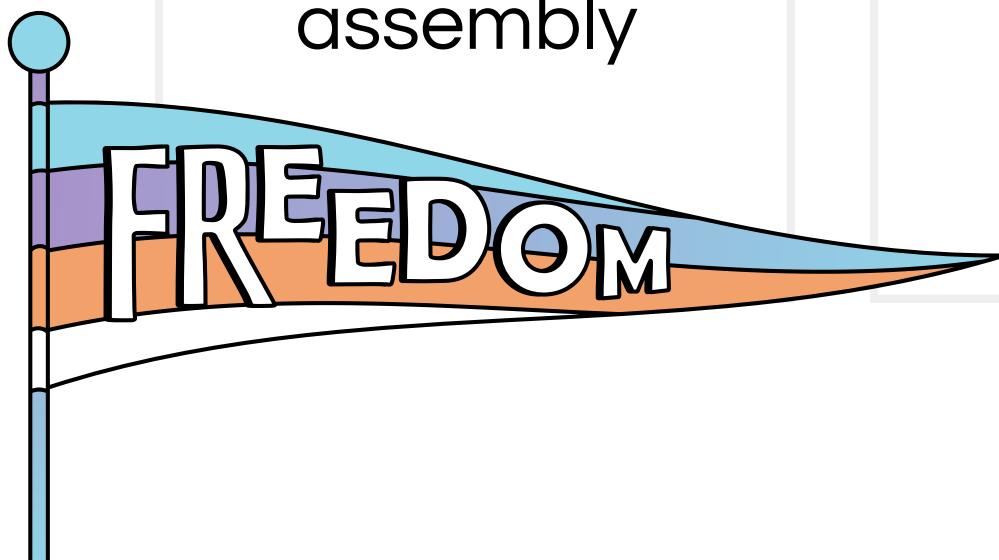
the right to freedom
of association,
including the right of artists
and creators to form
and join trade unions

C

the right to benefit from
the protection of the
moral and material
interests resulting from
any literary or artistic
production of which a
person is an author

D

the right
to leisure.



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WHAT ARE THE RELEVANT RIGHTS?

BRIEFLY : Freedom of artistic expression is a part of freedom of expression



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Right-holders rights :

Every person has the right to enjoy arts, access, participate and contribute.

Artists should participate individually or through their associations or trade unions, in the life of the communities in which they practice their art, and be associated in the formulation of local and national cultural policies

Duty bearers duties :

To protect, defend and assist artists and their **freedom of creation**

Put in place **material conditions** to promote creative talents

Ensure capacity and skills development through formal and non-formal education

Provide adequate funding

Protect intellectual property

Stimulate the public and private demands

Ensure free movement of artists

MONITORING AND ADVOCACY

Multilateral organisations :

One of the most comprehensive reports on artistic freedom was compiled by the UN's Special Rapporteur in the field of Cultural Rights in 2013, entitled "The right to freedom of artistic expression and creativity"



MONITORING AND ADVOCACY

Civil society organisations :

Freemuse – aims to improve legal and policy framework and practices of artistic freedom and cultural expression of state and non-state actors, by engaging with artists, activists, and others in using human rights-based research, advocacy and campaign to influence key policy and decision-makers.



MONITORING AND WATCH DOG

The State of Artistic Freedom is launched annually. 2021 report documents an analysis of 978 acts of violations of artistic freedom in 2020 in 89 countries and online spaces. 17 artists were killed, 82 were imprisoned and 133 were detained.

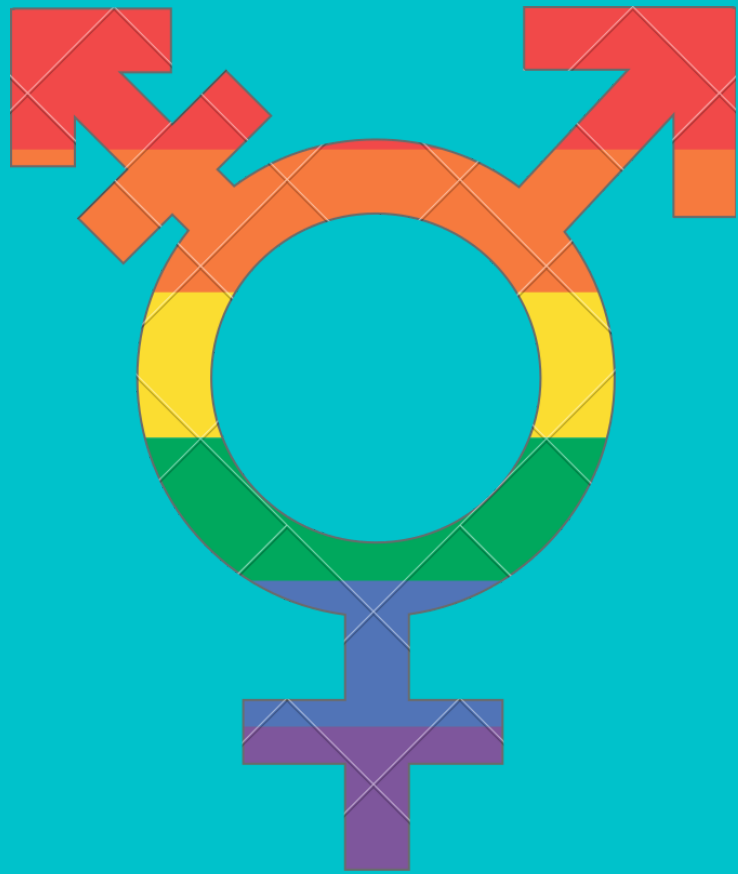
In 2020, 26% of all documented restrictions of artistic freedom took place in Europe, followed by 22% in North and South America, 19% in the Middle East and North Africa, 15% in Asia and Pacific, 9% in Africa, and 9% Online.



MONITORING AND ADVOCACY

The report provides DATA by region, country, and type of arts

The report mainstream rights violations targeting women artists and women issues related to artworks



Attacks against LGBTI artists and artworks

Racial discrimination

Etc.



MONITORING AND ADVOCACY

Art for Amnesty is a global community of artists from diverse disciplines and nationalities who share Amnesty International's vision – a world where the human rights of all are respected.



Amnesty International is campaigning for freedom of speech and expression for artists around the world

Ex: Pussy Riots



MONITORING AND ADVOCACY

Culture Action Europe is the major European network of cultural networks, organisations, artists, activists, academics and policymakers.

A 'port of call' for informed opinion and debate about arts and cultural policy in the EU



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MONITORING AND ADVOCACY

PEN international – the right of writers



ICORN

INTERNATIONAL CITIES OF REFUGE NETWORK

MONITORING AND ADVOCACY

EUROPEAN MEDITERRANEAN ARTS ASSOCIATION (EMAA) - Northern part of Cyprus

- A study by a legal expert to identify the relevant legal framework and similar studies in the EU context.
- An analysis of 800 local legal texts and local art and culture policies.
- An analysis of EU culture and art policies and their implementation to identify good practices and make a comparative analysis of the situation in the northern part of Cyprus.
- Finalization and translation to English of the report.
- A communication campaign for dissemination of the findings through the online platform and social media channels to increase the visibility of the action.

MONITORING AND ADVOCACY

Advocacy for better policies - 20 NGOs are calling EU to recognize explicitly freedom of artistic expression

- Across all EU legislation and policy studies relating to freedom of expression and cultural diversity;
- Develop instruments at the EU level whereby artistic freedom can be monitored and assessed as one of the legitimate indicators of democratic and cultural health;
- Develop a facility through which artists can report violations of their fundamental rights and access appropriate support;
- Establish an EU mechanism through which civil society actors and national authorities can contribute specific information on the way in which freedom of artistic expression is fulfilled, protected and promoted.



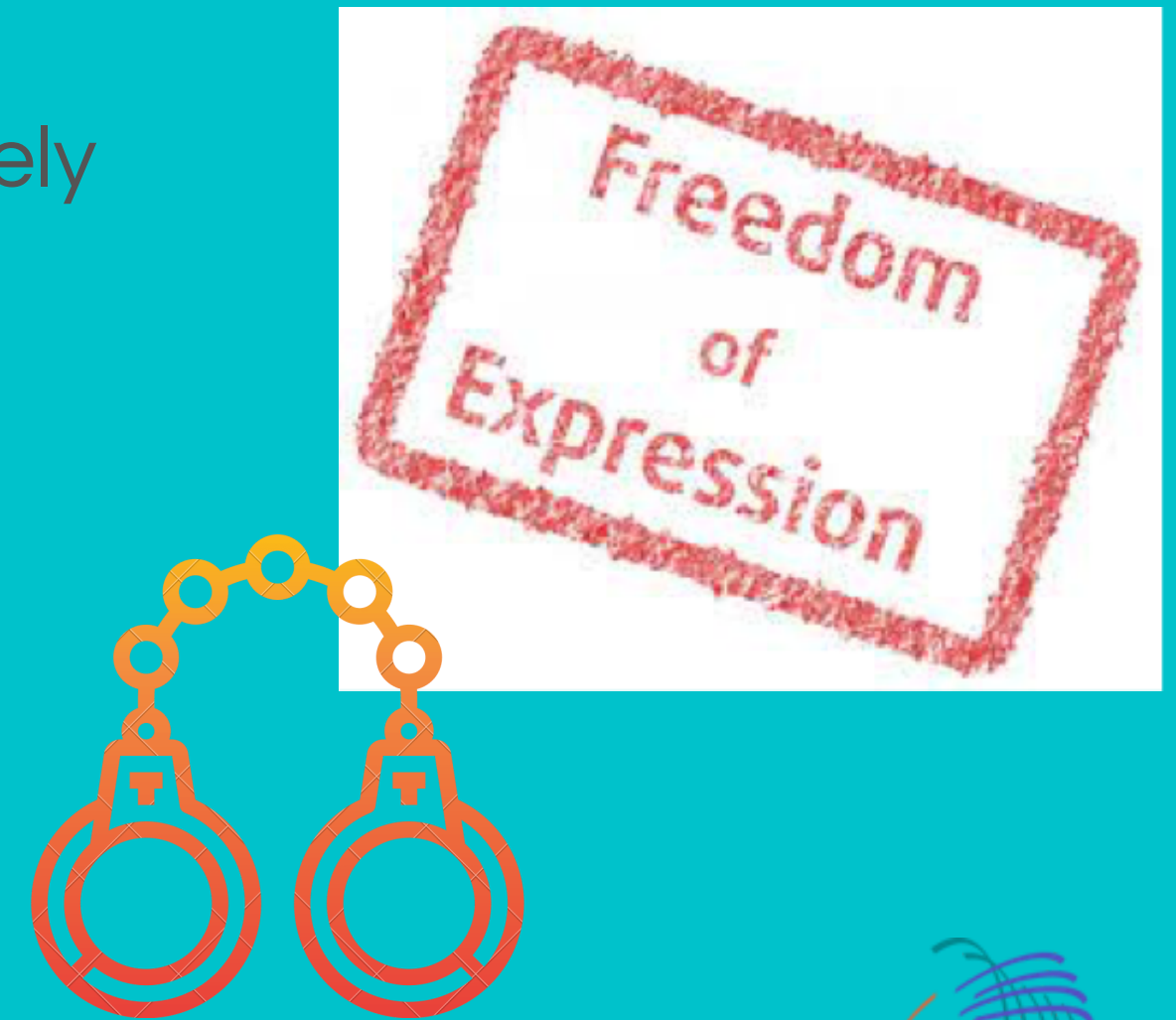
THREATS

By threats we mean actors or policies imposing restrictions or creating obstacles.

Not recognising artistic freedom as freedom of expression

Freedom of expression and freedom of press are more largely recognised in constitutions than artistic freedom

Artists, like journalists and human rights defenders, are at particular risk as their work depends on visibly addressing public actors and politic visions.



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THREATS

Copyright

Copyright laws help to protect the material interests of artists. More needed in the digital age.
Hacking...Litigation is complex and expensive ...Assignment to companies and loss of control.

Limited Access to funding

Austerity policies affect arts funding
Closing of artistic institutions, reduction of public budgets,
reduction of private funding, unemployed artists.
Funding does not allow to shape politically art



THREATS

CENSORSHIP

By State actors :

Grup Yorum - Turkey.

Gospel singer - Nigeria Yahaya Sharif Aminu. Sentenced to death for sharing a song on the internet containing reference to Prophet Muhamed

By non-state actors :

Charlie Hebdo - France. Under terrorist attacks.

By CSO and citizens: Morocco. Much loved.





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THREATS

NON INCLUSIVE POLICIES

Only 7.9% or 62/778 professional orchestra conductors in the world are women ()2020



Belgium : 37.5%



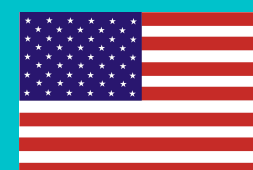
Norway : 28%



Netherlands : 22%



Austria : 16.5%



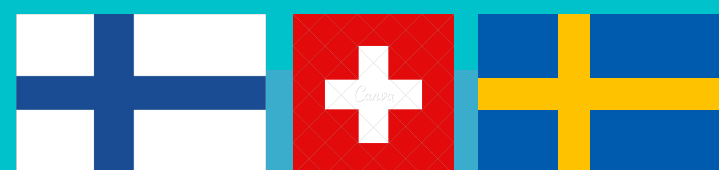
USA : 11%



Australia : 14%



France : 10.5%

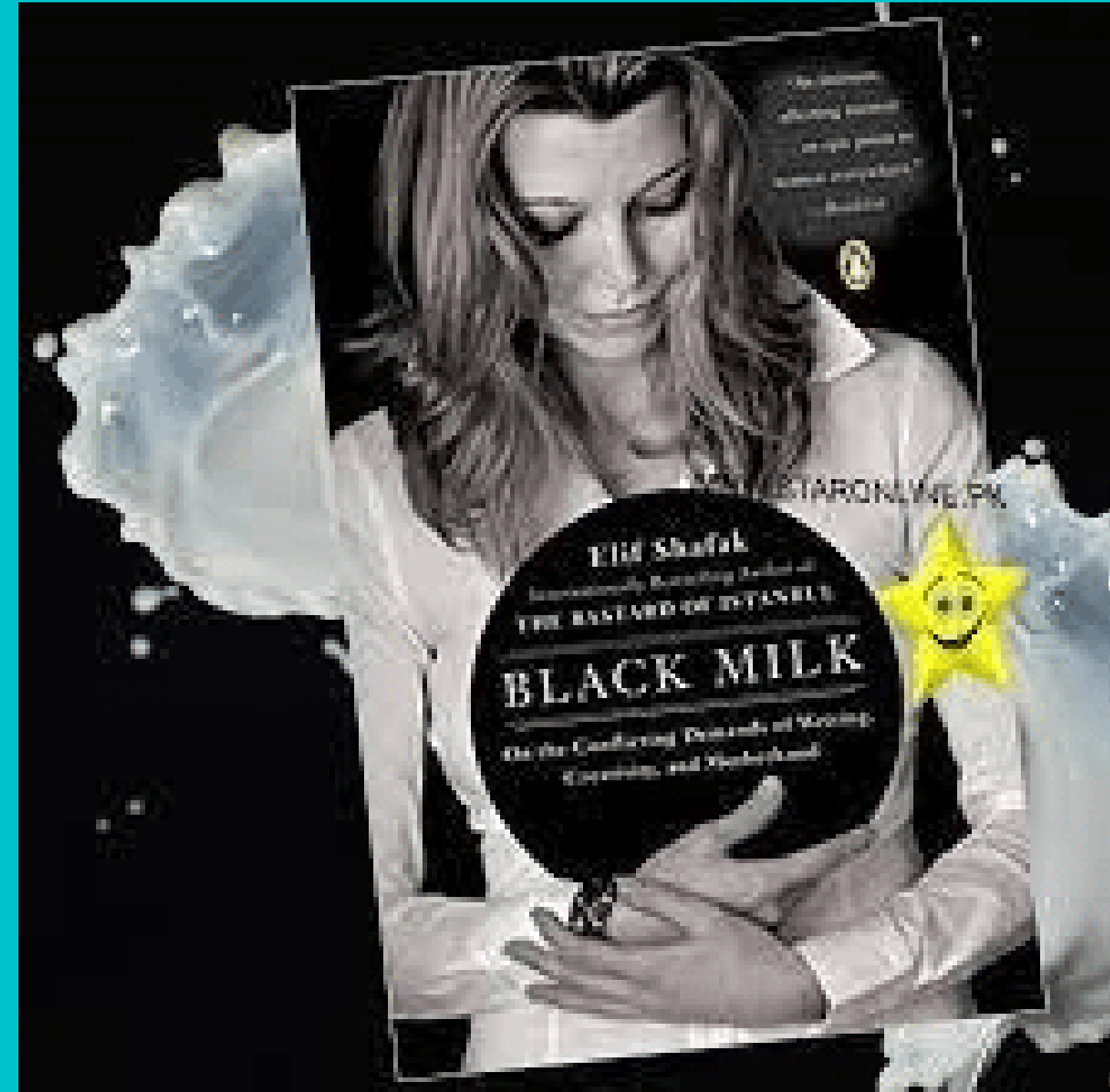


Finland, Switzerland and Sweden : 10%

THREATS

NON INCLUSIVE POLICIES

Absence of private and professional life balance for artist women and their artistic creation process



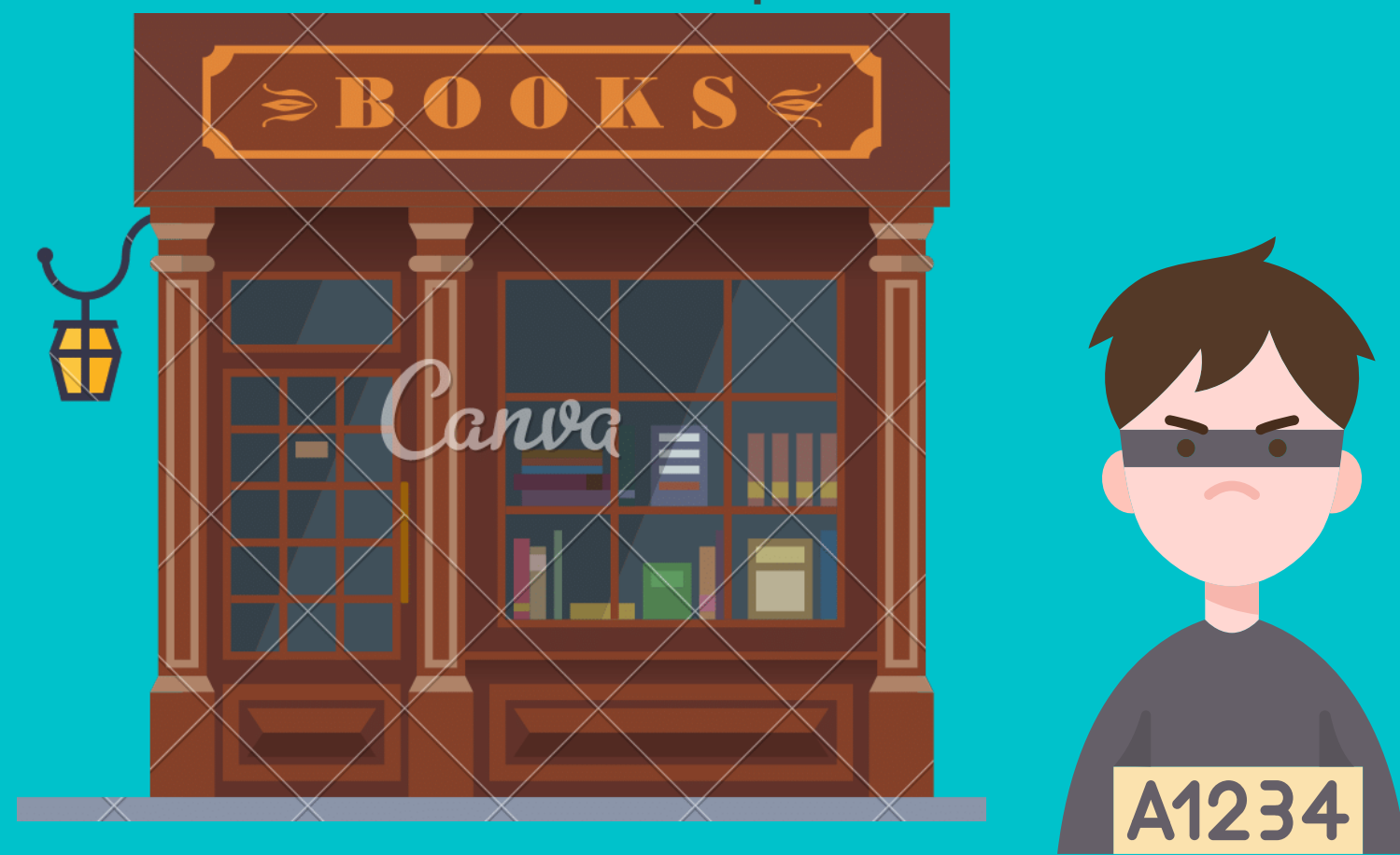
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THREATS

PANDEMIC

Many artists arrested for contesting political measures taken during the pandemic.

Non essential businesses were closed. In France it included book stores. In Belgium, book stores were open because books were considered essential goods



THREATS

BUSINESS CENSORSHIP

Censorship by the market, cultural industries are market-oriented, public funding is under pressure and alternative distribution is minimal.

Culture chains versus small book shops and theaters promoting author films

The word "Public" in a bold, white, sans-serif font, centered within a solid blue rectangular background.

Public

The Cineplex logo, featuring a stylized yellow and orange circular graphic above the word "CINEPLEX" in a bold, blue, sans-serif font.

CINEPLEX®

A stylized logo consisting of several curved, overlapping lines in shades of blue and orange, resembling a globe or a network.

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OPPORTUNITIES

ACCESS TO PUBLIC SPACES

Street art which is displayed for free, such as wall murals and street performances.

Allows artistic engagements outside museums and are also accessible to those with fewer resources to access art such as the homeless



OPPORTUNITIES

YOUTH AND YOUNG ARTISTS

Contribute to the emergence of young talents in the visual arts, give more visibility to young contemporary Artists



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Işıl Eğrikavuk, İpek Duben, Melis Terzioğlu,
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OPPORTUNITIES

PERSONS WITH DISABILITIES

The European union Art for All project aims to allow equal access to artistic education and to the public art and culture market for people with mental and/or psychic disabilities.



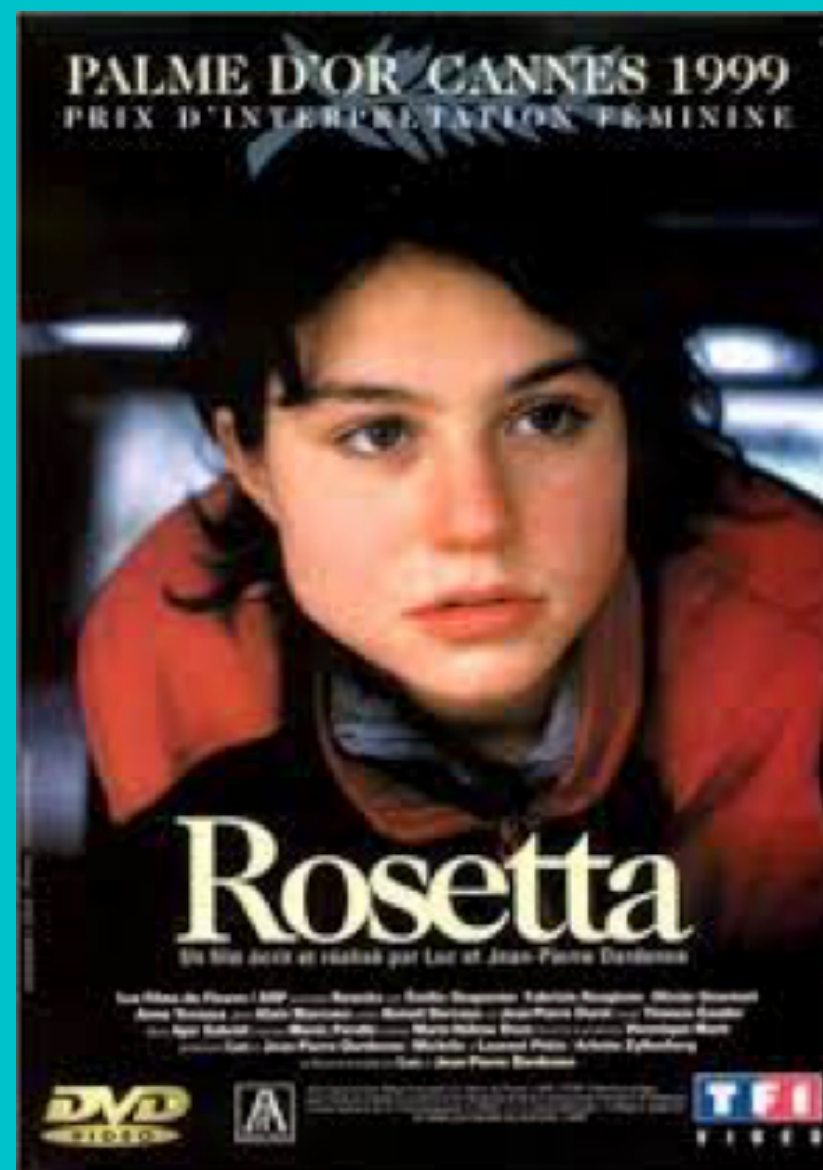
PROMOTION OF COLLABORATIONS

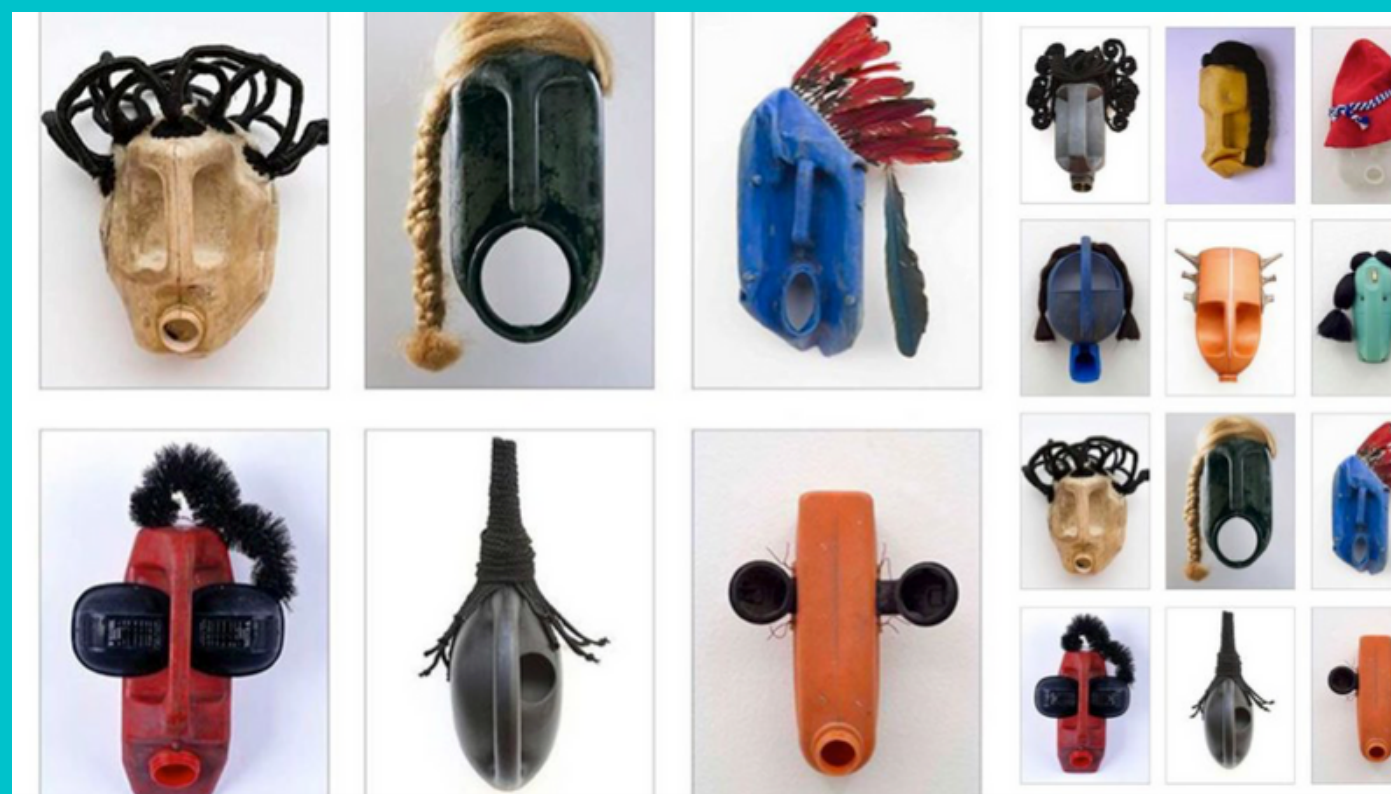
Increasing social and economical disparities, displacement of human beings, increasing effects of climate change, limitation of freedom of expression.....

Crisis of trust in government authorities, institutions, political parties, media.

Rights activists/organisations and Artists can collaborate to advocate, empower and amplify each other's voice to reform policies, transform public opinion, etc.









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PROMOTION OF COLLABORATIONS



Don't overestimate the potential power of art. Art can give comfort and help healing processes but it will not undo rights violations, discrimination, abuses.

For that, you need a strong advocacy strategy.

WARNING

ADVOCACY STRATEGY



**Issue/situation
analysis**



**Fix your
objectives**



**Identify your
target groups**



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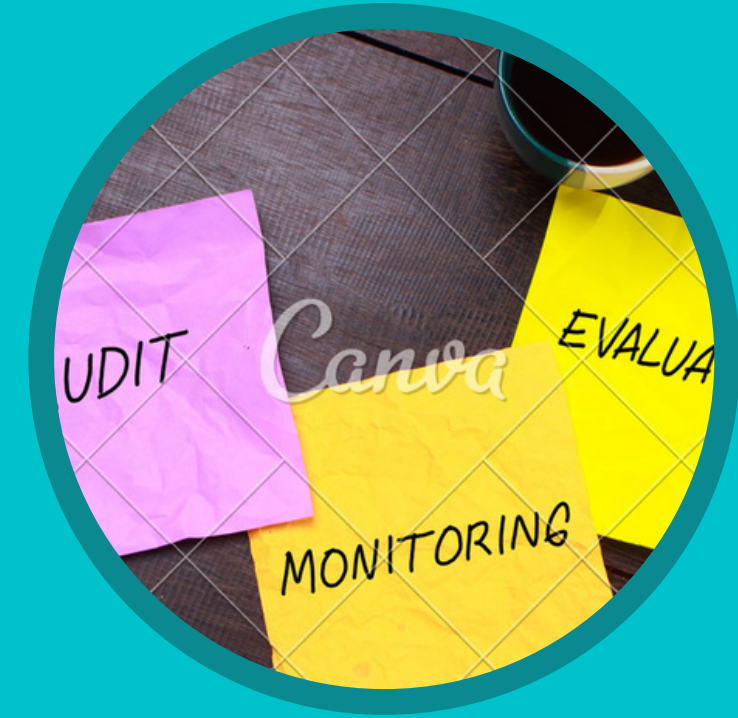
ADVOCACY STRATEGY



**Develop Metode
/ Actions**



**Elaborate your
plan**



Monitor & Assess



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Networking and partnership purpose CSO database:

[**https://civicspace.eu/sto-veritabani/**](https://civicspace.eu/sto-veritabani/)

Digital library for rights-based resources:

[**https://civicspace.eu/sivil-alan-kutuphanesi/**](https://civicspace.eu/sivil-alan-kutuphanesi/)



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Instagram-Facebook-Twitter
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Teşekkür ederim
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