



*Art in Turmoil:  
Artistic Freedom and Human Rights in Latin America and the Caribbean*

© 2022 Artists at Risk Connection (ARC). All rights reserved.

This report summarizes the findings of a closed workshop convened in March 2022 by PEN America's Artists at Risk Connection (ARC), Amnesty International, and Labo Ciudadano. The workshop included artists, activists, and cultural advocates from across the region and explored key challenges to artistic freedom in Latin America and the Caribbean.

The [Artists at Risk Connection](#) (ARC), a project of PEN America, safeguards the right to artistic freedom of expression around the world and works to ensure that artists of all disciplines everywhere can live and work without fear. With a global network of 800 organizations providing crucial resources for artists and cultural practitioners at risk, ARC plays a critical role in liaising between threatened artists and the organizations that support them. We raise awareness of threats to artistic freedom, spotlight the work of persecuted artists, and mobilize arts and cultural institutions to play a more prominent role in assisting their field's most vulnerable members. Since its inception, ARC has supported more than 500 artists from over 63 countries, referring them to partner organizations that offer fellowships and residencies, emergency funding, legal assistance, and advocacy, among other forms of aid. For more information, go to [artistsatriskconnection.org](#).

Amnesty International is a global movement of more than 10 million people who take injustice personally. Amnesty International works for a world where all people can enjoy their human rights. For more information, go to [amnesty.org](#).

Labo Ciudadano is an activist and artist collective in Venezuela that uses nonviolent resistance and creative and artistic actions to promote human rights and political innovation. For more information, go to [linktr.ee/LaboCiudadano](#).



This report was made possible thanks to the support of the Helen Frankenthaler Foundation and the Andrew W. Mellon Foundation.

Authors: Alessandro Zagato, Jessica Sun, Julie Trébault, and Juliette Verlaque

Illustration: Naandeyé García Villegas

Report design: Studio La Maria

Translation from Spanish: Eugenia Mahiques

# ART IN TURMOIL

Artistic Freedom and Human Rights in Latin  
America and the Caribbean



# CONTENTS

---

EXECUTIVE SUMMARY	<b>06</b>
INTRODUCTION	<b>10</b>
METHODOLOGY	<b>16</b>
ARTISTS AND CAREGIVING IN TIMES OF REMOTE WORK AND SOCIAL DISTANCING	<b>20</b>
MORE LYRICAL, LESS EPIC: ART AND EMANCIPATION MOVEMENTS	<b>26</b>
STATE AND NON-STATE AGENTS OF REPRESSION: DIFFERENCES, PATTERNS, AND STRATEGIES FOR DEALING WITH THEM	<b>32</b>
STRATEGIES TO PROTECT THE SAFETY OF ARTISTS AND ACTIVISTS	<b>38</b>
ART, ACTIVISM, AND HUMAN RIGHTS: OPTIMIZING ALLIANCES AND COLLABORATIONS	<b>44</b>
KEY FINDINGS AND RECOMMENDATIONS	<b>50</b>

---



# EXECUTIVE SUMMARY

The economic, social, and health crises that have beset much of Latin America in recent years have intensified existing tensions and conflicts, exacerbating state policies that violate human rights in many countries across the region. These unprecedented challenges have impaired freedom of expression as well as the lives of artists and human rights defenders, who have had to transform and adapt the way they work. At the same time, many artists have been at the forefront of large-scale social protests that have erupted with varying strength in different countries demanding political and economic change, despite the limitations of the COVID-19 restrictions. Art and artists have thus been instrumental in building societies that are more respectful of human rights.

This report is the result of a closed workshop convened in March 2022 by PEN America's Artists at Risk Connection (ARC), Amnesty International, and Labo Ciudadano that brought together artists, activists, human rights defenders, and cultural advocates from 10 of the 33 countries across Latin America and the Caribbean to explore key issues threatening artistic freedom. The participants came from Mexico, Cuba, Dominican Republic, Guatemala, Honduras, El Salvador, Costa Rica, Colombia, Venezuela, and Chile.

The 2022 workshop built on the discussions and findings of another regional workshop, organized by ARC and the Center for Legal and Social Studies (CELS) in October 2018, when artists and activists gathered in Buenos Aires. In planning this second workshop, we sought to include more countries and provide a safe and inspiring space where participants and facilitators could exchange knowledge, experiences, and reflections. The ultimate purpose was to create new connections, build solidarity, and share perspectives.

This report summarizes the central ideas raised by the 2022 participants. The discussions explored topics such as art and caregiving in times of social distancing; art and emancipation movements in Latin America; differences and similarities in the strategies of state and non-state agents of repression; protection strategies implemented by human rights organizations; and the optimization of alliances in the fields of art and human rights.

The workshop discussions sparked numerous reflections and findings. Among them was the need to analyze the different political, social, and historical contexts of countries in the region and to evaluate how public policies established during

the pandemic have made certain groups increasingly vulnerable to censorship and persecution. The discussions also revealed that the main challenges facing artists and human rights defenders today are job insecurity, the rise of online work, increased surveillance, and fallout from police and military enforcement of public health measures. Participants found as well that gender inequality tends to exacerbate these problems for women and LGBTQIA+ people and that the struggle for women's equality and dignity exemplifies the need for joint resistance work in the field of freedom of expression in particular and human rights in general.

The workshops revealed that state actors such as governments, political officials, police, and the armed forces most commonly pose threats to free artistic expression. High levels of impunity throughout the region also enable attacks by non-state groups and individuals. Perpetrators know that they will not be punished, so there is little to stop them from continuing their harassment and persecution. Impunity is often an intentional government strategy that exploits the aggression of non-state actors.

Participants highlighted the lack of a long-term support network as well as the need to raise awareness of existing resources and strategies to prepare for and navigate threats and attacks. They agreed on the following recommendations:

- Strengthen and update existing networks.
- Hold meetings to share experiences of persecution and tools to navigate it. Such exchanges will foster continuity with actions and processes that are already under way while also building new networks, from local to global.
- Continue to publicize and showcase the work of organizations offering concrete support to artists and activists.
- Confront the problem of mental health in a more committed and effective way. Artists and activists are exhausted, and it is critical to focus on their mental health and look for ongoing support strategies.
- Create clear and accessible channels for complaints, suggestions, and requests for support; facilitate active communication between parties; and eventually promote joint hearings before the inter-American human rights system.
- Strengthen the digital security of artists and activists by holding workshops organized by experts in this field.
- Strengthen the connections between the fields of art and culture and human rights, which tend to be separate and uncoordinated throughout the region.
- Build bridges between activists, human rights organizations, and artists to broaden understanding of the interconnections among freedom of expression, artistic production, and the well-being of artists.





# INTRODUCTION

Worsening economic, social, and health crises throughout Latin America and the Caribbean have exacerbated repressive tendencies in the region and tested the limits of individual and collective freedoms, including artistic freedom. Artistic freedom—the ability to communicate and seek cultural and artistic ideas—constitutes a fundamental human right, a tool for resistance or criticism, and a form of citizen expression that contributes to open, heterogeneous, and innovative societies.

Numerous Latin American governments have taken advantage of the pandemic to introduce laws that unduly curtail human rights. One example is Nicaragua’s Foreign Agents Law, passed in October 2020, which requires Nicaraguans working for international organizations to register with the Ministry of the Interior as “foreign agents.”<sup>1</sup> Another example is Chile’s State of Catastrophe, decreed by the Piñera administration, which imposed a nationwide curfew from March 2020 to September 2021.<sup>2</sup> This policy inhibited the in-person cultural life of Chileans for an excessive amount of time and has severely limited both the activities and the income of artists and cultural professionals.

In other countries, existing legislation was used to control the exercise of freedom of expression. In Cuba, the authorities have committed systematic abuses against dozens of independent artists since the onset of the pandemic, including arbitrary arrests and abusive restrictions on movement and communications, such as house arrest and surveillance. Although these tactics have been used for decades,<sup>3</sup> they were now justified as health measures. Many Cuban artists have been targeted under this law and imprisoned after closed-door trials, among them Luis Manuel Otero Alcántara, a performance artist, who was sentenced to five years for charges related to his participation in peaceful demonstrations and an artistic performance; and rapper Maykel “Osorbo” Castillo,<sup>4</sup> winner of two Latin Grammys, who was sentenced to nine years for attending protests and for criticizing President Miguel Díaz-Canel.<sup>5</sup>

In addition to exacerbating existing repressive practices, the imposed isolation of the pandemic, valid or not, and the laws put in place to enforce it, have radically transformed artists’ lives and ways of working. Social distancing forced those used to interacting in person to reach their audiences virtually. In September 2020, Brazilian transgender artist Renata Carvalho asked, “Which artists will still be artists when the pandemic is over?”<sup>6</sup> ARC has verified that some independent artists have suffered unprecedented financial distress, rendering them vulnerable to exploitation, forcing them to find other forms of subsistence, and in many cases compelling them to abandon their artistic work.

As UNESCO noted: “The arrival of COVID was a blow to artists all over the world. The impact on the production, distribution and consumption of cultural goods has influenced the creative economy and has revealed the true value of culture for humanity.”<sup>7</sup> Confinement reinforced a collective perception of art as an indispensable element in our daily lives.

Alejandra Labastida, a Mexican curator and researcher whose projects include a podcast series produced by the Department of Aesthetic Research at the National Autonomous University of Mexico,<sup>8</sup> highlights the link between art and caregiving, both of which are often considered high callings, above such earthly details as monetary compensation. The Inter-American Commission of Women at the Organization of American States (CIM-OAS),<sup>9</sup> the National Human Rights Commission of Mexico (CNDH),<sup>10</sup> and other groups affirm that confinement had an overburdening effect on the care economy—which, for female artists, often meant extra caregiving duties that in turn interfered with their work. In a context of uncertainty and isolation, artistic work has been invoked and consumed as a source of inspiration, hope, and relief for all citizens. However, this recognition has reflected an idea of artistic work as a vocation that does not consider, and even renders invisible, the precarious condition of many artists, their material needs, and their right to be adequately remunerated.

At the same time, the pandemic gave many artists a renewed sense of solidarity, in both physical and virtual spaces. As UNESCO (2020)<sup>11</sup> asserted: “We are witnessing a true renaissance of creation and solidarity participation,” with new networks of cooperation as well as “online concerts, poetry recitals via the Internet and book donations to hospitals and isolation centers, among other initiatives deployed to meet the need for access to artistic creation and ensure the vitality of culture.”

**“Cooperation among artists through online platforms has been, precisely, one of the ways found to reinvent the creation and circulation of artistic production.”**

— UNESCO 2020

Individual artists have also been influential, playing a central role in large-scale protests that proliferated during the pandemic despite social distancing mandates. Artists and activists on ARC’s podcast “¡El Arte no Calla!”<sup>12</sup> have highlighted and analyzed some of these individuals and social movements, in Chile,<sup>13</sup> Colombia,<sup>14</sup> Guatemala, Cuba, and Brazil, among other countries.



“Art is always collective, even if it is produced individually, because it always connects and communicates.”

— Guatemalan participant and artist

The justice system's retaliation against these social movements for simply exercising their rights has generally not succeeded in stopping their demands for change, which have sometimes triggered structural reforms in government policy. Such is the case of Chile and Colombia, whose societies have expressed their will through the ballot.

The number of artists and activists in exile has multiplied throughout the region. This voluntary or forced exodus has been more widespread in places where censorship and the repression of artistic freedom have become standard government practices. Recent deportations of artists from Nicaragua<sup>15</sup> are emblematic, adding to the more than 100,000 people, including dozens of journalists and communicators, who have fled the country since the beginning of the crisis in 2018.<sup>16</sup> In Cuba, artists are staging a “silent exodus,” with many prominent artists and dissidents quietly leaving the island in the face of increasing persecution and harassment as a result of their activism, such as the events of November 27, 2020, when several members of the so-called 27N movement approached the Cuban Ministry of Culture for dialogue but were attacked instead. The Cuban state then harassed, surveilled, and detained them, after which many emigrated.<sup>17</sup> The increasing forced migration of artists demonstrates the need to expand and reinforce support networks and, above all, internal relocation procedures in Latin America.

According to CADAL and Freemuse, between 2019 and 2021 there were 85 recorded attacks on freedom of artistic expression in Latin America, impacting 143 works of art.<sup>18</sup> There were also 25 cases of digital censorship, impacting 29 censored works or artists. These numbers are concerning and point to the need to organize more events like this regional workshop, which sought to quantify, characterize, analyze, and fight such repression and efforts to dismantle artistic freedom in the region, in a discussion that was rooted in the experiences of key actors from the region. The workshop also invited participants to formulate concrete responses and facilitate processes of exchange and cooperation at the local, regional, and international levels.

## NOTES

<sup>1</sup> These “foreign agents” must declare their monthly income and expenses and give prior notice of the expenditure of foreign funds. The law also allows the government to sanction those who fail to register. The law targets, among others, advisers, public relations officers, advertising professionals, information service employers, and political consultants. “Nicaragua Passes Controversial ‘Foreign Agent’ Law,” DW, October 16, 2020, <https://www.dw.com/en/nicaragua-passes-controversial-foreign-agent-law/a-55291712>

<sup>2</sup> “Finaliza toque de queda en Chile tras un año y medio,” DW, Oct. 1, 2021, [dw.com/es/finaliza-toque-de-queda-en-chile-tras-un-a%C3%B1o-y-medio/a-59372571](https://www.dw.com/es/finaliza-toque-de-queda-en-chile-tras-un-a%C3%B1o-y-medio/a-59372571)

<sup>3</sup> Cuba Must Free Imprisoned Artists, Amnesty International, May 26, 2022, [amnesty.org/es/latest/news/2022/05/cuba-release-imprisoned-artists/#:~:text=The%20Cuban%20government%20should%20immediately,Human%20Rights%20Watch%20said%20today](https://www.amnesty.org/es/latest/news/2022/05/cuba-release-imprisoned-artists/#:~:text=The%20Cuban%20government%20should%20immediately,Human%20Rights%20Watch%20said%20today)

<sup>4</sup> United Nations Finds That Maykel Osorbo, Winner of Two Latin Grammy Awards, Has Been Imprisoned Solely for His Pro-Democracy Activism and Demands His Release, PEN International, February 2, 2022, <https://pen-international.org/news/united-nations-finds-that-maykel-osorbo-winner-of-two-latin-grammy-awards-has-been-imprisoned-solely-for-his-pro-democracy-activism-and-demands-his-release>

<sup>5</sup> Joint Statement Condemning the Cuban Government's Systemic Harassment of Writers, Artists, and Journalists, PEN America, July 23, 2021, <https://pen.org/joint-statement-cuba-systemic-harassment-writers-artists-journalists/>

<sup>6</sup> Alessandro Zagato, “Transgender Art and Censorship in Brazil, with Renata Carvalho,” Artists at Risk Connection, July 16, 2020, <https://artistsatriskconnection.org/story/el-arte-no-calla-episode-5-transgender-art-and-censorship-in-brazil-with-renata-carvalho>

<sup>7</sup> “In the Face of COVID 19 Crisis, Artists Reinvent the Future of Culture,” UNESCO, March 9, 2020, <https://es.unesco.org/news/crisis-covid-19-artistas-reinventan-futuro-cultura>

<sup>8</sup> Helena Chávez Mac Gregor, Helena, Luisa Fuentes Guaza, Alejandra Labastida, Riánsares Lozano, Daniela Ortiz, and Lorena Wolffer, “Cuidado y Distanciamiento,” UNAM, September 2, 2020, [esteticas.unam.mx/podcast-cuidado-y-distanciamiento](https://www.esteticas.unam.mx/podcast-cuidado-y-distanciamiento)

<sup>9</sup> “COVID-19 en la vida de las mujeres,” Organization of American States, May 1, 2020, [oas.org/es/cim/docs/ArgumentarioCOVID19-ES.pdf](https://www.oas.org/es/cim/docs/ArgumentarioCOVID19-ES.pdf)

<sup>10</sup> “Mujeres en el Contexto del COVID-19,” CNDH, May 25, 2021, [igualdaddegenero.cndh.org.mx/Content/doc/Publicaciones/Estudio\\_Mujeres\\_COVID19.pdf](https://www.igualdaddegenero.cndh.org.mx/Content/doc/Publicaciones/Estudio_Mujeres_COVID19.pdf)

<sup>11</sup> “In the Face of the COVID 19 Crisis, Artists Reinvent the Future of Culture,” UNESCO, March 9, 2020, <https://es.unesco.org/news/crisis-covid-19-artistas-reinventan-futuro-cultura>

<sup>12</sup> “¡El Arte no Calla!” Artists at Risk Connection, accessed June 13, 2022, <https://anchor.fm/artistsatriskconnection>

<sup>13</sup> Fernanda Paúl, “el Chile que recibe el nuevo mandatario y 5 retos que enfrentará en sus primeros meses de gobierno,” BBC, March 11, 2022, [bbc.com/mundo/noticias-america-latina-60464367](https://www.bbc.com/mundo/noticias-america-latina-60464367)

<sup>14</sup> Omar Rincón, “Tras el estallido social: otra democracia es posible en Colombia,” The New York Times, May 31, 2021, [nytimes.com/es/2021/05/31/espanol/opinion/democracia-colombia-estallido-social.html](https://www.nytimes.com/es/2021/05/31/espanol/opinion/democracia-colombia-estallido-social.html)

<sup>15</sup> “Alarm over Reported Deportation of Nicaraguan Musician Leonardo Canales,” PEN America, April 21, 2022, [pen.org/press-release/alarm-over-reported-deportation-of-nicaraguan-musician-leonardo-canales/](https://www.pen.org/press-release/alarm-over-reported-deportation-of-nicaraguan-musician-leonardo-canales/)

<sup>16</sup> “Nicaragua: Silencio a cualquier costo. Tácticas del estado para profundizar la represión en Nicaragua,” Amnesty International, February 15, 2021, [amnesty.org/es/documents/amr43/3398/2021/es](https://www.amnesty.org/es/documents/amr43/3398/2021/es)

<sup>17</sup> “Cuba: The Harassment of the San Isidro Movement Illustrates the Constant Aggression Against Freedom of Expression,” Amnesty International, November 20, 2020, [amnesty.org/es/latest/news/2020/11/cuba-harassment-exemplifies-ongoing-assault-freedom-expression-2](https://www.amnesty.org/es/latest/news/2020/11/cuba-harassment-exemplifies-ongoing-assault-freedom-expression-2)

<sup>18</sup> “Taller de formación en línea sobre libertad artística #WPF2022,” UNESCO, May 2, 2022, [events.unesco.org/event?id=3623475013](https://www.unesco.org/event?id=3623475013)



# METHODOLOGY



# METHODOLOGY

## Organizing the Workshop

Drawing on the experience and findings of our previous regional workshop, which was organized in October 2018, in coordination with the Center for Legal and Social Studies (CELS) in Buenos Aires, and brought together artists and activists from Argentina and the region to engage in a discussion about the challenges facing artistic freedom in Latin America, we knew that we wanted this second installment to be highly interactive, to possess a strong regional profile, and to provide a safe and inspiring space where participants and facilitators from various countries could exchange ideas. The initial plan was to hold the workshop in person in Mexico City, but a new wave of COVID-19 (the Omicron variant), along with restrictions on international travel, forced us to hold it online.

Prior to the workshop, each participant filled out a form with approximately 30 questions about their experience in art and human rights, their perspectives on freedom of expression in their country of residence, and any attacks or threats they had suffered due to their activity. The responses were instrumental in refining the design, structure, and content of the five subjects at the core of the workshop discussions:

- Artists and caregivers in times of remote work and social distancing
- More lyrical, less epic: Art in Latin American protest movements
- State and non-state agents of repression: Differences, patterns, and strategies to deal with them
- Strategies to protect the safety of artists and activists
- Optimizing alliances and regional cooperation between artists and human rights professionals.

## Participants and Facilitators

The event involved 31 people—20 attendees, 5 facilitators, and 6 organizers—from 10 countries in Latin America and the Caribbean: Mexico, Cuba, Dominican Republic, Guatemala, Honduras, El Salvador, Costa Rica, Colombia, Venezuela, and Chile. The participants were visual artists, musicians, writers, curators, cultural managers,

actors, performers, activists, journalists, human rights defenders, representatives of human rights organizations, lawyers, and digital security experts.

Each session was guided and supervised by a facilitator, who fostered debate through a short presentation and a loosely structured dynamic. There were also moments of interaction, during which participants could share information about their activities and projects, generating dialogue and proposals for future collaboration.

## Security and Confidentiality

To guarantee a safe and frank exchange, respectful of the privacy of each attendee, the workshop was closed to the public and each participant received a personal invitation. There was no call for papers. One of the key ground rules was the requirement to maintain confidentiality. We requested that all members refrain from sharing any information about the workshop in the public domain and to observe the Chatham House rule, which establishes that everyone is free to use the information shared but can reveal neither the identity nor affiliation of the participants. The same rule also applies to this report, in which we refrain from sharing names of individuals, organizations, or any traits that could reveal the identity of the people involved, who signed a commitment to comply with these and other terms and obligations.



ARTISTS AND  
CAREGIVING IN TIMES OF  
REMOTE WORK AND  
SOCIAL DISTANCING



# ARTISTS AND CAREGIVING IN TIMES OF REMOTE WORK AND SOCIAL DISTANCING

In the wake of the pandemic, much of ARC's defense of artistic freedom has focused on the precariousness of the labor market, the move to online work, and the consequences of these shifts for artists' mental and financial health. Those most vulnerable, according to the Mexican curator and researcher who facilitated this area of discussion, are the "bodies that take care of other bodies." There are striking parallels between what is asked of mothers and of artists, who, during the lockdown, had to provide relief to citizens in isolation. Both caregivers and artists are victims of a narrative that frames their jobs as being done out of love and vocation—leading to exploitation and sometimes to self-imposed overwork, which happens when an ingrained sense of duty gets out of hand. At the beginning of the pandemic, artists were frequently asked to donate their work to make lockdown more livable.

When artists become victims of repression, their identity as mothers and caregivers can aggravate their situation. For example, Peruvian artist Daniela Ortiz<sup>19</sup> was attacked in a social media campaign and had to leave Spain, where she was working. Her vulnerability was magnified by her identity, which combined being an artist, activist, woman, Latin American, migrant, and single mother. Ortiz's case resonates with many Latin American women artists, whose struggle for gender equality and justice has been represented in the artistic production of dissident collectives such as LASTESIS.<sup>20</sup> The work of such groups and individuals has inspired many additional women to pursue organized action at local and regional levels.

**"One of the things that moves me the most is to see women empowering themselves and creating networks."**

— Salvadoran performing artist

The consequences of the pandemic fell unequally, in both degree and kind, on artists depending on their professional, family, emotional, community, and political circumstances. We endeavored to identify those who had suffered the most—whether due to setbacks involving violence, mental health, workload, economic situation, mobility, personal safety, or other problems. To visualize and discuss this issue, we asked participants to represent the scale of their life alterations as a diagram, a constellation, or whatever worked best for them, and each attendee was invited to share their own experience.

A Venezuelan visual artist and documentary filmmaker drew a pyramid, placing the artist at both the bottom and the top. In this way, she illustrated the contradiction of being at once the most critical element of the art system, without whose work the system would not exist, and its most precarious agent, the one who generally enjoys the fewest rights and the least economic stability. One participant noted that this perspective parallels the patriarchal system, in which caregiving plays a central role in reproduction yet ranks low in economic and social power.

A Honduran human rights defender said that her heavier workload during lockdown, both at work and at home, where she cared for her daughter, led to depression that required psychiatric care. She appreciated the workshop's focus on care, self-care, and mental health because it allowed her to share her pandemic experience and to show how artists and human rights workers carry the burden of mental health problems caused by external conditions, often in silence.

**"Although confinement prevented me from working because I could not go out to film, it protected me from threats and harassment after the release of my whistleblower documentary. I also noted how my own community insistently pressured me to donate this documentary and make it publicly available for free."**

— Peruvian workshop participant and documentary filmmaker

A Cuban filmmaker spoke about their dilemmas working in Cuban cinema: The pandemic opened up the possibility of distributing their work through digital platforms, which led to a debate about the tension between finding distribution channels that allow artists to circulate their artistic work and avoiding devaluing themselves by doing it for free.

## Defending Artistic and Reproductive Work to Maintain the Social Fabric

Both their work and their personal experiences make artists and human rights defenders sensitive to the deep structural problems of violence and repression against creators, journalists, and human rights defenders in Latin America. Even so, it is critical to analyze the causes of the varying degrees of vulnerability in different countries—specific policies imposed during the pandemic, police or military enforcement of those policies, and other factors. The murders of journalists in Mexico<sup>21</sup> and the persecution of artists in Cuba<sup>22</sup> were two of the gravest threats raised by workshop participants. The discussion also emphasized the disparate gender impact of Covid-19, such as higher rates of femicide and domestic violence and the gender gap in the loss of jobs.

During the opening session, Pedro Vaca, Special Rapporteur for freedom of expression at the Inter-American Commission on Human Rights (IACHR), addressed the topic of “specially protected speech,” a term developed under the International Human Rights Law to refer to speech that contains matters of public interest and relates to vulnerable groups.<sup>23</sup> Based on this concept, participants suggested that caregiving should be recognized as a fundamental activity that is “specially protected.” To achieve this status, they agreed that a crucial first step would be to name and give visibility to this historically denied layer of vulnerability. They also agreed on the need to acknowledge that caring for those who care, as well as for artists, starts with self-care.

A successful and concrete strategy for defending artists’ labor rights is demonstrated by WAGE (Working Artists and the Greater Economy),<sup>24</sup> a New York-based organization born in 2008 and focused on regulating artists’ fees and forming sustainable working relationships between artists and institutions through fair contractual terms. In the words of the art workers represented by WAGE, such projects raise the urgency of recognizing ourselves as workers and develop a context of labor autonomy that allows us to evaluate the conditions to establish a labor relationship and to reject a job when it does not comply with the minimum labor conditions. In other words, it allows us to do away with the Stockholm syndrome behind the idea of creating “art for art’s sake.”

The pandemic exposed the actual value that governments in the region placed on culture, freedom of expression, and human rights: In the division of essential and nonessential activities, those sectors were left behind, and the participants reported severe budget cuts.<sup>25</sup> In most countries, shopping malls opened before cultural centers, theaters, and museums. It is necessary to develop creative strategies to denounce this hierarchy. A good example was set by concert halls and galleries in the Netherlands,<sup>26</sup> which became hybrid beauty salons in order to open their doors to the public, since salons had permits to operate while concert halls and galleries did not.

## NOTES

<sup>19</sup> Xavier Mas de Xaxàs, “La artista Daniela Ortiz sale de España por una campaña de amenazas en las redes sociales,” *La Vanguardia*, August 2, 2020, [lavanguardia.com/cultura/20200802/482579201722/daniela-ortiz-macba-centro-nacional-de-arte-la-irreina.html](https://lavanguardia.com/cultura/20200802/482579201722/daniela-ortiz-macba-centro-nacional-de-arte-la-irreina.html)

<sup>20</sup> ARC interviewed the members of this collective in episode 4 of the podcast “¡El Arte no Calla!” Alessandro Zagato, “¡Hablan LASTESIS! Arte feminista, ataques judiciales y censura en el confinamiento,” *Artists at Risk Connection*, July 22, 2020, [artistsatriskconnection.org/story/el-arte-no-calla-episode-4-of-our-new-podcast-in-spanish](https://artistsatriskconnection.org/story/el-arte-no-calla-episode-4-of-our-new-podcast-in-spanish)

<sup>21</sup> Mexico is one of the most dangerous countries to be a journalist. Here is a record of the murders and disappearances of those who practice this profession in the country since 2006: “Casos que acompañamos,” *Propuesta Cívica*, accessed June 13, 2022, [propuestacivica.org.mx/mapa-de-casos?gclid=CjwKCAjw6dmSBhBkEiwA\\_W-EoLlTB9QZPhOqu\\_rrNbpBi16zfJ2I25BEZ\\_dleyyc\\_yKg\\_mFIOXIPBoCJdQQAvD\\_BwE](https://propuestacivica.org.mx/mapa-de-casos?gclid=CjwKCAjw6dmSBhBkEiwA_W-EoLlTB9QZPhOqu_rrNbpBi16zfJ2I25BEZ_dleyyc_yKg_mFIOXIPBoCJdQQAvD_BwE)

<sup>22</sup> For example, in Cuba, artists Luis Manuel Otero and Maykel Castillo were sentenced to five and nine years in prison, respectively, simply for exercising their freedom of expression. “Cuba Will Ask for Between 7 and 10 Years in Prison for Opposition Artists Luis Manuel Otero and Maykel Castillo,” *El País*, April 7, 2022, [elpais.com/internacional/2022-04-07/cuba-pedira-entre-siete-y-10-anos-de-carcel-para-los-artistas-opositores-luis-manuel-otero-y-maykel-castillo.html](https://elpais.com/internacional/2022-04-07/cuba-pedira-entre-siete-y-10-anos-de-carcel-para-los-artistas-opositores-luis-manuel-otero-y-maykel-castillo.html)

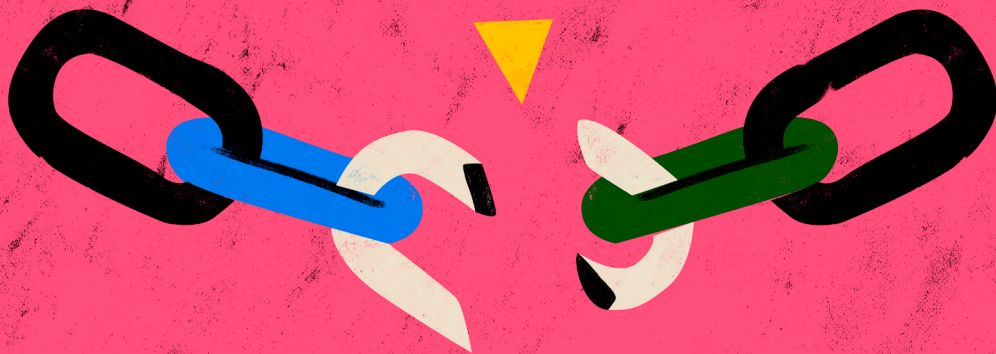
<sup>23</sup> This term, as well as the human rights situation in Cuba, was analyzed in the RELE report: “Libertad de expresión en Cuba,” OAS, 2019, [oas.org/es/cidh/expresion/docs/informes/Cuba-es.pdf](https://oas.org/es/cidh/expresion/docs/informes/Cuba-es.pdf)

<sup>24</sup> “Working Artists and the Greater Economy,” WAGE, accessed June 13, 2022, [wageforwork.com/home#top](https://wageforwork.com/home#top)

<sup>25</sup> Mónica Vázquez Ruiz, “México: el sector cultural lucha por sobrevivir a la pandemia” *DW*, February 5, 2021, [dw.com/es/m%C3%A9xico-el-sector-cultural-lucha-por-sobrevivir-a-la-pandemia/a-56474794](https://dw.com/es/m%C3%A9xico-el-sector-cultural-lucha-por-sobrevivir-a-la-pandemia/a-56474794)

<sup>26</sup> Anthony Deutsch and Benjamín Mejías Valencia, “Museos y salas de conciertos neerlandeses abren en protesta contra restricciones covid,” *La República*, January 20, 2022, [larepublica.co/globoeconomia/museos-y-salas-de-conciertos-neerlandeses-abren-en-protesta-contra-restricciones-covid-3289470](https://larepublica.co/globoeconomia/museos-y-salas-de-conciertos-neerlandeses-abren-en-protesta-contra-restricciones-covid-3289470)





MORE LYRICAL,  
LESS EPIC:  
ART AND  
EMANCIPATION  
MOVEMENTS

# MORE LYRICAL, LESS EPIC: ART AND EMANCIPATION MOVEMENTS

Although communities throughout the region may find themselves in circumstances of greater and lesser repression at various times, all of them set in place strategies of survival, resistance, and emancipation. “More lyrical, less epic” is a way of highlighting how governments frequently exploit grand narratives and epics, such as national symbologies and official political ideologies, to violate human rights. The idea of “lyrical,” in this sense, represents cultural and artistic initiatives that escape and resist oppressive structural narratives, often telling more intimate and personal stories. Thus, “more lyrical, less epic” refers to the ways in which these cultural and artistic initiatives are advocating for more “lyrical” narratives that challenge the “epic” narratives put forth by the regimes as a means of solidifying their power and justifying their abuse of human rights.<sup>27</sup> The contradiction between lyrical and epic is also a way of highlighting the challenges, stumbles, failures, and dilemmas faced by artists and activists in heterogeneous social and political contexts.

According to the workshop participants, the concrete, on-the-ground experience of how certain narratives are pushed forth and abused must guide our action as artists and as defenders of artistic freedom in the region. Artists and HRDs must reflect on the diverse nature of dilemmas and challenges impacting artistic expression in the region and should strive to resist any generalization of these different struggles into a singular experience or concept.

Being both an activist and an artist leads to double exposure and results in an increase in visibility and vulnerability, especially where governments systematically violate freedom of expression and other human rights. While visibility can be beneficial in more democratic environments where artists’ security is protected, it can put their lives at risk in more authoritarian regimes. This repression, along with routine political exploitation of artists and the forced commercialization of art, can quash the desire to identify and work as artists and activists. In addition, workshop participants highlighted the role that “mainstream” museums, galleries, agents and

artists can play in protecting freedom of artistic expression, as well as committing themselves against the mercantilism of a type of art that has no social commitment and that shapes many cultural institutions.

Some useful concepts, as defined and discussed by participants during the workshop:

- **Polarization and Stigmatization**

Workshop participants observed that political and social polarization in the region lead to the stigmatization of certain artists.

“Sometimes polarization wins us over. The ideological agenda becomes more important than the bond among us, and we do not demand anything from the state... There is a violent opposition that exploits people. As an artist, I have felt silenced. It is better to remain quiet, but that is terrible because it means that we lose our freedom of expression.”

— Venezuelan multidisciplinary artist

When artwork challenges a particular theme or advocates for a certain issue area, the art and the creator inherently assume a particular position. For example, an artist that makes an artwork about queer rights is, at the same time, challenging religious and social beliefs and norms. In challenging these established concepts and beliefs, the artist may face discrimination as a result and could ultimately be marginalized from society.

- **Double Exposure, Double Risk, Double Workload**

Where human rights are violated in authoritarian contexts, those who are both artists and activists are doubly exposed. Their high visibility in their communities intensifies both the risk that these individuals will be identified and repressed and the pressures that may be exerted upon their practice as artists, activists, or both (for those who see their art and activism as a single, inseparable activity). Some of them find that their workload has doubled, or even tripled, especially if they need to take a third job to provide for themselves. All of this reduces the time, energy, and capacity of these artist-activists to assimilate and represent their experiences through their artwork, mobilizations, demonstrations, or other activities.



“Being an activist is exhausting because you are always looking for ways to demonstrate while trying to avoid risks. One makes sacrifices and pays a high price in life and human relations. No possible solution is in sight. We are exploring the interactions between activism and art as we try to make ends meet day after day.”

— Venezuelan artist and activist

### • Helplessness

Loneliness, fear, and exhaustion can plague artists and activists, especially when they face threats, harassment, and arbitrary detention for exercising their human rights. Many attendees struggled with not having a consistent support network. Some artists and activists build networks outside the institutional arena. Whatever the situation, support networks that enlist the help of trusted people are invaluable tools for protection in times of crisis. Having access to such a network reduces feelings of isolation and aids mental and physical well-being.

Many artist-activists spend a great deal of time building their own networks to make their work sustainable. This is a key feature of their work. They develop projects of all kinds and work intensively to generate a community. However, such endeavors can lead to fatigue, exhaustion, and exposure to oppressive systems. A visual artist from Venezuela expressed her sense of frustration and helplessness: “During the pandemic, activism slowed down, and the state took advantage of lockdown to avoid having to listen to us. This somehow forced artistic activism to step up. However, since it is not considered ‘traditional art’ and did not produce as much as expected, it was contested. Nothing is enough for them, because I don’t do what the system wants, because I make political art and the galleries don’t like that. If you do something they like, they turn you into an industry, and they want you to produce sellable objects. I resist producing what the market demands of me, even if it would enable me to subsist.”

## NOTES

<sup>27</sup> The authors would like to acknowledge that “More lyrical, less epic” is a phrase born out of the philosophies and vocabulary of Latin American artists, and does not translate perfectly to English. We have chosen to maintain a translation that is as close as possible to the original Spanish version while doing our best to explain this concept for English speakers.



STATE AND  
NON-STATE AGENTS  
OF REPRESSION:  
DIFFERENCES,  
PATTERNS, AND  
STRATEGIES FOR  
DEALING WITH THEM



# STATE AND NON-STATE AGENTS OF REPRESSION: DIFFERENCES, PATTERNS, AND STRATEGIES FOR DEALING WITH THEM

In Latin America and the Caribbean, serious threats to artists and artistic freedom come not only from states but also from non-state forces like conservative groups, fundamentalist religious sects, organized crime, and members of the same communities as those threatened. State and non-state repressive tactics may converge or differ substantially, depending on the context. Human rights defenders must identify the origin of these threats in order to assess the situation and adopt appropriate measures. State agents such as governments, the police, the military, political parties, and political officials tend to pose the most dangerous threats to artists in Latin America. Amid the social unrest of recent years, governments and security companies have in some cases taken advantage of protests to enrich themselves, or to exchange favors, at the expense of dozens of victims. Police forces are now acquiring less lethal weapons, but in some cases they do not know how to handle them and violate laws and regulations.<sup>28</sup>

Corporate and commercial entities can also become threats, especially if they have links to governments or have interests or agendas that conflict with those of artists and activists. There is evidence, for example, that mining companies in Latin America are linked to opponents of the appropriation of soils and subsoils for mining and agro-industry, through shock groups, organized crime, or the state apparatus itself.<sup>29</sup> Some extractive companies operate violently and with impunity in the face of any kind of resistance. (For more on this issue, see ARC's interview with the Guatemalan art collective *Festivales Solidarios* on the "¡El Arte no Calla!" podcast.<sup>30</sup>)

Some governments have enacted laws specifically conceived to limit freedom of expression, such as Nicaragua's Special Law on Cybercrimes, passed in October 2020.<sup>31</sup> Under the pretext of preventing the spread of "fake news," this law establishes a legal framework that can be used to criminally punish those who express opinions that, in the eyes of the authorities, "produce alarm, fear or anxiety."<sup>32</sup> That same month, after several weeks of heightened state repression of activists and journalists, the National Assembly passed the so-called Foreign Agents Regulation Law, under which people who work in organizations that receive funds from international entities must register with the Ministry of the Interior as "foreign agents" and submit detailed reports on their activities. Organizations that are not approved are subject to sanctions that may include losing legal status. People who do not register may be fined or criminally punished for carrying out acts that threaten the "sovereign security of the nation."<sup>33</sup> With the implementation of this law, PEN Nicaragua decided to cease its activities.<sup>34</sup> Gioconda Belli, poet, writer, and director of the Nicaragua chapter of PEN International, is currently in exile due to fear of reprisals for her views critical of government policies.<sup>35</sup>

In the past two years, ARC has recorded numerous cases of the censorship, as well as self-censorship, of artists and activists who address certain issues in an authoritarian or repressive context. ARC has reported the arrest and detention of artists for participating in social movements such as 27N and Movimiento San Isidro (MSI) in Cuba,<sup>36</sup> where, in 2020 alone, at least 22 artists were arrested.<sup>37</sup> Musicians who simply made a reference to the protests of April 2018 in Nicaragua suffered the same fate, according to media reports.<sup>38</sup> Several artists who participated in the workshop denounced Cuba's and Venezuela's widespread use of house arrest as a form of punishment and isolation that effectively renders these artists and intellectuals invisible and undermines the life and integrity of artists and their families, to such a point that some choose to render themselves invisible, as a form of self-protection.

**"We know we don't have the strength to confront power. It is safer to go unnoticed than to confront the ruler."**

— Venezuelan visual artist

A Honduran journalist, human rights defender, and workshop participant was a victim of smear campaigns, orchestrated through fake profiles on social networks. She said that when women are attacked, the discrediting usually involves macho and violent language. She also observed that to incriminate artists and activists, crimes are simply made up. These "false positives" might take the form of, for example, planting illegal drugs in their vehicles or making baseless accusations of financial violations. Forced displacement, which forces a person or a group to move, within or outside a given country, is another common repression tactic in Central America. Previously

used against organized crime, it is now used to oppress individuals or groups of activists and human rights defenders.

A Salvadoran community artist said that in Central America, governments can attack dissident activists and artists by expelling them from their workplace or through cooptation—offering desirable benefits, like government positions, to stop their activities.

In authoritarian contexts, governments often decide who is and is not an artist. “You have to wait for a group of civil servants to decide whether you are an artist or not,” a Cuban visual artist explained at the workshop. “If you dissent, you are not worthy of being considered an artist and you will suffer discrimination. From that moment on, you are questioned.” The most recent protest movement of artists and activists in Cuba was catalyzed, in part, by their rejection of this power, granted to the government by Decree 349<sup>39</sup>—just one example of the control and censorship mechanisms that Cuban authorities have sustained for decades. Decree 349 also allows the government to determine what constitutes art. There is “co-opted art that minimizes the existence of contemporary art,” the Cuban visual artist said. “Even the race or ethnicity of the artist can be a reason for discrimination—even more so if you are an activist. There is no space of life in Cuba where security doesn’t intrude.”<sup>40</sup>

Many artists and human rights defenders pointed out that the rule of law and the institutions that preserve it have deteriorated across the region, hindering access to justice. Governments have contributed to this deterioration so that they can apply their authoritarian policies, and they arrest activists who use art to dissent. A Mexican filmmaker at the workshop observed that a pattern of impunity fosters further abuse and repression: “In the absence of punishment, the perpetrators feel that they have a free hand.” A few years ago, United Nations High Commissioner for Human Rights Zeid Ra’ad Al Hussein denounced Mexico’s 98 percent impunity rate — meaning that most crimes go unpunished and most perpetrators of violent crimes never face prosecution for their actions — and pointed out that “most crimes are not even investigated.”<sup>41</sup> Although not exclusively related to cases involving the exercise of freedom of expression, impunity is an example of an indirect repressive strategy wielded by state actors who refrain from prosecuting real crimes and by non-state actors who perpetrate violence. In this climate of fear, creators and communicators frequently censor themselves.

A Guatemalan multidisciplinary artist mentioned poverty as a determining factor in keeping the population “silent” and without access to art and culture. In such a context, community art projects like the Solidarity Festivals project,<sup>42</sup> which independently brings art and culture to Guatemala’s rural areas and working-class urban neighborhoods, stand out and serve as crucial lifelines.

## NOTES

- <sup>28</sup> Maria Theresa Ronderos, “El Negocio de la Represión en América Latina,” *El País*, June 7, 2022, [elpais.com/mexico/2022-06-07/el-negocio-de-la-represion-en-america-latina.html](https://elpais.com/mexico/2022-06-07/el-negocio-de-la-represion-en-america-latina.html)
- <sup>29</sup> Alessandro Zagato, “State and Warfare in Mexico. The Case of Ayotzinapa,” *Social Analysis*, March 1, 2018, [berghahnjournals.com/view/journals/social-analysis/62/1/sa620105.xml](https://berghahnjournals.com/view/journals/social-analysis/62/1/sa620105.xml)
- <sup>30</sup> Alessandro Zagato, “Repression and the Liberating Power of Art in Guatemala,” Artists at Risk Connection, November 19, 2020, [artistsatriskconnection.org/story/el-arte-no-calla-episode-6-repression-and-emancipatory-art-in-guatemala](https://artistsatriskconnection.org/story/el-arte-no-calla-episode-6-repression-and-emancipatory-art-in-guatemala)
- <sup>31</sup> “Congreso de Nicaragua aprueba controvertida ley sobre cibercriminos,” DW, October 28, 2020, [dw.com/es/congreso-de-nicaragua-aprueba-controvertida-ley-sobre-cibercriminos/a-55416870](https://www.dw.com/es/congreso-de-nicaragua-aprueba-controvertida-ley-sobre-cibercriminos/a-55416870)
- <sup>32</sup> “Nicaragua: El gobierno de Ortega pareciera preparar una nueva fase de represión,” Amnesty International, February 15, 2021, [amnesty.org/es/documents/amr43/3398/2021/es/](https://www.amnesty.org/es/documents/amr43/3398/2021/es/)
- <sup>33</sup> Ibid.
- <sup>34</sup> “PEN Nicaragua cierra por polémica ley promovida por Ortega,” DW, February 5, 2021, [dw.com/es/pen-nicaragua-cierra-por-pol%C3%A9mica-ley-promovida-por-ortega/a-56462279](https://www.dw.com/es/pen-nicaragua-cierra-por-pol%C3%A9mica-ley-promovida-por-ortega/a-56462279)
- <sup>35</sup> Armando G. Tejada, “En su segundo exilio, Gioconda Belli quiere ser la voz de los que no pueden expresarse,” *La Jornada*, March 22, 2022, [lajornada.com.mx/2022/03/22/cultura/a04n1cul](https://www.lajornada.com.mx/2022/03/22/cultura/a04n1cul)
- <sup>36</sup> Celia González, “27N, la rebelión contra la censura oficial en Cuba,” *Confabulario*, February 20, 2021, [confabulario.eluniversal.com.mx/27n-rebelion-censura-cuba/](https://confabulario.eluniversal.com.mx/27n-rebelion-censura-cuba/)
- <sup>37</sup> “State of Artistic Freedom 2021,” *Freemuse*, February 25, 2021, [freemuse.org/media/ck5fvaze/the-state-of-artistic-freedom-2021.pdf](https://freemuse.org/media/ck5fvaze/the-state-of-artistic-freedom-2021.pdf)
- <sup>38</sup> “Alarm over Reported Deportation of Nicaraguan Musician Leonardo Canales,” PEN America, April 21, 2021, [pen.org/press-release/alarm-over-reported-deportation-of-nicaraguan-musician-leonardo-canales/](https://pen.org/press-release/alarm-over-reported-deportation-of-nicaraguan-musician-leonardo-canales/)
- <sup>39</sup> “Art under Pressure: Decree 349 Restricts Creative Freedom in Cuba,” Artists at Risk Connection, March 4, 2019, [artistsatriskconnection.org/story/art-under-pressure-decree-349-restricts-creative-freedom-in-cuba](https://artistsatriskconnection.org/story/art-under-pressure-decree-349-restricts-creative-freedom-in-cuba)
- <sup>40</sup> “Cuba: El Decreto 349 de la nueva administración augura un mundo artístico distópico en Cuba,” Amnesty International, August 24, 2018, [amnesty.org/es/latest/news/2018/08/cuba-new-administrations-decree-349-is-a-dystopian-prospect-for-cubas-artists/](https://www.amnesty.org/es/latest/news/2018/08/cuba-new-administrations-decree-349-is-a-dystopian-prospect-for-cubas-artists/)
- <sup>41</sup> “UN: Over 150,000 People Murdered in Mexico Since December 2006,” *teleSUR*, October 8, 2015, [telesurenglish.net/news/UN-Over-150000-People-Murdered-in-Mexico-Since-December-2006-20151008-0009.html](https://www.telesurenglish.net/news/UN-Over-150000-People-Murdered-in-Mexico-Since-December-2006-20151008-0009.html)
- <sup>42</sup> Alessandro Zagato, “Represión y poder liberador del arte en Guatemala,” Artists at Risk Connection, November 19, 2020, [artistsatriskconnection.org/story/el-arte-no-calla-episode-6-repression-and-emancipatory-art-in-guatemala](https://artistsatriskconnection.org/story/el-arte-no-calla-episode-6-repression-and-emancipatory-art-in-guatemala)





STRATEGIES TO  
PROTECT THE  
SAFETY OF ARTISTS  
AND ACTIVISTS

# STRATEGIES TO PROTECT THE SAFETY OF ARTISTS AND ACTIVISTS

Latin American artists and activists need to learn about the tools best suited to combating threats in their particular locales. They should build alliances and get to know both local and international civil society groups that can provide access to and guidance on training, legal and technical support, raising awareness of their cases, risk assessment, and other safety measures, all of which can be vital for the physical and psychological integrity of artists and those around them. It is of paramount importance for artists to know which tools are available to them, preferably before facing a crisis or experiencing harassment tactics such as surveillance, legal action, digital smear campaigns, and doxing.

Because surveillance is common throughout Latin America, the workshop participants stressed the salience of recognizing and understanding the type of control they may be subject to and of assessing the risks. To cope with surveillance, a Costa Rican human rights defender advised, “you have to establish secure communication with organizations that are able to conduct risk analysis and propose how to best respond.”

In cases of online surveillance, artist-activists should consider seeking help from organizations such as TEDIC and Access Now, which provide technical support.<sup>43</sup> In cases of physical surveillance, workshop attendees discussed strategies like changing the usual places that they go to, alerting human rights organizations to their situation as soon as possible, and making their situation known to the national and international community.

If the risk is acute, they should seek the support of national or international relocation networks such as those recommended in ARC’s “Safety Guide for Artists.”<sup>44</sup> Based on ARC’s experience, some of the most active organizations in the region are Shelter City and the International Cities of Refuge Network (ICORN).

The workshop participants agreed on the importance of seeking assistance from support networks, civil society organizations, human rights defenders, lawyers, and

people close to them to provide psychological, logistical, legal, and other types of help. They also noted the importance of local and international organizations as well as individuals who have previously faced similar threats.

“No one should have to go through this learning process spontaneously, and there should be preparation for that – to know who to call, or to discuss possible solutions. Because we tend to think that it will not happen to us, but we have already seen it happen.”

— Venezuelan workshop participant and multidisciplinary artist

Legal support from human rights organizations or individuals is a widely requested form of assistance. Legal experts can provide and facilitate an understanding of the dangers that artists may be facing and the legal protections they may require before making decisions to confront threatening situations.

A Cuban filmmaker, critic, and curator suggested “preventive habeas corpus”<sup>45</sup> as a way to avoid arrest, threats, surveillance, and other types of harassment. The Cuban filmmaker said that “it was found that with habeas corpus, arbitrary detentions only lasted for a day.” Other participants also emphasized precautionary measures, such as keeping special rapporteurs and international organizations informed of events.<sup>46</sup> Journalists and artists at the workshop said that before covering a story or planning a performance, they alert potential providers of legal support, not only because it reassures them but also because they do not want to face possible risks on their own.

Since these days most surveillance is digital, it is critical for artists to verify and strengthen their digital security.<sup>47</sup> To keep communications secure, participants discussed the necessity of having an additional cell phone and using secure and encrypted messaging applications, such as Signal, WhatsApp, and Telegram, to exchange sensitive information and to safeguard it in case the devices are seized. The use of VPNs is also important to enable access to information in the event of internet outages and to document violations that occur during demonstrations.

A freedom of expression defender from Costa Rica suggested recording and documenting all events and incidents: “I would gather information on all the incidents to which I had not paid attention, especially because this will help expose the situation in the future. It is important to fully expose what is happening.” Habitually documenting incidents helps threatened artists understand and report events and alert others in a timely manner about harassment patterns. This documentation advice applies to arrests and to any harassment or persecution, as it could help others besides the at-risk artist to monitor the process and provide legal protection.



While acknowledging that visibility can in some cases worsen an artist's security, the attendees also discussed the importance of public advocacy in certain contexts — particularly in more democratic countries with better protection mechanisms — in drawing attention to an artist's experience with persecution or censorship. Several noted that while people tend to withdraw, hide, reduce their interactions, and self-censor when they feel threatened, visibility is often inherently protective in dissuading potential or actual threats. The higher the visibility during a situation of surveillance, detention, or harassment, the more likely it is that the danger will decrease, or that the affected person will be released more quickly. For this strategy to be effective, there should be local and international alert channels through individuals, organizations, or allied groups who know how to handle protocols and raise awareness.

A Venezuelan activist noted that members of her collective share safety protocols with one other: “For example, you go out with a different phone, or you delete the information from each phone. You tell them where you are or how you handle the situation. Always be alert, on the spot, to look for possible quick exits. Keep a low profile and be very aware of infiltrators. Be prepared to withdraw immediately in case police appear.”

Advance safety planning, not being on your own, and extra safeguards during demonstrations are key elements in improving one's security, according to workshop participants. One activist said: “In Brazil, there is a support network for medical assistance at protests—how to deal with gas or beatings.” A Venezuelan artist stressed the need for more attention to emotional or psychological problems born of repression: “There are panic attacks, and the strategies are meant to inspire fear. People do not know how to handle that.”

When internet blackouts are used to curtail the participation, communication, and documentation of a protest, as has happened in Cuba,<sup>48</sup> a workshop attendee advised: “it is important to resort to support networks—these groups show what is happening. Also, oral documentation, and recreating events should be considered.”

Art is important for social mobilization, especially in situations where repression and violence make such mobilization hard to organize. A Cuban human rights defender pointed out that, on the island, protesters' demands have often been conveyed through art rather than on the streets. Many people have adopted the song title “Patria y Vida”<sup>49</sup> as a slogan. A Cuban filmmaker said that in Cuba, street protests are “unknown to the new new generations, who do not know how to handle themselves in such situations. Nowadays in Cuba, art protects activism—another level of protection is born.”

**“I want to be creative, find solutions that can change the social realm—that's what is great about art. Art may not change societies, but it definitely helps.”**

— Cuban plastic artist and documentary filmmaker

Workshop participants emphasized the importance of creating opportunities for training, exchanging, and learning in order to empower artists, human rights defenders, organizations, collectives, and other stakeholders to protest both effectively and safely. Equally important is an understanding that risks vary depending on the context. Threats to artists and human rights defenders in the region are very real, and the failure to grasp these threats is, in itself, a weakness.

## NOTES

<sup>43</sup> Organizations such as TEDIC (Paraguay) and Access Now (International) provide technical support in the region, [tedic.org](http://tedic.org), [accessnow.org](http://accessnow.org)

<sup>44</sup> Download the guide on ARC website. “La Guía de Seguridad para Artistas,” Artists at Risk Connection, January 26, 2021, [artistsatriskconnection.org/files/ARC\\_Guia\\_ES.pdf](http://artistsatriskconnection.org/files/ARC_Guia_ES.pdf)

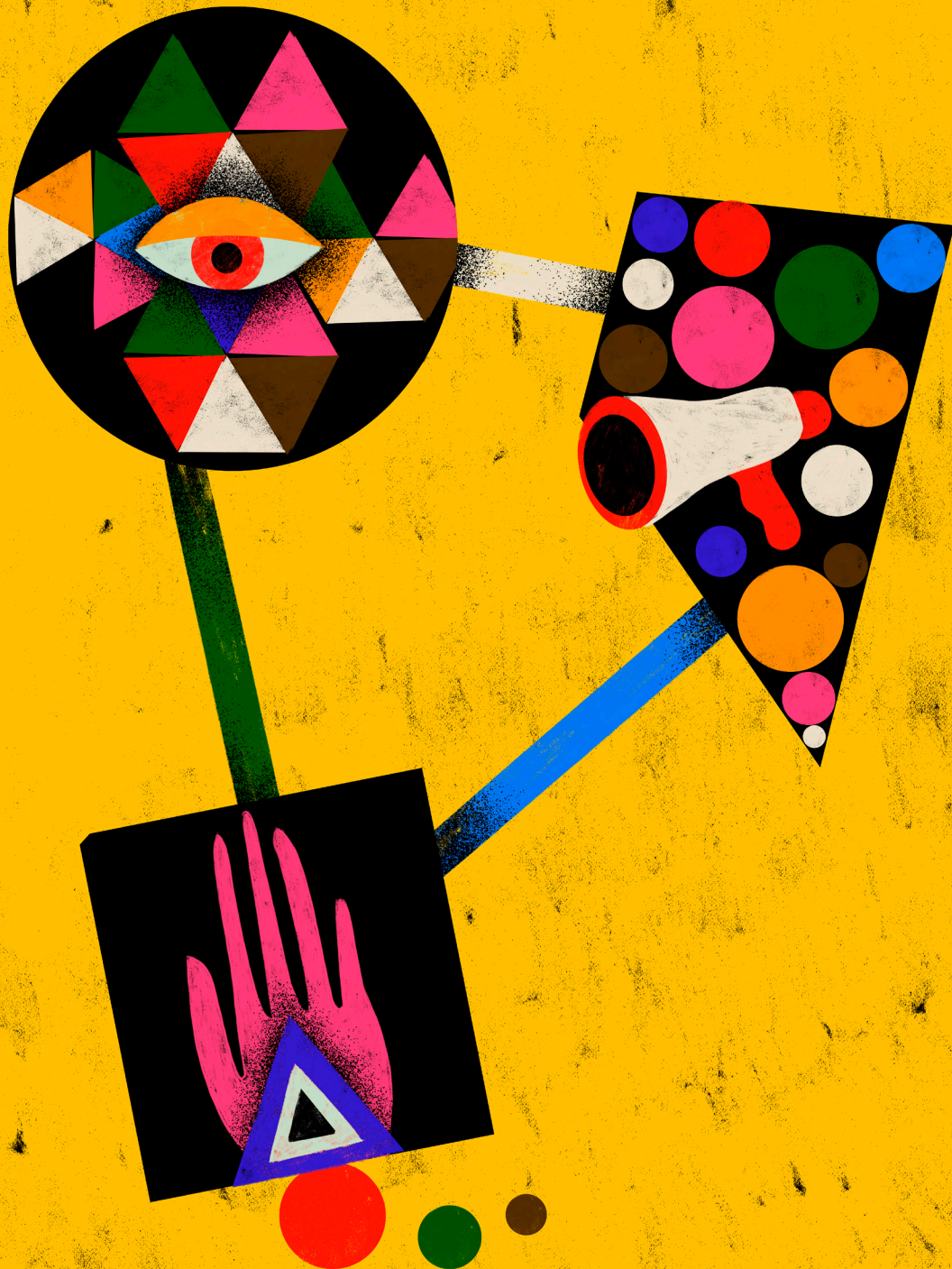
<sup>45</sup> Habeas corpus is a recourse in law through which a person can report an unlawful detention or imprisonment to a court and request that the court order the custodian of the person, usually a prison official, to bring the prisoner to court, to determine whether the detention is lawful. Preventative Habeas Corpus varies in that it preempts the possibility of detention and imprisonment on questionable grounds, and thus can be used as a way to request the court to order that the person be produced safely, before such arrest or detention occurs.

<sup>46</sup> For more information on the Inter-American Commission on Human Rights, go to Sobre las Medidas Cautelares, OAS, [oas.org/es/CIDH/jsForm/?File=/es/cidh/decisiones/sobre-cautelares.asp](http://oas.org/es/CIDH/jsForm/?File=/es/cidh/decisiones/sobre-cautelares.asp)

<sup>47</sup> ARC organizes workshops on general and digital safety for artists and organizations; contact Alessandro Zagato, ARC Latin America Regional Representative, at [azagato@pen.org](mailto:azagato@pen.org).

<sup>48</sup> “Cuba: Las protestas masivas son un grito desesperado a un gobierno que no escucha,” Amnesty International, July 12, 2021, [amnesty.org/es/latest/press-release/2021/07/cuba-protestas-masivas-grito-desesperado-gobierno-no-escucha/](http://amnesty.org/es/latest/press-release/2021/07/cuba-protestas-masivas-grito-desesperado-gobierno-no-escucha/)

<sup>49</sup> Artist Maykel “Osorbo” Castillo, one of the authors of this song, is in jail. He has been arrested several times because of his activism. See “Cuba: Amnistía Internacional nombra a personas presas de conciencia en el contexto de represión de protestas,” Amnesty International, August 19, 2021, [amnesty.org/es/latest/news/2021/08/cuba-amnesty-international-names-prisoners-of-conscience](http://amnesty.org/es/latest/news/2021/08/cuba-amnesty-international-names-prisoners-of-conscience)



ART, ACTIVISM, AND  
HUMAN RIGHTS:  
OPTIMIZING  
ALLIANCES AND  
COLLABORATIONS



# ART, ACTIVISM, AND HUMAN RIGHTS: OPTIMIZING ALLIANCES AND COLLABORATIONS

After extensive conversations, workshop participants affirmed that with growing crises and oppression in Latin America and the Caribbean, alliances and collaborations between and within the art and human rights sectors have become a necessity. The challenge will be to get them right. Human rights organizations, artists, and activists operate in constantly shifting contexts, forcing them to continually innovate and seek new ways to mobilize resources, strategies, and networks. This adaptability will help them create effective, ambitious structures, and enhance existing ones, to help artists overcome persecution, improve their societies, and thrive in their creative work.

In the past two years, the biggest challenge for the art and human rights communities has been facing the changes imposed by the COVID-19 pandemic. For individual artists, this has meant continuing their own creative activity and maintaining public visibility despite the limits and restrictions driven by both the virus itself and the state.

**“One thing that is striking is that when you are no longer visible, there is no more support.”**

— *Guatemalan multidisciplinary artist*

Other challenges date back further. Human rights organizations have a long history of collaborating and networking at various scales, though these efforts do not always help them achieve their goals, increase their social impact, or become more efficient in their work defending artistic freedom. Workshop attendees stressed the need to analyze, assess, and improve these cooperative strategies to ensure the greatest

possible benefit to their intended targets: artists and human rights defenders, especially those at most risk.

With raging regional and geopolitical conflict, global interdependence becomes an ambivalent force; it can both strengthen collaborative processes and make them more vulnerable. At the same time, though, in ways that were inconceivable in the past, interdependence can lead the actions of a few to transform cultural life for many. The ability to circulate art widely has an impact—both on artists who find themselves with expanded audiences and on the new audiences inspired by their work. However, in an interconnected environment, activists, artists and human rights defenders may lose their capacity to directly control the outcome of their expression. Likewise, interdependence and interconnectedness forces continual modifications of the ways that artists and activists carry out their work, and such adaptations can be wrenching.

Although the workshop attendees are well aware of the challenges wrought by interdependence, they ultimately agreed that it presents invaluable opportunities. A collaborative process of rethinking traditional mechanisms of action, reviewing the practices of artists and activists, and analyzing the best ways to help—all while accounting for diverse regional, local, and individual perspectives—can make a huge difference in strengthening artistic freedom in Latin America and the world. Organizations that defend freedom of expression must approach changing creative realities with inventive strategies, and the attendees affirmed that a collaborative approach will be best for exploring such strategies in the years to come.

Attendees said that in Latin America, there is a “mismatch” between art and human rights that inhibits the building of international networks: Human rights professionals often do not think of artists as falling under their purview. Sometimes they fail to consider the risks that artists face or to see artists as candidates for assistance. (By contrast, journalists, for example, have historically received more consistent attention and aid from human rights organizations.) The bureaucratic and protocol-based nature of some advocacy organizations also hampers support efforts, resulting in long, confusing processes and delays, especially for those who are unfamiliar with NGO dynamics. These bureaucratic ways are often completely detached from the artistic field that they are intended to support. For their part, artists tend not to perceive a need to interact with the human rights sector until they experience danger—not the ideal moment to brush up on their knowledge of the resources available to help them. For this reason, the attendees found that among the most salient questions to confront are: How can we bridge this gap? And how can we make the most of international partnerships and projects?

ARC has learned from experience that one of the best ways of addressing these questions is by sharing experiences of successful collaborations between artists and defenders, as attendees did throughout this workshop. According to many artists in

Latin America and the Caribbean, it is necessary to seek networks that are not only global but also local—far-flung networks might have greater clout, but those with geographical and cultural proximity can be more accessible. The key, a Colombian activist observed, “is to connect the local with the global.” Sometimes international organizations use intermediaries who live far from where the problems are, the Colombian activist said, “you have to approach network building and collaboration in an intersectional way.” Organizations need to clearly communicate which groups and care networks provide which types of support (political, psychological, racial, gender, etc.) to artists of diverse backgrounds who face diverse predicaments. “We are not all the same,” the Colombian activist said. “We have different levels of resiliency, time, and access.”

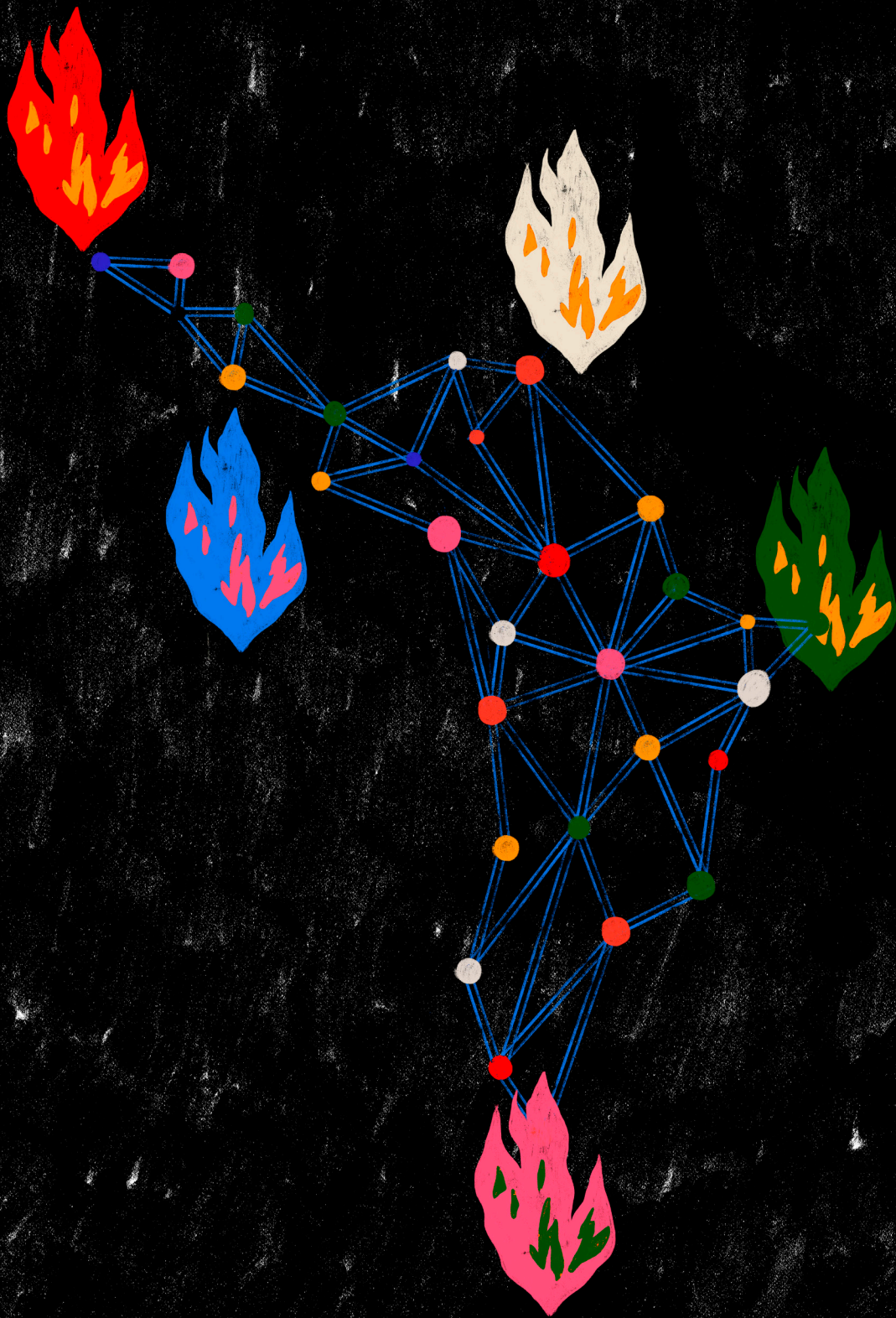
A human rights defender from Costa Rica suggested that perhaps the key is not to build new networks as much as to reinforce and update existing channels. In her experience, it has been very useful to link with long-standing feminist networks that operate in multiple places.

**“In the context of Nicaragua, for example, it is very difficult to organize the relocation of people, and the feminist movement helps us a lot.”**

— *Costa Rican human rights defender*

Several Cuban artists and advocates expressed a desire for support with communication. During the #27N and #11J protests, international organizations exchanged information among themselves and with the public, through the press and social media. The artists said they could have also benefited from more direct communication with one another and with the human rights organizations advocating for them. Workshop participants recommended that organizations do more to link artists together so they can independently contact one another and build meaningful relationships. The ability of artists to communicate directly among themselves brings continuity, allowing meetings like this workshop to extend beyond the confines of its unavoidably structured setting and time frame—and beyond work. Artists and activists highly value the informal links and friendships that such interactions create. These friendships invite exchange and collaboration over time, bridge regional and cultural differences, and promote decision-making based on equality.





## KEY FINDINGS AND RECOMMENDATIONS

# KEY FINDINGS AND RECOMMENDATIONS

Most attendees agreed on the need to analyze regional differences in responses to the pandemic and assess the varying degrees of vulnerability exacerbated by public health measures, restrictions on gathering, police and military enforcement, and the implications for human rights. Artists and human rights defenders acutely felt the spillover effects, such as job insecurity, the rise of online work, and greater surveillance.

In a region where machismo is sometimes expressed through harassment and attacks on artists and activists, oppression evinces a strong gender component. At the same time, the feminist struggle for equality and a decent life is a concrete example of new possibilities emerging from tried-and-true models. Feminist activism represents one of the most developed forms of organization, interconnection, and coordination throughout the continent; it serves as an example for freedom of expression and human rights in general.

Many attendees pointed out that, in dividing activities according to whether they were essential or nonessential, culture was left behind. In most countries, pandemic and post-pandemic policies have prioritized other economic fields while neglecting artists and their needs. This tendency has widened already existing gaps between mainstream artists, subsidized artists, and independent artists, and many of the latter have been forced to give up their artistic work.

The situation is even worse for those who are both activists and artists. They are doubly exposed, which heightens their vulnerability, especially in authoritarian contexts in which they can be easily identified and repressed.<sup>50</sup> Arbitrary house arrest has been widely used as a form of punishing and isolating artists and rendering them invisible. This situation strongly undermines the lives and well-being of artists and their families, to such an extent that some choose invisibility for self-protection. Some governments have passed laws specifically designed to limit freedom of expression disproportionately and with no justification.

Many participants lamented their lack of a long-term support network. The workshop revealed the need to reinforce campaigns informing artists of existing services and ways to prepare themselves for threats and attacks.

Another common strategy of repression in the Central American region is forced displacement, where individuals or groups of dissidents must change their domicile,

within or outside their country, to separate them from their environment, isolate them, and silence them.

An acceptance of impunity makes it possible for those with power to attack repeatedly, and they often target artists' freedom of expression. In the absence of punishment, perpetrators feel free to continue harassing and repressing. Impunity is often an intentional government strategy that is also perpetrated by non-state actors.

## Recommendations

A few recommendations from the workshop:

- **Strengthen and update existing networks**

Artists and advocates recommend keeping channels of dialogue open, so they can build networks of solidarity and mutual support to help solve problems and mitigate violence.

- **Hold meetings** to share experiences and useful tools and to foster the continuity of actions already under way. Meetings should address network building at different scales (from local to global), intersectionality, and should be accessible to a broad audience, including interested members of the public. They should promote the shared exercise of small-scale initiatives, micro-meetings, and discussions to develop trust among all local stakeholders.

- **Continue disseminating information** about the work of organizations capable of offering concrete local and regional support to artists and activists. Promote organizations' training, resistance, and resilience mechanisms.

- **Address mental health problems** in a more committed and effective way. As many artists and activists are exhausted, strategies should focus on them and provide consistent support. Both artists and advocates are enthusiastic and hopeful, but we must also acknowledge the heavy emotional toll of threats and attacks. There is still not enough trust, and artists struggle to allow themselves to vent and seek therapeutic help. Holding more gatherings like this ARC workshop can foster such trust.

- **Create clear and accessible channels** for complaints, suggestions, and requests for support that allow active communication. Advocate for joint hearings of the Inter-American Commission on Human Rights.

- **Strengthen digital security**

In an increasingly interconnected world and in light of new risks of surveillance, harassment campaigns, and other technology-enabled threats, consult digital security experts and organizations to develop strategies and facilitate training.



- **Strengthen the interconnections** of art, culture, and human rights, which in Latin America are often disjointed. Hold more events like this workshop to foster dialogue and collaboration among these sectors.
- **Build bridges** between activists, human rights organizations, and artists to better understand the interconnections between freedom of artistic expression, artistic production, and artists' well-being within their communities.

---

## NOTES

<sup>50</sup> Please see the chapter on Strategies to Protect the Safety of Artists and Activists - page 24