

M A L M Ö | 5 - 7 D E C E M B E R

Safe Havens 2018

Safe Havens is an annual network conference.

The conference has its starting point in a human rights perspective and aims to be a meeting place for human rights defenders within the arts and academia as a way to make visible cultural operators and to share knowledge. The conference is organized in a process of collaboration between different cultural operators and organizations, where focus is directed on the connection between culture and human rights. Furthermore, the conference is a way of visualizing the significant position of culture and academia

in human rights advocacy and moving towards sharing and using knowledge between cultural operators, scholars and major human rights and cultural organizations. The conference has been held annually in Malmö, Sweden, since 2013, and there are plans for it to tour in different cities globally the coming years. Participation on invitation, please let us know if you would like to be invited or want to recommend someone to be invited for the next Safe Havens conference. **safehavens@malmo.se**

DEAR FRIENDS

It is my privilege to write this brief note to say thank you to each and everyone who participated - and contributed to the Safe Havens Conference in Malmö 2018. This time your comments and recommendations from the workshops have been thoroughly gathered and documented in order to reach policy makers, funders and NGO:s and for all of us, to learn and understand our sector a little better. Your contributions are extremely valuable, and the idea is also to bring the collected material with us to the next meeting for it to be elaborated on further as we find new friends and have reached yet more knowledge to share. This aims to be an enduring contribution to the community and which can also reach policy makers and funders far outside the participating network.

Because the Safe Havens Conference has always been a work-meeting, it is intended to be a cosmopolitan space where we can all feel safe to voice our opinion and, each time learn some more from one another; from colleagues from many places in the world, with different perspectives and experiences. Thus we can also aspire to view the full landscape of global protection, promotion and advocacy of censored and threatened artists, writers, journalists and academics, as well as to assess the risks and the challenges for cultural workers globally - and to find where and how our initiatives can best be of use. This is the purpose of the Safe Havens Conference.

The Safe Havens Conference started in Malmö 2013, with a distinct Nordic outlook, and has since then become the prime meeting place for the many different international NGO:s, agencies, funders, artists and practitioners in our sector. The first Safe Havens conference in December 2013 as well as the latest one in December 2018 were both organised as official programmes within the Swedish chairmanship of the Nordic Council of Ministers, and in collaboration with the Swedish Ministry for Culture, the Swedish Arts Council and the Nordic Council of Ministers. We wish to extend our gratitude to our partners for the very fine and creative

working process which led to a rich and constructive 2018 conference. And thank you Minister of Culture Alice Bah Kuhnke, for so elegantly opening the conference, Two highly experienced advisors have graciously helped navigate in the process leading up to a successful 2018 Safe Havens conference: Kerstin Brunnberg and Ole Reitov.

A big hug goes to SafemUSE for always being a friend and a partner, ready to work side by side with us, specifically on our artistic programme. Also, thank you to the Region of Skåne for having supported us each year from the very beginning.

UN Special Rapporteur Karima Bennouna has been very active, sharing knowledge and perspectives with us this time. We feel deeply honoured and very enriched by her vast experience and generous contributions. Thank you Karima and also a collective thank you to all the many wonderful speakers and workshop leaders at this conference, if this space does not allow each name to be mentioned, it is all to be found in the following collected material. Thank you all!

I wish to mention our team, the colleagues who have so well oriented themselves through all the many layers of interests and ambitions, to present us with such a professional and yet soft and inclusive conference standard. You are truly amazing Ditte Nielsen, Jude Dibia, Jasmina Cordero, Isabelle Soupraya, Stefan Landenberg, Fiona Winders, Michael Schmidt, Katya Sandomirskaja and the supportive team from the Arts Council, Magnus Lemark, Stefan Zachrisson and Bongsi MacDermott.

And last but not least I want to mention our content and program consultant, Mary Ann deVlieg - who has been our rich source of expertise since we took the very first steps in gathering what was then, to quote Mary Ann, "an emerging sector".

I am filled with awe by all participants' dedication to the cause we all share and by the kindness and openness with which you all participate in the annual Safe Havens conference.

My deepest respect

- Fredrik Elg, Malmö, February 20, 2019

Conference Photos:
Ava Hanning & Stefan Landenberg

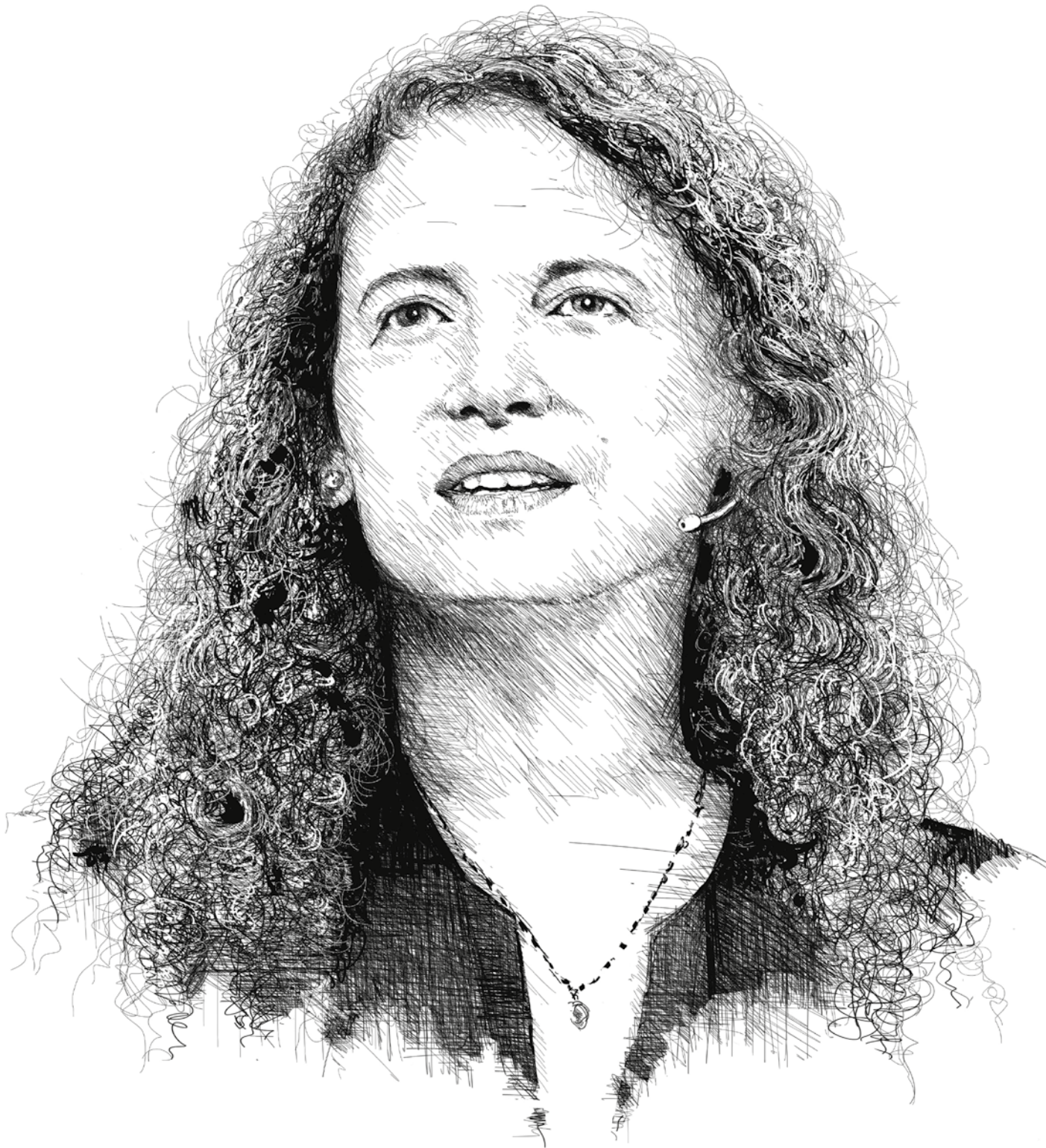


Illustration: Anthony Iswandi

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Article 27 Manifesto

Karima Bennoune,
UN Special Rapporteur in
the field of cultural rights.
Speech at Safe Havens
Conference, Malmö,
Sweden

GOOD AFTERNOON. It is an honor to be with you at the start of this important event. I would like to thank the organizers sincerely for inviting me. Being at this distinguished and engaged gathering is for me a wonderful way to celebrate the 70th anniversary of the Universal Declaration of Human Rights, and its Article 27 which guarantees the right of everyone to take part in cultural life, an anniversary which will take place on Monday December 10.

Hence, my title today is Article 27 Manifesto and I will say in a moment what I mean by that. In the time that I have I will 1) make a few introductory remarks, 2) give an overview of my UN mandate, 3) discuss the legal basis for our work, 4) share a few relevant aspects of my most recent report for the UN General Assembly on universality and cultural diversity, and finally 5) make a few modest proposals regarding the way forward on issues related to Safe Haven, all time permitting. For more information or to find the documents I am referencing, please follow me on @UNSRCulture, and visit the home page of the mandate where you can also sign up for the mailing list. (<https://www.ohchr.org/EN/Issues/CulturalRights/Pages/SRCulturalRightsIndex.aspx>)

Introduction

I salute all those here who work to realize freedom of artistic expression, one of the most vital and most human of human rights. I pay particular tribute to those among us who have faced persecution and human rights violations for their artistic and cultural practice. I salute you for your creativity, your determination and your resilience. I will not claim to understand your experience, though I warmly welcome hearing about



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what it has meant to you and what we should do about it in this forum and beyond. I know that in the process of trying to determine precisely what Safe Haven means, and in trying to find more ways to afford it, one of the most important aspects is to fully consult and involve you. Our work must always be with you, not for you.

Your experience is one which moves me greatly when I contemplate what you and your families and friends and colleagues have experienced. I know just a little bit about what this might be like because my father Mahfoud was a professor at the University of Algiers who received death threats for openly opposing fundamentalism and teaching evolution from the Armed Islamic Group, the Daesh of those times, which waged war against the population as it tried to take power. From 1993-1997 during Algeria's "dark decade" of jihadist terror, Mahfoud Ben-noune like so many artists, intellectuals, journalists, feminists and trade unionists and others, never knew when they left home in the morning if they would return. I am glad to say my father survived though many of his colleagues did not. But I know that one of the things which hurt them the most in the face of this cataclysm was the lack of international solidarity, apart from a few isolated and laudable NGO initiatives in Italy and France.

From this experience, I do know that when an artist must take risks to continue expressing herself, to continue realizing article 27 for all of us, it can take an unimaginable toll on her or him, and her family and friends and colleagues, are all affected as well. And the effects may last for a very long time. This is why my respect for those of you who have walked this gauntlet is so profound and I am determined to stand with you.

I also learned that attacks on artists cause great pain to their entire audiences, to so many in the societies in which they live and do their work. I have never forgotten how devastated so many Algerians were when the working class raï singer Cheb Hasni was assassinated by fundamentalists on September 29, 1994. Nor will I forget how we felt tremendous relief when we learned that Aziz Smati - producer of my favorite youth music program Bled Music who played raï music videos on national TV for the first time, survived a February 14, 1994 assassination attempt (though we grieved to know that he would never walk again due to his injuries).

I would also like to offer my sincere gratitude to those amongst us who work to realize safe haven for and with our artist colleagues, either by fighting for artistic freedom around the world and tackling the root causes of its repression, or by helping find refuge and support for those who flee. Your collective efforts to secure these rights, for yourselves, for others, for us all, have never been so important.

Embattled humanity – living in a world of extremists of all kinds, in a world threatened by catastrophic climate change which we are told by



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some leaders is not happening even as it unfolds in front of us, in a world where hate is acceptable again, where inequalities are growing, and where public space is being privatized and commercialized – embattled humanity in this moment has never needed its artists so much. And that is the spirit of urgency that led me to call this talk a manifesto. Article 27 of the Universal Declaration of Human Rights is critical to the human spirit, but it is also essential for the implementation of all the other articles of the Declaration. And we must continue to insist on its full implementation.

Artistic and cultural initiatives can provide crucial opportunities to build capacity for critical thinking and respect for cultural diversity, equality and the universality of human rights. In some contexts, including those characterized by violence and repression, extreme censorship, stigma regarding artistic expression or discrimination against some artists and cultural practitioners, such as women, merely engaging in artistic and cultural practice can have deep meaning for and an impact on human rights, regardless of the specific content or aims. That is why this has been a priority area for my mandate. The brings me to the somewhat more mundane topic of what exactly is a Special Rapporteur.

2) Introduction to the Special Rapporteur in the field of Cultural Rights

We are appointed by the UN Human Rights Council, the highest UN political organ in the area of human rights, and literally report to the council. However, the rapporteurs do not work for the UN, we are volunteers and independent experts. I usually joke and say that “independent: means that we are not paid.” As Special Rapporteur, I present an annual thematic report on cultural rights to the Human Rights Council and another thematic report to the General Assembly. For example, my predecessor Farida Shaheed wrote an important report on Freedom of Artistic Expression (<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G13/118/44/PDF/G1311844.pdf?OpenElement>), with input from some of you here back in 2013, and last spring I presented a report on socially engaged artistic and cultural initiatives that promote human rights and how states and the international community might better support them (http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/37/55).

I am also able to raise specific cases of alleged violations in the cultural rights area confidentially with governments and other actors through the communications procedure, and can make a public statement about them exceptionally as well. Cases can be submitted to me for this purpose through the website of the mandate. (<https://www.ohchr.org/EN/Issues/CulturalRights/Pages/ComplaintsSubmission.aspx>) Farida and I have both taken up the cases of many at risk artists, including Ashraf Fayadh, the Palestinian poet still behind bars in Saudi Arabia

for the crime of poetry and for whose release I reiterate my call, hoping that anyone here with government affiliation will bring every pressure to bear for his speedy release and to afford him the safe haven he will then likely need.

I undertake two country missions every year to investigate the implementation of cultural rights and issue reports on these countries. In 2017, I travelled to Malaysia where in the state of Kelantan entire art forms are banned and where women cannot perform in public in front of mixed audiences. I met practitioners of wayang kulit, shadow puppetry, who are fighting, sometimes alongside their entire families, to keep this great tradition alive notwithstanding the ban. In my report on Malaysia to be presented to the Human Rights Council on March 1st, I demand the immediate lifting of those bans and measures to revive these art forms and compensate their practitioners for their losses. (The report is forthcoming. For more information, see <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22121&LangID=E>.)

This autumn I undertook my most recent mission to nearby Poland where I warned that the country's very rich cultural life is at risk of being eroded by growing limitations on cultural freedom at the national level. Poland's cultural sector needs international support and solidarity in the face of these developments. (For more information, see: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23693&LangID=E>.)

3) Cultural Rights:

So, this is an illustrated overview of what a Special Rapporteur does. Let me now turn to the legal basis of my work, of our work, so that we can remind ourselves that part of what we are doing is working to implement norms of international law binding on states, and trying to remind states of their obligations in this regard. Cultural rights are a key part of the corpus of international human rights law guaranteed by both the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights.

The Universal Declaration of Human Rights, Art. 27 holds that:

Article 27. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits. (The Peruvian delegate added the word "freely.")

The International Covenant on Economic, Social and Cultural Rights, Art. 15, a binding treaty which has 169 State Parties, including Sweden, sets out in relevant part that: Article 15



Universality is not a weapon against cultural diversity, nor is cultural diversity a weapon against universality.

1. The States Parties to the present Covenant recognize the right of everyone:

(a) To take part in cultural life; (Clearly this is shaped by the non-discrimination provision of article 2(2) of the covenant)

3. The States Parties to the present Covenant undertake to respect the freedom indispensable for scientific research and creative activity.

4. The States Parties to the present Covenant recognize the benefits to be derived from the encouragement and development of international contacts and co-operation in the scientific and cultural fields.

The UN Human Rights Council, the highest political body of the UN system in the field of human rights has regularly reiterated, that "cultural rights are an integral part of human rights, which are universal, indivisible, interrelated and interdependent." In recent years, cultural rights have gained in legitimacy. However, much remains to be done to fulfil the Council's vision and too often these rights are seen as a luxury item, or optional, rather than being recognized as rights that go to the core of who we are as human beings.

We must constantly remind governments that they have international legal obligations to implement artistic freedom at home, and that our work is not humanitarian work that affords assistance, it is human rights work, based on legal obligations of states and other actors and the universal human rights with which all of us, including artists are endowed. We need to insist on a cultural rights approach to safe haven and artistic freedom, grounded in international law, meaningfully implemented at home and around the world, and based on full participation and consultation of affected rights holders. Indeed, we must understand artists and their audiences as rights holders, and in certain circumstances as human rights defenders, cultural rights defenders.

We must demand that national, subnational and municipal governments should:

(a) Respect and ensure the human rights of artists and those engaging in the cultural field, and their audiences. Take urgent steps to investigate threats to and attacks against such persons and bring to justice alleged perpetrators in accordance with international standards. All artists jailed for exercising artistic freedom must be immediately released;

(b) Provide adequate support and security for artists, cultural workers, audience members and participants; create and promote networks of support for artists and cultural workers taking risks in zones of violent conflict and facing repression;

(c) Offer asylum to those whose artistic or cultural work has led to their persecution, and facilitate the continuation of their work in exile;

(d) Involve artists and cultural workers in the planning, execution and evaluation of initiatives in this area;

(e) Undertaking awareness-raising about the importance of artistic



Meaningful safe haven for creators must include creative space and possibilities.

expression and cultural production, including that which is socially engaged, so as to heighten public support for such work and those who take part in it;

and

(f) (and this is to all governments) Increase their budgets for culture as much as possible, and at a minimum comply with the UNESCO recommendation that Governments use 1 per cent of total expenditures for culture.

To work toward just such objectives, the mandate on cultural rights was created nearly 10 years ago now in 2009 (I am looking forward to celebrating the 10th anniversary next March) and much has been accomplished in the field since then toward these ends. But there remains so much for all of us to do together, especially in a time when the very basic concepts of human rights we need to do our work defending artists are under threat.

4) Universality, Cultural Diversity and Cultural Rights:

This brings me to the topic of my most recent report for the General Assembly (<http://undocs.org/A/73/227>), in which I underscored that the universality of human rights is today the cornerstone of human rights law, regularly reaffirmed by states in new legal standards, and a foundational aspect of the human rights system. It greatly enhances the lives of all human beings, including by guaranteeing their cultural rights. It is a critical tool for human rights defenders, including cultural rights defenders, around the world.

However, universality is currently under sustained attack from many directions, including by those who misuse culture and cultural rights justifications and this is a threat to Article 27 and to artistic freedom and all human rights. In response, we need a foundational renewal of universality, and one with a broad youth constituency that can nourish the tradition of the UDHR during its next 70 years. We cannot take universality for granted. I was alarmed that in the recent General Assembly session, there was only one intervention in response to my report (by the European Union) that defended this principle. If we do not all take responsibility to stand up for the vision of the Universal Declaration, including freedom of expression and cultural rights, who will?

Meanwhile, in recent years, respect for cultural diversity has also been threatened by those who seek to impose monolithic identities and ways of being, who advocate various forms of supremacy and discrimination – we are seeing them ascendant all around the world, including in Europe and in the United States. Cultural diversity is still wrongly understood as being in opposition to universality, including by some Governments and other actors who misuse it as an excuse for violations

of the very universal human rights within which its enjoyment is embedded, and by others who oppose the concept altogether.

We must recognize the diversity of diversities, not only between, but within all human collectivities. In all countries, there should be provisions and mechanisms to protect those who decide to step outside given cultural and religious frameworks, such as non-religious persons, and many artists, from physical attacks, threats and incitement to hatred and violence. This diversity of diversities breaks the myth of homogeneous cultural blocs, and questions the authority of any person or institution to impose an interpretation on cultural resources.

To improve respect for cultural diversity, in my report I urge that States should inter alia:

Recognize and value it within the framework of universal human rights and avoid abusively restricting its expression; recognize and respect cultural dissent, syncretism and cultural mixing, and the right to re-interpret cultures;

and

(b) Reaffirm the importance of secularism and the separation of religion and State, and of both secular and intercultural spaces, for full enjoyment of freedom of religion or belief, and cultural rights.

Universality is not a weapon against cultural diversity, nor is cultural diversity a weapon against universality. The two principles are mutually reinforcing and interlocking. In today's polarized world, we need a sophisticated multi-directional stance. We must simultaneously defend the universality of human rights from those seeking to use cultural claims as a weapon against rights, and at the same time defend cultural rights and respect for cultural diversity, in accordance with international standards, when those principles come under attack. This is an important way to mark the 70th anniversary of the UDHR and its Article 27 guarantee of the right to take part in cultural life without discrimination.

Women's cultural rights are prime sites of threat to universality and must be rigorously defended, especially in a world where even some leaders openly denigrate women and deny their equality and where as Freemuse's important new report documents, women artists face particular risks. Equality and universal human rights are not overridden by culture or what is claimed to be culture. Cultural rights are not an excuse for violations of human rights.

Universality is not an idea that belongs to any one country or culture, to any one region or religion. In this seventieth anniversary year, we have an obligation to remind ourselves of the contributions made by women and men from around the world – from India to Pakistan to the Dominican Republic to Lebanon to China as well as from the U.S. to France – and others, to the Universal Declaration. We must promote and share its truly global history. The text adopted in 1948 was not an im-

sition of the values or cultures of any one region of the world, but rather a product of transcultural negotiation and a foundational challenge to entrenched systems of racial and sexual discrimination that were prevalent. Notwithstanding abstentions, not a single country voted against the Universal Declaration. It has become not only a vital international legal standard, but also one of the most important pieces of intangible cultural heritage created during the twentieth century and, thus, part of the cultural heritage of all humankind. It requires vigilant protection.

Ardent defenders of the universality of human rights are found in all regions, religions and beliefs, and cultures. The opponents of universality are likewise geographically diverse. People and Governments in every part of the world are capable of violating or sustaining the idea of universality. It is no accident that the rhetoric of universality often resonates most strongly with those who are most marginalized and discriminated against.

In contrast to cultural diversity which is positive for human rights, cultural relativism – which suggests that some have lesser or different rights because of the collective to which they are assumed to belong, is destructive and has been repudiated by international law. However, one finds this idea proliferating today in government discourses and even academic classrooms, and here I make a particular appeal to my fellow academics to tackle this grave problem. Let me be clear. There are no second-class humans. Humanity is not a relative concept. It is no accident that people usually make this argument about the rights of others, not about their own rights. And cultural relativism is no mere theoretical construct; the exclusions from rights protection it seeks to create have grave, sometimes lethal, consequences, including for artists, especially those who are women, minorities, LGBT persons or daring to express themselves about difficult topics like religion. Standing up for universality and against cultural relativism is one of the most important big picture things we can do to defend cultural rights, including freedom of artistic expression. We have become too timid – too willing to back down in the face of claimed cultural or religious excuses.

Cultures also have many positive implications for the enjoyment of universal human rights and this must never be overlooked. Cultures can be like oxygen for the human spirit. When enjoyed in accordance with international standards, they can nourish and sustain and challenge and create space for debate and rethinking and resolving conflicts, and for expression and education and enjoyment. This is part of why our battle for artistic freedom and to support at risk artists means so much.

5) A Few Suggestions for the Way Forward

This brings me finally to a few suggestions for the way forward. In addition to vigorously defending universality – one of our most precious

tools – and standing against cultural relativism – one of our biggest obstacles, I hope you will consider the following ideas in your deliberations. I am deeply grateful for so much that so many of you are already doing, whether in ICORN cities of refuge or the Artists at Risk Connection just to name a few for reasons of time, or through a wide range of residence and programs, and through Safe Havens itself, so forgive me if any of this overlaps with what you are already doing. Consider it a tribute to the fact that I consider it a good idea to be replicated. I think that there is much more civil society, and allies in government, and artists and experts can and must do, and do together, to stand for Article 27.

First and foremost, if you might allow me to say in the friendliest way, that it is essential that we all work cooperatively rather than competitively. Alas, there is enough work for us all to do and if we do not have powerful coalitions and networks and allies and recognize our complementarity we will never succeed in meeting our goals no matter how well our own organizations and initiatives may do.

It is also important to consider that sometimes small amounts of funds provided to local, regional, grassroots, frontline initiatives to help artists and cultural rights defenders sur place, to help tackle root causes of human rights violations and persecution can be the most effective way to work, even if it may less flashy than bigger external approaches which may also play a key role – don't get me wrong. I have seen this in the cultural heritage area as well.

I spent time last weekend with some of the artists and cultural workers forced to flee Algeria for France during the 1990s violence I began by referencing. I asked them what I should tell you here today. For example, I posed this question to Samia Benkherroubi, a feminist activist who was the host of my favorite youth music program Bled Music on Algerian national TV and had to leave the country after her producer survived the assassination attempt which left him a paraplegic, and that I mentioned at the start of my remarks. She told me that one of the single most important initiatives she remembered was that of a French theatre director who would organize regular gatherings of Algerian artists and journalists over lengthy dinners in her space to give them a place to gather and talk to each other at a time when they could not afford to go to cafes and desperately needed to share news from home, to exchange with their colleagues and simply to be with those who understood what they were going through. Such modest endeavors need to be multiplied.

While flight was their only option for survival at that time, a number of those who fled then, including leading producers, journalists, radio artists and others remain several decades later unemployed or underemployed, having never recovered career-wise from the experience of forced exile and finding it difficult to go back home once the security situation improved, for financial and family and other reasons. While solidarity and haven in the moment of crisis was essential for them, long



The artists who continue their work on all the frontlines and when driven far from home should be our constant source of inspiration.

term thinking and planning and programming is necessary because for many this is a lifelong experience of cultural, personal and professional loss. And, of course, that loss is also felt deeply back home in terms of the brain drain. Meaningful safe haven must be available urgently and have a long-term vision.

I just had the honor of meeting a stalwart Bangladeshi publisher, whose case was one of the first I took up when I became Special Rapporteur, after he survived a nearly life-threatening attack for publishing the work of the assassinated secular writer Avijit Roy. This publisher has thankfully found asylum but he and his family are continuing to heal and trying to rebuild. He is bravely continuing to publish online on a shoestring budget. More support needs to be available for such efforts. He stressed to me the importance of finding ways to support exiled artists to be able to continue the artistic and cultural work which led to their flight in the first place, as many are unable to do so. I also think it would be essential not only to create more such initiatives but to support those which the exiled artists themselves would like to create, including workshops amongst themselves, and more opportunities for their work to be seen and heard. Meaningful safe haven for creators must include creative space and possibilities.

Turning to the UN level, I wish to make one concrete proposal. Unlike some other issues covered by Special Rapporteurs, many actors working in the cultural field do not necessarily engage with the UN System. Meanwhile, many of the civil society groups that do engage regularly at the UN are not paying adequate attention to culture or cultural rights. This must change urgently.

In the tenth anniversary report I will finish next week, I will call for the creation of a Civil Society Coalition for Cultural Rights at the United Nations, modeled after similar coalitions around inter alia the issue of freedom of religion or belief. This structure could more systematically aid me and future Special Rapporteurs in pushing for implementation of Article 27 and other universal norms. It could work on the dissemination of reports, their translation into other languages, development of implementation toolkits, could organize more participation in interactive dialogues and could lobby states in support of the work of the mandate and on relevant resolutions, and hold them accountable for violations, and could train artists and activists in working at the UN. It is time for actors in the cultural sphere to recognize the importance and relevance of the United Nations human rights system for their work, and for the United Nations human rights system overall to pay greater attention to culture and cultural rights.

This coalition could also submit more cases under article 15 on violations of artistic freedom to the UN Committee on Economic, Social and Cultural Rights in accordance with its Optional Protocol to build a more robust jurisprudence in these areas. And it could submit more commu-

nications to me and my mandate in future. Much harm can be done to cultural rights and artists if we are not there together to defend these rights and this vital constituency in a coordinated fashion. We must stand up to the enemies of cultural rights at the UN Human Rights Council. International organizations and bodies must be encouraged to: (a) Build and strengthen “coalitions for culture” and to integrate culture into all international peacebuilding processes and relevant human rights initiatives.

The cultural rights guaranteed by the Universal Declaration will only be realized if we continue to find new ways to stand up for them, and new allies to stand with. It is not a moment for despair but for hope based on concrete and concerted action. The artists who continue their work on all the frontlines and when driven far from home should be our constant source of inspiration.

When I went to Algeria in 2010 to document some of the 90s horror, I began to collect what writers and artists and intellectuals had produced during those difficult times, transcending terror with their creative spirits. I will never forget an article I found in the newspaper *El Watan* that had been written by a woman journalist in her office in the rubble at Press House several hours after a devastating truck bomb there killed 18 people. Ghania Oukazi’s brave words should stay with us, should incite us to keep fighting for the realization of Article 27. For the word “pen” in the quote I am about to read, you could also substitute brush or guitar or voice. Ghania asked: “Pen against Kalashnikov. Is there a more unequal struggle?” And on that night of what another journalist called “rubble, dust and tears” back in 1996, Ghania answered her own question, writing, “What is certain is that the pen will not stop. . . .”¹

Let us determine to go forward together to creatively and doggedly realize cultural rights in support of all who live this creed. In December 2018, 70 years after the adoption of the Universal Declaration of Human Rights, and its as yet unrealized promise of the equal and inalienable rights of all members of the human family, let this be our Article 27 manifesto. Thank you. Tusen Tack.

¹ Ghania Oukazi, “Hier, l’horreur,” *El Watan* (Algiers), February 12, 1996, p. 2, cited in Karima Bennoune, *Your Fatwa Does Not Apply Here* (2013), p. 129.





Photo: From panelist

The fire Next Time

SAFE HAVENS 2018.

Keynote by Hassan Mahamdallie

Introduction.

*God gave Noah the rainbow sign
Don't you see
God gave Noah the rainbow sign
Don't you see
God gave Noah the rainbow sign
No more water, but the fire next time
Hide thee old rock of ages
Cleft for me*

THIS OLD SLAVE SPIRITUAL from the southern states of America refers to the promise that God made to Noah- that he would no longer send the flood to punish humanity, and the rainbow would be a constant reminder of his covenant. However, God reminded Noah, that it would be “the fire next time” – heralding the end of days.

In 1963 the gifted African-American writer and beautiful polemicist James Baldwin published a small book of immense power – and he chose to call it *The Fire Next Time*. In it, Baldwin argued that the fate of Black and White Americans was inextricably entwined, as it had been from the very first days when England established a colony in Jamestown, Virginia, and having run out of white convict labour, began to enslave Africans and put them to work on the tobacco plantations.

Writing in the shadow of the Nazi holocaust of the Jewish people of Europe, Baldwin argued that the coupling of “Europe” and “Civilisation”, as a historical claim to superiority over the other races on the face of the earth, had ended. What would he say today as we face in the UK, in Sweden, across Europe, resurgent far right parties, some of whom have their roots in the Nazi era?

Baldwin argued that the only way for the western societies to once more advance humanity was for them to accept themselves as they are – [not some invented, ahistorical, ethnically pure nation-state that never was]. To do this they needed to liberate and make visible all those they had made invisible, de-valued, persecuted and oppressed, and by doing so “bring new life to the Western achievements and transform them”.



All forms of art, in their specific way, can act as arenas where the outer limits of the truth can be put into play, possibilities pursued, and human consequences revealed.



When does a refugee or asylum seeker stop being a refugee and asylum seeker?

Baldwin argued that it would not do for those previously exiled from the centres of power to be invited to assimilate into a civilisation destructively locked into its own falsehoods – for after all, as he put it, who wants “to be integrated into a burning house?” A new house for all had to be built.

Baldwin concluded: “White people cannot, in generality, be taken as models of how to live. Rather, the white man is himself in sore need of new standards, which will release him from his confusion and place him once again in fruitful communion with the depths of his own being”. Whether or not today we accept Baldwin’s racialised divide, we can still value his courage, his determination to go beyond accepted paradigms, to pursue the truth to its furthest boundary, to its uncomfortable conclusions. To lay bare things as they are.

‘The Other’, Art and the Playground of Dangerous Ideas.

I like to call theatre – my chosen art form – “the playground of dangerous ideas”. All forms of art, in their specific way, can act as arenas where the outer limits of the truth can be put into play, possibilities pursued, and human consequences revealed. Although the arts in the West are gathered under the heading of “the humanities” – I think that sometimes it is useful to look at art in relation to the sciences. So, for example we talk of the “universality” of “art” – in that it expresses universal binding values, but we can also look at art in the context of universal laws of science, defined as “*the quality of being true in or appropriate for all situations*”. Back to the truth.

There is much talk of “the other” and “othering” – how to reach the other and avoid othering them. How to bring them closer to us – to be more like us. But do they want to be like us? Are they eager to be handed the back-door keys to a house on fire?

I believe “the other” is in reality the truth about ourselves that we are unable to confront. The “other” is merely a wraith, conjured up by our own fears and anxieties, aspects of us we would rather not acknowledge, projected on a minority group designated for that purpose. The demons are not without, the demons are within. In short, “the other” reveals more about us, than it does about them.

I’ll give you another example: All governments, of the right and left, in the UK have spent decades passing immigration laws to define who belongs and who doesn’t – who are us and who are the other. It continues in relation to Brexit.

A few of “the other” are allowed to become “us” [in the case of France if

they scale a building to rescue a child dangling off a balcony], so they can pretend it’s not about racism. But there remains a feeling of unease that you are never truly accepted, that you do not really belong and are at best tolerated, and often despised. After 9/11 and the backlash against Muslims that followed, my late father, who came to the UK in 1954 from the British colony of Trinidad, and worked six days a week, never broke the law, paid his taxes and raised a family, turned to me and said, “after all these years, I feel I don’t belong here – they have made me an immigrant again”.

When does a refugee or asylum seeker stop being a refugee and asylum seeker? You have had Somali migration to Europe since the opening of the Suez Canal. The civil war and accompanying exodus took place in 1989–1991 – nearly three decades ago – yet in the UK, Somalis are still considered a refugee community and treated as though they arrived yesterday. To adapt the words of African-American scholar WEB Du Bois – how long must it be before refugee communities are allowed to “lay aside the status of a beneficiary and ward” and fully become “collaborators and participants” in society? What must it take for them to become “a people, rather than a problem”?

The Role of Art

What is the role of art in bringing about change? First – a warning: we artists suffer from the “group think” that art has some magical power to catalyse change, uniquely equipped to alter minds and attitudes, and that artists are always liberal and on the side of the angels. Not true. The British playwright David Edgar in an article looking back on the radical theatre movement in the UK that came out of the struggles of 1968, wrote that his comrades-in-art originally thought of themselves as “radical intellectuals, the originators of ideas, the possessors of wisdom, who set out to ‘educate’ their audiences and ‘raise their consciousness’”. Many later realised that this was arrogant and elitist. And David Edgar concluded “*that playwrights cannot themselves change the world [but] may discover ways of contributing...to the work of those who can*”.

Edgar also realised that radical change cannot be imposed from above, by an elite who believe themselves to be ‘possessors of wisdom’. Change wells up from the grassroots, it does not descend from above. Solidarity is generated by those locked out of power who need to come together in a common purpose to make change – just as divide-and rule is a weapon wielded by the powerful in order to resist that change. Artists are reliant on wider social change to first create the imaginative spaces in which they can create and play, and to provide new, eager audiences interested in what they have to say.

We have another problem: the arts, reflecting society, is dominated by structures that reflect the economic, political and cultural order of things. The status quo is patrolled by ideological gatekeepers who decide what art is good or bad and who gets the resources to make it?

The Creative Case for Diversity

The Creative Case for diversity and equality in the arts that I developed for Arts Council England seeks to challenge the hold of these powerful gatekeepers and tastemakers. It differs from previous approaches. It is not principally about morality, about business, or laws – the creative case is fundamentally a conversation about art – but with the true value of diversity at its centre. It is based upon the simple observation that diversity, in the widest sense, is an integral part of the artistic process. It is an important element in the dynamic that drives art forward, that innovates it and brings it into a profound and transformative dialogue with contemporary society.

Diversity exists – we do not have to invent it. To talk about diversity is merely to express the world around us. Diversity is an essential feature of nature, of evolution, adaptation and change. In the history of our species, diversity – the entrance from the outside of a people or individual carrying a new idea, a new understanding and way of seeing the world – is the kinetic force that often allows a leap forward.

Diversity is not the ‘problem’. The problem we face is we have alienated ourselves from it and have imposed man-made inequalities on our diverse society, and thereby on our diverse arts community. We have distorted the way we view the history of creativity and the arts, our practice and critical debate, and have decided that some are far more equal than others. We have created artificial hierarchies, but we pretend ‘that’s just the way it is’. We have constructed canons of ‘important’ work and subjective value judgements bound up in notions of ‘taste’, ‘quality’ and ‘excellence’, but pretend they are neutral and objective.

This presents us with a contradiction we are presently struggling with: We have of a creative process, diversity-rich in material and inspiration – but a narrowing artistic offering, which is created, distributed, delivered and consumed in the main through a network of exclusive clubs limited by “VIP entry only”.

This is not only about race or ethnicity or national origin, it is about all those marginalised because of their gender, sexuality, disability, religious beliefs and age, and most of all it is about power and social class. A report came out in the UK last week that showed that 63% of performers earned less than £5,000, or 60,000 Swedish Kroner, last year. This is the arts ecosystem into which the artists we are all focusing in at this conference are expected to relate to, find a place within or to build a career.

Standpoint Theory: Marginalised but not Marginal.

In assembling the Creative Case for Diversity and Equality I wanted to apply theoretical frameworks that had been generated through struggles for liberation. Has anyone heard of the Standpoint Theory?

Standpoint Theory was developed by North American feminist theorists in the 70s and 80s and states that the social groups within which we are located powerfully shape what we experience and know, as well as how we understand and articulate the world. Where we are dictates what we can see.

It describes how those marginalised through inequalities to the outer edges tend to have a more far-reaching view and objective analysis of society, against those closer to the centre of power, who tend to have a closed viewpoint. This is why, as Malcolm X put it “Truth is on the side of the oppressed”. In cultural terms, it is where the most creative value is generated - it is at the periphery that innovation takes place, diverse elements come together, new forms arise, and where profound truths emerge. Marginalised, but not marginal. Those new ways of doing and seeing may travel to the centre, and be assimilated, or appropriated – but they inevitably start at the edges.

The arts in Europe are increasingly an upper-middle class profession, and increasingly divided by taste-makers and government policy into “high” art for a small elite to reinforce their “high” regard for themselves, confining the rest of us to the arena of “socially-engaged” art, or “instrumentalised” practise, or community art, or outreach, where the art is used (and often abused) as a tool to heal social divisions or bring communities together – “social cohesion” is the UK catchphrase. I believe art and artists do belong in communities, but it is unfair to give them the task of papering over widening cracks created by forces outside of their control. Perhaps we should recognise and acknowledge that a divided society will have divided cultures. How could it be otherwise?

Indeed, the effort to make us all assimilate (or integrate if you like) into one dominant culture is inherently an act of censorship. For example, we Muslims in Britain are told how to behave, how to dress and even what we should and shouldn’t think about, in ways that don’t apply to our fellow citizens. But I believe that the true marker of equality, or citizenship, cannot be conditional on whether I can convince the state or politicians, let alone Islamophobic and xenophobic rabble-rousers, that I am not a threat, or that I am a good person. Or a Good Muslim. Or a Good Immigrant. Or the Good Refugee made passive and non-threatening by having a sad, touching, but ultimately uplifting story to tell.



Change wells up from the grass-roots, it does not descend from above.



The true marker of equality whether I can be subversive, transgressive, venal, greedy, selfish, violent, rebellious or a law-breaker, and, as like anyone else, for these actions to be assigned to me as an individual, not judged on the basis of my membership of a group, colour of my skin, or my religion, country of origin, whether or not I was born here, or how and when I got here.

The true marker of equality is not whether I behave myself and am submissive in the face of provocation and unjust laws. The true marker of equality whether I can be subversive, transgressive, venal, greedy, selfish, violent, rebellious or a law-breaker, and, as like anyone else, for these actions to be assigned to me as an individual, not judged on the basis of my membership of a group, colour of my skin, or my religion, country of origin, whether or not I was born here, or how and when I got here.

I get angry about this. So, I'm with activist-philosopher Audre Lorde, who said "anger is loaded with information and energy". I agree. We all need to cherish our anger in these times of ours.

Conclusion: The Gift

I asked a friend – an actor from Jenin, Palestine, working in the UK for his reflections:

He was amazed how the young people he sometimes worked with were ignorant of the shared history they had with him – that the dispossession of the Palestinians was the product of the British Mandate. He didn't want the children to empathise or feel sorry for him, or guilty in some way for the past – he wanted them to understand how history had bound them together.

He said he was usually only wanted by theatres and casting directors to play "the other", or the "terrorist other".

He felt alienated by how UK theatre and playwriting is still dominated by the Greek three act structure of exposition/set up, action/confrontation and catharsis/resolution. Instead he said he preferred a cyclical structure – citing the 1994 Hollywood film *Natural Born Killers* – "It starts dark and it ends dark".

This reminded me of something the Iraqi novelist Ahmed Saadawi, author of *Frankenstein in Baghdad* had said at a book event in London I attended a few months back. Asked about why he wrote such dark stories, Saadawi said:

"It isn't the role of literature to cast a positive light on things – to satisfy society's view of itself. All societies see themselves as great civilisations. But I think it is the job of literature to lay bare the truth. Beautiful things are rare and far between".

Beautiful things are rare and far between.

No-one had asked my friend, the Palestinian actor, what theatre he would like to make and what subject material he wants to explore. I asked him – what would you like to do? He said he didn't want to do a play about Palestine or the struggle of his people. He wanted to do a play about Britain, using the deep insights or truths living in war and occupation in Palestine had taught him, insights he carries with him wherever he goes. For him art has the capacity to be revelatory. He told me:

"The British are very inside themselves, they only think of themselves. They are living in a dreamlike or a fantastical state. They don't see how they are being manipulated by multinationals and the politicians. In London millions of people really don't have basic rights and decent lives. But they are mesmerised by their individual lives, by whether their neighbour re-cycles their plastic, or by Brexit – did you vote Leave or Remain.

You can ignore history but you cannot fight it. Just as when I walk in Jenin, when I walk through London I can see it, feel it, hear it, touch it. I say to myself 'this country is in dark times'. It's the same as Israel/Palestine. The Israeli state are always making us busy – busy at checkpoints, busy at the border, busy with the wall, busy with drones and assassinations, busy supporting Hamas, while all the time we are forgetting the one thing that can liberate us – regaining the right of return.

I want to give to a London audience the thing they don't want to talk about.

From his standpoint my friend can see that which we deny, by projecting onto "the other". Therefore, we must encourage and cherish artistic autonomy and independence, give proper value to the margins and avoid set-ups where an artist's vision is filtered through, or reliant on, or appropriated by, big resource-rich art institutions that sit at the centre.

There is a unique and precious gift that artists like my Palestinian friend and many, many others want to offer us – if we dare to accept it. For as James Baldwin warned: "If we do not now dare everything, the fulfilment of that prophecy, re-created from the Bible in song by a slave, is upon us: God gave Noah the rainbow sign, No more water, the fire next time!"





Photo: From panelist

In conversation | interviews with Michael Schmidt

THE WISTFUL VOICE of the voluptuous, polished cello of Veronika Voetmann merges with the mournful tones of Anela Bakraqi's black and dusty piano and the honeyed ache of Alma Olssen's violin, and the notes swarm in the cadences of Bahraini composer Ahmed Al Ghanem's flute like leftover autumn leaves in a winter wind.

Inspired by his mentor, the late Majeed Marhoon, a saxophonist who took the drastic path during Bahrain's liberation struggle of bombing the car of a British intelligence officer in 1966, spending twenty-two years in jail as a result, Ahmed's neo-classical compositions present a bridge between Western chromatic-scale and Arabic micro-scale music.

Similarly, the annual Safe Havens summit of the ecosystem of organisations that protect persecuted creatives around the world convened under the orientalist gilt domes of the Moriska Paviljongen in Malmö, Sweden, to build bridges between artists' needs and the pragmatic realisation of their human, cultural and artistic rights. The following are interviews conducted with some of the summit's key speakers.



THE LONELY, CONTEMPLATIVE LIFE OF THE WRITER:

Kagiso Lesego Molohe,
award-winning Canada-based
South African author

Michael: My obvious first question is: aren't you tired of talking about your experience of snow? It's been twenty years [in exile] now, right?

Kagiso: [Laughs] I still can't get used to it; I don't know why. Ja, there is something that makes me uneasy about not being able to see the ground, that's really my big problem with snow; I don't mind watching snow fall, or even how cold it is anymore, but there is something about not being able to see the ground that makes me really uneasy; I didn't grow up like that, I always know where the ground is, but it feels very strange. Have I been talking a lot about snow with you?

Michael: It seems to come up every time we meet, but I guess what I was asking is: because you've essentially been abroad for so long, aren't you tired of talking as if you are a new arriviste, someone just fresh off the boat, as if that is going to be your defining experience forever?

Kagiso: Ja [sigh]... I guess what I'm saying when talking about the cold is having been in a country for twenty years and still struggling to feel like it's mine. I feel lonely. I think that if I had found a community and I'd felt really embraced by the place then I wouldn't still be feeling like I'm just arriving, but that feeling is still there; I don't think that's the same for other people.

Michael: So that's a metaphor for some kind of social coldness?

Kagiso: Ja, it is actually; it's funny because I have thought of it that way. I talk about the cold as if it's the weather, but I'm actually talking about a very introverted people who find it very difficult to include people they didn't grow up with, people whose paths they don't understand. I think everywhere you go, people are much more comfortable with you when they know who your people are; they know, ok, you are so-and-so's child and you grew up in such-and-such a school; people like to make the connections when they meet each other,

especially in Canada. It makes them uneasy to not know where you come from and to not be able to relate to a really large part of who you are, so they exclude you; it's easier than actually taking the time to learn; I think that's what happens. Anyway, I'm not saying that's all of Canada, it's just the part of Canada I live in. A lot of people grow up in the same city and then they go away to university but then they come back; it's a very big part of Canadian culture; you go back to where you were raised to raise children, and so that means people are always going back home, so I think it's very odd to them that someone...

Michael: Would traverse the world and uproot themselves?

Kagiso: Ja. And just not go home, because going home is what everybody does. So I am constantly trying to belong, so in talking about it, I always sound like I am just beginning to enter the country – but in a lot of ways, I am. I mean, in terms of time I'm not because I've been there two decades, but socially I feel I am always trying to enter the country, I'm always trying to be a part of it in ways that it won't let me in. It's an ongoing struggle for me and I think a big part of the struggle, honestly, is that I'm so very proud to be South African and I talk about being South African, and I talk about myself as a South African person, and I write about South Africa – a really big part of what I do in my work is rediscover South Africa in all its different ways. So it goes both ways: a part of it is I think the country has not embraced me; but I think another part of it is that I also embrace my country so much I don't talk about it like a place I don't love because I love my country. But I think northerners – in North America and Europe – don't understand why you would love Africa because their understanding of Africa is that it's a very harsh place, you know? People will always ask "but it's so dangerous in Africa, aren't you glad you left?" That's the only thing they seem to know about the country and about Africa, it's so corrupt and there are these problems and those

problems, but people don't understand that your home is your home and everywhere has problems but you will talk about a place that you love.

Michael: Tell me about those expectations through the lens of hair and dress: because you've had that experience of having all these expectations projected on to you that as an African woman you are supposed to look and be a certain way.

Kagiso: Absolutely. I think that most of the immigrants of African descent in Canada have been from the Caribbean and people have one picture of what people from the Caribbean look like, so people think, oh Bob Marley, dreadlocks, or they think well, you are African then you should look more African and wear African dress because that's what we've seen in movies and that's what we expect Africans to look like. There isn't this understanding in North America that there are cities in Africa, and by that I mean that you are always placed in the past; I think they always place Africa not in the modern age and they still have this idea of all of Africa as being a very primitive place. I mean they have the same idea about First Nations people within Canada, so I think it's just a matter of this imperialist look on the world: where there are no Europeans there is no civilisation. They don't know an Africa that has lights, let alone...

Michael: Aerospace companies and satellites...

Kagiso: Ja. Part of also not being embraced is you don't fit people's idea of what an African looks like and what an African talks like. People always say: "You don't sound African."

Michael: So apart from not being them, you are also not the kind of other that they want you to be.

Kagiso: [Laughs] Exactly! So you can't win, so here's what you do: you either deny who you are to fit into the image of who they need you to be, to

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be embraced, or you refuse all of that and be isolated, and those I think have been my choices. And at the very beginning I was very desperate to be included and I was wearing dreadlocks – and I don't like dreadlocks – but I did a couple of different things like wear head-wraps, because sometimes you just long for a friendly embrace so sometimes it is just helpful when you are trying to not be isolated and lonely to have people say "you look really nice, so come to my house for dinner." But then you realise it doesn't work for you and you stall and you go back to who you really are and then you end up alone – and then you end up like me talking about not belonging, twenty years later.

Michael: So tell me about your community, in other words the people that you commune with in Canada. What does your community look like?

Kagiso: Ah, I don't really have a community, I mean I'm in grad school right now so I suppose that would be my new community, but my community is all over the world. Two of my closest friends live in two different countries in Europe and my other really close friend lives in the US.

Michael: So your community is not a geographic community, it's a community of minds?

Kagiso: It's a community of minds, ja, all three of

those people are writers and all of them I met in some writers' space, so those tend to be my community.

Michael: So what is it about writers? Obviously they work in the same field as yours, but there must be something else to that writing in that you're continually trying to interpret your environment and they're on a similar journey?

Kagiso: Absolutely; I mean they lead very contemplative lives and I think it's nice to be around and talk to people like that you're always sharing ideas about how you see the world and how you see yourselves, because we have to engage in that work personally to be a writer and to grow as a writer, your spiritual self and how you feed that and how you take care of that part of yourself. Those are conversations I can have with writers, especially fiction writers. Fiction writers have to be involved in the growth of the people they write about so they have to also be very actively engaged, they have to show up in their own personal ways in order to do well in their work. But one writer friend who actually isn't a fiction writer said something to me recently that really stuck and that was that the writer in society is not traditionally deep in the community; the writer is always a little bit on the outside because you have to be further out to have a clearer view of your society. So I agree with it and think it is true and I think you're not going to write honestly about the society you live in if you are too steeped in it, so that's part of the isolation as well. If you look at it that way, then it seems ok, but some days it just seems too difficult because everybody wants people around them [but] I think it becomes too hard to be part of a community as a writer. Most writers I know, their community is composed of other writers and artists or they really just don't have friends where they live and their friends are all far away.

Michael: So to some degree it is a lonely choice because writing is a solitary task in and of itself and does require some remove from those around

one. What are the trends in writing that are exciting you at the moment; are there any? It may even be something old that you discovered, not necessarily something new?

Kagiso: Um, I don't know if this is new, I don't think it is. There are two things. There is a large group of black women in South Africa writing memoirs; that's very exciting for me because we didn't grow up reading books about black women so for us to say that our stories matter, and I was writing alone in the world. I think that's very powerful and I think there is going to be a generation of young girls growing up with these books about African women, by African women, for African women and that will be very empowering.

Michael: Karima indicated that the very first point of ingress against any culture by a hostile force invariably assaulted the cultural rights of its women first, so if this new layer is being developed it's going to have to be quite tough because it's at the forefront of whatever gets thrown against that society by people who disapprove of it.

Kagiso: Aha, absolutely. It's funny, you know, when I was growing up under apartheid, my father used to say that the future of South Africa was in black women's hands and I think it's because he had four girls and he really needed to say that [laughs]. But I think it's a very powerful movement that's happening and I think it's coming up against a lot of criticism and I think they're not being embraced by the larger publishing houses – but they just don't care. So there are a few young black women writers who are building their own publishing houses so there's one called Impepho which was started a few months ago by a woman called Vangile Gantsho and she is a poet, and then there is BlackBird which is an imprint of Jacana, and then Sikiso Wana XXX who just started her own publishing house. So that is happening and it looks unstoppable when you look at it from that perspective.

Michael: Presumably what that means is first of all a greater diversity of voices in more vernacular languages, but also I'm presuming very soon we are going to start leaving biography behind and start getting into all sorts of genres, science fiction, philosophy, science, or what have you?

Kagiso: Ja, absolutely. There's no limit. And it's already happening. You get Pumla Gqola, she writes a lot on African politics, so that's really exciting. I haven't read a lot of science fiction but I know that there are a couple of people who want to write science fiction, but right now part of the trend is really addressing trauma and linking black women's trauma to apartheid, because there is sort of this tradition in South Africa where everything bad started in 1994 [with the first all-race elections] but then you get these women who survived apartheid and want to talk to how their personal trauma is very much linked to the world they grew up in, to broader societal trauma. And I wholly support that. When I started writing in the early 2000s, I remember a really big publishing house in South Africa coming out and saying "we are not interested in apartheid stories, apartheid was in the past and we are excited only about black writers who are writing about South African politics now and South African society post-'94" and I thought it was just appalling and obnoxious because they were calling on us to just forget the effects of the past, but also they wanted us to participate in their project of forgetting apartheid – which is not going to happen. So what I do like about what a lot of the black women are doing is they are addressing those issues which come from growing up under the apartheid regime and looking and linking them to how life is now.

Michael: Could you critique this prevalent notion, which has become a trope, of the "strong black woman". There's a demand that you have to be a strong black woman; you can't be a contemplative black woman, or a mousy black woman, a shy and retiring black woman, or a black woman riven with self-doubt; you just have to be this

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uncarved block of solidity. Because on one front, environmentally, you have to be strong, but that denies you the full spectrum of your humanity.

Kagiso: Exactly. And part of what I like about the poetry from black women coming out now is

them presenting themselves as sad, depressed, traumatised people – and able to handle all kinds of things – but also able to acknowledge the difficulties they face and to acknowledge that we fall apart sometimes. That is dehumanising to say that someone has to be this one thing; it's taking away your humanity; we're all complex, we all have feelings, life gets very hard for us – especially hard for us with everything that we have to deal with. I'll give you an example of *This Book Betrays My Brother*: I went to Durban to the writers' festival to promote the book. I got harassed in the session that I was giving about the book and I had to run out because it felt physically unsafe for me to be there. And when I told the organisers about it, they said "ja, but you're a black woman, you guys are so strong, you can handle it." But I have a right to be afraid and a right to be protected. But they compared me to another black woman who came there and had been harassed and had not complained and I felt like I was failing at being the black woman at that festival, I was not being the right black woman, I was failing at black womanhood [laughs]. And I think a lot of us are fighting against that image of what a black woman looks like because we shouldn't be told what a black woman looks like or how she should behave, it should be up to us. But essentially it denies you the right to be human, it denies you the right to seek safety when you need it, to fall apart when you need to.

Michael: This ties in in my mind to this rising tide of reactionary black populism and its idealised version of black history and particularly pre-colonial history in which black people obviously never fought over anything, in which all wars that they ever waged were obviously on the side of the angels. This to me seems to fundamentally deny black people agency – under the guise of granting them agency. It's about this projection of this idealised human.

Kagiso: Mm-hmm. It is under the guise of granting them agency.





BUILDING AN ALTERNATIVE TO THE DEATH OF THE SOCIAL REQUIRES TIME, DISTANCE - AND DISENGAGEMENT:

Meriam Bousselmi, Tunisian theatre director, lawyer and cultural expert

Photo: From panelist

Michael: Meriam, you occupy a bit of an unusual space in that you are both a lawyer and a theatre director so you occupy the intersection of the spaces we have been talking about. Talk a little bit about how that evolved, how did you straddle both worlds which are often seen as being quite antagonistic or different worlds.

Meriam: I think first since I was a child my ambition was to write books so I really fell into books and I had this ability to be sensitive to the words and the movement of words and I can't say why I chose that but it was my destiny in a way. But at the same time I had this strong feeling for justice and injustice and I wanted to become the president of the [Tunisian] republic, to change the world and to make myself more famous - which is not working now. And it was the orientation when I got my baccalaureate to choose to orient myself to enrol in a political science and legal university but before I was at university, I started already my career as a writer and play director in the amateur field but then I was in the professional field because I produced some texts, some books and some plays and I stated also to be in international workshops, atelier, projects. So it was both in parallel because I also got for five years training as a dramaturge and mise en scène in the Centre de Arabo-Africaine de Formation et Recherche in Hamra in Tunisia and I had my career as a lawyer. I wanted first to make my political career, so first year of political science I wanted to build my political party so I went to all the parties to see what are the strategies. And then I failed because I realised politics is about compromise and diplomacy, and I am a radical and I could not get what I want in a very direct way, so I said I will seek this through my art and through my work as an independent, and how can I build these inbetween spaces. Actually, I was very interested in these inbetween spaces; sometimes it can be very difficult with both careers as a lawyer and as an artist, they are freelance careers, lifetime jobs, not just office jobs. But I am working in these in-betweens and I have this ability to make the bridge and to

try to be a facilitator in both sides. But we also need more creativity in our work; I think we are really missing (there are good project managers, project leaders, administrators) but there are not a lot of creatives, there are not a lot of people having a vision, the possibility to look at things from another perspective, to challenge the structures.

Michael: So you see yourself as a connector, connecting these disparate blocks and trying to build something?

Meriam: Yes, I have this ability because I have training from both sides to fly or to move freely between both sides, but also to create that which is inbetween. Like for example now I am working in research and I am talking about the staging of injustice, so I see how the concept of justice is not just a state institution, justice is a value and we have legal constructions of justice all over the world but justice is also part of the fictional construction of artists and writers and philosophers - and how both these words are communicating, how we've moved from a value of fictional construction, from an artistic construction, a creative construction to the state and visa-versa. So to explore what is inbetween and to explore the potential of this inbetweenness because people tend to be organised in entities and not explore what is inbetween because it is unknown. So I like to be in this un errant - it's a kind of wandering - but I think it's a very interesting wandering because it's challenging to me but it's also inspiring to others, also because I bring different performative languages in both sides. When I am with lawyers, they say "yes, the artist!" and when I am with the artists they see me as the lawyer [laughs]. So this inbetweenness is really je voi sais qua commune richesse [I know you]; I see this as something rich and something I need to explore with more time and more tools to do my work.

Michael: You certainly have seen this rise from within progressive academia of the need for a multidisciplinary approach - but we're up against

a reactionary mood globally that is about compartmentalising, trying to roll back this notion of the interconnectivity of disciplines into discrete compartments that can be better managed I guess by this rightist and populist demagoguery. So navigating those inbetween spaces, those grey areas, in an environment in which there is this drive to make everything black-and-white...

Meriam: Exactly, this binary narrative or binary approach of the world, I think this is a classical way of knowledge, a classical way of education and a classical way of reflecting the matters of the world in terms of *le science dures*, *le science molles* [hard science, soft science]. I think today we need another kind of knowledge, another kind of education, another kind of reflecting the world because with the new media and internet and all this facility today to get information, before if you want to learn something, you have to look for the books, you had to travel, information was not accessible to everyone; today you are at your home and you can connect to several bibliothèques [libraries] in the world, you can connect to several articles, you know what is going on, then you have this, *le savoir*, the knowledge is not anymore that you are specialised in philosophy or you are specialised only in *chimie* [chemistry]. If we go back to the Greeks, the philosophers were also the scientists, the birth of science, the birth of knowledge was wide...

Michael: So we went from a situation where knowledge was always a polymath thing, a multi-verse, and now we are coming back?

Meriam: Overspecialisation. And now we are coming back. We don't have another solution because the complexity of the world needs a perspective where you can have different levels of analysing what is going on, a situation or a fact or a change in society. We cannot for example look at what is going on today with the rise of right-wing or populism or liberal democracy without having notions of what is happening on the eco-

nomic side, what is happening with the cultural side, what is happening with group psychology: you have to look at it with different eyes and to have this scientific knowledge, you have to look widely, you have to look at the inbetweenness, the intersections, in order to understand. It's also a very speedy change; we don't have the time to recognise how our societies are changing.

Michael: There are uncomfortable inbetween spaces as well, particularly for those who are stateless or undocumented migrants, that sort of thing. How do you navigate those spaces – because you actually want some sort of solidity, you want some document, you want a home of sorts?

Meriam: I am in a search, and I am observing and I am trying to make an interpretation of what are the changes, to be more reflective of what the changes are and what is behind this changing and where this changing is leading. And I think the main important question today we are neglecting, a lot of artists as well, and this is where I am not happy, is that we are driven all the time to react to the immediate questions, to be more [engaged] in comments like journalists and not visionary, not having the time to think of what will remain, what is the next, what is the alternative? It's not enough to be critical because it doesn't add a simple scratch to the system; it's good...

Michael: But you need to build an alternative.

Meriam: Exactly. And for that you need time, and you need distance, and you need other tools, and you cannot be immediate. Today if you are an artist you are invited to talk about the release of your new book, you have one hour, we will ask you for fifty minutes about your idea about what is going on with the right wing, what do you think about the situation in Yemen, what do you think about the situation about immigration, did you hear about the new robot who feels more human, and what is your fear about the future – so everything, and then ten minutes about your book! So you have to be the expert of everything and nothing,

SO TO EXPLORE WHAT IS INBETWEEN AND TO EXPLORE THE POTENTIAL OF THIS INBETWEENNESS BECAUSE PEOPLE TEND TO BE ORGANISED IN ENTITIES AND NOT EXPLORE WHAT IS INBETWEEN BECAUSE IT IS UNKNOWN.

so you have to collect information and some words work better so you have this performative language as well to give a proximate answer and to give this idea that you know everything. No-one dares to say "I don't know, I'm sorry I am working, please ask me about my field. I need one year or two years, and I was just concentrating on that" – and it's not the topic of the day. No-one dares to say that because we have self-censorship, we have this pressure to not forget that artists they are all the time making this self-censorship because they want to succeed and if I make this, will it be good for my career or not? If I have this space, I have to show that I am engaged. I mean for me sometimes today, disengaging seems to be the most clever way to say "no" because when the mainstream narratives instrumentalise the vocabulary or instrumentalise the notions that come up from the left or from the defenders or the opponents to the mainstream narratives, this is a problem. Who is engaged? Everyone is engaged. You ask everyone, he will vote for a right-winger and he will say "yes I paid twenty euros, yesterday I went to see a Syrian group playing music to support Syria," I mean, it's crazy. Everything is confused and everything is instrumentalised. Radicalism today is be completely against, to disengage, voila!

Michael: I was very intrigued by that brief conversation we had on email before we came here. We were just playing around, I guess with some ideas around poetry and philosophy and the notion of death. And that's the ultimate question that confronts us all, but one of the themes that has raised up in this conference is the death of the social, how society, and the notion of solidarity is dying off and how we are really facing that. Can you perhaps reflect a bit on that?

Meriam: Yes, for me we live in times when we think that we are engaged but we are superficially engaged, we are engaged because we – I don't want to say all of us, but I can say the majority – a lot among us, they are making business out of victimisation, out of playing the role of the hero who is going to save the victims. So this binary way to look at for example artistic freedom: we have people displaying victimhood and people displaying as the saviours, the heroes, the one who will save the world. This is not a balanced situation because in both sides there is an interest. The big difficulty today when I think about poetry and philosophy is to produce beauty and value. We live in a neo-liberalistic society where everything is *tout le monétaire*, everything is monetised, so nothing is outside of money. I would like with you tomorrow to make a conference in South Africa or in Tunisia but we need for that to get the money, and to get the money what do we need? We need this applications proposal, we need to master the language...

Michael: Of the donors, to speak in their terms to their interests.

Meriam: Exactly. Already we put for ourselves frames because we have to get the possibility to do it. So pure beauty, this poetry of art for me, I don't want to politicise art; I think art is political but I am against politicising art; art is important in itself because it's useless, its way [is] to challenge the structures, the conformists, the orthodoxies, to bring new sight, to bring this pause

from everyday life, to bring a moment of release, it's in itself giving you space to rethink your life. So why should I again politicise art and say we are supporting Syrian artists at risk – because what means artists at risk when everyone is at risk, everyone who is producing in any country is at risk because he is challenging, whatever he is doing. When Pericles put feet to the pillars when he was six years old and his teacher said “please you have to draw the aqueduct” and among twenty pupils, one child, Pericles, chose to put shoes to the pillars and since then the aqueducts are walking; he opened something in reality that no-one before him saw, no-one drew aqueducts with shoes; it's completely a new opening in the world. And when you open something like that it is creating for you the ability to see the world in another way, even in your everyday life. So poetry for me is a high form against what we can sell and what we cannot sell, and I think beauty today, the ability to produce beauty, which is not saleable, which is not a product...

Michael: It's not prettiness; it's truth.

Meriam: Absolutely. It's like Kafka says: it's like the knife which is scratching my mind in order to make me see the reality of what I am and what the world is, and I think it's this difficulty of saying we are missing solidarity because solidarity means that I believe in you; I don't do it because I am waiting for something else, I am not waiting for recognition, I am not making money, I am not doing a network, I am not selling a concept, I am not applying a concept. Solidarity for me means, for example, those people during World War Two they were hiding children and they never say it and after fifty years someone found some documents [but] but they did it because it was their ability to judge.

Michael: So when you say I believe in you, it means I see you, I actually truly see you.

Meriam: Exactly. And I judge that I am in a posi-

tion to do something in order to allow you a chance, or the ability to get something, but I don't do it out of an obligation. I do it out of trust.

Michael: You are not a symbol for me, you are not a tool in my design. You are different to me, you are your own, but I see you as your own.

Meriam: Exactly. And it's me who is taking the risk, it's not the other who is at risk, and the balance of the relationships are different then and this is beauty. Beauty is to recognise the human in you – and this human is enough, that makes me stand up and say I judge for myself that it is my duty in these circumstances that if I have something to do for you I will do it and I don't need anyone to tell me or to give me the tools to do it, I will find myself the tools to do it. And this kind of beauty is what is missed because we are in very indifferent societies, and very egoistic, individualistic societies, which is why we also need this balance with a big movement, because if we look at the last five to ten years we have this rise of this movement for artistic freedom. It started with journalists and then moved now to artists and is now moving to female or feminist discourses; these movements which are from civil society they are part of the system. For me everything needs to be explained by economics and one of the most important books I read in my life from a contemporary writer and Nobel Prize winner, the Bengali writer Amartya Sen, wrote a book. He's a scientist but he was very interested to understand why there is this injustice and inequality in the world and he tried to look at what is going on in the economic structures, and how economics shape values, and I think his book *The Concept of Justice*, is a very interesting as a vision of how our world is shaped and what the economical system makes wrong. He will open a window for making counter-narratives, but counter-narratives that are based on the money they get from this system so it's just like performing all the time that we are trying to make the change. But why this change never comes when all of us are willing to change

“WE CANNOT FOR EXAMPLE LOOK AT WHAT IS GOING ON TODAY WITH THE RISE OF RIGHT-WING OR POPULARISM OR LIBERAL DEMOCRACY WITHOUT HAVING NOTIONS OF WHAT IS HAPPENING ON THE ECONOMIC SIDE, WHAT IS HAPPENING WITH THE CULTURAL SIDE, WHAT IS HAPPENING WITH GROUP PSYCHOLOGY.”

the situation, is because it's just performative, and what makes things change is solidarity, so out of institutions, out of the big mass movements, what we shape in a collectivity is the exception, and beauty also is an exception. As I said what will remain when we read the texts coming from the Greek era, or I read Lalla [the poet Lalleshwari], or I read Omar Khayyam, the same guys left this world one thousand years ago but I stay connected to their writing, so human beings will always face the same difficulties in another context and with other tools, but we have the same existential questions and we can connect through that. Me or you as artists we are so excited to get recognition, to see that others are interested in our work, but a book is written to go through time, traverse le temps; a book is passion, it has time, it has no problem to stay there for five thousand years and someone will read it later. The writer is in a hurry, the book is not in a hurry, the painting is not in a hurry, we are in a hurry, humans are in a hurry. That is why also this kind of responsibility if we see how we are shaping policies, and how we are doing architecture, how we

are treating with nature, with overproduction, with climate change, we are just interested in tomorrow and today but not in the long-term. The programmes we are selling here [at Safe Havens] or trying to do, they are maximum two years, nothing after two years. Ask our colleagues: after two years, what are people supposed to do? They will try to be the heroes of their lives and find a solution to stay and if not, they have go back. Do you think that it is easier to go back and to start from the beginning, how difficult for them to restart again from zero after leaving and coming back with nothing? No-one has an answer. I am for the second time in Malmö; I am so happy to be here and to exchange with colleagues and to have more open-heart conversations and these small tables were a good idea, but since last year I am asking the same question and no-one has an answer. As a student, I don't want to get a fish every night, I want you to teach me how to hunt my fish. This is the investment we have to do as writers or as architects or whatever, because the word is not only today, it's also the future like other people before us in humanity made a transmission of knowledge, of architecture, of books that we read and we seek in it consolation, we seek in it wisdom, we seek in it healing to continue.





WOMEN'S CULTURAL RIGHTS ARE A PRIME SITE OF ATTACK:

Karima Bennouna, UN Special Rapporteur on the Field of Cultural Rights

Michael: I was interested in what you were saying in your opening address around the, you said, I quote here, “embattled humanity has never needed its artists as much.” Speak to us a little bit about that embattled status. Where are we at the moment? There is this general feeling of despondency amongst progressives.

Karima: I think people who have been working in the field of human rights from whatever political position they may come from are looking around at the world and wondering what is happening to the vision that they have been defending. Chetan Bhatt who teaches human rights at the London School Economics has been talking about how we can no longer take for granted the centrist consensus around human rights in the world; there are not that many actors, there are not that many states anymore that stand up and openly defend basic concepts of human rights and dignity at the UN that we have taken for granted. I think we are seeing greater division, greater polarisation, we are seeing attacks on the concept of the universality of human rights from the far-right, sometimes from the far-left, from governments, from non-governmental actors – even in academia – and we are seeing governments and world leaders including very powerful countries openly expressing hate, openly giving voice to views that we thought had been consigned to the waste-basket of history at least as far as being acceptable official discourse. The human rights we talk about, one of the main tools being the mobilisation of shame, and of course certain kinds of shame are very negative in terms of shaming around the body and so on that women human rights defenders have worked on. But in the human rights field more generally the mobilisation of shame has meant trying to expose the human rights abuses of governments as a way of holding them to account because they will be embarrassed – but that was presuming that they would be embarrassed if exposed. And I think that in some ways we are in a post-shame universe now when we have world leaders openly either proclaiming that women are

”I THINK WE ARE SEEING GREATER DIVISION, GREATER POLARISATION, WE ARE SEEING ATTACKS ON THE CONCEPT OF THE UNIVERSALITY OF HUMAN RIGHTS FROM THE FAR-RIGHT, SOMETIMES FROM THE FAR-LEFT, FROM GOVERNMENTS, FROM NON-GOVERNMENTAL ACTORS – EVEN IN ACADEMIA – AND WE ARE SEEING GOVERNMENTS AND WORLD LEADERS INCLUDING VERY POWERFUL COUNTRIES OPENLY EXPRESSING HATE, OPENLY GIVING VOICE TO VIEWS THAT WE THOUGHT HAD BEEN CONSIGNED TO THE WASTE-BASKET OF HISTORY AT LEAST AS FAR AS BEING ACCEPTABLE OFFICIAL DISCOURSE.”

inferior to men or openly proclaiming discriminatory views about entire groups of people, about entire continents of people, about entire religious groups and so on. So how do we mobilise shame in a post-shame universe? But there’s also so many reasons to be optimistic and that’s what I try to focus on: the human rights defenders all around the world, the cultural rights defenders in my area who are continuing to come up with creative initiatives, who are continuing to push back. I think about a wonderful Bangladeshi publisher [Ahmedur “Tutul” Chowdhury] I’ve just met who faced an attack on his life for having published the works of the late Avijit Roy, the assassinated writer, and this publisher survived that attack, has had to go into exile, and the amazing part about the story is that – and people may be wondering where is the optimism in that – he has gone back

to publishing on the internet [Shuddhashar: <https://shuddhashar.com/>] with limited means, but he continues, and I think that's a reminder to all of us that we have no right to give up in the face of the current moment; we have to be inspired by examples like that.

Michael: You talk about fragmentation and yet at the same time a lot of these ideologies that are eroding this universality doctrine are themselves monolithic, they have pretensions to undifferentiation. Perhaps talk a little bit about that.

Karima: I think that universality is about human dignity, it's not about homogeneity. In fact my report for the General Assembly was both about universality and cultural diversity and how neither of these concepts is a weapon against the other; they are in fact interlocking concepts. But we have to be very clear that there is a distinction between cultural diversity which is a recognition of the complexity of human reality and the multiple identities and expressions that human beings have in the world and that is a very positive thing, versus cultural relativism which is the attempt to use culture – or the claim of culture – to justify the violation of human rights, or discrimination or hate. And that is never acceptable, that is never the same thing as cultural diversity, so what universality is really countering is the attempt to use arguments of particularism against the basic framework of human dignity, the attempt to use culture not to amplify rights but to diminish them. And so I think that we really have to have this holistic vision, we have to defend a universality that is thoughtful, that is recognising plural and diverse and multiple forms of human existence and expression, but is rigorously committed to human dignity and equal rights for everyone whatever group he or she might fit into.

Michael: I think generally people recognise this drift into pretty outrageous populism right across the world, whether it's India or Brazil – which I think are much more concerning than the United

States for me personally because, given the scale of their populations and the depth of the reaction involved. But speak a little bit about what you've red-flagged, how this drift has started to erode progressive traditions within academia, as that's particularly worrying.

Karima: So let me talk about the academic issue. One of the things that I have been very worried about and I think it's especially the case in the English-speaking world, though from what I understand it's also a problem elsewhere, has been a real move away from supporting concepts of universal human rights to finding all sorts of justifications based on particularism for violations of human rights, in particular women's human rights, and giving into cultural explanations for these rights [violations]. And while it's certainly useful to question hegemonic impulses – certainly the historical attempts to use certain human rights concepts in a way that involved imposition on people – what has happened is that even human rights defenders on the ground in the global South are questioned by some of these academics primarily in the global North as somehow not being authentic. And I hate this discourse of authenticity, [challenging] authentic representatives of their own society. So for example a very prominent academic in the United States who in the field of Middle Eastern studies challenged a Palestinian rap group [DAM] that had taken on honour violence in Palestine in the name of somehow some form of anti-imperialism or post-colonial critique. And I have to say I find this bizarre, and this is an academic who is very prominent indeed in her field, and this is the kind of thinking that is questioning the right to cultural dissent. Cultures are not monolithic and I always prefer to use cultures with an "s". And the thing is white people in the West cannot presume that they are the only ones that have the right to dissent in their own society or in their own group; everyone, it is a universal right to cultural dissent, and that's where I really worry about the direction of some academic argument that we've seen,

and I have called for in my report, with great respect for academic freedom, for academic institutions and academics themselves to really find creative ways to tackle this problem and to support the concept of universality and the vision of the Universal Declaration of Human Rights in their work.

Michael: Again and again in a variety of different reports including the one we've just seen from FreeMuse, the state emerges as the primary perpetrator of violations of artistic and associated rights – but the growth of this populism, the vile nature of this beast, has shone quite a light on sub-state actors, particularly those masquerading within the cultural field. Perhaps you could explore that a little?

Karima: So, women human rights defenders have been telling us all for years that a vision of human rights that only looked at the state was a very thin vision; certainly state responsibility is at the heart of the human rights framework but there are many other actors that can violate human rights: non-state actors, individuals, individuals in the family, community actors, religious leaders, and now we have seen increasingly in a range of fields, transnational corporations, and the list goes on. And I think we need to have not a 20th Century vision of human rights but a 21st Century vision of human rights where we recognise the need to hold to account all these actors, and certainly we want to keep coming back to the idea that the state has primary responsibility for respecting and ensuring, for promoting and protecting and fulfilling human rights, but we also have to find creative ways to hold these other actors to account or we will have a very thin narrative of human rights in the world. I am also very concerned about transnational corporations because they are increasingly powerful and sometimes more powerful than states and its very difficult for states to hold them accountable. And I know there are efforts under way to develop a treaty about the human rights obligations of

transnational corporations; I think that's going to be a very long project. But again I think it's really important in the human rights area to look at this wide range of actors and that's why in my reports I regularly make recommendations primarily to the state but also to a range of other actors. And indeed the Universal Declaration of Human Rights talks about the responsibility of all actors in society and all individuals for advancing human rights.

Michael: You've spoken about the gap between the arts rights justice sector, which is emergent and is perhaps a little bit behind similar developments in journalism protection, and more formal systems such as that which you are engaged in yourself. And you've said that obviously these arts rights justice activators need to be more involved in those formal engagements. Certainly we've seen many more lawyers and legislators get involved in this type of field, but still there's a gap. I'm guessing from the arts rights side that there is some suspicion of these global fora, especially because of the glacial speed at which many of them move. How do we close this gap?

Karima: You know that's a terrific question and I want to be the first to say that this is a two-way street and my hope is that more arts rights, cultural rights organisations, artists and cultural practitioners themselves, cultural institutions, will begin to see the United Nations and the United Nations human rights system in particular as a relevant set of fora for their work but my hope is also is for the United Nations human rights system to recognise more centrally the importance of cultural rights including artistic freedom and the role of artists – including sometimes as human rights defenders – so it's really a two-way street. And I recognise that many people might not see the UN as relevant – but great harm can be done to artistic freedom and cultural rights at the United Nations if the sectors most directly affected by those rights issues are not there to defend those rights and to speak from their expe-

rience. And what I have called for is the creation of something like an NGO coalition or civil society coalition for cultural rights at the UN. And we see such similar coalitions in the areas of freedom of expression, and freedom of religion or belief for example. There is so much that could be done: these organisations could take the floor if they have consultative status at the UN; they could take the floor in interactive dialogues with me and other rapporteurs in the Human Rights Council; they can submit shadow reports so when countries where they have concerns are coming up for review in front of the United Nations treaty bodies they could be submitting alternative information to the information that the state submits; many of these treaty bodies have complaints mechanisms and they could also be sending and working together to sit in a systematic way to send cases to these different bodies. So we could develop a really thorough, rigorous, vibrant jurisprudence in these areas at that level. And I am the first to recognise the limitations of the UN system; I am myself very frustrated with the lack of implementation – but if we don't get in there and fight for cultural rights at the UN and if we leave the UN human rights system to the enemies of human rights, we can't expect that there will be much progress. So, just as I want to work more in the artistic and cultural fields, and in the fora where artists and cultural workers are themselves working, I hope that they will come and join me and other actors more frequently in the UN human rights system.

Michael: How does your office interact with other rapporteurs, in particular the one on religion?

Karima: The two rapporteurs that I would say that I most often work with are indeed the Special Rapporteur on Freedom of Religion or Belief, currently Ahmed Shaheed from the Maldives, and the Special Rapporteur on Freedom of Expression, currently David Kaye from the United States. And I think it makes sense because you will see

that there are big areas of overlap. I know that Ahmed Shaheed and I have shared many, many concerns about making sure that freedom of religion or belief is not the same thing as freedom of religion: this is about the right to believe or not to believe, to be a religious person or not to be a religious person, to have a different kind of world view, to change your religious belief, to leave a particular religion, to dissent from a particular religion and to express that dissent. And there are so many cultural rights cases affecting artists in particular but also affecting members of minorities, bloggers, women's human rights defenders, that are coming up in this area of intersection, and so that mandate has been a very important partner for my mandate and I look forward to that work going forward. And I think one of the things we need to be really thinking about and grappling with is the overlap between reli-

SO, WOMEN HUMAN RIGHTS DEFENDERS HAVE BEEN TELLING US ALL FOR YEARS THAT A VISION OF HUMAN RIGHTS THAT ONLY LOOKED AT THE STATE WAS A VERY THIN VISION; CERTAINLY STATE RESPONSIBILITY IS AT THE HEART OF THE HUMAN RIGHTS FRAMEWORK BUT THERE ARE MANY OTHER ACTORS THAT CAN VIOLATE HUMAN RIGHTS: NON-STATE ACTORS, INDIVIDUALS, INDIVIDUALS IN THE FAMILY, COMMUNITY ACTORS, RELIGIOUS LEADERS, AND NOW WE HAVE SEEN INCREASINGLY IN A RANGE OF FIELDS, TRANSNATIONAL CORPORATIONS, AND THE LIST GOES ON.

gion and culture because there are often many cultural practices which are overlaid on religious beliefs and after a while it is hard to know where religion ends and where culture begins. And this really about recognising the human dimension and human agency and responsibility in creating some practices, which means also those practices can be changed by human beings, so I think that's a really interesting area of intersection.

Michael: And gender, of course.

Karima: And gender absolutely, and I have done a great deal of work with the Working Group on Discrimination Against Women. One of the two areas that were highlighted by the Human Rights Council when my mandate was created: so this mandate is about making sure that everyone enjoys cultural rights without any discrimination, and two particular sectors that the Council highlighted were gender and the cultural rights of persons with disabilities, and so women's cultural rights are at the heart of what we are doing. There was a dedicated report on women's cultural rights done back in 2011 by my predecessor, and I did a report on diverse forms of fundamentalism and extremism and the cultural rights of women in 2017. When I go on mission, it's an issue that I really focus on because what we've seen is that women's cultural rights are a prime site for attack on universal human rights.

Michael: So it's almost like a mine canary, it's the first thing to show signs of distress?

Karima: Absolutely! It's the most likely place to see a cultural relativist argument. Women are most often saddled with being the banners of, or the standard-bearers for what is called culture, which is often a very static vision of culture. And my predecessor Farida Shaheed argued for us to really shift our paradigm from seeing culture as primarily negative for women – unfortunately as she recognised, it has been used that way very often – but shifting from that to women's equal rights to partic-

ipate in culture which includes deciding which cultural practices to not to particulate in or to leave behind because they are no longer acceptable under our evolving understanding of human rights. I mean, think about it: in your own country [South Africa], systematic racial discrimination in many countries including in the United States used to be justified on cultural grounds; there was a cultural and even religious justification used for apartheid. We would absolutely reject those today – and appropriately so. And in the same vein, it is completely unacceptable to try to justify discrimination against people, against women, against people who are lesbian, gay, bisexual, transgender or intersex on the basis of culture; those are also completely unacceptable arguments. We need to recognise today, and this goes to the heart of cultural rights which is not about culture as a static thing which doesn't change; it's about cultures as dynamic. Again what my predecessor and I both said is that our cultural rights mandate isn't about defending a thing called "culture"; it's about defending people's right to participate in cultural life which includes participating in the process of how culture should change over time in accordance with...

Michael: Because it inevitably does ...

Karima: And if it doesn't, humanity's in trouble. What was the old thing about sharks dying when they stop moving? Human culture needs to evolve; humanity evolves, that's simply a reality and it needs to evolve in accordance with our contemporary understanding of human dignity. I think that's really how we carry forward the vision of the Universal Declaration of Human rights into its next seventy years. And if there is a tendency sometimes in some parts of human rights circles to see cultural rights as somehow peripheral, silly, trivial matters – not at all; it goes to the heart of who we are as human beings, how we live in this world together, how we express ourselves, how we remember what has come to us from the past, and how we go forward and what we pass on to the generations to come.



PROFESSIONALISED, INDIVIDUALISED ART SPEAKS ONLY TO THE DEAD: CLEAR VISIONS WILL ONLY COME FROM THE PERIPHERY:

Hassan Mahamdallie, British theatre director, playwright, political and investigative journalist

Michael: You spoke at one point about the necessity to make visible those that were invisible and then you spoke quite a lot about the actual visionary power that those on the periphery have and can deploy, and that it should in fact be utilised. Could you talk a little bit more about that power of the periphery?

Hassan: Although I don't usually talk in these terms, but if you talk about common humanity, let's talk about it in terms of the environment or the Age of the Anthropocene which we are supposed to be going through: there are these big problems which we face as a species. Where do you go to try and find a solution? It seems to me that most of our effort is either divided into ignoring that there is a problem (which is locked into some kind of circular argument), or trying to find a solution, but we always try to find solutions in the wrong place. You and I know that clarity comes from the unexpected sources. Trouble is, that as a society, and this is affecting arts and culture, the unexpected sources are the ones that we usually try to erase from the conversation to begin with. So if we do want to find a path out of the crisis that we are in we have to find a way of placing some value in those unexpected places, in those unexpected people, otherwise the crisis will go on to whatever the consequences are. So you and I know that when actually as a journalist you talk to people who have been through a process, like a mother whose child has been killed by the police, and she decides to campaign about it, usually when you talk to those people, although they are thrust into a situation that is not of their making, often times you find they do have a kind of clarity about them. Maybe it is because they are kind of seeing the world for the first time in its entirety whereas in the rest of their life they didn't really have to; they're at a vantage point, or they are forced to being at a vantage point where suddenly they have a clarity on what's around them, they see all the power relations between people in a completely different way. Those are the people that it seems to me that we need to go to. It's not

because I fetishise them, it's because I truly believe that that's where the solutions to some of the problems we face are going to be found – yet we spend vast amounts of time either trying to ignore that there's a problem in the first place or looking to the wrong people to try and solve the issues. So there has to be some kind of radical shift in focus and power towards those people for us to get out of the impasse that we are in; and that's my basic understanding, then I try and translate what that might look like on the cultural field. That's why I developed these different ways of looking at how artistic or cultural values are generated.

Michael: But you've also indicated that this is not just a problem about the centre and about the machinery of the arts industry as industry and its dominance and elitism but there are some fatal flaws within the arts and the artistic community itself: perhaps too much self-valorisation, and perhaps not enough reflection that the arts have been and continue to be used in some pretty injurious ways – and not just in terms of creating or manufacturing a dominant culture, but actually promoting prejudicial messages. Can you talk a little bit about, maybe, “evil art”?

Hassan: Well, it's not so much that. I suppose that artistic expression is expression of the ego or the id or whatever it is, it's a very self-centred thing, yeah? So, I think artists unless they check themselves continually literally believe that they are the centre of valued human activity and have incredible self-regard. I understand that's what you need to go on stage, you need a certain amount of self-regard to think that something you have to say is of interest to someone else or can make a difference or whatever it might be, and of course that's what motivates you. But I think we artists have to hold in check somehow, balance out, that egotism with some kind of awareness of where they sit within a spectrum of change; that's the first thing. Secondly, I believe that artists can sketch out possibilities and put them before an audience, but they are part of a

process and the process starts with social change. So if you look through the history, let's say from 1968 onwards, you look at Europe and the radical events of 1968, art lagged behind the social processes; it does, it tends to lag behind, so for artists to say "we are the generator or originator of social change" is I think is plain wrong.

Michael: Well that I find very interesting because that would be counter-intuitive to a lot of people who present as artists, particularly those who present as arts activists or as "artists", this presumption that they are, because of their intellectual acuity or whatever, they somehow are the vanguard of social change. And you have posited a very different position in saying that they can't really be that; they need to be enabled by other people and other socially advanced sectors in order to become those provocateurs.

Hassan: I believe that, yeah. I mean I have worked in arts for a long time and I value the arts, I love being in the arts, but that's the conclusion I have come to, you know what I mean? I don't believe artists are always progressive; I mean the notion of being liberal and progressive I think are both contested terms these days; they've kind of turned into their opposite, let's put it that way. So the liberals and the progressives can be as elitist or intolerant as people that they think they are on the opposite side of the spectrum to. For example, most of the liberal elite in France has turned out to be the Islamophobic vanguard in French society, in terms of hoisting up la cité [the city] as some kind of enduring product of the Enlightenment or the French bourgeois revolution or whatever it is. So, that's suspect. But also when ordinary people in London look at artists, right, they may look at them in different ways: some will look at them and say "they are very removed from us" as middle class or whatever. But also if you look at the social cleansing of London from what it was, which was mixed working class and bourgeois neighbourhoods living side by side or integrated as it were fifty or a hundred years ago, it's been socially

I UNDERSTAND THAT'S WHAT YOU NEED TO GO ON STAGE, YOU NEED A CERTAIN AMOUNT OF SELF-REGARD TO THINK THAT SOMETHING YOU HAVE TO SAY IS OF INTEREST TO SOMEONE ELSE OR CAN MAKE A DIFFERENCE OR WHATEVER IT MIGHT BE, AND OF COURSE THAT'S WHAT MOTIVATES YOU. BUT I THINK WE ARTISTS HAVE TO HOLD IN CHECK SOMEHOW, BALANCE OUT, THAT EGOTISM WITH SOME KIND OF AWARENESS OF WHERE THEY SIT WITHIN A SPECTRUM OF CHANGE; THAT'S THE FIRST THING.

cleansed completely so that London is becoming a bourgeois playground rather than a place where working class people live out their lives, and certain areas which had been very poor were cleansed by property developers and the poor forced out to the margins, and the shock troops of that process of gentrification have been artists who have gone in first to these poor areas, rented warehouses, produced their art. That has primed those areas for redevelopment, forcing poor people out.

Michael: Is there any self-awareness about this? I mean not in any analytical way, but just in terms of maybe a class adherence?

Hassan: No I don't think there is a self-awareness, and partly because it is buttressed by certain

arguments which have confirmed for the artists that they are in this special, wonderful place, right? So the old argument about creative cities, that you regenerate creative cities through artists and culture and stuff like that, that is the ideological underpinning for what these people have done. So what I am saying is that there is no particular reason that artists should think of themselves as being on the side of the angels. Now, I am hyper-critical in one sense because I care about art so much, but the lack of self-awareness is incredible, and partly it's a reflection of class confidence because the arts particularly in the UK – though I'm sure it's the same everywhere else – is become more and more the profession of not just middle class at it might have been in the past but of the upper middle class. There is a survey done in the UK about the demographic around artists and it's clearly becoming a much more rarefied profession than it ever was. I came into the arts for the first time as a professional in 1984, right? I'm one of the very few working class artists that came through that generation, yeah? There's absolutely no way that an equivalent of me today in 2018 would have got into the arts, into an acting job, into a paid career as an actor and then a director. So it's becoming more rarefied, it's becoming more homogenous.

Michael: And that's because of these gatekeepers?

Hassan: Yeah, partly, and partly it's to do with state arts funding has contracted over the years, those people have clung onto their positions of privilege. And in one sense, the more of those arguments around that there should be more diversity and quality in the arts, the more there is a kind of rear-guard action by those guys, not as individuals but as a social class, to actually protect what they think is theirs – and they believe that the arts is theirs. So to be conscious as an artist, you have to be in one sense hyper-critical because there is an immense amount of complacency that I think we have to shake ourselves out of.

Michael: So there is a distinct class of people who view art as their patrimony, their personal patrimony? And I am using the masculine word deliberately here. Could you talk a little about the intersections of gender and class and race within this context?

Hassan: If you look at the patterns of who works in the arts, what positions they have in the arts, how the arts are structured, clearly to me the arts are structured to make it easy for middle class people to exist within the arts. It's structured generally for men to have the highest positions in the arts and if you look at it clearly that's what happens, you know what I mean. You think about a lot of professions, for example dance, how it's probably gendered in terms of women – and a lot of the arts are gendered in terms of women being the majority part of the workforce – but at the top at the managerial level are men. So male choreographers, male curators...

Michael: Journalism is pretty similar.

Hassan: Yeah, exactly, because in its substance, it's the same class occupying all those professions. So you do find it gendered, you find it in terms of race, you find it in terms of disability. I mean, it's incredible really when you think of it that Western visual art is dominated by visions of a version of the human body that probably goes back to ancient Greece, yeah? The visual arts does take on big themes like mortality and what it is to be human, all these kinds of things, but it completely erases, it homogenises the body into this kind of notion of the perfect body, so immediately in dance, who can be a dancer, who can't be a dancer, who has "a dancer's body"? There are very few artists who step outside that zone and look at the body in all its forms, so disability is ever-present but not necessarily in a good way in the history of art. So you find that disability has to continually force itself onto the agenda in the arts, whereas really it seems to me that disabled people have a lot to say about the question of humanity, what it

is to be human, mortality, to survive as an outsider, whole issues of mental health and all these kinds of things, right? These are really central questions that we need to be addressing but the people who have a good vantage point in terms of addressing those questions are locked out of the arts. One thing I do see is that the arts is incredibly over-professionalised: in the UK for example, in order to be a visual artist you have to have an MA; even administrators have masters' degrees in the visual arts, so it's incredibly rarefied, professionalised, because the middle class likes to have a profession. A hundred and twenty years ago, in the middle of London, what's the most popular form of art? Music-hall. All the other arts were just things that the bourgeois did in their little private clubs and museums. The biggest art-form was music-hall which was the dregs of society hauling itself onto the stage and debasing and making a mockery out of itself and all of society; that was the most popular art form, you know what I mean? That was an outsider art form.

Michael: So art as craftspersonship has deliberately been downgraded and transmuted into this more rarefied creature?

Hassan: Yeah, it's a profession.

Michael: What about the current, or it's certainly very current in Africa, neo-colonial debate? To what extent has art, even now – and we've just heard the suggestion from Meriam that Picasso wouldn't be tolerated in this day and age in the conventional halls of art – to what degree has art in the West acknowledged its heritage in Africa, or the East, or elsewhere? Or to what extent has there been any admission of that or access to that or transformation by that, or to what extent is it trying to pretend that it is hermetically sealed?

Hassan: I mean I think if you talk about the history of modernism in art, if you have any ounce of intelligence you will understand that the major ideas around it, the conceptual ideas around it

originated in Africa. There is no doubt about that, obviously, if you talk about Picasso.

Michael: And yet you will go to Paris and you will have exhibitions of African art that will be called "arts primitifs."

Hassan: [Laughs] Yeah, the French are good at that, aren't they? They are crazily, racistly honest. But if you look at sculpture, if you look at the history of modernism, clearly, it borrows or is inspired by symbolic representation in African art particularly. I mean if you talk about the West, you talk about West Africa which is obviously where – and there is a big row on now about the Benin bronzes, of which there are ten thousand or something in the British Museum, locked away in their archives, whether they should be returned to Nigeria as it is now, and of course it should be. But no-one talks about how those bronzes stolen from Benin in army raids many hundred years ago triggered or laid the foundations for European modernism.

Michael: And even before that, if I may, if you look at the Ife sculptures: there was no such thing approaching that level of skill in Europe of the time which was the Mediaeval Era. You could say both Europe and Africa were going through a Mediaeval phase at that point but conceptually Europeans could not sculpt like that; they had these very wooden, formulaic, boxlike figures.

Hassan: Yeah, it's true. If you talk about European visitors to Benin for example in the 16th Century, one of them going to Benin City and saying "this is the most advanced city I have ever seen," because he was Dutch, "comparable to Amsterdam." If you like, the west of Africa was as developed, probably more than Europe was at the time, and in one sense it's the irony that those African civilisations had to be destroyed for Europe to progress itself, and that's the kernel of it. Also, if you look at the Enlightenment, it is quite clear that, the caricature of the Western European Enlightenment being put across at the moment by ideologies

bears no comparison to what actually happened in the Enlightenment. And as everyone knows now, if they don't acknowledge, is that much of the knowledge and understanding of philosophy and medicine that laid the foundations for the European Enlightenment came from the Arab world, which in itself built upon ancient Roman and Greek philosophies and then developed and translated, it found its way into Europe, right? Oxford University is full of Arabic archives, which was the foundation of European learning because the Arabic texts were the salvation of European learning. They even have Europeanised names for Islamic scholars and philosophers. So all this is clear to anyone who has an ounce of understanding about history – but we live in a society that is in complete denial about that, and you have to ask yourself why? Why is it in complete denial about its roots? And partly I think it's because of the rise of the nation state in the West and what needs to be done to make a nation into a nation. You probably have more sophisticated concepts than what I have in relation to South Africa, but the nation state arises in a state of denial about its past, the foundation of the nation state is always a founding myth, yeah, and in one sense that myth, that falsehood is coming back to bite Europe on its arse.

Michael: So in that particular storm that we are in at the moment and sitting on that cusp with this reversion to these myths, you suggested that there was almost like a functional role for art to perform in service of that broader progressive project in challenging that myth.

Hassan: Everyone knows, it's a kind of consensus, that if you are in the middle of something you have a distorted perspective of it. We're in the middle of a storm in the Western world, but all we can feel is the sound and the fury, signifying nothing, to use Shakespeare. But clearly there are other people in the world that do not have this notion that they belong to the greatest civilisation in the world – what Europeans are prone to believe about

ourselves – who have a much clearer vision about what's going on. I mean, I spoke in my speech about this Palestinian guy I know: he has a clear vision about the confusions that the UK are going through at the moment which it seems to me that very few people have. He's a complete outsider, he's a very talented guy and he makes a living for himself, but who asks him what he has to think about what's going on in the UK at the moment? No-one's going to ask him – but if you did ask him, you are going to find out some extraordinary things. As I say, it's about looking for these extraordinary people in these extraordinary places that if anything is going to progress us, it is people like that. What you find is, maybe it's true historically, is that the more society plunges itself into crisis, the more it turns in on itself, so every viewpoint in that society is a very individualised viewpoint. So in theatre for example, there are so many plays about what I would call formations of identity, on all sides, but they are all tiny, tiny stories. If I go and see another one-woman show about "me and my mum" or "me and my grandmum" and slideshow of "my grandmum in World War Two" or black-and-white photo of "the grandmum I didn't know"...

Michael: So this is the loss of the social?

Hassan: Yeah, it's an individualistic outlook that is reflected through theatre and the visual arts, and I don't know about other art-forms; maybe music is a bit more immune to it because it's a much more diffuse art-form. But if I hear another individualised story about how important my life is, I'll throw myself off of a cliff! But what is it reflecting? It's reflecting this turning in on ourselves. What's going to be the counter-force that stops us turning in on ourselves? It's going to have to be what we have labelled as "the other" as a derogatory label. It's not going to come from within: if it was going to come from within we'd be sorting ourselves out already, but we're not. The other thing is that if you look at the arts in the West is that they're talking to society that no lon-

ger exists – if it ever did – and it's the most extraordinary thing if you just sit back and look at what world is the art world, and I'm talking in general terms here, who is it communicating with? It's communicating with the dead, with the past! And that is the most extraordinary dysfunction in terms of the role of art in human history, to be talking literally to the dead as though they were alive in this kind of post-colonial

nial nostalgia that infects the bricks and mortar of European society, this notion of greatness and such-like, they are literally talking to a society that no longer exists. Now that is really weird for someone who analyses the social function of art in terms of its dialogue with society. It's the most extraordinary spectacle, but nobody wants to say it; it's like The Emperor's New Clothes, it's bizarre!

NOW, I AM HYPER-CRITICAL IN ONE SENSE BECAUSE I CARE ABOUT ART SO MUCH, BUT THE LACK OF SELF-AWARENESS IS INCREDIBLE, AND PARTLY IT'S A REFLECTION OF CLASS CONFIDENCE BECAUSE THE ARTS PARTICULARLY IN THE UK – THOUGH I'M SURE IT'S THE SAME EVERYWHERE ELSE – IS BECOME MORE AND MORE THE PROFESSION OF NOT JUST MIDDLE CLASS AS IT MIGHT HAVE BEEN IN THE PAST BUT OF THE UPPER MIDDLE CLASS.





COMMUNAL INTELLECTUAL PROPERTY AND FAIR WORKING CONDITIONS ARE AT THE HEART OF DEMOCRACY AND HUMAN RIGHTS:

Aruna Chawla, lawyer, Indian operations head of Cultural and Intellectual Property Rights Initiative

Photo: From panelist

Michael: Perhaps start with telling me a little bit about your Initiative.

Aruna: I graduated this year from law school so I just started out, possibly one of the youngest here. And I am doing a couple of things, one of which is working with Avant Garde Lawyers as an art law expert; what we do at AGL is provide legal expertise and assistance to artists at risk both in terms of immigration, human rights protections etcetera, and also commercial aspects like intellectual property, etcetera, which is more of the socio-economic side mostly not looked at in arts organisations of this kind that we're seeing. Other than that, I'm also working on the Cultural and Intellectual Property Rights Initiative which focuses on the manner of utilisation of traditional cultural knowledge and property in a way that sustains societies that that traditional knowledge comes from and corporates or the economic organisations that utilise them. An example of this could be, say, design sensitivities of traditional communities being take up by big design houses – say for example Stella McCartney – which would pick up this design, present it on the runway, sell it across the world, but also in a benefit-sharing model, give it back to that community. It is an extremely important aspect of the cultural rights idea that we were talking about yesterday with Karima as well. The intellectual property protection for traditional knowledge does not exist as of now in the form of patents of how traditional knowledge is applied, or in the form of trade-marks for organisations that work in these – but we're looking at a model where that traditional knowledge itself can be protected and utilised and not just its applications.

Michael: So that's obviously quite innovative. In South Africa, we've got the situation where a lot of indigenous knowledge around, for instance, the use of medicinal plants and this sort of thing is now at the forefront of innovations to protect those rights as well because these are now being commercialised and monetised and used in other

ways by people beyond the originating communities. It's quite a difficult thing, isn't it, to establish that as a right in the first place?

Aruna: It is. In the arts field you can attribute intellectual property to one person, so when it is violated, that person can step up and at least, even if they can't afford legal assistance, talk about their rights being violated. With cultural knowledge, it's a whole society that owns it; you can't attribute it to a single person; communities are not going to have legal organisations representing them at all times; these are just people who have had a certain way of living for years and have gathered the knowledge. That is what we are trying to do: we are trying to focus on giving it back to these communities where we can't attribute that intellectual property to a single person, but also enable them to fight for their rights, utilise the knowledge they do have in an economically sustainable way because it's not just always about fighting for rights – it's about getting it back.

Michael: I'm imagining that corporates are quite resistant to this sort of idea because they have an instinctive imperialism, essentially, to misappropriate other people's communal intellectual property.

Aruna: That's true. I think that what's interesting about this model is that it's benefit-sharing, so it's not that profits are completely taken away from the organisation, it's that profits are shared among two people or two groups contributing to an economic endeavour. Which is what happens in economic organisations as well: you pay the CEO, you pay the CFO, but that's people coming together, putting their brain-power together to achieve a common profit – and it's the same thing that we are focusing on in a benefit-sharing model. One person with the expertise, another person with the money, or the entrepreneurial knowledge, getting together to present this economic or capitalist venture to the world and earning money out of it.

Michael: How do you share with a community? Because for one thing you have to define that community and that's kind of tricky because communities can be very fluid at their edges.

Aruna: Yeah, so a legal intellectual property protection given to traditional knowledge is a geographic indication. So for example, Champagne which is a geographical indication, it's about traditional knowledge that's been going on for centuries of people in the Champagne region in France knowing how a particular variety of sparkling wine is supposed to be made. And this is the exact kind of model we are building on. Now, Champagne was able to build on that investment value over a few years. How we started focusing on this was one of Dior's collections which appropriated the Bihor – Bihor XXX is a Romanian community and they have a particular design form – and Dior's collection presented this on the runway, got this design trade-mark and started utilising this and exploiting this without giving it back to the community where the design was inspired. Stella McCartney on the other hand works with the Mexican communities that she's inspired from and creates opportunities for these women who've traditionally been making these designs over centuries and pays them to make them instead of paying factories to make copies of the design who have no relevance or relations to the creation of that design.

Michael: So what you're saying is that in parallel to trying to create a new – because in many respects it is quite new – legal framework, you're trying to create a new ethic, really, around how creative industries appropriate and use and for want of a better word exploit other cultures' specific heritage?

Aruna: Exactly, yeah. So the problem is not with appropriation, it's when that idea is misappropriated and the profits of that are not shared, which is the whole idea of intellectual property, that the person who creates it or the person who has put in

the labour is compensated for the work they do – and it's just that here we are talking about a community.

Michael: Now you're obviously from a legal background but do you have ethical or aesthetic concerns about distortions of culture?

Aruna: I think that's always sad – but I think it's important to look at whose culture is being distorted. I mean, if it's my culture distorted, I have the right to say anything about it. What I can do is provide support for what that community wishes to do. I think aesthetic innovation is always going to happen and we are always going to be inspired by what is around us and that is how creativity develops; I mean, nature's already created all the colour combinations for us, all the colour schemes for us, and we're constantly being inspired by what already exists. So aesthetic innovation is always going to happen and at times it will lead to distortion as well; distortion happens when someone has a particular way of looking at things and decides to do it a little differently. I think that synthesis will continue happening and that thesis-antithesis idea is going to be there.

Michael: In this globalised world where images can obviously traverse the Earth in seconds, and there is the emergence of elements of a global monoculture, is it really possible to compartmentalise cultures in that way – bearing in mind that on top of that culture itself, including traditional cultures, are not static as people tend to present them?

Aruna: Personally I don't think it's possible. Even as lawyers the first thing we learn in law school is that law is not static either; it's about what's happening in society at that time and what needs the most legal protection, or what kind of legal protection is required. As society changes, laws are going to keep changing and they're interrelated in terms of that change and growth.

IN THE ARTS FIELD YOU CAN ATTRIBUTE INTELLECTUAL PROPERTY TO ONE PERSON, SO WHEN IT IS VIOLATED, THAT PERSON CAN STEP UP AND AT LEAST, EVEN IF THEY CAN'T AFFORD LEGAL ASSISTANCE, TALK ABOUT THEIR RIGHTS BEING VIOLATED. WITH CULTURAL KNOWLEDGE, IT'S A WHOLE SOCIETY THAT OWNS IT; YOU CAN'T ATTRIBUTE IT TO A SINGLE PERSON; COMMUNITIES ARE NOT GOING TO HAVE LEGAL ORGANISATIONS REPRESENTING THEM AT ALL TIMES; THESE ARE JUST PEOPLE WHO HAVE HAD A CERTAIN WAY OF LIVING FOR YEARS AND HAVE GATHERED THE KNOWLEDGE.

Michael: So that's an interesting dynamic tension: that both culture and the arts and law itself are not static entities, that they are continually evolving – and they're all interpretive actually. So I think a lot of lay people have this conception of the law that it is unchanging but that's obviously not so, especially with case law and precedent and how that evolves.

Aruna: There case law, there's policy changes happening at all times and law is about interpretation. I mean, if we're looking at the UDHR [Universal Declaration of Human Rights] and we're talking about human rights, but as lawyers we are also working towards making sure the UDHR stops being relevant any more in our lives; we want to be in a position in society where we don't have to keep fighting for the application of the UDHR, but human rights are already protected and documents like these, or the UN bodies, become obsolete.

Michael: We've just seen the FreeMuse presentation relating to women in the arts. Do you see a particular gendered skewing of rights and access in India in particular and in South Asia?

Aruna: I think definitely yes, and I'm sure across

the world this is true; women have the additional threat of personal bodily autonomy; the first way in which women are controlled is by sexually harassing them; they are threatened not just with taking away access or a platform but also personal threats against bodily autonomy. Men face the threat of death too – but that's not because of their gender; women face it because of their gender. And it's not true just for the arts community, but it's true for all communities across the world and for all industries across the world.

Michael: How does one apply what you're doing to the broader human rights framework, because it's obviously located within that, it isn't just specific to the Universal Declaration of Human Rights?

Aruna: There's something I will be talking about tomorrow: when we talk about social rights, cultural rights, artistic rights, the first thing that comes to mind is economic rights because when you're independent you have the financial assistance – whether it's by funding, or financial sustainability, or the entrepreneurship of what you do – to be able to exercise all the other rights, your social and political rights, your citizenship, of exercising the right to vote, etcetera. They mean

nothing if you don't have the money to exercise them; you live in a society where you always have to purchase food or pay rent for where you live. And that the kind of work I am personally doing as well, empowering artists, specifically in the industries of arts, fashion, luxury, and culture and I focus on economic empowerment.

Michael: So there's a clear equity aspect in all of this?

Aruna: Absolutely. A big problem in the fashion industry is working conditions of labour, them not being paid fair wages, so if the fashion industry does not pay the labourers fair they're violating their labour rights, they're also their human rights because they're being treated as second-class citizens that don't deserve to spend money as we do. That impacts the environment because they can't afford to make environmentally sustainable choices. And this is all a human rights concern.

as an excuse for prejudicial policies and actions by civil society etcetera. I presume you must keep a weather-eye out for making sure that in strengthening certain communal rights you're not prejudicing communities external to those communities as well, you're not trying to create conditions of specificity that are outside of the general human commune if you will?

Aruna: Yeah. I think it's a very important consideration to have, especially when today and over the years this has always been an issue, when cultural diversity is placed completely at odds with cultural relativism. I mean these two are at odds but it's not that all of us are different or that we have different practices, it's that we are still humans at the end of the day who make different choices – even if we were to have the same religion and the same practices, our way of expression might be different. But that does not make us enemies of each other. Say for example the economic independence work that I personally like focusing

WOMEN HAVE THE ADDITIONAL THREAT OF PERSONAL BODILY AUTONOMY; THE FIRST WAY IN WHICH WOMEN ARE CONTROLLED IS BY SEXUALLY HARASSING THEM; THEY ARE THREATENED NOT JUST WITH TAKING AWAY ACCESS OR A PLATFORM BUT ALSO PERSONAL THREATS AGAINST BODILY AUTONOMY.

Michael: Some red flags have been raised during this conference about the misuse of cultural rights to assert false conditions of difference between people, or groups of people, classes of people. Is there maybe some concern in the specificity of your work to try and make sure that at the same time as focusing on very specific cultural rights that you are also doing it within a very universalist ethic? There's a lot of abuse of culture, particularly religion but not just religion, culture more broadly,

on: the big fashion houses have the responsibility of paying the labour that they work with a fair wage, even though that labour union might not be strong enough or might not be monetarily as sound as the one person owning a design organisation. And this is about the power dynamics; this is what cultural diversity is about, or democracy for that matter, that people who are in power do not make decisions that the minority has to suffer for.





FEAR OF YOUR FRIENDS AND PEERS: THE PURITAN POLICING OF LIBERAL ACADEMIA AND THE ARTS:

Svetlana Mintcheva, Director
of Programmes at the National
Coalition Against Censorship, USA.

Photo: From panelist

Michael: There's been a lot of focus on your country and Trump in terms of an indicator of the rise of right-wing populism and neo-fascism etcetera. Could you perhaps give us a perspective on emerging economies that are perhaps in a more dangerous situation, like Brazil and India, in terms of the rise of similar and more unchecked movements in those regions from the perspective of the US, looking outwards?

Svetlana: I really can't speak about Brazil and India, but I could speak about the US. We take it for granted that we have the rule of law in the US and liberal democracy in general, and I think that rule of law might be under threat. I mean, what happened recently with the Supreme Court with the election of Cavanaugh XXX the Supreme Court justice in a very politically polarised environment: we have a Supreme Court justice who clearly had a very strong political position and clearly did not like Democrats. So this is coming now to the highest court of the land which should have the credibility of being above and beyond politics, and that credibility is being eroded. So then on the other hand you have the stacking of federal agencies with people who are not critical of the president, so I think we should not be taking too lightly the danger this could present, and also the danger that a populist, right-wing US where the rule of law is eroded, what danger that could present to the rest of the world as a somehow kind of check on human rights abuses in other countries. And my work is within the US, admitting that there are very dire situations in other parts of the world, my purpose has been to raise awareness for what is happening here in the stable, liberal West, and how rights are threatened here, where things are going and how freedom of speech, freedom of conscience, freedom of speech to me is not just about saying we are here for individual artists. I don't think that's entirely the case and the reason to me is when individual artists matter is when, not so much the human rights of artists though I prioritise that, but more than that, is the health of the public sphere, it's all of us. So on the other hand, censorship, sup-

AND MY WORK IS WITHIN THE US, ADMITTING THAT THERE ARE VERY DIRE SITUATIONS IN OTHER PARTS OF THE WORLD, MY PURPOSE HAS BEEN TO RAISE AWARENESS FOR WHAT IS HAPPENING HERE IN THE STABLE, LIBERAL WEST, AND HOW RIGHTS ARE THREATENED HERE, WHERE THINGS ARE GOING AND HOW FREEDOM OF SPEECH, FREEDOM OF CONSCIENCE, FREEDOM OF SPEECH TO ME IS NOT JUST ABOUT SAYING WE ARE HERE FOR INDIVIDUAL ARTISTS.

pression affects everyone and censorship is the closing off of access to ideas, the stopping of a kind of critical thinking, and this affects society at large. Which is why I question the whole notion of relocation, because it helps the individual but it actually leaves society where the individual was at risk, in a way worse off because critical voices are gone. And what interests me also in the US is the existence of this lively public sphere which is key to any kind of democracy; you cannot have democracy without credibility; you can have a voting process, but people don't even vote when they know that it does not matter and there's a lot of disaffection with democratic politics, and it's complicated. But to me, freedom of expression has to do with the political environment and what kind of political environment we want to have, we need to have, and what's happening now in the US – which does not jail artists – is a kind of polarisation which has come to the point of fracture; it's a very fractured public sphere in the sense that I can talk to people that agree with me and I agree with them and we agree with each other, but then there are those other people that

live in a completely different reality, they are just, they agree with each other and they say that what I am saying and what my groups is saying is fake news or it is just complete lies.

Michael: So there's no common grounds for even debating?

Svetlana: There's no common grounds to even start from a common assumption that "this is true, and this is my opinion and this is our opinion," no, we have come to the point where we don't even agree on the basis, we don't agree on what is true and what is not and that is the basis of this radical doubt of what is true.

Michael: There was this interesting debate that I chaired a little earlier this year on fake news and one of the research elements that was presented by one of the speakers was that in the United States, in terms of media consumption – and this was really counter-intuitive to me, but intriguing – that conservative consumers read far more liberal media than liberal consumers read conservative media. And that was really interesting to me because it suggested a retreat by the Western liberal values into an enclave of their own. In other words, this is not purely a conservative retreat.

Svetlana: No, no, absolutely, and I think that's where we have liberal and left groups abandoning the whole principle of free speech. What you're saying is really true and it's the refusal of the left to listen to some voices on the other side – and a very aggressive refusal. The New Yorker had invited for its festival [former Breitbart head] Steve Bannon to have a discussion with David Remnick, their editor-in-chief; there was so much protest that they cancelled and they disinvited him. So, why? So you disagree with Steve Bannon, you find him to be a dangerously anti-immigrant racist, whatever, but where does the refusal to even listen to debate with him leave you? They were not celebrating him; it was a conversation and many people were interested in listening to the conversa-

tion, but there's this whole notion of deplatforming.

Michael: Which actually has an element of dehumanisation to it, does it not?

Svetlana: Very strongly so, I mean that is the goal of deplatforming, so these people cannot have ideas that are worth listening to at all, they are pure evil. So this is creating somebody who is pure evil who you cannot engage with because if you engage with them you are legitimising them.

Michael: Well obviously this is a difficult debate, it's not straightforward. We obviously understand the principles of don't give platform to outright hate speech and fascism etcetera, but this whole demonization of essentially half the [US] population or whatever your statistic wants to be is really problematic, because you really are disappearing people, you are creating the grounds for grievance in fact.

Svetlana: Right. And what does "don't give a platform to pure hate speech" mean? You know under US law there is no definition of hate speech, so direct incitement to violence is criminal, but racist speech is not criminalised. So what we've had in universities is conservative student groups inviting speakers, provocateurs like Milo Yiannopoulos or Richard Spencer who is a white supremacist – they're people with bad ideas, no question about it – but what happens is that every time they invite such a speaker, they know that the larger student body is going to lash out in protest and they are going to look bad because they are going to be "against free speech." So you have this baiting of the left and the left is taking the bait. What if you invite a racist speaker and nobody shows up, or five conservative students show up, what is going to happen?

Michael: Or they get adequately defeated in debate?

Svetlana: Or if there's debate, they get adequately

defeated. It's giving them more credibility [to ban them]. It's really disturbing because I work on free speech, and now you have these "free speech martyrs" that are very obnoxious figures, whereas don't deplatform them, give them a platform and don't go and listen, or ask them a question; they are mostly not that smart and the emptiness of their ideas is going to be revealed. But the more you ban them, the more you create them as mythological, Satanic masters of the universe; somehow you give them more of a stature by rising up as a whole student body and wanting them removed – and the same thing with The New Yorker. And that also creates a kind of fear within liberal institutions that you cannot write about certain topics, you cannot ask certain questions; there is a kind of puritan policing of discourse.

Michael: And this is particularly prevalent, weirdly enough, in academia.

Svetlana: In academia, in the art world. It's funny that in society at large, these institutions are not dominant. What is dominant is big corporations, big money and Donald Trump, right? At the same time, you have these small enclaves of liberal power that are thinking that they have social power and they can police their own little enclaves – but they are powerless in society at large and when they are policing discourse so strictly, they are isolating themselves and becoming more and more little marginal liberal enclaves. So I am very sympathetic to the concept of social justice, I think the tactics that are deployed now by many people that are interested in social justice and achieving social justice through censorship, I think these are very misguided because censorship has never helped the cause of social justice. Historically, you look: censorship has always helped those in power and those in power – not in academia, but in society at large – are not the people that we want to be imposing censorship. So that perspective is somehow lacking, and I find that a lot of times that even asking the questions in the US, you can be unfriended on Facebook. I mean I have spoken to people within

the cultural sphere and they are liberal, left people and they are concerned because you get absolutely mob-attacked if you express a dissident thought on social media, you get professionally ostracised, you get personally ostracised.

Michael: It's a kangaroo-court mentality.

Svetlana: Yeah, and a kind of dogmatic mentality where you have to be very pure, very politically correct otherwise you're out – and there's fear. And fear not so much of the political other, who we don't even talk to, but fear of your friends and peers. So not only is the public sphere fractured because left and right don't talk to each other, within the left there are many fractures; the right, however [laughs], have consolidated and they're very different, you have fiscal conservatives, you have the Tea Party, you have the religious right, they're absolutely different people, but they are creating alliances for power. And I think they should be critical of Trump; a lot of them dislike Trump but Trump is their way to be in power. And they have their interests, they have their financial interests or whatever and he's responding to some interests of theirs so they consolidate in the name of getting power. The left is fracturing and the more they are gaining power in academia and liberal institutions, the less they have broad social power in society at large because a lot of people live within those institutions – they don't see beyond them.

Michael: OK, you've stressed that your bailiwick is the USA, but to what extent do you say that the Trump phenomenon and associated things like the Tea Party have been enablers of these types of phenomena elsewhere in the world, either because of the actual imperialist power of the USA or because of its symbolic significance?

Svetlana: Well I think what's happening in Europe is very much in parallel, I mean Poland, Hungary, you know, you have right-wing populisms everywhere.

Michael: South Africa too; we're all part of a broader process.

Svetlana: Exactly, and Trumpism is a symptom as is everything else; the basis of this is economic. You look back into the 21st Century and there's economic discontent, so you have societies that are extremely economically polarised, you had a 2008 crisis that affected people in the middle class that lost a lot – and then the richest parts of society recovered, the stock market did very well, banks are doing very well. You also have a sort of mobile cultural intelligentsia in the West and young people with education and resources who can move and for whom this kind of new economy, the information economy is good. But you also have people who have been left over, who have lost jobs in manufacturing, who have lost security, in the US have lost their houses (the housing crisis), so these people have been left behind.

Michael: You see photographs out of cities like Detroit that look like post-apocalyptic wastelands.

Svetlana: Right. And artists are moving in there, so the liberal cultural elite could make galleries, but what of people who have lost jobs in manufacturing, how will they recover? So they're ripe for populists like Bannon who had the ideology – and listening to Steve Bannon, which I find interesting, is that he precisely identifies that, identifies the fact that corporations, with the recent tax cuts that Trump did, they're tax cuts for corporations. You've had the most radical economic polarisation of society that you've ever had, it's more than the early 20th Century, so Bannon identified that and the Trump campaign identified the disaffection, and then provided what to me is the wrong answer, which is "let's stop those immigrants; they're taking our jobs," which is bullshit!

Michael: A diversionary tactic.

Svetlana: But there is this correct identification of people's discontent and this is happening in

Europe, that's happening everywhere, it happened with Brexit; the people who are left over by new economies who have been hurt by crisis but never recovered and they're angry and they need to direct that anger and they need someone to tell them "you're a person of value and we will help you recover – at the expense of some other group," and this some other group that is being pushed forward in the US is immigrants, and in Europe as well. And the rhetoric of hatred is really taking hold because of the existing social anger, which is exploited by populists. So to me it may be the economic model that the US has; I don't think Trump can accomplish such a revolution of international politics. It is the logic of neoliberal capitalism and the government handling of the economic crisis in which the government bailed out the banks, gave hand-outs to corporations, and the cost was borne by the middle class which is now not a middle class anymore. So this is the environment.

Michael: So what is the role of the arts in all of this? It's interesting that you talk about gentrification in Detroit because Hassan stressed this quite strongly in his talk and in our interview of how often artists became the thin end of the wedge in pushing marginal people even further into the margins.

Svetlana: We have much activism around gentrification and art galleries in the US. Gentrification is a real phenomenon, but there are two issues and one is first of all it's not really galleries that are pushing people out, but the big developers, and we have issues in Chinatown where big developers are buying buildings, they're kicking tenants out and they're re-renting for a lot more money. The galleries actually provide some value to the community: in LA, there's a lot of controversy in Boyle Heights which is this area that's being gentrified; some of the galleries that were kicked out were first-time galleries showing works by Hispanic artists, not the blue-chip galleries that have space everywhere. There are political movements that are sometimes blunt instruments and this is one issue, gentrification, who do you go after? It's easy to go after the

galleries because if you are an arts activist the galleries listen to you – but do you go after the developers? How do you go after the developers? It's harder to go after the developers, but then what's the effect you'd have if you just go after the galleries? You remove a gallery; gentrification is still going on. I beg to see the case where kicking out a gallery has stopped gentrification. And the other issue is do we really want to keep the slums? Don't you want development, don't you want infrastructure? Do you want people to live in cockroach-filled apartments? There's this big debate right now on Amazon coming into Queens. So to me, what is your vision, what do you want done? And nobody has stopped gentrification so far. The big problem with gentrification is clearly that artists and people are kicked out after a while.

Michael: This has happened downtown Johannesburg where the city created a Cultural Precinct and the first move was to relocate the homeless people and kick out the artists who actually lived there and now create this vacuous Cultural Precinct that is denuded of its culture [laughs].

Svetlana: Absolutely, but I think the thing is not to stop development but to create, to advocate to create affordable long-term spaces for artists; make arts organisations or whatever change ownership and create mechanisms where you protect groups that are there and they're the ones that give life to the neighbourhood. And that's very doable because you're otherwise protesting against something that will happen, you're not going to stop it by your protesting in the street – but you can lobby. And this happens here and there: there's an area being gentrified and you buy a building from the city and you have a gallery and working spaces for artists, and live/work spaces for artists, so there are all these energies of protest and activism and I think they could be more smartly deployed to not stop a process that will happen but to...

Michael: Make sure it's integrated into the actual community.

Svetlana: So don't kick out the galleries, but push the galleries to have a permanent space for artists, there are any ways to do it. But that is something that you can do that probably cities will be amenable to doing because it raises the value – but you also get something for it and you are employing your activist energy in a positive way. I just did a book about curators negotiating difficult content which is called Smart Tactics; I think you need to employ smart tactics rather than this strategy of just saying "no!" You need to deploy a strategy that has a chance of success.

Michael: So tell me a little about hope.

Svetlana: Oh, hope? I think hope is dependent on having a vision. What do we want? A lot of what we're thinking is what do we not want, and I think the way Safe Havens is structured this time is good because we are saying "what are our goals; what can we do?" It's more pragmatic because otherwise we can always have a litany of complaints; we can say this is not working and that is not working and the world is going to hell – fine, the world has always been going to hell – but where do you want to be? There are all these protests against artworks in American museums, so there is an artwork and it bothers you, so what would happen if the museums take down all the artworks that bother you, how much better will society be? I mean, what is your vision? Sometimes left activism is kind of feel-good with a short-term goal, but long-term, where do you want to be and what do you want that pre-gentrification run-down neighbourhood to look like? Do you want it to still look run-down? Probably not; you just want it to be affordable for the people that live there.

Michael: And for it to be a viable community.

Svetlana: Yeah. Come here, do development, but do it in a way that preserves the people here – and then you'll have much more of a chance to be heard than when you are just saying "no, keep development out."



WE ARE NOT WOMEN – WE ARE HUMAN BEINGS MAKING MUSIC:

Emilia Amper (nyckelharpe, Sweden), Nadin Al Khalidi (bass and oued, Iraq) and Liliana Zavala (percussion, Argentina), members of the Forbidden Orchestra, with Farzane Zamen, Iranian singer-songwriter based in Glasgow.

Michael: Fantastic to see you perform, very energizing and moving! A lot of percussion, right? There's a tradition in West Africa where there are sacred drums that are not played and the idea is that they resonate with the beat of neighbouring drums – but they're never touched. Women, now, playing instruments, drums in particular, that they are not allowed to play, tell me about refeminising the drum, taking maybe that silent drum that was allowed to resonate in the corner and wasn't allowed to be touched, and doing what you [Liliana] did, grabbing it and playing it, breaking that taboo.

Liliana: Yeah, I'm breaking a taboo, but actually you can't play at the ceremony, that you talk about, I don't know in South Africa, but in Cuba, the woman can't play on the ceremony, you can't play batá. There is two kind of batá drums: the holy, with another kind of tension – the mechanics is not metal – and the other batá with metal you can play, but never in the ceremony. The woman can't, today you can't play in the ceremony, even now.

Michael: But the drum has been masculinised.

Liliana: But we are not using those drums in our band.

Michael: I understand that, but I am just using that as a metaphor.

Emilia: If I would try to answer your question – maybe we don't really understand – but I guess it's because we don't see ourselves as women, we see ourselves as human beings and it's really human rights to just make music, so for us it's not like “oh, it's so special: I'm a woman and I'm making music.” I'm a human being, I'm an artist, I just make music – and then society kind of hits you in the face “ah because you are a woman” and I am like “What?” Oh yeah I have to remember that I am a woman,” and I am stopped, discriminated and treated badly in many ways, again and again and you are kind of surprised every time because

we are just human beings just making music because we love it and it comes from our hearts and it's our life. So we don't see it as refeminising: we are just human beings making music and then, step by step, being a woman in society today you kind of learn this; it's really depressing, it really puts you down when you suddenly see more and more of the structures and it's ugh, and this tired and depressing feeling that it is to be met with sexist feeling and stuff. The tiring feeling is kind of fought with this meeting, this playing in this band; it fills you with energy again and it is so strong for us to just meet here because we know without speaking so much because we immediately know that we share that feeling that we just want to make art, we just want to make music, we just want to be human beings and express ourselves, but we all share the kind of ugh!

Michael: But you were indicating that actually this was a huge loss for humanity – that half of the music, we never hear.

Emilia: Yeah, it's horrible. We need to do it because it's human rights and because we lose so much art. It's not because we have to let this woman because she's a woman: it's because we lose so much art and everybody should be free; it's a human right.

Michael: You have themes that are quite lonesome or plaintive, sad – but the general impression I get from your performance is a recapturing of joy.

Emilia: It's the “re” that I am reacting to, like refeminising or recapturing. We want to make music that is strong for us and also strong for the audience, so it's really strong-sad, it's really strong-beautiful, it's really strong-powerful, joy, percussion, energy, it's strong in all different ways! It says something, but life is so rich and life has so many different feelings and we have so many different feelings and experiences and we don't want to do just one thing.

WE HAVE A LOT TO SING ABOUT, WE HAVE A LOT TO TALK ABOUT, TO COMPOSE ABOUT, SO I WOULD SAY LET'S NOT NAVIGATE AFTER SADNESS BECAUSE IT IS NOT ABOUT SADNESS – BECAUSE AS YOU SAID, WE ARE HAPPY PLAYING EVEN IF EVERY TIME WHEN I HOLD THE BASS, I HOPE SOMETHING WILL HAPPEN AND I WILL JUST VANISH BECAUSE IT'S NOT MY FIRST INSTRUMENT, THEN I'M AFRAID THAT I CANNOT NAVIGATE ON THE INSTRUMENT; THAT'S THE SAD PART ABOUT MY ROLE IN THIS BAND BECAUSE I WANT TO DEVELOP MORE ON THE BASS. BUT I DON'T THINK WE SHOULD NAVIGATE AFTER SADNESS.

Nadin: It's interesting that we navigate after sadness, it's interesting that's how you felt about it because these themes we are singing about and approaching, it's actually about reality. So when I talk about my music school in the beginning, and [being a] refugee, and I don't know what, and moving to Egypt and coming back, da-da-da-da, there were great moments too in these journeys even if they were horrible while being a refugee. But there is the beauty of finally finding a refuge which is in Sweden, for myself, eighteen years ago, and the freedom to grab a guitar and just play. My boyfriend when I was eighteen years old, he was arrested on stage because he sang Maggie's Farm, a Bob Dylan song: I don't want to work for Maggie's father, for Maggie's brother, no more. And there was this secret police and they came and they took away his guitar and the arrested him and I saw that happening and that was, is still the love of my life. I wasn't sad, I was "oh, my boyfriend is a hero!" Coming here and the surprise that Swedish musicians are interested in Arabic music more than me; I had no interest in Arabic music at all. And then seeing

Sousou as well, meanwhile I'm studying the language and trying to integrate into society and seeing her on stage and I was like "oh would I ever stand on stage like her?" And then seeing Emilia after a while and meeting her and you get the prize for best musician of the year in folk music and I was like "would I ever talk to her?" And the year after, I got the prize and we were sitting talking and so it's more about the journey. It's not sad stories and science fiction – and many people can relate to these stories regardless if they are sad or happy.

Michael: Regardless of the language either, I would say?

Nadin: Of course. And Lili's meeting with the teacher who didn't allow her to play – and then eventually they were touring together. I mean there is lots of positive stuff; we can't just navigate after the drama and the trauma – the story of my mom and the grave – there are no tears in this story because I never cried.

Emilia: I would say they are more realistic, stories from real life and themes. I think it's beautiful when you have this luggage with you, luggage, package or whatever, why not sing about it, why not play music about it? We are just human beings and we play themes about things that touch us; they are very inclusive, everybody can relate.

Nadin: We are sharing from ourselves.

Emilia: Exactly, so why look for other themes that don't exist. Hmm [drums on the table] what is it that this song should be about?

Nadin: We have a lot to sing about, we have a lot to talk about, to compose about, so I would say let's not navigate after sadness because it is not about sadness – because as you said, we are happy playing even if every time when I hold the bass, I hope something will happen and I will just

vanish because it's not my first instrument, then I'm afraid that I cannot navigate on the instrument; that's the sad part about my role in this band because I want to develop more on the bass. But I don't think we should navigate after sadness. And when Emilia is talking about the lost songs, about refugees, or racism, or fascism or everything that's happening in the world right now, this is not sad, it's reality – but it's a sad reality, but that's our everyday life.

Emilia: One thing we could explain about the orchestra is that it is an oasis – and it's supposed to be an oasis where we can do all the things that we dream about but that we are hindered to do, usually, because of structures or anything, because of ourselves, or people that we meet, society or whatever. This should be the oasis of freedom, musically and artistically, so if we dream about something, this is the place where we should do it, where we throw ourselves out in something and we are here to catch each other in this space.

Michael: I was interested to hear how both Sousou and Lily encountered gatekeepers – but how through their persistence, they managed to convince these gatekeepers to open the gates and actually instruct them and teach them ways that were essentially forbidden originally. You encountered men who were designed to lock you out of learning instruments, both you and Sousou, but through your persistence in both cases you convinced them to teach.

Liliana: I don't convince, it was [drumming on table] I want to learn, me! But I never think I am a woman who wants to play music, you know? I just want to play music like another person, another man. I never think like this. But I fell in love with the drums with this drum or the conga or another drum – but this drum is forbidden. Sometimes it was very difficult to learn, to find somebody who wanted to do it in Cuba. A lot of the time I had to stay and just a man can play and me I have to just

sit and watch – and then they say you can come and you can play. But I never think about what I have here when I am on the stage; I am just a musician.

Michael: You all sing as well, which is really intriguing. Just perhaps could each of you in turn tell me what is to you – in any of the languages you know – the most beautiful phrase or word?

Nadin: There are so many beautiful... I cannot have one specific word in Arabic – and it's definitely not habibi! [baby! All laugh]

Liliana: If I was to have one word in Spanish, it's libertad, it's freedom. I love this word.

Michael: in Arabic, right?

Farzane: I can say a classic poem, Iranian poem which is, if you want to reach a goal without pain in the way, you can't reach that goal (translated directly from Persian). It's a very famous phrase, very meaningful. I felt it as a woman; I know that we try to say "ok, we are human beings; it doesn't matter if we are woman or man" but we need to struggle more, we need to fight more. For me just being a musician is not as easy as it is for a man; it's so much more difficult for me. It's like climbing a very intense mountain; it wasn't easy, so this poem for me: *No pain, no gain*.

Nadin: I would say that what you said while we were outside taking some fresh air is the most beautiful thing I've heard in a while: strike while the iron is hot! [Laughs] You get the metaphor? [makes as if ironing clothes – stryka meaning to iron in Swedish – provoking laughter]. There are many beautiful words in many languages. I know when I sing in another band, one of the lyrics that I wrote about my home town, Baghdad, where I was born, you know every time I think Baghdaaaaad, I have to urgh, do like this in order not to cry. So Baghdad is a word that I get a heartbeat from.



Participants' Recommendations from the Safe Havens Conference 2018

The Safe Havens 2018 conference was an accumulation of ideas, critical issues and advocacy strategies from previous Safe Havens conferences with a specific aim to address some key questions. Participants in the conference were divided into groups and each group was tasked with coming up with suggestions and recommendations for each of the key questions posed.

The participants, all experts in their various fields who either work in the field of artists' advocacy, law, freedom of expression, human rights or are themselves artists, were able to look at the questions posed from various viewpoints and thus come up with recommendations that target different sectors involved with artists and their universally protected rights.

IT IS OUR INTENTION to work on these recommendations in order to put together a serious strategy document for the sector i.e. structure an advocacy plan which would have concrete steps, actions and a time plan. We also plan to organize (through the Nordic Council of Ministers) discussions and exchange meetings of our sector(s) together with arts councils/cultural ministries, diplomats and international funders.

Below you will find introductory comments and recommendations from the participants, based on the three key conference questions and discussed at Round Tables. They are loosely divided by the key actors who would be responsible for the action, although in many cases it should be a collaborative effort.

In addition, we have added elements of the speech given by Mme Karima Bennoune, UN Special Rapporteur in the field of cultural rights, to the Safe Havens conference on December 5th 2018. These are indicated either by the initials

KB D (Karima Bennoune 'Demand') based on six demands she articulated or KBWF (Karima Bennoune Ways Forward) based on her concluding list of six steps to move forward, collectively, cooperatively and in complementarity.

Key Words and Concepts

- Cooperation and complementarity
- Coordination – between actors, sectors, countries; local-regional-international
- Cross sector, regional and international collaboration
- Hubs and networks
- Strengthening the locals, our equal partners – listening, working bottom-up
- The artists are our inspiration

Introductory comments

Extracts from Karima Bennoune's address:

Artistic and cultural initiatives can provide crucial opportunities to build capacity for critical thinking and respect for cultural diversity, equality and the universality of human rights.../...

We need to insist on a cultural rights approach to safe haven and artistic freedom, grounded in international law, meaningfully implemented at home and around the world, and based on full participation and consultation of affected rights holders. Indeed, we must understand artists and their audiences as rights holders, and in certain circumstances as human rights defenders, cultural rights defenders.../...

I would... like to offer my sincere gratitude to those amongst us who work to realize safe haven for and with our artist colleagues, either by fighting for artistic freedom around the world and tackling the root causes of its repression, or by helping find refuge and support for those who flee. Your collective efforts to secure these rights, for yourselves, for others, for us all, have never been so important.../...

(KBWF,6) I will call for the creation of a Civil Society Coalition for Cultural Rights at the United Nations, modelled after similar coalitions around inter alia the issue of freedom of religion or belief. This structure could more systematically aid me and future Special Rapporteurs in pushing for implementation of Article 27 and other universal norms. It could work on the dissemination of reports, their translation into other languages, development of implementation toolkits, could organize more participation in interactive dialogues and could lobby states in support of the work of the mandate and on relevant resolutions, and hold them accountable for violations, and could train artists and activists in working at the UN. It is time for actors in the cultural

sphere to recognize the importance and relevance of the United Nations human rights system for their work, and for the United Nations human rights system overall to pay greater attention to culture and cultural rights.

Worrying trends observed by participants

- Threats from States are being superseded in part to threats from interest groups ('tyranny of the street')
- Interest groups are often dominant majorities, not minorities
- Copyright holders (big business) dominate
- Support for what is controversial is in decline
- What is deemed morally objectionable becomes legally enforceable
- Violence is being justified
- 'Online' has become a principle space of contestation
- Private companies have become the principle arbitrators of acceptability
- The online is no longer merely about funding and distribution but has become the complete access (or not) to artistic work

On Advocacy

...the crucial task of implementation of universal human rights norms is to prevent the arbitrary privileging of certain perspectives on account of their traditional authority, institutional or economic power, or demographic supremacy in society. Risks can come from the tyranny of the majority, political correctness, cultural sensibilities, traditional values, cultural relativity...

All of our actions should be considered 'advocacy': there is no one solution, and we should use all the tools at our disposal to address the problem. These include actions by individuals, groups, national and international initiatives actors, such as:

- classic' advocacy of writing appeals to govern-

ments, engaging with international organizations such as the UN and EU, lobbying governments

- providing placements for artists at risk, empowering artists
- artists sharing experiences of challenges and attacks against artistic freedom with other artists (at risk and not), organizations, media..., artists joining movements and becoming active
- protecting collective rights - unions, collectives, networks and so on - push back! Calling for better or new legislation and new representatives
- understanding the interest groups, at a national level, uncovering their motives and dividing them. Push back!
- understanding the multinational corporate platforms, AI and algorithms, data collection and sales, at the international level. Informing ourselves, making demands, collectivising and boycotting
- through writings for and teaching young people on human rights, creating better understanding at an early age.

On a Strategic Approach

We need to:

- Develop a strategic and long-term approach to advocacy.
- Examine and learn what makes advocacy campaigns successful
- Develop in-country contact points + establishment of networks of international and national advocacy organizations, connections with other industries.
- Be flexible within organizations, in order to be able to change approaches for advocacy for artists at risk.
- Develop and support networks of translators and lawyers who can provide services for free.
- Inform the wider public, not only the artistic and human rights defenders community (consider language sensitivity); reconsider the importance of artists in the country. (KBD,e)
- Undertaking awareness-raising about the

importance of artistic expression and cultural production, including that which is socially engaged, so as to heighten public support for such work and those who take part in it.

Key Question One: How do we create effective, target-led, issue-sensitive advocacy in the home countries of artists at risk? What are the steps that lead to effective advocacy? When is it more effective to stay with private, behind-the-scenes negotiation with authorities or repressors? When and how do we 'go public' and which are the outwardly-extending circles of 'public' we need to touch, from diplomats to VIPS to the general public? What are the advantages or pitfalls of each and how do they affect the situation of the artist? What is the role of the affected artists in a public advocacy campaign? What do we ask the public to do or give?

Introductory comments

There was a sense that artists working in hostile regions or conflict zones, for example artists from Russia and Syria, had tried and exhausted all tactics to remain safe within their home countries. The fact that these artists were in exile was proof that they had effectively failed to be effective and safe in their own countries. Relocation can be the only option, but it is necessary for the relocated artist to be able to remain active. There are still valuable actions to be addressed; these are included below.

Funding institutions and organisations, foundations, support institutions, including international and supranational levels, need to:

- (KBD,f) (and this is to all governments) Increase their budgets for culture as much as possible, and at a minimum comply with the UNESCO recommendation that Governments use 1 per cent of total expenditures for culture.

- Discuss with actors on the ground in conflict areas in order to imagine, create and pilot criteria, systems and processes more suited to the circumstances, for example, when analysing risk and setting up security protocols. Impact evaluation is also challenging when social change is unrealistic due to poverty, repression or war, and may be more verifiable only in the longer-term. Alternative evaluation methods should be co-developed that are easy to use by those closest to the work including participants, and those that measure appropriate and reasonable indicators or changes.
- Develop personal connections by visiting countries and connecting with local organizations. That would help develop sensitivity to local specific circumstances. Start from bottom up: Listen to local experts, people on the ground that are well embedded and respected. This is the key to a fast response. These can be cultural managers or others who bring knowledge together.
- Prioritise the strengthening of local actors and not only headquarters, whether this includes training for the production of reports as well as other organisational and administrative skills.
- Prioritise support to local actors rather than NGOs that 'send in' people and then leave.
- Dialogue with beneficiaries and partners how to ensure that funding goes to the projects rather than corrupt gatekeepers.
- Require full transparency regarding how funds are distributed and to provide assurances and show evidence that there is respect for artistic freedom, equal access and non-discrimination in allocation. Funding to countries with poor human rights records should be scrutinised, and ensure that if given, it directly aids the local actors and not the rights abusing authorities.
- Oblige all signatories to human rights declara-

tions to teach the principles of human rights to all children. There are many materials in all languages written specifically for schools and children and the use of these should be monitored. Signatories should be monitored regarding their investment in rights-education for children.

Diplomatic offices, EU delegations, consulates and embassies, cultural institutes, need to:

- Be more active in their support for cultural projects in conflict areas, for example finding solutions to obstacles, such as transporting materials across borders, or facilitating visas for artists needing to travel for their work. At present many cultural institutes prioritise the promotion of their own culture rather than helping to develop the local actors. Locals are dependent too often on personalities of the diplomatic staff and often are obliged to wait for staff changes and 'the luck of the draw' if a supportive staff member arrives in post.

Human rights, free expression NGOs, the legal profession, politicians, governments:

(KBD,a) National, subnational and municipal governments should:

Respect and ensure the human rights of artists and those engaging in the cultural field, and their audiences. Take urgent steps to investigate threats to and attacks against such persons and bring to justice alleged perpetrators in accordance with international standards. All artists jailed for exercising artistic freedom must be immediately released.

- Although international recognition can provide some kind of protection, international advocacy can harm instead of help, advice should be sought and where possible informed consent given before public international advocacy is launched.

An understanding of the local context of a person's persecution is crucial. It was noted that large, international organisations may not be as flexible in their actions and are less likely to be able to take risks for example in using alternative advocacy approaches. National NGOs can sometimes be pro-government and so have access to and be influenced by government funding and support. Smaller, local or regional organisations may be able to take more creative and tailored advocacy strategies and local 'grass roots' organisations may be more independent.

- Training and technological support for people at risk are essential. This again is best provided by people on the ground where possible. There was broader concern of internet monopolies, be it state controlled or even through such monolithic providers as Facebook, etc. having an impact on being able to communicate freely.
- Training should include online information; regarding rights and legal frameworks; data encryption and online security; digital communications in authoritarian regimes. Visibility and online information: Meet the language challenge of online searches by translating information into target languages and making sure it is searchable in those languages.
- See also Monitoring section below

Arts sector, NGOs defending artistic and cultural freedom, artists and artists residencies, need to:

- Work collaboratively with others committed to the same goals, as well as local actors, in the context of longer-term strategies and analyses based on local and international reports, rather than in ad hoc initiatives. Artists need to act /join movements. (KBWF,1) it is essential that we all work cooperatively rather than competitively.
- Prioritise strengthening and professionalising

the local levels, as many local initiatives presently rely on volunteers.

- Support local/regional organisations, as regional and local safe houses are sometimes preferred to relocation far away. 'A safe house inside my city and a safe internet connection'.
- In training for artists, include the potential risks that come with advocacy work. This training, including legal rights, should be taught in art schools.

The Importance of the Regional: recommendations for all actors

- There is a need for full recognition of the critical importance of 'regional' contexts and knowledge(s) of local people – no parachuting in of external, arguably Eurocentric agendas.
- As a principle, advocacy and support initiatives need to be led/guided by local/regional organisations, who have on-the-ground knowledge, relationships of trust and contacts.
- The collaboratively held aim should be to develop a form of capacity building driven by regional expertise. This includes drawing upon 'neighbouring' countries in a politics of proximity and regional geography.
- (KBD,b) Provide adequate support and security for artists, cultural workers, audience members and participants; create and promote networks of support for artists and cultural workers taking risks in zones of violent conflict and facing repression.
- (KBWF,3) ...give them a place to gather and talk to each other at a time when they can not afford to go to cafes and desperately need to share news from home, to exchange with their colleagues and simply to be with those who understand what they were going through. Such modest endeavors need to be multiplied.

Hubs, platforms and networks

- National hubs could collect and verify cases, provide creative mentorship within a country. They can also offer space to make people aware of the issues and to debate. Peer to peer networks could develop peer groups in target country, and the local hubs can serve that purpose. It is essential to develop trust, to know whom you can trust as an artist at risk, to know whom you can contact without making the situation worse. Create visibility for the hub/person (but do not put them at risk).
- Priorities should be for the creation and development of sustainable platforms for regional art organisations (who need to build capacity) to advocate effectively. Organize and support country specific workshops for cultural organizations, training for cultural workers.

'Collaboration, Complementarity and Coordination

- In collaboration with arts and cultural organisations, build upon and integrate the skills of human rights defenders' initiatives in the region by sharing and transferring skills from human rights defender work to the arts sphere, enabling new models of networking, the building of governance structures and other related skills. Links must be strengthened between artists, journalists and their organisations with international professional bodies and international human rights organisations like Rapporteurs sans Frontières, UNHCR and Amnesty International – several felt these were the best positioned to put pressure on governments.
- Better collaborations with journalists and media can also be useful, for example, workshops for journalists and artists within countries at risk, to better inform them of the threats and the support mechanisms available. Work with media savvy groups to determine social national

and international print and social media strategy.

- Monitoring mechanisms (including 'indexes' and early alert systems) need to be developed and supported within countries to better understand lives and situations of individual artists and the specificity of the threats. This information is valuable to influence and pressure governments. It is also used to evaluate the potential risk of advocacy initiatives for artists and their families, in tandem with strengthening communication between local civil society and artists who wish to stay low under the radar out of fear for their lives and families.

Inform the public

- Local civil society should disseminate information on bodies and organisations that can support artists at risk within artistic communities. (KBD,e) *Undertaking awareness-raising about the importance of artistic expression and cultural production, including that which is socially engaged, so as to heighten public support for such work and those who take part in it.*

Funding

- There is an obvious need for funding in order to sustain this regionally specific work; this could be achieved via a concentrated advocacy drive targeting key funder/foundations who might be inclined to support these locally led initiatives. (KBWF,2) It is also important to consider that sometimes small amounts of funds provided to local, regional, grassroots, frontline initiatives to help artists and cultural rights defenders sur place, to help tackle root causes of human rights violations and persecution can be the most effective way to work, even if it may be less flashy than bigger external approaches which may also play a key role.

Suggested Steps

- Create scenarios and concrete case studies that will illustrate the potential for such a regional and locally led approach,
- Invite key 'champions' and public figures to help highlight the urgency of such an approach,
- Look at how human defender and freedom of expression work is being financed and supported – and by whom? Tap into these funding networks.

A concrete example suggested was the '**Ariadne' Space** (<http://www.ariadne-network.eu/challenging-the-closing-space-for-civil-society/>) – find ways to get into this room and start networking. Whilst this might seem like a closed space, it offers the potential to gain access to potential funders whilst networking (other funders mentioned included: Ford Foundation, MacArthur, Rockefeller, etc).

Key Question Two: What happens after relocation?

How are we helping to realise the artistic promise represented by these talented artists by assisting them to develop their artistic careers in their new or temporary homes? How are we supporting them to integrate successfully into the local, national or international arts scenes? What public or private policies, programmes or initiatives have been developed to help the relocated artists work with the same advantages as nationally trained and networked artists in their milieu?

Introductory comments

There were repeated and crucial calls for cross-sector (and international) collaboration.

(KBWF,1) *it is essential that we all work cooperatively rather than competitively. Alas, there is enough work for us all to do and if we do not*

have powerful coalitions and networks and allies and recognize our complementarity we will never succeed in meeting our goals no matter how well our own organizations and initiatives may do.

One organization can't do everything. Key actors – the artist, hosting organization/city, residency/Safe Haven organizations- have to work together. This can be described in three stages: Save, Career, Post-residency:

Save: Help the artist/HRD (human rights defender) to get to safety - for example, ICORN, Martin Roth Initiative, Artists at Risk Connection/ARC, Freemuse and all the artists at risk residency programmes.

Career: Hosting organizations/city, local, regional, national cultural actors/institutions can help to introduce the artist to the cultural and professional landscape.

Post-residency: Different actors can help the artist to develop a map of options, but the artists also have a major responsibility in planning for their future. Does the artist want to be established in a new career, or continue their existing pathway, or lay low for a while? What options exist and how do you go about achieving them? National actors such as Arts Councils, artists' unions can help: by organizing and funding professional platforms such as the Art to Participate (Swedish example), or initiating meet and greets with professional stakeholders such as publishing houses, dance/music/theatre, visual arts etc platforms and associations... (KBWF,4) While solidarity and haven in the moment of crisis was essential for them, long term thinking and planning and programming is necessary because for many this is a lifelong experience of cultural, personal and professional loss. And, of course, that loss is also felt deeply back

home in terms of the brain drain. Meaningful safe haven must be available urgently and have a long-term vision.

Psychological, moral, professional support: it is easy to get depressed – the residency coordinator needs the skills and capacity to manage complex emotional and psychological situations facing the resident artist. More attention is needed to find the coordinator with the right skill set, or to provide in depth training.

Connect: Email, post cards anything feels like contact, making a connection - from fellow artists, writers, journalists, members of the Diaspora community. We know you exist.

Social integration: Language skills are important, but in addition – communication skills, something about understanding the host community – challenging assumptions like “all Norwegians hate me”.

Tailored responses: Tailored networks should be created in response to an in-depth understanding of the specific professional needs of the individual artist.

Mentorships: Industry-specific mentorships – e.g. a writer will have a mentor from a publisher, a film maker from a production company in the city, or neighbouring city.

Support for displaced artists own project ideas: Support to start your own project if relevant – available funds, or how to make an online project (radio, publishing platform) earn money from advertising.

Support the artist to remain active and in contact with their audience in home country.

Funding institutions and organisations, foundations, support institutions, including international and supranational levels, need to:

- (KBD,c) Offer asylum to those whose artistic or cultural work has led to their persecution, and facilitate the continuation of their work in exile.
- Look at the history – that is, what has happened to previously relocated/refugee artists and writers? Use this information, and their knowledge to build programmes and design support. How to build on this knowledge for refugees in general and the building of networks?
- Make project money available for artists in exile/refugee artists. (KBWF,5) it would be essential not only to create more such initiatives but to support those which the exiled artists themselves would like to create, including workshops amongst themselves, and more opportunities for their work to be seen and heard. Meaningful safe haven for creators must include creative space and possibilities.
- Encourage, motivate, facilitate the arts sector's gatekeepers (theatres, festivals, galleries, publishers etc) to discover, invite, dialogue with, understand and support displaced artists whose work might speak deeply to new or existing publics.
- Invite displaced artists as advisors for newly arrived and for existing organisations as well as for the arts councils' and funders' own consultancy exercises. (KBD,d) Involve artists and cultural workers in the planning, execution and evaluation of initiatives in this area.
- Support and facilitate (with longer-term support), artist-led initiatives dedicated to refugee/migrant/displaced artists.

- Provide or include training for newcomer artists on building projects, applying for funding.

State level (e.g. Immigration): Diversify their approach to people with different backgrounds; the cultural context and/or sexuality and gender sensitive context should always be considered.

Organizations and/or cities offering long term residencies

As part of the agreement, the city **should** commit to finding a job (if the resident artist wants it) at the end of the two years. Over the two years, through meeting with the artist to find out what kind of job they are capable of and would be happy to do – that is not about working as an artist. Most Norwegian writers have to do several jobs to support their writing, so the same should apply to guest artists if they want to stay on in the city after the residency is over – working in a shop, in a library, driving, looking after children – whatever would be appropriate and means that the artist can settle into the city on the same terms as others. One job every two years is not a lot to commit to.

Human rights, free expression NGOs, the legal profession, politicians, governments:

- Offer specifically created training for the arts sector on how to launch an international campaign on raising awareness for my people / cause.

NGOs defending artistic and cultural freedom, as well as the arts and artists residency sector:

- Residency programmes / hosts communities etc must work consciously to get rid of the 'role of the saviour' / the artist as a 'token'.

QUESTION THREE: What are the legal frameworks that protect artists?

What are the legal frameworks that protect artists? Who is responsible for upholding these laws and why do they (or don't they)? How do we raise awareness in the general public so that they are the ones who understand and support the legislation protecting freedom of artistic expression? How can we work with lawyers, jurists and judiciaries to understand freedom of artistic expression, develop or uphold solid legislation and the correct interpretation of it?

Introductory comments

There should be coordination between all actors involved in a campaign; coordinate media with diplomatic political pressure campaigns, as well as the intervention of international organizations.

There should be provision of and support for accessible and safe digital forums and networks that match artists, organizers together with law professionals, with experience with specific cases and examples of good practice, and vice versa connecting lawyers with experts on art and culture.

Worrying trends observed

Mainstream media is predominantly 'white' and 'Western' and thus follows a pre-manufactured script which, time after time tells a single story. Even what is considered as progressive 'culture' is limited to these two categories in many cases. Hence, media and culture need to be decolonised and made more representative.

Immigration laws have become a big threat to artistic freedom, especially for artists not being allowed to enter or stay in western countries, whether they are at risk or not. We call for clear information from the highest levels of authorities

and governmental agencies about these issues, and for the authorities to listen to the artists and organizers.

It was noted that far right and populist movements are using free speech legislation and rights as a way to propose oppressive, repressive, colonial, racist, sexist etc ideas. The discussion noted that excluding unwanted voices was an important way to allow under-represented voices to gain ground. The approval of movements to ban, silence or otherwise outlaw oppressive voices was mentioned. In the face of this, it is important to promote discussion and education about the value of freedom of expression especially when it is being 'taken over' by the far right.

Funding institutions and organisations, foundations, support institutions, including international and supranational levels, need to:

- Endorse foreign artists, in order to support and expedite the immigration process.
- Offer financial support for independent pro-bono lawyers and lawyer organizations. Often it is only the lawyers that have the possibility of knowing how the law is implemented and the informal structures that can make or break a case. Supporting lawyers specializing in artistic freedom rights is a sustainable way of supporting the artists on site.

Diplomatic offices, EU delegations, consulates and embassies, cultural institutes need to:

- Be more robust and accountable concerning the support for artists' mobility. This refers to legal structures that control when artists are (and are not) awarded visas.

Human rights, free expression NGOs, the legal profession, politicians, governments need to:

- Support the development of global hubs/networks of human rights lawyers working internationally and nationally. Be aware that in some regimes the lawyers who are still allowed to work are not independent of government. Resources are needed to support this and make it sustainable. Large law firms might be approached to do that.
- Work with human rights lawyers internationally. Seek financial support from international law firms (esp. US) when engaged in a HR case.
- Create a fund for legal support that could intervene when other sources of legal support are not available.
- Lawyers should adopt a "do no harm" principle. Be sensitive to specific circumstances. Send observers to follow a case locally.
- Form and support partnerships/networks within a country as they are important to ensure rural areas are reached. Support key local individuals not just use them as sources of information. Treat them as equal partners.
- Lack of access to documentation is also a big problem in juridical twists as well as mobility within arts. Legal documents might be gathered on secure servers, so that if the physical documents are lost, they are still secured.

The arts sector, NGOs defending artistic and cultural freedom, artists and artists residencies:

- Intellectual Property: Artists need better access to advice, guidance, and pro bono legal assistance so they can better protect their IP rights.

Each country has its own juridical frameworks that are very dependent on the formal and informal power and juridical structures. There is a need for disseminating of information, whether it is information about one's juridical rights as artist, organizer or citizen.

