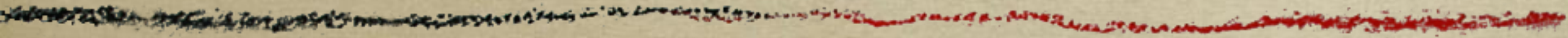


Mapping the Landscape: artists-as-human-rights defenders



Mary Ann DeVlieg
Malmö Safe Havens, 10-11 December 2015

Definitions: UN OHCHR

- “people who, **individually** or with **others**, **act to promote or protect human rights**” ... “**civil** and **political** rights as well as... **economic, social** and **cultural** rights”
- **Act - about what?** “...summary executions, torture, arbitrary arrest and detention, female genital mutilation, discrimination, employment issues, forced evictions, access to health care, and toxic waste and its impact on the environment. ...rights to life, to food and water, to the highest attainable standard of health, to adequate housing, to a name and a nationality, to education, to freedom of movement and to non-discrimination...”
- “...the rights of **categories** of persons, for example women’s rights, children’s rights, the rights of indigenous persons, the rights of refugees and internally displaced persons, and the rights of national, linguistic or sexual minorities.”
- <http://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Defender.aspx>

EU Guidelines on FoE on and offline 2014

- “Freedom of opinion and expression are fundamental rights of every human being, indispensable for individual dignity and fulfilment, they also constitute essential foundations for democracy, rule of law, peace, stability, sustainable inclusive development and participation in public affairs.”
- “...essential for the fulfilment and enjoyment of a wide range of other human rights : freedom of association and assembly, freedom of thought, religion or belief, the right to education, the right to take part in cultural life, the right to vote and all other political rights related to participation in public affairs.
Democracy cannot exist without them.”
- “Freedom of expression, **including artistic expression**, is essential for the development and manifestation of individuals’ identities in society.”

What rights? EU Guidelines

- The right to **hold opinions without interference** – *right to offend, shock, disturb*
- FoE: The right to **seek and receive** information
- The right to impart information and ideas of all kinds **through any media and regardless of frontiers**
- **States have the primary obligation to protect and ensure** the right to freedom of opinion and expression
- **ARJ Toolkit:** *Artists' rights, right to access A&C, preservation of heritage*
- http://eeas.europa.eu/delegations/documents/eu_human_rights_guidelines_on_freedom_of_expression_online_and_offline_en.pdf

A. THEMES

I. ARTISTS' RIGHTS

1. Right to take part in cultural life
2. Right to Freedom of Expression and for creative activity
3. Right to international cultural cooperation
4. Right to liberty of movement- Artists mobility
5. Copyright
6. Right to training
7. Right to freedom of association and peaceful assembly

II. RIGHT TO ACCESS THE ARTS AND CULTURE

1. Right to enjoy the arts
2. Right to Arts Education

III. RIGHT TO ENSURE THAT CULTURE IS PRESERVED

1. Protection of cultural heritage
2. Cultural rights of ethnic minorities

Standards : UN

- “No “qualification” is required...” but there are standards, and “**defenders have responsibilities as well as rights**”
- all defined human rights are universal***and non-discriminatory: the **defender has to accept all** of them even when defending only one or a few
- the defender has to be defending a **valid, defined human right**
- their actions must be **peaceful**

Main legal instruments

- **In the EU:** Treaty of the European Union (Lisbon 2009) and the EU Charter of Fundamental Rights (2000/2009)
- **Outside the EU** (external policies): the EU Guidelines
- Articles 19 of the **Universal Declaration** of Human Rights (UDHR) 1948; **International Covenant** on Civil and Political Rights (ICCPR) 1966;
- International Covenant on **Economic, Social and Cultural** Rights, 1966; Declaration of the Principles of International **Cultural Co-operation**, 1966; UN Declaration on the Right to **Development**, 1986; United Nations Convention on the **Rights of the Child**, 1989..
- UNESCO Recommendation Concerning **the Status of the Artist**, 1980

Help!

Who does what, with whom, for whom, why? where??

- **Campaigning**... advocating...raising awareness... training/info...
- Offering, seek or barter temporary **shelter**...?
- Develop **own projects** or **support others**? Give grants: organisations/individuals?
- Act **individually**? Facilitate informal **groups**?
- **Democracy? Human rights? Torture? Development? Law? Freedom of expression?** and even... Freedom of artistic expression
- **Trade unions**; professional organisations
- **Issue**-based (gender, religion..)
- **Territorial**-based (MENA, Asia, Latin America...)

Examples : a mixed bag

- **Democracy:** National Endowment for Democracy, Freedom House
- **HRs:** Front Line Defenders, Amnesty International, Human Rights Watch
- **FoE:** PEN International, Article 19, Index on Censorship
- **Journalists:** CPJ, RSF, Institute for War and Peace Reporting, Electronic Frontier Foundation
- **Arts/culture:** ICORN, Freemuse, Federation of European Publishers, ITI Action Committee for Artists Rights <http://www.iti-worldwide.org/artistsrights.php> , EQUITY/ICAF <https://www.equity.org.uk/committees/international-committee-for-artists-freedom/>,
- **Women:** Urgent Action Fund, Mama Cash, Asso for Women's Rights in Development, Women Living Under Muslim Laws
- **LGBTQI:** MorEL (LGBT Turkey), Sigrid Rausing Trust, ILGA,
- **Regions:** Gulf Centre for Human Rights, Asia Forum, EuroMedForum, Global Human Rights (LA)

Initiatives : another mixed bag

- (funders' affinity groups) **Directory** of Rapid Response Grants:
https://ihrfg.org/sites/default/files/Directory_RestRespitePrograms_2014.pdf
- **EIDHR** Emergency Grants <http://www.eidhr.eu/side-panels/human-rights-defenders/small-grants> ,
Justice&Peace <http://en.justiceandpeace.nl/human-rights-defenders-and-security/shelter-city-initiative>
- York University: **Centre for Applied Human Rights** (10/3-6mo)
- **iie**: SRF, Artists Protection Fund <http://www.iie.org/Programs/Artist-Protection-Fund>
- Oak Fellowship (1/ 4mo) <https://www.colby.edu/oakinstitute/> , Hamburg Stiftung for politically persecuted people (5/1) <http://www.hamburger-stiftung.de/en/>
- “Create Syria” <http://www.ettijahat.org/page/194> Ettijahat/British Council/International Alert ; Impossible Music Sessions <http://www.impossiblemusic.org> , **Roberto Cimetta Fund?**

(How) do they interact?



Info sharing, coalition building : to campaign, to support...

- FIDH : 178 HR organisations <https://www.fidh.org/en/>
- International Network of Women's Funds
- foundations' affinity groups, e.g. PSJP <http://www.p-sj.org/taxonomy/term/101>
- EU Shelter Platform for HRDs
- ...? joint projects?...

Artsfex / IFEX / ARJ

- IFEX: 95 FoE NGOs; 19 on JID list serv <https://www.ifex.org>
- Artsfex : promote, protect defend FoAE /share info, campaigns <http://artsfex.org>
- ARJ: EU working group 15 - 20 network/assoc. raising awareness within the culture sector <http://cultureactioneurope.org/milestone/arj-arts-rights-justice/>
- ARJ Hildesheim Summer Academy?

Example : Create Syria

- *supporting creative endeavours which develop long-term cooperation and mutual resilience*
- *build the capacity of up to 15 artists and CSOs in artistic cultural project management as well as their networking skills.*
- *10 new artistic projects from cultural managers and artists, to aid them in reaching international art platforms through dialogue. Benefit citizens in areas with notable refugee populations as well as the artists*
- *engage Syrian citizens who live in refugee camps and host communities in a series of dialogues about issues affecting their lives. These dialogues will be made through a series of artistic methods and collective artistic expression.*

Example: Campaign for Bassel Khartabil

- draft text by initiator sent to large mailing list
- NGOs feed back text changes
- (limited) time for input, feedback, discussion, agreement, approval
- 36 NGOs signed and diffused text
- <http://www.gc4hr.org/news/view/1125> PAL/Syr open source software developer, creative commons, etc. 2012 – prison. 2015 transferred...?

Example: Bangladesh Bloggers

- RSF and Amnesty International (global initiatives/emergency grants)
- RSF: secure database / Shelter Platform
- Joint skype calls: 18 participants/NGOs
- Share info on HRDs seeking shelter, update on the situation, offers of help, ideation of a campaign etc.