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DEFENDING CREATIVE VOICES

Artists in emergencies
Learning from the safety of journalists



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2
ZERO HUNGER



4
QUALITY EDUCATION

UNESCO-Aschberg programme
for artists and cultural professionals

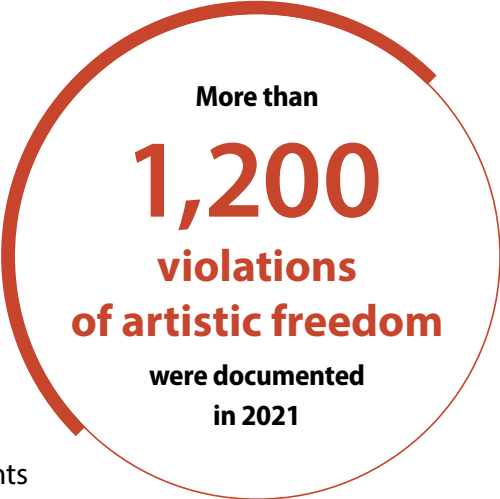
Artists and journalists at risk: Building synergies to promote freedom of expression

The safety of journalists in emergencies has received significant attention over past decades, resulting in the establishment of a strong body of international, regional and national law and policy in this field. Political leaders, intergovernmental organizations, civil society and media stakeholders have combined forces to strengthen journalists' freedom of expression, physical safety and social and economic rights in the context of crises such as conflicts, political instability and natural disasters.

Artists and cultural professionals lack the same opportunities and safety nets of protection, despite facing many of the same threats to their safety and livelihoods that journalists endure. What further actions could be taken to guarantee their protection in emergency contexts and recovery periods?

This study represents the culmination of extensive research and the findings from twenty interviews with experts specialized in media freedom, artistic freedom, the protection of human rights defenders and artists. It provides a comparison of the protective frameworks and mechanisms in place to defend the rights of journalists and artists in times of emergency.

The ultimate goal of the study is to encourage synergies between artists and journalists, and the communities that work towards their safety. It suggests concrete action to expand protection for artists' safety in crises, learning lessons from the advanced movement for the protection of journalists; all while highlighting ways in which collaboration could be of benefit to both the advocacy communities focused, respectively, on artistic and on media freedom.



More than
1,200
violations
of artistic freedom
were documented
in 2021

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DEFENDING CREATIVE **VOICES**

Artists in emergencies
Learning from the safety of journalists

Foreword

In 2021, 1,200 attacks were perpetrated against artists worldwide, with 39 of them losing their lives. These figures are the tangible sign of a desire to silence and control artists – for the same reasons that journalists are also taken as targets. For free voices can inconvenience, precisely because they represent liberty, objectivity and new horizons.

When artists are targeted, a fundamental right is under attack – the right to speak and think freely. That is why UNESCO offers its support to governments and civil society organizations, including through the UNESCO-Aschberg programme, to develop statutes, standards and policies that boost the protection of artists and artistic freedom.

We also seek to ensure that artists can keep working, even in the most difficult contexts. We are doing this in Afghanistan and Ukraine, for instance – by cooperating with artistic institutions in 13 countries to welcome Ukrainian women artists in exile, and by supporting the continuity of the country's artistic life through financing for cultural projects.

But we could go further, notably by building on UNESCO's experience in protecting the safety of journalists. For over 10 years now, our Organization has led the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity, by monitoring and denouncing journalist killings, by helping to develop national and international protection standards, by training the judicial actors responsible for enforcing them, and by providing operational support to journalists in the field.

Normative and operational measures like these could be deployed for artists too – and that is the purpose of this publication: to identify avenues for additional actions that have already proven their effectiveness.

This report therefore calls for greater recognition of the vulnerability of artists and cultural professionals in emergencies, and puts forward operational measures to address this issue. It also sets out more structural measures to make the condition of the artist less precarious in the long term.

The protection of artists is a fundamental issue. Now is the time to tackle this topic, with the same determination that the international community has shown for the protection of journalists.

That is the ultimate goal of this publication: to step up cooperation, at all levels, so we can protect freedom of the press and artistic freedom. Because, in order to withstand crises and build the future, we cannot do without voices of information, or voices of creation.

Audrey Azoulay
Director-General of UNESCO

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List of abbreviations and acronyms

1980 Recommendation	UNESCO 1980 Recommendation concerning the Status of the Artist
2005 Convention	UNESCO 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions
ACOS Alliance	Culture of Safety Alliance
AR	Perpetuum Mobile/Artists at Risk
ARC	PEN America's Artists at Risk Connection
CI	UNESCO Communication and Information Sector
CoE	Council of Europe
CwC	Communications with Communities
ECHR	European Convention on Human Rights
EUNIC	European Union National Institutes for Culture
FREEMUSE	Freedom of Musical Expression
GMDF	Global Media Defence Fund
HEF	UNESCO Heritage Emergency Fund
HRC	Human Rights Council
HRDs	Human Rights Defenders
ICCPR	UN International Covenant on Civil and Political Rights
ICESCR	UN International Covenant on Economic Social and Cultural Rights
ICORN	International Cities of Refuge Network
IFEX	International Freedom of Expression Exchange
IFJ	International Federation of Journalists
IPDC	International Programme for the Development of Communication
JID	Journalists in Distress Network
MDP	UNESCO Multi-Donor Programme on Freedom of Expression and Safety of Journalists
MFC	Media Freedom Coalition
MINUSMA	United Nations Multidimensional Integrated Stabilization Mission in Mali
NHRI	National Human Rights Institution
OSCE	Organization for Security and Co-operation in Europe
QPR	Quadrennial Periodic Reports to the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions
Rabat Plan of Action	Rabat Plan of Action on the prohibition of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence
RSF	<i>Reporteurs sans frontières</i> (Reporters without Borders)
SLAPPs	Strategic Lawsuits Against Public Participation
UDHR	Universal Declaration on Human Rights
UN Plan	UN Plan on the Safety of Journalists and the Issue of Impunity
UNCT	UN Country Team
UNP	National Protection Unit in Colombia
UNSC	UN Security Council
UPR	Universal Periodic Review
VNR	Voluntary National Reviews, reporting to the SDGs

INTRODUCTION

Artists and cultural professionals play a crucial role in society, fostering public discussion and democracy, encouraging critical thinking challenging traditional stereotypes and contributing to conflict-resolution (Benboune, 2018). Their artistic freedom is central to the diversity of cultural expressions and the “development of vibrant cultures” (Shaheed, 2013, para. 3).

Increased attention must be paid to the challenges faced by artists, as well as their contribution in emergency situations. They frequently find themselves limited in expressing critical views, and face threats, censorship and attacks that have a silencing effect. They are particularly vulnerable, lacking in international, regional and national protective mechanisms, the means for collective organization and are prone to infringements of their social and economic rights. Emergency contexts can result in increased instances of harassment, physical violence and legal prosecution faced by artists, who in some cases are even murdered, being directly targeted due to their profession. At the same time, when effectively protected, artists and cultural professionals can play a key role in promoting tolerance, mutual understanding and reconciliation, and culture can “drive inclusiveness and spark dialogue between individuals and communities, while helping to identify common ground” (UNESCO, 2019e, p. 8).

Emergencies can also impact on cultural expressions, goods (such as contemporary artworks and collections), services (including in the digital environment) and spaces – from theatres and galleries to cultural centres and digital spaces. These threats vary according to the form that the emergency takes. Armed conflict, political crises, natural disasters and pandemics affect the art world in different ways that are explored in further detail in this study.

The work of journalists has also long been recognized as a vehicle for democratic dialogue and political accountability, as well as of mutual understanding and peace. They face similar risks as artists that voice critical perspectives, in terms

of censorship, attack, harassment and legal action. They also undertake essential work in emergency contexts, disseminating critical information, debunking disinformation and helping the public both locally and internationally understand the situation. They facilitate communication between communities and international aid agencies, document and bring attention to human rights violations and contribute to peace-making efforts.

COVID-19 has brought to the fore another common characteristic of journalists and artists. In an emergency, they are often among the first groups to experience infringements of their right to freedom of expression. During the pandemic, their voices were frequently stifled when they criticized State responses to it.

Fortunately for journalists, despite increasing threats against them, the past three decades have seen growing attention to their safety at global and regional level. This has been reflected in resolutions, decisions, statements and commitments at global level that have in turn fostered advances at country level. Advocacy by civil society and the international community has played a vital role, and the adoption of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity in 2012 was an important milestone in this process. Further, journalists have had relatively reasonable access to financial and emergency assistance from various media and human rights organizations. In comparison, as will be seen in this study, artists face many of the same risks but do not enjoy the same level of protection. They are not considered a priority group in international law, their role in society receives less recognition and the support they can access is more limited.

This study seeks to deepen collaboration between communities working to safeguard the rights of both groups. In line with UNESCO’s constitutional mandate to promote the “free flow of ideas by word and image”, the Organization’s Culture and Communication and Information Sectors have increasingly sought to strengthen synergies and exchanges to protect communities who often come under risk for expressing themselves.

Sharing of good practices between the actors working to advance artistic freedom and media freedom can reinforce both movements, and joint awareness-raising and advocacy campaigns can increase their effective reach.

With the support of the UNESCO-Aschberg programme for artists and cultural professionals and the UNESCO Multi-Donor Programme on Freedom of Expression and Safety of Journalists, the research for this study set out to analyze normative and operational gaps in the protection of artists at risk, and compare the existing instruments and mechanisms in this field with those that protect journalists. The ultimate goal of this comparison is to make actionable recommendations as to the reinforcement of the safety of artists at risk, while identifying areas where cooperation with the media community could further advance the artistic freedom agenda as well as efforts addressing remaining gaps in regard to journalists' safety. Taking into account UNESCO's priority on gender equality, the gender dimensions are placed front and centre and efforts to address the specific threats and challenges faced by both women artists and journalists, explored.

This report primarily focuses on emergency situations, which involve severe and high risks for artistic freedom. It is in line with the principle that access to culture and artistic freedom are human rights that, together with the mutual respect for diversity, should be safeguarded at all times. The UN defines emergency as: "a sudden and usually unforeseen event that calls for immediate measures to minimize its adverse consequences" (UNDHA, 1992, p. 34), and primarily focuses on major emergencies (level 2 emergencies in the UN system), in which "the local government may require outside assistance involving multiple agencies." (ICCROM, 2018, p.140). UNESCO's work on this field includes emergencies ranging from conflicts to disasters triggered by natural and human-made hazards. It also foresees the implementation of preparedness, prevention and mitigation approaches, besides emergency response, as well as recovery efforts.

The study follows the premise that there is no one-size-fits all approach. Responses will not only vary according to the type of emergency (e.g., armed conflict, natural disaster, health crises, political crises resulting in shrinking civic space, etc.), but should also be customized according to each specific local context, on the basis of rapid community-based assessments of needs and continuous monitoring of how each situation evolves on the ground.

Although this study places particular attention to the risks faced by artists and journalists in emergency settings, it also takes stock of relevant approaches and expertise aimed at strengthening journalists' and artists' safety in non-emergency situations, capitalizing on wider work by UNESCO and other stakeholders, especially in the framework of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity. This is also in line with the importance of establishing long-term, legal and institutional bases for safeguarding for media and artistic freedom, beyond responding to the urgent needs arising during emergencies.



METHODOLOGY

The study is based on a desk review of existing publications relevant to the topics of safety of journalists, media workers, artists and cultural professionals, as well as on 20 interviews undertaken between February 2022 and March 2023, with 25 interviewees that included experts on media freedom, artistic freedom and the protection of human rights defenders (encompassing civil society practitioners, academics and UNESCO current and former staff), and artists (see List of interviewees in Annex 1). Feedback from specialists at UNESCO's Culture and Communication and Information Sector teams that supported this research also helped shape the study.

This research does not represent an exhaustive exploration of all possible avenues for cooperation but was rather conceived as a basis for outlining some key lessons and recommendations, to foster further dialogue on possible areas of action and to promote alliances between media and artists, and the communities advocating for their safety. It is therefore a work in progress, regarding which feedback is very much welcome. Moreover, the study recognizes the importance of reinforcing collaboration in relation to the freedom of expression of other professional groups linked to UNESCO's mandates, such as scientific researchers and teachers.

STRUCTURE OF THE STUDY

1

Chapter 1 examines the situation of artists and cultural professionals, with special attention to emergency contexts, identifying the related challenges and needs.

2

In turn, **Chapter 2**, looks at the existing instruments, operational mechanisms and assistance networks that contribute to the protection of artists and cultural professionals at risk in emergency contexts, also reviewing some of the related opportunities and gaps.

3

Chapter 3 presents the threats faced by journalists and media workers, and also introduces the available instruments, operational mechanisms and support networks existing for their protection, in emergency contexts and beyond.

4

Chapter 4 aims to chart the way forward, based on a comparative analysis of the instruments, operational mechanisms and networks supporting the safety of journalists, on the one hand, and those addressing the safety of artists, on the other. It explores how gains in the field of journalists' safety could be replicated for artists, suggests areas where further synergies between the media freedom and artistic freedom communities could be strengthened and, finally, presents a series of operational recommendations.



Creative voices at risk

Challenges and needs
faced by artists and
cultural professionals in
emergency contexts



Artists, like journalists and human rights defenders, are at particular risk as their work depends on visibly engaging people in the public domain. Through their expressions and creations, artists often question our lives, perceptions of ourselves and others, world visions, power relations, human nature and taboos, eliciting emotional as well as intellectual responses.

Shaheed, 2013, para. 35.

FREEDOM AND SAFETY OF ARTISTS ARE UNDER THREAT WORLDWIDE

UNESCO's Global Report *Re|Shaping Policies for Creativity* highlights the **threats and attacks that continue to curb artistic freedom** around the world (UNESCO, 2022a). Artists are directly targeted by censorship, threats, arbitrary detention, prosecution, sanctions, fines and imprisonment. They face repression, obstructions or bans upon their work, are denied licenses, visas and work authorizations, and can be subjected to travel bans and restrictions on their mobility. Artists – as well as their work, tools and spaces they work in – also often come under physical attack. In some cases, they are even killed for expressing their views through art. Those belonging to certain minority groups may also be victims of intolerance and discrimination (Cuny, 2020; Freemuse, 2020b, 2021; UNESCO, 2022a).

According to data by Freemuse (2022), violations of artistic freedom reached an unprecedented number in 2021, with more than 1,200 recorded cases, including the killing of 39 artists. It is relevant to note, however, that statistics in this regard should be treated with caution, as the rise in figures could be partly related to an increased understanding of artistic freedom and the expansion of efforts and capacities to monitor attacks against it in recent years (UNESCO, 2022a).

Given the theme of this report, it is also important to refer to instances in which the media contributes to the problem, lacking professionalism and/or editorial independence. For example, media outlets that are owned by corporates with specific political interests, including some that have ties with oppressive governments, have been known to engage in public attacks and other forms of intimidation against artists that express dissident views, as well as in marginalizing them.¹ There are instances in which media have spread smear campaigns, misrepresented artists' work and questioned the use of public money to fund it.

1. Observation by Ole Reitov, independent consultant, Member of the EU/UNESCO Expert Facility on the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions. Co-founder and former Executive Director of Freemuse.

This can lead to the withdrawal of financial support for the artists in question or deprive them from accessing spaces they need for performing, exhibiting or rehearsing, given that entities who would otherwise support them fear the reputational risk this entails (this therefore impacting on the work of the latter as well).²

Emergency settings reinforce the vulnerability of artists and cultural professionals, as States tend to enhance their efforts to limit expression that they consider problematic when crises, conflicts and disasters erupt.

In countries engaged in armed conflicts, artistic expressions questioning the legitimacy or the conduct of the war are frequently marginalized or suppressed. The accusation of “separatism” or “terrorism” or being “unpatriotic” can be levelled at artworks criticizing the Government (Shaheed, 2013, para. 46).

Artists that express their thoughts on past conflicts and the subject of accountability for human rights abuses often find themselves under attack by State and non-State actors. Freemuse reported that every tenth violation of freedom of artistic expression in 2019 was related to ongoing or past conflicts, and that over forty registered cases of censorship were linked to artistic content that related to a legacy or conflict, or to an artists’ ethnic background (Freemuse, 2020b). This is also true for journalists. Where art is interpreted as a display of support for an opponent side or criticism of the group that they are perceived to belong to, artists may have their voices stifled and even experience legal prosecution (ibid.).

In the case of large-scale conflict, artists endure the same risks as other civilians or additional dangers if they decide to join the frontline. On many instances, they are also targeted as a collective due to the nature of their creative – and frequently critical – expression, and their instruments and works are destroyed. Military invasions, shelling and uprisals often result in **large-scale internal displacement and complete shutdown of cultural activities. Artists may be forced into exile or seek temporary international relocation.**

If they do choose to cross borders, the legacies of conflict may hinder artists’ opportunities to visit or showcase their work in certain countries, at times even translating to “systematic bans on the import of cultural content” (Freemuse, 2020b, p.45).

Invading States may also aim to erase another’s cultural identity (PEN America, 2022). Artists and cultural institutions can be the first targets of such attempts. Conversely, artists originating from a country that is waging war against their resident State may experience boycotts against their work (Avant-Garde Lawyers, 2023) – particularly if they are high profile – and may feel forced to publicly take a stance, alternatively risking retaliation or public reprobation in both countries. Artworks are often looted during conflict. Cities, cultural infrastructure and spaces are also violently targeted, including heritage sites, cultural centres, museums, operas, cinemas and art galleries.

Artists can also face serious threats in contexts where a sudden **shrinking of civic space** occurs, for example where an authoritarian rule is imposed. Artistic freedom is often limited in these situations, either through censorship or the banning of cultural activities due to religious or political motives. Artists’ instruments can be destroyed and they can face harassment, physical and online attacks and privacy infringements and other violations of their rights. Governments are also known to **influence the use of censorship in other countries** to counter criticism of their leaders or human rights record (UNESCO, 2019f).

COVID-19 has illustrated the extreme disruption that can be caused by **health-related emergencies**. The cessation of in-person activities and public gatherings and closure of cultural spaces greatly impacted on artists and cultural professionals, leaving the online sphere the only viable avenue to showcase their work and resulting in significant employment loss. Artists also face major barriers to keeping up their work and sustaining their livelihoods in the event of **natural disasters** due to damages to local infrastructure and the temporary suspension of cultural value chains. In addition, in the context of emergencies, monitoring and advocacy organizations may be forced to stop or scale down their work, further compounding the vulnerability of artists (UNESCO, 2022a).

2. Observation by Sara Whyatt, independent consultant, Member of the EU/ UNESCO Expert Facility on the 2005 Convention. Former director of PEN International’s freedom of expression programme.

PERSISTENCE OF LEGAL AND REGULATORY FRAMEWORKS THAT SERVE TO CURB ARTISTIC FREEDOM

Although there have been some advances in laws and regulations protecting artists in recent years, significant gaps persist, along with a clear disconnection between legal frameworks and practice (UNESCO, 2022a). Blasphemy, criminal defamation and insult laws are frequently used to limit artistic forms of expression (Freemuse, 2021). The use of Strategic Lawsuits Against Public Participation (SLAPPs) is an increasing phenomenon that affects artists, as well as journalists and other actors.³ Moreover, laws referring to terrorism, national security, hate speech, public order, public morals or traditional values that are vaguely defined make space for undue restrictions of artistic expression (Freemuse, 2020a). Laws and measures purportedly aimed at countering disinformation are also increasingly used to stifle dissent conveyed through artistic work. Freemuse reports that, in 2021, more than 500 artists faced legal challenges, for expression critical of authorities, public figures, religious or traditional values, or for taking part in or sharing their opinions about peaceful protests (Freemuse 2022). Among them, 62% were prosecuted because of the content of their artistic work, and 38% in connection to their non-artistic activities (ibid.).

Among the artists that were imprisoned or prosecuted in 2019, Freemuse reports that in 50% of cases the charges filed were linked to criticism against government (Freemuse, 2020; UNESCO 2022a). Censorship and prior censorship raise significant challenges, even in the absence of legislation specifically applying to artistic freedom. Indirect forms of censorship are also problematic, such as withdrawal of funding, inclusion of artists on blacklists or interference in the programming of

cultural and arts institutions (Freemuse, 2020a; IFEX, 2018; UNESCO, 2022a). Artists also face accusations related to economic crimes, hooliganism and vandalism (Fine and Trebault, 2021).

These challenges are frequently exacerbated during emergency situations given that, “[u]nnecessary and illegitimate restrictions are often placed on fundamental rights and freedom of expression in times of uncertainty and securitization” (Freemuse, 2020a, p. 6). Emergency contexts give governments (and other non-State actors such as paramilitary and criminal actors) an additional excuse to crack down on freedoms and tend to diminish judicial oversight over related abuses. This thus heightens the risks for artists, journalists and human rights defenders (Forst, 2020).

While many national laws and constitutions enshrine freedom of expression, and frequently apply this right to artistic freedom, the absence of explicit reference to the latter in legal frameworks can result in it lacking prominence in comparison to media freedom (UNESCO, 2022a). In their reports on the implementation of the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005 Convention), Parties confirmed that constitutional or legal protections for artists’ rights to express themselves and freely distribute their work were in existence, along with the public’s right to unhindered access to cultural life and enjoyment of art. Yet, in practice, these guarantees are often not upheld. Few States have reported on recent steps taken to enhance freedom of artistic expression, though in some cases measures taken are underreported due to insufficient understanding of the notion of artistic freedom. In some cases, this can also be linked to the lack of clarity in the governance of the sector, whereby no one authority feels responsible for the advancement of artistic freedom. Local monitoring and concrete implementation mechanisms must therefore be in place for legislation protecting artists to be effective.

More progress has been made in the repealing of defamation, blasphemy and criminal defamation laws by Parties to the 2005 Convention, and States seem to have increased awareness of artists’ social and economic rights, with 54% of reports discussing measures linked to these dimensions. Several States have adopted or amended status of the artist legislations (UNESCO, 2022a).

3. Strategic Lawsuits Against Public Participation (SLAPPs) are legal claims that are baseless, frivolous or exaggerated and that are frequently filed by a powerful actor – such as a governmental agency/official, high-profile person or company – with the aim of intimidating and silencing criticism or messages unfavourable to them. Rather than winning the case *per se*, those initiating these claims primarily seek to overwhelm the accused party through burdensome legal processes, costs and psychological impact. SLAPPs centred on defamation offences are often used to target journalists, activists, human rights defenders, researchers and artists, among other stakeholders that unveil matters of public interest. For an explanation on how SLAPPs affect artists see Whyatt (2023, p. 30-31).

Another positive development has been the emergence of a body of case law where national courts have upheld artistic freedom in different contexts (Cuny, 2020).

The lack of shared understanding of the notion of artistic freedom among States suggests that reinforcing knowledge and capacities in this area is key, as is offering technical and policy assistance to guarantee this freedom, along with the public's right to access arts and culture. Legal and institutional reform in the field of freedom of expression, press freedom and the safety of journalists has been supported by UNESCO – and even in settings of protracted conflict. Thus, similar reforms towards an enabling environment for the free expression of artists and cultural professionals can be envisaged in the same circumstances.

INCREASED THREATS IN THE DIGITAL SPHERE

Digital technologies have undoubtedly increased opportunities for artists, offering new channels to make their work known, reach an expanded audience, and overcome efforts to stifle their voices, among other benefits. Along with these opportunities, however, there has been an expansion of threats and attacks against artistic freedom taking place in the digital sphere, where artists can be more **vulnerable to online censorship by State actors and technological companies** (Cuny, 2020; Freemuse, 2020b, 2021; UNESCO, 2022a). According to Freemuse (2022) online censorship represented one fifth of all registered violations of artistic freedom in 2021.

Social media presents diverse concerns for the creative community. Artistic content may be automatically removed if it does not adhere to community guidelines, often labelling content as objectionable due to nudity, sexual activity, graphic content, hate speech or apology of terrorism or violence. Algorithms “often automatically suspend accounts or remove content which does not, in fact, breach the community guidelines” (Freemuse, 2021, p. 58).

A combination of the shortcomings of artificial intelligence in recognizing subtleties related to humour and colloquial forms of expression

(Kaye, 2020; UNESCO, 2022a), associated to the “censorship by popular opinion” (UNESCO, 2022a, p. 275) that is created by the flagging of content by peer users, lead to certain types of artistic expression being disproportionately impacted. Content that challenges traditional views, or is created by women and LGBTQ+ artists, is frequently removed (UNESCO, 2022a). This is compounded by vagueness in community guidelines, lack of clarification on the reason that content was removed and an absence of appeal mechanisms. As a result, artists may refrain from making certain content available online, and audiences may lack access to certain types of expression (UNESCO, 2022a).

In every third violation of artistic freedom Freemuse documented in the digital space, artists were arrested, prosecuted, and sentenced to prison for their online activities. Although most of these violations were related to political posts on social media, a number faced legal consequences because of the artistic content published online
Freemuse, 2021, p. 57



Enhanced digital surveillance represents another significant challenge. Artists are also victims of harassment, smear campaigns, trolling and public mobilization against them, all taking place online for the same motives than in the physical realm, such as political and religious reasons. These attacks mostly remain in impunity. Also on the rise is legal prosecution for online posts made by artists, and the criminalization of their online expression using cybersecurity laws (Freemuse, 2021).

According to Irene Khan, Special Rapporteur on the right to freedom of opinion and expression “Online attacks against women take on a snowball effect as they move across platforms, use coded language to escape detection, mobilize and grow exponentially. They move between the offline and online world in ways that can also sometimes lead to physical violence.” (UNESCO, 2023b).

These online attacks tend to affect women artists even more seriously than their male peers. They may stop women artists from producing or sharing certain types of artistic expression, which would contribute to their exclusion from the online public sphere and therefore have an adverse effect on democracy as a whole.

Emergency situations brought about by armed conflict or sudden shrinking of civic space are often characterized by a rise in digital threats that affect artists, such as limitations on online access (e.g., through blocking of websites and social media platforms or filtering specific content) or complete internet shutdown. Increased digital surveillance, legal prosecution for online content, the deliberate spreading of online disinformation and targeted digital smear campaigns can ensue. Natural disasters can also cause temporary internet disruption.



THE PRECARIETY OF ARTISTS' WORKING CONDITIONS, LIVELIHOODS AND SOCIAL PROTECTION IS HEIGHTENED IN EMERGENCY CONTEXTS

Artists very often carry out freelance or part-time work, are employed under precarious contracts, receive low or no remuneration, work within the informal sector and go through periods of unemployment. They generally do not benefit from insurance nor pension (Cuny 2020; Galia et al, 2021; Gruber, 2019; UNESCO, 2019a). These characteristics not only affect their working conditions and social protection, but also their ability to organize themselves into professional associations and collectively negotiate better working conditions (Gruber, 2019). In some countries, artists do not enjoy the right of collective bargaining (UNESCO, 2022a). Moreover, the increased dissemination of artistic content online also often negatively impacts on the level of remuneration they receive. In fact, current monetization models in the digital environment pose new challenges for artists, regarding regulation and intellectual property rights linked to streaming value gaps, platform-centric royalty allocations and concentration of value in the Global North (UNESCO, 2022a). The unclear governance of the cultural sector in some countries contributes to the precarity of artists' working conditions, given that their rights are not considered from a comprehensive perspective.

Emergencies exacerbate the vulnerability of artists' livelihoods and working conditions. The cultural life of a country may be shut down and artists may be forced to relocate internally or across borders. Depending on the type of crisis, they may undergo threats and persecution. There may be no alternative than to stop their creative work and find other ways to secure income. Artists also lack the basic safety nets that other professional groups enjoy, with no recourse to professional associations that could collectively defend their rights, and often have a lack of awareness as to the support mechanisms that may be available to them. It may also be the case that, when a crisis such as natural disaster hits, no single entity in a country is charged with responding to their specific needs of the sector, which can compound the challenges faced by artists and cultural professionals in this type of context.

THE IMPACT OF THE COVID-19 PANDEMIC ON ARTISTIC FREEDOM AND ARTISTS' SOCIO-ECONOMIC STATUS

The COVID-19 pandemic has been referred to as a "cataclysm for cultural rights" (Bennoune, 2021, para. 1). Governments frequently resorted to the use of emergency powers to obstruct and penalize artistic forms of expression. Where States criminalized speech relating to their response to the pandemic, or the dissemination of "fake news", they often targeted artistic expression (Freemuse, 2020b; The Permanent Delegation of Denmark to UNESCO, 2021; UNESCO, 2022a). Artists sometimes faced imprisonment, which brought about greater risks during this period due to overcrowded prisons (ibid.).

The restrictions imposed by lockdown measures curtailing the use of public spaces and gatherings, and the consequent disruption of the creative value chain (encompassing creation, production, distribution and access) also impacted on artists' livelihoods and exacerbated their lack of social security. Many lost their jobs or saw their activities cancelled. Moreover, women were more impacted than men by unemployment in the cultural and entertainment field (Freemuse, 2021; UNESCO, 2022a). There were also cases in which restrictions related to COVID-19 continued to be imposed on artists, notably musicians, long after they had been lifted in other sectors.⁴

Nevertheless, COVID-19 highlighted the important role of artists and cultural professionals in society, as people turned to culture as a key means of coping with the pandemic. Artists found innovative ways to reach new audiences, particularly through digital technologies. Some governments sought to support artists through a variety of interventions (UNESCO, 2020b). However, most of these measures focused on their socio-economic conditions, rather than in guaranteeing their right to freely express themselves (UNESCO, 2022a).

4. Comment by Sara Whyatt, independent consultant, Member of the EU/UNESCO Expert Facility on the 2005 Convention. Former director of PEN International's freedom of expression programme.

Moreover, COVID-19 represented important obstacles to international and national initiatives aimed at supporting artists, and reduced their possibilities for relocation when faced with threats in their home countries.

ADDITIONAL RISKS FACED BY WOMEN ARTISTS AND CULTURAL PROFESSIONALS IN EMERGENCY SITUATIONS

Women artists and cultural professionals are frequently targeted by gendered harassment, censorship, intimidation and defamation campaigns, both online and offline (Cuny, 2020; Freemuse, 2018, 2019). Their freedom of expression is often limited with reference to indecency, blasphemy, public order and morals. In some cases, they are subjected to physical violence, arrest, prosecution and imprisonment. “Women artists and artworks depicting women or tackling feminism-related issues remain under constant attack...” notes Freemuse (2020b, p. 20), finding that 74% of violations against women artists and artworks registered in 2019 were acts of censorship. Women artists are not only threatened or criticized for their artistic work, but also their opinions, the way their dress or their activism (Freemuse, 2020b). Women artists faced with online abuse and threats may scale down their Internet presence (Freemuse, 2019) or self-censor (Khan, 2021).

Women artists also experience pervading gender inequality in the cultural sector, as well as unequal access to the enjoyment of cultural rights and to participation in cultural life (Freemuse, 2021). Women working in the sector are especially vulnerable to precarious labour conditions and insecurity (Cuny, 2020). In some contexts, women artists face legal obstacles to taking part in cultural life (Freemuse, 2018, 2020b). In some communities, they are banned “...from performing arts altogether, from solo performances before mixed audiences or from performing with men” and can be defamed for doing so (Shaheed, 2013, para. 43).

COVID-19 shone a light on the experience of women artists during a widespread crisis. A surge of gender-based violence against women ensued, and women’s disproportionate bearing of domestic and care labour had a critical impact on women artists.

The existing digital gap between women and men became particularly significant during the pandemic

As noted by UNESCO Goodwill Ambassador for artistic freedom and creativity, Deeyah Khan, during an online discussion among women artists organized by UNESCO, in times of crises, women artists can offer spaces for connection, amplify the voices of those who are marginalized (while they are marginalized themselves), help communities process trauma and advocate for social, political or cultural change. They can “become bridges and points of connection within divisions”, she added, a reminder of our humanity, contributing to reconciliation and healing. During the event, UN Special Rapporteur for Cultural Rights, Alexandra Xanthaki, explained that women artists can also highlight the contribution of women in conflict situations, who are most frequently seen and represented as victims, when their role goes beyond that. Through their art, they can show “their visions, their dreams for the post-war era”, she stated. Yet they are often pushed aside during war, or pushed to continue working on peace-focused themes, she noted.⁵

During conflict, women artists are particularly vulnerable to gender-based physical violence, including sexual violence. In some contexts, they are targeted by violent extremist and religious fundamentalist groups, which they often play a critical role in resisting, denouncing and offering alternative views to. Moreover, they may find it more difficult than their male peers to access relocation opportunities and related emergency funds, due to their care-taking role in regard to their dependents, which could negatively impact on their mobility.

Women that face multiple vulnerabilities are in need of particular support, as risks are heightened if they also identify as LGBTQ+, are part of refugee or migrant communities, belong to specific religious or ethnic groups, or other minorities (Benoune, 2020; Sadvorskaya and Trébault, 2020). Solutions must be found from an intersectional perspective, taking into consideration the simultaneous impact of diverse factors contributing to discrimination, inequality and oppression.

5. UNESCO’s online event [Resilience in the face of crises through the lens of women artists](#), held on 8 March 2023 (UNESCO, 2023a).

By way of example, a safety training workshop could integrate spaces for discussion about intersectionality and address particular needs of women artists whose vulnerability may be heightened due to their race, ethnicity, sexual orientation, religion, nationality, among other factors; based on an assessment of the risks that participants are likely to face in a specific context. Care should be taken so that the material used does not contribute to reinforce discrimination or biases. Accessibility and security issues should be considered when selecting the training's venue so that it does not represent a barrier to certain participants or puts them at risk. These are only some of the multiple dimensions that should be considered.⁶

THE WIDER IMPACT OF THREATS TO ARTISTIC FREEDOM AND ARTISTS

Rising threats and attacks on artists and cultural professionals lead to self-censorship and curb democratic debate and the access to artistic work. This, in turn, negatively impacts the public's right to enjoy cultural rights and artistic expression, and undermines the protection and promotion of the diversity of cultural expressions. Ultimately, related losses can occur in many cultural, social and economic spheres. That is, if threats lead to the closing of cultural activities, this will also affect providers of services reliant on income generated by these (e.g. transport, technical support, catering, etc.). Such situations can also potentially impact on the tourist industry and other sectors, individuals and communities (UNESCO, 2019f). Threats to artists' free expression can also create unsafe conditions for all those involved, including audiences.

Moreover, threats to free artistic expression curtail the role of artists as catalysts of social and political change, as well as their potential to contribute to peace-building and reconciliation (Bennoune, 2018).

Women artists and artworks depicting women or tackling feminism-related issues remain under constant attack...

Freemuse, 2020b, p. 20.



6. See ARTICLE 19 (2022a, b and c) for guidelines on integrating an intersectional approach for monitoring, advocacy and training. Although focused on journalists and social communicators, these guidelines are useful when considering actions targeting women artists.



Protection of artists and cultural professionals in emergency contexts



Many arts-focused organizations have shown some reticence in terms of interacting with UN human rights mechanisms, given that they lack the expertise, funds and time to devote to these actions.

The Permanent Delegation of Denmark to UNESCO, 2021.

INTERNATIONAL NORMATIVE FRAMEWORKS AND MECHANISMS PROTECTING ARTISTS AND CULTURAL PROFESSIONALS IN EMERGENCY SITUATIONS

International human rights conventions: enshrining freedom of expression and cultural rights

There are several rights enshrined in the international human rights framework that are relevant to the experience of artists and cultural professionals. **Freedom of expression** has clear links to artistic freedom and was first highlighted in Article 19 of the Universal Declaration on Human Rights (UDHR, 1948). In turn, Article 27 enshrines the right to participate in cultural life and enjoy the arts, while also protecting the moral material interests resulting from artistic production. Article 22 focuses on rights to social security and Article 23 is centred on the right to work, equal pay, fair remuneration and to form trade unions.

These rights are further elaborated upon in binding international treaties. The UN International Covenant on Civil and Political Rights (ICCPR, 1966) gives further body to the right to freedom of expression in Article 19:

- Everyone shall have the right to hold opinions without interference.
- Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
- The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
 - For respect of the rights or reputations of others;
 - For the protection of national security or of public order (*ordre public*), or of public health or morals.

In 2011, the Human Rights Committee issued General Comment No. 34, providing interpretative guidance on Article 19 of the ICCPR. The Committee specified that **cultural and artistic expression are considered forms of expression that are protected** under the Convention. The General Comment gives more detail on the **possible restrictions to this right**, as alluded to in paragraph 3 of Article 19. Any limitations must be: i) provided by law, which should be clear and accessible to the public; ii) have a legitimate aim, as per paragraph 3 – to protect the rights or reputations of others, national security or public order, or public health or morals; and iii) be necessary and proportionate, representing the least restrictive means to achieve their aim. In addition to these conditions, laws that restrict free expression should be applied by an independent body, in a non-arbitrary and non-discriminatory manner, with appropriate safeguards against abuse and the possibility of appeal and remedy also in place (La Rue, 2011).

These are key considerations in light of persisting challenges to artistic freedom, as limits imposed on this right via the enforcement of legislation and administrative measures often do not comply with the above-mentioned criteria.⁷ **Article 20 also constitutes potential limitations** on freedom of expression through prohibition on both propaganda for war, and on advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence. Artistic forms of expression that may be shocking or offensive are still protected unless they meet the tight thresholds for limitation set in Articles 19 and 20. This protection may apply – if said thresholds for restriction are not met – for instance to the work of artists who deliberately focus on controversial themes, or produce works that purportedly seeks to disturb or otherwise elicit strong emotions, or use satire as social commentary, in order to “push the envelope”, challenge the status quo, highlight wrongdoings or political figures’ flaws, among other purposes (Some examples are presented in Whyatt, 2023).

7. See for example, the analysis and examples presented by former UN Special Rapporteur on the right to freedom of opinion and expression, David Kaye, in his *Research Report on Artistic Freedom of Expression* (2020).

In light of Article 19 and Article 20, the ICCPR is key in relation to the issue of **hate speech**, which is often used to justify limits to artistic expression. Reports by the UN Special Rapporteur on the promotion and protection of freedom of opinion and expression (Special Rapporteur on freedom of opinion and expression) have noted that, to fall under this category, expression must encompass three elements: i) advocacy of hatred, ii) advocacy that constitutes incitement; and iii) incitement that is likely to result in discrimination, hostility or violence (Kaye, 2019; La Rue, 2012). In practice, however, it is difficult to clearly deduce what constitutes hate speech according to these distinctions.

Some clarity has been provided by the Rabat Plan of Action on the prohibition of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence (Rabat Plan of Action, OHCHR, 2012). The Rabat Plan of Action outlines a six-part test that provides guidance on the application of Article 20 of the ICCPR in connection to freedom of expression, taking into account: context, speaker, intent, content and form of the speech, the extent of its dissemination and the likelihood that it could incite harm, including its imminence. Moreover, the Rabat Plan of Action clarifies that, although Article 20 requires States to prohibit hate speech by law, it does not mandate its criminalization. The Rabat Plan of Action pushes for the prioritization of civil and administrative sanctions and remedies. It also calls for a comprehensive approach to tackling hate speech by promoting tolerance and countering discrimination, fostering intercultural dialogue, educating on pluralism and diversity and opening spaces for minority groups to express themselves.

Another area where reflection on the legality, necessity and proportionality of restrictions of artistic forms of expression is particularly important pertains to **defamation⁸ and similar offences**, as these are charges frequently brought against artists and cultural professionals.

8. This chapter does not present an exhaustive analysis of international standards on defamation and related offences. For further reading, including on proper defences that laws regulating defamation should include to ensure the protection of free expression, see: ARTICLE 19 (2006, 2017), International Press Institute, n.d., Media Legal Defence Initiative and International Press Institute (2005) and Soraide (2022).

International human rights courts and treaty bodies, UN agencies, special procedures mandate-holders and CSOs have repeatedly urged for the full decriminalization of defamation, calling for it to be tackled instead through proportionate civil sanctions or alternative dispute-resolution mechanisms. General Comment No. 34 stresses that defamation laws should not serve to undermine free expression (United Nations Human Rights Committee, 2011).

Moreover, there is also growing international consensus and soft law stating that **insult** or **desacato** laws (which give special protection to public officials, institutions and symbols, such as a State's flag or insignia), as well as **blasphemy** and **apostasy**, are not in accordance with international law.⁹ General Comment No. 34 highlights the particular relevance of free expression in the context of public discussion about public figures in the political sphere, noting that all of them are legitimately subject to criticism, as are institutions. It also finds that the prohibition on displays of lack of respect to religions is incompatible with the ICCPR, apart from those that fall under the limitations outlined in Article 20. This is in line with Human Rights Council Resolution 16/18 adopted in 2011, the Rabat Plan of Action and the statement, by the former UN Special Rapporteur in the field of cultural rights, Farida Shaheed, that "[b]lasphemy laws have a stifling impact on the enjoyment of the freedom of religion or belief and impede a healthy dialogue and debate about religion" (Shaheed, 2013, para. 48). Shaheed also notes that:

An artwork differs from non-fictional statements, as it provides a far wider scope for assigning multiple meanings... In addition, the resort to fiction and the imaginary must be understood and respected as a crucial element of the freedom indispensable for creative activities and artistic expressions: representations of the real must not be confused with the real... artists should be able to explore the darker side of humanity, and to represent crimes or what some may consider as "immorality", without being accused of promoting these (Shaheed, 2013, para. 37).

General Comment No. 34 also elaborates on the **"dual rights of seeking/receiving on the one hand, and imparting, on the other"** when referring to media freedom (Kaye, 2020, para. 8). The right to artistic expression also encompasses this dual aspect, as it "includes the rights to freely experience and contribute to artistic expressions and creations...to have access to and enjoy the arts, and to disseminate their expressions and creations" (Shaheed, 2013, para. 85).

Article 4 of the ICCPR provides that, **during an emergency that "threatens the life of the nation", a State may derogate certain rights and freedoms. However, restrictions should be exceptional, time-limited, proportionate and implemented only to the extent that the situation strictly requires them.** These measures should not be inconsistent with other obligations under international law, nor discriminatory. Moreover, the state of emergency (including the related derogation of rights) and its termination date must be officially proclaimed by the Government.

The UN International Covenant on Economic Social and Cultural Rights ('ICESCR', 1966) is another key international instrument for the protection of artistic freedom, covering the rights to enjoy just and favourable conditions of work (Article 7), to form and join trade unions (Article 8), to social security (Article 9), **to participate in cultural life and to benefit from the moral and material interest arising from the production of artistic works** (Article 15). Further, in its paragraph 2, Article 15 refers to the steps that States Parties shall take for the conservation, development and diffusion of science and culture, while its paragraph 3 commits them to **respect the freedom indispensable for scientific research and creative activity.**

9. See for example the Human Rights Council's Resolutions 39/6 (2018) and Resolution 45/18 (2020), as well as UN General Assembly Resolution 74/157 (2019).

With respect to limitations, Article 4 stipulates that these may be imposed as they “are determined by law only in so far as this may be compatible with the nature of these rights and solely for the purpose of promoting the general welfare in a democratic society.” Moreover, as specified in General Comment No. 21 of the Committee on Economic, Social and Cultural Rights on the right to take part in cultural life (2009) and recalled by the former UN Special Rapporteur in the field of cultural rights, such limitations must be necessary and proportionate, and “established by legal rules that are transparent and consistently applied in a non-discriminatory way” (Shaheed, 2013, para. 25).

Box 2.1

Artistic freedom as a fundamental human right

As outlined in the UNESCO Global Report *ReShaping Cultural Policies* published in 2018, UNESCO understands artistic freedom as:

“... the freedom to imagine, create and distribute diverse cultural expressions free of governmental censorship, political interference or the pressures of non-state actors. It includes the right of all citizens to have access to these works and is essential for the well-being of societies. Artistic freedom embodies a bundle of rights protected under international law. These include:

- The right to create without censorship or intimidation;
- The right to have artistic work supported, distributed and remunerated;
- The right to freedom of movement;
- The right to freedom of association;
- The protection of social and economic rights;
- The right to participate in cultural life.”

Source: UNESCO. 2018. *ReShaping Cultural Policies: Advancing creativity for development* (p. 211).

UNESCO culture instruments, monitoring and related mechanisms

The two most significant UNESCO instruments related to artistic freedom are the 1980 Recommendation concerning the Status of the Artist (1980 Recommendation) and the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005 Convention). Guiding Principle 3 of the 1980 Recommendation refers to the duty of States to protect and assist artists and their freedom of creation; while Guiding Principle 6 underscores that freedom of expression and communication is essential to all artistic activities, and calls Member States to safeguard it. In turn, Article 2.1 of the 2005 Convention states that “cultural diversity can be protected and promoted only if human rights and fundamental freedoms, such as freedom of expression, information and communication, as well as the ability of individuals to choose cultural expressions, are guaranteed”.

UNESCO’s definition of artistic freedom extends further than that included in most international human rights instruments, integrating both free expression of views as well as the safeguarding and promotion of social and economic rights, freedom of movement and the preferential treatment offered to artists, cultural professionals, cultural goods and services from developing countries (UNESCO, 2019f). The 2005 Convention also includes provisions that concern the facilitation of artists’ mobility in Article 14 (cooperation for development) and in Article 16 (preferential treatment for developing countries).

This attention to **artists’ social and economic rights** is also reflected in Clause V(3) of the 1980 Recommendation, which encourages Member States to take action so that artists enjoy the same rights in terms of employment, living and working conditions, protection of their income and social security as comparable groups of the active population.

In relation to emergencies, Article 8 of the 2005 Convention is particularly relevant. It states that, in the case of **special situations where cultural expressions are at risk** of extinction, under serious threat, or otherwise in need of urgent safeguarding, Parties to the Convention may take all appropriate measures to protect and preserve cultural expressions in a manner consistent with the provisions of the Convention.

Furthermore, Article 17 calls on international cooperation in situations of serious threat to cultural expressions.

Monitoring mechanisms have been set up with respect to both the 1980 Recommendation and the 2005 Convention, which facilitate dialogue with Member States and CSOs regarding artistic freedom, including the status of the artist.

Parties to the 2005 Convention submit reports every four years to UNESCO on the measures taken to protect and promote the diversity of cultural expressions, both inside their territory and internationally. These **Quadrennial Periodic Reports** (QPRs)¹⁰ represent the main input for the UNESCO Global Report *Re|Shaping Policies for Creativity*, which also draws from other sources.¹¹ Since 2019, the reporting requirements include an explicit obligation for Parties to report on the state of artistic freedom and measures for its promotion and protection. Since that same year, the QPRs also feature a section on measures implemented by civil society, aimed at making the data collection process more participatory (UNESCO, 2022a). Besides making the QPRs accessible on a dedicated website and producing the UNESCO Global Report *Re|Shaping Policies for Creativity*, the Organization also publishes special editions of this report (see Cuny, 2020, and Conor, 2021).

The monitoring of the 1980 Recommendation is carried out through a **Quadrennial Global Survey**. The 5th consultation was launched in 2022, covering eight thematic areas: legal and regulatory frameworks; fair remuneration and access to financing; social and economic rights; digital environment; preferential treatment; artistic freedom; equality, inclusion, and diversity; and responses to COVID-19.¹² Every four years, the Secretariat of the 2005 Convention produces a report on the basis of information submitted by

Member States, NGOs and INGOs. Over time, the 1980 Recommendation and related monitoring process have significantly contributed to supporting States in better defining who should be covered by measures targeting artists,¹³ including in connection to the implementation of the 2005 Convention, and in promoting the recognition of their rights (UNESCO 2019h, 2022a).

Challenges related to both monitoring mechanisms remain. In the context of the QPRs, there seems to be no common understanding on the meaning of artistic freedom among Parties to the 2005 Convention. Other shortcomings are related to insufficient coordination between concerned ministries, lack of independent agencies monitoring human rights, the low number of CSOs that specifically monitor and advocate for this right (those that do are often located in the Global North) and scarce resources available for its protection and promotion, as well as to limited political will to guarantee it. The fact that the UNESCO Global Report *Re|Shaping Policies for Creativity* makes no reference to specific countries when highlighting problematic issues related to artistic freedom is also among the criticisms raised. There are also calls for widening the opportunities for CSOs to provide meaningful input to that process. Also to be noted is that only States that have ratified the 2005 Convention take part of this reporting and monitoring mechanism. By contrast, the 1980 Recommendation invites all UNESCO Member States to respond to the global consultation concerning the Status of the Artist every four years. Yet the need to improve the response rate and quality of the submitted reports was noted among the key shortcomings regarding this instrument, along with the need to ensure follow-up mechanisms (Freemuse, 2021; The Permanent Delegation of Denmark to UNESCO, 2021; UNESCO, 2022a).

A training module on artistic freedom was developed by UNESCO as an important tool to help address some of the abovementioned challenges. The Organization is also implementing actions

10. The QPRs, Global Reports and Special Reports can be found online at: <https://en.unesco.org/creativity/governance/periodic-reports>.

11. For example, the analysis of the 2022 edition of the report drew from 96 QPRs submitted by 94 Parties to the 2005 Convention; as well as from other primary and secondary data such as the results of the 2018 UNESCO Global Survey on the implementation of UNESCO's 1980 Recommendation concerning the Status of the Artist, a civil society survey conceived to feed into the report and a series of updated or newly-developed global datasets. Several analyses that had been conducted for previous editions of the report were repeated to identify trends and corroborate results.

12. For documents relating to the monitoring of the 1980 Recommendation, please see: <https://en.unesco.org/creativity/governance/status-artist>.

13. For the purposes of the 1980 Recommendation, "artist" is taken to mean any person who creates or gives creative expression to, or recreates works of art, who considers his artistic creation to be an essential part of his life, who contributes in this way to the development of art and culture and who is or asks to be recognized as an artist, whether or not he is bound by any relations of employment or association." (1980, Article 1).

in the fields of advocacy, awareness-raising, capacity building, technical assistance, research and multi-stakeholder dialogue, to reinforce the implementation of both instruments. This has included, for example, several trainings held on the occasion of World Press Freedom Day commemorations.

When considering the situation of artists and cultural during emergencies, it is also relevant to refer to the **1954 Hague Convention for Protection of Cultural Property in the Event of Armed Conflict** and its two (1954 and 1999) **Protocols**, as well as the **2015 Strategy for Reinforcing UNESCO's Action for the Protection of Culture and the Promotion of Cultural Pluralism in the Event of Armed Conflict** (UNESCO, 2015b), its **Addendum** (UNESCO, 2017b) on disasters, and its associated **Action Plan**. These instruments call on Member States to enhance their capacities to prepare for and address the negative impact of emergencies on cultural pluralism, which is also driven by artists and cultural professionals.



Funding instruments

UNESCO also has a series of funding instruments that are relevant in channeling support to artists and cultural professionals, especially in emergency contexts:

The Heritage Emergency Fund (HEF)¹⁴: Created in 2015 the HEF finances emergency preparedness and response activities within the domains of the UNESCO Culture Conventions¹⁵ in the context of crises resulting from armed conflicts and disasters caused by natural and human-made hazards worldwide. Among other actions, this multi-donor funding mechanism supports emergency response efforts and fosters advocacy and monitoring for the protection of cultural rights and artistic freedom – including, for example, activities engaging artists and cultural professionals in emergency works, monitoring the status of artists and cultural professionals with respect to gender equality, technical support to guarantee creative expressions and access to culture in emergency situations.

The HEF has increasingly supported requests relevant to the protection of artists in emergency situations in recent years.¹⁶ In 2021, the HEF provided seed funding for the [Terdad Festival](#) in Beirut,¹⁷ which brought together more than 200 artists through dance, theater, cinema, music and comics. It aimed to boost the resumption of creative activities in Beirut, and to help foster “a sense of normalcy, a sense of life and hope” following the explosions that had caused devastating damages the previous year (UNESCO, 2021e). In the framework of the [Revive the Spirit of Mosul Initiative](#), a project entitled “Wassla (Connection) to revive cultural life in the city of Mosul” received support from the HEF for several cultural actions.

14. For more information on the actions and initiatives supported by the UNESCO Heritage Emergency Fund, please see: <https://en.unesco.org/themes/protecting-our-heritage-and-fostering-creativity/emergencyfund2>.

15. In particular: cultural and natural immovable heritage, cultural movable heritage, cultural repositories, underwater cultural heritage, intangible cultural heritage and the diversity of cultural goods, services and activities

16. Interview with Nadia Ammi, Assistant Project Officer at UNESCO's Emergency Preparedness and Response Unit and formerly UN Volunteer at MINUSMA (worked on implementing its cultural support mandate).

17. This initial support served to raise further funding, including contributions by Iceland and Kuwait.



These included the launch of the documentary “Long Live the Music”, and, in partnership with the CSO Action for Hope, the programme “Listening to Iraq”, through which the training of 24 musicians from Mosul resulted in the creation of four ensembles that received grants to go on tour around the country (UNESCO, 2020f). Further fundraising built on these HEF-supported efforts permitted the organization of the “Mosul Traditional Music Festival” in March 2022, the first of its kind since Mosul was liberated in 2017, which featured Iraqi and European musicians.¹⁸ The HEF is also supporting Ukrainian artists under several initiatives (see Box 2-4).

UNESCO-Aschberg Programme: Its overall purpose is to support long-term substantial legal and policy reforms related to artistic freedom, including the status of the artist and cultural professionals. Emergency interventions targeting artists can be eligible for the programme’s funding if they are centred on the protection of artists’ and cultural professionals’ fundamental rights or on the promotion of their role and status in times of conflict. Since 2021, the UNESCO-Aschberg programme has been supporting emergency interventions in conflict-affected countries such as Afghanistan and Ukraine. It has, for example, facilitated rapid monitoring of the situation of artists on the ground, in close coordination with CSOs working for their protection, in addition to funding pilot projects. The UNESCO-Aschberg programme is currently funded by the government of Norway.

18. The festival was funded by the EU and organized by UNESCO and Action for Hope, in coordination with diverse embassies in the country.

The Human Rights Council, its Special Procedures, the Universal Periodic Review and UN Treaty Bodies

The Human Rights Council (HRC) is an inter-governmental body responsible for the promotion and protection of all human rights worldwide. The Human Rights Council’s Special Procedures mandate-holders include Special Rapporteurs, Independent Experts or 5-member Working Groups, appointed by the Council and serving in their personal capacity. Special Procedures call attention to alleged instances of infringements of human rights or abuses, carry out country visits, act on individual cases of reported rights violations and undertake thematic studies.

Three Special Rapporteurs have made especially significant contributions to the recognition of artistic freedom and have drawn attention to the protection of artists, including in emergencies. The work of the **Special Rapporteur in the field of cultural rights** is particularly relevant, most notably since the publication of the 2013 landmark report on “the right to freedom of artistic expression and creativity” (Shaheed, 2013). More recently, the report on cultural rights defenders (Bennoune, 2020) elaborated on this concept, which is examined in Box 2-2.

The **Special Rapporteur on freedom of opinion and expression** published a report in 2020 entitled “Research report on artistic freedom”, which provides important insight into this right and the challenges it faces around the globe (Kaye, 2020). In turn, the **Special Rapporteur on the situation of human rights defenders’** 2020 report on *Human rights defenders operating in conflict and post-conflict situations*, noted the uneven level of attention that human rights defenders belonging to different groups receive, and explicitly called for the increased recognition of artists (among other actors) that raise awareness about and oppose abuses committed during emergencies as well as demand peace and much-needed post-conflict transformations (Forst, 2020). The three abovementioned Special Rapporteurs have also collaborated on several occasions, for instance by issuing joint communications.

The **Universal Periodic Review** (UPR), established in 2006, consists of the peer-to-peer review of the human rights records of all 193 UN Member States by the HRC. The Working Group of each session issues a final report for the review of each country, outlining recommendations that a State under review is to implement prior to the next review.¹⁹ Research referred to in the latest edition of UNESCO's Director-General report on the safety of journalists and the issue of impunity found that, of the 19,387 total number of UPR recommendations made between 2006-2021, 4% were related to freedom of expression (UNESCO Director General, 2022). In turn, according to data by the Danish Institute for Human Rights, among the around 60,000 recommendations accepted by States under review since the first UPR cycle in 2007, 2% (that is, just over 1,200) referred to the freedom of expression of artists, journalists and scientific researchers. Almost all State commitments related to enhancing freedom of expression for specific professional groups were made in connection to journalists. Only 23 of the accepted recommendations were related to artists and 20 to scientific researchers (Permanent Delegation of Denmark to UNESCO, 2021).

CSOs can take part in the UPR process in different ways – as noted in the official UPR website²⁰ and in an International Freedom of Expression Exchange (IFEX) advocacy explainer (IFEX 2018c). Further, there are also several options for CSOs to engage with **UN Treaty Bodies**,²¹ such as the **Human Rights Committee**, in charge of monitoring the implementation of the ICCPR, and the **Committee on Economic, Social and Cultural Rights**, which performs the same function in relation to the ICESCR (IFEX 2018b).

19. Read more about the process here <https://www.ohchr.org/en/hr-bodies/upr/basic-facts>

20. <https://www.ohchr.org/en/hr-bodies/upr/ngos-nhris>

21. Read more about UN Treaty Bodies here <https://www.ohchr.org/en/treaty-bodies>

Box 2.2

Artists as cultural rights defenders

Cultural rights defenders have been defined as human rights defenders who defend cultural rights in accordance with international standards (Bennoune, 2020). There has been growing recognition of the concept, as well as of artists' work in promoting human rights (Cuny, 2020). The current UN Special Rapporteur in the field of cultural rights has also noted the importance of "[h]ighlighting art as a means of promoting human rights, and protecting the rights of those who do so..." (Xanthaki, 2022, para. 22).

The notion of cultural rights defenders brings with it potential advantages for artists that are recognized as such, for example in expanding their protection as well as their access to relocation programmes and funding and their enhanced status within the international human rights framework. This recognition is likely to increase the support available to them during emergencies, considering that much of such assistance is managed by human rights-focused organizations. According to Blackmore, the framing "of at-risk artists as cultural rights defenders bestows agency to those who are often viewed as vulnerable, shifting the narrative from passively 'at risk' to actively 'in defence' of their rights" (2021, p. 67). Yet, while some artists consider themselves "artists", others prefer not to be categorized as cultural rights defenders, as they see it as potentially compromising their work by politicizing it, or endangering them (Bennoune, 2020; Cuny 2020, 2021a; UNESCO 2022a). However, it may be more natural for an artist to identify as a cultural rights defender than as the broader notion of human rights defender (Cuny, 2021b).

Even if not purposely performing "activism" by directly acting with the aim of defending human rights, in some settings – such as those where violence, repression, censorship and targeting of women artists is widespread – for an artist to merely engage "in artistic and cultural practice can have deep meaning for and an impact on human rights, regardless of the specific content or aims" (Bennoune, 2018, para. 6). Artists that expand debate on social issues and question monolithic narratives in hostile environments should be protected, and able to avail of mechanisms such as temporary relocation programmes.

Sources: Bennoune (2018); Cuny (2020, 2021b); UNESCO (2022a); Xanthaki (2022).

The untapped potential of CSOs' engagement with UN human rights mechanisms and treaty bodies

There has been **increased engagement of some CSOs specialized on artistic freedom with the Human Rights Council, its Special Procedures and the UPR** in recent years. Freemuse, PEN International and PEN America's Artists at Risk Connection have, for example, been providing inputs to reports to the Special Rapporteurs and delivered statements during sessions of the HRC shedding light on the situation of artists, cultural practitioners and cultural right defenders in times of war and crisis (PEN America's Artists at Risk Connection, 2022). These northern-based CSOs have done so in close collaboration with southern-based ones. CSOs are a critical channel for information to reach UN protection instruments:

[we] realized that the UN Special Rapporteurs and other mechanisms were ready to support issues of artistic freedom and have seen constructive engagement when we collaborated on a joint agenda for action at the international level. It is important for both CSOs, like ARC, and the Special Rapporteurs to have open channels of communications where CSOs can keep them informed on the status across the different regions and the realities facing artists on the ground.

Julie Trébault, Director of PEN America's Artists at Risk Connection

However, many **arts-focused organizations have shown some reticence** in terms of interacting with UN human rights mechanisms, given that they lack the expertise, funds and time to devote to these actions (The Permanent Delegation of Denmark to UNESCO, 2021). Cultural institutions tend to depend on State or corporate funding and may be hesitant to take action that could affect such financing (Ibid.). Similarly, artists, who most often lack the support of trade unions, may fear seeing their access to grants, venues to showcase their work and other forms of assistance limited if they are too vocal in their criticism against the State (Ibid.).

Artists are also often unaware, or not keen to engage in the UPR and other UN processes because they do not feel their governments

truly recognize or promote their rights despite having ratified international conventions for their enshrinement. They do not find such engagement to be a priority when undergoing an emergency situation and, more generally, organizations supporting their rights tend to focus on issues pertaining to intellectual property and funding.²² Interviewees for this study noted that most artists either do not know these mechanisms, or find them too distant and lacking clear returns for them and their peers. Although they may not offer immediate results, it should be highlighted that they can represent important opportunities. For example, they allow CSOs to come together and discuss common challenges, meet with mandate-holders or ambassadors, raise diplomats' understanding of their needs and gain valuable information about debates. Specialized CSOs can give artists a voice in the context of the UPR, relaying first-hand information about the human rights situation in their countries, including the infringement of rights during crises.²³

CSOs can play a key role in bringing artistic freedom onto the agenda in the context of UN human rights mechanisms. For example, Freemuse has collaborated with national, regional and international organizations working in the areas of art and human rights to foster the submission of "shadow" reports, make comments on national reports, as well as to facilitate the observation of debates and the participation of artists at the UN, and their implementation of follow-up actions to hold governments accountable (UNESCO, 2018; The Permanent Delegation of Denmark to UNESCO, 2021). PEN America's Artists at Risk Connection (ARC) and PEN International also engage in the UPR process in connection to violations of artists and cultural professionals' rights,²⁴ as does Front Line Defenders.²⁵

22. Interview with Ole Reitov, independent consultant, Member of the EU/ UNESCO Expert Facility on the 2005 Convention. Co-founder and former Executive Director of Freemuse; and Sara Whyatt, independent consultant, Member of the EU/ UNESCO Expert Facility on the 2005 Convention. Former director of PEN International's freedom of expression programme.

23. Ibid.. Former director of PEN International's freedom of expression programme; as well as interview with Hege Newth, Secretary General, Norwegian PEN.

24. See one of their latest submissions here <https://artistsatriskconnection.org/story/joint-mid-term-report-universal-periodic-report-on-cuba>.

25. Front Line Defenders reports are available here: <https://www.frontlinedefenders.org/en/upr-reports>.



Pertinently, CSOs working on artistic freedom sometimes take part in joint UPR submissions in collaboration with others focused on media freedom.²⁶

The opportunities to interact with **UN Treaty Bodies** are currently underutilized, due to an apparent reluctance to do so or lack of access by CSOs specialized on artistic freedom, which makes the visibility of this right in these bodies' work generally low (Cuny, 2019). Considering the Human Rights Committee, for example, CSOs could pursue different forms of engagement, from submitting lists of issues to be examined during an upcoming session, to producing "Alternative Reports", attending the review as observers or providing oral statements to committee experts. They can also use the Committee's Concluding Observations for advocacy, support individuals' complaints about alleged violations of rights, and provide inputs prior to the development of a General Comment (IFEX, 2018b). However, only few complaints on artistic freedom have been put forward to this Committee which critics point out remains rather unknown and not sufficiently accessible by civil society.²⁷

26. See for example the Joint submission to the UPR of Turkey (2019) by ARTICLE 19, P24, PEN International, English PEN, Reporters Without Borders, International Press Institute, Freemuse, European Centre for Press and Media Freedom, IFEX and Norwegian PEN.

27. Observation by Ole Reitov, Ole Reitov, independent consultant, Member of the EU/UNESCO Expert Facility on the 2005 Convention. Co-founder and former Executive Director of Freemuse.

Although engagement with UN Human rights mechanisms and processes are not specifically part of emergency responses, they can serve to call attention to the infringement of artists and cultural professionals' rights during armed conflicts, political crises, and other settings in which they often become particular targets, and to demand accountability regarding these abuses.

Artistic freedom and the 2030 Agenda for Sustainable Development

All UN Member States have agreed to make progress toward achieving the SDGs, developing national plans with concrete indicators and mechanisms for monitoring progress, and devoting the needed resources for implementation.

Monitoring at the international level takes place every year through the presentation of **Voluntary National Review** reports (VNRs), as well as through the annual **Sustainable Development Goals Report** prepared by the UN Secretary-General, which are presented at the **High-Level Political Forum (HLPF) on Sustainable Development**. Although there is no direct formal procedure for CSOs to contribute data to the reports, they can lobby countries to volunteer to present a VNR and to consult civil society when developing it.

They can also provide information for the production of VNRs or of the UN Secretary-General's report that is based on data gathered by UN system bodies and mechanisms. CSOs can advocate for and take part in the development of a national SDG implementation plan, build advocacy coalitions, prepare side events at HLPFs and produce "shadow reports" (IFEX, 2018^d and United Nations Department on Economic and Social Affairs 2019). Unfortunately, although there are several targets of particular relevance to artistic freedom,²⁸ there is **no specific SDG indicator or target focused on this right or the safety of artists** (unlike the case of journalists). This makes engaging in the SDG monitoring and reporting less appealing to organizations specialized on these issues, which tend not to do so. There is, however, some engagement by civil society actors to build awareness of the links between artistic freedom and sustainable development, and especially SDG Target 16.10, protecting access to information and fundamental freedoms (Sadovskaya and Trébault, 2020). Artistic forms of expression have also been used for public sensitization on the SDGs.²⁹

Moreover, the 2022 report by the UN Special Rapporteur in the field of cultural rights underscores that:

...cultural rights must be at the core of any discussion and activity relating to sustainable development. The Sustainable Development Goals do not mention cultural rights explicitly, but nevertheless provide an important programmatic platform in which the transversal relevance of cultural rights must be analysed and highlighted (Xanthaki, 2022, para. 45).

In 2022, a historic Declaration following the UNESCO World Conference on Cultural Policies and Sustainable Development – MONDIACULT 2022 was adopted, through which 150 States, recognized culture as a public good with an intrinsic value to enable and drive sustainable development.³⁰

28. Targets 5.5 (women's participation and equal opportunities for leadership in political, economic and public life); 8.3 (policies that support productive activities, decent job creation, entrepreneurship, creativity and innovation); 8.5 (full employment, decent work, with equal pay); 8.8 (labour rights, secure working conditions); 16.10 (access to information and fundamental freedoms).

29. See, for example, Cartooning for Peace's exhibition on this topic <https://www.cartooningforpeace.org/en/the-un-17-goals-for-sustainable-development/>

30. Read the full 2022 MONDIACULT Declaration here: https://www.unesco.org/sites/default/files/medias/fichiers/2022/10/6.MONDIACULT_EN_DRAFT%20FINAL%20DECLARATION_FINAL_1.pdf

They committed to foster an enabling environment conducive to the respect and exercise of all human rights, in particular cultural rights, and reducing inequalities, notably by strengthening the economic and social rights of artists, cultural professionals and practitioners, facilitating their mobility and upholding their status, including by reinforcing intellectual property, protecting and promoting artistic freedom including freedom of expression.

REGIONAL INSTRUMENTS, COMMITMENTS, JURISPRUDENCE AND MECHANISMS

At regional level, there also exist human rights instruments, soft law and jurisprudence of relevance to freedom of artistic expression.

Inter-American human rights system

The **American Convention on Human Rights** (1969) enshrines freedom of thought and expression in its Article 13, while a **Declaration of Principles of Freedom of Expression** was also adopted by the Inter-American Commission on Human Rights in 2000. Moreover, the **Inter-American Democratic Charter** (2001) recognizes freedom of expression in its Principle 1, Article 4.

The Office of the **Inter-American Commission's Special Rapporteur for freedom of expression** was created in 1997, and has since then undertaken critical work, for instance making significant achievements in regard to the abolition of *desacato* (insult) laws in the Americas, among other contributions. The Inter-American Commission also created the mandate of the **Special Rapporteur on economic, social, cultural and environmental rights** in 2017.

The **Inter-American Court on Human Rights** addressed artistic freedom relatively early, in one of its first judgements on freedom of expression (Kaye, 2020). In the case "The Last Temptation of Christ" (*Olmedo-Bustos et al. v. Chile*, 2001), it ruled that prohibiting the exhibition of the film infringed upon Article 13 of the American Convention, through an act of prior censorship.³¹

31. See https://www.corteidh.or.cr/docs/casos/articulos/seriec_73_ing.pdf

The Court recognized the dual dimensions of freedom of expression, that is – not only the right to circulate ideas, news and opinions, but also the public's right to receive them – in a case involving the prevention of the publication of a book by military criminal justice authorities (Kaye, 2020).³²

European human rights system

The Council of Europe's **European Convention on Human Rights** (ECHR, 1950) enshrines freedom of expression in its Article 10, while the **EU Charter of Fundamental Rights** (2000) recognizes the freedom of the arts and sciences in Article 13, and freedom of expression and information in Article 11.

The **European Court of Human Rights** has interpreted Article 10 of the ECHR as applying to artistic expression, and has taken this to include visual arts, literary and satire products (Council of Europe/European Court of Human Rights, 2017; Kaye, 2020).³³ Critics have noted, however, that despite highlighting the relevance of artistic expression to freedom of expression, the Court has been inconsistent and has often ruled in favour of States when balancing freedom of artistic expression and other rights, such as freedom of religion, as well as defamation, the reputation of others and public morals (Cuny, 2019; Freemuse, 2020a). The number of cases on artistic freedom that have been brought to the Court remains limited, and a recent report by the Council of Europe (Whyatt, 2023) links this to the insufficient understanding of the nature of infringements on artistic freedom and to the lack of consistent monitoring, advocacy and support for this right, as well as to low awareness about the Court within the cultural sector. The report also refers to the complexity of the process, and to the costs it can entail financially, time-wise and emotionally. It also examines cases in which the Court has ruled on artistic freedom (ibid.).³⁴

At the level of the **Organization for Security and Co-operation in Europe (OSCE)**, the 1991 Document of the Cracow Symposium on the Cultural Heritage of the Commission on Security and Cooperation in Europe addressed the matter of respect for freedom of expression and its exercise in the artistic and cultural field. As noted by Cuny (2021), few references to this right have been made in OSCE's work and in press releases by the OSCE Representative in Freedom of the Media, yet the visibility of the issue is on the rise in the Organization's efforts.

In October 2021, the **European Parliament adopted a resolution on the status of the artist** that urges all Member States to foster and defend artistic freedom (European Parliament, 2021). This right is among the priority areas of the **Council of the European Union's Work Plan for Culture 2023-2026** (Council of the European Union, 2022) and, accordingly, of its [Swedish Presidency](#) during the first half of 2023. This commitment was reflected in the organization, by the Swedish government, of the event "Free to Create – European Union Conference on Artistic Freedom and Cultural and Creative Industries" (held in Umeå, Sweden, in February 2023).

Since September 2021, **the European Commission is coordinating an EU expert group** of representatives of Member States ministries of culture and employment who regularly meet under the "Open Method of Coordination" to reflect on artists' and creative professionals' working conditions and exchange good practices, including on artistic freedom. The group will publish a report in mid-2023.³⁵ The **European Union Agency for Fundamental Rights** has also implemented actions to promote artistic freedom.³⁶

32. For more information about this case, see <https://globalfreedomofexpression.columbia.edu/cases/palamara-iribarne-v-chile/>

33. Landmark cases in this regard are *Müller and Others v. Switzerland* (1988), *Otto Preminger Institut v. Austria* (1995) and *Karataş v. Turkey* (1999).

34. *Alınak v. Turkey* (2005); *Unifaun Theatre Productions Limited and Others v. Malta* (2018); *Ulusoy and Others v. Turkey* (2022) and *Patricio Monteiro Telo de Abreu v. Portugal* (2022).

35. In 2020, the Commission had also issued a study on the status and working conditions of artists and cultural and creative professionals that tackled artistic freedom, among other dimensions (European Expert Network on Culture and Audiovisual, 2020), and also addressed this issue in the framework of the [Voices of Culture](#) structured dialogue with civil society.

36. See for example the report: <http://fra.europa.eu/en/publication/2017/exploring-connections-between-arts-and-human-rights-meeting-report>



A **Manifesto on the Freedom of Expression of Artists and Culture in the Digital Era** was developed by an expert group for the **Council of Europe** (CoE) and launched in 2020, in the framework of the 70th Anniversary of the ECHR. The initiative also included the digital exhibition [Free to create. Create to be Free](#), which features the works of artists from CoE Member States, and the publication of a report on Artistic Freedom in Europe (Whyatt, 2023).

African human rights system

The **African Charter on Human and Peoples' Rights** (1981) devotes its Article 9 to the right to receive information and to free expression, and its Article 17 to the right to participate in cultural life. Moreover, an updated **Declaration of Principles on Freedom of Expression and Access to Information in Africa** was adopted by the African Commission on Human and Peoples' Rights in 2019.

The **African Commission on Human and Peoples' Rights** and its **Special Rapporteur on Freedom of Expression and Access to Information**, as well as the **African Court on Human and People's Rights** and the **Economic Community of West African States Court** have carried out important work in the field of expression and media freedom. Relevant jurisprudence has emerged at regional level, which in turn inspired several landmark national rulings. However, they do not seem to have been as active on the topic of artistic freedom.

Other regions

The **Arab Charter on Human Rights** (2004) includes Article 42, focused on respect for the freedom of creative activity, development of cultural and artistic programmes. The **Arab Human Rights Committee** was created in 2009, to oversee the implementation of the Charter by States that have ratified it, through the review of periodic reports. As noted by Cuny (2019), there are no related country or thematic special procedures (e.g., rapporteurs or working groups) nor instance to file individual complaints or other independent mechanisms that could serve to hold States accountable.

In the context of the *Journées Théâtrales de Carthage* Festival, an initiative led by a group of Tunisian artists, university students and advocates resulted in the [Carthage Declaration on the Protection of Artists in Vulnerable Situations](#).

The **Association of Southeast Asian Nations (ASEAN) Human Rights Declaration** (2012) enshrines artistic freedom in Article 32 and freedom of expression in Article 23. The **ASEAN Intergovernmental Commission on Human Rights** (AICHR), which was tasked with overseeing the Declaration's adoption, is the core body for the promotion and protection of human rights in ASEAN.



Among the advances in the adoption of legal and regulatory frameworks at national level in the region, **the Republic of Korea enacted an Act on the Guarantee of the Status and Rights of Artists** in September 2021, established a dedicated department at the Ministry of Culture to operate a comprehensive system to guarantee the rights of artists, and announced, in January 2023, a 5-year statutory plan for artistic welfare policy.

In Indonesia, the House of Representatives endorsed, in May 2021, the [Indonesian Human Rights Commission's \(Komnas HAM\) new guideline on freedom of expression](#) (the Standard Norms and Regulations on Freedom of Opinion and Expression) which includes a section on artistic freedom. [UNESCO has collaborated with Komnas HAM](#) towards its adoption and in the related sensitization process (UNESCO, 2021g, 2021h). Komnas HAM has the mandate to train government officials on human rights, and in 2022 it has published a Training Manual for The Right to Freedom of Opinion and Expression of the Arts.



OPERATIONAL MECHANISMS AND ASSISTANCE NETWORKS FOR THE PROTECTION OF ARTISTS AT RISK AND IN EMERGENCY CONTEXTS

Specialized organizations that carry out monitoring, research, awareness-raising and advocacy on artistic freedom remain few and under-resourced

Gathering information about the situation and needs of artists and cultural professionals, including in emergency situations, is key. To ensure crisis prevention and mitigation, as well as emergency preparedness, it is fundamental to set monitoring and early warning mechanisms and to be familiar with artists that are working on sensitive issues that might be particularly at risk.³⁷ During emergency interventions, the implementation of rapid, on-the-ground monitoring and needs-assessments based on local consultation is critical both to shape the immediate assistance to be provided to artists and cultural professionals in the country and in the diaspora, as well as to help inform efforts to preserve cultural assets, resources and the integrity of artwork collections and cultural infrastructure. Sustained monitoring in the mid and long-term is also important, to input into the design and implementation of early recovery strategies – ad hoc laws, policies, incentives measures, regulations – and beyond.

The number of organizations that systematically monitor threats and attacks against artistic freedom and carry out research and advocacy work focused on this issue remains relatively low (The Permanent Delegation of Denmark to UNESCO, 2021; UNESCO, 2022a), yet it has been gradually growing, which could explain, in part, the rising number of violations recorded (UNESCO 2018b, 2022a; Cuny, 2020).

Nevertheless, capacities continue to be concentrated in the Global North, with organizations like Freemuse and PEN International carrying out systematic documentation of artistic freedom violations. PEN America's Artist at Risk Connection has created different on the ground regional hubs,³⁸ with team members who engage with regional protective networks on monitoring cases and coordinate support related to them. Beyond these efforts, monitoring on artistic freedom tends to remain inconsistent, especially in the Global South, where CSOs have first-hand knowledge of the situation, yet often lack specific expertise on artistic freedom and resources, and also generally face heightened contextual restrictions (UNESCO, 2022a). One important example of artistic freedom monitoring in the Global South could be the work of the Center for the Opening and Development of Latin America (CADAL) which promotes initiatives aimed at supporting artists at risk and informing about the state of artistic freedom in Latin America.³⁹

Violations of artistic freedom are underreported as compared to infringements upon the rights of journalists, and disproportionate attention to certain countries limits a comprehensive understanding of the scale of the issues at hand (The Permanent Delegation of Denmark to UNESCO, 2021). It is also challenging to monitor infringements on artistic freedom due to artists' self-censorship and the often-subtle methods that are used to curb expression, such as the inclusion of artists in blacklists, denying them access to spaces to exhibit, perform or sell their artistic work, the withdrawal of monetary support and the consolidation of corporate monopolies that undermine artists' critical activities (IFEX 2008; Reitov, 2005; Sadovskaya and Trébault, 2020; Whyatt, 2023). Çakır (2022), for example, refers to cases of dissident or convicted artists who were unable to find regular jobs in educational or public cultural institutions, or that were fired under state of emergency legislation during the COVID-19 pandemic, finding that artists may purposely avoid addressing controversial subjects through their art so as not to lose sources of income.

37. Interview with Laurence Cuny, UNESCO Chair on the diversity of cultural expressions at Laval University. Member of the EU/UNESCO Expert Facility on the 2005 Convention.

38. According to their categorization as defined by ARC, these are regional hubs for Asia, Africa, Eurasia, the Middle East and Latin America and the Caribbean.

39. See <https://www.cadal.org/defense-of-the-freedom-of-artistic-expression/>



Box 2.3

International campaign for Afghanistan's musicians

The international campaign for Afghanistan's musicians is being implemented by an international group of academics, musicians, music educators and human rights advocates.* Its External Lead, Dr. Katherine Schofield, is a historian and Senior lecturer in South Asian Music and History at King's College London. The Campaign began in the UK, where an [open letter](#) and a [petition](#) were disseminated through the *Sunday Times*.

Musicians in Afghanistan are at critical risk, particularly since August 2021. Music has been banned in public places, and musicians face challenges for the livelihoods and artistic expression as a result. The international campaign therefore seeks to raise awareness about the situation of Afghan musicians and advocates for their protection and the preservation of their work. It also aims to support musicians that are still in Afghanistan or who have escaped the country, including by finding resources for assisting in their evacuation, travel and relocation, and also by connecting them to work or educational opportunities abroad.

The campaign calls all governments to recognize Afghan musicians as “members of a particular social group” (as per the 1951 UN Refugee Convention), and to grant them priority status for the obtention of a humanitarian visa linked to resettlement schemes (as they are currently not considered as one of the vulnerable groups eligible for this status, nor fall under the condition of being persecuted for their political opinion).

Sources: Interview with Dr. Katherine Schofield (the campaign's External Lead), [website of the International Campaign for Afghanistan's Musicians](#), [open letter](#) and [petition](#) issued by the campaign.

* This example is featured for illustrative purposes, UNESCO is not part of this international campaign.

In terms of monitoring by State entities, only 53% of Parties to the 2005 Convention have independent bodies that receive claims and monitor infringements upon freedom of artistic expression (UNESCO, 2022a). National Human Rights Institutions (NHRIs) can potentially play an important role in this regard, yet artistic freedom tends to have a lower priority in the work of these institutions as compared to other rights and is generally monitored under the wider umbrella of freedom of expression.⁴⁰

The expansion of **monitoring and advocacy efforts** led by a core nexus of international CSOs as well as by regional and national initiatives⁴¹ is one of the factors that has contributed to the increased interest and understanding of artistic freedom at global level since 2012 (UNESCO 2019h), as has the establishment of the mandate of the Special Rapporteur in the field of cultural rights in 2009. The attention given to artistic freedom challenges in forums such as UNESCO's World Press Freedom Day since 2015, along with publications like UNESCO's Global Report also served to boost awareness on this right (UNESCO 2019h). Increased linkages between CSOs working with cultural rights defenders and those specialized in freedom of artistic expression have also represented a positive development. Yet there is still all-too-frequently a lack of crossover of expertise in the artistic field and in human rights advocacy, which remains a challenge.⁴²

Although it still remains relatively incipient, **research** on artistic freedom has also expanded in recent years, for example through the [Arts Rights Justice Initiative](#) at the University of Hildesheim and the growing attention to temporary relocation schemes and the experience of artists displaced/in exile (such as the studies published by the [Martin Roth Initiative](#)).

Emergency assistance in home country: ensuring vital, immediate support to protect artists and cultural professionals

The provision of urgent in-country support for artists and cultural professionals at risk is critical within emergency responses, both to ensure their physical security and allow them to sustain their livelihoods. Artwork collections are also at risk in these settings, while artists and cultural professionals do not have the resources to safeguard them by transporting them to safe locations or enhancing security.

Therefore, in the early stages of emergency response, it is paramount to support artists and cultural professionals' immediate access to safety, for instance through financial assistance to meet critical urgent needs, the provision of shelter and safe havens (both inside the country and abroad), the set-up of hotlines,⁴³ and by making available medical, psychological, legal and other types of relevant support. Once their safety has been secured, it is important to enable artists, cultural professionals and cultural institutions to continue working, through financial support and by facilitating job opportunities.

Organizations providing assistance offer financial grants of variable size for artists that encompass legal fees, prison visits, medical costs, support for relocation, for the replacement of equipment, for security and for costs related to their dependents, or for general humanitarian assistance (Fine and Trébault, 2021; GHK Consulting, 2012). These emergency grants may be specifically for artists or for the wider category of human rights defenders and may take the form of short-term or one-time assistance, or medium or long-term aid. Funds currently exist both to provide support in specific emergency situations,⁴⁴ as well as more general grants programmes.⁴⁵

40. Ole Reitov, independent consultant, Member of the EU/UNESCO Expert Facility on the 2005 Convention. Co-founder and former Executive Director of Freemuse (during interview with him and Sara Whyatt) and UNESCO (2022a).

41. For examples of this type of initiatives, see the 2022 UNESCO Global Report *ReShaping Policies for Creativity* (UNESCO 2022a, Chapter 10) and the 2020 Special Edition on Freedom and Creativity (Cuny 2020).

42. Ole Reitov, independent consultant, Member of the EU/UNESCO Expert Facility on the 2005 Convention. Co-founder and former Executive Director of Freemuse (during interview with him and Sara Whyatt).

43. Examples include the ProtectDefenders.eu [helpdesk](#), and the [DefendDefenders emergency telephone line](#) facilitating security intervention for HRDs under threat in the Eastern Horn of Africa.

44. For example, the [Emergency and Resilience Funds for Ukrainian Visual Artists](#) granted by PEN America's Artists at Risk Connection with the support of the Helen Frankenthaler Foundation and the Andy Warhol Foundation for Visual Arts, and an emergency support initiative launched by the [Prince Claus Fund to assist the cultural community in Ukraine](#).

45. For instance, those provided by [Freedom House](#), [PEN](#), and [ProtectDefenders.eu](#) (whose emergency grants programme is delivered through its partners, such as [Frontline Defenders](#), [DefendDefenders](#) and [Forum-Asia](#)).

Support to artists at risk also takes place in the form of awards.⁴⁶ However, these do not constitute an emergency response mechanism, given the generally lengthy selection processes and the fact that they are normally given on an annual basis and reach a very limited number of artists.

46. E.g., the [Index on Censorship's Freedom of Expression awards](#) include a category specifically focused on "artists and arts producers whose work challenges repression, injustice and celebrates artistic free expression".



The provision of urgent in-country support for artists and cultural professionals at risk is critical within emergency responses, both to ensure their physical security and allow them to sustain their livelihoods.

**Box
2•4**

Providing emergency assistance to Ukrainian artists and culture professionals inside the country and abroad

The war in Ukraine has seriously impacted the lives and livelihoods of artists and culture professionals.. Apart from the loss of livelihoods, several cultural institutions have come under direct attack and art collections have been damaged, destroyed or remain at risk. Many women artists and cultural professionals were forced to flee Ukraine in search of safety, and some have taken advantage of residency opportunities in other countries.

UNESCO immediately mobilized to support artists and culture professionals, publicly calling for the protection of cultural heritage and deploring civilian casualties, including those of artists, among other groups (UNESCO, 2022d, 2022e). Consultations held with World Heritage site managers, museum professionals, artists and other cultural professionals in Ukraine as part of UNESCO's on-the-ground monitoring efforts, identified the provision of physical security for artists (through safe havens inside Ukraine or relocation abroad), the protection of cultural infrastructure and artworks among the most urgent needs. The consultations also highlighted the need for support to continue working, promoting the donation of financial contributions to cultural funds such as the [Ukrainian Emergency Art Fund](#), and the provision of spaces to showcase Ukrainian art.

With support from the Heritage Emergency Fund and in partnership with the Ukrainian Museum of Contemporary Art, UNESCO facilitated the provision of grants to seven cultural institutions for creative projects inside Ukraine aimed at encouraging the continuation of artistic creation and access to cultural life in the country. UNESCO also supported 38 displaced women artists from Ukraine to access artist residencies across 27 cultural institutions in 13 countries, in partnership with Perpetuum Mobile/Artists at Risk (AR) and its network of partner cultural institutions – with funding from the Heritage Emergency Fund and the UNESCO-Aschberg programme for artists and cultural professionals (read more about AR's methodology of work in Box 2-5).

Source: HEF project documents, UNESCO (2022d, 2022e), information gathered from Ukrainian artists and cultural professionals through an online consultation organized by UNESCO.

Dearth of emergency mechanisms for evacuation and temporary relocation

Temporary relocation programmes offer artists at risk a very important opportunity for respite, even if for a short period, and to overcome trauma (UNESCO, 2022a). These programmes, which are on the rise, include different types of schemes of various durations. Some programmes facilitate subsequent relocation to a third country if the risk persists in the artist's home country. Programmes may support housing, professional development, financial needs, legal services and assistance for processing visas and

work authorizations, psychological support, and the building of community, among other aspects. The support provided and programming of activities also depends on the type of beneficiary that each initiative covers, and on the individual selected (Jones et al., 2019). Some organizations provide funding for relocation, yet require the applicant to find a host institution and coordinate the logistics of the process. There are programmes that focus on a particular group, such as artists, journalists, scholars or women activists, while others target a broader audience under the umbrella concept of human rights defenders, and recent years has seen growing collaboration between the two.

Box 2.5

Matching artists at risk with residencies abroad to strengthen their safety and professional development

Perpetuum Mobile/Artists at Risk (AR), based in Finland, is a network institution placed at the intersection of the arts and human rights communities. It identifies art practitioners who are persecuted and facilitates their safe passage to other countries, matching them with AR-residencies (called "Safe Havens") that host them and give them the possibility of taking part in related projects. In implementing this work, AR partners with artist-in-residency centres, artists' unions, cities and human rights advocacy networks. AR residencies last between 3 and 24 months and normally include accommodation (and sometimes a working space), a monthly living stipend, travel insurance and a budget for production and legal costs. They sometimes also cover the temporary relocation of families.

AR's approach is to treat beneficiary artists as professionals, rather than as asylum seekers or refugees. The residencies are seen as a way to advance their career, gain new competences, make connections with local creative communities and sustain these linkages when they return home. The artists who benefit from AR's assistance very much appreciate this approach, the organizations rapid response capacity, and their staff's close contact with them. The experience of AR in supporting artists' urgent relocation and continued professional development is a good practice that has attracted the attention of organizations working to ensure the safety of journalists, interested in learning about their model involving cultural institutions in the host country.

AR set up a Solidarity Team for Ukraine, and developed a specific methodology to manage this particular crisis, both in terms of the volume of requests and the challenges related to visa requirements, as these differ according to whether the applicant is Ukrainian – whose relocation to EU countries is easier as they do not need a visa and they will be able to access health care, education and welfare benefits – or from Russia or Belarus. AR's website permits artists to apply to residencies, and institutions to express their interest in becoming a host.* The website also facilitates access to a comprehensive list of resources for artists and cultural workers affected by the war in Ukraine.** AR also launched a Solidarity Prints sale, to raise money for artists at risk in Ukraine by selling work donated by an international group of renown artists.

AR is also currently working to expand their support to also benefit advocates focused on environmental causes, through a new residency programme, "Ecologists at Risk".

Sources: Interview with Marita Muukkonen and Ivor Stodolsky, co-founding Directors of Perpetuum Mobile/Artists at Risk, [Perpetuum Mobile/Artists at Risk](#) website, AR's newsletter, artists supported by AR.

* See: <https://artistsatrisk.org/?lang=en>

** See: <https://artistsatrisk.org/2022/02/26/ukraine-emergency-resources-for-artists-and-cultural-workers/?lang=en>

Currently, most of these programmes relocate artists to Europe and North America, though there are emerging initiatives that facilitate relocation in other regions, prioritizing applicants staying close to their place of origin, such as [Ubuntu Hub Cities](#) in Africa and [Forum-Asia](#). This is a positive development, as artists are less likely to face obstacles regarding language, stigmatization and integration to another culture, and it is less costly (GHK Consulting, 2012).

These initiatives are also less problematic with respect to what Cuny refers to as “asymmetric power relations underlying relocation from the Global South to the North that is sponsored by organizations based in the North” (2021b, p. 27)). These asymmetries were also highlighted in a recent study by Yazaji and Schmidt (2022) and in others focused on Africa (Blackmore, 2021), Latin America (Cuny, 2021b) and Turkey (Çakir, 2022).

The [International Cities of Refuge Network](#) (ICORN) is the biggest provider of opportunities for relocation for writers, artists and journalists at risk. The ICORN brings together more than 70 cities in Europe, Brazil, Mexico and the United States, with Swedish and Norwegian cities hosting more than half of beneficiaries, for a period of two years, though sometimes shorter. Persecuted writers, journalists and artists apply directly to ICORN which evaluates each application with the assistance of PEN International) and if accepted, ICORN contacts member cities who can invite the applicant for residency. In order to get a visa, the applicant has to prove that they have the necessary financial support, health insurance and no criminal record. Any reference to persecution or threats in their country can be counter-productive for obtaining a visa. Moreover, selected applicants may not have a passport or another valid travel document (Dyvik, n.d.). Thus, the time it takes to complete immigration procedures limits the adequacy of ICORN's temporary relocation model in response to emergency situations.⁴⁷

Among other shortcomings of temporary relocation initiatives are the limited number of placements

47. In some countries like Norway, Denmark and Sweden, ICORN (frequently jointly with PEN national chapters) has negotiated special regulations of entry of beneficiaries of ICORN residencies, which has facilitated these processes. Most notably, Norwegian PEN recommends to the Norwegian government applicants who could be considered as part of the annual refugee quota that can enter the country (Dyvik, n.d.).

that they can cover, which reduces their impact at times of sudden, humanitarian crises involving the large-scale evacuation of populations at risk. Initiatives tend to privilege at-risk writers, scholars and journalists (GHK Consulting, 2012), while artists are often unaware of programmes for which they are eligible, are not part of organizations that can nominate them, and lack recognition as human rights defenders (Blackmore, 2021). Relocation schemes tend to benefit artists who are already known by the organizations managing them, or who have completed one temporary relocation experience and need to follow it with another one.⁴⁸ Yet, given the very few opportunities available, even those who are very well connected may find it hard to get a placement, and for the processes needed for its materialization to be finalized fast enough in view of the risks they face.⁴⁹

Artists who may be reluctant to market themselves as being “at risk” or “in exile” are excluded from this type of support (Çakir, 2022; Jones, Nah and Bartley, 2019). Moreover, language and educational conditions that applicants must fulfil sometimes also represent obstacles (Jones et al, 2019).

Artists taking part in temporary residencies have reported that they often feel that they are expected, or even pressured to produce certain content, according to the agenda of their supporters, or “instrumentalized” for advocacy campaigns (Blackmore, 2021). It is important to allow relocated artists to formulate their own narrative and express their true voice, avoiding their representation simply as “the other” or “the victim”.⁵⁰ In this sense, an interviewee for this study paraphrased the words of a refugee writer: “all they want me to write about is women in conflict, and I just want to write my novel”.⁵¹

48. Interview with Ole Reitov, independent consultant, Member of the EU/ UNESCO Expert Facility on the 2005 Convention. Co-founder and former Executive Director of Freemuse; and Sara Whyatt, independent consultant, Member of the EU/ UNESCO Expert Facility on the 2005 Convention. Former director of PEN International's freedom of expression programme.

49. Interview with Artist 3.

50. Intervention by Golnar Shahyar (Iranian-Canadian vocalist, composer and multi-instrumentalist based in Vienna, Austria), during UNESCO's online event [Resilience in the face of crises through the lens of women artists](#), held on 8 March 2023 (UNESCO, 2023a)

51. Observation by Sara Whyatt, independent consultant, Member of the EU/ UNESCO Expert Facility on the 2005 Convention. Former director of PEN International's freedom of expression programme (during interview with her and Ole Reitov).



Given limited resources, some programmes (or host cities) cannot cover the costs of relocating the beneficiary's dependents with them, which can be off-putting for them and reduces the benefits derived from their experience, for instance in terms of integration to the host community or learning the local language.⁵²

It is very important for the capacity building opportunities offered during temporary placements to match the interests of the beneficiary and her/his level of technical abilities, as well as the training capacities that are available in the host location or institution (Jones et al., 2019). It is also key for artists to continue to work on their craft, in a host community where such work can be appreciated, where they can exchange with peers and even focus on a specific project to complete during the experience. Artists interviewed for this study stressed that this was key for their mental well-being.⁵³ In this regard, galleries, museums, theatres, publishing houses, universities, cultural events, foreign cultural centres and artists unions, among others, can play a key role. However, many do not include human rights in their mission or have the expertise to host artists at risk (Cuny, 2021b).

Insufficient assistance to artists in exile and those seeking refugee status

For artists fleeing conflicts or repressive environments, the risks back home may not have dissipated by the time a short-term placement ends. Beneficiaries that require a more long-term solution might then be forced to engage in "relocation shopping" (searching for new placements in temporary relocation programmes one after another), to apply for asylum or find other ways of entering and staying in another country. Although temporary relocation initiatives are, for the most part, designed to provide safe haven and respite for a limited period, some are explicitly viewed as "pathways to permanent protection, usually through providing access to asylum procedures" (Jones, 2015, p. 946). This is the case of the ICORN scheme in Norway, through which, upon the recommendation of Norwegian PEN, artists can be part of the annual refugee quota accepted by government.

Except in cases such as the above, refugee status may be difficult to obtain for artists at risk, considering the many challenges faced by HRDs undergoing the same process (Jones, 2015). It entails lengthy and daunting procedures, during which an artist's ability to work and travel may be limited, depending on each country. Moreover, they must be outside their home countries when applying – which in practice is difficult if legal harassment prevents them from obtaining a passport. In addition, it is not always possible to show that persecution is based on the accepted grounds of race, religion, nationality, membership to a particular social group or political opinion.

52. Interview with Hege Newt, Secretary General, Norwegian PEN, and Seiden (2019)

53. Interview with Artists 3 and 4.

Furthermore, if they face legal prosecution at home, they may not be granted refugee protection. As notes Jones (2015), UNHCR regularly publishes guidelines on the application of refugee law to specific populations or on controversial matters, and it would be valuable for this type of guidance to evaluate the possible qualification of HRDs at risk for refugee protection. Moreover, the issuing of special, long-term protection visas for HRDs could represent an alternative path to ensure their safety (ibid.). For such UNHCR guidelines to refer to artists and cultural professionals would be relevant to their protection, which could also be strengthened by protection visas specifically targeting them.

There exist some initiatives that provide support for artists navigating the processes of seeking asylum or refugee status, by offering information, funding, housing, medical, financial and legal assistance. Additional support in this area would be of great value, though there is currently insufficient cross-referencing between the international refugee system and other regimes of protection (Bennett et al, 2015; Jones, 2015).

Some organizations specifically address the needs of artists in exile. Once the logistics of visas, shelter, health care, education are concluded, it is vital that programmes cater to the professional needs of artists in exile, who may find it hard to find an audience, need funds and a workspace to continue creating, among other aspects. The [Norwegian arm of PEN International](#), for instance, focuses on supporting artists' professional life, facilitating connections with the local cultural community, writers and journalists' unions, assisting them so that their work is published, inviting them to take part in cultural events, and so on. Other examples supporting artists in exile include the efforts led by [FANAK](#), [the Agency of Artists in Exile](#) and [Pause](#) in France. The shift of international attention to each new crisis can be a source of frustration for some displaced artists, who find that better opportunities are offered to those relocating from the most recently affected country while they themselves are still waiting for the materialization of support they expected.⁵⁴

Strengthened international coordination and networking to enhance emergency support for artists at risk

In recent years enhanced international cooperation has come about through an increased number of stakeholders involved, going beyond international organizations to encompass regional and local ones (Cuny, 2020; UNESCO, 2022a). International coordination has led to information-sharing on initiatives and challenges on the ground, the granting of visas to artists at risk, and coordinated awareness-raising and advocacy. Lobbying efforts often focus on requesting States to support the humanitarian evacuation of artists, offering protection, consular assistance and the timely issue of visas, and recognizing artists and cultural professionals as a priority group for resettlement. In some cases, action is taken to involve the media to raise the plight of artists in certain countries facing crises, though caution should be taken as this type of advocacy work can create risks by unveiling their identity.

Coordination between temporary international relocation initiatives is very frequent, for instance on the type of applicants they accept, or through the referral of cases, inquiries during candidates' selection processes or about who they are/have hosted, and by accepting nominations from partner organizations (Schagen, 2020).

Facilitating collaboration among organizations focused on supporting HRDs, journalists and other actors affected by the same emergency is very important. It currently takes place to some extent, for instance where organizations with broad mandates take part in different assistance coordination networks.

54. Interview with Artist 1.

PEN America's Artists at Risk Connection (ARC): Facilitating international coordination to assist artists under threat

ARC is a project of PEN America, launched in 2017. It seeks to protect the right to freedom of artistic expression, supporting artists and cultural workers at risk by connecting them to a global network of organizations, among which it facilitates information sharing, coordination and cooperation. Not a direct provider of services, but a nucleus connecting organizations that support artists, ARC matches persecuted artists and cultural professionals with emergency funds, legal and immigration support, temporary relocation schemes and fellowships, among the most needed services. ARC supports artists in navigating the field of assistance and helps organizations respond to their requests. It refers artists at risk to existing resources in the fields of arts and human rights, while also aiming to facilitate collaboration between these two communities.

ARC has responded to emergencies in several countries. For example, in September 2021, it created an informal coordination group for the assistance of Afghan artists, composed of around 45 organizations, to facilitate information-sharing and minimize duplication of efforts. When the war in Ukraine erupted, ARC launched a similar group focused on the particularities of that country. These groups encompass members of the artistic freedom advocacy community, groups of artists, art and cultural organizations, CSOs focusing on HRDs and other organizations whose mandate also cover media freedom/journalists' safety. ARC therefore facilitates bridges between the art world, artistic freedom advocates and human rights organizations (which tend to hold the resources and mechanisms for support but may not necessarily be familiar with the needs of artists and their role, including as human rights defenders). ARC members also include organizations that are also part of networks providing emergency support to journalists, such as the Journalists in Distress network. This brings additional expertise into the exchanges, facilitates information flows, and a more efficient use of available mechanisms.

Sources: Interview with Julie Trébault, Director, and Jessica Sun, Programme Coordinator, ARC; ARC's website; Fine and Trébault (2021); Sadovskaya and Trébault (2020).

The need to invest in capacity building opportunities and tools to strengthen artists' safety

Capacity building to strengthen artists' safety is most often included in temporary relocation initiatives as well as part of in-country support to HRDs. Yet, there are few safety-focused initiatives and tools developed specifically for artists in mind, as compared to those that exist for journalists. The Safety Guide published by ARC (2021) includes modules on cybersecurity, assessment of risks, strategies for enhancing artists' safety, tactics used by actors often behind attacks against artists and links to relevant resources and organizations. To improve the availability and accessibility of this tool, ARC has been working with local partners and experts on contextualizing and translating the guide to reach more at-risk artist communities around the world.⁵⁵ It is important for resources to be provide guidance tailored to the particularities of specific contexts, providing advice on where artists can access support in a given country, as well as referring to relevant national legislation, etc.⁵⁶

PEN America has also published an Online Harassment Field Manual. Front Line Defenders runs a Digital Protection Programme (both through one-on-one capacity building and group workshops)⁵⁷ and has collaborated with Tactical Technology Collective for the development of the Security in a Box Toolkit (2007, last updated 2020), which comprises digital security tools and tactics. The organization also facilitates training and support on risk analysis and protection planning, through workshops, courses, seminars, consultations and resources,⁵⁸ such as its Workbook on Security (2011).

55. Localized versions of the guides have been published in Spanish and French, and upcoming versions will be released in the coming months in Ukrainian, Russian and Arabic.

56. An example is the [Guidebook on Artistic Freedom of Expression](#) published in 2016 in the context of a project implemented by the Human Rights Law Research Center with Siyah Bant Initiative and the support of the Consulate General of Sweden in Istanbul.

57. <https://www.frontlinedefenders.org/en/programme/digital-protection> and <https://www.frontlinedefenders.org/en/digital-protection-resources> and interview with Adam Shapiro, Head of Communications & Visibility, Front Line Defenders.

58. See <https://www.frontlinedefenders.org/en/programme/risk-analysis-protection-training> and https://www.frontlinedefenders.org/sites/default/files/workbook_eng_master.pdf

When it comes to building knowledge and capacities, arts academic institutions can play a critical role in making their students aware of their rights and the available mechanisms for addressing violations of these rights within their own countries and internationally, and how to tackle issues such as hate speech and other risks (Whyatt, 2023). Universities could integrate a module within their arts curricula or host seminars on artistic freedom, which could be offered alongside other modules on matters such as contract and employment law, intellectual property, etc.

Engaging with the judicial system: providing legal support to artists and facilitating networking among artists and legal actors

Legal support is of importance for artists at risk in emergency situations such as armed conflict or severe shrinking of civic space. They may face attacks, arrest, prosecution, imprisonment or legal threats, or need help in applying for visas, refugee status and addressing other immigration issues. There are organizations that cover legal fees, and also CSOs and legal firms that provide *pro bono* legal assistance to artists, help lawyers prepare briefs and undertake prison visits and trial observations. An example is the [Artistic Freedom Initiative](#), led by immigration and human rights lawyers. Some organizations train legal actors on the subject of freedom of artistic expression, as illustrated by the workshops for East and West African lawyers organized by Artwatch Africa and the Institute for Human Rights and Development in Africa (Cuny, 2020).

Facilitating connections between these actors is also valuable – Avant-Garde Lawyers (AGL) is a network of art law and free speech lawyers at global level that take *pro bono* work for the protection of artists' rights to imagine and create freely, including through strategic litigation as well as through the presentation of *amicus curiae* (third party interventions) before international courts. AGL facilitates training, exchanges and cooperation among lawyers and actors from different countries. Focused research and virtual repositories, such as the database of Columbia University's Freedom of Expression Initiative, allow the user to find judgements focused on artistic freedom.

Emergency recovery: calls for reinforced efforts in support of livelihoods and enabling laws, institutions, policies and jurisprudence

During the recovery and reconstruction phase following an emergency the protection of artists and cultural professionals, cultural expressions, goods and services, cultural infrastructure and institutions remains critical. In turn, culture and art can drive dialogue, reconciliation and social and economic development. In societies affected by violence and conflict, the restorative and transformative nature of the aesthetic experience can play a key role in repair; yet artists and cultural professionals are often in danger where societies are deeply divided, ruled by repressive or fundamental powers, or controlled by fundamentalist and extremist non-State actors (Bennoune, 2018). It is vital that, in the early recovery phase of an emergency, an enabling legislative, regulatory and policy framework is set up or reinforced that supports artists' and cultural professionals' rights and livelihoods, safeguards artistic production and strengthens the protection and capacities of cultural institutions. Strengthening measures to protect endangered artworks, collections, cultural expressions, goods and services and online cultural activities is also important in the medium and long-term.

UNESCO has implemented innovative approaches connecting heritage rehabilitation to local populations' economic resilience (e.g., through a [“cash-for-work” scheme benefitting youth in Yemen](#)), and this focus on supporting livelihoods is also relevant in relation to assisting artists and cultural professionals during the emergency recovery period.⁵⁹

59. Designed to diminish the impact of market failure during crises, cash-for-work interventions are a temporary form of social protection that shields beneficiaries from external shocks and can deter them from resorting to negative coping strategies. These interventions entail the payment of allowances – daily or monthly – upon the delivery of a specific work by beneficiaries. UNESCO has implemented this type of scheme within comprehensive strategies that also build capacities through on-the-job trainings, thus also strengthening beneficiaries' capacities, employability and engagement.

*More should be done
to address structural
gender inequalities
in the cultural sector.*



Following the explosions in the port of Beirut in August 2020, and as part of the Lebanon Funding Facility launched by the World Bank, UNESCO is providing small grants to cultural practitioners and not-for-profit entities for the revival of creative industries. Temporary residencies for artists in cultural institutions, fellowships and grants for innovative cultural projects are other tools to be considered during the recovery phase.⁶⁰

60. UNESCO's publication *Culture in Crisis: Policy Guide for a Resilient Creative Sector* (2020b) presents practical guidance and examples for the integration of cultural and creative industries within social and economic recovery strategies following the COVID-19 pandemic, including direct support to artists and cultural professionals, which could provide inspiration in different contexts.

**Box
2.7**

Music returns to Gao, Mali: supporting artistic expression and cultural heritage in a post-conflict setting

In the context of the armed conflict that took place in the northern regions of Mali between April 2012 and January 2013, extremists that occupied that part of the country targeted cultural heritage, attacking sites, objects, cultural practices and expressions, especially in the cities of Timbuktu and Gao (UNESCO, 2013, 2014; Morgan, 2013).

As part of its response to the conflict, UNESCO developed an illustrated map and a brochure entitled "Heritage Passport", which presented details about the location and relevance of cultural sites in northern Mali. The goal was to sensitize armed forces, CSOs, international actors and local communities about the importance of protecting the sites; as well as to support Malian authorities in the implementation of the UNESCO Convention for the Protection of Cultural Heritage. UNESCO disseminated these materials to military and humanitarian organizations, as well as to all countries that were involved in the military operation that took place in Mali starting in early 2013. Together with the European Union and other donors, UNESCO also implemented a comprehensive plan supporting the government's efforts to rehabilitate the country's cultural heritage and safeguard the manuscripts that had been seriously damaged during the conflict (UNESCO, 2013).

In April 2013, Security Council Resolution 2100 established the peace-keeping operation for Mali, "MINUSMA". Its mandate included support for cultural preservation by assisting "the transitional authorities of Mali, as necessary and feasible, in protecting from attack the cultural and historical sites in Mali, in collaboration with UNESCO" (United Nations Security Council, 2013). The mission was also called "to operate mindfully in the vicinity of cultural and historical sites", as part of the management of its environmental impacts (ibid.). This marked the first time that a Security Council resolution included support for cultural preservation in the mandate of a peace-keeping operation.* MINUSMA delivered trainings – through modules developed by UNESCO – so that its civil, military and police personnel became aware of the country's cultural heritage and provided security and logistical assistance to the rehabilitation of damaged heritage sites. MINUSMA also re-equipped the regional orchestra "Songhoy Star" and contributed to the resumption of musical life in the north of the country by facilitating artists' travel to take part in cultural events.

Sources: MINUSMA (2014, 2016) and its website's 'Cultural Heritage' section; Ravier (2021) UNESCO (2013, 2014); and interview with Nadia Ammi – currently Assistant Project Officer at UNESCO's Emergency Preparedness and Response Unit and formerly UN Volunteer working on implementing the cultural support mandate of MINUSMA between 2013 and 2017.

* It should be noted that, since 2018, MINUSMA's mandate no longer includes specific references to cultural support.

USING A GENDER LENS TO SUPPORT WOMEN ARTISTS AND CULTURAL PROFESSIONALS

Recognizing the specific risks that women artists face, especially in certain communities and in emergency situations, it is key that their inclusion is secured in consultations regarding the needs in the sector and that monitoring activities and research take a gender lens. Considering intersectionality when designing and delivering interventions is critical, given that the risks for women artists are even higher if they also belong to a minority group, or identify as LGBTQ+, for example.

Sensitization activities can ensure that women artists are aware of the initiatives focused on women HRDs and the opportunities they may offer. It is also relevant to facilitate connections between these schemes and initiatives seeking to advance artistic freedom. Organizations that propose support to artists or HRDs, such as temporary relocation schemes, should be aware of gender-related challenges, such as the reticence that women may feel if they cannot relocate with their dependents.

More should be done to address structural gender inequalities in the cultural sector. In the medium to longer term, therefore, the design of a country's laws and policies should consider the status of women artists – in accordance with systematic monitoring and research – and specific steps should be implemented to tackle the related shortcomings and whenever possible, structural and root causes of inequalities (for example in terms of inequalities in women artists and cultural professionals access to their profession and the art market, gender-based discrimination and female representation in key roles, and the recognition of the value of their role in society, among other aspects).

In connection to the above, applying a gender lens is important when creating new laws and regulations. This approach can offer an in-depth gender overview of the context and should involve the collection of sex- or gender-disaggregated data, the assessment of how power and resources are distributed when it comes to gender roles, as well as consideration of the perspectives of different gender groups, with their respective needs and issues. This type of analysis should lead to the identification of root and structural causes of gender inequalities that should be targeted by the laws and policies.





Defending journalists in emergency contexts and beyond



UNESCO recorded 400 killings of journalists in the 2016-2020 period, and 142 killings in 2021-2022. Moreover, there has been a rise in journalists' imprisonment and other attacks against them. Impunity continues to prevail in relation to journalists' killings, with those responsible going unpunished in 9 out of every 10 cases.

*UNESCO, 2021d, 2022c,
UNESCO Observatory of Killed Journalists*

INTENSIFIED THREATS AND ATTACKS FACED BY JOURNALISTS AROUND THE WORLD

Threats and attacks against journalists and other media professionals have been on the rise in the past years. They face legal persecution, arbitrary detention and imprisonment, under cybersecurity and anti-fake news laws, as well as through unjustified anti-State and disproportionate defamation charges. In connection to the latter, SLAPPs represent an increasingly worrying phenomenon, with media actors often being their main targets. Journalists also endure intimidation, kidnapping, torture, harassment online and offline, digital surveillance and targeted disinformation and smear campaigns, while the destruction or confiscation of their equipment and retaliation against their families is also common. There has been an increase in public discourse that denigrates and stigmatizes them, putting them at even higher risk and diminishing public trust in journalism (UNESCO, 2021d, 2022c).

In the worst instances, journalists are killed for performing their job. UNESCO recorded 400 killings of journalists in the 2016-2020 period, and 142 killings in 2021-2022. Moreover, there has been a rise in journalists' imprisonment and other attacks against them. Impunity continues to prevail in relation to journalists' killings, with those responsible going unpunished in 9 out of every 10 cases (UNESCO, 2021d, 2022c, UNESCO Observatory of Killed Journalists).

The **COVID-19 pandemic heightened the risks** faced by journalists, both in terms of exposure to the virus while reporting, as well as financially impacting on their livelihoods through loss of income and job cuts in the sector. Their perilous situation was exacerbated by the limitations imposed on press freedom via restrictive legislation aimed to counter rumours and disinformation. These limitations were used to justify arrests of and legal prosecutions against journalists for their reporting on the pandemic, and States' responses to it (OHCHR, 2020; Posetti and Bontcheva, 2020a, 2020b; UNESCO, 2021d, 2020c; United Nations Secretary-General, 2020a).

On top of the risks and attacks endured by their male peers, **women journalists face additional, gender-specific challenges**. They are the targets of gender-based threats and physical attacks, harassment and abuse, doxing (publicly sharing personally identifiable information about an individual online), cyber-stalking, smear campaigns, hacking, online trolling, mob-related sexual violence and sexual abuse while in captivity. They also face discrimination at their workplace. Underreporting of these attacks and threats is common, due to cultural and professional stigma (International Federation of Journalists, 2018; International Women's Media Foundation and Trollsbusters, 2018; UNESCO, 2019d, 2021d). Research commissioned by UNESCO and the International Center for Journalists found that 73% of 625 women journalists surveyed had experienced online violence while performing their job and 20% had endured offline attacks connected to the online violence they experienced, leading to self-censorship and mental health difficulties. Further, 41% of online attacks were linked to coordinated disinformation campaigns (Posetti et al., 2020, 2021).

Between 2016 and 2020, UNESCO's Director-General condemned the killing of 37 women journalists, that is, around 9% of all killings of journalists during that period, continuing a trend seen in previous years. In 2021, this figure rose to 11% (UNESCO Director-General, 2022). It should be noted that the fewer number of women counted among journalist killings, as compared to men, could be possibly related to their lower involvement in covering riskier themes (UNESCO, 2021d, 2022c, UNESCO Director-General, 2022).

Journalists and media-associated personnel working in conflict, post-conflict and disaster situations are particularly vulnerable to some of the most serious dangers. Not only do they risk being killed in crossfire, but in recent conflicts journalists have increasingly been seen as targets, both by State and non-State actors (UNESCO, 2019d, 2021d, 2022c). Journalists reporting from conflict situations are at risk of being arbitrarily detained, reported as missing or held hostage by non-State actors (UNESCO, 2020d). Local media outlets and infrastructure often face closure, shelling and bombing. Journalists are prosecuted for disseminating so-called "fake news" or contravening national security or counter-terrorism legislation that is not in line with international standards (Kahn, 2022).

Access to diverse and verifiable information is critical for resolving conflicts, unveiling abuses and pursuing justice and accountability, as well as a "a survival right" for the affected populations, notes Kahn (2002). Yet "the information environment in the digital age has become a dangerous theatre of war", where information is weaponized "to sow confusion, feed hate, incite violence and prolong conflict" (Kahn, 2022, p.2). Journalists can play a key role in countering disinformation, yet those working in conflict areas appear to be increasingly affected by digital threats (Access Now, 2021). Their capacity to perform their essential functions is fundamentally affected by internet shutdowns or slowdowns, blocking and filtering of online contents and other actions curbing the free flow of information (Kahn, 2022).



Reversing a previously seen trend, since 2016 the **ratio of journalists killings taking place in countries undergoing armed conflict has been decreasing** as compared to those occurring in countries that are not going through conflict situations, suggesting that deliberate killings in non-conflict settings may be used to silence criticism and generate fear (UNESCO, 2019*d*, 2021*d*, 2022*c*, UNESCO Director-General, 2022). The number of foreign journalists who were killed has also gone down as compared to local journalists. The latter are increasingly reporting for international media from conflict areas, in more and more precarious situations – for example, working under freelance contracts and with no provision of training or protective equipment. Local activists and bloggers have also taken a more prominent role in reporting from conflict areas, without benefiting from the protection that is normally offered to journalists by traditional media outlets (Horsley and Selva, 2021; UNESCO, 2021*d*, 2022*c*).

The above trends can be linked to **the increased reluctance of international media outlets to send foreign correspondents to cover armed conflicts**, in face of escalating dangers. Besides risking being killed in crossfire or as direct targets, foreign correspondents reporting from conflict areas often face attempts to delegitimize them, with government officials labelling them as “enemies, mouthpieces for outside powers, foreign spies or collaborators with anti-state forces” (Horsley and Selva, 2021, p. 6). They also sometimes endure demonstrations of public hostility, arbitrary criminal charges and imprisonment for exposing critical views of the government. Limitations to their capacity to perform their job through blocking their accreditation or visas are also on the rise, along with online harassment and intimidation (Horsley and Selva, 2021), while they also frequently face expulsion from the country where they are reporting (Kahn, 2022). Journalists are also often used as bargaining chips by parties in a conflict, are prevented from accessing certain areas and face censorship (La Rue, 2010).



UN Security Council Resolution 2222 recognizes the specific **dangers that women journalists, media professionals and associated personnel come under when reporting from conflict zones**, calling for a gender lens to guide the implementation of journalists’ safety measures. According to research by Steiner, women who conduct war reporting – a field that tends to be seen as a men’s domain – “continue to face condescension, pseudo-protectionism, disdain, lewdness, and hostility from their bosses, rivals, military brass, and the public. They also experience sexual violence, although they are discouraged from complaining about assaults, so that they can keep working” (Steiner, 2017, p. 11).

The challenges faced by journalists often do not end when they return from conflict areas or hostile environments, as many **endure post-traumatic stress and other psychological ailments, as well as physical injuries** that may be permanent (La Rue, 2010). Moreover, conflict situations also represent challenges for investigating those behind the crimes committed against journalists (Mendel, 2016). At the same time, despite the complexity of these contexts, the documentation of these crimes is important “so that there can be at least an opportunity for justice for journalists once peace returns” (Bertoni, 2015, p.5).

INTERNATIONAL NORMATIVE INSTRUMENTS, COMMITMENTS AND RELATED MECHANISMS OF RELEVANCE TO JOURNALISTS' SAFETY

International human rights conventions and humanitarian law pertaining to the protection of journalists

The protection of **freedom of expression** under Article 19 of the UDHR (1948) and Article 19 and 20 of the ICCPR (1966) are as relevant to journalists' rights as they are to artists. The Human Rights Committee's General Comment No. 34 clarifies the corresponding **right of access to information** held by public bodies as protected under Article 19, a right that has narrowly defined restrictions, based on harm and public interest tests.

Access to information is instrumental to the role of journalists in a democracy, as it is a prerequisite for them to provide the public with key information to participate in public debate, take voting decisions and hold governments accountable, among other aspects. General Comment No. 34 also recognizes the role of free media as being a cornerstone of democratic society, as well as referring to the public's right to receive media output (United Nations Human Rights Committee, 2011). This General Comment also refers to the threats, intimidation and attacks that journalists face because of their work, and calls for these to be investigated and for their perpetrators to be prosecuted (United Nations Human Rights Committee, 2011).

General Comment No. 34 takes a **broad definition of journalism**, as "a function shared by a wide range of actors, including professional full-time reporters and analysts, as well as bloggers and others who engage in forms of self-publication in print, on the Internet or elsewhere" (United Nations Human Rights Committee, 2011, para. 44). The UN Special Rapporteur on freedom of opinion and expression has similarly stated that journalists are persons "who are dedicated to investigating, analysing, and disseminating information, in a regular and specialized manner, through any type of written media, broadcast media (television or radio) or

electronic media. With the advent of new forms of communication, journalism has extended into new areas, including citizen journalism" (La Rue, 2010, para. 21). This broad, functional understanding of journalism has been reflected in decisions by UNESCO's Executive Board and by the International Programme for the Development of Communication (IPDC), as well as resolutions by the Human Rights Council and the UN General Assembly. Similarly, the Implementation Strategy of the UN Plan of Action on Safety of Journalists and the Issue of Impunity, refers to "journalists" as including media workers and social media producers who produce significant amounts of public interest journalism (UNESCO, 2012a).

Historically, the attention to the safety of journalists by the international community has been connected to their protection during armed conflicts – in view of the risks they are exposed to, due to the nature of their work, and the impact that their coverage can have on a conflict's outcome. This interest at the international level has also been reflected in **humanitarian law**.

Article 79 of Additional Protocol I (1977) to the Geneva Conventions of 1949 declares that journalists engaged in dangerous professional missions in international armed conflicts are entitled to **all rights and protections granted to civilians** in international armed conflicts, as long as they do not participate in hostilities. This also applies to non-international armed conflict, as per customary international law, and is also reinforced by UN Security Council Resolution 2222 (2015) on the protection of journalists, media professionals and associated personnel in situations of armed conflict. To intentionally direct an attack against civilians that are not participating in hostilities is a war crime (International Committee of the Red Cross, 2017b), and there is a "prohibition of violence to life, health or physical or mental well-being, humiliating and degrading treatment, and taking of hostages" found in Article 75 of Additional Protocol I. If journalists fall into the power of a party to the conflict of which they are not nationals, they benefit from the protections granted under the Fourth Geneva Convention, relative to the Protection of Civilian Persons in Time of War (La Rue, 2010, para. 50). International human rights law also continues to apply in armed conflict, including the right to freedom of expression, liberty and security, for example (La Rue, 2010).

Journalists are also eligible to **obtain an identity card** under Article 79 of Additional Protocol I, which is not obligatory, attests that they are journalists and confirms that they are civilians, thus benefitting from the corresponding rights while undertaking this work. However, this does not denote a special status for journalists. This was a conscious decision – denoting a special status on journalists was thought to diminish the protection granted to groups for whom it had previously been approved (Balguy-Gallois, 2004; Chocarro 2017). Further, giving journalists a special status could potentially serve to undermine their protection, as it would entail formulating a sufficiently precise definition for this group (needing a formal accreditation that could facilitate State interference), as well as their clearer identification during armed conflict (which could facilitate their targeting) (La Rue, 2010). Media equipment, considered civilian objects, is also protected under international humanitarian law and by the Rome Statute of the International Criminal Court (Balguy-Gallois, 2004).

Article 4 A (4) of the Third Geneva Convention declares that “war correspondents” – i.e., those who are formally authorized to accompany the armed forces in international armed conflicts⁶¹ – **are entitled to prisoner of war status**, thus benefiting from the same status as the armed forces if they are captured. Military press (i.e. recruited by the arm forces to report from a military perspective) are not considered civilians, but protected as combatants under international humanitarian law (International Committee of the Red Cross, 2017b).⁶² There has been an increase in the use of the term “embedded” journalists, first used in the 2003 conflict in Iraq to refer to journalists that moved with the US and UK military units. However, this is not a legal term, and they are considered war correspondents only if they have official accreditation from the armed force they are embedded with (International Committee of the Red Cross, 2017b).

61. Under international law, there is no distinction between war correspondents and other media professionals in the case of non-international armed conflicts (La Rue, 2010, para 51).

62. They are thus “protected against attack when hors de combat (wounded, sick, shipwrecked, detained or surrendering) and against certain means and methods of warfare even while fighting” (International Committee of the Red Cross, 2017b).

The international community’s attention to the safety of journalists has seen a significant increase, particularly in the past decade. Multiple landmark resolutions and decisions, totalling 26 by 2022, were adopted at the UN level (especially between 2012 and 2022) – by the Security Council, the General Assembly, and the Human Rights Council – as well as by the Governing Bodies of UNESCO and the IPDC.⁶³ The strengthening of the global normative framework for the safety of journalists inspired a parallel evolution at the regional level and impacted on the development of national policies and mechanisms.

UNESCO instruments and monitoring and reporting mechanisms on the safety of journalists

In pursuing its mission as the UN agency mandated to promote freedom of expression and press freedom, UNESCO has played a key role towards the setting of global standards.⁶⁴

The Windhoek Declaration on Promoting Independent and Pluralistic Media was adopted in 1991,⁶⁵ which led to the proclamation of **World Press Freedom Day** every 3 May. It was followed by Declarations adopted at regional level in Almaty, Santiago, Sana’a and Sofia. The Santiago Declaration (1994) called for the creation of what would become the **UNESCO/Guillermo Cano World Press Freedom Prize** in 1997, as well as for the strengthening of systems monitoring attacks against journalists. In turn, the conference held in Sofia (1997) served to increase the visibility of the impunity surrounding these crimes, which would be reflected in UNESCO’s Resolution 29, adopted that same year. The celebrations of World Press Freedom Day and the declarations emerging from them consistently addressed attacks against journalists.

63. The overview presented in this report does not constitute an exhaustive historical account on how the safety of journalists has been addressed by the UN, the international community and UNESCO over time. For further details on how attention to the topic has evolved, see for example Chocarro (2017) and Berger (2017), from which this study draws.

64. This study will not elaborate upon all declarations, resolutions and decisions adopted by UNESCO and other UN bodies that are of relevance to the safety of journalists. A list of basic normative documents on the issue can be found at <https://en.unesco.org/themes/safety-journalists/basic-texts>, and a chronological presentation of key resolutions and decisions adopted at the international and regional level can be found on UNESCO (2019d, pp.59-62, 2021c, pp. 12-14, 2022c, pp.142-148).

65. Reflecting the importance of this landmark Declaration, on the 30th anniversary of its adoption, the UNESCO General Conference endorsed the principles of the [Windhoek+30 Declaration on Information as a Public Good](#).

Although the work of UNESCO was initially focused on the safety of journalists in conflict, it expanded to address other conditions that impacted on journalists' safety, as attacks against them continued to rise beyond this type of context (Berger, 2017).

UNESCO's Resolution 29 (1997) was the first resolution within the UN system that had an exclusive focus on the promotion of journalists' safety, both during conflict and peacetime, calling UNESCO's Director-General to condemn "the assassination and any physical violence against journalists as a crime against society" and to urge the competent authorities to "discharge their duty of preventing, investigating and punishing such crimes and remedying their consequences".

The public condemnations of killed journalists have given way to the **UNESCO Director-General's biennial report on The Safety of Journalists and the Danger of Impunity**, established in 2008 through a Decision by the IPDC Council. The report provides a unique mechanism within the UN system for monitoring the killings of journalists. Every year, UNESCO Member States are requested to voluntarily report on the status of investigations carried out into cases of killed journalists condemned by UNESCO. Since 2017, Member States are also invited to include in their responses updates on actions implemented to promote journalists' safety and counter impunity, highlighting those relevant to the particular risks faced by women journalists.⁶⁶ Killings condemned by UNESCO are also published in the [UNESCO Observatory of Killed Journalists](#).

UNESCO's 36th General Conference Resolution 53 (2011) strengthened the mandate of the Organization to monitor press freedom worldwide, including safety of journalists, in coordination with other UN bodies and relevant organizations, and to report back to the General Conference on the related developments. Since then, every other year, the **World Trends Report on Freedom of Expression and Media Development** is published. In complement, a related In Focus Series addresses topics of specific interest, many of them concerning

journalists' safety and going beyond the killings of journalists to also cover non-fatal attacks, in line with SDG Indicator 16.10.1⁶⁷ and the UPR methodology. Since 2020, the Director-General's report also includes a section focused on those monitoring and reporting mechanisms.

Other important tools to undertake assessments in specific national contexts are **UNESCO's Journalists Safety Indicators** (and the accompanying Guidebook to facilitate their implementation) (UNESCO, 2015), as well as, more broadly speaking, UNESCO's **Media Development Indicators**. Moreover, pioneering monitoring work has been recently advanced by UNESCO regarding global trends in online violence against women journalists.⁶⁸

Funding instruments

UNESCO's [IPDC](#) has supported grassroots projects and a broad range of other activities and initiatives seeking to advance the safety of journalists in different countries, including those affected by conflict.⁶⁹ The [Global Media Defence Fund](#) supports local, regional, and international projects bolstering journalists' legal protection and enhancing media freedom through strategic litigation and investigative journalism. The [Multi-Donor Programme on Freedom of Expression and Safety of Journalists](#) has channeled funding to assist the establishment and strengthening of journalists' safety monitoring, reporting, protection, and prevention mechanisms, as well as safety focal points' networks. It has also supported the building of capacities on freedom of expression and the safety of journalists among thousands of judicial actors.

66. This follows the decision on the safety of journalists adopted in 2016 by the IPDC Council and is also aligned with calls to Member States reflected in the UN Plan of Action on the Safety of Journalists and the Issue of Impunity. For more information on the report, see: https://en.unesco.org/sites/default/files/ipdc_30_council_decisions_en.pdf

67. "Number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture of journalists, associated media personnel, trade unionists and human rights advocates in the previous 12 months".

68. See for example Posetti et al. (2021).

69. The IPDC has supported more than 160 projects promoting the safety of journalists in over 45 countries. Among key recent IPDC initiatives is the development of a model protocol for legal measures on the safety of journalists and the creation of 'safe' spaces for journalists in conflict and post-conflict settings, with a focus on displaced and diaspora journalists (UNESCO Director-General, 2022).

A key turning point: the UN Plan of Action on the Safety of Journalists and the Issue of Impunity

The **UN Plan on the Safety of Journalists and the Issue of Impunity** (UN Plan) constitutes the first systematic UN-wide strategy aimed at creating a free and safe environment for journalists and media workers (including citizen journalists and bloggers who produce information of public interest), in both conflict and non-conflict situations (UNESCO 2012b). Spearheaded by UNESCO and OHCHR and coordinated and implemented with the cooperation of the Executive Office of the UN Secretary-General and other relevant UN bodies, the UN Plan facilitates multi-stakeholder collaboration in the areas of awareness-raising, global standard-setting, monitoring and reporting, capacity-building and coalition-building. The Plan is based on the “**3Ps-approach**”: **Prevention, Protection and Prosecution**. The first inter-agency meeting took place in 2011 to prepare the UN Plan through wide consultation. The Plan was endorsed by the UN Chief Executives Board in 2012. That same year, a second inter-agency meeting adopted an Implementation Strategy, and a third one was held in 2014 to assess the Plan’s implementation. A multi-stakeholder consultation was held in 2017 to consider strengthening the UN Plan after its first five years, which among other elements, recommended the establishment of the UN Focal Points Network on Safety of Journalists to strengthen coordination within the wider UN system. To mark its 10th anniversary, a High-Level Conference was held in Vienna in November 2022, which was preceded by a series of regional and thematic consultations. The major outcome of this process was the re-affirmation of the principles of the UN Plan, and strong calls for its reinforcement in order to tackle new challenges to the safety of journalists, including related to digitization.

The UN Plan’s coalition-based approach has been central to its effectiveness. The UN Plan involves not only UN bodies but also CSOs, media representatives, States, legal actors and NHRIs, among other stakeholders. A report on its implementation is presented regularly by UNESCO’s Director-General to the Organization’s Executive Board.

The safety of journalists raised through other UN mechanisms

Attention has been paid to the safety of journalists in many different UN arenas. The UN General Assembly adopted Resolution 68/163 in 2013, “specifically calling on states and UN institutions to prevent attacks against journalists and both investigate and play an active role in implementing the UN Plan” (Chocarro, 2017, p. 56). The resolution also proclaimed the 2nd of November as the **International Day to End Impunity for Crimes against Journalists**. Five other resolutions on this subject followed between 2014-2020.

The UN Security Council (UNSC) adopted Resolution 1738 in 2006 and Resolution 2222 in 2015 condemning attacks against journalists, media professionals and associated personnel in conflict and urging for strong protection. The UN Secretary-General presents an annual report to the General Assembly reporting on the 2006 Resolution’s implementation.

The **UN Human Rights Council** adopted multiple resolutions on the safety of journalists since 2012, tackling different emerging challenges and calling on States to cooperate with the UN Plan. The **Human Rights Council’s Special Procedures** have also addressed the issue repeatedly. **The UN Rapporteur on the right to freedom of opinion and expression** has published key thematic reports and, over time, increasingly addressed the risks that journalists face not only during conflict, but also increasingly during peacetime. This Special Rapporteur has also issued impactful press releases and **joint annual statements together with the OSCE’s Representative on freedom of the media, the OAS’ Special Rapporteur for freedom of expression, and the African Commission on Human and People’s Rights Special Rapporteur on freedom of expression and access to information**.⁷⁰

70. See for example their Joint Declaration on freedom of expression and responses to conflict situations (2015), and their joint press release calling for stronger protection of journalists covering conflicts (2014).

Similarly, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, the UN Special Rapporteur on the situation of human rights defenders and the UN Special Rapporteur on violence against women have made important contributions to enhancing journalists' safety (see Callamard, 2019a and 2019b; Lawlor, 2020; Heyns, 2012 and Šimonović 2020). Through their reports as well as through raising concerns to governments through their communications, press releases and statements, the Special Rapporteurs play an important preventative function and make critical recommendations to enhance the protection afforded to journalists.

Contributions have also been made by the Working Group on Arbitrary Detention and the Working Group on Enforced or Involuntary Disappearances. Moreover, international inquiry commissions and fact-finding missions mandated by the Human Rights Council and supported by OHCHR also serve to document the infringement of journalists' rights (United Nations Secretary-General, 2019).

Several CSOs specialized on freedom of expression make use of the UN Special Procedures' communication mechanisms, encouraging them to intervene in cases of violations of journalists' rights. To further promote this type of action, UNESCO is supporting, under the GMDF, a project through which the international CSO ARTICLE 19 is helping build capacities among other CSOs so that they can strategically use the UN Special Procedures' communications mechanisms, with particular attention to women journalists. The project included the development of a guidance package, the delivery of webinars and peer-to-peer support (UNESCO, 2021f).

UN Treaty Bodies also play a relevant role in relation to journalists' safety. As referred to earlier, the Human Rights Committee issued, in 2011, General Comment 34 on Article 19 of the ICCPR, which underscored States' responsibility to ensure journalists' safety. When reviewing State reports, both the Human Rights Committee and the Committee against Torture have raised concerns about violations of journalists' rights and made recommendation to enhance their protection (United Nations Secretary-General, 2019).



However, communication of cases pertaining to journalists' safety and the related impunity to Treaty Bodies remains low, and these mechanisms could be better used by advocates (UNESCO, 2017).

Issues concerning the safety of journalists are being increasingly raised in the context of the **Universal Periodic Review (UPR)**. In 2021, a study covering recommendations made through three UPR cycles found that 3,205 out of a total of 79,387 were related to freedom of expression, and that 23% within this thematic focused on safety of journalists (UNESCO, 2021d, 2022c). However, the prevalence of attacks against journalists in a country and the number of recommendations related to freedom of expression that it receives and accepts are correlated only in some cases (Permanent Delegation of Denmark to UNESCO, 2021). Moreover, beyond the commitment showed by accepting recommendations, States' follow-up at national level is essential. UNESCO supports the UPR process by submitting information on the safety of journalists and the impunity surrounding crimes against them, as well as by accompanying CSOs and Member States' engagement with the process and promoting related legal and regulatory reforms.⁷¹

One achievement that has had strong implications for advocacy in this area is the **inclusion of journalists' safety as part of SDG 16**, which focuses on peaceful, inclusive and just societies with effective, accountable and inclusive institutions and requiring the protection of fundamental freedoms and public access to information.



SDG target 16.10 Indicator 16.10.1

Number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture of journalists, associated media personnel, trade unionists and human rights advocates in the previous 12 months.

71. For example, UNESCO has published guidelines to support the involvement of UN Country Teams in helping advance freedom of expression, access to information and journalists' safety through the UPR, and has developed resources and implemented trainings, consultations, research and advocacy in this regard. The Organization has also launched a partnership with Amnesty International to offer tools to boost CSOs' engagement (UNESCO 2022h).

This indicator encourages States to include information as part of their annual reporting and VNRs, though only a few countries that have submitted reviews have provided specific information on the safety of journalists. (UNESCO Director-General, 2020). UNESCO is a contributing agency for reporting on this indicator, and custodian agency for the related indicator 16.10.2, which focuses on public access to information. In 2020 the IPDC Council called Member States to appoint a focal point on the safety of journalists and the issue of impunity, who would be responsible for monitoring on the issue as part of the country's commitments regarding SDG 16.10. Shadow reporting by CSOs is also relevant, notable contributions including, for example, those from the CSO collective Voces del Sur which look into the implementation of SDG 16.10.1 in 8 Latin American countries (UNESCO, 2019d; Voces del Sur, 2020, 2021), as well as UNESCO's collaboration with Free Press Unlimited to produce an [SDG 16.10 Shadow Reporting Toolkit for CSOs](#).

To mark the 75th anniversary of the UN, the **UNSG launched a Call to Action for Human Rights** on 24 February 2020, featuring important commitments pertaining to freedom of expression and the safety of journalists. A **UN Guidance Note on Protection and Promotion of Civic Space** was also released, which included specific recommendations related to journalists' safety and freedom of expression. A related **Working Group to address the challenges of a shrinking civic space** has been set up, which is coordinated by OHCHR. This is of relevance not only for journalists, but also artists and other stakeholders working for the public interest and facing limitations to their freedoms when doing so.

The **United Nations Congress on Crime Prevention and Criminal Justice** recognized for the first time, during its 14th edition in 2021, the specific threats that journalists face, along with journalists' contribution to combating corruption and organized crime. It also called Member States to act to end impunity for crimes committed against journalists and media workers (United Nations Congress on Crime Prevention and Criminal Justice, 2021).

Another relevant recent development has been the **organization of the first special session on the safety of journalists by the Presidents of the UN General Assembly, UNESCO's General Conference and the Human Rights Council**, which resulted in a [joint statement](#) issued at the World Press Freedom Day Conference in 2022.

REGIONAL NORMATIVE INSTRUMENTS, COMMITMENTS, JURISPRUDENCE AND MECHANISMS

The key regional normative instruments related to the safety of journalists correspond, for the most part, with those that are of importance for the safety of artists:

- **American Convention on Human Rights** (1969), Article 13 (freedom of thought and expression); **Declaration of Principles of Freedom of Expression** (2000); **Inter-American Democratic Charter** (2001), Article 4.
- **European Convention on Human Rights** (1950), Article 10 (freedom of expression); **EU Charter of Fundamental Rights** (2000), Article 11 (freedom of expression and information); **OSCE: Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE** (1990), par.9.1.
- **African Charter on Human and Peoples' Rights** (1981), Article 9 (right to receive information and free expression); **Declaration of Principles on Freedom of Expression and Access to Information in Africa** (2019 – replacing the previous 2002 version), which includes principles specifically focused on the safety of journalists (Principles 19 and 20).
- **Arab Charter on Human Rights** (2004), Article 32 (freedom of opinion and expression).
- **Association of Southeast Asian Nations (ASEAN) Human Rights Declaration** (2012) Article 23 (freedom of expression).

There has been a **strengthening of regional normative frameworks relevant to the safety of journalists in the past decade**. Between 2016 and 2021 only, 12 key resolutions and decisions were adopted by the OAS General Assembly, the Inter-American Commission on Human Rights, the African Commission on Human and People's Rights, the Council of the European Union, the European Parliament, the OSCE, the Council of Europe's Parliamentary Assembly and the European Commission (UNESCO 2021d, pp. 35-39). Another relevant development has been the European Union's initiative aimed at protecting journalists and human rights defenders in relation to SLAPPs.⁷² A committee of experts established by the Council of Europe is also set to draft a recommendation on SLAPPs by the end of 2023 (Council of Europe, 2020d).

72. See https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13194-EU-action-against-abusive-litigation-SLAPP-targeting-journalists-and-rights-defenders-Recommendation_en



Important jurisprudence related to the safety of journalists has been set by the European Court of Human Rights,⁷³ the Inter-American Court of Human Rights,⁷⁴ the African Court on Human and People's Rights,⁷⁵ the African Commission on Human and People's Rights⁷⁶, and the Community Court of Justice of West African States.⁷⁷

There have also been important regional developments in the field of monitoring and reporting. In 2015, the Council of Europe launched a [Platform for the Protection of Journalism and Safety of Journalists](#), which records attacks, including journalists in detention and killings that remain in impunity. In 2018, the African Union created a Working Group on the Safety of Journalists. Moreover, the [Digital Platform for Safety of Journalists in Africa](#), launched in 2021, is a multi-stakeholder effort in which the African Union is involved, collaborating with media actors and counting with the support of the UNESCO Multi-Donor Programme on Freedom of Expression and Safety of Journalists. In turn, in 2017, the Inter-American Commission on Human Rights launched, together with OHCHR, a Joint Action Mechanism to Contribute to Protection of Human Rights Defenders in the Americas, explicitly encompassing journalists under the definition of Human Rights Defenders.

OTHER OPERATIONAL MECHANISMS AND ASSISTANCE NETWORKS THAT ENHANCE THE SAFETY OF JOURNALISTS

Monitoring, research, awareness-raising and advocacy: calling attention to the risks faced by journalists when undertaking their work

As well as monitoring and reporting carried out by international and regional organizations, **CSOs carry out essential work in this area**, feeding into and complementing the former. At the global level, some examples include the [Committee to Protect Journalists'](#) compilation, systematization and analysis of data, as well as its alerts, Annual Attacks on the Press reports and other special reports; [ARTICLE 19's](#) alerts and their Global Expression Report and thematic publications; [Reporters without Borders'](#) alerts and World Press Freedom Index, [Freedom House's](#) Freedom in the World and Freedom on the Net reports, and [the International Press Institute's](#) different monitoring efforts. CSOs may also spearhead and take part in joint missions to investigate the situation in specific countries, including together with UN Agencies and Special Mandate-Holders at times. There are also CSO-led monitoring efforts at regional level, and country-based ones which may be set up by journalists' professional associations in some cases. In Tunisia, for example, a monitoring unit on attacks against journalists is led by the Union of Tunisian Journalists. Created with the support of UNESCO and OHCHR, it publishes monthly and annual monitoring reports.

Research initiatives shed light on the challenges faced by journalists, enhance monitoring and can help shape solutions and recommendations to create safer environments for journalists to do their work. In this area, UNESCO has been organizing an annual academic conference on the Safety of Journalists on the side of the main World Press Freedom Day commemorations since 2016. During the first conference, the [Journalism Safety Research Network](#) was launched. UNESCO also publishes country reports based on the implementation of the Journalists Safety Indicators, and other

73. *Lingens v. Austria* (1986), *Cumpana and Mazare v. Romania* (2004), *Dink v. Turkey* (2010) and *Belpietro v. Italy* (2013).

74. *Herrera-Ulloa v. Costa Rica* (2004), *Rios and others v. Venezuela* (2009); *Perozo and others v. Venezuela* (2009), *Vélez Restrepo y Familiares v. Colombia* (2012); *Herzog et al. v. Brazil* (2018); *Carvajal Carvajal v. Colombia* (2018), *Álvarez Ramos v. Venezuela* (2019) and *Bedoya Lima v. Colombia* (2021).

75. *Lohé Issa Konaté v. Burkina Faso* (2016)

76. *Uwimana-Nkusi and Mukakibibi v. Rwanda* (2021)

77. *Abdoulaye Nikiema v. The Republic of Burkina Faso*, 2014 and *Federation of African Journalists (FAJ) and others v. The Gambia*, 2018.

publications providing in-depth analysis of key issues, such as the challenges faced by women journalists. Research published by CSOs can also significantly contribute to the protection of journalists, such as [International Media Support](#)'s series on Defending Journalism and multiple reports focused on journalists' safety in conflict situations, as well as the International News Safety Institute's research projects.

Awareness-raising is instrumental to sensitize key stakeholders and the general public about the role of journalists in democracy and the risks they face, while **advocacy** is critical to foster concrete action reinforcing their safety. Two important occasions serving to help federate efforts in these areas are the aforementioned **World Press Freedom Day** (3 May) and the **International Day to End Impunity for Crimes Against Journalists** (2 November). Communication campaigns, the launch of special initiatives and publications, the holding of thematic debates, the release of key statements and press releases annually take place on or around those international days. Some of these commemorations' main themes have focused on conflict situations, or the related challenges were addressed through specific sessions. On World Press Freedom Day, UNESCO also awards the annual **UNESCO/Guillermo Cano World Press Freedom Prize** to honour a person, organization or institution that has made an outstanding contribution to press freedom, especially when facing danger in doing so. The prize has on different occasions served to get commitments from governments, for example freeing the laureate if they were imprisoned.

CSOs have led impactful awareness-raising and advocacy efforts. The [International Freedom of Expression eXchange](#) (IFEX), for example, is a coordinating network for advocacy and information-sharing that brings together more than 123 CSOs that promote and defend freedom of expression. The network's advocacy was instrumental in the declaration of 2 November as International Day to End Impunity for Crimes Against Journalists. The [Global Forum for Media Development](#) comprises over 190 members and partners and has effectively advocated, among other issues, for the inclusion of access to information and the safety of journalists among the indicators/targets under SDG 16.



Awareness-raising is instrumental to sensitize key stakeholders and the general public about the role of journalists in democracy and the risks they face, while advocacy is critical to foster concrete action reinforcing their safety.

Organizations representing journalists and other media personnel also serve to advance advocacy for their rights and awareness-raising about key issues affecting them. Among them, there is the [International Federation of Journalists](#) (IFJ), which connects trade unions and associations of media professionals from over 140 countries, the [World Association of News Publishers](#) and the [European, Asian-Pacific, and Arab Broadcasting Unions](#).

Responding to urgent needs in emergency contexts

There is an **abundance of capacity-building initiatives that aim to foster safer reporting and strengthen journalistic standards**. They often cover issues related to assessing and managing risks, planning and other tips for reporting from hostile environments, medical preparedness and first-aid, international human right standards and international humanitarian law, the choice of insurance and protective equipment. They may also include recommendations on digital security, trauma preparedness, stress management and the preparation of communication plans, offering checklists and other practical resources.⁷⁸

78. See for example [the Committee to Protect Journalists' Safety Kit](#), the International News Safety Institute's practical [advisories](#), and safety training offered by [Reporters without Borders](#), [International Media Support](#), [the International Committee of the Red Cross](#), [IREX](#), and [the International Women in Media Foundation](#). UNESCO and Reporters without Borders have published a [Safety Guide for reporters in high-risk environments](#) and UNESCO and IFJ produced a [Model Course on Safety of Journalists with a focus on Arab States](#).

There also exists training on [conflict-sensitive reporting](#), **journalistic ethics**, **preventing and countering hate speech**, which can help journalists better understand conflict and how to report about it without fueling discord, based on ethical principles of journalism. There are also tools that cover training on specific emergencies such as health-related or disaster, and on [covering trauma and distress](#). Communications with Communities (CwC) is an emerging field of humanitarian response that aims to address the information and communication needs of communities affected by crises. In this regard, it is key to build **skills among journalists to facilitate the dissemination of credible, life-saving information in conflict and disaster situations**, including connecting displaced family members and supporting aid agencies' work.

Some organizations prioritize **on the ground practical support**, such as the provision of protective gear. **Emergency legal assistance**, such as the support provided by [Media Defence](#) can also be critical. **Safe houses**, and **hotlines** to report incidents and get assistance,⁷⁹ also protect journalists working in high-risk environments. Other areas of emergency assistance relate to the provision of **medical, psychological/trauma, prison and family support, replacement of damaged or confiscated equipment and financial assistance**.

79. Examples include hotlines managed by the [International Committee of the Red Cross](#), the [Committee to Protect Journalists](#), [Access Now](#) and [Reporters without Borders' Assistance Desk](#).

Box 3.1

Providing emergency support to journalists in Ukraine

The war that began in Ukraine in late February 2022 put journalists and other media workers at great risk. During the first month of the war, 5 killings of journalists and media workers were publicly condemned by UNESCO's Director-General. Furthermore, Reporters without Borders (RSF) recorded that at least 9 were injured by gunfire (Reporters without Borders, 2022). Journalists were also threatened, harassed and detained and prosecuted, and media outlets were also targeted (Committee to Protect Journalists, 2022a, 2022b). UNESCO issued two public statements calling for, among other things, respect of obligations under UN Security Council Resolution 2222.

As well as monitoring attacks on journalists and the targeting of media infrastructure (UNESCO, 2022i), UNESCO implemented support on the ground to safeguard journalists' right to carry out their critical work unharmed. It provided bulletproof vests and helmets, which were distributed by Reporters without Borders (RSF) and the International Federation of Journalists (IFJ). UNESCO also facilitated capacity-building, translating into Ukrainian and disseminating the "Safety guide for journalists: a handbook for reporters in high-risk environments", developed jointly with RSF and through online courses on Hostile Environment and First Aid Training, as well as on psychological trauma connected to conflict reporting, in cooperation with IFJ and RSF. Capacity-building also entailed face-to-face trainings at RSF's Press Freedom centre in L'viv. Through a separate action, UNESCO also helped to tackle the need for emergency transportable radio equipment.

Support was also provided to Ukraine's two main journalists unions, including for their relocation to Poland, so that they could continue to assist journalists in Ukraine as well as those that had fled the country, and for the set-up of a 24-hour hotline for journalists needing practical support evacuating danger areas.

Sources: Committee to Protect Journalists (2022a, 2022b); Reporters without Borders (2022), UNESCO (2022d, 2022e, 2022f, 2022g).



Box
3.2

Emergency Media Recovery Fund in Lebanon

In 2020, Lebanon was hit by the blasts in Beirut's port, coinciding with the COVID-19 pandemic. These crises deeply affected journalists and media outlets, in terms of safety as well as due to the questioning of their survival and their credibility as vehicles of reliable and independent information. The spread of disinformation and hate speech in this emergency situation, in connection to the pandemic and the political context, also represented challenges.

At this critical juncture, and in the framework of the Li Beirut initiative, UNESCO supported the Samir Kassir Foundation (SKeyes) to set up an emergency Media Recovery Fund. Following initial seed funding facilitated under UNESCO's Multi-Donor Programme on Freedom of Expression and Safety of Journalists, SKeyes managed to leverage further resources (US\$ 1 million) from different international partner organizations.

The Media Recovery Emergency Fund's main component was devoted to supporting journalists' economic livelihoods and resilience, as well as media outlets' viability. The fund also facilitated medical support to journalists that had been wounded, personal support (including facilitating access to insurance) and trauma and psychological assistance. Moreover, the fund addressed needs related to the damage of equipment and work venues and supported the creation of an online resource database of documents linked to the explosions as well as capacity-building resources, covering, among other aspects, digital security and investigative journalism.

Source: Samir Kassir Foundation (<https://www.skeyesmedia.org/en/Media-Recovery-Fund>) and UNESCO (2021g).

Many organizations have **set up funds offering journalists rapid access to financial support**.

Some are focused on facilitating a specific type of costs (e.g., training, relocation, psychological assistance), while others offer more general support to cover different types of emergency costs.⁸⁰ Some funds are established with a focus on particular emergency situations, such as those created to support journalists during the COVID-19 pandemic,⁸¹ or the following example supporting journalists in Lebanon.

Financial support to journalists is also channeled via awards and fellowships, though the related processes take time and are not suitable for emergency support access.

Facilitating journalists' **access to insurance appropriate for taking on dangerous assignments** is another area of assistance relevant to emergency situations, which often materializes through the provision of guidance and by recommending suitable options at good rates. This type of support is provided by [RSF](#), the [Culture of Safety Alliance](#) (ACOS Alliance), [IFJ](#), and the [Rory Peck Trust](#), among others.

80. Examples include CPJ's [Gene Roberts Fund](#), Free Press Unlimited's [Reporters Respond Fund](#), IFJ's [Safety Fund](#), IMS' [Safety Fund](#) and its co-management of the [Rapid Response Fund](#), [financial assistance by RSF](#) and the Rory Peck Trust's [Crisis Fund](#) and [Recovery Fund](#).

81. See, for instance, [the COVID-19 Rapid Response Support – Africa fund](#).

Support to journalists as they flee crisis contexts or while working abroad

Journalists reporting from hostile environments often have to flee the country they are working in or are compelled to relocate to safe zones within it. Support is available to them in the form of logistical coordination, visa assistance, financial resources and tools providing guidance. Examples include support by [La Maison des Journalistes](#) in Paris and the [European Centre for Press and Media Freedom](#), as well as the [guidelines for journalists in exile](#) developed by Reporters without Borders. There are several members of the Journalists in Distress Network (see Box 3-3) that provide emergency relocation support.

The High-Level Panel on Media Freedom's paper on safe refuge (Yeğinsu, 2020) examines the existing pathways for the relocation of journalists at risk, including conventional visas, short-term humanitarian visas, public-private sponsorship programmes, international protection and diplomatic asylum. After elaborating on the obstacles journalists face in connection to these, it recommends that States introduce an emergency visa for journalists at risk, or expedite visa processing applications for this vulnerable group and their dependents. Further, it argues that journalists should also be able to file refugee protection visa applications from within their home country.

Also relevant to the topic of the evacuation and relocation of journalists at risk are discussions regarding the intersections between international protection regimes for journalists, HRDs, temporary relocation initiatives and the asylum and refugee system (Mitchell, 2019). However, as put as the UN Special Rapporteur on extrajudicial, summary or arbitrary executions:

Not all journalists focus on human rights – they shine their light on a wide range of issues. Since some journalists are human rights defenders and some human rights defenders are journalists, these two categories are overlapping but not identical (Heyns, 2012, para. 27)

Consular assistance may also be an avenue of support for journalists in their diplomatic missions to other countries. Some States have guidelines for diplomatic and consular staff to hold exchanges with journalists and human rights defenders and bring-up issues pertaining to their safety in discussions with the host governments. The High Level Panel on Media Freedom's paper on Consular assistance as a tool to protect journalist nationals at risk abroad proposes a new Charter of Rights for Detained Journalists, outlining clear obligations for the host and home States, along with a Code of Conduct for the provision of consular support by the home State. Consular support could include communications and prison visits, legal representation, medical support and trial observation, for example. It should also encompass informing designated contacts and relevant authorities in the home State, advocating on behalf of detained journalists, making a repatriation request if required, reporting cases to international bodies and ensuring accountability from the host State (Cotler, 2020).

International coordination and networking: collaborating for emergency response

International coordination regarding the safety of journalists is critical for emergency prevention, mitigation and response, as well as in the context of recovery. Actors working together can coordinate in terms of monitoring the situation on the ground and providing support in emergencies. Collaborative efforts might entail issuing public pleas to governments to assist journalists that need to flee, through expedited visa processing or emergency visas, humanitarian evacuation, etc. Different organizations often publish collective statements to raise awareness about the situations of journalists in specific contexts undergoing conflict or disaster, or hold joint assessment missions, among other areas of cooperation. Yet international coordination does not always entail joint advocacy, as illustrated by the example of the JID Network, detailed in Box 3-3.



Box 3.3

The Journalists in Distress Network (JID)

The JID, which is administered by the Committee to Protect Journalists, Free Press Unlimited and the Rory Peck Trust, was created in 2006. It is an informal network of 24 international organizations that facilitate direct support to journalists and media workers whose lives or careers are at risk because of their work. It was created to allow international CSOs with freedom of expression mandates to discuss specific cases more easily, coordinate efforts and avoid duplication. Each of its member organizations has its own mandate and criteria for the provision of emergency support, and they complement each other. The network is recognized as a good practice in terms of facilitating secure information-sharing and the coordination of joint efforts for emergency response regarding crises that affect journalists' safety and media freedom.

According to interviewees for this report, its success has been based on being very specific on what the network can provide: pure emergency assistance. The JID does not engage in advocacy nor media development. Maintaining this focus and limiting the topics and number of organizations involved has allowed the JID to better respond to crises and facilitate trust among its members. The mandate of most organizations that are part of the network is emergency response and assistance in the short-term, so they are generally able to provide support for up to 3 months. Long term support is not something the JID can offer.

Sensitive information is shared securely among JID's members on a regular basis, following established ground rules and safety protocols. After a journalist's application for support is verified, a very general snapshot of the case is shared through Slack, a secure platform. Member organizations that are in a position to provide assistance can "tag" the request, so that all members can see what support is being provided and what is still needed (Schagen, 2020). No specific information is shared via Slack, and follow-up with happens even more securely on a different platform, Signal (some cases are not referred to on Slack and are discussed directly on Signal). The functioning of the network is trust-based, among partners who are used to handling sensitive information and who have been working together for years (Schagen, 2020). Member organizations have a face-to-face meeting every year, which are important for trust-building, and there are also regular meetings held depending on crises that occur.

The JID had never faced the scale of the humanitarian crisis seen in Afghanistan from mid-August 2021, from which the network learned lessons, particularly in terms of the relevance of managing expectations of what it can or cannot do, the biggest barrier being that of getting visas for journalists at risk.

Sources: Interview with Lucy Westcott, Emergencies Director, and Catalina Cortes, Consultant, Committee to Protect Journalists; and Schagen (2020).

Strengthening national frameworks, mechanisms and institutional capacities: focusing on the long-term

Reinforcing laws, policies and mechanisms to enhance the safety of journalists

Creating an enabling environment for journalists' safety in the long-term is critical to allow them to perform their key role both in peacetime and in emergency situations. In this regard, it is important to work with government authorities, policymakers, members of the judiciary and other relevant institutional actors, **facilitating policy advice, technical support and capacity-building to strengthen legal and institutional frameworks.**

In countries undergoing conflict, disasters and other emergencies, these efforts may be challenging, though it should be a priority in the early recovery period.

In the past years there has been a global trend towards the **creation of national mechanisms on the safety of journalists**, which cover the areas of monitoring and reporting, prevention, protection and prosecution (UNESCO, 2019d, 2021d, 2022c). These mechanisms have been established in at least 50 countries,⁸² their scope, aims and actors involved varying. They range from special investigative units/prosecutors, independent commissions and task forces, personal protection schemes, rapid response systems and structures aimed at sharing information on attacks against journalists.

82. Countries that have set up these mechanisms include Afghanistan, Colombia, Iraq, Italy, Mexico, Pakistan, Philippines, Somalia, Sweden and Tunisia, among others.

Box 3.4

Strengthening mechanisms for the protection of journalists in Iraq

Iraq continues to be one of the most dangerous countries for journalists to undertake their work. At least 201 killings of media professionals were recorded in the country between 1993 and 2022 by UNESCO's Observatory of Killed Journalists, impunity prevailing in most cases. The country's recent history of armed conflict and the seizing of part of its territory by violent extremists that also started to control the media in many of the affected areas, puts journalists at great risk, many of them dying or being detained for their reporting.

UNESCO has been spearheading the implementation of the UN Plan of Action in the country, in collaboration with the UN Country Team, Iraqi officials, media actors, national and international CSOs. In December 2016, the Iraqi National Committee for the Safety of Journalists and the Issue of Impunity was created, composed of local CSOs, government representatives and the Journalist Union. In 2017, this National Committee produced the first official report on the killing of journalists and related judicial follow-up that the country submitted to UNESCO's Director-General, and, with the support of UNESCO's Office for Iraq, reported on SDG 16 and worked toward strengthening the legislative framework concerning freedom of expression and access to information.

Furthermore, 2018 saw the establishment of a Special Unit within the Ministry of Interior to investigate crimes and threats related to freedom of expression, allowing for these to be fast-tracked so as to secure the timely prosecution of those responsible. The Unit has also operationalized a hotline facilitating the response to threats and attacks against journalists. UNESCO has also provided support to launch a mechanism to strengthen women journalists' safety in Iraq, including a helpline operated by trained women police officers, a Digital Reporting Platform and digital safety and risk management training for this vulnerable group.

Sources: UNESCO (2021c, 2021g) and UNESCO and Free Press Unlimited websites. See <https://en.unesco.org/news/hotline-offers-women-journalists-iraq-protection-hazardous-environment>; <https://en.unesco.org/news/unesco-freepressunlimited-fpu-and-moi-launched-initiative-protect-lives-journalists>; <https://en.unesco.org/news/unesco-iraq-launches-digital-reporting-platform-female-journalists-tot-training-course>; <https://www.freepressunlimited.org/en/projects/fostering-collaboration-combat-impunity-iraq>; <https://en.unesco.org/news/unesco-supports-minister-interior-iraq-providing-protection-media-institutions-iraq>

*Judges play a vital role
in upholding journalists’
rights and fighting
impunity, through
their investigations
and rulings.*



Many are multi-stakeholder mechanisms, involving government, civil society, law enforcement actors and media organizations. Some of them not only protect journalists, but human rights defenders more broadly (e.g., Mexico, Brazil, Colombia) or have a mandate to respond to attacks on freedom of expression more generally (e.g., Nepal). In some cases, NHRIs are either the anchor of, or play a significant part in, multi-stakeholder safety mechanisms.

In turn, some countries have adopted **national action plans** that seek to advance the safety of journalists, such as those in the United Kingdom, Bosnia and Herzegovina, Colombia and Sweden (UNESCO, 2021d, 2022c; United Nations Secretary-General, 2019). Importantly for the subject of this study, the national action plan to defend free speech in Sweden explicitly encompasses, artists and elected representatives as well as journalists, as key actors in the democratic discourse.⁸³ As noted in sub-section 3.3, efforts at regional level have also resulted in the set-up of **regional mechanisms** for journalists’ protection in Africa, Europe and Latin America and the Caribbean.

UNESCO advocates for the creation or strengthening of national mechanisms for the safety of journalists, facilitates technical advice and dialogue focused on them, and cooperates with other relevant stakeholders to promote their establishment. For example, since 2014, UNESCO has reinforced coordination with the International Civil Society Coalition on the Safety of Journalists to support the piloting or strengthening of national mechanisms in several countries.

The judicial system, law enforcement and security forces: key stakeholders in the fight against impunity for crimes against journalists

Judges play a vital role in upholding journalists’ rights and fighting impunity, through their investigations and rulings, ensuring accountability from those responsible and setting important precedents. UNESCO, through the [Judges Initiative](#), has raised awareness and understanding among more than 25,500 judicial actors in over 150 countries. [Columbia University’s Freedom of Expression database of case law](#) allows easy access to jurisprudence. Facilitating linkages between networks of judges, prosecutors and lawyers is also very relevant. In this regard, an international “Forum of Legal Actors” in support of freedom of expression and journalists’ safety was launched in 2020, during the joint commemoration of World Press Freedom Day and the International Day to End Impunity for Crimes Against Journalists.

Other areas of relevant action are focused on **supporting strategic litigation** in relation to cases considered by national, regional and international courts, as well as the presentation of *amicus curiae* and offering legal advice and support to journalists. Examples include work by [Media Defence](#), [ARTICLE 19](#), the [Centre for Law and Democracy](#), the [Legal Network for Journalists at Risk](#), and the [Network of Lawyers for Freedom of Expression in Iraq](#). [Projects supported under the GMDF](#) also help advance these lines of action, including in areas undergoing conflict, such as [the launch of a network of Somali lawyers and judicial actors to defend journalists](#). Overall, more than 1,000 lawyers have been trained in 30 countries and 1,000 instances of legal assistance supported journalists in distress over 2020 and 2021, funded under the Global Media Defence Fund.

Capacity-building and sensitization of law enforcement and security forces is also instrumental to ensuring the safety of journalists, in emergency situations and beyond. UNESCO has built awareness and knowledge on freedom of expression and the safety of journalists among 11,500 members of law enforcement and security forces from 160 countries.⁸⁴

83. See Government Offices of Sweden. Ministry of Culture (2018).

84. See the related tool, [Freedom of expression and public order: A training manual](#) and the Brochure [Freedom of Expression and Public Order: Fostering Relationships Between Security Forces and Journalists](#)

Coalition-building: joining forces to advance the safety of journalists

A **coalition-based approach** guides the efforts implemented under the UN Plan. Some of these are coalitions of civil society actors, such as the **International CSO Coalition on Safety of Journalists**, which aims to facilitate collaboration and maximize the impact of its members' actions in target countries and on thematic areas, taking a shared strategic approach. The coalition is constituted by more than 30 international CSOs that work on press freedom monitoring and advocacy, media development or are representative/membership-based. It is a flexible, informal network, that holds regular meetings and coordinates with other cooperation platforms such as the JID and IFEX, among others. Though not formally implementing emergency responses directly on behalf of its members, those that have a direct presence in the country tend to take a leading role in international cooperation. The coalition has organized joint missions to countries where journalists face particularly high risks, and has also coordinated engagement with UN mechanisms to drive change at country level.

Similarly, the **Media Freedom Coalition Consultative Network**, constituted in 2020, is composed of 23 organizations representing civil society, press freedom and media development groups, and journalists from across the world. It provides advice to the Media Freedom Coalition (MFC), including through input to the latter's annual conferences, as well as by raising instances of press freedom violations to MFC's Member States, and facilitating the selection of those that call for diplomatic intervention. It has advocated for the MFC to take strong action, for example [in the context of the COVID-19 pandemic](#) and with respect to certain [topics](#) (Myers et al., 2022). It has also called G7 governments to take urgent action in [support of Afghan journalists and media workers](#).

There are also **coalitions in academia**, such as the **Journalism Safety Research Network**, that holds an annual conference on the safety of journalists, and **coalitions of news publishers** that promote news outlets' strengthening of safety protocols, such as the [ACOS Alliance](#) and the [One Free Press Coalition](#).

A **UN Network of Focal Points on Safety of Journalists** brings together focal points from 14 UN Agencies and Departments, and is co-chaired by UNESCO and OHCHR, in consultation with the Executive Office of the Secretary-General. It facilitates dialogue, organizes events and sensitizes UN staff on the subject. To support these efforts, UNESCO and OHCHR have developed a Resource Kit on Safety of Journalists for UN Staff (UNESCO, 2021c) and UNESCO is also [working with the United Nations System Staff College](#) to promote enhanced understanding of freedom of expression, access to information and safety of journalists.

States have also teamed up to tackle the issue, such as through the **informal "Groups of Friends" for the safety of journalists** that have been established by Member States' permanent delegations at UNESCO's headquarters in Paris, at the UN headquarters in New York and Geneva, as well as at the OSCE in Vienna, the Council of Europe in Strasbourg and the Organization of American States in Washington, D.C. In turn, the [Media Freedom Coalition](#) brings together 50 signatory countries. It was created in the context of the Media Freedom Campaign initiated by UK and Canada in 2019, on the basis of a "Global Pledge on Media Freedom" launched at a Global Conference on Media Freedom held in London in July 2019. Further, during the World Press Freedom Day 2020 commemoration in The Netherlands, and at the initiative of the Dutch Minister of Foreign Affairs, representatives of 53 countries signed "**The Hague Commitment to increase the Safety of Journalists**", which has since been endorsed by close to 60 countries.

At the initiative of UNESCO, more than 10 non-UN regional, non treaty-based and thematic **International Governmental Organizations** are also engaged in an [informal Task Force aimed at advancing collaboration to strengthen the safety of journalists](#).

ENHANCING THE SAFETY OF WOMEN JOURNALISTS, INCLUDING IN EMERGENCY CONTEXTS

Attention to the particular risks faced by women journalists is increasing. The International Women's Media Foundation leads the Coalition Against Online Violence, which was created in 2020 to advocate for and support women journalists while also building capacities among media outlets (UNESCO, 2021d, 2022c).⁸⁵ The #JournalistsToo campaign implemented by UNESCO, and the Safety of Female Journalists (#SOFJO) initiative led by the OSCE have pushed for strengthened actions to address the particular threats faced by women journalists both online and offline. UNESCO is also implementing research, outreach and training efforts in this area, while also promoting institutional change in media organizations.⁸⁶ At UN level, the General Assembly and Human Rights Council have issued resolutions expressing concern about the safety of women journalists, and the UN Special Rapporteur on violence against women devoted her 2020 Annual Report to this topic (Šimonović, 2020). The UN Special Rapporteur on freedom of opinion and expression also underlined the related issues in her report on gender justice and freedom of expression (Khan, 2022), and this theme was also the focus of the 2022 Joint Declaration by the Special Mandates on Freedom of Expression (UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression et al., 2022).

85. See also efforts implemented by [Trollbusters](#), [OnlineSOS](#) and [Vita Activa](#); as well as those of #JournoSafe AdvoSheet on women journalists' safety published by ARTICLE 19 and IFEX (2022) and the [Digital Safe House and Collaborative Platform for Women Journalists in the Philippines](#) managed by the International Association of Women in Radio & Television (IAWRT) with the support of IMS.

86. See <https://en.unesco.org/news/unesco-receives-300000-usd-swedish-postcode-foundation-tackle-safety-women-journalists> and <https://en.unesco.org/themes/safety-journalists/women-journalists>, and the guides targeting newsrooms and women journalists that were produced by the Thomson Reuters Foundation and IWMF, with UNESCO's support (UNESCO, the Thomson Reuters Foundation and International Women's Media Foundation, 2021a, b).



It is positive for efforts to recognize the diverse and intersecting types of threats and violence that women with overlapping vulnerabilities face, such as the guidelines prepared by ARTICLE 19 that follows such an approach to monitoring and documenting attacks against journalists, advocating in emblematic cases and facilitating protection training (ARTICLE 19, 2022a, 2022b, 2022c).

In emergency contexts in particular, the fact that social norms sometimes prevent women journalists from accessing emergency response initiatives should be considered. For example, those cases could be managed by women responders, and solutions accessible for women should be implemented – to address the issue of them not being able to travel unaccompanied, for instance (UNESCO, 2017a). Relocation initiatives that permit them to travel with their dependents are also critical, as are hotlines specifically set for women journalists to report violations of their rights and get support.

Taking a gender-sensitive lens to the safety for women journalists' during armed conflict is also important in monitoring and reporting mechanisms, training and capacity-building. It is also relevant for media houses to adapt their safety protocols to adequately protect women journalists, as well as to revise their policies and practices to address the sexism, discrimination, sexual harassment and violence they face – including those reporting from armed conflict, crises and disaster situations. A gender-sensitive approach should guide the set-up of mechanisms ensuring journalists' safety

through prevention, protection and prosecution. Judicial operators and law-enforcement forces should also be equipped to counter gender-based discrimination and attacks against women journalists, including online (ARTICLE 19, 2020; ARTICLE 19 and IFEX, 2022; United Nations General Assembly Resolution, 2019).

An example of a State-led mechanism for the safety of journalists that mainstreams gender considerations and includes gender-specific measures is featured in Box 3-5.



**Box
3.5****Colombia: Integrating a gender-sensitive approach within the national mechanism to protect journalists**

In 2000, Colombia established a programme to protect journalists that is considered to be the first State-led framework of its kind. Despite having been the object of some criticism, it is viewed as a point of reference in terms of media safety mechanisms and has contributed to diminishing journalists' killings in the country. Having endured decades of an internal conflict, Colombia had become one of the world's most dangerous countries for media actors. In this context, and following advocacy by media houses and journalists, the Government created a protection programme that press freedom CSOs and professional associations in the media sector helped shape, put in practice and modify (IMS, 2019, 2020).

A National Protection Unit (UNP) within the Ministry of the Interior leads the programme's implementation and monitoring. Upon receiving threats, journalists can get in touch with the UNP, and CSOs and the police can also refer cases to it.

The Colombian safety mechanism has been praised for having integrated a robust gender-sensitive approach (Lanza, 2018; International Media Support, 2019, 2020) through the addition, in 2012, of the "Specific Protocol with a Gender and Women's Rights Perspective" and the Committee for Risk Assessment and Recommendation of Measures for Women, activated when a woman journalist is targeted because of her work and a request for assistance is filed. The Committee holds sessions to assess risk and decide on the tailored response, including for example psychological and financial support, on top of the standard protection mechanisms for journalists at risk facilitated under the programme. All staff are trained on gender-based threats, and risk assessment factors such as sexual orientation, age, ethnic background and geographic origin are considered. The protocol also integrates privacy protection measures and support for displaced women journalists.

The safety mechanism in Colombia still faces challenges – the risk assessment period can be lengthy and there is a predominant focus on physical protection rather than investigating the origin of threats. Underreporting of cases pertaining to women journalists remains problematic. The mechanism still presents shortcomings in terms of addressing impunity for crimes against journalists. According to critics, the full scope of the risks and attacks women journalists face is not fully registered by authorities, media outlets and journalists' associations, and there are calls for the development and implementation of stronger protocols that consider the gender-based nature of these cases (International Media Support, 2019).

Sources: Council of Europe (2020c), International Media Support (2017, 2019, 2020), and Lanza (2018).



Charting the way forward



While artists' role in society is often reduced, in the eyes of the general public, to that of entertainers, journalists are seen as truth-seekers, demanding accountability from powerful actors in society.

HOW DO THE INSTRUMENTS AND OPERATIONAL MECHANISMS SUPPORTING THE SAFETY OF JOURNALISTS DIFFER FROM THOSE TARGETING ARTISTS?

International and regional normative frameworks: the field of artistic freedom continues to lag behind that of media freedom

The **international framework** for the protection of journalists and media workers is strongly established. It started to develop earlier and there is a wider network of normative instruments and soft law that explicitly refer to the protection of this group, as compared to artists and cultural professionals. While both groups are protected broadly by the right to freedom of expression, media freedom is commonly distinguished as a right in itself. Although still considered civilians rather than a special protected group per se, journalists are referred to as a specific 'group' in international humanitarian law, which is not the case for artists nor for the concept of human rights defenders.

A vast corpus of resolutions, decisions and declarations at international and regional level have further consolidated the protective regime for journalists, and the adoption of the UN Plan of Action focused on this group is not paralleled with an equivalent UN-wide strategy for artists. This attention to journalists in the UN system can also be seen in monitoring and reporting initiatives, as well as in documents and statements issued by UN bodies and officials that frequently allude to journalists as one of the groups most affected by restrictions imposed on freedom of expression and shrinking civic space. Artists, on the other hand, often go unmentioned and are encompassed under the wider category of human rights defenders. There is also no SDG target or indicator centred on artistic freedom nor artists' safety, as opposed to the case of press freedom and journalists. At the regional and state level, there is a tendency to conflate freedom of expression with media freedom, and reporting and jurisprudence reflect this.



Jurisprudence emerging from regional courts is less developed in the area of artistic freedom as compared to media freedom. There have been judgements pertaining to artistic freedom that have been issued by the Inter-American Court and the European Court on human rights, but rulings focusing on media freedom and journalists' rights appear to be more numerous, including at the African, European and Inter-American level.

Fortunately, there has been some progress in the recognition of artistic freedom at international level, illustrated, among other developments, by the groundbreaking 2013 report by the UN Special Rapporteur in the field of cultural rights, but a significant gap remains when considering the advances made in the field of media freedom.

There may be **several reasons this difference in treatment exists**. It has only been relatively recently – especially when comparing to press freedom – that the contours of the concept of artistic freedom started to be defined, and that specialized CSOs like Freemuse, organizations like UNESCO and the work of UN Special Procedures have begun consistently calling attention to it. Further, as a professional group, journalists are generally organized into

unions at national level that provide them with more significant collective bargaining power. They have robust professional associations representing them globally, such as the International Federation of Journalists, which have strived to defend their rights and have consolidated networks implementing joint efforts. They also more frequently interact with the UN, regional human rights bodies and UN Special Procedures.

Moreover, artists are a more varied group, with less clear commonalities, which may translate into a lower level of collective solidarity connecting them. In some countries or regions, as noted in research by Cuny (2021*b*) focused on Latin America, they may not commonly be part of strong unions linked to an international movement and the precarity of their situations and their isolation is not favourable for their claiming of rights. Where artists are collectively organized in strong unions and collecting societies, like in the Global North, these have not focused on artistic freedom, with some exceptions.⁸⁷

87. Observation by Ole Reitov, independent consultant, Member of the EU/ UNESCO Expert Facility on the 2005 Convention. Co-founder and former Executive Director of Freemuse.

Further, although definitional issues have often been at the centre of discussions on journalists' protection – and even more so with the new opportunities for content dissemination brought about by digital technologies – the determination of who is an artist and who is not, is arguably even more complicated.

Journalists may also benefit from a stronger social standing. While artists' role in society is often reduced, in the eyes of the general public, to that of entertainers, journalists are seen as truth-seekers, demanding accountability from powerful actors in society. They are expected to abide by more formally defined deontological standards – reflected in journalism codes of ethics existing at international, national and media outlet levels. An artists' work is not bound by professional principles linked to truth-telling, nor necessarily linked to the pursuit of a social cause. As put by Ole Reitov,⁸⁸ "it is in the DNA of journalists to understand the link between human rights and their work", and thus to engage on these matters, but not all artists are necessarily concerned about issues pertaining to human rights, and arts and cultural organizations may prefer not to engage in politically sensitive issues for fear of losing State support. Journalists seem to enjoy a higher level of public recognition as HRDs and their self-recognition as such offers a secondary international regime of protection, albeit less comprehensive than the one that they are afforded as journalists (Mitchell, 2019).

There is also a common misapprehension that civil and political rights are of greater importance than social and cultural rights, which has given priority status to media freedom. Cuny (2021b), for example, observed in Latin America a tendency for human rights advocacy organizations to first focus on civil and political rights, quite justifiably at a time when forced disappearances, torture and other crimes against those fighting for such rights went routinely unpunished. Journalists and human rights organizations faced visible violence and oppression, taking attention away from the recognition of economic, social and cultural rights. A similar skew has been observed in European human rights practice, and as a result artistic expression has largely remained outside the scrutiny of CSOs (Freemuse, 2020).

88. Ibid. (during interview with him a Sara Whyatt)..



A lack of awareness among artists about the national, regional and international mechanisms that they could resort to for the protection of their rights also leads to discrepancy in treatment, despite the fact that, in many cases, they could avail of the same regimes and protection mechanisms as journalists.

UNESCO's monitoring in the two domains

In the case of the **Director-General's Report on the Safety of Journalists and the Danger of Impunity**, which is produced every two years, only Member States where killings condemned by the Director-General and where the related investigations are still taking place or where no information has been provided, are requested to provide information, through a letter that allows for open answers. The report, which is discussed every two years at the IPDC Council, represents a regular follow-up mechanism to the condemnations by the Director-General, and refers to the killings and responses naming countries.

Between reports, the condemnations of killings are disseminated via press releases, as well as included in the UNESCO Observatory of Journalist Killings. The World Trends Report on Freedom of Expression and Media Development and the related In Focus Series also bring attention to the topic during years when the Director-General's report is not published, including up to date statistics and other developments in the area, going beyond killings.

The **Global Report Re|Shaping Policies for Creativity** is published every four years, encompassing artistic freedom but also multiple other dimensions. All Parties to the 2005 Convention (that is, a group broader than those concerned by inquiries made in the context of the journalists' safety report) are invited to provide information on these dimensions through their Quadrennial Periodic Reports, which respond to a specific questionnaire (thus differing from the approach followed to request information regarding journalists' killings and related follow-up). It was during the process leading to the report's 2018 edition that artistic freedom was distinguished as an area on its own within such questionnaire. In turn, the monitoring of the 1980 Recommendation is undertaken through a Quadrennial Global Survey that also covers specific thematic areas that Member States, National Commissions and CSOs provide responses on, based on which a report is produced by the Secretariat.

Several interviewees in this study stressed that the procedures in place in relation to demanding accountability from Member States went further when it comes to journalists. It is relevant to recall, that UNESCO's Director-General has been mandated by an intergovernmental body – the IPDC Council – to publicly condemn the individual killings of journalists, publish the related report and request follow-up information from Member States. A similar step would be needed to formally put in place for artists a mechanism of this kind, which would require strong advocacy both by civil society and Member States committed to artistic freedom.⁸⁹

Further, it would need more robust, systematic monitoring in this area, similar to the role that IFEX performs for journalists. IFEX took considerable time to set up, but now represents a solid clearing house for credible, reliable information resulting from the work of many CSOs from around the world.⁹⁰

It would also be relevant to ensure a consistent reference to artists and cultural workers in public statements issued by UNESCO in response to large-scale emergencies. Such statements, which refer to areas of specific concern to the Organization, reliably call attention to the safety of journalists. While they also invariably allude to the endangering of cultural heritage, they have sometimes failed to specifically mention artists or call for their protection.

More significant gaps remain in monitoring, research, advocacy and international coordination focused on artistic freedom as compared to media freedom

The **organizations that carry out consistent monitoring, research and advocacy focused on artistic freedom remain few** and have started their work more recently, particularly when compared to the field of media freedom. They tend to be under-resourced and for the most part, located in the Global North, which is also linked to security-related obstacles that attempts to set up CSOs in the Global South often face.⁹¹ There are insufficient specialists, tools and strategies for evidence-gathering and advocating in this field, and a dearth of funding (Hübner, 2019; Whyatt and Reitov, 2019). Some of the organizations that work to protect artists and monitor attacks against them have a wider human rights mandate – focusing on HRDs, freedom of expression or media freedom more generally – and only tackle cases concerning artists when these are particularly prominent.

89. Interviews with Mogens Schmidt, Senior International Advisor for press freedom and media development, former Deputy to the Assistant-Director General for Communication and Direction of the Division of Freedom of Expression, Democracy and Peace at UNESCO; and Wijayananda Jayaweera, independent consultant, former Director of UNESCO's Communication Development Division and the International Programme for the Development of Communication (IPDC) at UNESCO.

90. Interview with Sylvie Coudray, Chief of the Executive Office of UNESCO's Communication and Information Sector, former Chief of the Freedom of Expression and Safety of Journalists Section, UNESCO.

91. Observation by Ole Reitov, independent consultant, Member of the EU/ UNESCO Expert Facility on the 2005 Convention. Co-founder and former Executive Director of Freemuse.

As noted in UNESCO's Global Report *Re|Shaping Policies for Creativity*, "there is a clear need for organizations with understanding and expertise of both human rights and culture in all regions to fill persistent gaps in monitoring and reporting on artistic freedom" (UNESCO, 2022a, p. 263)

The **CSO community working on the safety of journalists is more established**, with many more specialized organizations involved, and includes a more significant number of regional and national-level actors. There are also consolidated mechanisms that systematically monitor the safety of journalists, led by State and non-State a, or of a multi-stakeholder nature. Trade unions and some media outlets engage in advocating for the safety of journalists. Yet, in the case of artists and cultural professionals, unions tend to prioritize other aspects such as intellectual property rights and royalties.⁹² Artists frequently work alone and find less assistance mechanisms to resort to. As put by Deeyah Khan, UNESCO Goodwill Ambassador for artistic freedom and creativity (UNESCO, 2020a):

The mechanisms that journalists have access to when their rights are under threat are far different... the way that they organize themselves... in an international community of solidarity of media professionals and organizations that come together, is completely different... There is a lot there that can be learned and hopefully gained by the artistic community, to see how we can also organize ourselves....

One artist interviewed for this study also noted that, when a journalist is attacked, at least there is news coverage about it, a different level of solidarity, besides the fact that a local well-funded association protecting journalists exists in his country. Thus, those that may want to target a journalist know that "this is more difficult than targeting an artist".⁹³

When a journalist is attacked, at least there is news coverage about it, a different level of solidarity.



There does not seem to be an equivalent to the International Civil Society Coalition on Safety of Journalists, nor mechanisms like the IFEX or the Global Forum for Media Development that facilitate information-sharing, joint advocacy and awareness-raising. There is no artists-focused mechanism in place like the JID Network either, though there have been recent, incipient but promising experiences of international coordination for artists' protection in the case of emergencies. Examples include the informal working groups convened by PEN America's ARC in relation to the emergencies in Afghanistan and Ukraine. ARC is also part of the JID, illustrating the valuable cross-fertilization of experience that can help shape and strengthen emergency responses focused on this target group.

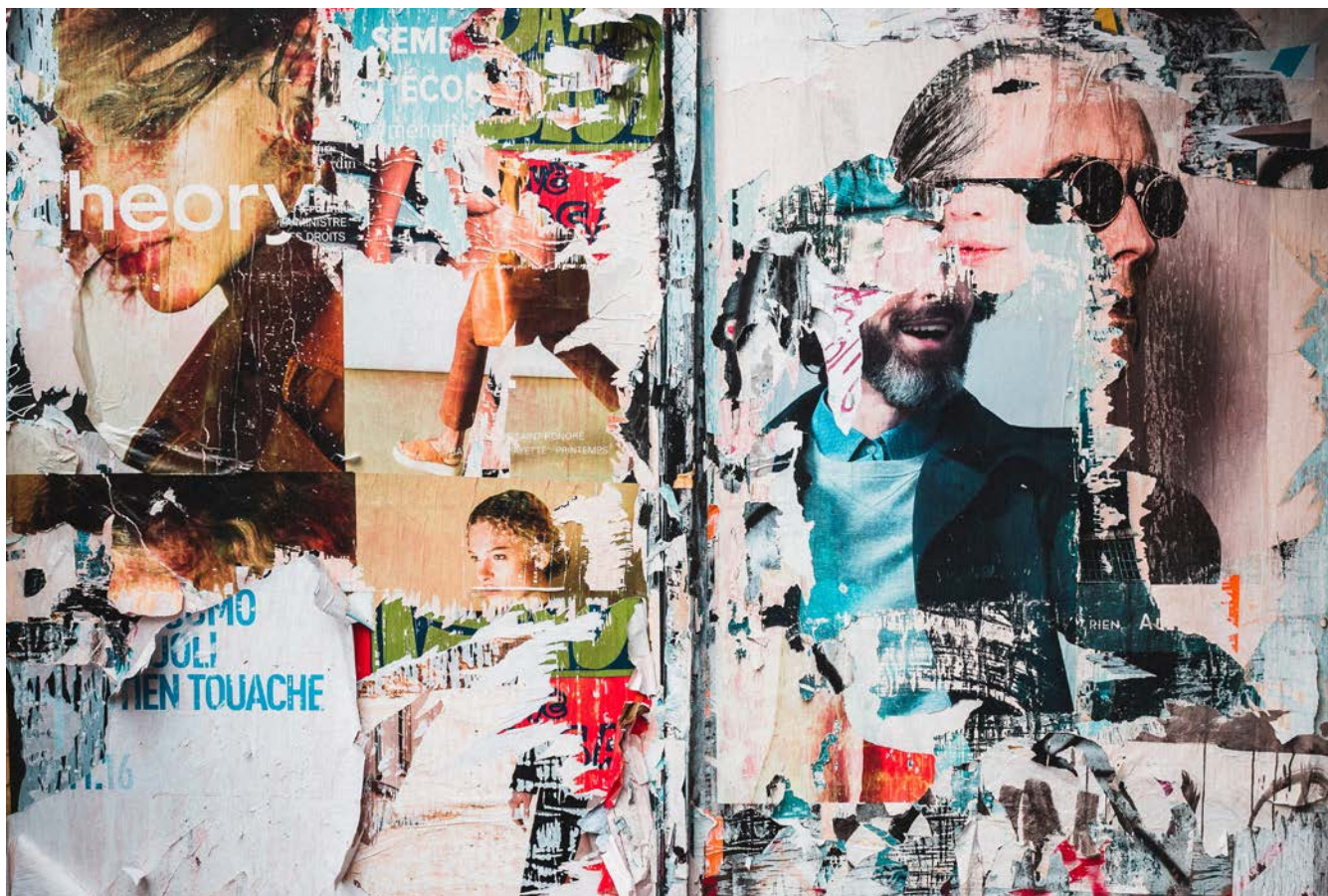
Several interviewees noted the ability of **media freedom CSOs to respond more quickly** in order to protect their beneficiaries and to reach more of them, given their financial capacity and their many more years of experience as compared to artistic freedom-focused organizations. The media freedom CSOs are also more well-known by their beneficiaries and have their trust. Some organizations find that, when they reach out to provide support, artists are often skeptical and unsure if they can trust them.⁹⁴ Conversely, organizations targeting HRDs sometimes also struggle to verify whether an artist can benefit from the emergency funding they offer, given the difficulty of getting the required references in view of the relative lack of organizations focused on artists as opposed to journalists.⁹⁵

92. Ole Reitov, independent consultant, Member of the EU/UNESCO Expert Facility on the 2005 Convention. Co-founder and former Executive Director of Freemuse (during interview with him a Sara Whyatt).

93. Interview with Artist 3.

94. Interview with Laurence Cuny, UNESCO Chair on the diversity of cultural expressions at Laval University. Member of the EU/UNESCO Expert Facility on the 2005 Convention.

95. Interview with Adam Shapiro, Head of Communications & Visibility, Front Line Defenders.



Moreover, soon after emergencies break out, the statements by artistic freedom organizations tend to be issued less rapidly than those by press freedom CSOs or those working to protect HRDs, as they tend to have comparatively less experience in terms of making support available to artists at risk. Limitations to artists' protection in emergencies can also be linked to the lack of connection between the human rights community and the cultural sector (e.g., museums, galleries and other institutions), and their different practices, terminology and knowledge. However, coordination and mechanisms to protect artists are improving, partly thanks to the community working with HRDs.⁹⁶

The **academic field focused on artistic freedom is also less developed** than the one centred on media freedom and journalists' safety, with fewer specialized researchers and with no equivalent to the Journalists Safety Research Network, for example. However, this appears to be gradually changing, as explained in Chapter 2.

Relocation initiatives: differences in awareness of and access to opportunities, commonalities in challenges faced

It is difficult to make general comparisons regarding relocation schemes as they differ so much in their approaches, selection processes, types of support offered and activities that beneficiaries can access during their stay. This depends, to a great extent, on the kind of audience they target (e.g., journalists, artists, human rights defenders in general, etc.). Nonetheless, there are clearly **more opportunities for temporary relocation that can be accessed by journalists as compared to artists**, and the former are given higher priority in emergency evacuation efforts, representing a more "traditional" target group. This situation is changing, though, as the organizations managing temporary relocation schemes are increasingly and more systematically including artists as beneficiaries, which is connected to the emerging concept of cultural rights defenders and the acknowledgement of the role of "creatives" in advancing and protecting the diversity of cultural expressions (Cuny, 2021b).

96. Ibid.

There are many cases of temporary relocation programmes that are open both to journalists and artists but which the latter tend to remain unaware of. For this reason, international coordination networks such as JID and liaisons facilitated by ARC allow for demands by journalists to be transferred to those organizations that provide opportunities specifically targeting them, leaving other spaces open to artists.

A number of interviewees also pointed out that finding adequate host residencies for artists can be more difficult than for journalists, given both the **specificity of artistic production and the variety among its different manifestations**. Artists have professional needs that may be harder to meet, such as connections with the cultural sector, space to work and display their productions and access to the arts market, while journalists may more easily continue their work remotely. It can be difficult to find host organizations that match their profile and that can meet their needs⁹⁷, and human rights organizations may not have the partnership structures in place to accommodate these (Cuny, 2021b). In this regard, the work led by Perpetuum Mobile/Artists at Risk, which takes stock of expertise in human rights advocacy as well as knowledge of the art world and solid connections with cultural institutions that can host creatives during relocation, is a good practice from which not only those working to defend artists, but also journalists' safety, can learn.

In general, the arts/cultural industry is not invested in supporting artists at risk.⁹⁸ Another factor limiting artists' access to certain relocation opportunities is the fact that they often work alone, and some schemes may prioritize persons who belong to an organization that they will return to work for after their relocation experience, or view that offering protection to them will not have an effect on a larger professional community – which as Cuny argues, is not necessarily the case (ibid.). Furthermore, during an emergency it may be a whole artistic ensemble at

risk who requires relocation, preferably to the same city so that they can continue working together. This represents an additional level of complexity.

For both groups, relocation initiatives can be questioned as to the sustainability of their approach, as they do not represent a long-term solution. Moreover, their availability is extremely limited in relation to the demand, especially in the context of large-scale emergencies.

Insufficient artist-focused capacity-building and tools

There are fewer practical tools and trainings specifically tailored to equip artists to protect themselves, as compared to the vast pool of resources produced with journalists in mind, which can be linked to artistic freedom organizations' lack of funding to develop them. Moreover, as artists are rarely employees or working as part of organizations, artists lack awareness and access to resources. There are also fewer tools available to support artistic freedom organizations in their advocacy and awareness-raising efforts.



97. Interview with Ole Reitov, independent consultant, Member of the EU/ UNESCO Expert Facility on the 2005 Convention. Co-founder and former Executive Director of Freemuse and Sara Whyatt, independent consultant, Member of the EU/ UNESCO Expert Facility on the 2005 Convention. Former director of PEN International's freedom of expression programme.

98. Observation by Ole Reitov, independent consultant, Member of the EU/ UNESCO Expert Facility on the 2005 Convention. Co-founder and former Executive Director of Freemuse

Artists are less protected than journalists by national legal, policy and institutional frameworks

Despite the establishment of concrete mechanisms focused on the safety of journalists and their consolidation in an increasing number of countries, the trend is less clear for artists.

A number of States have specifically enshrined artistic freedom in their constitutions and laws, and there is a growing number that are adopting Status of the Artist laws, as well as sectoral laws benefiting certain categories of artists. There have also been some rulings that have helped advance case law, which has also been the case in the field of journalists' safety. Yet, as of 2019, Whyatt and Reitov (2019, p. 104) noted that the protection of artistic freedom had been integrated in the strategic documents of only a few States, such as Sweden and Norway.

Sweden offers a notable example of policy and planning that does protect artists. The national action plan, "Defending free speech - measures to protect journalists, elected representatives and artists from exposure to threats and hatred" was adopted in 2018 and protects the three target groups through monitoring, a national helpline and victim support centres, and training and information for government bodies and organizations. A knowledge centre provides advice and assistance to journalists and editorial offices and a web-based guide to support artists. Moreover, the action plan foresees a review of central government initiatives and the conditions for professional artists, and international cooperation for the protection of journalists and artists, among other measures (Council of Europe, 2020c; Government Offices of Sweden, Ministry of Culture, 2018).

Several other countries have put into action protective mechanisms for HRDs, yet these tend not to be used by artists. There are also few or no references to artists in the related instruments, strategic documents or academic literature, while journalists appear frequently as a priority group.

WHAT CAN BE LEARNED FROM THE FRAMEWORK ON JOURNALISTS' SAFETY IN ORDER TO IMPROVE THE PROTECTION OF ARTISTS?

This section examines some of the most important advances since the launch of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity – as it encompasses efforts of all key stakeholders in this field – and ways in which they could be of use to strengthen the safety of artists:⁹⁹

- **A more holistic and strategic approach to tackling safety of journalists' issues**, such as that taken under the UN Plan, offers a common framework for multi-stakeholder dialogue on these matters, allowing for coordinated efforts based on experience-sharing, the identification of good practices and a deeper engagement. A higher level of coordination and expertise existing within the media freedom community in relation to journalists working in emergency situations has been gathered through years of joint work and trust-based relations, which has also led to significant awareness among journalists about what they could access. Although this kind of coordination is newer in the case of the safety of artists, it has been making important strides, especially in response to recent crises.

- **Reinforced normative framework and enhanced awareness at UN level**. The increased recognition of the safety of journalists at UN level has been made possible thanks to the role of civil society and advocacy by UN agencies such as UNESCO and OHCHR, and by States committed to the safety of journalists. The artistic freedom community could distill insights from how advocacy at the UN level was advanced by the media freedom community.

99. This section is based mainly on the report on the multi-stakeholder consultation on the UN Plan that took place in 2017 (UNESCO, 2017a), the 2021 Report to Executive Board on the UN Plan's implementation (UNESCO, 2021a), the outcomes of the regional and thematic consultations held in 2022 to serve as a background document to the conference held to mark the UN Plan's decade of implementation (UNESCO, 2022b) and interviews undertaken for this study. It also draws from other specific references that are signaled in the text.

● **Sensitization of an expanding array of stakeholders, including increased awareness and commitment among States.**

There has been an increase in awareness-raising on the safety of journalists at the international level, which has led to the creation of Groups of Friends for the Safety of Journalists and the Media Freedom Coalition, as well as to the expansion of financial support, high level pledges and commitments. A regular dialogue between governments and key stakeholders has also been established in some countries. The commemoration of World Press Freedom Day and the International Day to End Impunity for Crimes Against Journalists and the role of global networks such as IFEX have had great impact. The artistic freedom community could explore whether a network of this kind could have similar bearing on the rights of artists, inspired by IFEX's functioning, governance, guidelines and practices.¹⁰⁰ This possibility was explored two decades ago and it did not end up materializing;¹⁰¹ however, there has been an important growth of the advocacy community working on artistic freedom in the recent years, and in this new context discussions could lead to a different outcome.

● **Strengthening of monitoring and reporting mechanisms at international, regional and national level.**

The establishment of the UNESCO Observatory of Killed Journalists, the expansion of the aspects covered by the UNESCO Director-General's Report on the Safety of Journalists and the Danger of Impunity, the biennial publication of the World Trends Report on Freedom of Expression and Media Development and related In-Focus editions have been important developments. Collaboration between UNESCO, OHCHR and the broader UN System to report on SDG 16.10.1 has also reinforced attention to journalists' safety at international level, and there has also been progress in monitoring and reporting led by a number of regional organizations, creating impetus for the set-up of State-led and multi-stakeholder monitoring mechanisms within a number of countries.

100. Read more about IFEX's governance and bylaws here: <https://ifex.org/what-we-do/our-governance/>

101. Interview with Sylvie Coudray, Chief of the Executive Office of UNESCO's Communication and Information Sector. Former Chief of the Freedom of Expression and Safety of Journalists Section, UNESCO.



As of 2022, however, impunity still prevails in 86% of the cases of killings of journalists—an alarming figure despite its decline from 95% in 2012 (UNESCO Director-General, 2022). In this regard, the emergence of Groups of Friends on the Safety of Journalists, initiatives like the Media Freedom Coalition, and new proposals to substantially enhance investigations towards the prosecution of those responsible for crimes against journalists¹⁰² are positive advances, and could be replicated or expanded in relation to crimes against artists.

● **Sharing of good practices and capacity-building** on national mechanisms for the safety of journalists, international standards on freedom of expression, protection of women journalists and safe and professional reporting on COVID-19, have also served to advance the cause. A significant pool of **tools** for building capacities and knowledge that cover physical, psychological and digital security aspects is now available, which could be of use to those working on the safety of artists. These resources include safety protocols, checklists, training formats and curricula, guidelines and other material targeting specific stakeholders, etc. Moreover, there are also very valuable tools that have been produced by the media freedom community to support advocacy and awareness raising actions.¹⁰³

● There has also been a **heightened acknowledgement of the need for strong, multi-stakeholder, inclusive journalists' protection mechanisms at national level**, and these have been set up in several countries.

102. See, for example, the recommendations by former Special Rapporteur on extrajudicial, summary or arbitrary executions, Agnès Callamard, to create a standing Instrument for the investigations of violent crimes against journalists, human rights defenders and other activists and dissidents targeted for the peaceful expression of their opinions; as well as of a Special Procedures Task Force to undertake rapid response missions to respond to threats and prevent further violence against journalists or HRDs (Callamard, 2019b).

103. E.g., [advocacy explainers by IFEX](#), and [tools developed by ARTICLE 19](#) to promote an intersectional approach to the safety of women journalists.



For the first time, the UN Plan of action framed the issues in a more complex way, more strategic than simply providing safety training and protective gear to individual actors. And civil society acknowledged that, if we are to make progress, we have to be much more consistently aligned to the UN Plan of Action... an instrument that is not a template, a blueprint, but a framework for national safety plans, which encouraged governments to develop their own national action plans¹⁰⁴.

Mechanisms and measures to enhance the safety of journalists need to be tailored to each specific context and incorporate a gender perspective. A study commissioned by International Media Support (2017) identified active multi-stakeholder participation, joint objectives and leadership and national reach as elements that can render safety of journalists' mechanisms particularly effective, along with balancing concrete, focused outcomes with a comprehensive, long-term approach (e.g., responding to emergencies while also strengthening enabling structural conditions). Safety of journalists responses at national level should be based on strategy, presence, collaboration, influence and sustainability as guiding principles (ibid.). National Human Rights Institutions can play a key role as anchoring structures, given their position as intermediaries between government, CSOs and the international community and the fact that they can defend the free expression of different targeted groups (ibid.).

UNESCO has published a tool to guide those who are considering establishing a mechanism for the safety of journalists or revising an existing one (Mendel, 2016) and this resource could be of use in relation to measures and structures aimed at protecting artists.

● **Increased sensitization among the media industry has led to new measures to create a culture of safety in newsrooms**, such as mandatory crisis training, psychological debriefings and support and training for reporting in hostile environments. Some media outlets have developed internal safety protocols or have endorsed international guidelines (such as [INSI Safety Code](#), [IPI's International Declaration on the Protection of Journalists](#), and the [ACOS Freelance Journalists Safety Principles](#)). Nevertheless, more can be done to increase the media industry's attention to the safety of journalists, particularly when it comes to those covering dangerous topics as well as working as freelancers.

In the case of artists, further sensitization is called for to deepen cultural sector institutions and decision-makers' engagement with artistic freedom in the sector (although the situation is different given that artists are not employees, as many journalists are to media companies). The International Federation of Arts Councils and Culture Agencies (IFACCA) is leading important work in this regard, as reflected in the choice of artistic freedom as the main theme of its [9th World Summit on Arts and Culture](#) in May 2023. The launch, by the Swedish Arts Council, of a [programme to strengthen artistic freedom globally](#) (2021-2023) is also relevant in this regard.

● **Coalitions to advance the safety of journalists and bringing together specific stakeholders have facilitated dialogue and support.** Among the lessons learned in this area is that coalitions should have a focus, and set priorities according to their members' capacities, commitments and opportunities for change. Coalitions can give visibility to cases of impunity in crimes against journalists that could garner the support of human rights organizations or the UN Special Rapporteur on Freedom of Expression. There is much room to develop and reinforce coalitions for the artistic freedom community, as reflected in the call by former Special Rapporteur in the field of cultural rights, Karima Bennouna, for international organizations and bodies to build and reinforce "coalitions for culture" and integrate culture into all international peacebuilding processes (Bennouna, 2018, para. 92.a).

104. Jesper Højberg, Executive Director, International Media Support, during interview with him and Colette Wahlqvist, Global Safety Advisor, International Media Support.

● **Building the capacities of judicial, legal actors and law enforcement officers** has resulted in strengthened investigations and an increase in prosecutions for crimes against journalists. The advancement of **strategic litigation** leading to **landmark resolutions adopted by international, regional and national courts** was also an important development. An important area for future work on artistic freedom could entail training and networking efforts targeting judges and legal operators, as well as facilitating their connections with artists and organizations that work to protect their rights. Strategic litigation will only be effective where accompanied by advocacy and international pressure to ensure that States follow-up on the rulings.

● Progress was made in the field of **research on the safety of journalists** (most academic work on the topic has been published since the adoption of the UN Plan) **and in terms of engagement of and networking among academic actors, as well as in the inclusion of safety and impunity content into journalism education curricula.** Research on artistic freedom and the safety of artists is still incipient, and it would be relevant to support efforts similar to those led by the Journalists Safety Research Network, yet with a focus on artists.

● There has been increased recognition of the importance of journalists' safety among several **Internet Intermediary companies**, which was reflected in safety tools, workshops, and newly-established relationships with CSOs working on the topic. At the same time, new challenges have emerged that were not as clear at the time of the UN Plan's adoption (e.g., online disinformation, surveillance, hate speech, online harassment and violence, cyber-crime etc.). In view of the persisting and rising digital risks facing journalists, significant space for further work remain, and more can be done by Internet companies in regard to these challenges — which also greatly impact on the safety of artists, so joint advocacy on this front by the communities that respectively defend the rights of journalists and artists could be foreseen.

HOW CAN FURTHER SYNERGIES BE BUILT BETWEEN THE MEDIA FREEDOM AND THE ARTISTIC FREEDOM ADVOCACY COMMUNITIES TO ENHANCE PROTECTION OF ARTISTIC EXPRESSIONS?

Instances of collaboration between the media freedom and artistic freedom advocacy communities already exist. Some organizations cover both journalists and artists among their beneficiaries and facilitate information sharing and collaboration thanks to their joint participation in networking and coordination platforms for each group. There have also been instances of collaboration through joint UPR submissions. Monitoring efforts focused on artists often rely on alerts shared by media freedom advocacy organizations and also reach out to media outlets to call attention to specific cases and situations. Freemuse, for example, explained that it has a “practical partnership” with media, as it would not be able to undertake the work they do, with as much quality, if it was not for journalists who are covering cases of violation of artists' rights around the world.¹⁰⁵ For Safemuse, combining direct advocacy vis-à-vis government authorities and pushing issues through public events and their coverage by media is an essential part of their work to lobby for visas for artists, as well as to call for action for the protection of artists affected by conflict.¹⁰⁶

Some potential avenues to further expand cooperation between the communities working on artistic freedom and press freedom are explored below:

● **Strengthening synergies for emergency response to protect artists and journalists at risk**, through the continued sharing of information and experience that has been seen for example in the informal coordination working groups focused on Afghanistan and Ukraine that are being convened by PEN America's Artists at Risk Connection, which include actors from both sectors.

105. Interview with Gerd Elmark, Executive Director a.i., Freemuse (at the time of the interview)

106. Interview with Jan Lothe Eriksen, General Manager, Safemuse.



● **Coordination of efforts with OHCHR and UN Special Procedures.** Relevant Special Rapporteurs and Working Groups, whose work builds on information provided by CSOs, can issue joint statements calling attention to the safety of journalists, artists and human rights defenders. Considering that the lack of funding and personnel limit the efforts of UN Special procedures, fostering increased support to them in this regard would be relevant. Fertile ground for collaboration among actors advocating for media and artistic freedom could also be found in the OHCHR Working Group on the Protection and Promotion of Civic Space, the Global Drive for Media Freedom and Safety of Journalists initiative implemented by UNESCO and OHCHR under the Multi-Donor Programme on Freedom of Expression and Safety of Journalists, the Global Media Defence Fund and the UNESCO-Aschberg Programme. Opportunities can be explored with OHCHR and Special Procedures mandate-holders in connection to the application of the concept of Human Rights Defenders in relation to certain journalists and artists, drawing synergies between their needs for emergency visas, refugee recognition and prioritization in provision of emergency assistance.

● **UN Country Teams (UNCTs) can collaborate to further the safety of journalists and artists.** UNESCO can support this coordination, notably in the context of the celebration of International Days, and capacity building activities targeting UN staff in the field, for instance. Existing tools developed by UNESCO could be adapted and cooperation with the UN System Staff College currently supporting UN field staff in promoting freedom of expression and the safety of journalists could be expanded to include the safety of artists. Joint trainings could be delivered to UNCTs' staff so they are better equipped to support States in their responses under UNESCO's monitoring mechanisms pertaining to the safety of journalists and to artistic freedom, as well as in the context of the UPR. Insights could also be gained from the experience of setting-up multi-stakeholder monitoring platforms focused on the safety of journalists. The provision of joint technical support to States, covering both the media and artistic freedom dimensions could also be envisaged, toward the strengthening of national legal frameworks, protection mechanisms and policies for the protection of artists and journalists, working with national human rights institutions where they exist. Further engagement of UNESCO National Commissions in the promotion of artistic freedom could also be promoted, as they have not been sufficiently mobilized in this regard yet.

● **Encourage media's involvement in monitoring and advocating for artistic freedom, as well as the increased visibility of artistic freedom in their coverage.** This may involve training delivered to journalists so they can understand and report on the challenges faced by artists. UNI MEI, a global federation of unions representing professionals in media, entertainment and the arts, can play an important role regarding this line of work, as it implements trainings on the rights of artists and also coordinates solidarity actions in cases of infringements of human rights or freedom of expression of artists and media professionals.¹⁰⁷

107. Interview with Laurence Cuny, UNESCO Chair on the diversity of cultural expressions at Laval University. Member of the EU/UNESCO Expert Facility on the 2005 Convention. See also <https://www.iaea-globalunion.org/a-propos/uni-mei>

Links could be facilitated between museums, galleries, cultural centres and journalists, for instance through the preparation of briefs in anticipation of controversies, which could allow journalists to report more accurately on the complexities of certain exhibitions and help audiences better understand artists' work (Cuny, 2020).¹⁰⁸

- **Facilitate concrete instances of cooperation between artistic freedom advocates and CSOs specialized in media freedom.** Some organizations dedicated to press freedom may be reluctant to expand their reach to include artists in their monitoring, reporting and advocacy, and may prefer to continue focusing their resources and expertise on journalists. However, concrete instances of cooperation to more impactfully address common challenges are foreseeable, such as joint awareness-raising campaigns, joint sensitization actions in relation to particular emergencies, advocacy on issues of concern to both communities (e.g. SLAPPs), or working together on particular cases pertaining to artists' freedom of expression.

- **Strengthening advocacy for freedom of artistic expression and the protection of artists at risk at UN level and by regional intergovernmental organizations.** The artistic freedom community can learn from the approaches and gains of CSOs and UN agencies working towards the safety of journalists in the international agenda, particularly the embedding of the issue into key normative instruments and in engaging UN and regional mechanisms of protection.

- **Working with judicial and legal actors.** Training for judicial and legal actors could be delivered on both subjects at once, and the same groups of legal actors that have already undergone training on freedom of expression and journalists' safety could be approached for training on artists' protection. Existing tools (including UNESCO's MOOCs, toolkits, guidelines, etc.) could be adapted. An issue brief could be produced to highlight landmark cases advancing artistic freedom, inspired by existing ones in relation to media freedom. Support could be provided for further development of Columbia University's Freedom of Expression Jurisprudence Database's section on artistic freedom or similar resources.

108. Ibid.



Some organizations dedicated to press freedom may be reluctant to expand their reach to include artists in their monitoring, reporting and advocacy.

- **Support joint research, capacity building, development of resources and dialogue on areas of mutual interest.** Studies could be conducted on issues of common interest for artistic freedom-focused organizations and those working on freedom of expression or protection of human rights. These could focus, for example, on the safety of women journalists and artists, hate speech, digital challenges, collective organization and bargaining, and supporting economic resilience and livelihoods in emergency contexts. Facilitating networking among the respective academic communities and CSOs would help break silos and raise the visibility of both groups.

- **Organization of events bringing together both advocacy communities at international, regional and national level.** These events could provide a forum for exchange of experiences, consideration for implementing joint actions and the proposal of new initiatives. World Press Freedom Day presents an opportunity for meetings between artistic freedom advocates and coalitions of stakeholders engaged in the framework of the UN Plan on Action on the Safety of Journalists and the Issue of Impunity.

- **Joint fundraising to expand collaboration between the culture and communication sectors.** A greater financial investment could allow UNESCO and other UN agencies to open calls for proposals for funding initiatives led by external stakeholders and specifically aimed at facilitating synergies between both advocacy communities, for example.

OPERATIONAL RECOMMENDATIONS

Each emergency context is different, and responses should be tailored to the situation and needs on the ground.¹⁰⁹ This section presents a group of operational recommendations to be considered, based on assessment of priorities and planning for the short, medium and long-term scenario.

Emergency intervention phase: immediate and short-term actions

Implementing on-the-ground monitoring, consultations and needs-assessments

Monitoring and needs-assessments are essential to understand the situation on the ground and receive first-hand accounts of needs by the affected communities, which in turn guide subsequent action. Initiators could be international organizations such as UNESCO, States or international or local CSOs, though it is key that all relevant stakeholders and local actors are involved and pursuant work builds on that of the latter group.

In the case of journalists, assessments should cover the threats and attacks faced by media professionals, associated personnel, other media workers, citizen journalists, stringers and fixers; considering all types of media and both local and international actors. Besides harm faced by these groups, damages to media equipment, installations and internet infrastructure should be evaluated, as well as disruptions of online access. Income loss in the sector – due to job cuts, decreased advertisement revenue and other economic effects of the crisis – should also be examined.

In the field of artistic expression, assessments should consider the impact of a particular emergency on artists and all cultural professionals (extending

to the whole creative value chain), as well as on cultural expressions, goods (artworks, collections, etc.), services (including in the digital sphere) and spaces (e.g., cultural infrastructure and institutions such as theatres, galleries, museums and public spaces hosting cultural events).

Rapid, on-the-ground monitoring and assessments can encompass face-to-face or online consultations with relevant local and international stakeholders, review of alerts by specialized organizations and media content, as well as of satellite imagery if needed (e.g., in the case of infrastructural damage). Also important is the rapid mapping of media houses and the status of their capacities, as well as of cultural institutions and artwork collections that require urgent protection and securing. Mapping the institutions that could provide support in the country and abroad is also relevant, including those that could offer logistical and temporary assistance.



¹⁰⁹ Also to be noted is that, although considering several lessons learned from the field of journalists' safety is certainly key to cross-fertilize protection policies, it is important to highlight that journalists and artists also have their specificities as professional groups; and that, in the case of journalists, the UN Plan of Action on Safety of Journalists and the issue of Impunity is to cover those definable as journalists (including community media workers, citizen journalists and others who may be using new media as a means of reaching their audiences).

A repository of information can be developed and published, focusing on opportunities and practical assistance available for artists, cultural professionals, journalists and other media workers, both in the country and abroad.

Also critical for monitoring and assessment purposes is to hold exchanges of information through regular meetings (weekly or monthly, depending on each context and the phase of the emergency), ad hoc consultations with specialized CSOs and representatives of the media, the artistic and cultural community in the affected country, as well as through participation in international coordination and networking groups.

The organization of joint assessment missions involving international CSOs, UNESCO, OHCHR and/or UN Special Procedures and similar mandate-holders at regional level could also be foreseen as part of the efforts to be implemented with the purpose of evaluating needs and monitoring the situation on the ground. It is important for States to facilitate the conduction of such missions in their territory.

Actions such as the above can be taken separately, focusing, on the one hand, on media actors and, on the other, on artists and cultural professionals, or jointly, given the shared challenges and coinciding goals of some supporting organizations. In practice, there tends to be a mix, whereby some exchanges engage both communities, and may include human rights defenders, and some have a more specific target audience.

To include women journalists, artists and cultural professionals in these initiatives is critical. An evaluation of the gender-based threats and attacks they face, and their specific needs should be part of the needs-assessment, and monitoring should allow for gender-disaggregated data collection. This is in line with the recommendation to pay special attention to the special circumstances and needs of women, found in Article 7.1 (a) of the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions.



Facilitating coordination for emergency response

International cooperation is essential for assessing needs on the ground, sharing information, avoiding the overlap of efforts and maximizing the efficient use of resources, as well as to help shape informed, stronger collective responses.

Parties to the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions are called to strengthen international cooperation when cultural expressions are severely at risk – assisting each other, and particularly developing countries. This is most notably the case in the situations referred to under Article 8 of the Convention, in which a Party determines that a special situation puts cultural expressions on its territory at risk of extinction, serious threat or otherwise in need of urgent safeguarding.

Measures to reinforce the protection of artists and cultural professionals should be considered within responses to such situations.

States could support artists or journalists at risk in specific emergencies through collaboration facilitated via existing governmental coalitions (e.g., in the case of journalists, through Groups of Friends on the safety of journalists, or the Media Freedom Coalition) and foster the creation of new ones as needed, as well as through reinforced partnerships with civil society actors, including those brought together through international coordination groups. Where one is not in place, initiating an international coordination working group could be considered if an emergency erupts in locations where UN agencies are based, in collaboration with partners that have presence on the ground or experience managing this type of mechanism in emergency settings. Alternatively, international organizations could collaborate to set up a working group or actively participate in exchanges in an existing coordination structure. Coordination is also critical between UNCTs, UN agencies and the CSO community engaged in international humanitarian work, especially in relation to the implementation of media initiatives responding to the information needs of crisis-affected communities.

Collaboration with networks of embassies, EU Delegations and the European Union National Institutes for Culture Network (EUNIC) at country level is also relevant in terms of facilitating support for journalists, artists and cultural professionals – through creative advocacy, joint monitoring, funding, visa and relocation assistance, promoting strengthened collaboration between the media and artistic freedom communities, and training for artists, journalists and other concerned stakeholders such as lawyers and judicial operators.

Efforts should be made to expand the participation of cultural institutions, such as galleries, museums, and others, in coordinated efforts toward integrated responses for the protection of artists and cultural professionals, cultural expressions, goods, services and cultural infrastructure. In the field of journalists' safety, further engagement of the media industry should continue to be sought.

Although entailing significant operational difficulties, emergency situations tend to facilitate the willingness of different actors to cooperate and can represent opportunities to advance collaboration among artists and other stakeholders in the arts and cultural sphere. These contexts could also be conducive to artists' learning about collective bargaining, as in stable settings it is much more challenging for them to do so as a united front, given the fragmentation and lack of resources in the sector. These opportunities for enhanced cooperation could be seized accordingly. Emergency situations can also represent instances where the media freedom and artistic freedom advocacy communities show more openness to working together to face large-scale needs and challenges, in turn leading the way to more sustainable, long-term collaboration.

Securing the physical safety of journalists, artists and cultural professionals, sustaining their livelihoods and protecting culture and communication infrastructure, expressions, goods and services

Following the on-the-ground monitoring and needs-assessments, urgent action should be taken to ensure the physical safety of journalists, artists and cultural professionals. Initiatives facilitating emergency funding to cover critical costs, the provision of guidance and practical assistance – including through the set-up of hotlines and digital help desks, for example – should be supported. For journalists, protective gear is also key, and may also be relevant in certain situations for artists at risk.

Relocation, either near to home, in safe houses, or abroad, through residencies, fellowships and other opportunities, may be essential for both journalists, artists and their dependents. Where feasible, residencies and relocation should be kept as close to home as is possible, to facilitate the experience for the person at risk and keep the cost low. Finding a host institution that can practically support the beneficiaries' work is important, and further engagement of arts and cultural institutions in assisting artists at risk through placement schemes and the provision of spaces for them to continue producing and sharing their work should be promoted.

States have a critical role in securing the safety of journalists, artists and cultural professionals, including by fulfilling their duty to protect their rights as well as by facilitating opportunities for residencies, issuing visas, implementing evacuation and resettlement programmes and awarding refugee status in a timely manner, where applicable. State Parties to the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions have made a commitment to facilitate the mobility of artists and cultural professionals, especially those from developing countries. They could reflect such commitment by revising legal and administrative frameworks to clarify that artists, cultural professionals and journalists at risk are eligible to refugee status or other forms of international protection or by setting-up new temporary relocation schemes that cover artists or journalists. They could expand efforts to provide humanitarian or emergency visas for these target groups and include them on priority lists for emergency resettlement. Where no emergency or humanitarian visas are foreseen for artists and journalists at risk, States could make sure that the processing of their visa applications is expeditive, including those for temporary relocation programmes allowing them to study, teach or work.¹¹⁰ States can also play an important role by facilitating journalists, artists and cultural professionals' safe passage to a third country or offering consular assistance where their nationals face the infringement of their rights abroad.

Moreover, Parties to the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions could, in accordance with Article 16, consider facilitating preferential treatments in support of the flow of cultural goods and services from a country undergoing an emergency.

Establishing funding mechanisms in relation to specific emergencies is also relevant, to collect and administrate resources aimed at supporting, respectively, journalists, artists/cultural workers or human rights defenders or, alternatively, with a broader focus encompassing all these target groups. States could consider establishing such funding mechanisms and/or contributing to existing ones.

Interventions must be designed with sustainability in mind. Emergency funding and relocations must support artists and cultural professionals to continue developing their skills and advancing their careers, and ideally lead to an expansion of opportunities for further employment and commissioning of works, or engagement in new projects. More broadly, assistance mechanisms could be viewed as part of a strategy to reconstruct cultural life in a country where it was disrupted or forced to come to a halt, assuring that artists can remain focused on their work as well as continuity in the transmission of cultural expressions. Grants specifically aimed at supporting the development of cultural projects by art managers and curators could serve the purpose of contributing to sustaining cultural life during and after crises, while also underpinning culture's power to strengthen communities' resilience, help them heal and regain hope. In the case of journalists, emergency funding, relocation opportunities and grants provided for the completion of specific projects could allow them to pursue critical work – such as investigative journalism – in safety, preventing them from resorting to self-censorship.

A gender lens should be applied when designing actions to ensure the safety of artists, cultural workers and journalists, including emergency financial assistance, relocation opportunities and support for their livelihoods. Women may require priority attention, with due consideration to the specific challenges they face, and if they belong to particularly vulnerable communities and minorities.

In parallel to the protection of artists, cultural professionals and journalists, the situation may require support to protect infrastructure, cultural expressions, goods and services. This may entail assistance to rebuild or replace media equipment and infrastructure that has been destroyed as a result of violent attacks or natural disasters, to allow media actors to play their key role in delivering life-saving information to affected communities. The provision of portable equipment for journalists to continue their work is also relevant during early emergency response phases.

110. See the analysis by Yeğinsu (2020) of the different pathways to safety existing for journalists and their shortcomings, which this recommendation draws from.

Also important are measures to protect cultural institutions from physical damage and the procurement of protective equipment for artworks, their storage and their transport, along with financial support enabling cultural institutions to continue to operate and pay their employees. When considering the disruption of production and consumption during crisis contexts, support can be given to the creative community's use of digital platforms and the digital transition of the creative process where feasible. This can enable the continued production and dissemination of creative works that can be accessed by audiences online, though attention should be paid to the fair remuneration of the artists involved.

Calling for urgent international attention to the risks faced by journalists, artists and cultural professionals, as well as to the protection and safeguarding of cultural expressions, communication and cultural infrastructure

Through public statements, States, either individually or as members of coalitions, could contribute to the generation of international support for journalists, artists and cultural professionals at risk during specific emergency situations, as well as holding other governments accountable in relation to their safety. Similarly, CSOs, unions, professional associations of journalists or artists, cultural institutions, networks and coalitions can also consider making this kind of public statements. Awareness-raising calls can encourage the contribution of funds to support emergency actions and States can show their commitment by pledging funds accordingly.



The UNESCO Director-General's condemnation of killings of journalists also remains critical in this area. The public statements issued by the Organization in the case of particular emergencies are also very relevant, and it is important to ensure that references to the situation of artists and cultural professionals are consistently made in them, besides the mentioning of journalists and media personnel. UNESCO and other UN agencies could also consider issuing joint statements expressing concern about the situation of these professional groups, as well as involve UN Special Procedures mandate-holders and Special Mandates of regional organizations when doing so.

Advocacy could be envisaged toward the adoption, at UN level, of a declaration, resolution or similar instrument that recognizes artists and cultural professionals as a vulnerable group in need of specific attention in humanitarian programmes and during emergencies. A joint UN-EU statement could also serve to call for urgent international attention to the need to enhance the protection of these actors.

This kind of soft law instruments could be issued in the context of a large-scale crisis in particular yet serving the long-term aim of promoting expanded support for these stakeholder groups in the future.

As mentioned earlier in this study, UNHCR publishes guidelines regarding the application of refugee law to specific populations and on issues generating controversy. UNESCO, UN human rights bodies, Special Procedures mandate-holders and States could liaise with UNHCR to explore the possibility of extending this form of guidance to artists, cultural professionals or journalists at risk.

CSOs should continue to raise awareness of cases of infringement of journalists, artists and cultural professionals' free expression and advocate for their protection, including through their alerts, reports, campaigns and by communicating them to UN Special Procedures mandate-holders and regional Special Mandates; as well as by and calling attention to specific emergency situations at UN level, for instance at debates of the Human Rights Council and Human Rights Treaty Bodies.



Collaboration between the media and the artistic community can ensure that awareness-raising and advocacy approaches are designed and executed creatively. UNESCO, jointly with other interested parties (e.g., OHCHR, EU, EUNIC Network, etc.), could enter into partnerships with major media outlets to implement campaigns to generate visibility about the plight of artists, cultural professionals, journalists and other media actors in a particular emergency situation, as well as to generate awareness of the relevance of protecting media outlets and cultural institutions during times of crises. Artists' work can be a central element maximising these outreach efforts' effect. Proper caution should be exercised so as not to heighten the risks involved for the groups or individuals featured in these sensitization actions. Online or face-to-face awareness-raising and advocacy events could also be organized to discuss the abovementioned issues.

Building key capacities among journalists, artists and cultural professionals

States, international organizations and CSOs should consider enhancing capacity-building efforts targeting artists and cultural professionals at risk, protecting their safety in their home country and helping them to develop skills when abroad.

In turn, equipping journalists with skills to protect themselves when reporting from hostile environments, through comprehensive safety trainings has traditionally been a key aspect of emergency response. It may be relevant to support further capacity-building on conflict-sensitive reporting, ethical journalistic standards, trauma reporting, countering disinformation and hate speech, covering topics such as migration, violent extremism, natural disasters and violent extremism, and disseminating humanitarian information, among others. Media houses should facilitate training for their employees, but it is also important that freelancers and citizen journalists have access to these opportunities.

Collaboration between the media and the artistic community can ensure that awareness-raising and advocacy approaches are designed and executed creatively.



Academic institutions in the arts and journalism sector should also be engaged in furthering knowledge about freedom of expression and artistic freedom, as well as skills preparing their students to better protect themselves when their rights are threatened or infringed upon.

Organizations such as UNESCO and specialized CSOs can design or support the implementation of capacity-building opportunities and tools, and these must take a gender-sensitive approach.

Post-emergency recovery phase: medium and long-term interventions

Identifying needs for the recovery period and planning for a response

The identification of needs, both in the media and the cultural sector, should also be a priority in the early recovery period. The organization of consultations with relevant stakeholders in each sector is critical, which should lead to a roadmap for action. An exchange between the two sectors could be organized to foster relevant synergies. It is important for States to support and facilitate the implementation of such consultations.

Preparing for and mitigating future emergencies

In order to prepare for and mitigate future emergencies, cultural institutions and authorities could develop risk anticipation strategies, for example in relation to the safe storage and maintenance of artworks collections and archives. During crises, cultural institutions also often receive threats that lead for example to cancellations of planned activities, and which they are not well equipped to handle. It would be relevant to prepare them to do so. Countries could be provided with technical assistance for the protection of cultural expressions and actors in emergency contexts, including through the design of tailored training modules. Support could also be provided to strengthen national cultural institutions and CSOs' fundraising and managerial capacities through the mobilization of international expertise as well as through creative funding schemes using digital technologies (NFTs, art auctions, etc.).

Media houses should set-up comprehensive systems to anticipate the risks that their employees face while completing assignments in hostile environments and equip them accordingly. Media sustainability and management capacity, including for emergency response, should also be supported.

Further action is needed to encourage a more active involvement of arts institutions, culture and media industry leaders in the protection of artists, cultural professionals and journalists, including by putting in place measures to support them during the recovery period and in anticipation of future emergencies. These actions should pay specific attention to the risks faced by women in these sectors.

It is also important to strengthen sustained, systematic, monitoring efforts, particularly in the area of artistic freedom, to contribute to the identification of artists at risk, early warning about issues affecting them, a better understanding of the dangers they come under and the design of emergency responses. In this respect, establishing a joint monitoring platform/mechanism/observatory focused on threats and attacks faced by artists could be explored, involving UNESCO, OHCHR and other concerned UN agencies, as well as the EU, EUNIC Network, civil society organizations,

States committed to this right and other relevant stakeholders. Steps taken by State Parties to the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions toward establishing and strengthening mechanisms to monitor artistic freedom in their territories are aligned with the framework assessing progress in the implementation of this international instrument – which includes a specific indicator focused on this dimension.



Monitoring focused on issues like hate speech is also relevant in relation to certain types of emergencies, as it can contribute to the early detection of social tensions and to the design of related interventions. Supporting research can also be key in terms of emergency preparation and mitigation.

Supporting artists, cultural professionals and journalists' livelihoods and mobility

During the post-emergency recovery phase, it is critical for States to put in place or reinforce policies and measures to promote and protect the social and economic rights of artists and cultural professionals – which is also one of the dimensions tracked within the monitoring framework of the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions. Creating an enabling environment for journalists' livelihoods is just as relevant.

The implementation of cash-for work schemes for vulnerable artists (especially women and young artists) could be considered, in order to help them maintain their livelihoods, access a sustainable income, preserve their creative skills and contribute to boosting local business models. The provision of small grants to cultural practitioners and not-for-profit entities for the revival of creative industries could also be envisaged. Similar programmes could be explored for the benefit of journalists that are particularly affected by an emergency.

Support should also be provided for artists and journalists who have relocated for a long-term stay or are in exile, promoting their talent and helping them build professional connections within their host communities. Granting patronage for jointly curated projects among relocated artists and in partnership with leading media could help support the visibility of their work.

Advocacy for artists and journalists' mobility is also relevant. In the case of artists and cultural professionals, CSOs could underpin their efforts in this area by referring to Articles 14 and 16 of the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions. Support could be provided to the mobility of artists and journalists coming from war-torn countries and promote the circulation of their works and the expression of their views by taking advantage of the celebration of international events and commemorations.

State Parties to the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions should consider supporting the recovery of countries that have gone through an emergency by granting them preferential treatments in the cultural sector, and by facilitating the transnational mobility of artists coming from said countries and promoting the visibility of their work.

Also with a view in the medium and long-term, actions to reinvigorate the creative sector could include the facilitation of youth's access to higher education or vocational training institutes in cultural and creative fields through scholarships and bursaries. Also important in this regard is ensuring the continuation of the transmission of cultural practices to younger generations, which also serves to counter the "brain drain" that often characterizes crises contexts and their immediate aftermath.

Continuing to advance awareness raising and advocacy

The awareness-raising and advocacy actions proposed for the short-term scenario are also relevant in the medium and long-term.

Further, UNESCO could organize capacity-building and exchanges at country level, and encourage its field offices proactive engagement in promoting improved State's reporting to the Director-General's report on Safety of Journalists and the Danger of Impunity, the production of Quadrennial Periodic Reports and contributions to the UPR and SDG reporting processes. The intersectoral implementation of such activities – encompassing both the artistic freedom and freedom of expression dimensions – could be considered. Supporting CSOs' participation in the abovementioned processes and in the context of the Human Rights Council and UN Treaty bodies, as well as their interaction with UN Special Procedures mandate-holders and regional Special Mandates also remains crucial in this phase.

In order to boost efforts under this line of action, UNESCO's Culture and Communication and Information Sectors could implement joint trainings on artistic freedom and freedom of expression targeting UN Staff, particularly at field office level.

UNESCO National Commissions could be further encouraged to engage in the promotion of these rights. Also relevant are awareness-raising and capacity-building actions focused on expanding law enforcement and security forces' understanding of freedom of expression and artistic freedom and their role in protecting artists and journalists.

Also recommended is the organization of joint events and/or sessions within broader gatherings at international, regional and national level to facilitate discussions and give visibility to common challenges and potential for synergies in terms of furthering protection for journalists, artists and cultural professionals.

Exhibitions and the publication of special features in media could be promoted, focusing on the abovementioned challenges and featuring, for example, the work and voices of artists in exile or taking part in temporary relocation initiatives.

Promoting sustained collaboration and coalition building

Strengthened collaboration and the creation of coalitions among stakeholders working in the culture, media, human rights, humanitarian, and peace-building sectors could be fostered during the emergency recovery period, for instance through joint efforts to assess post-emergency needs. Cooperation could also take place through actions to sensitize the general public on the important role of journalists, artists and cultural professionals and the need to protect them, as well as through concerted advocacy – by the artistic and media freedom communities, as well as by States – through joint statements, calls to end impunity for crimes against these groups and other relevant initiatives. Cooperation could also take place to implement a more effective response to specific cases in which artists and cultural professionals' rights have been infringed, leveraging the expertise and reach of organizations specialized in related yet different areas.

In order to promote these and other possible avenues for enhanced synergies, it would be important to facilitate the increased interaction among CSOs that focus on artistic freedom and different stakeholders engaged in the implementation of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity. This would serve to encourage, in the framework of the UN Plan, further consideration on common issues affecting journalists, artists and cultural professionals, thus potentially contributing to cooperation strengthening their protection.

Financial resources will be necessary to support innovative initiatives that bring together different advocacy communities, particularly CSOs focusing, respectively, on media freedom and artistic freedom. Moreover, States committed to these rights could contribute not only financially, but also by leveraging the needed political will to help expand the scope of action of concerned organizations.

Collaboration opportunities and support for action-oriented research focused on possible synergies could also be explored with advocacy communities working to defend the rights of other professional groups whose freedom of expression often comes under threat, and particularly during emergency situations, such as scientific researchers and educators.

Enhancing legislative, regulatory and policy frameworks

Another area of attention during the recovery period should be reinforcing, amending or establishing new laws, regulations and policies supporting the freedom and safety of artists, cultural workers and journalists, which is critical toward enhancing the role of these actors in preventing and mitigating future emergencies. This is especially important after conflicts and political crises that may call for the building of an enabling framework for freedom of expression, as well as for artistic and media freedom more specifically. States have a central role to play in this regard, and those that are Parties to the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions have committed to do so under this instrument.

Working with National Human Rights Institutions is an area of interest with respect to such collaboration among actors invested in advancing artistic and media freedom, as possible anchors of mechanisms for the protection and promotion of the rights of journalists, artists and cultural professionals, among other stakeholders that are often vulnerable to attacks against their free expression. Mechanisms promoting the safety of journalists and artists should follow a gender-sensitive, gender-responsive and intersectional approach in their preventive and protective dimensions, as well as regarding investigations aimed at countering impunity in crimes against these actors.

Promoting capacity-building and networking among legal actors and judicial operators focused both on media freedom and artistic freedom, as well as knowledge sharing, is another dimension where further collaborative work can be explored. Support should be provided to organizations providing pro-bono assistance to artists and journalists, undertaking strategic litigation and presenting amicus curiae for the benefit of these groups.

Online repositories of key jurisprudence, as well as regional and national lists of legal experts that can offer support focused on media and artistic freedom can also be useful for artists and journalists at risk.

States should also put in place processes, mechanisms and independent bodies to ensure that attacks against journalists, artists and cultural professionals are duly monitored and investigated, and their perpetrators prosecuted.

It is critical for States to put in place or reinforce policies and measures to promote and protect the social and economic rights of artists and cultural professionals.



CONCLUSION

Journalists, artists and cultural professionals face many of the same challenges to their full enjoyment of free expression, and to their safety. This study has examined many of these threats, from harassment and violence, both online and offline, to legal prosecution under a host of charges such as defamation, blasphemy, offences alleging the dissemination of “fake news”, or vague laws that allude to terrorism, national security, public order, hate speech, public morals or traditional values. They are arrested, imprisoned, or even murdered.

In emergency situations, they face additional risks than those impacting on other civilians, due to their work and their identification as journalists, artists and cultural professionals. Additional limitations to their freedom of expression are often justified by reference to the present emergency affecting the country and are compounded by decreased judicial oversight against abuses. Moreover, their economic situation is often critically impacted by increased precarity, income loss and job cuts in the media and in the cultural sectors, where insecure working conditions are already common. Women in these professions are even more vulnerable than their male peers, due to additional gender-specific risks and attacks.

Despite the similarities in their lived experiences during emergencies, artists and cultural professionals enjoy a lower level of recognition, attention and protection than journalists. This can be linked to reasons pertaining to perceptions about the value of their respective roles in society, as well as to differences regarding the nature of their work, how they communicate and collectively organize to defend their rights and the level of commonalities and solidarity ties within each group, among other aspects. It is also connected to the lack of funding available for organizations defending artistic freedom. Moreover, the conceptualization of this right is relatively recent, as are international calls advocating for it. There is a tendency for many States to equate freedom of artistic expression to media freedom, as well as to fail to report on the former separately.

Another layer of complexity is caused by definitional issues that tend to stall discussions aimed at enhancing the safety of artists and cultural professionals.

In turn, cultural organizations and professional unions in the arts and creative industries do not necessarily prioritize artistic freedom in their efforts. Furthermore, civil society organizations that do focus on this right are still few, have limited resources and lack significant access to financial support. The ties between journalists, organizations supporting them, and the human rights community are currently more established. Many artists themselves remain mostly in the dark regarding the international, regional and national mechanisms that they could resort to for assistance when their rights come under siege, particularly during emergencies.

This study has highlighted that there is a lag in terms of international normative instruments, commitments and jurisprudence in the field of artistic freedom as compared to that of media freedom, and that the same applies to laws, policies and rulings at national level. It also identified more significant gaps existing in monitoring, research, advocacy and international coordination focused on freedom of artistic expression than in those centred on press freedom. Artists and cultural professionals have a lower awareness of and access to relocation schemes than journalists, and the availability of capacity-building opportunities and tools equipping them to enhance their safety is also limited.

The key advances and lessons learned in the field of media freedom – particularly when considering progress since the adoption of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity – presented in this report, provide key insights to expand cooperation between the advocacy communities focused, respectively, on artistic freedom and on press freedom.

These include strengthened collaboration for emergency response in defence of artists and journalists at risk, experience-sharing to enhance monitoring and reporting, the promotion of media actors' increased involvement in artistic freedom advocacy and coverage pertaining to this right, and the facilitation of concrete initiatives through which media freedom and artistic freedom advocates could join forces. The latter could take the form of awareness-raising campaigns and collaborative work on specific cases of infringement of artists' and journalists' rights. Joint research, training, development of resources and dialogue on areas of mutual interest to both groups were other areas where further work could be supported. Strengthened coordination between UNESCO, UN Special Procedures and OHCHR, as well as operational work with the UN field office network and UN Country Teams, technical assistance to States and increased efforts targeting judicial and legal operators, all focusing both on media freedom and artistic freedom could also be pursued, in parallel to enhanced fundraising efforts to support these lines of action.

Immediate and short-term actions, as well as medium and long-term interventions could be undertaken by diverse stakeholders to further protect journalists, artists and cultural professionals. These range from carrying-out monitoring and needs-assessment efforts, to facilitating emergency response coordination, securing the safety and livelihoods of these groups, calling attention to the risks they come under and building key skills for their protection. Recommendations also cover the post-emergency identification of needs and the preparation for and mitigation of future emergencies, including, among other actions, continued awareness-raising, sustained coalition-building and strengthening laws, regulation and policies.

Even in cases where they do not purposely seek to advance a specific cause, denounce abuses, protect human rights or demand accountability from powerful actors through their work, artists and cultural professionals' creative expressions can serve to foster public democratic debate, social transformation, economic development and peace-building.

Moreover, they are often targeted – as a collective – despite not carrying out political work, but for the mere fact of being artists or cultural professionals. Emergency contexts exacerbate the dangers they come under. However, they are currently not considered an especially vulnerable group to be prioritized in protection programmes implemented during emergencies, nor humanitarian evacuations. They also do not generally qualify, as artists or cultural professionals, to benefit from protection as refugees. Thus, this study proposed, when charting the way forward, the possible adoption, at UN level, of a declaration, resolution or similar instrument that recognizes their vulnerability, as a group in need of specific attention in humanitarian programmes and during emergencies.

Building on the gains made in the field of journalists' safety and how these had been achieved, new impetus is sought to enhance efforts serving to strengthen the defence of artists and cultural professionals, especially during emergencies. Going further, renewed collaboration could also be pursued by the communities advocating for the enhanced protection of these actors with stakeholders engaged in defending the rights of other professional groups whose free expression is also often threatened, such as scientific researchers and educators.

Despite the similarities in their lived experiences during emergencies, artists and cultural professionals enjoy a lower level of recognition, attention and protection than journalists.



Annex

BIBLIOGRAPHY

- Access Now. 2021. *Strengthening Civil Society's Defenses. What Access Now's Digital Security Helpline has Learned from its First 10,000 Cases*. <https://www.accessnow.org/cms/assets/uploads/2021/06/Helpline-10000-cases-report.pdf>
- African Commission on Human and Peoples' Rights. 1981. *African Charter on Human and Peoples' Rights*. Banjul, African Commission on Human and Peoples' Rights. <https://au.int/en/treaties/african-charter-human-and-peoples-rights>
- . 2019. *Declaration of Principles on Freedom of Expression and Access to Information in Africa*. Banjul, African Commission on Human and Peoples' Rights. <https://achpr.au.int/fr/node/3627>
- Arroyo, K., DeVlieg, D., Ika, G. and Salem, A. 2019. *Artists, Displacement and Belonging*, International Arts Councils and Culture Agencies. Surry Hills, IFACCA. https://ifacca.org/media/filer_public/a2/80/a28099fc-8bfd-40f5-85de-5653be5b463d/abridged_artists_displacement_and_belonging_english.pdf
- ARTICLE 19. 2006. *Defamation ABC: A Simple Introduction to Key Concepts of Defamation Law*. London, ARTICLE 19. http://www.concernedhistorians.org/content_files/file/to/226.pdf
- . 2017. *Revised Principles on Freedom of Expression and Protection of Reputation*. London, ARTICLE 19. [https://www.article19.org/data/files/medialibrary/38641/Defamation-Principles-\(online\)-.pdf](https://www.article19.org/data/files/medialibrary/38641/Defamation-Principles-(online)-.pdf)
- . 2020. *Investigating online harassment and abuse of women journalists*. London, ARTICLE 19. <https://www.article19.org/wp-content/uploads/2020/11/Gender-Paper-Brief-3-.pdf>
- . 2022a. *Making the invisible visible. Guideline 1: An intersectional gender guide to monitoring and documenting attacks against journalists and social communicators*. https://www.article19.org/wp-content/uploads/2022/04/FemSoj-Guideline-1-Monitoring--Documenting-Attacks_FINAL_25-March.pdf
- . 2022b. *Making the invisible visible. Guideline 2: Advocating on emblematic cases of attacks against journalists using an intersectional gender approach*. https://www.article19.org/wp-content/uploads/2022/04/FemSoj-Guideline-2_Emblematic-Cases_FINAL_25-March.pdf
- . 2022c. *Making the invisible visible. Guideline 3: An intersectional gender guide to protection training*. https://www.article19.org/wp-content/uploads/2022/04/FemSoj-Guideline-3_Protection-Training_FINAL_25-March.pdf
- ARTICLE 19 and IFEX. 2022. *The safety of women journalists. All you need to know about States' obligations and commitments to strengthen your advocacy*. <https://www.article19.org/resources/international-advocating-for-the-safety-of-women-journalists/>
- Artists at Risk Connection. 2021. 'Demands Release of Cuban Musician Maykel Osorbo', <https://artistsatriskconnection.org/story/un-demands-release-of-cuban-musician-maykel-osorbo>
- . 2022. '49th Session of the UN Human Rights Council' <https://artistsatriskconnection.org/story/49th-session-of-the-un-human-rights-council>
- Association of Southeast Asian Nations. 2012. *ASEAN Human Rights Declaration*. <https://asean.org/asean-human-rights-declaration/>
- Avant-Garde Lawyers. 2022. *White Paper: Artists under Boycott*. <https://avantgardelawyers.org/white-paper/>
- Balguy-Gallois, A. 2004. 'The protection of journalists and news media and personnel in armed conflict'. *International Review of the Red Cross*. Vol. 86, No. 853:37 – 67. http://fr.rsfs.org/IMG/pdf/a_balguy_gallois-medias_conflits_armes-1.pdf
- Barata, J. 2020. *COVID-19: the role of judicial operators in the protection and promotion of the right to freedom of expression: guidelines*. UNESCO, Paris <https://unesdoc.unesco.org/ark:/48223/pf0000374208>

- Bennett, K., Ingleton, D., Nah, A.M., & Savage, J.. 2015. 'Critical Perspectives on the Security and Protection of Human Rights Defenders'. *The International Journal of Human Rights*, 19, 883–895. <https://www.tandfonline.com/doi/full/10.1080/13642987.2015.1075301>
- Bennoune, K. 2017. *The impact of fundamentalism and extremism on the cultural rights of women*. Report of the Special Rapporteur in the field of cultural rights. A/HRC/34/56. Geneva, United Nations Human Rights Council. <https://undocs.org/en/A/HRC/34/56>
- . 2018. *The contribution of artistic and cultural initiatives to creating and developing right-respecting societies*. Report of the Special Rapporteur in the field of cultural rights. A/HRC/37/55. Geneva, United Nations Human Rights Council. <https://undocs.org/en/A/HRC/37/55>
- . 2019. *Cultural rights: tenth anniversary report: report of the Special Rapporteur in the Field of Cultural Rights*. A/HRC/40/53. Geneva, United Nations Human Rights Council. <https://undocs.org/A/HRC/40/53>
- . 2020. *Cultural rights defenders*. Report of the Special Rapporteur in the Field of Cultural Rights. A/HRC/43/50. Geneva, United Nations Human Rights Council. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/014/98/PDF/G2001498.pdf?OpenElement>
- . 2021. *COVID-19, culture and cultural rights*. Report of the Special Rapporteur in the Field of Cultural Rights. A/HRC/46/34 Geneva, United Nations Human Rights Council. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/035/23/PDF/G2103523.pdf?OpenElement>
- Berger, G. 2017. 'Why the World Became Concerned with Journalistic Safety, and Why the Issue Will Continue to Attract Attention' in *The Assault on Journalism: Building Knowledge to Protect Freedom of Expression*. Ed. By Carlsson, U. and Pöyhtä, R. Gothenburg, NORDICOM. Pp. 33-44. <http://www.unesco.se/wp-content/uploads/2017/04/The-Assault-on-Journalism.pdf>
- Bertoni, E. 2015. *Prevent and Punish: In search of solutions to fight violence against journalists*. Paris, UNESCO. https://en.unesco.org/sites/default/files/prevent-and-punish_bertoni.pdf
- Blackmore, K. 2021. 'African Artists at Risk: Opportunities for Temporary Shelter and Relocation'. *ifa Edition Culture and Foreign Policy*. Stuttgart, ifa (Institut für Auslandsbeziehungen). <https://doi.org/10.17901/AKB1.01.2021>
- Callamard, A. 2019. Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions. *Investigation, accountability and prevention of intentional state killings of human rights defenders, journalists and prominent dissidents*. A/HRC/41/36. <https://undocs.org/A/HRC/41/36>
- . 2019. *Annex to the Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions: Investigation into the unlawful death of Mr. Jamal Khashoggi*. A/HRC/41/CRP.1. <https://undocs.org/A/HRC/41/CRP.1>
- Chocarro Marcesse, S. 2017. 'The United Nations' Role in Promoting the Safety of Journalists' in *The Assault on Journalism: Building Knowledge to Protect Freedom of Expression*. Ed. By Carlsson, U. and Pöyhtä, R. Gothenburg, NORDICOM. Pp. 45-60. <http://www.unesco.se/wp-content/uploads/2017/04/The-Assault-on-Journalism.pdf>
- Columbia University. n.d. *Global Freedom of Expression*. <https://globalfreedomofexpression.columbia.edu>
- Columbia University Global Freedom of Expression. n.d. *Abdoulaye Nikiema v. The Republic of Burkina Faso* (2014), <https://globalfreedomofexpression.columbia.edu/cases/abdoulaye-nikiema-ernest-zongo-blaise-ilboudo-burkinabe-human-and-peoples-rights-movement-v-the-republic-of-burkina-faso/>
- . n.d. *Unifaun Theatre Productions Limited and Others v. Malta* (2018). <https://globalfreedomofexpression.columbia.edu/cases/unifaun-theatre-productions-limited-others-v-malta/>
- . n.d. *Álvarez Ramos v. Venezuela* (2019), <https://globalfreedomofexpression.columbia.edu/cases/alvarez-ramos-v-venezuela/>
- . n.d. *Bedoya Lima v. Colombia* (2021), <https://globalfreedomofexpression.columbia.edu/cases/bedoya-lima-v-colombia/>
- . n.d. *Belpietro v. Italy* (2013), <https://globalfreedomofexpression.columbia.edu/cases/belpietro-v-italy/>
- . n.d. *Carvajal Carvajal v. Colombia* (2018), <https://globalfreedomofexpression.columbia.edu/cases/carvajal-carvajal-v-colombia/>
- . n.d. *Cumpana and Mazare v. Romania* (2004), <https://globalfreedomofexpression.columbia.edu/cases/cumpana-mazare-v-romania/>
- . n.d. *Dink v. Turkey* (2010), <https://globalfreedomofexpression.columbia.edu/cases/dink-v-turkey/>

- . n.d., *Federation of African Journalists (FAJ) and others v. The Gambia* (2018), <https://globalfreedomofexpression.columbia.edu/cases/federation-african-journalists-faj-others-v-gambia/>
- . n.d. *Herrera-Ulloa v. Costa Rica* (2004), <https://globalfreedomofexpression.columbia.edu/cases/herrera-ulloa-v-costa-rica/>
- . n.d. *Karatas v. Turkey* (1999), <https://globalfreedomofexpression.columbia.edu/cases/karatas-v-turkey/>
- . n.d. *Lingens v. Austria* (1986), <https://globalfreedomofexpression.columbia.edu/cases/lingens-v-austria/>
- . n.d. *Lohé Issa Konaté v. Burkina Faso* (2016), <https://globalfreedomofexpression.columbia.edu/cases/lohe-issa-konate-v-the-republic-of-burkina-faso/>
- . n.d. *Müller and others v. Switzerland* (1988). <https://globalfreedomofexpression.columbia.edu/cases/muller-v-switzerland/>
- . n.d. *Otto Preminger Institut vs. Austria* (1995) <https://globalfreedomofexpression.columbia.edu/cases/otto-preminger-institut-v-austria/>
- . n.d. *Palamara Iribarne v. Chile* (2005). <https://globalfreedomofexpression.columbia.edu/cases/palamara-iribarne-v-chile/>
- . n.d. *Perozo and others v. Venezuela* (2009), <https://globalfreedomofexpression.columbia.edu/cases/perozo-others-v-venezuela/>
- . n.d. *Rios and others v. Venezuela* (2009), <https://globalfreedomofexpression.columbia.edu/cases/rios-v-venezuela/>
- . n.d. *Uwimana-Nkusi and Mukakibibi v. Rwanda* (2021), <https://globalfreedomofexpression.columbia.edu/cases/agnes-uwimana-nkusi-v-rwanda/>
- . n.d. *Vélez Restrepo y Familiares v. Colombia* (2012); See <https://globalfreedomofexpression.columbia.edu/cases/luis-gonzalo-richard-velez-restrepo-v-colombia/>
- Committee to Protect Journalists. 2022a. 'Russian forces in Ukraine detain and harass journalists; authorities clamp down on Russian media', 10 March 2022. <https://cpj.org/2022/03/russian-forces-in-ukraine-detain-and-harass-journalists-while-authorities-clamp-down-on-russian-media/>
- . 2022b. 'Russia-Ukraine watch: How the war is affecting press freedom in the region', 10 March 2022, <https://cpj.org/2022/03/russia-ukraine-war-press-freedom-watch/>
- . n.d. Database of attacks on the press. <https://cpj.org/data/>
- Conor, B. 2021. *Gender and Creativity: Progress on the Precipice*. 2005 Global Report Series. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000375706>
- Cooke Maude, D. 2021. *The Universal Periodic Review and its potential to foster freedom of expression, access to information and safety of journalists: guidelines for United Nations Country Teams*. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000377808>
- Cotler, I. 2020. *A Pressing Concern: Protecting and Promoting Press Freedom by Strengthening Consular Support to Journalists at Risk*. Report of the Independent High Level Panel of Legal Experts on Media Freedom. London, International Bar Association. <https://www.ibanet.org/Consular-Support-report-launch-2020>
- Council of Europe. 1950. *European Convention on Human Rights*. Strasbourg, Council of Europe. https://www.echr.coe.int/documents/convention_eng.pdf
- . 2016. *Recommendation CM/Rec (2016)4[1] of the Committee of Ministers to member States on the protection of journalism and safety of journalists and other media actors*. Strasbourg, Council of Europe. https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016806415d9#_ftn1
- . 2020a. *Manifesto on the Freedom of Expression of Arts and Culture in the Digital Era*. Strasbourg, Council of Europe. <https://rm.coe.int/manifesto-on-the-freedom-of-expression-of-arts-and-culture-in-the-digi/1680a056a2>
- . 2020b. *Platform to promote the protection of journalism and safety of journalists*. Strasbourg, Council of Europe. <https://www.coe.int/en/web/media-freedom/home>
- . 2020c. *How to protect journalists and other media actors? Implementation Guide to Recommendation CM/Rec(2016)4 on the protection of journalism and safety of journalists and other media actors*. Strasbourg, Council of Europe. <https://rm.coe.int/safety-implementation-guide-en-16-june-2020/16809ebc7c>

- , 2020d. *Time to take action against SLAPPs*, Strasbourg, Council of Europe. <https://www.coe.int/en/web/commissioner/-/time-to-take-action-against-slapps>
- Council of Europe/European Court of Human Rights. 2017. *Cultural rights in the case-law of the European Court of Human Rights*. <https://www.refworld.org/pdfid/4e3265de2.pdf>
- Council of the European Union. 2022. Council resolution on the EU Work Plan for Culture 2023-2026. Council of the European Union, Brussels, 29 November 2022. <https://www.consilium.europa.eu/media/60399/st15381-en22.pdf>
- Cuny, L. 2019. *Arts Rights Justice Observatory Study II: RIGHTS. Legal Frameworks for Artistic Freedom*. Hildesheim, Foundation University of Hildesheim. https://hildata.uni-hildesheim.de/api/v1/objects/uuid/c4b9a8d2-a23e-4bea-813f-03b1557202ed/file/id/18294/file_version/name/original
- , 2020. *Freedom & Creativity: Defending Art, Defending Diversity*. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000373357>
- , 2021a. 'Cultural Rights Defenders: Strengthening Protections for Artists and Creatives'. *Georgetown Journal of International Affairs*. October 5, 2021. <https://gjia.georgetown.edu/2021/10/05/cultural-rights-defenders-strengthening-protections-for-artists-and-creatives/>
- , 2021b. 'Relocating Artists at Risk in Latin America'. ifa Edition Culture and Foreign Policy. Stuttgart, ifa (Institut für Auslandsbeziehungen). <https://doi.org/10.17901/AKBP1.05.2021>
- Daudin Clauvaud, P., Mendel, T. and Lafrenière, Ian. 2015. *Freedom of expression and public order: A training manual*. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000231305>
- Dörman, K. 2007. 'International Humanitarian Law and the Protection of Media Professionals Working in Armed Conflicts', ICRC. <https://www.icrc.org/en/doc/resources/documents/article/other/media-protection-article-htm>
- Dyvik, E. *Providing residencies for persecuted writers and artists in Europe – Immigration Issues*. https://www.icorn.org/sites/default/files/visa_and_residence_permit_edy.pdf
- European Expert Network on Culture and Audiovisual. 2020. *The status and working conditions of artists and cultural and creative professionals*. <https://eenca.com/index.cfm/publications/the-status-and-working-conditions-of-artists-and-cultural-and-creative-professionals/>
- European Parliament. 2021. *Resolution of 20 October 2021 on the situation of artists and the cultural recovery in the EU (2020/2261(INI))*, https://www.europarl.europa.eu/doceo/document/TA-9-2021-0430_EN.html, Strasbourg, European Parliament.
- European Union. 2000. *Charter of Fundamental Rights of the European Union*. https://www.europarl.europa.eu/charter/pdf/text_en.pdf
- Fine, G. and Trébault, J. 2021. *A Safety Guide for Artists*. Artists at Risk Connection (ARC). <https://artistsatriskconnection.org/guide>
- Foley, M., Arthurs, C and Abu-Fadil, M. 2017. *Model course on safety of journalists: a guide for journalism teachers in the Arab States*. Paris and International Federation of Journalists. <https://unesdoc.unesco.org/ark:/48223/pf0000248297>
- Forst, M. 2019a. *Impunity for human rights violations committed against human rights defenders. Report of the Special Rapporteur on the situation of human rights defenders*. A/74/59. New York, United Nations General Assembly. <https://undocs.org/en/A/74/159>
- , 2019b. *Situation of women human rights defenders. Report of the Special Rapporteur on the situation of human rights defenders*. A/HRC/40/60 Geneva, United Nations Human Rights Council. <https://undocs.org/A/HRC/40/60>
- , 2020. *Human rights defenders operating in conflict and post-conflict situations. Report of the Special Rapporteur on the situation of human rights defenders*. A/HRC/43/51. New York, United Nations General Assembly. <https://undocs.org/en/A/HRC/43/51>
- Freemuse. 2018. *Creativity wronged: How women's right to artistic freedom is denied and marginalised*. Copenhagen, Freemuse.
- , 2019. *Privatising Censorship, Digitising Violence: Shrinking Space of Women's Rights to Create in the Digital Age*. Copenhagen, Freemuse.
- , 2020a. *Security, Creativity, Tolerance and their Co-existence: The New European Agenda on Freedom of Artistic Expression*. Copenhagen, Freemuse. <https://freemuse.org/media/ndreymmf/security-creativity-tolerance-and-their-co-existence-2.pdf>

- , 2020b. *The state of artistic freedom 2020*. Copenhagen, Freemuse. <https://freemuse.org/media/t0kpifa4/state-of-artistic-freedom-2020-1-1.pdf>
- , 2021. *The state of artistic freedom 2021*. Copenhagen, Freemuse. <https://freemuse.org/media/ck5fvaze/the-state-of-artistic-freedom-2021.pdf>
- , 2022. *The state of artistic freedom 2022*. Copenhagen, Freemuse. <https://freemuse.org/media/yk2paxxb/saf-report-2022.pdf>
- Frontline Defenders and Tactical Technology Collective. 2007 (last updated in 2020). *Security in a Box*. <https://securityinabox.org/en/>
- Frontline Defenders. 2011. *Workbook on Security*. Dublin, Frontline Defenders. <https://www.frontlinedefenders.org/en/workbook-security>
- Galian, C.; Licata, M.; Stern-Plaza, M. 2021. 'Social Protection in the Cultural and Creative Sector. Country Practices and Innovations'. *ILO Working Paper 28*. Geneva, ILO. https://www.ilo.org/global/publications/working-papers/WCMS_781638/lang-en/index.htm
- GHK Consulting. 2012. *Mapping of temporary shelter initiatives for Human Rights Defenders in danger in and outside the EU*. Final Report. February 2012. GHK Consulting, London. <https://asianhrds.forum-asia.org/api/files/15615449229705s7r1p6uwe8.pdf>
- Global Conference for Media Freedom. 2019. *Global Pledge on Media Freedom*. <https://www.gov.uk/government/publications/global-pledge-on-media-freedom/global-pledge-on-media-freedom>
- Government Offices of Sweden. Ministry of Culture. 2018. *Defending Free Speech – measures to protect journalists, elected representatives and artists from exposure to threats and hatred*. <https://www.government.se/contentassets/bd181f7b0f4640e7920807d110b3c001/action-plan-defending-free-speech.pdf>
- Groups of Friends on the Safety of Journalists. 2021. *Joint Statement on the occasion of the World Press Freedom Day on 3 May Celebrating 30 Years of the Windhoek Declaration for the Development of a Free, Independent and Pluralistic Press*. https://www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Aussenpolitik/Menschenrechte/Joint_statement_Groups_of_Friends_SoJ_WPFD.pdf
- Gruber, M. 2019. 'Challenges and opportunities for decent work in the culture and media sectors'. *ILO, Sectoral Policies Department Working Paper No.324*. Geneva, ILO. https://www.ilo.org/sector/Resources/publications/WCMS_661953/lang-en/index.htm
- Healey, J. 2022. *Safety Of Journalists Covering Trauma And Distress 'Do no harm'*. Brief, in the series *World Trends in Freedom of Expression and Media Development*. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000381200>
- Heyns, A. 2012. Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions. Protection of the right to life of journalists. A/HRC/20/22. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G12/128/73/PDF/G1212873.pdf?OpenElement>
- Horsley, W; Selva, M. 2021 *Freedom of expression and the safety of foreign correspondents: trends, challenges and responses*. <https://unesdoc.unesco.org/ark:/48223/pf0000378300>
- Howard, R. 2009. *Conflict-sensitive reporting: state of the art; a course for journalists and journalism educators*. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000186986>
- Hübner, M. 2019. *Arts Rights Justice Observatory Study III: JUSTICE. Opportunities and Challenges for Artistic Freedom*. Hildesheim, Foundation University of Hildesheim.
- ICCROM, 2018. *First Aid to Cultural Heritage in Times of Crisis*. Handbook. Rome, ICCROM. <https://www.iccrom.org/publication/first-aid-cultural-heritage-times-crisis-handbook>
- IFEX. 2018a. 'Sara Whyatt talks to IFEX on artistic freedom and reshaping cultural policies', 9 February 2018. <https://ifex.org/sara-whyatt-on-artistic-freedom-and-re-shaping-cultural-policies/>
- , 2018b. 'Keeping track of civil and political rights in your country: The UN Human Rights Committee', *IFEX Advocacy Explainers*, 4 July 2018. <https://ifex.org/keeping-track-of-civil-and-political-rights-in-your-country-the-un-human-rights-committee/>
- , 2018c. 'The UPR: What it is, and how civil society can use it – and make it stronger', IFEX, *IFEX Advocacy Explainers*, 9 August 2018. <https://ifex.org/the-upr-what-it-is-and-how-civil-society-can-use-it-and-make-it-stronger/>

- , 2018d. 'Sustainable Development Goals (SDGs): What role for freedom of expression?', *IFEX Advocacy Explainers*, 22 January 2019. <https://ifex.org/sustainable-development-goals-sdgs-what-role-for-freedom-of-expression/>
- , n.d. Advocacy Explainers. <https://ifex.org/resources/5-minute-explainers/>
- Inter-American Commission on Human Rights. 2000. *Declaration of Principles of Freedom of Expression*. <https://www.oas.org/en/iachr/expression/showarticle.asp?artID=132>
- Inter-American Court of Human Rights. 2001. Case of "The Last Temptation of Christ" (Olmedo-Bustos et al.) v. Chile, Judgment of February 5, 2001. Costa Rica, Inter-American Court of Human Rights. https://www.corteidh.or.cr/docs/casos/articulos/seriec_73_ing.pdf
- International Committee of the Red Cross (ICRC). 1949. *Geneva Convention Relative to the Treatment of Prisoners of War (Third Geneva Convention)*. <https://ihl-databases.icrc.org/ihl/full/GCIII-commentary>
- , 1977. Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I). <https://www.ohchr.org/EN/ProfessionalInterest/Pages/Protocoll.aspx>
- , 2010. 'How does international humanitarian law protect journalists in armed-conflict situations?' Interview with Robin Geiss. <https://www.icrc.org/en/doc/resources/documents/interview/protection-journalists-interview-270710.htm>
- , 2017a. 'War on words: Is journalism disappearing from conflict zones?' 4 July 2017. <https://www.icrc.org/en/document/war-words-journalism-disappearing-conflict-zones>
- , 2017b. 'How does IHL Protect Journalists?', Training for Media Professionals, Handout 7. October 2017. https://www.icrc.org/en/download/file/67246/handout_7_-_how_does_ihl_protect_journalists.pdf
- , 2017c. 'The protection of journalists- FAQ'. 1 November 2017. <https://www.icrc.org/en/document/protection-journalists-icrc-hotline-faq>
- , 2017d. *IHL resources for media professionals*. 2 November 2017. <https://www.icrc.org/en/document/ihl-resources-media-professionals>
- , 2020. 'Assistance to journalists on dangerous assignments'. 1 November 2020. <https://www.icrc.org/en/document/hotline-assistance-journalists-dangerous-assignments-0>
- International Federation of Journalists. 2018. 'IFJ global survey shows massive impact of online abuse on women journalists'. <https://www.ifj.org/media-centre/news/detail/article/ifj-global-survey-shows-massive-impact-of-online-abuse-on-women-journalists.html>
- International Media Support. 2014a. *Central African Republic: Supporting the media and humanitarian information and communication in a complex emergency*. Copenhagen, International Media Support. <https://www.mediasupport.org/publication/the-central-african-republic-media-in-a-complex-emergency/>
- , 2014b. *Journalism in Afghanistan: Current and post-2014 threats and journalist safety mechanisms*. Copenhagen, International Media Support. <https://www.mediasupport.org/publication/journalism-safety-afghanistan/>
- , 2014c. *The Central African Republic: Media in a complex emergency*. Briefing Paper. Copenhagen, International Media Support. <https://www.mediasupport.org/publication/the-central-african-republic-media-in-a-complex-emergency/>
- , 2017. *Defending journalism: How national mechanisms can protect journalists and address the issue of impunity. A comparative analysis of practices in seven countries*. Copenhagen, International Media Support. https://www.mediasupport.org/wp-content/uploads/2017/10/1_Journalist-Protection-Book-Digital-1.pdf
- , 2019. *The safety of women journalists: Breaking the cycle of silence and violence. An overview of nine countries. IMS book series – 2019. Defending Journalism*. Copenhagen, IMS. <https://www.mediasupport.org/publication/the-safety-of-women-journalists/>
- , 2020. *Shared responsibility: Safeguarding press freedom in perilous times. Lessons learned and new approaches to media safety. IMS Book Series 2020-Defending Journalism*. Copenhagen, International Media Support. <https://www.mediasupport.org/publication/shared-responsibility-safeguarding-press-freedom-in-perilous-times/>
- International Press Institute. n.d. *Media Laws Database, International Standards on Criminal and Civil Defamation Laws*. <http://legaldb.freemedia.at/international-standards/>. Vienna, International Press Institute.

- International Programme for the Development of Communication. 2008. *Decision on the Safety of Journalists and the Issue of Impunity*, adopted by the IPDC Intergovernmental Council at its 26th session. Paris, UNESCO. https://en.unesco.org/sites/default/files/ipdc2008_decision_safety_of_journalists.pdf
- , 2010. *Decision on the Safety of Journalists and the Issue of Impunity*, adopted by the IPDC Intergovernmental Council at its 27th session. Paris, UNESCO. https://en.unesco.org/sites/default/files/ipdc2010_safety_decision_final_0.pdf
- , 2015. *Applying UNESCO's Journalists' Safety Indicators (JSIs): a practical guidebook to assist researchers*. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000260894>
- , 2016. *Decision on the Safety of Journalists and the Issue of Impunity*, adopted by the IPDC Intergovernmental Council at its 30th session. Paris, UNESCO. https://en.unesco.org/sites/default/files/ipdc_30_council_decisions_en.pdf
- , 2020. *Decision on the Safety of Journalists and the Issue of Impunity*, adopted by the IPDC Intergovernmental Council at its 32nd session. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000374994/PDF/374994eng.pdf.multi>
- International Safety Institute, the Thomson Reuters Foundation, Trust Law, with the support of UNESCO and the Swedish Postcode Foundation. 2021. *Online Attacks Against Journalists: Know your Rights*. https://news.trust.org/dA/fed60767ed/file/TRF+KYR+Guide+OCT+2021+V8.pdf?language_id=1
- International Women's Media Foundation and the International News Safety Institute. 2014. *Violence and Harassment against Women in the News Media: A Global Picture*. <http://www.iwmf.org/our-research/journalist-safety/violence-and-harassment-against-women-in-the-news-media-a-global-picture/>
- International Women's Media Foundation (IWMF) and Trollbusters. 2018. *Attacks and Harassment. The Impact on Female Journalists and Their Reporting*. <https://www.iwmf.org/wp-content/uploads/2018/09/Attacks-and-Harassment.pdf>
- James, B. 2004. *Media: Conflict Prevention and Reconstruction*. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000138983>
- Joint statement by 57 Member States to the Human Rights Council. 2015. *Reaffirming the Right to Freedom of Expression, Including Creative and Artistic Expression*. <https://www.dfa.ie/media/dfa/alldfawebsitemedia/ourrolesandpolicies/int-priorities/humanrights/HRC30---JS-FOAE-creative-artistic-expression.pdf>
- Jones, M. 2015. 'Protecting human rights defenders at risk: asylum and temporary international relocation'. *The International Journal of Human Rights*, 19:7, 935-960. <http://dx.doi.org/10.1080/13642987.2015.1075304>
- Jones, M., Nah, A. & Bartley, P. 2019. 'Temporary Relocation Initiatives from the perspective of managers' in Müller, M. (Ed.). *Temporary Shelter and Relocation Initiatives: Perspectives of Managers and Participants*. ifa Edition Culture and Foreign Policy. Stuttgart, ifa (Institut für Auslandsbeziehungen). <https://nbn-resolving.org/urn:nbn:de:0168-ssaoar-62983-v2-7>
- Kaye, D. 2019. *Report of the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression*. Online Hate Speech. A/74/486. New York, United Nations General Assembly. <https://undocs.org/A/74/486>
- , 2020. *Research Report on Artistic Freedom of Expression. Report of the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression*. A/HRC/44/49/Add.2. Geneva, United Nations Human Rights Council. <https://digitallibrary.un.org/record/3874876?ln=fr>
- Khan, I. 2022. *Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression. Disinformation and freedom of opinion and expression during armed conflicts*. A/77/288. New York, United Nations General Assembly. <https://www.ohchr.org/en/documents/thematic-reports/a77288-disinformation-and-freedom-opinion-and-expression-during-armed>
- , 2021. *Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression. Gender Justice and Freedom of Expression*. A/76/258. New York, United Nations General Assembly. <https://www.ohchr.org/en/documents/thematic-reports/a76258-gender-justice-and-freedom-expression-report-special-rapporteur>

- La Rue, F. 2010. *Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression*. A/65/284. New York, United Nations General Assembly. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N10/482/85/PDF/N1048285.pdf?OpenElement>
- , 2011. *Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (The right to freedom of opinion and expression exercised through the Internet)*. A/66/20. New York, United Nations General Assembly. <https://undocs.org/en/A/66/290>.
- , 2012. *Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (Hate speech and incitement to hatred)*. A/67/357 New York, United Nations General Assembly. <https://undocs.org/en/A/67/357>
- Lanza, E. 2018. *Women Journalists and Freedom of Expression: Discrimination and gender-based violence faced by women journalists in the exercise of their profession*. Organization of American States. OEA/SER.L/V/II. 31 October. www.oas.org/en/iachr/expression/docs/reports/WomenJournalists.pdf
- Lawlor, M. 2020. *Final warning: death threats and killings of human rights defenders. Report of the Special Rapporteur on the situation of human rights defenders*. A/HRC/46/35. Geneva, United Nations Human Rights Council. <https://www.ohchr.org/en/documents/thematic-reports/ahrc4635-final-warning-death-threats-and-killings-human-rights-defenders>
- League of Arab States. 2004. *Arab Charter on Human Rights*. <https://digitallibrary.un.org/record/551368?ln=fr>
- Media Legal Defence Initiative and International Press Institute 2005. *Freedom of Expression, Media Law and Defamation: A Reference and Training Manual for Europe*. <https://www.mediadefence.org/wp-content/uploads/2020/06/MLDI.IPI-defamation-manual.English-1.pdf>
- Mendel, T. 2016. *Supporting Freedom of Expression: A Practical Guide to Developing Specialised Safety Mechanisms. Discussion Paper*. UNESCO & the Centre for Law and Democracy. https://en.unesco.org/sites/default/files/supporting-freedom-of-expression_guide-safety-mechanisms.pdf
- MINUSMA. 2014. *Avec la MINUSMA, l'UNESCO évalue à Gao les dommages causés au patrimoine de la ville* (video). <https://www.youtube.com/watch?v=tQyPbjs8E1A>
- , 2016. *Documentaire : Renaissance de la Musique à Gao* (video). <https://www.youtube.com/watch?v=NBKi9v7y2g4>
- , n.d. 'Cultural Heritage', MINUSMA website. <https://minusma.unmissions.org/en/cultural-heritage>
- Mitchell, T. 2019. 'Journalists as Human Rights Defenders: International Protection of Journalists in Contexts of Violence and Impunity' in *Reporting Human Rights, Conflicts, and Peacebuilding. Critical and Global Perspectives*, Ed. By Seaga Shaw, I. and Selvarajah, S. pp.221-242. https://www.researchgate.net/publication/332306898_Journalists_as_Human_Rights_Defenders_International_Protection_of_Journalists_in_Contexts_of_Violence_and_Impunity
- Morgan, A. 2013. *Music, Culture and Conflict in Mali*. A report for Freemuse by Andy Morgan. <https://www.musicinafrica.net/sites/default/files/attachments/article/201604/music-culture-conflict-mali.pdf>
- Myers, M.; Scott, M.; Bunce, M.; Yassin, L.; Fernandez, M.C.; Khan, R. 2022 *Reset required? Evaluating the Media Freedom Coalition after its first two years*. University of East Anglia, City University of London and University of the Philippines-Diliman. <https://fpc.org.uk/publications/reset-required-evaluating-the-media-freedom-coalition-after-its-first-two-years/>
- Noorlander, P. 2021. *UNESCO guide for amicus curiae interventions in freedom of expression cases*. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000379020>
- OHCHR. 2012. *Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence*. https://www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/Rabat_draft_outcome.pdf
- , 2020. *Guidance: COVID-19*. 13 May 2020. https://www.ohchr.org/Documents/Events/COVID-19_Guidance.pdf
- OHCHR and Inter-American Commission on Human Rights. 2017. *Launch of the Joint Action Mechanism to Contribute to Protection of Human Rights Defenders in the Americas*. <https://www.ohchr.org/FR/NewsEvents/Pages/DisplayNews.aspx?NewsID=22282&LangID=E>
- Organization for Security and Co-operation in Europe. 1991. *Document of the Cracow Symposium on the Cultural Heritage of the Commission on Security and Cooperation in Europe*. Vienna, OSCE. <https://www.osce.org/library/24396>

- . n.d. Safety of Female Journalists Online. <https://www.osce.org/fom/safety-female-journalists-online>
- Organization of American States. 1969. *American Convention on Human Rights*. <https://www.cidh.oas.org/basicos/english/basic3.american%20convention.htm>
- . 2011. Inter-American Democratic Charter. https://www.oas.org/en/democratic-charter/pdf/demcharter_en.pdf
- Ouellet, S. 2020. *Guidelines for prosecutors on cases of crimes against journalists*. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000375138>
- Çakır, P. 2022. 'Learning from the Pandemic: Artistic Freedom & Mobility Beyond the Covid-19 Crisis', ifa Edition Culture and Foreign Policy. Stuttgart, ifa (Institut für Auslandsbeziehungen). https://www.ssoar.info/ssoar/bitstream/handle/document/77261/ssoar-2022-cakr-Learning_from_the_Pandemic_Artistic.pdf?sequence=1&isAllowed=y&lnkname=ssoar-2022-cakr-Learning_from_the_Pandemic_Artistic.pdf
- PEN America. 2021a. 'U.S. must act swiftly to protect Afghan writers and cultural figures who've defended free expression', 17 August 2021, <https://pen.org/press-release/u-s-must-act-swiftly-to-protect-afghan-writers-and-cultural-figures-whove-defended-free-expression/>
- . 2021b. 'Tell Congress to protect writers in Afghanistan'. <https://actionnetwork.org/letters/tell-congress-to-protect-writers-in-afghanistan/>
- . 2022. 'Ukrainian Culture Under Attack: Erasure of Ukrainian Culture in Russia's War Against Ukraine', 2 December 2022, <https://pen.org/report/ukrainian-culture-under-attack/>
- . n.d.. *Online Harrassment Field Manual*. <https://onlineharassmentfieldmanual.pen.org/>
- Posetti, J.; Aboulez, N.; Bontcheva, K; Harrison, J. and Waisbord, S. 2020. *Online violence against women journalists: a global snapshot of incidence and impacts*. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000375136>
- . 2021. *The Chilling: global trends in violence against women journalists; research discussion paper*. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000377223>
- Posetti, J.; Bontcheva, K. 2020a. *DISINFODEMIC: Deciphering COVID-19 disinformation*. Policy Brief 1. Paris, UNESCO. https://en.unesco.org/sites/default/files/disinfodemic_deciphering_covid19_disinformation.pdf
- . 2020b. *DISINFODEMIC: Dissecting responses to COVID-19 disinformation*. Policy Brief 2. Paris, UNESCO. https://en.unesco.org/sites/default/files/disinfodemic_dissecting_responses_covid19_disinformation.pdf
- Protect Defenders.EU. 2020. *2020 Annual Report. Building the Resilience of Human Rights Defenders at Risk Worldwide*. <https://protectdefenders.eu/wp-content/uploads/2021/03/2020-ProtectDefenders.eu-Annual-Report.pdf>
- Ravier, S. 2021. *Past and present role of MINUSMA in the protection of cultural heritage in Mali*, presentation during the Intersessional Workshop on Cultural Rights and the Protection of Cultural Heritage, OHCHR, 14 June 2021. <https://www.ohchr.org/Documents/Issues/ESCR/CulturalHeritage/Session2/UN/b7ravier.pdf>
- Reitov, O. 2015. 'Five challenges to artistic freedom'. Paris, UNESCO. <https://en.unesco.org/Artistic-Expression>
- Reporters without Borders. 2020. *Round-up 2020. Journalists detained, held hostage and missing*. https://rsf.org/sites/default/files/rsfs_2020_round-up_0.pdf
- . 2022. 'War in Ukraine – List of journalists who are victims gets longer by the day', 17 March 2022. <https://rsf.org/en/news/war-ukraine-list-journalists-who-are-victims-gets-longer-day>
- Sadovskaya, P. and Trébault, J. 2020. 'Freedom of Artistic Expression Through the Lens of the Sustainable Development Goals', in Leal Filho, W. et al. (eds.), *Peace, Justice and Strong Institutions, Encyclopedia of the UN Sustainable Development Goals*. Springer, Cham. https://doi.org/10.1007/978-3-319-71066-2_115-1
- Schagen, N. v. 2020. 'Collaboration Between Temporary Relocation Initiatives: Potentials, Challenges and Next Steps'. ifa Edition Culture and Foreign Policy. Stuttgart, ifa (Institut für Auslandsbeziehungen). <https://www.ssoar.info/ssoar/handle/document/70524>
- Seiden, S. 2019. 'Improvement of relocation programmes from the perspective of participants', in Müller, M. (Ed.). *Temporary Shelter and Relocation Initiatives: Perspectives of Managers and Participants*. ifa Edition Culture and Foreign Policy. Stuttgart, ifa (Institut für Auslandsbeziehungen). <https://nbn-resolving.org/urn:nbn:de:0168-ssoar-62983-v2-7>

- Sekaggya, M. 2011. *Report of the Special Rapporteur on the situation of human rights defenders*. A/HRC/19/55. Geneva, United Nations Human Rights Council. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G11/175/06/PDF/G1117506.pdf?OpenElement>
- Shaheed, F. 2013. *The Right to Freedom of Artistic Expression and Creativity. Report of the Special Rapporteur in the Field of Cultural Rights*. A/HRC/23/34 Geneva, United Nations Human Rights Council. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G13/118/44/PDF/G1311844.pdf?OpenElement>
- Šimonović, D. 2020. *Combating violence against women journalists. Report of the Special Rapporteur on violence against women, its causes and consequences*. A/HRC/44/52. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/109/79/PDF/G2010979.pdf?OpenElement>
- Smyth, F., Pereira, C., Lowenthal, T., O'Brien, D. 2012. *CPJ Journalist Security Guide: Covering the News in a Dangerous and Changing World*. New York, Committee to Protect Journalists. <https://cpj.org/reports/2012/04/journalist-security-guide/>
- Soraide, R. 2022. *The "misuse" of the judicial system to attack freedom of expression: trends, challenges and responses*. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000383832>
- Steiner, L. 2017. 'Women war reporters' resistance and silence in the face of sexism and sexual violence' in *Media & Journalism. Mulheres e Media*, Coimbra University Press, N.º 30 Vol. 17, N.º 1. https://www.researchgate.net/publication/319860794_Women_war_reporters'_resistance_and_silence_in_the_face_of_sexism_and_sexual_violence
- The Digital Platform for Safety of Journalists in Africa <https://safetyofjournalistsinafrica.africa>
- The Hague Commitment to increase the Safety of Journalists. 2020. <https://www.government.nl/documents/diplomatic-statements/2020/12/09/the-hague-commitment-to-increase-the-safety-of-journalists>
- The Permanent Delegation of Denmark to UNESCO. 2021. *CRITICAL VOICES. UNESCO's Instruments in Defence of Freedom of Expression of Artists, Journalists and Scientific Researchers*. Paris, The Permanent Delegation of Denmark to UNESCO. https://ddrn.dk/wp-content/uploads/2021/12/UNESCO_Critical-Voices_WEB.pdf
- Thomson Reuters Foundation, Reporters without Borders, Paul Hastings LLP. 2015. *Defence Handbook for Journalists and Bloggers*. <https://www.trust.org/contentAsset/raw-data/dceec155-7cb8-4860-a68e-4b463e562051/file>
- UN Department of Humanitarian Affairs (UNDHA), 1992. *Internationally agreed glossary of basic terms related to Disaster Management* (No. DHA/93/36). New York, UNDHA. <https://reliefweb.int/sites/reliefweb.int/files/resources/004DFD3E15B69A67C1256C4C006225C2-dha-glossary-1992.pdf>
- UN Special Rapporteur on Freedom of Opinion and Expression, OSCE Representative on Freedom of the Media, OAS Special Rapporteur on Freedom of Expression and ACHPR Special Rapporteur on Freedom of Expression and Access to Information. 2014. 'International Freedom of Expression Rapporteurs urge stronger protection of journalists covering conflicts', Joint Press Release, 1 September 2014. <https://www.oas.org/en/iachr/expression/showarticle.asp?artID=959&IID=1>
- . 2015. *Joint Declaration on Freedom of Expression and Responses to Conflict Situations*. <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=15921&LangID=E>
- . 2022. *Joint Declaration on Freedom of Expression and Gender Justice*. <https://www.ohchr.org/sites/default/files/2022-05/Gender-Joint-Declaration-Freedex.pdf>
- UNHCR. 2022. 'Ukraine Situation Flash update #6', 30 March 2022, <https://data2.unhcr.org/en/documents/details/91719>
- UNESCO. 1954. *Convention for Protection of Cultural Property in the Event of Armed Conflict*. The Hague, UNESCO. https://en.unesco.org/sites/default/files/1954_Convention_EN_2020.pdf and its two Protocols (1954 and 1999)
- . 1980. *Recommendation concerning the Status of the Artist*. Paris. UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000114029.page=144>
- . 1991. *Windhoek Declaration on Promoting Independent and Pluralistic Media*. <https://accountablejournalism.org/ethics-codes/International-Windhoek>
- . 1997. General Conference, 29th Session. *Resolution 29: Condemnation of violence against journalists*. Paris, UNESCO. https://en.unesco.org/sites/default/files/ipdc_resolution_29.pdf

- , 2004. *Belgrade Declaration on Media in Conflicts Areas and Countries in Transition*. https://en.unesco.org/sites/default/files/wpfd2004_belgrade_declaration_en.pdf
- , 2005. *The 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions*. Paris, UNESCO. <https://en.unesco.org/creativity/convention/texts>
- , 2007. *Medellin Declaration Securing the Safety of Journalists and Combatting Impunity*. https://en.unesco.org/sites/default/files/wpfd2007_medellin_declaration_en.pdf
- , 2011. General Conference, 36th Session. 2011. *Resolution 53*. Paris, UNESCO. https://en.unesco.org/sites/default/files/unesco_general-conference-36_resolutions.pdf
- , 2012a. *Implementation strategy 2013–2014: UN plan of action on the safety of journalists and the issue of impunity*. Paris, UNESCO.
- , 2012b. *UN plan of action on the safety of journalists and the issue of impunity*. Paris, UNESCO. https://en.unesco.org/sites/default/files/un-plan-on-safety-journalists_en.pdf
- , 2013. 'UNESCO has developed cultural heritage maps and a "Heritage Passport" to help protect Mali's cultural heritage', <https://whc.unesco.org/en/news/981>
- , 2014. 'First mission to Gao since end of military occupation of northern Mali takes stock of serious damage to the city's cultural heritage', <https://whc.unesco.org/en/news/1106/>
- , 2015a. *Journalists' safety indicators: National level. Based on UNESCO's Media Development Indicators*. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000260893>
- , 2015b. General-Conference. *Reinforcement of UNESCO's action for the protection of culture and the promotion of cultural pluralism in the event of armed conflict*, 38 C/49. Paris, UNESCO General-Conference. <https://unesdoc.unesco.org/ark:/48223/pf0000235186>
- , 2017a. *REPORT. Multi-stakeholder consultation on strengthening of the UN plan of action on the safety of journalists and the issue of impunity*. Paris, UNESCO. https://en.unesco.org/sites/default/files/report_-_multi-stakeholder_consultation.pdf
- , 2017b. *Addendum to the Strategy for the Reinforcement of UNESCO's Action for the Protection of Culture and the Promotion of Cultural Pluralism in the Event of Armed Conflict*. <https://unesdoc.unesco.org/ark:/48223/pf0000259805>
- , 2018. *Re|Shaping Cultural Policies 2005 Convention Global Report: Advancing creativity for development*. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000260592>
- , 2019a. *Culture & working conditions for artists. Implementing the 1980 Recommendation concerning the Status of the Artist*. Paris, UNESCO. <https://en.unesco.org/creativity/publications/culture-working-conditions-artists>
- , 2019b. *Decisions adopted by the executive board at its 206th session*. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000367821/PDF/367821eng.pdf.multi>
- , 2019c. Executive Board. 206th session. *Progress report on Safety of Journalists and the issue of Impunity*. 206 EX/5.I.B. 8 March 2019. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000367011?5=null&queryId=6c90d196-2675-4a08-81e2-1487ddf148bd>
- , 2019d. *Intensified attacks, new defences: developments in the fight to protect journalists and end Impunity. In Focus Series: World Trends in Freedom of Expression and Media Development*. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000371487>
- , 2019e. *Protecting Culture in Emergencies*. Paris, UNESCO. https://en.unesco.org/sites/default/files/2019_clt_emergencies_brochure_en.pdf
- , 2019f. *Toolkit on Artistic Freedom*.
- , 2020a. *Creativity without fear or favour* (video). Panel held during the 2020 World Press Freedom Conference, 9 December 2020. UNESCO. <https://www.youtube.com/watch?v=NQf32nmahkQ>
- , 2020b. *Culture in crisis: Policy guide for a resilient creative sector*. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000374631>
- , 2020c. *Journalism, press freedom and COVID-19*. Issue brief, World Trends in Freedom of Expression and Media Development Series. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000373573>

- , 2020d. *Journalism without Fear of Favour*. World Press Freedom Conference 2020 Concept Note. https://en.unesco.org/sites/default/files/concept_note_wpdf2020_final.pdf
- , 2020e. *Multi-Donor Programme on Freedom of Expression and Safety of Journalists*. Annual Report 2019. https://en.unesco.org/sites/default/files/mdp_report_2019_may28.pdf
- , 2020f. World Press Freedom Day 2020 Concept Note. *Journalism without fear or favour*. https://en.unesco.org/sites/default/files/concept_note_wpdf2020_final.pdf
- , 2020g. 'UNESCO, in collaboration with Action for Hope, launched a program to revive the musical traditions of Mosul', 15 December 2020, <https://en.unesco.org/news/unesco-collaboration-action-hope-launched-program-revive-musical-traditions-mosul>
- , 2021a. Executive Board. 211th session. *Progress report on Safety of Journalists and the issue of Impunity*. 211 EX/5.I.G. 4 March 2021. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000375676>
- , 2021b. *Global toolkit for judicial actors: international legal standards on freedom of expression, access to information and safety of journalists*. <https://unesdoc.unesco.org/ark:/48223/pf0000378755>
- , 2021c. *The UN and the Safety of Journalists. Resource Kit for UN Staff by the UN Focal Points Network on Safety of Journalists*. 2021 version. Paris, UNESCO. https://en.unesco.org/sites/default/files/unpa_focal_points_on_soj_brochure_2021.pdf
- , 2021d. *Threats that silence: trends in the safety of journalists; insights discussion paper; World trends in freedom of expression and media development: Global report 2021/2022*. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000379589.locale=en>
- , 2021e. 'LiBeirut: TERDAD festival marks the resumption of cultural life in Beirut', 2 July 2021, <https://en.unesco.org/news/libeirut-terdad-festival-marks-resumption-cultural-life-beirut>
- , 2021f. 'Providing peer-support to civil society utilising the UN special procedures on cases of attacks against journalists', 13 July 2021. <https://en.unesco.org/news/providing-peer-support-civil-society-utilising-special-procedures-cases-attacks-against>
- , 2021g. 'Indonesian National Human Rights Commission Embraces Artistic Freedom', 8 September 2021, <https://en.unesco.org/creativity/news/indonesian-national-human-rights-commission-embraces>
- , 2021h. 'KOMNAS HAM and UNESCO Partnership on Promotion of Human Rights in Indonesia', 23 December 2021, <https://en.unesco.org/news/komnas-ham-and-unesco-partnership-promotion-human-rights-indonesia-7>
- , 2022a. *Reshaping policies for creativity: addressing culture as a global public good*. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000380474>
- , 2022b. *Reshaping policies for creativity: addressing culture as a global public good*. Executive Summary. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000380475>
- , 2022b. *Outcomes of the regional and thematic consultations to mark the 10th anniversary of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity*. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000383337>
- , 2022c. *Journalism is a public good: World trends in freedom of expression and media development; Global report 2021/2022*. Paris, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000380618>
- , 2022d. 'UNESCO's statement on the recent developments in Ukraine', 24 February 2022, <https://www.unesco.org/en/articles/unescos-statement-recent-developments-ukraine>
- , 2022e. 'Ukraine: UNESCO statement following the adoption of the UN General Assembly resolution', 3 March 2022. <https://www.unesco.org/en/articles/ukraine-unesco-statement-following-adoption-un-general-assembly-resolution>
- , 2022f. 'Ensuring civilians have access to life-saving information', 14 March 2022, <https://www.unesco.org/en/articles/ensuring-civilians-have-access-life-saving-information>
- , 2022g. 'Ukraine: UNESCO working for truth and life-saving information', 18 March 2022, <https://www.unesco.org/en/articles/ukraine-unesco-working-truth-and-life-saving-information?hub=66116>

- , 2022h. 'Amnesty International and UNESCO partner to strengthen civil society engagement on freedom of expression', 21 April 2022, <https://articles.unesco.org/en/articles/amnesty-international-and-unesco-partner-strengthen-civil-society-engagement-freedom>
- , 2022i. 'UNESCO completes mission to Ukraine to support journalists' safety and assess needs', 27 April 2022, <https://www.unesco.org/en/articles/unesco-completes-mission-ukraine-support-journalists-safety-and-assess-needs>
- , 2023a. 'Resilience in the face of crises through the lens of women artists', 8 March 2023, <https://www.unesco.org/en/articles/resilience-face-crises-through-lens-women-artists>
- , 2023b. 'How to combat hate speech and gendered disinformation online? UNESCO provides some ideas.' 10 February 2023 (last update on 20 February 2023). Paris, UNESCO. <https://www.unesco.org/en/articles/how-combat-hate-speech-and-gendered-disinformation-online-unesco-provides-some-ideas?hub=375>
- , n.d. *Media development indicators (MDIs)*. Paris, UNESCO. <https://en.unesco.org/programme/ipdc/initiatives/mdis>
- , n.d. *UNESCO Observatory of Killed Journalists*. <https://en.unesco.org/themes/safety-journalists/observatory>
- , n.d. *Quadrennial Periodic Reports to the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions*. <https://en.unesco.org/creativity/governance/periodic-reports>
- UNESCO Director-General. 2020. *Director-General Report on the Safety of Journalists and the Danger of Impunity 2020* (CI-20/COUNCIL.32/4). <https://unesdoc.unesco.org/ark:/48223/pf0000374700?posInSet=2&queryId=59f40786-004d-4e02-b22a-3c5f3fef2291>
- , 2022. *Director-General Report on the Safety of Journalists and the Danger of Impunity 2020* (CI-22/COUNCIL.33/6). <https://unesdoc.unesco.org/ark:/48223/pf0000383595>
- UNESCO Montevideo. 2017. *Caja de Herramientas para escuelas judiciales iberoamericanas: formación de formadores en libertad de expresión, acceso a la información y seguridad de periodistas*, Montevideo, UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000251593.locale=en>
- UNESCO, Bonavero Institute at the University of Oxford. 2021. Massive Open Online Course (MOOC) on Freedom of Expression. <https://www.law.ox.ac.uk/centres-institutes/bonavero-institute-human-rights/bonavero-institute-unesco-joint-mooc-freedom>
- UNESCO, Reporters Without Borders. 2017. *Safety guide for journalists: a handbook for reporters in high-risk environments*. Paris, UNESCO, Reporters Without Borders. <https://unesdoc.unesco.org/ark:/48223/pf0000243986>
- UNESCO, the Thomson Reuters Foundation and International Women's Media Foundation. 2021a. *Checklist and Guidelines on Gender-sensitive Safety Policies for Newsrooms*. Paris, UNESCO. <https://www.trust.org/contentAsset/raw-data/a1dac61b-cb04-442a-8a55-67ecb66b721d/file>
- , 2021b. *Practical Guide for Women Journalists on How to Respond to Online Harassment*. Paris, UNESCO. https://news.trust.org/dA/f6f7b0dad9/file/TRF+Practical+Guide+JUL+2021+V15.pdf?language_id=1
- United Nations. 1998. *Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms*. A/RES/53/144. New York, United Nations General Assembly. <https://www.ohchr.org/EN/ProfessionalInterest/Pages/RightAndResponsibility.aspx>
- , 2020. *United Nations Guidance Note. Protection and Promotion of Civic Space*. September 2020. New York, United Nations. https://www.ohchr.org/Documents/Issues/CivicSpace/UN_Guidance_Note.pdf
- United Nations Committee on Economic, Social and Cultural Rights. 2009. General comment no. 21, *Right of everyone to take part in cultural life* (art. 15, para. 1a of the Covenant on Economic, Social and Cultural Rights). E/C.12/GC/21. New York, United Nations Committee on Economic, Social and Cultural Rights. <https://undocs.org/E/C.12/GC/21>
- United Nations Congress on Crime Prevention and Criminal Justice. 2021. *Kyoto declaration on advancing crime prevention, criminal justice and the rule of law: towards the achievement of the 2030 Agenda for Sustainable Development*. https://www.unodc.org/documents/commissions/Congress/21-02815_Kyoto_Declaration_ebook_rev_cover.pdf

United Nations Department on Economic and Social Affairs. 2019. *Handbook for the Preparation of Voluntary National Reviews. The 2019 Edition*. High Level Political Forum on Sustainable Development. New York, United Nations Department on Economic and Social Affairs. https://sustainabledevelopment.un.org/content/documents/20872VNR_hanbook_2019_Edition_v2.pdf

United Nations General Assembly. 1948. *Universal Declaration of Human Rights*. 217 A (III). <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

-----, 1966. *International Covenant on Civil and Political Rights*. 2200A (XXI). <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

-----, 1966. *International Covenant on Economic Social and Cultural Rights*. 2200A (XXI). <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>

-----, 2013. *Resolution on The Safety of Journalists and the Issue of Impunity*. A/RES/68/163. New York, United Nations. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N13/449/23/PDF/N1344923.pdf?OpenElement>

-----, 2014. *Resolution on The Safety of Journalists and the Issue of Impunity*. A/RES/69/185. New York, United Nations. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N14/708/55/PDF/N1470855.pdf?OpenElement>

-----, 2015. *Resolution on The Safety of Journalists and the Issue of Impunity*. A/RES/70/162. New York, United Nations. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N15/442/22/PDF/N1544222.pdf?OpenElement>

-----, 2017. *Resolution on The Safety of Journalists and the Issue of Impunity*. A/C.3/72/L.35/Rev.1. New York, United Nations. <https://documents-dds-ny.un.org/doc/UNDOC/LTD/N17/380/92/PDF/N1738092.pdf?OpenElement>

-----, 2019. *Resolution on The Safety of Journalists and the Issue of Impunity*. A/RES/74/157. New York, United Nations. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N19/428/62/PDF/N1942862.pdf?OpenElement>

United Nations Human Rights Committee. 2011. *General comment no. 34. Article 19: Freedoms of opinion and expression*. CCPR/C/GC/34. Geneva, United Nations Human Rights Council. <https://www2.ohchr.org/english/bodies/hrc/docs/gc34.pdf>

United Nations High Commissioner for Human Rights. 2013. *Safety of Journalists. Report of the United Nations High Commissioner for Human Rights*. A/HRC/24/23. Human Rights Council. <https://undocs.org/en/A/HRC/24/23>

-----, 2018. *Safety of Journalists. Report of the United Nations High Commissioner for Human Rights*. A/HRC/39/23. Human Rights Council. <https://undocs.org/A/HRC/39/23>

United Nations Human Rights Council. 2011. *Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief*. Resolution adopted by the 16th session of the Human Rights Council. A/HRC/RES/16/18. https://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/A.HRC.RES.16.18_en.pdf

-----, 2012. *Safety of Journalists*. Resolution adopted by the 21st session of the Human Rights Council. A/HRC/RES/21/12. Geneva, United Nations Human Rights Council. http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/a_hrc_res_21_12.pdf

-----, 2014. *The Safety of Journalists*. Resolution adopted by the 27th session of the Human Rights Council. A/HRC/27/5. Geneva, United Nations Human Rights Council. https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/27/5

-----, 2016. *The Safety of Journalists*. Resolution adopted by the 33rd session of the Human Rights Council. A/HRC/RES/33/2. Geneva, United Nations Human Rights Council. https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/33/2

-----, 2018. *The Safety of Journalists*. Resolution adopted by the 39th session of the Human Rights Council. A/HRC/RES/39/6. Geneva, United Nations Human Rights Council. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G18/296/43/PDF/G1829643.pdf?OpenElement>

-----, 2020. *The Safety of Journalists*. Resolution adopted by the 45th session of the Human Rights Council. A/HRC/RES/45/18. Geneva, United Nations Human Rights Council. <https://digitallibrary.un.org/record/3888335?ln=fr>

-----, 2021. *The Safety of Journalists*. Resolution adopted by the 47th session of the Human Rights Council. A/HRC/47/L.22. Geneva, United Nations Human Rights Council. <https://undocs.org/A/HRC/47/L.22>

- United Nations Secretary-General. 2017. *The Safety of Journalists and the Issue of Impunity: Report of the Secretary-General*. A/72/90. New York, United Nations. <https://www.undocs.org/A/72/290>
- , 2019. *The Safety of Journalists and the Issue of Impunity: Report of the Secretary-General*. A/74/314. New York, United Nations. <https://undocs.org/A/74/314>
- , 2020a. *COVID-10 and Human Rights. We are all in this together*. April 2020. New York, United Nations. https://www.un.org/sites/un2.un.org/files/un_policy_brief_on_human_rights_and_covid_23_april_2020.pdf
- , 2020b. *The Highest Aspiration. A call to Action for Human Rights*. New York, United Nations. https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/The_Highest_Aspiration_A_Call_To_Action_For_Human_Right_English.pdf
- , 2021. *Protection of civilians in armed conflict. Report of the Secretary-General*. S/2021/423. United Nations Security Council. https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2021_423.pdf
- United Nations Security Council. 2006. *Resolution 1738*. S/RES/1738. New York, United Nations. https://en.unesco.org/sites/default/files/resolution_1738_en.pdf
- , 2013. *Resolution 2100*. Establishment of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), S/RES/2100, New York, United Nations. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N13/314/17/PDF/N1331417.pdf?OpenElement>
- , 2015. *Resolution 2222*. S/RES/2222. New York, United Nations. <https://digitallibrary.un.org/record/793613?ln=fr>
- Voces del Sur. 2020. *Una región con claroscuros: Informe sombra sobre el cumplimiento del ODS 16.10.1 en 8 países de LAC*. <https://www.cainfo.org.uy/2020/09/voces-del-sur-presenta-informe-sombra-2019-que-detalla-las-agresiones-a-la-prensa-en-la-region/>
- , 2021. *Voces del Sur Informe Sombra 2020* (video). <https://www.youtube.com/watch?v=r7qu2N2CLhY>
- Whyatt, S. (2023) *Free to create: Artistic freedom in Europe*. Council of Europe report on the freedom of artistic expression. Provisional version. <https://rm.coe.int/free-to-create-council-of-europe-report-on-the-freedom-of-artistic-exp/1680aa2dc0>
- Whyatt, S. and Reitov, O. 2019. *Arts Rights Justice Observatory Study I: Protecting and Promoting Artistic Freedom*. Hildesheim, Foundation University of Hildesheim. https://hildata.uni-hildesheim.de/api/v1/objects/uuid/acb0f28d-631d-4eb3-8393-55965670477a/file/id/18175/file_version/name/original
- Xanthaki, A. 2022. *Cultural rights: Capturing the state of the art. Report of the Special Rapporteur in the field of cultural rights*. Advanced unedited version. A/HRC/49/54. <https://www.ohchr.org/en/documents/thematic-reports/ahrc4954-cultural-rights-empowering-agenda-report-special-rapporteur>
- Yazaji, R. and Schmidt, M. 2022. 'An Exercise in Sitting with Discomfort: Towards more equitable support for international relocation in North-South contexts' *ifa Edition Culture and Foreign Policy*. Stuttgart, Martin Roth Initiative; ifa (Institut für Auslandsbeziehungen). <https://nbn-resolving.org/urn:nbn:de:0168-ss0ar-83255-7>
- Yeğinsu, C. 2020. *Report on Providing Safe Refuge to Journalists at Risk*. Report of the Independent High Level Panel of Legal Experts on Media Freedom. London, International Bar Association. <https://www.ibanet.org/Safe-Refuge-report-launch-2020>

LIST OF INTERVIEWS UNDERTAKEN DURING THE RESEARCH

Interviewee*	Title/Organization	Date
1 Ole Reitov	Independent consultant. Member of EU/UNESCO Expert Facility on the 2005 Convention. Co-founder and former Executive Director of Freemuse.	2 March 2022
Sara Whyatt	Independent consultant. Member of EU/UNESCO Expert Facility on the 2005 Convention. Former director of PEN International's freedom of expression programme.	
2 Hege Newth	Secretary General, Norwegian PEN	3 March 2022
3 Laurence Cuny	UNESCO Chair on the diversity of cultural expressions at Laval University. Member of EU/UNESCO Expert Facility on the 2005 Convention.	4 March 2022
4 Gerd Elmark	Executive Director a.i., Freemuse (at the time of the interview).	4 March 2022
5 Adam Shapiro	Head of Communications & Visibility, Frontline Defenders.	7 March 2022
6 Katherine Schofield	External lead International Campaign for Afghanistan's Musicians. Historian and Senior lecturer in South Asian Music and History at King's College London.	10 March 2022
7 Jesper Højberg	Executive Director, International Media Support.	11 March 2022
Colette Wahlqvist	Global Safety Advisor, International Media Support.	
8 Lucy Westcott	Emergencies Director, Committee to Protect Journalists.	14 March 2022
Catalina Cortes Castillo	Consultant, Committee to Protect Journalists.	
9 Wijayananda Jayaweera	Independent Consultant. Former Director of UNESCO's Communication Development Division and the International Programme for the Development of Communication (IPDC) at UNESCO.	17 March 2022
10 Mogens Schmidt	Senior International Advisor for press freedom and media development. Former Deputy to the Assistant-Director General for Communication and Direction of the Division of Freedom of Expression, Democracy and Peace at UNESCO.	17 March 2022
11 Julie Trébault	Director, PEN America's Artists at Risk Connection.	17 March 2022
Jessica Sun	Programme Coordinator, PEN America's Artists at Risk Connection.	

12 Nadia Ammi	Assistant Project Officer at UNESCO's Emergency Preparedness and Response Unit and formerly UN Volunteer at MINUSMA (worked on implementing its cultural support mandate).	18 March 2022
13 Jan Lothe Eriksen	General Manager, Safemuse.	23 March 2022
14 Sylvie Coudray	Chief of the Executive Office of UNESCO's Communication and Information Sector. Former Chief of the Freedom of Expression and Safety of Journalists Section.	23 March 2022
15 Artist 1		27 April 2022
16 Marita Muukkonen	Co-founding Director, Perpetuum Mobile/Artists at Risk.	17 November 2022
Ivor Stodolsky	Co-founding Director, Perpetuum Mobile/Artists at Risk.	
17 Artist 2		9 March 2023
18 Artist 3		10 March 2023
19 Artist 4		17 March 2023
20 Artist 5		17 March 2023

* The artists interviewed remain in anonymity, to ensure their and their families' privacy and safety.

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DEFENDING CREATIVE VOICES

Artists in emergencies

Learning from the safety of journalists

Artists and cultural professionals often come across significant challenges to their freedom of expression, including violence and harassment – online and offline – legal persecution, detention, imprisonment and, in the worst of cases, murder. Emergency situations can result in additional risks for them, as many become increasingly targeted in connection to the visibility of their work and see their livelihoods impacted upon by income loss and unemployment in the cultural sector.

While the attacks and threats that artists and cultural professionals face during emergencies are similar to those affecting journalists, they do not receive the same level of attention nor access to protection mechanisms and opportunities for assistance. Over the past decades, a strong framework has emerged to advance journalists' safety at international, regional and national levels, including through legal and regulatory instruments, protection mechanisms, support networks and consistent collective mobilization for their rights. Despite growing awareness of the vulnerability of artists and cultural professionals in emergency contexts and increased efforts to safeguard their rights and ensure their safety, progress in this regard remains comparatively much more incipient.

With the support of UNESCO's Culture and Communication and Information Sector, and based on a comparative analysis, this study therefore aims to strengthen the protection of artists and cultural professionals during emergencies by drawing lessons from the experience, challenges, and achievements in the field of journalists' safety. It presents actionable recommendations and identifies areas in which synergies between key stakeholders promoting, respectively, artistic and media freedom could serve to reinforce the protection of both at-risk artists and journalists.



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