ARTISTIC FREEDOM INITIATIVE | INITIATIVE POUR LA LIBERTÉ ARTISTIQUE

Submission of Artistic Freedom Initiative to the Special Rapporteur in the field of cultural rights

Call for inputs on assessing the implementation of cultural rights

Date: May 2026

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Submitting organizations: Artistic Freedom Initiative (AFI), Initiative pour la Liberté Artistique (ILA)
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About AFI & ILA

Artistic Freedom Initiative (AFI), together with its sister organization Initiative pour la Liberté Artistique (ILA), provides pro bono immigration representation, resettlement assistance, and related support to international artists at risk, and conducts research, monitoring, and advocacy to protect artistic freedom.[i] This submission focuses on indicators relevant to freedom of artistic expression, cultural participation, mobility and protection pathways, and the independence of cultural institutions.

Questions

What indicates to you that cultural diversity is recognized and valued in your country? What indicates to you that it is not recognized?

For AFI/ILA, cultural diversity is a multidimensional human rights concept. It concerns the existence of different identities, traditions, memories and forms of heritage, but also the conditions under which individuals and communities can create, access, contest, reinterpret and share diverse cultural expressions in public life. Cultural diversity is recognized and valued where artists, cultural workers, cultural communities and cultural institutions can create, present, fund, preserve, teach, research, debate and access diverse artistic expressions without fear of discrimination, retaliation or undue political interference.[ii]

Cultural diversity is recognized and valued where public authorities materially support pluralism through transparent and viewpoint-neutral funding, equitable access to cultural spaces, professional autonomy for cultural institutions, and the inclusion of minority, dissident, migrant, LGBTQ+, women's, Indigenous, and historically marginalized voices. It is not meaningfully recognized where cultural policy is used to privilege a single political, religious,

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national, moral, or ideological vision of culture, or where certain artists, communities, histories, or forms of expression are censored, stigmatized, excluded from public support, or made less viable through political or administrative pressure.

What indicates to you that there is or is not meaningful participation of individuals and groups in decision-making impacting their rights or well-being?

Meaningful participation exists where individuals and groups can help shape the cultural conditions that affect their rights, identities, livelihoods and well-being. The 2005 UNESCO Convention provides a useful anchor. Article 7 calls on States to create an environment in which individuals and social groups can create, disseminate and access their own cultural expressions, while Article 11 requires States to encourage civil society's active participation.[iii] In the field of artistic expression, this means that artists, cultural workers, cultural communities, civil society organizations, independent institutions and affected publics must be able to influence decisions on funding, programming, cultural education, heritage, institutional leadership, censorship, protection and access to public cultural space.

For AFI/ILA, artistic freedom is a practical lens through which to assess meaningful participation in cultural life. Participation is meaningful where artists and cultural workers can create, circulate work, and influence the systems that determine whether such work can exist. It is not meaningful where artists or communities are excluded from policy design, consulted only after decisions are finalized, exposed to retaliation, or acknowledged while independent expertise is overridden.

What indicates to you that cultural rights, as defined above, are respected, protected and promoted, or not, in your country?

The assessment of whether cultural rights are respected, protected and promoted should be anchored in binding human rights law as well as in cultural-policy frameworks. Article 15 of the International Covenant on Economic, Social and Cultural Rights recognizes the right of everyone to take part in cultural life, and CESCR General Comment No. 21 requires States to ensure the availability, accessibility, acceptability, adaptability and appropriateness of cultural goods, services, institutions and policies. [iv] Artistic freedom is especially relevant because it sits at the intersection of freedom of expression, the right to take part in cultural life, freedom of association, equality and non-discrimination, minority rights, labor rights, and the right to enjoy the benefits of scientific progress and its applications. Read together with the 2005 UNESCO Convention, these standards require conditions in which individuals and communities can access, shape and contribute to cultural life freely and equally.

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By contrast, indicators that cultural rights are being respected, protected and promoted include: legal protection for artistic freedom and access to effective remedy; transparent and arm's-length cultural governance; equitable access to public funding and cultural spaces; protection of artists' safety, mobility, and social and economic rights; and reliable data collection on inclusion, participation, and rights violations in cultural life. These indicators should be read together, since cultural rights may be formally recognized while being undermined in practice through censorship, institutional capture, discriminatory exclusion, or retaliation.

AFI/ILA's research has identified indicators of state failure to meet these obligations across different political contexts. In authoritarian and crisis contexts, including Iran, Nicaragua and Afghanistan, artistic participation is restricted through criminalization, surveillance, prosecution, imprisonment, denationalization, forced displacement or exile, and reprisals, making open participation in cultural and civic life unsafe.[v] In contexts of democratic backsliding or heightened political pressure on cultural governance, artistic freedom and cultural participation may be weakened through less overt but structurally effective measures: political control of cultural institutions, ideological funding conditions, replacement or marginalization of independent expert bodies, opaque appointments and dismissals, censorship of public programming, and policies that stigmatize dissenting or marginalized cultural expression. AFI/ILA has documented these mechanisms in different national configurations, including Hungary, Poland, Slovakia, and recent developments in the United States.[vi]

What specific indicators or measurements have been developed to assess cultural rights?

Cultural rights monitoring remains underdeveloped. Existing instruments provide important foundations but do not yet capture the lived and institutional conditions that determine whether cultural rights are exercised in practice.

The UNESCO 2005 Convention monitoring framework includes artistic freedom under Goal 4, 'Promote human rights and fundamental freedoms.'[vii] It asks whether policies and measures protect freedom of creation, expression and participation in cultural life, and whether they protect the social and economic rights of artists and cultural professionals. This is a strong foundation, but it should be complemented by indicators that track violations, structural risks, remedies and the independence of cultural institutions.

Broader democracy and freedom assessments, including Freedom House's *Freedom in the World*, V-Dem, and the Academic Freedom Index, offer useful methodological models for

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expert-coded and comparative measurement, but they do not isolate artistic freedom, cultural governance, or institutional autonomy in the cultural sector.[viii]

AFI/ILA's own monitoring methodology attempts to address some of these gaps by combining structural and lived dimensions of artistic freedom violations. It tracks laws, executive actions, funding decisions, administrative measures, institutional governance changes, documented incidents, and testimony from artists and cultural workers. Through its Artistic Freedom Monitor and country reporting, AFI seeks to capture both formal policy conditions and the practical realities shaping artistic freedom in context.[ix]

What specific indicators, if any, are monitored in your country / field to measure the exercise of freedom of artistic expression?

AFI/ILA monitors freedom of artistic expression through incident-based and structural indicators. Incident-based indicators include censorship, cancelled or altered programmes, book bans, prosecutions, arrests, threats, harassment, surveillance, mobility restrictions, exile, denationalization, funding withdrawal and self-censorship. Structural indicators include vague morality, security, extremism, blasphemy, 'foreign influence' or child-protection provisions; politicized grant-making; concentration of cultural governance; weakening of arm's-length bodies; and official discourse that delegitimizes particular communities or artistic forms.

In your view, which type of enquiry or indicators would be the most useful to assess the implementation of cultural rights in your country?

AFI/ILA recommends a dedicated artistic freedom module within any cultural rights indicator framework. The module should combine structural, process and outcome indicators. Structural indicators should assess whether laws, policies and institutions formally protect artistic freedom, cultural participation and institutional autonomy. Process indicators should measure whether these safeguards operate in practice, through transparent funding, independent appointment procedures, rights-consistent programming rules, mobility pathways, complaint mechanisms and protection measures for artists at risk. Outcome indicators should track censorship, cancellations, prosecutions, threats, self-censorship, exclusion from cultural spaces, funding loss, institutional capture and unequal access to cultural participation.

AFI/ILA also recommends monitoring the autonomy of cultural institutions as a specific indicator. Relevant sub-indicators include legal guarantees of arm's-length governance; transparent and merit-based appointment, dismissal and review procedures; objective,

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publicly reasoned and appealable funding decisions; editorial, curatorial and research independence; safeguards against viewpoint discrimination; and documented cases of political interference in programming, collections, staffing, grants or institutional mandates.

GIVEN YOUR EXPERIENCE, WHICH ENQUIRY RESULTS OR INDICATORS OF CULTURAL RIGHTS COULD OFFER DATA THAT ENABLE ASSESSING PROGRESS OVER TIME AND COMPARISON AT THE INTERNATIONAL LEVEL?

AFI/ILA recommends strengthening cultural rights monitoring through indicators that can capture change over time and allow comparison across countries. These could be integrated into existing international assessment frameworks, including UNESCO reporting under the 2005 Convention, UPR and treaty body reporting, SDG-related monitoring, and global indices on democracy, civic space, and freedom of expression. This would help ensure that cultural rights are assessed as part of the broader enabling environment for pluralism, participation, and fundamental freedoms.

AFI/ILA also recommends developing a composite international indicator on artistic freedom, modelled in part on the Academic Freedom Index.[x] Such an indicator should go beyond incidents of censorship or persecution, while continuing to document them, and assess several dimensions: legal protections for artistic freedom; censorship, criminalization, harassment and violence affecting artists and cultural workers; transparent and non-discriminatory access to public funding and cultural spaces; social and economic conditions for artists; participation of artists and civil society in cultural policy-making; mobility and protection pathways; and the autonomy of cultural institutions from undue political, ideological or administrative interference. The mobility dimension should include visa and entry restrictions, exit bans, denationalization, exile, access to emergency relocation and humanitarian pathways, and the recognition of artistic persecution as a basis for international protection.

WHICH NATIONAL INSTITUTIONS WOULD BE BEST PLACED TO CONDUCT SUCH ENQUIRY AND GATHER SUCH DATA, THROUGH WHICH PROCEDURE, AND AT WHICH PERIODICITY?

At national level, A-status national human rights institutions are well placed to conduct independent cultural-rights inquiries, provided they have adequate mandate, expertise, resources and access to cultural actors. They should work with independent civil society monitors, professional associations, artists' unions, universities and cultural-rights experts. National statistical offices can support baseline data on cultural participation, budgets, employment and geographic access, but should not be the sole custodians of artistic freedom data, which requires qualitative, legal and human rights analysis. Data should be collected

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annually, with urgent incident reporting where artists, cultural workers or institutions face prosecution, detention, threats, censorship or retaliatory funding decisions; a four-year global review could align with the UNESCO 2005 Convention reporting cycle.

If a stand-alone culture goal were to be adopted in the global development agenda, which indicators would best enable assessment of the implementation of that goal?

AFI/ILA welcomes the development of the Culture 2030 Goal as an opportunity to give culture a clearer place in the global development agenda.[xi] From a cultural rights perspective, however, a stand-alone Culture Goal should assess not only cultural participation rates, public expenditure, infrastructure, or the economic contribution of the cultural and creative sectors, but also whether the conditions necessary for cultural freedom, diversity, and pluralism exist in practice.

The current SDG framework already recognizes, under Target 16.10, that sustainable development depends on public access to information and the protection of fundamental freedoms.[xii] This has created an important entry point for monitoring media freedom and the safety of journalists as part of the enabling environment for democratic participation. A future Culture Goal should create a parallel entry point for artistic freedom, recognizing that artists, cultural workers, and cultural institutions also contribute to public access to ideas, pluralism, and participation in cultural life.

AFI/ILA therefore recommends that a Culture Goal indicator framework include a dedicated dimension on artistic freedom, the safety and social and economic rights of artists and cultural professionals, and the independence of cultural institutions. Relevant indicators should assess censorship, intimidation, prosecution, politically motivated funding restrictions, restrictions on mobility, discriminatory exclusion, retaliation against artists and cultural workers, self-censorship, and interference in institutional governance. They should also examine whether cultural institutions can exercise professional judgment and present diverse cultural expressions without ideological pressure. Without such indicators, a Culture Goal risks measuring cultural activity without assessing whether cultural life is free, pluralistic, and accessible on equal terms.

Endnotes

[i] Artistic Freedom Initiative, "Our Work," https://artisticfreedominitiative.org/our-work/

[ii] UNESCO, *Universal Declaration on Cultural Diversity* (Paris: UNESCO, 2001), arts. 1–5; UNESCO, *Convention on the Protection and Promotion of the Diversity of Cultural Expressions* (Paris: UNESCO, 2005), preamble and arts. 1–2.

[iii] UNESCO, *Convention on the Protection and Promotion of the Diversity of Cultural Expressions* (Paris: UNESCO, 2005), arts. 7 and 11; UNESCO, *Basic Texts of the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions*, 2023 ed. (Paris: UNESCO, 2023), Operational Guidelines on Measures to Promote Cultural Expressions and Role and Participation of Civil Society, 26–28, 46–47.

[iv] International Covenant on Economic, Social and Cultural Rights, art. 15; Committee on Economic, Social and Cultural Rights, *General Comment No. 21: Right of Everyone to Take Part in Cultural Life (Art. 15, Para. 1(a), of the International Covenant on Economic, Social and Cultural Rights)*, UN Doc. E/C.12/GC/21, December 21, 2009, paras. 16–19.

[v] Artistic Freedom Initiative, *Artistic Exodus: Afghan Artists Fleeing Taliban Rule* (New York: Artistic Freedom Initiative, 2023); Artistic Freedom Initiative and Voices Unbound, *I Create; I Resist: Iranian Artists on the Frontline of Social Change* (New York: Artistic Freedom Initiative and Voices Unbound, 2024); Artistic Freedom Initiative and CADAL, *Echoes of Freedom: Art as a Voice of Resistance in Nicaragua* (New York and Buenos Aires: Artistic Freedom Initiative and CADAL, 2024).

[vi] Artistic Freedom Initiative, *Artistic Freedom Monitor: Hungary—Systematic Suppression: Hungary's Arts and Culture in Crisis* (New York: Artistic Freedom Initiative, 2022); Artistic Freedom Initiative, *Artistic Freedom Monitor: Poland—Cultural Control: Censorship and Suppression of the Arts in Poland* (New York: Artistic Freedom Initiative, 2022); Artistic Freedom Initiative and Open Culture!, *Early Warning: The Politicization of Arts and Culture in Slovakia* (New York and Bratislava: Artistic Freedom Initiative and Open Culture!, 2025); Artistic Freedom Initiative, *Artistic Freedom Monitor: United States, January 1–December 31, 2025* (New York: Artistic Freedom Initiative, 2025).

[vii] UNESCO, *Re|Shaping Policies for Creativity: Addressing Culture as a Global Public Good: 2022 Global Report* (Paris: UNESCO, 2022), "Monitoring Framework of the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions."

[viii] Freedom House, *Freedom in the World 2025: Methodology Questions* (Washington, DC: Freedom House, 2025); Michael Coppedge et al., *V-Dem Methodology v16* (Gothenburg: Varieties of Democracy Institute, 2026); Janika Spannagel and Katrin Kinzelbach, "The Academic Freedom Index and Its Indicators: Introduction to New Global Time-Series V-Dem Data," *Quality & Quantity* 57 (2023): 3969–3989.

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[ix] Artistic Freedom Initiative, "Artistic Freedom Monitor USA," https://artisticfreedominitiative.org/artistic-freedom-monitor-usa/.

[x] Academic Freedom Index, "Academic Freedom Index," accessed May 26, 2026, https://academic-freedom-index.net/

[xi] Culture 2030 Goal Campaign, *The Culture Goal: From Necessity to Reality* (Barcelona: Culture 2030 Goal Campaign, 2025).

[xii] United Nations General Assembly, *Transforming Our World: The 2030 Agenda for Sustainable Development*, UN Doc. A/RES/70/1, September 25, 2015, Target 16.10.

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