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## **STEERING COMMITTEE FOR CULTURE, HERITAGE AND LANDSCAPE (CDCPP)**

### **CULTURE**

#### **Contribution to the 70th anniversary of the European Convention on Human Rights:**

- **Manifesto on the Freedom of Expression of Arts and Culture in the Digital Era**
- **Concept for a Council of Europe Digital #Exhibition featuring works of art from member States to promote the importance of freedom of artistic expression ("Free to Create – Create to be Free")**

#### **Progress report on the Association of the Compendium of Cultural Policies and Trends – Interim Report, 19 October 2020**

#### **Cultural Policy Peer Reviews – North Macedonia**

For information and action

Secretariat Memorandum  
prepared by the  
Directorate of Democratic Participation  
Culture, Nature and Heritage Department

## I. Contribution to the 70th anniversary of the European Convention on Human Rights:

- **Manifesto on the Freedom of Expression of Arts and Culture in the Digital Era;**
- **Concept for a Council of Europe Digital #Exhibition featuring works of art from member States to promote the importance of freedom of artistic expression ("Free to Create – Create to be Free")**

### Introduction

On the occasion of the 70<sup>th</sup> anniversary of the European Convention on Human Rights (ECHR) and given the ongoing need to defend freedom of expression as a fundamental human right to ensure the protection of democratic values in society, and following consultations with the Steering Committee for Culture, Heritage and Landscape (CDCPP) in April (Bureau), June (one-day plenary meeting) and online exchanges from June to October, the Committee is to launch a **Manifesto** on the Freedom of Expression of Arts and Culture in the Digital Era and a concept for a new Council of Europe **Digital #exhibition** on this issue (**Appendix 1** and **Appendix 2**).

The Manifesto and exhibition concept are results of the work of an *ad-hoc* group of experts, to which the Chair and Vice-Chair of the CDCPP contributed. The present Manifesto is a topical résumé of the debate on the role of arts and artistic freedom in current times and a strong appeal to respect this freedom as part of the legal framework of the European Convention on Human Rights (ECHR). The digital #exhibition will feature works of art from Council of Europe member States, with a view to promoting the importance of freedom of artistic expression and the role of art and culture in these times when democracy is under great pressure from the regional and global challenges relating to political, economic, technological and environmental issues.

The project is a follow-up to the [30<sup>th</sup> Council of Europe Art Exhibition](#) “The Desire for Freedom: Art in Europe since 1945” (2012-15), drawing attention to the interrelation of the sector's work with the core values of the Council of Europe and specifically, with the right for freedom of expression as expressed in Article 10 of the ECHR, and thus the sector's contribution to upholding Human Rights, Democracy and the Rule of Law.

### Action required

The CDCPP is invited to:

- launch the Manifesto on the Freedom of Expression of Arts and Culture in the Digital Era and the concept of a digital #exhibition "Free to Create – Create to be Free" by the Council of Europe as contributions to the 70th anniversary of the European Convention on Human Rights;
- mobilise member States and other stakeholders to support the Manifesto and contribute actively to the implementation of the digital #exhibition by providing, in digital format, works of art from member States that promote the freedom of expression and by providing voluntary contributions for the realisation of the project.

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## II. Progress report on the Association of the Compendium of Cultural Policies and Trends – Interim Report, 19 October 2020

### Annual Compendium Assembly

On 24 September, the Association of the Compendium of Cultural Policies and Trends hosted its third Assembly for members and expert authors. Due to the current pandemic circumstances, this year's meeting was digital and focused solely on the past, present and future plans for the Compendium. In addition to discussing these plans with the Compendium community, new members for both the Compendium Association's board and the Assembly of Compendium Experts' board were elected.

The board of the Compendium Association welcomes new members Adrian Debattista (Head of Strategy and Senior Researcher, Arts Council Malta), Baiba Tjarve (Senior Researcher, Latvian Academy for Culture) and Anna Kanerva (Senior Researcher and Vice-Director, Cupore). Levan Kharatishvili will be ready to replace Kimmo Aulake as the CDCPP representative in the Compendium Board. The new board members are looking forward to continuing to improve the Compendium Association, together with the new Service Provider (Kulturpolitische Gesellschaft e.V.) from 2021 onwards.

The Compendium would like to thank the outgoing board members Marjo Mäenpää (Chair), Jean-Cédric Delvainquière (Vice-Chair), Anna Villarroja and Carmen Croitoru for their commitment and hard work in shaping the Compendium in its crucial transformative years into a multi-stakeholder association.

### Action required

The CDCPP is invited to:

- welcome the developments regarding the Association of the Compendium of Cultural Policies and Trends and specifically the Covid-19 section featuring country reports on measures taken by Governments and other stakeholders in the cultural sector (<https://www.culturalpolicies.net/covid-19/>) and the section about online cultural initiatives (<https://www.culturalpolicies.net/covid-19/online-initiatives/>) in different sectors;
- encourage member States and interested cultural policy research institutions to become Stakeholder members of the Compendium Association.

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## III. Cultural Policy Peer Reviews – North Macedonia

Given the current working conditions related to the pandemic, the Cultural Policy Peer Review of North Macedonia, initially planned for March 2020, has not yet been possible. The new Government is in contact with the Secretariat to carry out a review, with a focus on cultural heritage linked to the development of cultural and creative industries and enhancing regional co-operation. The review team will include a number of independent experts, as well as regional neighbouring contributors from relevant Ministries and a member of the Council of Europe Secretariat.

The review is planned for December 2020, using a new methodology for online policy reviews, prepared by KEA for the Council of Europe.

### Action required

The CDCPP is invited to:

- note the forthcoming online cultural policy peer review of North Macedonia, in the framework of the Council of Europe's programme of policy reviews and legal assistance to member States in the fields of culture and heritage;
- notify the Committee and Secretariat of any interest in undertaking similar reviews in individual countries.



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FOR THE COUNCIL OF EUROPE IN THE FRAMEWORK OF  
THE 70TH ANNIVERSARY OF THE EUROPEAN CONVENTION  
ON HUMAN RIGHTS

# **MANIFESTO ON THE FREEDOM OF EXPRESSION OF ARTS AND CULTURE IN THE DIGITAL ERA**

This Manifesto was first introduced on 30 June 2020 on the occasion of the meeting of the Steering Committee for Culture, Heritage and Landscape (CDCPP) and consulted with delegations until 2 October 2020. It will be launched at the CDCPP meeting on 10 November 2020.

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## Manifesto on the Freedom of Expression of Arts and Culture in the Digital Era

The Council of Europe is the oldest and only pan-European body ensuring Human Rights, Democracy and the Rule of Law for 830 million citizens in Europe. It does so by means of the 1950 European Convention on Human Rights and the European Court of Human Rights that was established in 1959. Over the years, a multitude of legal, monitoring, capacity building and awareness-raising instruments has been added to this *acquis* in the policy sectors relevant for ensuring the respect for, and implementation of, human rights in the daily life of Europeans.

With democracy under great pressure from the regional and global challenges relating to political, economic, technological, health and environmental issues<sup>1</sup>, the 70th anniversary of the European Convention on Human Rights is a good time to highlight the key role of arts and culture as powerful means for maintaining constructive dialogue in democratic and open societies.

It is frequently the artists, experts and cultural professionals who hint at problems, spell out uncomfortable truths, speak the unspoken and make the unseen visible – using their artistic and cultural means, and creating spaces for societal debate within and beyond the mainstream bodies of political discourse and in social media.

The European continent strongly identifies with common values and its long-standing democratic traditions, and freedom of expression, including artistic freedom, is globally its most significant and consequential export. Article 10 of the Convention protects the right to Freedom of Expression, including freedom of artistic expression. In recent years, with democracy facing increasing challenges, there is evidence of growing interference from certain state bodies in the freedom of artistic expression<sup>2</sup>, and also interference from non-state actors in Europe. Therefore, the Steering Committee for Culture, Heritage and Landscape<sup>3</sup> is keen to emphasise that:

- Human Rights are indivisible. Freedom of expression is a core human right;
- Freedom of expression needs to be protected, be it from abuse of technological developments, attempts to muzzle dissenting voices in a society or misuse of the freedom of expression to foster divisive narratives, intolerance and hate;
- Artistic and creative expression is a part of the freedom of expression and artists must be protected against censorship and any form of pressure or intimidation. Any limitation should be in line with the European Convention on Human Rights and the case law of the European Court of Human Rights;
- Restrictions on freedom of expression and artistic freedom affect the whole of society, bereaving it of its pluralism and the vitality of the democratic process. The ecosystem of artistic freedom affects education, cultural development, socio-economic standards, well-being, quality of life and social cohesion<sup>4</sup>;

<sup>1</sup> Massive disinformation and increasing censorship on the internet, social media and mainstream media and the fabrication of myths, the spread of far-left and far-right movements, growing social and economic inequality, the degradation of the environment and climate change as a result of CO<sub>2</sub> emissions, to name but a few.

<sup>2</sup> For details of attacks on artistic freedom, visit the following organisations social media and web sites: Freemuse - [www.freemuse.org](http://www.freemuse.org); PEN International - [www.pen-international.org](http://www.pen-international.org), Index on Censorship - [www.indexoncensorship.org](http://www.indexoncensorship.org); Artists at Risk Connection - [www.artistsatriskconnection.org](http://www.artistsatriskconnection.org)

<sup>3</sup> In line with the Statutes of the Organisation, the CDCPP is mindful of the Council of Europe's role as a platform for constructive dialogue and successful intergovernmental co-operation in the cultural field since 1954 (European Cultural Convention).

<sup>4</sup> In line with the 2005 UNESCO Convention on the protection and the promotion of the diversity of cultural expressions.



- It is the diversity in cultures, languages, art forms and free artistic expressions that nourishes intercultural dialogue and co-operation. Freedom of expression is reflected in a diverse and stimulating artistic and cultural environment and contributes to mutual understanding and living together;
- Artistic freedom is associated, *inter alia*, with curiosity, creativity, innovation, self-realisation, critical thinking and those competences that will be increasingly required for mediating between humans and technologies: arts and culture are central for paving the human-centred way to the future that may be marked by machine-intelligence and man-machine interaction;
- Arts and culture emphasise, express, communicate and anticipate the human reaction to social changes, and provide connections between economic/technological logics and sustainable development. Creativity and diverse cultural expressions, enabled and stimulated by artistic freedom and freedom of expression, are then catalysts for creating sustainable development planning and policies;
- The power of artistic expression to communicate and open up for new perspectives and ideas makes the artist, artistic mobility and artistic freedom strategic resources for society, helping to overcome fragmentation and addressing today's planetary challenges;
- In these difficult times marked by the COVID-19 crisis and where artists' and the cultural and creative sector's revenue generation is severely affected by confinement measures and where at the same time the importance of arts and culture becomes ever more visible as societal resources to keep people included, connected and inspired, it is important to include artists and the cultural sector as beneficiaries of economic support packages made available by states;
- Today's artists and cultural workers are producing the heritage of tomorrow, frequently linking the past, present and future in their acts and products. Their work inspires by anticipating, reflecting on society and memorialising, strengthening individual and collective identities and raising democratic consciousness;
- Neglect, damage, falsification and destruction of cultural heritage, especially in times of crisis, affect human rights. The protection, conservation and enhancement of cultural heritage is essential to the freedom of expression of human societies;
- To pay tribute to the key role of arts, culture and the work of artists in the ongoing endeavour to uphold Human Rights, Democracy and the Rule of Law, and in line with the 30th Council of Europe Art Exhibition "The Desire for Freedom: Art in Europe since 1945" (2012-15), the Organisation is invited to dedicate a digital #exhibition to showcase works of art and culture from its member States that speak directly of the ongoing quest for freedom of expression and that feature artists as critical agents for the survival of vibrant democracies in the globalised society of today.

## **A P P E N D I X**

### **Background Information**

This Manifesto is the fruit of the work carried out by an expert group (Jaroslav Andel, Giuliana De Francesco, Kata Krasznahorkai, Mary Ann DeVlieg, Sara Whyatt, supported by Levan Kharatishvili). A first draft was elaborated in March 2020, with a view to preparing a contribution by the cultural sector to the 70<sup>th</sup> anniversary of the European Convention on Human Rights.

The draft Manifesto was presented to the Bureau of the Steering Committee for Culture, Heritage and Landscape (CDCPP) on 28 April 2020 where it met with interest and support. The text was subsequently introduced to the CDCPP on 30 June 2020, on the occasion of its online meeting. The CDCPP decided to open the Manifesto for comments by delegations until 14 July 2020. The Secretariat actually considered comments received until 24 July. This was followed by another round of consultations on the amended document which was once more commented by delegations until 2 October.

The resulting revised text is an attempt to reflect the essence of most, if not all of the proposals made by CDCPP delegates. Some adjustments were necessary for the reasons of their mutual compatibility, the structure, clarity and readability of the text. The Manifesto is being launched on 10 November on the occasion of the plenary meeting of the CDCPP, together with the concept for the digital #exhibition "Free to create – Create to be Free". The exhibition is planned to start in early 2021. Contributions from member States, both in the form of two works of art in digital format that promote the freedom of expression and in the form of voluntary contributions to the technical realisation of the project will be greatly appreciated. The Manifesto and the methodological guide for the digital #exhibition will be available on the CDCPP's website for wide dissemination and participation by stakeholders.



# FREE TO CREATE CREATE TO BE FREE



CULTURE AND THE 70TH ANNIVERSARY OF  
THE EUROPEAN CONVENTION ON HUMAN RIGHTS



# "FREEDOM OF ART IS ESSENTIAL TO ANY DEMOCRACY...

—— and an important measure of its maturity"

On the occasion of the 70th anniversary of the European Convention on Human Rights (ECHR) and in co-operation with the Steering Committee for Culture, Heritage and Landscape (CDCPP), the Council of Europe is planning to set up a new digital #exhibition "Free to Create, Create to be Free".

This accompanies the simultaneous launch of a Manifesto on Arts, Culture and Freedom of Expression in the Digital Era.

The project is a follow-up to the 30th Council of Europe Art Exhibition "The Desire for Freedom: Art in Europe since 1945" (2012-15),

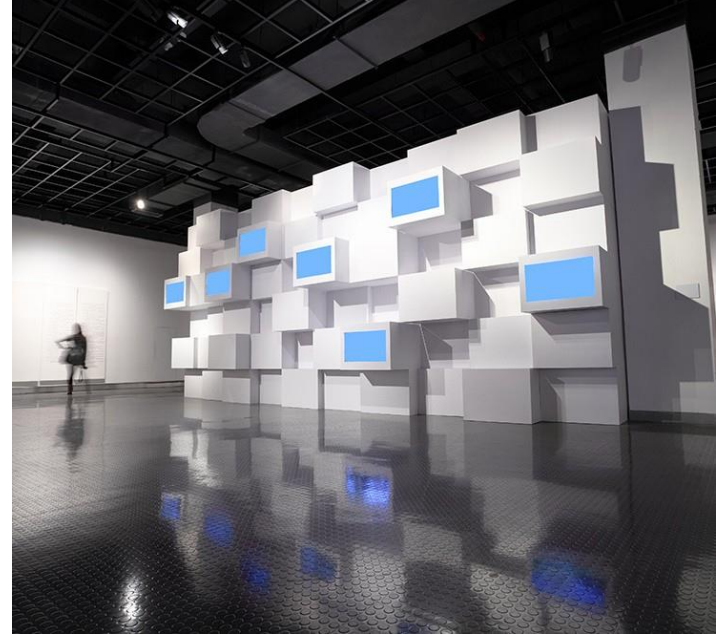
drawing attention to the significance of arts and culture and their interrelation with the right for freedom of expression, as expressed in Article 10 of the ECHR, in upholding Human Rights, Democracy and the Rule of Law.

A digital #exhibition is the next step in re-evaluating classic exhibitions for the needs of the 21st century. It provides a fresh view promoting the importance of freedom of artistic expression and the role of art and culture in these times when democracy is under great pressure from the regional and global challenges relating to political, economic, technological and environmental issues. It also provides a new, innovative means to communicate on and disseminate Council of Europe values.

As the COVID-19-crisis has already shown, freedom of artistic expression is systemically relevant for the functioning of pluralist democracies. Arts and culture are essential for well-being, fostering democratic processes and raising awareness for human rights. The purpose of the Council of Europe's digital #exhibition is to widen exponentially the accessibility and outreach of arts and culture.



"FREEDOM OF EXPRESSION THRIVES THROUGH PRACTICE AND BECOMES AN EMPTY WORD WITHOUT THE ARTS, CULTURE, HERITAGE AND CREATIVITY, WHILE WITHOUT FREEDOM OF EXPRESSION, THE ARTS, CULTURE, HERITAGE AND CREATIVITY WITHER". [1]



## OBJECTIVES

By creating a digital #exhibition with works of art by artists from member States, the Council of Europe offers an opportunity to its member States to:

- demonstrate the interrelation between art and culture and freedom of expression as a fundamental human right, and thus highlight the significance of the role of arts, culture, and creativity in promoting human rights and fostering democratic values in society;
- facilitate the mutual understanding of different perspectives reflecting various applications of freedom of artistic expression and representing the diversities of cultural expressions by engaging with artistic works from our member States;
- raise the level of debate and transnational exchange on the topic of freedom of expression, encouraging member States to formulate creative solutions and supportive reactions in their own countries;

- constitute a better understanding of the challenges relating to freedom of expression and human rights in today's society, by inspiring critical reflection on artistic freedom related to political, economic, technological and environmental issues; make full use of the great potential and opportunities of digital technologies for wide-spread communication on the exhibition and its featured art works, as well as for innovative creations, creative processes and new productions;
- offer forward-looking formats on how to present visibility for artists working on major questions of today`s societies, linking the presentation of artistic practice with a communication and interactive reflection-space.

[1] Jaroslav Andel: 2019.

## GUIDELINES

Participating member States may be guided by the following parameters:

- The exhibition would include one to two artistic works per participating member State and specifically feature the works offered by the incoming and outgoing member State holding the Chairmanship of the Council of Europe's Committee of Ministers;
- The selection of the national exhibit would be organised in a multi-stakeholder consultation process, involving civil society and art professionals. Thus, the process would result in co-operation between governments (Ministries responsible for culture) and independent cultural organisations, curators or other institutions in the field of arts and culture;

## digital #exhibition with works of art by artists from member States

- In order to ensure a diverse programme and create an inviting and dynamic centre attracting a wider audience, the framework for the works of art should remain open in terms of content and concept, allowing member States to select freely and reward diversity and creativity, while at the same time keeping in mind the main theme: freedom of artistic expression[2];
- The permanent digital #exhibition would be accessible everywhere and specifically made available in museums and other relevant arts, culture and education institutions in interested member States and hence reach a very wide audience;
- Access to the digital #exhibition would also be offered in different locations at the Council of Europe's headquarters;
- The exhibition would be coordinated and communicated by the Council of Europe on the digital platform, ensuring that the diversity of the artistic projects is kept vivid and at the same time does not lose sight of the overall concept.

[2] Artwork containing scenes of explicit violence, racist, xenophobic or LGBTQI+-hostile content and gore will be desk rejected.



The Council of Europe would use online artworks only for non-profit purpose on the website and the social media channels (and press releases):

- Chosen works would list the artist's name, name of the work, description and technical details, information on the selection process of the artwork, and a link back to the artist's website (optional);
- Artists would retain their copyright of any image and sound in the submitted artwork, also for dissemination purposes in press releases, social media and online content;
- Images would not be sold, exchanged or copied from the site.

The opening date for submissions is planned for early January 2021. Details on the submission procedure and possible formats will be made available by the Secretariat.

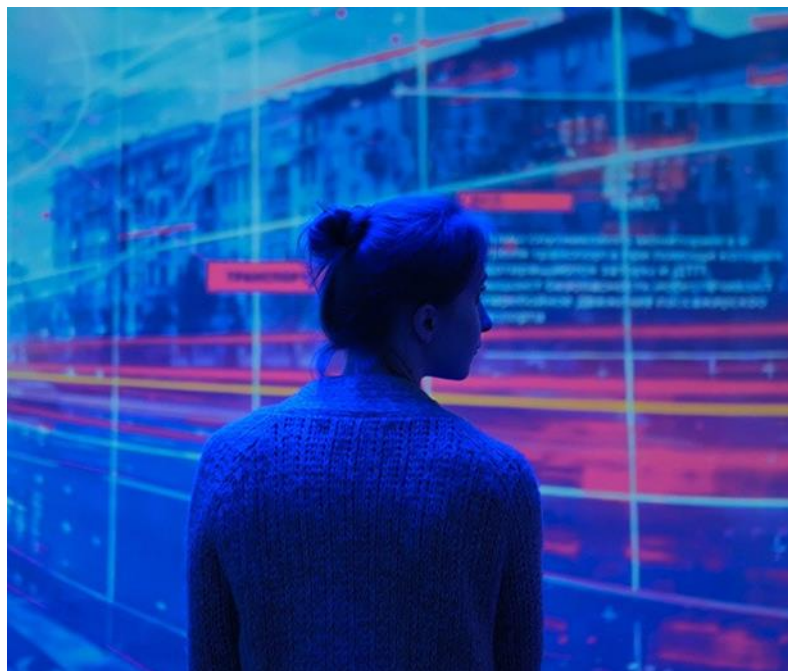
The Council of Europe would set up a small taskforce or Board to oversee, channel and coordinate the digital #exhibition, with the Chair of the CDCPP as a member.

## PARTNERS

To bring this project to fruition, partnerships and support - including voluntary contributions - are being sought. Supporters would benefit from a project partnership with the Council of Europe - a unique human rights and democracy organisation - and the visibility generated thereby for their organisation. Access to all exhibition works and the related documentation will be free for re- use. Starting with 1-2 art works per member State, the exhibition would grow over the years and offer an exciting art collection.



Communication and interactive reflection spaces would be added to the exhibition website for enhanced impact and visibility.



The project would not only promote the role of arts, culture and creativity in boosting human rights and democratic values in society and highlight the artists as protagonists in this process, but would also showcase all those who support this important mission. Further details and technical instructions will be available from the Council of Europe Secretariat and website.

# CONTACT

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