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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Report of the Special Rapporteur in the field of cultural rights

Note by the Secretariat

The Secretariat has the honour to transmit to the Human Rights Council the report of the Special Rapporteur in the field of cultural rights, Karima Bennoune, pursuant to Council resolution 19/6.

In her report, the Special Rapporteur in the field of cultural rights addresses how actions in the field of arts and culture can make significant contributions towards creating, developing and maintaining societies in which all human rights are increasingly realized.

By engaging people and encouraging their interaction through artistic and cultural expression, actions in the field of culture can open a space in which individuals and groups can reflect upon their society, confront and modify their perception of one another, express their fears and grievances in a non-violent manner, develop resilience after violent or traumatic experiences, including human rights violations, and imagine the future they want for themselves and how to better realize human rights in the society they live in. The increased social interactions, mutual understanding and trust that can be built or rebuilt through these initiatives are essential to achieve a range of human rights goals and to respect cultural diversity.

The Special Rapporteur considers how cultural rights, and other human rights, are exercised through and affected by these actions in the cultural field; the specific challenges artists and cultural workers face when engaging in initiatives that question the representation of society and seek to address its contemporary challenges of discrimination, exclusion and violence; the specific contribution these initiatives make to society; and the responsibilities of State and non-State actors in creating and maintaining the conditions for actions in the field of culture that contribute to achieving societies more respectful of human rights.

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I. Introduction

1. In the present report, the Special Rapporteur in the field of cultural rights focuses on the potential of actions in the field of arts and culture to promote fuller enjoyment of human rights, including by championing universality of human rights and dignity, embodying and embracing cultural diversity, challenging discrimination, contributing to reconciliation and addressing radical ideologies incompatible with human rights. She builds on the work done by the mandate on cultural rights concerning historical and memorial narratives in divided and post-conflict societies (A/68/296 and A/HRC/25/49) and the right to artistic freedom (A/HRC/23/34).

2. The exercise of cultural rights is fundamental to creating and maintaining peaceful and just societies and to promoting enjoyment of other universal human rights. Humanity dignifies, restores and reimagines itself through creating, performing, preserving and revising its cultural and artistic life. Throughout human history and in every society, people have improved their lives through engagement with creative and expressive forms. Cultural heritage, cultural practices and the arts are resources for marshalling attention to urgent concerns, addressing conflicts, reconciling former enemies, resisting oppression, memorializing the past, and imagining and giving substance to a more rights-friendly future. People often express values and ethical commitments through aesthetic forms and processes.

3. The transformative power of arts and culture lies in the nature of the aesthetic experience, which links cognitive faculties with sense and emotions, creating platforms rich in potential for learning, reflection, experimentation, and the embrace of complexity. Artistic and cultural practices can offer experiences of non-coercive, constructive meaning-making and empowerment that can contribute to reaching a wide range of human rights goals.

4. It is because cultural and artistic expressions are powerful that they are at risk of being targeted, manipulated or controlled by those in power or in search of power. Actions in the field of culture can accordingly serve to maintain divisions in society or contribute to overcoming them. Increasingly in recent years, policymakers, practitioners and educators from diverse fields are recognizing the potential of culture and the arts in questioning the representation of society and addressing its contemporary challenges such as exclusion and violence. Excellent work in this field — excellent in terms of the strength of its contribution to furthering human rights — is now being done the world over and includes artist-based productions of great virtuosity, participatory and inclusive work with local populations and public rituals and ceremonies, sometimes animated by cultural traditions.

5. In her report, the Special Rapporteur seeks to identify the contribution cultural initiatives make to creating, developing and maintaining peaceful and inclusive societies in which all human rights can be more fully realized. She also considers the necessary preconditions for enabling and maximizing the contribution of these actions in the field of culture. In addition, she examines the responsibilities of States, institutions and other relevant stakeholders for creating and maintaining the conditions in which everyone can shape right-respecting societies through their full access to, participation in and contribution to cultural life.

II. Socially engaged cultural and art-based initiatives: goals and challenges

6. Not all artistic and cultural practices aim at shaping more inclusive and peaceful societies conducive to the realization of human rights. Social engagement towards that goal is a possibility for artists and cultural workers, but not a requirement. In some contexts, including those characterized by violence and repression, extreme censorship, stigma regarding artistic expression or discrimination against some artists and cultural practitioners, such as women, merely engaging in artistic and cultural practice can have deep meaning for and an impact on human rights, regardless of the specific content or aims.

7. In the context of the present report, the practices and initiatives discussed consciously aim at addressing social challenges — such as tackling mindsets that create exclusion, helping to restore understanding between groups and trust in society, seeking to emphasize respect for cultural diversity or to contribute to reconciliation — and aim at developing individual and collective capacities for empathy, self-reflection, critical thinking, resistance to human rights violations and oppression, and acceptance of differences, the universality of human rights and equality. In seeking to achieve these aims, the initiators are often guided by ethical commitments, including to notions of reciprocity, transparency about interests and intentions, and acknowledging multiple dynamics of power. The impact of these initiatives on society is therefore not only a by-product of artistic and cultural practice but the result of thoughtful and sustained social engagement that needs to be recognized and valued as such.

8. Societies recovering from violence and deep divisions or wishing to address discrimination in various forms and other human rights abuses have a plethora of needs that are not easily met by formal institutions alone. Actions in the field of culture can address some of these needs in ways that other approaches may not be able to.[1]

9. Relevant actions in the field of culture can be led by individual artists, ensembles, small and large cultural institutions, and by collaborations among artists, cultural workers and other stakeholders or institutions. They are versatile, and their form and size can be adapted to the local context. Creative processes can be crafted for both individuals and groups, can be as small as a neighbourhood festival or large enough to generate global networks. Artists and cultural workers can operate in theatres and museums, but also in refugee camps, kindergartens, women's shelters, prisons, over the radio and in the streets, depending on the situation and aim.

Strengths and limitations of different approaches

10. The restorative and transformative power of arts and culture lies in the nature of aesthetic experiences. They can embody dazzling creativity that invites states of wonder and openness to new ideas. They can create vivid and enduring reminders of emerging relationships and values through murals, plazas and memorials, and repeated enactments of rituals. By recalling past suffering in works of breathtaking beauty, they can loosen the stranglehold of memories of powerlessness in the face of violence and abuse, inviting survivors to imagine and co-create a better future. They can present with great beauty the stories of those who have suffered, restoring a measure of dignity to victims and helping to ensure non-repetition. Art-making and culture-making foster connectivity between the different dimensions of the individual person, within and between groups, and between the local and the global. They create opportunities for exchange and interaction that do not rely on verbal language alone.

11. To address social issues, artists and cultural workers must weigh a range of options in terms of their approach and methodology. The most important characteristics of strong approaches to arts-based and cultural initiatives include awareness of and responsiveness to context: considering the local sources of resilience, the existing level of trust between people and towards public institutions and the rule of law, and the degree of threat of physical or military violence.

12. Other critical aspects include finding the most appropriate format between top-down, structured approaches and bottom-up dynamics that cultivate local sources of creativity and resilience,[2] as well as between short-term projects, which are easier to

[1] United Nations Educational, Scientific and Cultural Organization (UNESCO), *Peace and Reconciliation: How Culture Makes the Difference, Proceedings of the Hangzhou International Congress "Culture: Key to Sustainable Development"* (Hangzhou, China, 15−17 May 2013).

[2] Medellín, Colombia, offers an example of an inclusive, top-down and bottom-up approach to reclaiming a city afflicted with violence through culture, thanks to "a public sector that has embodied and supported the public interest in culture with tremendous forethought, intentionality, and caring; and results to match that intention". See the blog by A. Goldbard, available at usdac.us/news-long/2015/12/22/azdluulfj5imog2y995v5xuod09fof, and a description of the approach in http://agenda21culture.net/sites/default/files/files/good_practices/medellin-eng_def.pdf.

monitor and fund, and long-term engagements, which allow the building of deeper trust and may contribute to more sustainable change but are harder to fund. Another concern is to avoid the pitfalls associated with overly instrumentalizing arts and culture at the expense of aesthetic quality and cultural integrity.

13. Taking a human rights approach to evaluating the contribution that socially engaged actions in the field of arts and culture can make requires further thinking about objectives and methodologies.

III. International legal framework

14. Socially engaged actions in the field of culture come within the framework of cultural rights, in particular under the rubric of the right of everyone to take part in cultural life, without discrimination, and to access and enjoy the creativity of others, as well as the right to freedom of expression, including expression through any artistic form.

15. The right to take part in cultural life, enshrined in particular in article 15 of the International Covenant on Economic, Social and Cultural Rights and interpreted by the Committee on Economic, Social and Cultural Rights in its general comment No. 21 (2009) on the right of everyone to take part in cultural life, establishes the right of all persons to access, participate in, enjoy and contribute to cultural life. Cultural rights protect the rights of each person, individually and in association with others, as well as groups of people, to develop and express their humanity, their world view and the meanings they give to their existence and their development.[3] As stated in general comment No. 21, contribution to cultural life is also to be understood as a right to take part in the development of the society to which one belongs, and in the definition, elaboration and implementation of policies and decisions that have an impact on the exercise of a person's cultural rights (para. 15 (c)).

16. Cultural rights also include the freedom to join and leave any cultural groups and be associated with different groups simultaneously, as well as the freedom to create new groups of shared cultural values and new cultural meanings and practices without fear of punitive action, including any form of violence. Everyone should have the freedom to embrace or reject particular cultural practices as well as to revise and (re)negotiate existing traditions, values or practices, regardless of their provenance. Active engagement in the cultural sphere offers crucial possibilities to (re)shape meanings and helps to build central traits of democratic citizenship such as critical thinking, creativity, sharing and sociability.[4] Many actions in the field of culture also involve the exercise of the right to peaceful assembly and association (article 22 of the International Covenant on Civil and Political Rights).

17. Cultural rights are important in and of themselves, and are also essential tools for achieving development, peace and eradication of poverty and for building social cohesion, as well as mutual respect and understanding between individuals and groups in all their diversity, and enhancing the enjoyment of other human rights.[5] More widely, cultural rights require the implementation of policies promoting cultural interaction and understanding between people and groups, the sharing of perspectives about the past and of visions about the future, and the design of a cultural landscape that is reflective and respectful of cultural diversity and universal human rights.[6]

18. The vitality of artistic creativity is necessary for the development of vibrant cultures and the functioning of democratic societies. Freedom of artistic expression is guaranteed by article 15 (3) of the International Covenant on Economic, Social and Cultural Rights, which requires States parties to undertake to respect the freedom indispensable for creative activity, and by article 19 (2) of the International Covenant on Civil and Political Rights, which asserts that everyone has "the right to freedom of expression, including the freedom

[3] See A/HRC/14/36, para. 9; and A/67/287, para. 7.
[4] See A/67/287, paras. 26 and 28.
[5] See A/HRC/14/36, para. 3.
[6] See A/HRC/25/49, para. 48.

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 the media of [their] choice". All persons, without discrimination, enjoy the right to freedom of artistic expression and creativity, which includes the right to freely experience and contribute to artistic expressions and creations through individual or joint practice, to have access to and enjoy the arts, and to disseminate their expressions and creations, as part of the right to participate in cultural life. This also includes the right of individuals and groups, through their artistic and cultural expression, to contribute to social debates, challenge assumptions about accepted beliefs and revisit culturally inherited ideas and concepts.[7]

19. Controversial works are not excluded from the right to freedom of expression.[8] However, article 20 of the International Covenant on Civil and Political Rights states that any propaganda for war, as well as any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, shall be prohibited by law.[9] The socially engaged actions in the field of culture discussed in the present report are understood to be those which comply with such standards.

20. Protection of freedom of expression, including expression through the arts, is especially significant for those artists and cultural workers who are contributing to addressing intolerance and exclusion or rebuilding trust in deeply divided societies and in the aftermath of human rights violations or violence because their cultural productions are likely to be controversial, both to those whose understanding of the world is defined by single, often rigid narratives as well as to members of institutions, Governments or non-State actors who might prefer to leave past atrocities unexamined and unexplored.

21. While limitations to freedom of expression and artistic expression are allowed, they must meet the high threshold of article 19 (3) of the International Covenant on Civil and Political Rights and must be for the sole purpose of promoting general welfare in a democratic society.[10] In particular, decision makers, including lawmakers and judges, when resorting to possible limitations to artistic freedoms should take into consideration the nature of artistic creativity (as opposed to its value or merit) as well as the right of artists to dissent, to use political, religious and economic symbols as a counter-discourse to dominant powers and to express their own belief and world vision.[11]

22. Hateful ideologies, including diverse forms of fundamentalism and extremism, represent grave threats to human rights and their universality in general and to cultural rights and respect for diversity in particular.[12] Ideologies based on monolithic world views and enmity toward "the other"[13] divide societies between those who adhere to the advocated mindset and all the others, who are not to be tolerated. Full implementation of cultural rights is a critical tool to counter the rise of these ideologies. Investments in the field of culture and in the conditions that allow people to learn, develop their creativity, experience the humanity of others and exercise their critical thinking are necessary to create cultural democracies and foster civic engagement.[14]

23. In the aftermath of trauma or violence, including terrorism, and in deeply divided societies, one important element of constructing relationships of trust is addressing legacies of past violence. Processes of memorialization, reconciliation and historical narratives, depending on how they are crafted, can either maintain divisions in society or contribute to

[7] See A/HRC/23/34, para. 3.

[8] Ibid., para. 38.

[9] Note the discussion of related issues in A/HRC/23/34, para. 31.

[10] International Covenant on Civil and Political Rights, art. 19 (3); and International Covenant on Economic, Social and Cultural Rights, art. 4. See also the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence (A/HRC/22/17/Add.4).

[11] See A/HRC/23/34, para. 89 (d).

[12] See A/HRC/34/56, para. 94; and A/72/155.

[13] See A/HRC/34/56, paras. 3–4.

[14] Ibid., paras. 19 and 25.

overcoming them.[15] Memorialization might take the form of physical monuments, but can also refer to artistic and cultural expressions. The contributions of artists and cultural workers in these processes must be broadly acknowledged.

24. As stated by the Special Rapporteur on the promotion of truth, justice, reparation and guaranties of non-recurrence, cultural interventions can significantly contribute to the cause of transitional justice. Explicitly integrating cultural elements and citizen participation in truth and reconciliation commissions has proven, in the cases of Peru, Timor-Leste and Sierra Leone, to increase their effectiveness. The Special Rapporteur noted that conflicts could be stopped by those he called "cultural entrepreneurs", who were deeply aware of the importance of making victims visible.[16]

IV. Specific contributions and challenges

25. Creative approaches in the field of culture contribute in many ways to creating, developing and maintaining peaceful and inclusive societies in which all human rights can find increased realization. Some of these contributions are analysed below. However, the Special Rapporteur notes that further research and discussion are needed to assemble a more complete picture of best practice in these areas, and to increase awareness of how this work can enhance the enjoyment of human rights in general and cultural rights in particular.

A. Embracing cultural diversity

26. Many artistic and cultural approaches aim at promoting and embodying values associated with pluralism and respect for human rights and cultural diversity and act as an integrative factor in society, creating opportunities to meet and dialogue across gender, class, ethnic, religious, age and other divides; spaces to overcome the fear of the unknown "other" and to recognize commonalities, equality and human dignity.

27. Because artistic and cultural expressions inevitably carry multiple meanings and invite multiple interpretations, they nourish capacities to tolerate ambiguity and embrace paradox, the ability to imagine innovative solutions to problems and the willingness to attune to others' perceptual sensibilities. Such initiatives contribute to promoting a human rights culture and constitute opportunities to exercise and bolster cultural rights.

28. Cultural initiatives to strengthen norms of freedom of expression and cultural vibrancy take many different forms. For example, Arterial Network, a dynamic pan-African civil society network of artists, cultural activists, entrepreneurs, enterprises, non-governmental organizations (NGOs), institutions and donors, is active in Africa's creative and cultural sectors. Its mission is to facilitate partnerships within civil society, beyond national borders and between African and international partners so as to develop a sustainable creative sector in a manner that contributes to development, human rights, democracy and the eradication of poverty on the African continent. Arterial Network also monitors freedom of artistic expression. Its project Artwatch Africa aims to assess, promote and defend rights to creative expression for artists and cultural practitioners in Africa. The organization also publishes many practical resources for those working in this field, including a template to support government and civil society actors in developing cultural policies mindful of context.[17]

29. Another relevant initiative that advocates for inclusive cultural policies that respect universal human rights is the grass-roots "people-powered" action network known as the United States Department of Arts and Culture. It issued *Standing for Cultural Democracy: the USDAC's Policy and Action Platform*, which invokes the Universal Declaration of Human Rights and calls for investment in the cultural sector, focusing on support for artists

[15] See A/HRC/25/49, paras. 13–14.
[16] See A/HRC/28/36, paras. 24–27.
[17] See www.arterialnetwork.org/artwatch.

and cultural workers who address people's needs and for cultural programmes to challenge systemic human rights abuses in the United States of America.[18]

30. Cultural and artistic initiatives can also advocate for values of diversity, secularism, inclusion, tolerance, gender equality, human rights and peace through the themes they choose to address. Ajoka Theatre,[19] a company based in Lahore, produces socially meaningful, aesthetically refined and dynamic theatre tackling difficult issues, including gender-based violence, fundamentalism and terrorism, thereby embodying the vision of a more secular, humane and just society in Pakistan. Its membership derives from varied class and social backgrounds, and it maintains close ties to women's organizations and with international theatre groups such as Theatre Without Borders. Ajoka offers performances in theatres, on the streets and in public spaces that promote critical thinking. In addition, Ajoka offers training and technical workshops, and supports cooperation between theatre groups in India and Pakistan.

31. Another important example is Free Women Writers, a non-profit, non-partisan and all-volunteer women's rights organization composed of writers, students and activists based in Afghanistan and the diaspora. Its mission is to improve the lives of Afghan women through advocacy, storytelling and education. One example of its work is the publication of "Daughters of Rabia", a collection of Afghan women's writings in defence of human rights, which has been distributed in schools, universities, libraries and to people in six provinces in Afghanistan and has reached thousands online. Its books are available in local languages free of cost and for sale in English. The books' proceeds are used to provide educational opportunities through scholarships, and to increase access to "consciousness-raising literature".[20]

32. Governments and intergovernmental entities must provide robust support for the right to take part in cultural life and freedom of expression for these kinds of actions to thrive. This entails accepting that some of these artistic and cultural works will inevitably be critical of the Government and of society, and sometimes of aspects of cultural and religious practices, and requires that Government refrain from trying to control, censor or orient these works. States must also respect and ensure the human rights of the artists and cultural practitioners working in these areas.

B. Overcoming fears and prejudices

33. Actions in the field of culture can mediate against fears that exist between people along various lines of division, create spaces where people may be able to go beyond the stereotypes they have of each other, and facilitate the expression of thoughts and feelings in a non-threatening manner.

34. Featuring what unites different people despite their diversity is an important contribution that art and cultural initiatives can bring to a variety of contexts. For example, Caravan, an international intercultural and interreligious peacebuilding arts organization, creates opportunities for people to come together to develop, organize, curate and host exhibitions, festivals, lectures, concerts, exchanges and collaborations. One of their projects, "THE BRIDGE", is a travelling exhibition showcasing the work of 47 premier Arab, Persian and Jewish contemporary artists from 15 countries, featuring works that explore the theme of what they hold in common across their creeds and cultures and what therefore "bridges" them together. It was exhibited in venues across Europe, Egypt and the United States.[21]

35. Another example is the Barenboim-Said Foundation, established in 2003 by the late Palestinian intellectual Edward Said and Israeli-Argentine pianist and conductor Daniel Barenboim. The Foundation aims to make classical music education accessible to

[18] See https://usdac.us/platform.
[19] See www.ajoka.org.pk.
[20] See Freewomenwriters.org.
[21] See www.oncaravan.org.

Palestinian children and young adults, regardless of social or economic background.[22] Barenboim and Said likewise established the West-Eastern Divan Orchestra to bring together Israeli, Palestinian and other Arab musicians to "meet, talk and play alongside each other".[23]

36. Governments have the responsibility to preserve existing spaces and institutions for the exercise of cultural rights as well as create new ones, and to support voices of tolerance, equality and diversity so as to promote universal human rights and peace.[24]

C. Strengthening resilience

37. When faced with violence, oppression and hardship in various forms, every society searches for ways to make sense of the experience, to cultivate resilience, mourn losses and move forward. This is particularly true in the immediate aftermath of conflict. Artistic and cultural initiatives provide tools to understand suffering and means of expression for individuals, groups and entire societies, and hence can help to increase capacity to recover from human rights violations.

1. Mourning losses

38. As Joseph Montville points out, "the psychological work of grieving is often required before victims can look to the future rather than try to recoup past losses".[25] If groups or individuals fail to mourn, their self-esteem is bound up with images of what has been lost. If the circumstances of the losses generate intensive anger, rage can interfere with the ability to complete the cycle of mourning, in turn leading to more violence and human rights abuses. In addition, losses that have not been mourned may also be passed on to future generations, leading to the intergenerational transmission of trauma.[26]

39. Resistance to remembering and to mourning is understandable, as memories of trauma can be shattering in different ways, both for those who are victims/survivors and for those who committed violations themselves. The challenge consists in finding ways for memories to serve to heal rather than exacerbate trauma, and for acts of mourning to go beyond victim/victimizer dichotomies. Understanding the suffering of one's own group — and mourning its losses — is also a critical step towards reconciliation.

40. Processes of memorialization encompass a variety of engagements, which do not necessarily become concretized through the erection of physical monuments, but can also take the form of numerous activities and cultural expressions. Artists can shed new light on the past, enhance the ability of people to imagine the other and widen debate regarding the meaning of memorials. Artists have contributed to negotiating the meanings attributed to events being memorialized, in some cases by challenging State authorities or calling into question the parameters of "calls" for memorials. These actions have opened spaces for important conversations that in themselves have been construed as acts of memorialization.[27]

2. Resisting oppression and terrorism

41. Individual artists, groups and cultural institutions have in many places been on the front line of resisting oppression and upholding the values of diversity, human rights and inclusion in difficult contexts.

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[22] See www.barenboim-said.ps.

[23] G. Bedell, "Daniel's codes of conduct", *Guardian*, 17 August 2003.

[24] Rabat Plan of Action, paras. 23 and 25.

[25] J. Montville, "Psychoanalytic enlightenment and the greening of diplomacy", *Journal of the American Psychoanalytic Association*, vol. 37, No. 2 (1989), p. 305.

[26] D. Bar-On, "Attempting to overcome the intergenerational transmission of trauma: dialogue between descendants of victims and of perpetrators", in R.J. Apfel and B. Simon, eds., *Minefields in their Hearts: The Mental Health of Children in War and Communal Violence* (New Haven, Yale University Press, 1996).

[27] See A/HRC/25/49, paras. 66–69.

42. A striking example is the Belarus Free Theatre, an international theatre company operating underground in Belarus and led by artistic directors in exile in the United Kingdom of Great Britain and Northern Ireland who were forced to flee after repeated arrests, including, on one occasion, the arrest of the entire ensemble and its audience.[28] The company uses the power of art to inspire people to take action to defend human rights and bring about systemic change. By way of example of the kind of repression those engaging in such work sometimes face, reports indicate that theatre members have suffered repeated arrests or police beatings and have been blacklisted, which means they cannot work in official arts institutions.

43. Artists can play a leading role in responding to violent conflict and displacement as spokespersons, conveners (building trust between refugees and host societies), facilitators (supporting the vulnerable and marginalized) and correspondents (telling their own stories). "Syria: third space"[29] is an exhibition that featured works by displaced Syrian artists who embrace this role. "Culture matters", says Graham Sheffield of the British Council, which provided small grants for many of these artists, "for social cohesion and resilience, for economic development and sustainability, for dialogue and for mutual understanding".

44. Actions in the field of culture can also help people reclaim public space and speak out after violent attacks. Following an Islamic State terror attack at the bus terminal in Jakarta, Indonesian artists, together with the Australia-based platform Microgalleries, created eight large-scale artworks to spread the message that Jakarta stands united against acts of terrorism.[30] A similar action was organized in Sri Lanka, where colourful street murals were painted on the sites of suicide bombings, each demanding society to "secure the sanctity of life".[31]

D. Rebuilding trust and promoting reconciliation

45. Reconciliation processes aim to restore and increase trust and trustworthiness in the aftermath of violence and/or exploitation. The Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence recognizes that trust "is the foundation for the development of a rule of law culture, an environment that fosters reconciliation and a necessary precondition for effective communication between the victims and the authorities, as well as within society".[32] However, to strengthen a culture of dialogue, to increase empathy and visibility and to address trauma, he insists that actions in the fields of education, arts and culture are required.[33]

46. Ideally, reconciliation emphasizes change at the level of individuals and groups, whether victims or perpetrators, engaging emotion, imagination and creativity, along with cognitive and analytic faculties, to first restore the relationship with oneself, and then allow relationships with others to be built and rebuilt with a view to a better future.

47. The precise activities that comprise reconciliation work, and the order in which they are undertaken, must be developed in each particular context, taking into account the nature of the alienation or violence, the trajectory and stage of any conflict, the leadership resources available, and the larger systems within which the conflict and peacebuilding processes are embedded.

1. Rehumanizing self and the other

48. Violent intergroup conflicts and abuses of human rights are almost always associated with enemies' dehumanization of each other. In these contexts, children learn to

[28] See www.belarusfreetheatre.com.

[29] See www.britishcouncil.org/arts/syria-third-space/.

[30] See http://microgalleries.org/events/reclaim-jakarta; and R. Perez-Solero, "Jakarta street art aims to eliminate fear of religious extremism", Agencia EFE (Spain), English edition, 11 July 2017.

[31] "Fighting terror with paint brushes", *Frontline World*, May 2002.

[32] See A/HRC/30/42, para. 99.

[33] Ibid., para. 32.

externalize good feelings onto the symbols of their own groups and bad feelings onto the symbols of the groups that are enemies.[34] States have an important responsibility to ensure that educational systems do not reinforce antagonisms that question the universality of human dignity but instead actively challenge these assumptions and nurture a culture of human rights, tolerance and respect for diversity.

49. Reassessing the humanity of one's enemy involves acknowledging the complexities of one's own group as well. In contexts of slavery and long-standing oppression, discourses about identity generally become singular and thin, crafted in the service of the collective narratives through which claims are justified, the conflict is waged and repression is exercised. It is often the case that both victims and perpetrators, oppressed and oppressors, may have lost a sense of their full humanity. Artistic and cultural initiatives can allow people to transcend particular identities and reinforce identities that unite rather than divide.

50. In Burundi, drumming groups of boys in which all ethnic groups were represented existed before the ethnic violence of the 1990s erupted. The participants had built groups around the shared practice where they experienced values of inter-ethnic trust and solidarity, and chose to emphasize their identity as drummers over their ethnic origin. Between March 1994 and March 1998, the drummers continued playing and performing in different neighbourhoods, supported each other and saved each other's lives repeatedly.[35] The peacebuilding NGO Search for Common Ground worked along the same lines through the end of the 1990s to counteract dehumanizing stereotypes that scarred the relationships between Hutu, Tutsi and Twa people.[36] Through music, dance, drumming and the production of radio programmes, they provided spaces where it was possible to recognize the humanity of the other and contributed to a new understanding of the conflict in terms of a political struggle for power rather than in ethnic terms.

2. Listening to and telling stories and empathizing with the suffering of the other

51. The previous holder of the mandate in the field of cultural rights has noted the role historical narratives play in shaping collective identities. She also noted that self-expression through artistic creativity was indispensable to making victims visible.[37] The capacity to shape experience into narrative is one important way that victims can determine the meaning surrounding hurtful and traumatic events such as human rights violations, and thereby regain a measure of empowerment. Violence, however, can strip people of their capacities to compose and tell their stories, as well as their capacities to listen and be receptive to the stories of others.

52. Artists and cultural workers can serve as listeners, help people once deemed adversaries compose their stories in ways that "others" can hear and raise questions about the possibility of forgiveness, even of oneself. Loosening the grip of a particular monolithic narrative (of victimization, for instance) opens possibilities for more nuanced stories and more complex understandings of history.

53. The potential of story-sharing to restore relationships across economic and racial divides has been made apparent in a recent project in the Western Cape, South Africa. In order to involve the people living on his newly inherited land in planning the reorganization of his wine farm, Mark Solms, a white South African, first had to find a way to establish a respectful dialogue. With the help of historians and archaeologists, the workers and Solms literally and figuratively excavated the farm's land and its history of past slavery and apartheid that linked their families together, and constructed a heritage/oral history project through which everyone shared and listened to each other's stories and memories. This

[34] V. Volkan, "An overview of psychological concepts pertinent to interethnic and/or international relationships", in *The Psychodynamics of International Relationships*, vol. I, *Concepts and Theories*, V. Volkan, D.A. Julius and J.V. Montville, eds. (Lexington Books, 1990).

[35] L. Slachmuijlder, "The rhythm of reconciliation: a reflection on drumming as a contribution to reconciliation processes in Rwanda, Burundi, and South Africa", *Recasting Reconciliation through Culture and the Arts*, Brandeis University Programme in Peacebuilding and the Arts, 2004.

[36] See www.sfcg.org.

[37] See A/HRC/28/36, paras. 9−10.

process allowed them to develop sufficient trust to enter into a new economic relationship: a mortgage on Solms's farm provided credit for the workers to acquire an adjacent farm that operates as a consortium with Solms's farm. With the increased income, they improved their housing situation and the educational opportunities of their children.[38] The cultural initiatives provided the opportunity for all to come to terms with the history of exploitation and contributed to the restoration of dignity.

54. Listening to and telling stories opens the path to empathy with the suffering of one's enemy, which is another important step towards reconciliation. This "involves the ability to recognize the physical, material and psychological suffering of others, to put ourselves 'inside the skin of the other'".[39]

55. The capacity for empathy is particularly rare during violent conflicts and in their aftermath, both on the side of perpetrators and of victims. An example of cultural initiatives that have engaged in the difficult work of grappling with these questions is the play *Hidden Fires*.[40] In this play, the same actors portray the stories of Muslims victimized during the horrific 2002 communal violence in Gujarat, India, as well as Hindu rioters describing their own brutal acts. Through theatrical turns, the audience is invited to acknowledge the harms committed and the role of the Government, media and police in creating the conditions that gave rise to the atrocities, and to empathize with all the suffering which was inflicted. While not offering guarantees, better understanding of the impact of past violations contributes to making the recurrence of human rights abuses less likely.

3. Acknowledging and addressing injustice

56. Processes of reconciliation seeking to re-establish relationships of trust in a sustainable manner cannot ignore questions of responsibility and accountability. Conciliatory processes can include judicial processes that focus on prosecution and punishment for perpetrators. However, they often also emphasize reparative, historical, symbolic and restorative justice, which encourages individuals and groups to acknowledge and take responsibility for the injuries they have caused and to restore or create agreed-upon cultural, legal and moral frameworks for moving into the future.

57. Through processes of truth telling, acknowledgement, memorializing and art-making, people and societies can begin to restore the dignity of those whose rights have been violated, contributing to the overall sense of justice. They can prevent the additional assault to victims' dignity when injuries remain unacknowledged and atrocities remain hidden. This work is sometimes undertaken on a symbolic level, for example, when a perpetrator acknowledges responsibility by drinking a bitter tea from a gourd, as has been done among the Arusha people in the United Republic of Tanzania.[41] Artistic and cultural activities can also be designed to support and challenge perpetrators and help others to acknowledge harms done in their names and to take action to avoid repetition of such violence.

58. As an illustration, in 2008, two national-level formal ceremonies in Australia addressed aspects of the divide between descendants of settlers and indigenous peoples. The ceremonies included the performance of a traditional Aboriginal "welcome to the country" at the opening of Parliament and a public apology from the Prime Minister for government policies that resulted in great suffering and in the decimation of indigenous peoples and cultures. Hundreds of thousands across the country witnessed the apology. These ceremonies allowed for the symbolic inclusion of Aboriginal people and the

[38] M. Solms, "Land ownership in South Africa: turning neuropsychoanalysis into wine", TEDxObserver Talks, 1 April 2011, available on YouTube.

[39] T. Nhat Hahn, *Peace is Every Step: The Path of Mindfulness in Everyday Life* (Bantam, 1992), p. 82.

[40] See www.theaterofwitness.org. See also R. Margraff, "Hidden Fires: Peaceworks' invocation as Žižekian response to the Gujarat massacres of 2002", in C. Cohen, R. Varea and P. Walker, eds., *Acting Together: Performance and the Creative Transformation of Conflilct*, vol. I, *Resistance and Reconciliation in Regions of Violence* (New Village Press, 2011).

[41] H.P. Gulliver, *Disputes and Negotiations: A Cross-Cultural Perspective* (New York, Academic Press, 1979).

deceased members of the Stolen Generations in the custodianship of the land and facilitated a type of restorative justice.[42] However, the limitations of such actions must also be recognized, as this symbolic action reportedly did not change some other fundamental aspects of policy vis-à-vis indigenous rights, and follow-up is urgently needed.

59. States must consider what kind of public spaces should be made available for remembering past violations of human rights and allowing for a plurality of views to be heard, including through artistic and cultural expression. Human rights norms and principles, including those in the field of cultural rights, should guide all decisions in this field to ensure the credibility of the process as a foundation for more inclusive, peaceful and just societies.

4. Imagining and substantiating new futures

60. The notion of reconciliation includes the assumption that at some point in a trust-building process, former adversaries come together to imagine and give substance to new futures. Imagination is required to contemplate acceptable alternatives and construct road maps of realistic paths pointing to resolution.[43] Enactments or embodiments of these alternatives — through ritual, art-making and performance — can offer evidence of what might be possible, long before new constitutions can be written, new laws enacted or new policies adopted.

61. By the late twentieth century, in Yakima Valley, Washington State, United States, a number of cultural groups which had become alienated from each other were invited on the occasion of the millennium to create, together with the Chinese-American visual artist Wen-ti Tsen, an installation to "reflect on the last thousand years and to view the next thousand". The "sculptural plaza" that was created through the project incorporated the historical narratives, grievances and contributions of the region's various cultural groups and has continued since to be used as a place of gathering by all.

62. When trust between individuals and groups and in society's capacity to protect human rights and the rule of law has been broken by violence and oppression, the processes of rebuilding trust are delicate and multifaceted. They require years, and sometimes decades or centuries. Creative, artistic and cultural forms and processes — such as music, dance, theatre, literature, visual arts, urban design and ritual — offer opportunities to exercise cultural rights as a way to address past human rights violations and facilitate the development of the capacities necessary for relationships of trust and trustworthiness to (re)emerge.

V. Exploring key questions

63. For actions in the field of culture to contribute to creating, developing and maintaining peaceful and inclusive societies in which all human rights can find fuller realization, those involved, including artists, cultural workers and other stakeholders such as institutions and local populations, need to be recognized and legitimized. They must also be provided with the conditions necessary to exercise their right to take part in and contribute, through these actions in the field of culture, to shaping the societies they live in. It is essential that States respect and ensure their human rights, including their cultural rights.

A. Recognizing the roles of the principal stakeholders

64. Artists and cultural workers who seek to address social challenges of discrimination, exclusion, human rights violations and violence through the exercise of their cultural rights

[42] P. Walker, "Creating a new story: ritual, ceremony and conflict transformation between indigenous and settler peoples", in *Acting Together*.

[43] C. Mitchell, "Conflict, change and conflict resolution", in B. Austin, M. Fischer and H. Giessmann, eds., *Advancing Conflict Transformation: The Berghof Handbook II* (Budrich, 2011), p. 19.

face many challenges. One such challenge concerns the risk of being politicized or seen as aligned with a party to a conflict. This is particularly true if funds for initiatives come from public agencies. In some cases, artists and cultural workers have been able to increase their credibility, reinforce the legitimacy of their actions and protect themselves from instrumentalization by grounding their work in cultural rights and human rights norms and standards.

65. In the aftermath of violent conflict, in deeply divided societies, in societies governed by repressive and/or fundamentalist regimes or where fundamentalist and extremist non-State actors are prevalent, artists, cultural workers and all participants in their actions face risks of harm because of their visibility and the attention that arts and cultural projects invite. Artists face risks of exile, imprisonment, torture and assassination; successful and visible institutions face risks of extremist attacks.[44] They need to conduct careful assessments of risk impacts on the choice of venues and security arrangements for the organizers themselves, but also for participants who might need to travel through zones unsafe for them. Some artists and cultural workers engaging in such endeavours function as, and see themselves as, human rights defenders; their efforts should be fully protected in line with the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (Declaration on Human Rights Defenders).

66. Artists and cultural workers engaged in this field may face increased difficulty in communicating about their work. This comes in part from the fact that the methods and language used in one context can often be misunderstood elsewhere, and that the impact of their work may be difficult to measure using traditional indicators. Artists and cultural workers too often feel isolated, without opportunities for rigorous, critical reflection, for knowledge sharing and reflection on ethical dilemmas, all of which are crucial for the advancement of their own practice and for the field. This is further accentuated by the lack of appropriate and shared assessment schemes to evaluate their actions and demonstrate the positive contribution they can make to society.[45]

67. Many artists, cultural workers and cultural organizations — even those engaged in globally recognized, groundbreaking and effective initiatives — face enormous difficulties in generating needed financial resources, especially for the long-term commitments that are necessary to address sensitive issues and contribute to trust building. They may also face threats to their livelihoods, economic rights and social security.

68. Accordingly, international agencies, States and local governments, transitional justice entities such as truth commissions, NGOs and cultural institutions need to recognize the potential contributions of artists and cultural workers to creating, developing and maintaining societies in which all human rights can find increased realization and take steps to support their efforts as well as to create more conducive conditions for them to do their creative work, including full respect for their human rights.

B. Enabling and maximizing the positive impact of socially engaged cultural initiatives

69. Under what conditions can actions in the fields of arts and culture make the greatest contribution to the exercise of cultural rights and to achieving more inclusive, peaceful and human rights-respecting societies? The following are a few significant contributing factors to be considered.

[44] A recent example of attacks on artists working in this field, their audiences and the cultural institutions that host them was witnessed on 11 November 2017 in Bangui, when 7 persons were killed and 20 injured, including 6 musicians, when persons on motorcycles threw grenades into the audience at a café where a peace and reconciliation concert was being held. See Freemuse, "Central African Republic: seven killed, 20 injured after concert attack", 16 November 2017.

[45] Some efforts have been made to gather scientific research demonstrating the impact of artistic and cultural work. See culturalcase.org for examples.

1. Respect for human rights

70. For such initiatives to be possible, the right of each person to freedom of artistic expression and creativity must be respected and ensured, in accordance with international standards. Accordingly, right-respecting public policies and vibrant institutions that support cultural engagement and political participation in accordance with international norms are essential. These are necessary preconditions for nurturing best practice in the field. Violation of the human rights, including cultural rights, of those working in the fields of arts and culture, including because of their socially engaged work, are intolerable and must be ended as a matter of urgency. The Special Rapporteur echoes the "call to action" on the issue of attacks on artists recently issued by new Director-General of UNESCO, Audrey Azoulay, who noted the rise in the number of such attacks from a documented 90 in 2014 to 340 in 2015 to 430 in 2016.[46]

71. Initiatives such as the Artists at Risk Connection, a collaborative project led by PEN America to increase resources available to at-risk or persecuted writers and artists, heighten awareness about their situation and build networks, should be supported and multiplied.[47] The Special Rapporteur likewise endorses the suggestion made by Freemuse that international donors should establish specific support programmes for artists and cultural industries victimized by terrorism.[48]

72. With regard to infrastructure, public and outdoor spaces have to be made or kept accessible so that a variety of artistic and cultural initiatives can become part of the ordinary flow of people's lives. This contributes to artistic and cultural education and fosters the development of a range of capacities for expression and building bridges across divisive lines in society. States have a specific role in ensuring that both institutional and public spaces are made available for a plurality of cultural initiatives, including those that may express critical views, and that increased opportunities exist for people from a diversity of backgrounds to engage with each other through these spaces. Promoting the notion that public space "has to be inclusive, egalitarian, and guided by issues that revolve around the common good" helps to ensure that a democratic debate takes place among citizens.[49]

73. Increasingly, stakeholders in the field recognize the extent to which effectiveness depends on collaboration and an "ecosystem" of interdependent actors with complementary approaches. Funding schemes that instigate competitive rather than cooperative relationships among local players seeking access to the same pools of money are detrimental. The need for adequate funding in this area is critical, as engaged artists report that funders sometimes shy away from them.

2. Recognition of the importance of participation and contextualization

74. While an international figure with star appeal can attract more attention and funding in the short term, commitment to local forms of expression and artistic production fosters a more sustainable process and sources of resilience, and helps strengthen local means of expression.

75. Participation is a key factor in any human rights approach and is particularly critical to ensure ownership of any cultural processes seeking to address societal challenges of discrimination, human rights violations, exclusion and violence. The forms and levels of participation in artistic and cultural initiatives can vary greatly. For many of these initiatives, the impact does not stop at the end of the performance: people continue to internalize, reflect and feel emotions that may change their perception. Being part of the

[46] The call to action was on Twitter, on the @unescoNOW page on 14 December 2017, citing *Re|Shaping Cultural Policies: Advancing Creativity for Development 2018* (Paris, UNESCO, 2017), p. 29.

[47] See https://artistsatriskconnection.org/. See also www.icorn.org for another laudable example and links to similar networks.

[48] Statement by Freemuse at the interactive dialogue with the Special Rapporteur in the field of cultural rights, held during the thirty-fourth session of the Human Rights Council, 3 March 2017.

[49] See A/HRC/25/49, para. 72.

audience, receiving and witnessing cultural and artistic actions should therefore also be considered an important part of taking part in cultural life. This too is a core part of freedom of artistic expression.

3. Cultivating diversity and combating discrimination at various levels

76. Many successful initiatives benefit from thoughtful integration of diversity: diversity of actors and disciplines, members of concerned groups and local partners, and collaborations between institutions in the fields of the arts, culture, education, truth and reconciliation, human rights, peacebuilding and development, all bringing different perspectives to the process and lifting up dignity. Outsiders can also help local actors take a step back and learn from different experiences. Because people have different sensibilities, diversity is also needed in the means of expression, spaces and opportunities for exploration, encounter and discussion in order to involve a larger number of people.

77. A prerequisite for the needed diversity is actively combating discrimination in the field of cultural rights in accordance with international standards, including discrimination on the bases of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, sexual orientation, gender identity, age, migrant status, disability or poverty. There is also a need to ensure involvement of rural people. Furthermore, the Special Rapporteur recognizes the need for future work on the rights of persons with disabilities to participate fully in such initiatives.

78. One key concern is that of pervasive gender discrimination. For example, UNESCO has noted that a "multifaceted gender gap persists in almost all cultural fields in most parts of the world".[50] This must be tackled so that women can be equal participants in socially engaged artistic and cultural initiatives. Required initiatives include the full recognition of and encouragement for women as creative persons, the removal of impediments in their paths towards fully participating in and enjoying arts and culture, and the prevention of gendered attacks on artistic freedom. Such gender-specific attacks include women performers being penalized for their dress, banning of women performing or of broadcast of their performances, particular attacks on feminist art, and suppression of art and culture with lesbian, gay, bisexual or transsexual themes.[51]

79. Another essential step is effectively and urgently combating sexual harassment in the fields of art and culture, which has begun to come to light in part through the brave #MeToo, #BalanceTonPorc, #AnaKaman, #YoTambien and other related social media campaigns in diverse languages around the world, through which many women in the fields of arts and culture have spoken out. These are crucial campaigns for equal cultural rights. In order to promote socially engaged arts and culture that can have a positive impact on society and the enjoyment of human rights, the production practices in these sectors must themselves respect human rights and equality. In the words of Mexican actor Salma Hayek, writing of the sexual harassment she faced while filming the story of socially engaged artist Frida Kahlo, "why do so many of us, as female artists, have to go to war to tell our stories …? Why do we have to fight tooth and nail to maintain our dignity? I think it is because we, as women, have been devalued artistically to an indecent state …. Until there is equality in our industry, with men and women having the same value in every aspect of it, our community will continue to be a fertile ground for predators."[52]

80. The Special Rapporteur salutes initiatives such as #WakingTheFeminists in Ireland which challenged the dearth of female directors and playwrights represented in the commemoration of the 1916 rising by the Irish national theatre, the Abbey.[53] This artistic civil society campaign, with an important social media component, called on boards and artistic directors of publicly funded theatres to pay more attention to gender balance, and

[50] A. Joseph, "Gender equality: missing in action", in *Re|Shaping Cultural Policies: Advancing Creativity for Development 2018* op. cit., p. 189.

[51] Ibid., p. 199.

[52] S. Hayek, "Harvey Weinstein is my monster too", *New York Times*, 12 December 2017.

[53] Joseph, "Gender equality", p. 193.

led the national theatre to adopt guiding principles for gender equality and the Irish Film Board to adopt a 50/50 gender equality plan.[54]

4. Developing clear objectives and adapted assessment schemes

81. Insufficient infrastructure focused on the multiform restorative and transformative potential of actions in the field of arts and culture results in the absence of recognized protocols for assessment and evaluation that are adapted to the particular objectives and adequate to measure the accomplishments. These include the long-term relationship building required to address violations of human rights, embrace cultural diversity and equality, foster trust and contribute to reconciliation. Many of the existing assessment strategies involve time-consuming work to produce measures required by donors and contributors but that are not aligned with the nuances of the work. Focused attention on these problems related to improving modes of funding, assessment and evaluation is needed.

82. Scholars, practitioners and policymakers need opportunities to collaborate. Centres of innovation and knowledge generation based in universities, large cultural organizations, foundations and other stable organizations could help cultivate multidisciplinary teams — including artists and workers in the fields of development, urban design, trauma recovery, social work, human rights and transitional justice[55] — and operate as regional nodes linked with each other and with local, national and regional initiatives in their region. They would be positioned to facilitate exchanges, apprenticeships and mentoring opportunities within and between regions.[56]

83. Agencies, NGOs and public institutions sponsoring and supporting such initiatives can educate their staffs about human rights and cultural rights standards relevant to artist-based and participatory applied works, in particular standards regarding the right to take part in cultural life and the development of one's society and freedom of artistic expression for all. They can also encourage collaborations between artists, activists and all other relevant stakeholders seeking to reach similar goals.

IV. Conclusions and recommendations

A. Conclusions

84. **Because of the nature of aesthetic engagement, initiatives in the field of culture can make robust and distinctive contributions to creating, developing and maintaining more rights-respecting societies, especially in the aftermath of violence and in deeply divided societies. They provide crucial opportunities to build capacity for critical thinking and respect for cultural diversity, equality and the universality of human rights. Cultural processes and art-making based on the exercise of cultural rights, participatory and inclusive work with local populations that aims at building bridges across social divisions, and public rituals and ceremonies that increase recognition of human dignity can often be essential to reaching a wide range of human rights goals. It is critical for all relevant actors to consider the benefits of adopting a cultural rights approach — which centres universal human rights and cultural diversity as well as non-discrimination and equality and the critical components of participation and**

[54] See the resulting study, *Gender Counts: An Analysis of Gender in Irish Theatre 2006–2015*, June 2017.

[55] For instance, see J. White and C. Cohen, "Strengthening work at the nexus of arts, culture and peacebuilding", report for Search for Common Ground, Brandeis University Program in Peacebuilding and the Arts, February 2012; and M. LeBaron and C. Cohen, *Breathing Life Into the Ashes: Resilience, Arts and Social Transformation*, final report of the Peter Wall Institute for Advanced Studies international round table, University of British Columbia Peter A. Allard School of Law, October 2013.

[56] In accordance with art. 15.4 of the International Covenant on Economic, Social and Cultural Rights.

consultation — in the design, support, promotion, funding and evaluation of all such initiatives.

B. Recommendations

85. **States should ratify and fully implement the International Covenant on Economic, Social and Cultural Rights and adhere to the Optional Protocol thereto.**

86. **National, subnational and municipal governments should:**

(a) **Uphold international standards on the right to take part in cultural life, on the diversity of cultural expressions and on freedom of expression, including by recognizing that incitement to hatred and violence should not be tolerated;**

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

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

(d) **Offer asylum to those whose artistic or cultural work, including that which is socially engaged, has led to their persecution, and facilitate the continuation of their work in exile;**

(e) **Gather information about socially engaged arts-based and cultural initiatives, as well as local artistic and cultural resources, so as to recognize their contributions to society, and support them effectively;**

(f) **Involve artists and cultural workers, especially those active in socially engaged work, in the planning, execution and evaluation of initiatives to counter social divisions and address human rights issues, as well as in transitional justice initiatives;**

(g) **Minimize risks of self-censorship and instrumentalization of arts and cultural initiatives, by:**

(i) **Focusing resources on funding for local infrastructure needed for art-making, such as local theatres and cultural centres and public spaces for arts productions, as well as training programmes in the various art forms;**

(ii) **Creating opportunities for a multiplicity of actors to engage positively with artistic and cultural productions;**[57]

(iii) **Undertaking awareness-raising about the importance of artistic expression and cultural production, including that which is socially engaged, so as to heighten public support for such work and those who take part in it;**

(iv) **Establishing a transparent process and explicit criteria for selection of artists and cultural workers eligible for publicly funded grant support, or for arts initiatives that will take place in public space;**

(v) **Creating review panels or other structures for accountability that have broad representations of respected civil society leaders and can maintain the independence of artists;**

(h) **Create opportunities for exchange among artists from countries with a history of conflict or animosity, as well as for their participation in multidisciplinary teams and local, regional and global networks;**

[57] See also A/HRC/25/49, para. 72.

(i) **Build partnerships and promote collaboration between educational institutions, cultural organizations and socially engaged artists;**

(j) **Take effective steps, in accordance with international standards, to combat discrimination, including against women, and promote diversity in the cultural and artistic fields, including by urgently tackling sexual harassment in these fields;**

(k) **Increase their budgets for culture as much as possible, and at a minimum comply with the UNESCO recommendation that Governments use 1 per cent of total expenditures for culture.**

87. **Transitional justice mechanisms and legal processes that develop reparation schemes for victims of gross human rights violations should:**

(a) **Coordinate efforts with artistic and cultural organizations with long-standing grass-roots commitments while respecting the integrity and independence of these organizations;**

(b) **Enlist the talents and perspectives of the artistic and cultural fields, particularly in relation to processes of remembering and memorialization, to strengthen the reflective and communicative capacities necessary to foster peace and build trust.**

88. **Cultural institutions should:**

(a) **Adopt a cultural rights-based approach;**

(b) **Commit to featuring a variety of socially engaged perspectives, including the works of artists and marginalized voices, in their exhibitions, performances and public programmes to facilitate interactions among people holding different views, in accordance with international standards;**

(c) **Invite creative collaborations featuring artists and cultural productions from different sides of any social and political divides and representing multiple world views, including non-religious and religious, as well as different interpretations of religions;**

(d) **Facilitate convenings of stakeholders involved in the field of culture where they can safely reflect on the ethical dimensions of their practice and establish networks;**

(e) **Organize activities and take steps to increase public access to cultural institutions, and bring arts and culture beyond institutions and into the public space when conditions and security allow;**

(f) **Promote the establishment of cultural institutions in disenfranchised regions and neighbourhoods.**

89. **Educational institutions should:**

(a) **Ensure the exposure of students in the arts, social work, legal studies, conflict transformation and all other relevant disciplines to cultural rights norms and standards, as well as to examples of socially engaged cultural and artistic initiatives that contribute to making societies more respectful of human rights;**

(b) **Invite artists, cultural workers and related organizations engaged in reconciliation processes for residencies that allow them to contribute to the education and training of the next generation of practitioners and that afford them space and support to document and reflect on their practice, to collaborate with scholars in the creation of new work and to consider the adoption of cultural rights approaches;**

(c) **Host symposiums, festivals and conferences that provide opportunities for artists, scholars, transitional justice experts and others to reflect on their work and methodology together and to establish networks. Consider the creation of centres of innovation for this field;**

(d) **Create educational and training materials that incorporate examples of best practice and adopt a cultural rights perspective, and disseminate these materials widely;**

(e) **Increase arts and culture education with a view to enhancing technical excellence and to promoting human rights, increasing the acceptance of equality and diversity, and recognizing complexity and layers of meaning;**

90. **Non-governmental organizations, including those in the fields of development, conflict transformation and human rights, when engaging the arts in their work, should:**

(a) **Recognize and respect the aesthetic dimensions that grounds the strength of these initiatives;**

(b) **Involve artists and cultural actors, including those working at the relevant local levels, in all stages of their work;**

(c) **Aim for sustainability of initiatives so that work can continue should external funding become unavailable.**

91. **Funding organizations at the national, regional and international levels should:**

(a) **Seek opportunities to convene and support multidisciplinary teams to work together over time;**

(b) **Support documentation of work in this area and the development of regional nodes, opportunities and infrastructures for the field, including apprenticeships and the development of educational and training materials;**

(c) **Involve artists and cultural advisors in defining clear and flexible assessment plans that take into account changes in conditions and assess impact upon and accountability of all parties, as well as involving them in reviewing calls for proposals and proposals;**

(d) **Support translation of cultural initiatives into multiple languages.**

92. **International organizations and bodies should:**

(a) **Build and strengthen "coalitions for culture" and integrate culture into all international peacebuilding processes;**

(b) **Advocate for and educate about arts-based and cultural initiatives aiming at promoting human rights, targeting in particular the multiple stakeholders whose policies and actions influence the context for this work and its outcome;**

(c) **Advocate for and support the use of arts and culture in policies aimed at dealing with past and current human rights violations, discrimination, exclusion, fundamentalism and extremism, and trauma caused by violent events;**

(d) **Create opportunities for multidisciplinary engagement on approaches to improve society's respect for and implementation of human rights, including cultural rights, and ensure that the perspectives and knowledge of artists and local culture actors are taken into consideration.**