

Carthage Declaration on the Protection of Artists in Vulnerable Situations

The signatories of the present Declaration,

Considering that art is a creative act, which is necessary for mankind, and which enables man to attain what is truly human in him, a force of revelation, a power of influence, a complex and multidimensional practice, offering man a large unexpected range of possibilities, which may change his perception of the world,

Being convinced that art recreates life, nurtures individual spirit, participates in self-constitution and is conducive to openness to others, stimulates social imagination, makes collective mentalities to change, encourages diversity and plurality, educates for citizenship, resists numbing and alienation, encourages singularity, contributes to knowledge acquisition and mastery of techniques and therefore contributes to the progress of mankind,

Recalling the definition of the artist by UNESCO, namely: « any person who creates or participate, by his performance, to the creation or re-creation of works of art, who considers his artistic creation to be an essential part of his life, who henceforth contributes to the development of art and culture and who is recognized or seeks to be recognized as an artist, whether or not he is bound by any employment or association relationship. »

Taking into account the plurality of the arts, the diversity of artistic contexts and conditions of artists, in different regions and countries around the world, and even within artistic fields and artists' ways of expressing their talents and producing their work and the intrinsic significance t they grant to them,

Noting that, male and female artists are increasingly vulnerable to unbearable acts affecting both their physical and moral integrity, denying them the right to create freely, impeding the universal right to freedom of speech and practically preventing them from practicing the trade from which they obtain their livelihood, particularly in unstable countries and in international and non-international armed conflict areas,

Considering that it is as much necessary as urgent to:

- Dedicate a declaration calling for the protection of artists, who are persecuted, in vulnerable, insecure, precarious and perilous situations, in risk- prone-areas and in armed conflicts zones,
- Take appropriate measures and develop dedicated mechanisms, to ensure this protection;

Considering that the United Nations Charter has assigned to states the primary responsibility for protecting fundamental human rights, the inherent dignity and value of the human person, equal rights for men women and for the maintaining of peace and security;

Acknowledging the right to participate to or take part in the cultural life of the community provided by Article 27 of the Universal Declaration of Human Rights and Article 15(1)(a) of the International Covenant on Economic, Social and Cultural Rights calling on states to recognize the right of everyone to take part in cultural life; to enjoy the benefits of scientific progress and its applications; to benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Reaffirming their commitment to the rights set forth in Article 19 of respectively the Universal Declaration of Human Rights (1948) and of the International Covenant on Civil and Political Rights (1966), including the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing in print, or in the form of artwork, or through any other media of his choice,

Considering the right to protection of the moral and material interests resulting from any scientific, literary or artistic production of which a person is the author, enshrined in the International Convention on the Protection of Performers, Producers of Phonograms and broadcasting organizations (1961), notwithstanding the protection of copyright in literary and artistic works as enshrined in the Berne Convention (1886) and the Universal Convention on copyright, revised at Paris July 24th, 1971,

Recalling the Geneva Conventions dated August 12th, 1949 and the Additional Protocols of June 8th, 1977, and also the standards for the humanitarian protection of civilians and civilian objects in the power of a Party to the conflict set forth in the Fourth Convention , especially title I and III, as well as resolutions 1265 (1999), 1296 (2000), 1674 (2006) and 1894 (2009) on the protection of civilians in armed conflict and other applicable norms of international law governing the protection of fundamental human rights during armed conflict of an international character,

Recognizing that the works of artists and related staff often expose them to specific risks such as : intimidation and harassment acts, various forms of violence, hostage taking and barbaric acts, in the course of the performance of their duties, particularly in times of armed conflict,

Reaffirming that states have the primary responsibility, in situations of peace or conflict, to take all necessary measures for the protection of artists, including the protection of their right to freedom of speech, creation, re-creation , and interpretation of works of art,

Referring to the recommendation concerning the status of the artist adopted by UNESCO (1980), which calls on states to ensure that artists benefit from the rights and protection provided for by both international and national legislation on Human Rights; and also the various social protection mechanisms for artists recommended in the afore-mentioned instruments and advocated in the European Union countries,

Taking into account the resolution adopted by the Copenhagen Summit (2012) on freedom of artistic expression – which brought together representatives of more than 1,400 organizations and international networks- alerting international public opinion on the urgent need to launch an international initiative to protect and promote artistic and creative freedom of expression, to help struggling artists and publicize the situation of artists, who are victims of harassment and censorship, and to hold governments accountable to their obligations under the relevant international conventions and national laws,

Inspired in particular by Article 79 of Additional Protocol I on the protection of journalists engaged in dangerous professional missions in areas of armed conflict and similar resolution 1738 of (2006) on the protection of journalists, media professionals and associated personnel in armed conflict times,

Considering that the provisions of the present Declaration relate to artists in situation of precariousness and vulnerability, whatever the nature and quality of their work, especially in areas of conflict and in times of war, without any discrimination due to race, nationality, religion or political opinions.

Considering that the key theme of the 17th Carthage Theatre Festival (JTC) 2015 held from October 16th through 24th, 2015 in Tunisia, is: “Theatre and Human Rights”,

Declare the following :

- 1.Any infringement of the freedom of artistic expression and all hindrances to the fulfillment of creative talent, impoverish the world,
- 2.The guaranteeing of artistic creation, the protection of artists, the improvement of their condition and the respect for all their inalienable rights, contribute to the defense of freedom, justice and peace in the world,
- 3.Artists are the keen awareness of mankind; their protection is a collective responsibility that requires the support of all, state, governmental and civilian authorities

In order to attain these objectives, the signatories recommend the following actions :

- 1.Provide persecuted artists, in vulnerable and precarious situations and in risky areas, including conflict areas, with a **special international status** allowing for the free practice of their profession,
- 2.Establish an « **artist-creator** » **Visa**, intended to ease the procedures required by artists to take part in joint artistic projects, to participate in international cultural events, and disseminate their individual works,

3. Seek assistance of international institutions, including UNESCO in order to provide artists with **travel documents**, inspired by diplomatic and consular passports and travel documents issued to refugees and stateless persons,

4. Establish a **fund** financed by public and private national and international resources in order to **assist artists**, in the form of grants of creation subsidies (allowance)

5. Implement **measures** facilitating the **professional integration** of artists, including the granting of a temporary residence permit, along with other assistances to help them practice their profession,

6. **Extend the protection** provided to the aforementioned artists to their **relatives and all exposed people** who take their defense in their respective countries, and who are subject to prosecution or intimidation,

7. Take **urgent measures** to **defend** the afore-mentioned artists and **prosecute authors of aggressions** perpetrated against them at both national and international levels.

8. Raise awareness of world public opinion to the situation of afore-mentioned artists and form a solidarity network, jurists and lawyers pools and councils to defend the afore-mentioned artists, providing them with legal assistance in relation with freedom of creation and copyright.

9. Take measures to **promote international travel** of, and exchange with, afore-mentioned artists, invite them to participate in joint international art projects and compensate them for the damage that they might suffer due to their status by, for example, promoting their art works through advertising and dissemination.

10. Defend the afore-mentioned artists' right to present and disseminate their work in the international arena then return to their respective countries, without intimidation, reprisals or travel ban.