

# The Ultimate Cookbook

FOR CULTURAL MANAGERS

## The Artistic Freedom Regulatory Framework in the EU

From equipping yourself with the tools to identify risks, to understanding the legal landscape, to taking action to defend and promote artistic freedom.

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### INFOGRAPHIC VERSION

## Understanding Artistic Freedom

Artistic freedom encompasses a bundle of rights



## International and European Legal Framework

Artistic freedom is firmly grounded in human rights law and is protected across multiple instruments at international and European levels.

### United Nations

✓ 193 countries

**Universal Declaration of Human Rights**  
(Article 27) – cultural participation.



### Council of Europe

✓ 46 countries

(EU + 19 countries)

**Charter of Fundamental Rights of the European Union**  
(Articles 11, 13, 21, 22) explicitly protects artistic freedom, expression, non-discrimination, and cultural diversity.



### European Union

✓ 27 countries

**European Convention on Human Rights**  
(Article 10) protects artistic expression, interpreted broadly by the ECtHR.  
(Article 27) – cultural participation.



## Artistic Freedom the Rights of Audiences

### 📌 Censorship limits public access

Removing or altering artistic works deprives audiences of diverse viewpoints and narrows cultural life.

### 📌 Economic barriers

Reduced public funding, forcing to increase ticket prices, limit access to culture for all.

### 📌 Disinformation campaigns

False or manipulated online narratives can pressure institutions into cancelling works before audiences can engage with them.



### **Audiences have a right to culture!**

International law (UDHR Article 27, ICESCR Article 15) protects everyone's right to access and enjoy the arts.

### **Safety concerns** 📌

Threats, harassment, and violence undermine the willingness of audiences to attend cultural events and weaken public trust in cultural spaces.

### **Education matters** 📌

Equal access to arts and cultural education strengthens participation, critical thinking, and future audience engagement.

# Risks and Challenges

## Mobility barriers



- ! Signals to watch:**
- Frequent last-minute visa denials or delays affecting artists from specific countries or groups.
  - Border officials questioning artists about their work or beliefs
  - scrutiny of lawful expression.

## Safety threats



- ! Signals to watch:**
- Risk assessments flag threats, but no mitigation measures are implemented.
  - Security agencies refusing support.
  - Insurance costs that make an event unviable.
  - Poor coordination with police forces.
  - Repeatedly classifying certain art as a “public order risk” instead of addressing those risks.

## Political pressure on institutions



- ! Signals to watch:**
- Sudden governance changes that give political appointees more control over programming or hiring.
  - Funding calls with vague criteria, such as “respecting national values”.
  - Repeated rejections of critical or experimental art without clear reasons.

## Public backlash and polarisation



- ! Signals to watch:**
- Orchestrated complaint campaigns (i.e. identical email or comment templates circulating online, sudden spikes of outrage not proportional to the actual audience of the work).
  - Vague claims of “harm” that no laws.
  - Threats to withdraw sponsorships or funding over content disagreements especially if accompanied by politically charged rhetoric.

## Censorship and self-censorship



- ! Signals to watch:**
- De-programming of announced shows.
  - “Postponements” without clear reasons.
  - Unusually restrictive house rules.
  - Legal threats (i.e. cease-and-desist letters over content, dubious copyright takedown notices, defamation allegations).



### Good to know!

Inspired by the EMFA (European Media Freedom Act), the new Cultural Compass will systematically include artistic freedom in the future reports 'state of culture in EU'.

## 7 tips for daily practice



**Keep written records** of interference, risk assessments, legal threats, and decisions affecting programmes.



**Track signals to watch:** vague “values” criteria, repeat rejections without reasons, “pending visa” defaults, and shrinking international line-ups.



**Communicate with audiences as partners:** explain public interest, provide context materials, and invite dialogue rather than retreat.



**Request transparent grant procedures** and written justifications for funding decisions.



**Build a copyright playbook:** know quotation, parody, and pastiche exceptions; seek legal review before releasing content.



**Adopt an artistic freedom policy** and a crisis-response plan for backlash and disinformation (Q&A notes, contextualisation, spokespersons).



**Balance security with openness:** proportionate measures, trained staff, liaison with police, and clear public messaging.



For further information read:

**The Ultimate Cookbook for Cultural Managers:**

**The Artistic Freedom Regulatory Framework in the EU**

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