

## 2025 Rule of Law Report Targeted Stakeholder Consultation Reply of Pearle\*-Live Performance Europe

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In the face of increasing interference and restrictions on freedom of artistic expression across the European Union, concerning patterns have emerged that highlight the horizontal impact of these violations across Member States. These issues manifest in several ways, with the most glaring examples being:

- **Hungary:** Cultural institutions face extensive political interference, with funding tied to projects aligned with the ruling party's nationalist agenda. Institutions promoting diverse or critical artistic work have seen their budgets drastically reduced or cut entirely, while government-aligned organizations receive preferential treatment.
- **Poland:** In the past, artistic and cultural leaders have been removed from their positions for supporting initiatives perceived as critical of the government. This has created a climate of fear among artists and cultural workers, many of whom resort to self-censorship to avoid political backlash.
- **Slovakia:** The recent dismissals of directors at the National Theatre and National Gallery without transparency have raised serious concerns about political influence in cultural governance. These actions undermine institutional independence and erode public trust in the integrity of cultural decision-making.
- **Austria:** The Freedom Party (FPÖ) has threatened funding cuts to cultural organizations that do not align with their ideological preferences. This targeting of independent and experimental art jeopardizes Austria's long-standing tradition of cultural diversity and innovation.
- **Bulgaria:** Violent disruptions of a theatre premiere at the national theatre in Sofia by ultranationalist groups illustrate the growing use of intimidation to silence dissenting voices in the cultural sphere. Such actions directly contravene fundamental rights to freedom of expression and assembly.
- **The Netherlands:** Recent incidents of censorship in exhibitions and cultural events have highlighted the creeping influence of nationalist agendas. Institutions and cultural organisation producing work on sensitive or controversial topics often face public criticism, intended polarisation and funding challenges.

Beyond these examples, artistic freedom and sometimes also the autonomy of cultural institutions are increasingly under threat across Europe from political parties at different levels of governance and anti-democratic political and social movements. This is reflected in:

- Budget cuts targeting cultural organisations that produce non-traditional, diverse, or experimental art not aligned with ruling parties' ideologies;
- Dismissals of cultural leaders based on their political views or affiliations;
- Threats and censorship directed at specific creative works or exhibitions.

This trend undermines not only the autonomy of cultural institutions but also the broader societal benefits of artistic expression, including critical discourse, innovation, and cultural diversity.

While artistic freedom can be formally protected by the laws of Member States, and in theory it should be freely exercised, in reality, things can be different. There is a general sense that, although artistic freedom exists, numerous instances have arisen where this freedom has come under threat. This shows a concerning gap between the legal frameworks reported by Member States and how these principles are put into practice.

Across Member States, cultural institutions are becoming battlegrounds for ideological control to a larger or lesser extent. Public funding is increasingly used as a tool for (self-) censorship, sometimes with support conditioned on adherence to political or ideological standards. This dynamic stifles freedom of artistic creation and creativity, compromises institutional autonomy, and undermines the role of culture as a pillar of democracy. In addition, these restrictions are often accompanied by actions that jeopardize academic and media freedom.

Therefore, we call for the Commission to include freedom of artistic expression in the scope of the European Commission's Rule of Law Report starting in 2025. This fundamental right is enshrined in both international and European legal frameworks, reflecting its critical role in upholding democratic values and cultural diversity. On this note, we are also sharing a Call for Artistic Freedom and Autonomy of the Arts from Culture Action Europe (<https://cultureactioneurope.org/advocacy/call-for-artistic-freedom-and-autonomy-of-the-arts/>), of which we are signatory.

We conclude our contribution to this consultation with examples from France that illustrate both the impact of interference and potentially good practices regarding legal safeguards for artistic freedom.