

Recommendation 719 (1973)¹

Exercise of freedom of artistic expression

Parliamentary Assembly

The Assembly,

1. Considering the results of its symposium held in Florence on 29 and 30 June 1973 on freedom of expression and the role of the artist in European society ;
2. Having regard to the report presented by its Committee on Culture and Education ([Doc. 3329](#)) ;
3. Believing that the work of the Florence Symposium should be pursued and intensified, both at intergovernmental and at parliamentary level, in order to increase the protection provided for freedom of artistic expression by Article 10 of the European Convention on Human Rights and Fundamental Freedoms,
4. Recommends that the Committee of Ministers ask the Committee of Experts on Human Rights, in cooperation with any other intergovernmental committees concerned, and with the working party set up under Order No. 341 :

to examine the cultural cooperation agreements concluded by and between European States, whether or not they are Members of the Council of Europe, in order :

- a. *to ascertain the place allotted to artists and their professional organisations, on the understanding that the artists' contribution is essential to ensure that these agreements are implemented in a manner consonant with the necessary respect for freedom of artistic expression ;*
- b. *to work out certain fundamental principles which might constitute the basis of a model cooperation agreement ;*

to study the question of the free movement of artists between European countries whether or not Members of the Council of Europe, particularly in the case of travel for professional reasons, and to prepare an appropriate draft convention ;

to determine whether and to what extent the essential copyright protection, which provides the material basis for freedom of artistic expression, could lead to restriction of that freedom ;

to consider the expediency of setting up, for the benefit of all categories of artists, a moral right in their works combined with an artistic conscience clause, so that an artist's works shall not become propaganda instruments of the State to the detriment of freedom of artistic expression.

1. Assembly debate on 28 September 1973 (14th and 15th Sittings) (see [Doc. 3329](#), report of the Committee on Culture and Education). Text adopted by the Assembly on 28 September 1973 (15th Sitting).

