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

Written statement submitted by INHR, a non-governmental organization in special consultative status*

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[23 May 2026]

* Issued as received, in the language of submission only.



The Right to Freedom of Opinion and Expression

Restrictions on Artistic Freedom and Freedom of Expression in the United States of America

INHR, Artistic Freedom Initiative (AFI) and Initiative pour la Liberté Artistique (ILA) welcome the work of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and respectfully submits the following information regarding recent restrictions on artistic freedom, cultural participation, and freedom of expression in the United States of America. This statement draws upon findings documented by AFI's Artistic Freedom Monitor USA, which tracks government actions that threaten artistic freedom and the independence of cultural institutions in the United States of America.⁽¹⁾ These measures raise serious concerns under Article 19 of the International Covenant on Civil and Political Rights (ICCPR), which protects the right to freedom of expression, including artistic expression, and under Article 27 of the Universal Declaration of Human Rights, which guarantees the right to participate in cultural life.

The developments documented in this statement demonstrate how contemporary threats to freedom of expression increasingly emerge through institutional and administrative measures beyond traditional censorship. In the United States of America, restrictions on artistic freedom are increasingly imposed through executive directives, funding conditions, institutional restructuring, educational restrictions, and regulatory pressure on cultural institutions and media, producing significant chilling effects on artistic expression, particularly for LGBTQ+ communities and other marginalized groups, raising concerns relevant to the Special Rapporteur's examination of freedom of expression in new frontiers.

Wrongful Use of Morality and Nationalism Justifications to Suppress Artistic Freedom

Since January 2025, the government of the United States of America has issued a series of executive orders that condition access to funding, public programming, and institutional support on ideological and discriminatory criteria. Although framed as efforts to combat "radical" or "extremist" ideologies, these measures have disproportionately affected LGBTQ+ communities, women's rights advocates, migrants and asylum seekers, religious minorities, marginalized racial and ethnic communities, and human rights defenders.⁽²⁾

Executive orders including "Ending Illegal Discrimination and Restoring Merit-Based Opportunity" and "Defending Women from Gender Ideology Extremism and Restoring Biological Truth in Federal Government" have disproportionately affected organizations promoting LGBTQ+ representation and minority participation in cultural life. Another executive order, "Ending Radical Indoctrination in K-12 Schooling," has reportedly created pressure on educators and public institutions to cancel or avoid artistic and educational works addressing racism, feminism, and LGBTQ+ rights.⁽³⁾

Particularly concerning is Executive Order "Restoring Truth and Sanity to American History," which directs the removal of what the administration characterizes as "improper, divisive, or anti-American ideology" from Smithsonian museums, education centers, and cultural programming.⁽⁴⁾ AFI documented that federal review processes subsequently resulted in censorship at the Smithsonian, including the removal of references to President Trump's impeachments from a National Portrait Gallery exhibit.⁽⁵⁾

Similarly, the administration's "Reevaluating and Realigning United States Foreign Aid" initiative suspended funding supporting independent media, journalist safety training, cultural exchange initiatives, and international artistic collaborations.⁽⁶⁾ White House officials publicly cited cultural projects involving transgender themes as examples of purported "government waste," demonstrating the discriminatory application of funding restrictions against marginalized communities.⁽⁷⁾

Political Suppression of Arts and Cultural Institutions

The government of the United States of America has increasingly intervened in the governance and programming of major cultural institutions, undermining their independence and imposing government-endorsed narratives on artistic and historical expression.

In February 2025, President Donald Trump removed 18 members of the Kennedy Center's Board of Trustees, replacing them with political allies.⁽⁸⁾ The new board subsequently elected President Trump as Chairman. Following these changes, President Trump announced his intent to ban "drag shows and other anti-American performances" at the Kennedy Center.⁽⁹⁾ Several performances addressing LGBTQ+ themes were reportedly cancelled, including a children's theater production featuring non-binary characters and a performance by the Gay Men's Chorus of Washington, D.C.⁽¹⁰⁾

Federal authorities also intervened in cultural heritage and historical sites. In January 2026, the National Park Service removed the Pride flag from the Stonewall National Monument following a Department of Interior directive prohibiting "non-agency flags and pennants."⁽¹¹⁾ The same period saw the removal of a public exhibit on slavery at Philadelphia's President's House historic site pursuant to Executive Order 14253.⁽¹²⁾ These actions raise concerns regarding viewpoint discrimination and state censorship of cultural heritage and history at federally managed cultural institutions.

AFI additionally documented that federal arts funding decisions have disproportionately impacted underserved communities.⁽¹³⁾ The termination of the long-running "Challenge America" grant program, which expanded arts access for marginalized communities, significantly restricts opportunities for participation in cultural life among minorities.⁽¹⁴⁾

Criminalization of Artistic Expression and Legislative Restrictions

Between January and March 2026, AFI documented 14 new measures threatening artistic freedom in the United States of America, including legislation introducing potential criminal liability for artists and cultural workers.⁽¹⁵⁾ Of these measures, 79 percent targeted LGBTQ+ expression and participation in cultural life.⁽¹⁶⁾

Several state legislatures introduced bills criminalizing drag performances using vague morality-based language tied to "prurient interests" and "harmful" content.⁽¹⁷⁾ AFI identified coordinated legislative efforts across multiple states, including Tennessee, Kentucky, West Virginia, Missouri, and Arizona.⁽¹⁸⁾

Additional measures introduced criminal penalties for librarians and educators who fail to comply with book bans restricting gender, sexuality, race, and social justice themes.⁽¹⁹⁾ AFI documented that these measures have already produced chilling effects, including cancellations of drag performances, removal of books with LGBTQ+ themes, and retaliatory dismissals of cultural workers.⁽²⁰⁾

Restrictions Affecting Press Freedom and Reporting on Arts and Culture

Recent investigations by the Federal Communications Commission (FCC) into media outlets including ABC, CBS, NPR, and PBS have raised concerns regarding press freedom and the potential chilling effect on reporting related to arts and cultural issues.⁽²¹⁾ NPR and PBS play significant roles in documenting and disseminating information about American arts and culture. Actions undermining their independence risk reducing public access to cultural programming.

Recommendations

The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression should continue monitoring restrictions affecting artistic freedom, cultural participation, and media independence in the United States of America, including censorship targeting LGBTQ+ communities and political interference in cultural institutions.

The United States of America should immediately rescind Executive Orders 14168, 14173, 14190, 14253, 14290, and Secretarial Order 3431, and repeal H.R. 4 (Public Law 119-28), in order to end executive and fiscal measures that directly or indirectly restrict artistic freedom, cultural participation, and media independence.

The United States of America should restore National Endowment for the Arts (NEA) and Assistance for Arts Education funding to pre-2025 levels and establish statutory safeguards protecting arts funding and artistic expression from ideological or identity-based discrimination.

The United States of America should adopt legislation codifying the autonomy of federally funded cultural institutions, including the Smithsonian Institution and the Kennedy Center, to ensure transparent, merit-based appointments and prohibit executive interference in programming, exhibitions, and governance.

Federal and state authorities should refrain from imposing criminal penalties on artists, performers, librarians, educators, and cultural workers for engaging in protected artistic and expressive activities.

The United States of America should reinstate federal funding for the Corporation for Public Broadcasting and guarantee the editorial independence of PBS, NPR, and other public-service media in accordance with First Amendment protections and international standards on freedom of expression.

Artistic Freedom Initiative Initiative pour la Liberté Artistique, NGO(s) without consultative status, also share the views expressed in this statement.

- (1) AFI, “Artistic Freedom Monitor USA: 2025 Fact Sheet,” February 2026, <https://artisticfreedominitiative.org/research/artistic-freedom-monitor-usa-2025-fact-sheet/>
- (2) “Executive Actions Under the Trump-Vance Administration Touching on DEI and Gender” NAFSA, March 14, 2025, <https://www.nafsa.org/regulatory-information/executive-actions-under-trump-vance-administration-touching-dei-and-gender>.
- (3) AFI, “United States UPR NGO Submission,” April 2025, <https://artisticfreedominitiative.org/global-policy-advocacy/advocacy-activity/>.
- (4) “Restoring Truth and Sanity to American History,” The White House, March 27, 2025, <https://www.whitehouse.gov/presidential-actions/2025/03/restoring-truth-and-sanity-to-american-history/>.
- (5) AFI, Artistic Freedom Monitor USA: 2025 Fact Sheet.
- (6) AFI, “United States UPR NGO Submission.”
- (7) “At USAID, Waste and Abuse Runs Deep.” The White House, 4 Feb. 2025, <https://www.whitehouse.gov/articles/2025/02/at-usaid-waste-and-abuse-runs-deep/>.
- (8) Dawsey et al. “The Week Trump Mounted an Unprecedented Takeover of the Kennedy Center.” The Wall Street Journal, February 17, 2025, <https://www.wsj.com/politics/elections/trump-kennedy-center-board-takeover-78c2f122>.
- (9) “Trump Took Over the Kennedy Center, but Silencing the Arts Will Not Be So Easy” The Nation, accessed March 28, 2025, <https://www.thenation.com/article/culture/trump-kennedy-center-arts-funding/>.
- (10) Dawsey et al., “The Week Trump Mounted an Unprecedented Takeover of the Kennedy Center.”
- (11) PEN America, “Purging History from National Parks,” published March 2026, 2026, <https://pen.org/purging-history-from-national-parks/>.
- (12) Nick Kariuki, “‘It’s a Damn Shame’: Park Service Crews Dismantle President’s House Exhibit on Slavery,” Billy Penn, January 22, 2026, 2026, <https://billypenn.com/2026/01/22/presidents-house-exhibit-slavery-dismantled/>.
- (13) AFI, Artistic Freedom Monitor USA: 2025 Fact Sheet.
- (14) “Updates on National Endowment for the Arts FY 2026 Grant Opportunities.” National Endowment for the Arts, February 6, 2025. <https://www.arts.gov/news/press-releases/2025/updates-national-endowment-arts-fy-2026-grant-opportunities>.

- (15) AFI, “Artistic Freedom Monitor: USA — January–March 2026 Quarterly Update,” April 2026, <https://artisticfreedominitiative.org/research/artistic-freedom-monitor-quarterly-update-january-march-2026/>.
- (16) Ibid.
- (17) Ibid.
- (18) Ibid.
- (19) Georgia General Assembly, Senate Bill 74 (2025-2026 Regular Session), <https://www.billtrack50.com/billdetail/1815780>.
- (20) Artistic Freedom Initiative, “Artistic Freedom Monitor: USA — January–March 2026 Quarterly Update.”
- (21) “FCC Reinstates Complaints against ABC, CBS and NBC for 2024 Election Coverage,” The Guardian, January 23, 2025, sec. US news, <https://www.theguardian.com/us-news/2025/jan/22/fcc-reinstates-complaints-abc-cbs-nbc>.