

# ART UNDER THREAT

**FREEMUSE** ANNUAL STATISTICS ON CENSORSHIP  
AND ATTACKS ON ARTISTIC FREEDOM IN **2016**

**FREEMUSE**  
DEFENDING ARTISTIC FREEDOM



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# **FREEMUSE**

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## **ARTSFREEDOM**

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## ▲ FOREWORD: ART UNDER THREAT IN 2016

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Populists and nationalists, who often portray human rights as a limitation on what they claim is the will of the majority, are on the rise globally. As this phenomenon rises, artists continue to play an important role in expressing alternative visions for society. But as our Art under Threat in 2016 report shows – this year with a record 1,028 registered cases – artists also continue to be silenced all over the world.

In 2016, artists were censored, tortured, jailed and even killed for their creative expressions. Claims of defending “traditional values” or “the interest of the state” were, in many cases, driving arguments behind the violations.

As you will see in this report, Iran, Turkey, Egypt, Nigeria, China and Russia top the list of serious violators. Documenting violations in these and other countries has never been easy. Further, as Zeid Ra’ad Al Hussein, UN High Commissioner for Human Rights, pointed out in 2016, an increasing number of states are becoming more hostile to official UN mechanisms, as well as independent civil society groups, when they wish to enter a country or otherwise document and work to improve the human rights situation.

At Freemuse we experience this in our daily work. However, “even where the powerful might seek to deflect our work and evade our scrutiny, we and other human rights actors will always continue to seek the truth and stand up for the rights of all people”, as Al Hussein told member states of the UN Human Rights Council.

With populist and nationalist leaders questioning the universality of human rights, now is the time to document violations and use those facts to defend and amplify threatened artistic voices.

I would like to take this opportunity to thank our members, network partners, stringers and, not least, our very persistent donors for all their support.

And finally, a heartfelt thank you to all the courageous artists around the world who continue to make art.

Yours sincerely,

**Ole Reitov**  
*Executive Director*

## PRESENTING THE FIGURES

Freemuse registered **1,028 attacks on artists** and violations of their rights in 2016 across **78 countries**, continuing a worrying trend of artistic freedom increasingly coming under threat. The number of cases registered in 2016 more than doubled the amount in 2015, increasing by 119%, rising from 469 attacks. Of those more than one thousand cases, Freemuse documented **188 total serious violations of artistic freedom** and **840 acts of censorship**.

The numbers include the killing of two musicians, Amjad Sabri in Pakistan and Pascal Treasury Nshimirimana in Burundi, and the execution by ISIS of a 15-year-old boy in Iraq for listening to Western music.

Freemuse divides attacks on artistic freedom into “serious violations” – which include killings, abductions, attacks, imprisonments, prosecutions and persecutions/threats – and acts of censorship. Acts of censorship are also serious concerns, but separating them from the rest helps to distinguish the nuanced global picture of the artistic freedom world, and the difference between having an art work banned from the other categories which have even more severe consequences for an artist’s life and family.

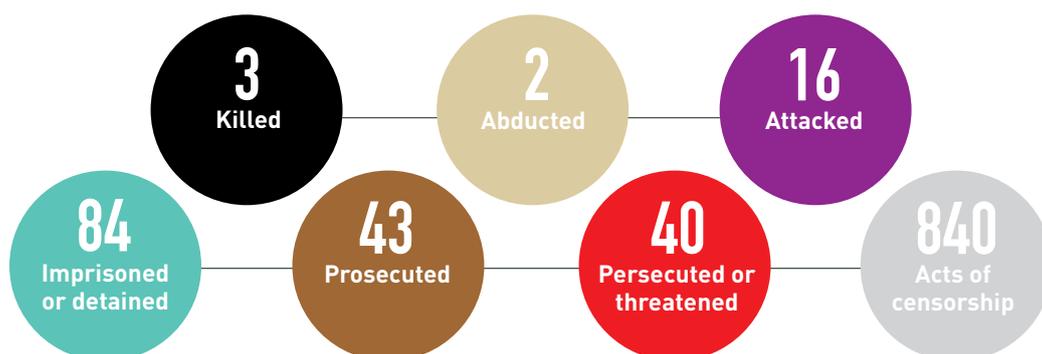
The increase in the case number can partially be explained by the fact that Freemuse, alongside its partners and expanding network, has continued to improve its documentation methods and increasingly receives more information through its strengthening network. Additionally, the issue

of artistic freedom, especially in a year that is seeing a rise in populism and nationalistic views, continues to gain attention, resulting in more bodies and organisations reporting on incidents when artists are being silenced.

Despite these increases in attention and refinement of methodology, artistic freedom violations in many countries continue to be under-reported due to a variety of factors, including lack of public awareness, capacity and political will. Thus, while the number of cases Freemuse sees continues to rise year after year, the sad reality is that the real number of attacks on artistic freedom and violations of artists’ rights is much higher. It is nearly impossible to report on closed societies or determine the number of acts of self-censorship carried out by artists due to intimidation, cultural and social pressure, or living under regimes that threaten punishment for artistic expression of any or all kinds.

In 2016, **Iran was the worst violating country for serious violations** on artistic freedom of expression with 30 registered cases, including an attack on one artist, the imprisonment of 19 artists, prosecution of six others, and persecution of or threat to four artists. Thus, Iran continues to be one of the worst violators since Freemuse began documenting artistic freedom violations in 2012. Iran also ranked tenth for worst country practicing censorship with nine registered cases (for a more detailed overview of the situation in Iran [see page 28](#)).

### ► VIOLATIONS OF ARTISTIC FREEDOM IN 2016



Following Iran, were Turkey, Egypt, Nigeria, China, Russia, Malaysia, Syria, Tanzania and Uzbekistan as the worst violators committing serious violations on artistic freedom, which combined accounted for 126 of the 188 serious violations in 2016, or 67% of total serious violations.

In the case of serious violations, **music continued to be the art form that suffered the most violations of artistic freedom** with 86 cases, or 46% of total serious violations. In 2015, Freemuse also registered 86 serious violations for music.

2016, however, saw a **rise in serious violations on theatre and visual arts**. Theatre ranked second, up from fourth place in 2015, for serious violations with 32 cases registered in 2016. Visual arts ranked third, up from fifth place in 2015, with 27 cases registered in 2016. Combined, music, theatre and visual arts, accounted for 77% of worst affected art forms for serious violations.

**Ukraine in 2016 topped the list for worst country to practice censorship** with 557 registered acts of censorship, mainly due to a blacklist of 544 films that was made public, mostly consisting of Russian films and TV-series banned as a result of the ongoing conflict between the two countries. Ukraine alone accounted for 66% of censorship cases in 2016 – 557 of the total 840 cases registered.

When a blacklist is made public, or Freemuse is able to obtain it and identify all the individual art works banned, they are all registered as individual cases of censorship; when a list is not able to be obtained, the offence is listed as one case. For example, such was the case in 2016 with Uzbekistan, a country that sources reported produced a blacklist of 700 films. Freemuse was unable to obtain that list and thus the case was registered as one.

While Freemuse appreciates the level of transparency by governments who are public about their censorship, the fact remains that neither such a wide-sweeping act of censorship should occur in the first place, nor should any act of censorship.

Following Ukraine in censorship was Kuwait – a country whose total 61 cases were all acts of censorship, including a blacklist of 54 films

Freemuse was able to obtain – followed by China, Egypt, India, Russia, Turkey, USA, Pakistan and Iran. Combined, the top ten censoring countries accounted for 88% of all registered censorship cases in 2016.

In the case of censorship, **film overtook music to be the most censored art form in 2016**, with 663 registered cases, or 79% of all cases of censorship registered; of course a bulk of those numbers come from the Ukraine and Kuwait blacklists. In 2015, film was ranked second as most censored art form with 31 cases at the time.

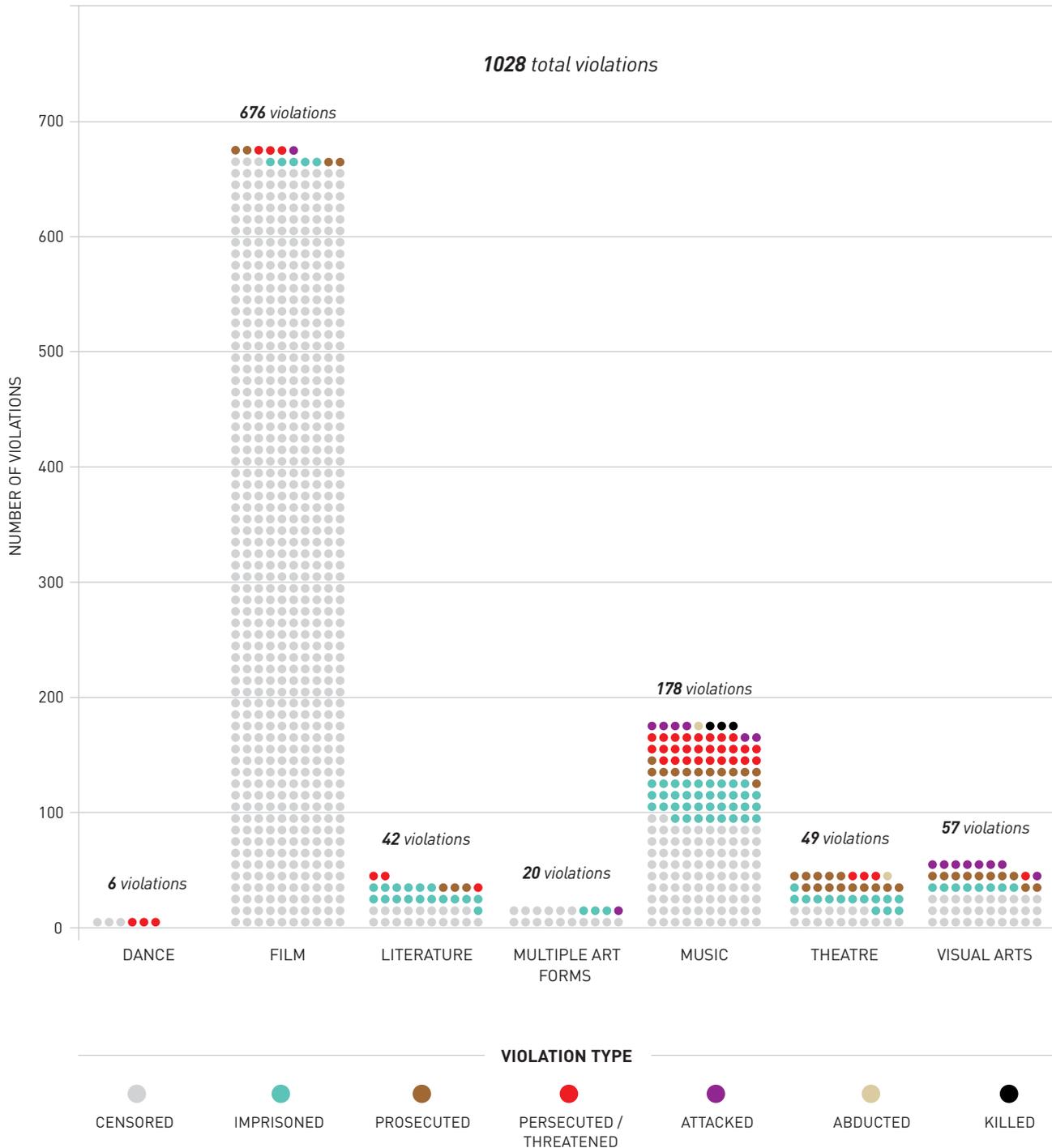
Following film, music was ranked second in 2016 with 92 cases of censorship. In 2015, music was the most censored art form with 223 cases; however, that year, Freemuse was able to obtain a 120-song blacklist in China that swelled those numbers. Acts of censorship against film and music combined for 755 registered cases, or 90% of all acts of censorship Freemuse registered in 2016.

This broad overview of the statistics Freemuse collected over 2016 serve to paint a macro picture of how artistic freedom continues to be violated in many countries. In the following sections of the report, we dive deeper into the issues and tendencies that drove governments and other groups to limit artistic expressions, and then go deeper still to look more closely at the six worst violating countries to understand the motivations behind their attacks on artistic freedom.

Among the tendencies, 2016 saw incidents of violent militants or peaceful civil society groups targeting artists and audiences with very different means, but with the same goal of stifling artistic expression. We saw several cases of women, as well as LGBT artists, being discriminated, and even cases where artist syndicates and unions played the role of censor. The conflicts between Russia and Ukraine, and India and Pakistan, also showed that when two neighbouring countries fight over a contested region, cultural exchange often suffers greatly. Additionally, 2016 was a year with a number of cases of governments, specifically the governments of China and Turkey, attempting to censor and prosecute artists and art outside their own borders.

► VIOLATIONS OF ARTISTIC FREEDOM IN 2016 BY ART FORM

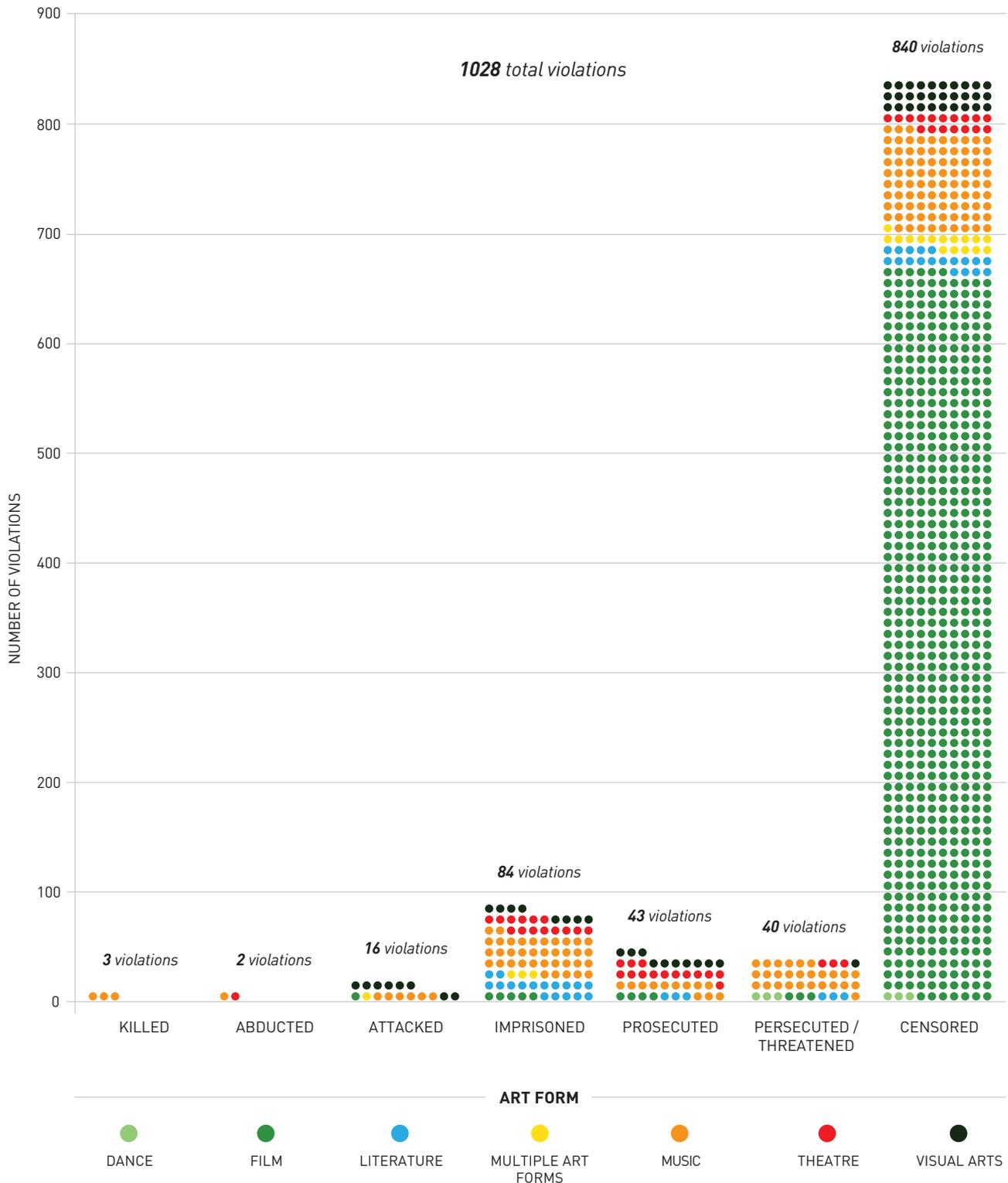
This bar graph shows the number of violations of artistic freedom separated into art form columns and colour-coded violation types within the columns.



The large number in the Film category is due to two censorship cases – one in Ukraine and one in Kuwait – wherein their governments released blacklists of 544 films and 54 films, respectively. Freemuse considers each of those censored films to be individual instances of censorship.

## ► VIOLATIONS OF ARTISTIC FREEDOM IN 2016 BY VIOLATION TYPE

This bar graph shows the number of violations of artistic freedom separated into violation type columns and colour-coded art forms within the columns.



The large number in the Censored category is due to two censorship cases – one in Ukraine and one in Kuwait – wherein their governments released blacklists of 544 films and 54 films, respectively. Freemuse considers each of those censored films to be individual instances of censorship.

## WHAT DROVE VIOLATIONS IN 2016

### THREATS AND ATTACKS FROM NON-STATE ACTORS

It is not only governments violating the right to artistic freedom. 2016 saw a worrying amount of actions by non-state actors, ranging from militant extremists to peaceful community groups, against art and artists. In some incidences, authorities censored artists based on requests or the interference from civil society groups.

Over the past years, militant extremists have attacked music and other art forms in countries such as Afghanistan, France, Iraq, Mali, Pakistan and Somalia, and 2016 was no exception to this trend.

In **Pakistan** on 22 June, two gunmen on a motorbike shot one of Pakistan's most famous Qawwali singers, Amjad Sabri, in his car just a kilometre away from his home in Karachi. Two men, both members of an anti-Shia militant group, are currently in custody and have confessed to killing the singer on sectarian grounds.

In **Iraq**, in the city of Mosul, Islamic State militants publicly executed a 15-year-old boy in February simply for listening to "Western music".

In **Germany**, a Syrian asylum seeker blew himself up outside an open-air music festival in the town of Ansbach on 24 July. Before detonating the explosives he left a message pledging allegiance to the Islamic State. The blast killed the man and injured twelve bystanders, three of them seriously.

Not all non-state actors are aligned to militant groups. In 2016, Freemuse documented extensive examples of threats to art and artists from neo-nationalist, religious and minority groups.

In **India** on 8 December, right-wing activists from two different groups stormed the fourth annual Jaipur Art Summit, damaged paintings, and attacked and injured painter Radha Binod Sharma. They also stole a painting in protest of it featuring semi-nude women.

### FACES BEHIND THE FIGURES: AMJAD SABRI



NAME: ..... **Amjad Sabri**  
 PROFESSION: ..... **Musician**  
 COUNTRY: ..... **Pakistan**  
 ART FORM: ..... **Music**  
 VIOLATION TYPE: ..... **Killed**  
 ALLEGED OFFENCE: ..... **Playing music**

Amjad Sabri, one of Pakistan's most famous singers, died in the port town of Karachi on 22 June 2016, after two gunmen on a motorbike shot the singer in his car just a kilometre after leaving his home. Sabri was a leading and respected Qawwali singer, a Sufi spiritual music, who came from a family of respected Qawwali singers. The two suspected gunmen, both members of an anti-Shia militant group, are currently in custody and have confessed to killing the singer on sectarian grounds.

In **Spain**, theatre organisers putting together a multi-day event entitled 'Night of the Dead 2016' in Águilas, a Spanish coastal town, decided to cancel all scheduled activities after an association that defends mentally ill people and their families filed a complaint to the city's town hall over one of the play's representations of mentally ill people.

On 12 October, a group of people painted over a mural just one day after it had been finished and displayed on the façade of the Museo Nacional de Arte (National Art Museum) in La Paz, **Bolivia**. The group was allegedly offended by the mural's "negative and graphic portrayal" of two of the country's core institutions, the Catholic Church and the State.

In **USA**, the Michael-Ann Russell Jewish Community Centre in North Miami Beach, Florida, chose to cancel the drama 'Crossing Jerusalem' after community members protested the anti-Jewish elements and "false paradigm of the Arab-Israeli conflict" they felt the play portrayed.

In **Malaysia**, a group of 20 NGOs filed reports against musician Namewee's music video 'Oh My God!', claiming it "insulted Islam", which led police to detain the artist for four days. Namewee was released on bail in Penang on 25 August, but an investigation is still ongoing.

Polish authorities did not let Ukrainian band Ot Vinta cross the border into **Poland** as local hardcore football fans known as Ultras threatened to stage mass riots and burn down the stage if the band was to play a scheduled concert at a festival on 2 July in the south-eastern town of Przemysl that borders Ukraine.

And in **Russia**, non-state actors with nationalistic agendas and ties to the Russian Orthodox church continue to be behind a number of attacks on art. Krasnodar city authorities cancelled the concerts of Austrian metal band Belphegor and American metal band Nile on 23 April as they deemed the band members to be "satanists". The decision came after activists from the "Pravoslavni Soyuz" (Orthodox Unity) group appealed to authorities to have the shows cancelled. Both bands were

on a five-date tour in Russia and had concerts cancelled and censored in other Russian cities after Krasnodar. Belphegor lead singer Helmuth Lehner was even attacked by a Russian Orthodox activist at the St. Petersburg airport when the band arrived in Russia.

Not only should governments protect artists and audiences from the direct, often lethal, threat from violent non-state actors; but authorities also have a responsibility to secure an environment favourable for everyone to create and share creative expressions, even when civil society groups try to act as censors directly or through the courts.

## ARTISTS CENSORING ARTISTS

Artists have for centuries played significant roles as censors, working actively as directors of censorship boards and as controllers of cultural budgets, while at the same time benefitting from state support – often playing the role of "his master's voice".

In some countries, artists' syndicates are government controlled. Some of these syndicates do not only control which artists are being given permission to perform; they even perform pre-censorship and engage in condemnations of fellow artists.

In 2016 this has particularly been significant in Egypt. But syndicates and unions in other countries such as Tunisia, Nigeria, Ghana and Kenya also seem to feel called to condemn and expel other artists – the tendency has, in particular, been related to music.

In **Egypt** no one can practice their art without permission from the syndicates. Since November 2015, both the musicians' and actors' trade unions in Egypt have been granted judicial status to police and regulate their members.

Using his new mandate, Musicians Union President Hani Shaker in January issued a decision to suspend six female singers – Karima Gamal Ahmed, Nema Adel (Shahd), Nahed Adel (Lamis), Yasmin Yusri (Farah), Dalia Yusef (Sandy) and Fatma Jaber (Fifi) – from being able to work as artists based on their allegedly sexually suggestive behaviours during performances.

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*“Union members will not arrest anyone; however, we will be able to write police reports and refer them to the public prosecutor ... freedom of expression is what brought Egypt to the bottom and allowed indecent art works.”*

- Hani Shaker, Musicians Union President

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Mirroring the actions taken by the Egyptian Musicians Union, the **Tunisian** Musicians Syndicate in March banned singer Tunisian Naglaa (real name: Hana al Zughlami) from working in the country under accusations she promoted vice and immorality in her video and single ‘La Ykhebbesh Wala Ydebbish’.

In **Ghana**, the musicians union MUSIGA in June urged musicians to refrain from using profane and obscene lyrics in their songs, asked radio and TV station operators to act as gatekeepers in this regard, and called upon Parliament to step in where the National Media Commission has failed to regulate what music goes on the airwaves.

Union President Bice Osei Kuffour, himself a musician known as Obour, said in a statement released on 26 May that the union is “concerned” at “the rising incidence of profane lyrics” and is “disturbed” that such songs are played on the radio without edits, especially during primetime.

Popular Ghanaian dancehall artist Shatta Wale criticised the union, saying it should rather focus its efforts on improving the welfare of musicians, as discouraging the use of certain lyrics will limit artistic creativity, which in turn will affect the livelihoods of musicians.

Instead of censoring and prohibiting its own members from working as artists, artist unions and syndicates should improve working conditions for its members and defend their rights. Solidarity among artists is a fundamental component in a successful struggle for artistic freedom.

## FACES BEHIND THE FIGURES: KUTSAL EVCIMEN

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NAME: ..... **Kutsal Evcimen**  
 PROFESSION: ..... **Musician**  
 COUNTRY: ..... **Turkey**  
 ART FORM: ..... **Music**  
 VIOLATION TYPE: ..... **Prosecuted**  
 ALLEGED OFFENCE: ..... **Performing song about baby donkeys**

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Kurdish folk singer Kutsal Evcimen was sentenced to 11 months and 20 days in prison in March 2016; the sentence was suspended for five years. His “crime” was to have performed a song about baby donkeys 18 months earlier at a folk festival. In Turkey, the phrase “baby donkey” is sometimes used as a mild form of insult, equivalent to calling someone a fool. The song, whose lyrics, despite not mentioning any president or any names, was deemed insulting to Turkish President Erdoğan.

## CENSORING ACROSS BORDERS

In 2016, two countries especially, Turkey and China, aggressively made attempts to strangle freedom of artistic expression outside their own borders.

**Turkey's** President Recep Tayyip Erdoğan and his numerous lawyers filed a legal complaint in **Germany** against German comedian Jan Böhmermann for a satirical and controversial poem criticising the Turkish president, which Böhmermann read on his public broadcaster ZDF TV programme 'Neo Magazin Royale' on 31 March.

Erdoğan was able to file a legal complaint in a foreign country due to an infrequently used paragraph of the German criminal code that concerns insulting foreign state representatives and institutions, otherwise known as *lèse-majesté*.

German Chancellor Angela Merkel on 15 April authorised prosecutors to conduct a criminal inquiry into the case, but six months later, in October, German prosecutors decided to drop the investigation. In April, Merkel also announced that her government would move to repeal the paragraph by 2018.

However, a Hamburg court on 17 May banned the re-publication of 18 lines of the 24-line satirical poem as they were deemed to be "abusive and libellous". The court said it had to strike a balance between artistic freedom and Erdoğan's personal rights.

Since becoming president in 2014, Erdoğan has exercised his own version of *lèse-majesté* by charging more than 1,800 people for insults against him, according to The Guardian.

In the spring of 2016, Markus Rindt, the director of the Dresden Symphony, claimed that Turkey had demanded the European Commission (EC) to pull its 200,000 Euros funding from the 'Aghet' art project marking the 101-year anniversary of the Armenian genocide.

Turkey complained that it is was offended by the use of the word "genocide" on the EC's website as the country denies that it conducted genocide against ethnic Armenians in 1915 during the end of the Ottoman Empire. It remains illegal in the country to refer to the events as genocide.

The European Union (EU) seemingly bowed to the pressure and temporarily removed the pages from the website, but did not pull its funding from the project.

### Lèse-majesté

Erdoğan's case against Böhmermann made several Europeans aware of old-fashioned laws, such as *lèse-majesté* – the crime of violating majesty, an offence against the dignity of a reigning sovereign or against a state. These laws are still in existence in Germany, as well in several monarchies in Europe, such as Denmark and Norway (although not used), as well as in countries outside Europe, such as Thailand and Saudi Arabia.

*Lèse majesté* is particularly rigorously applied in Thailand, where in August two actors – Patiwat Saraiyaem and Pornthip Munkong – who were serving a two-and-a-half year prison sentence under the controversial law, were released early in a royal pardon.

The actors, arrested in August 2014, were sentenced in February 2015 for staging the play 'The Wolf's Bride' (Jao Sao Ma Pa) in October 2013. The play, deemed to be insulting to King Bhumibol Adulyadej, centred on a fictional monarchy.

It is not a new phenomenon that **China** uses its reach and economic heft beyond its borders to stop any activities overseas that highlight or put focus on the repression of Tibetan culture or challenges Beijing's 'One China' policy.

In **Bangladesh**, Chinese Ambassador Ma Mingqiang in February found the 'Last Words' exhibit at the Dhaka Art Summit "offensive" and called for its removal as it featured copies of handwritten letters by five Tibetans before they self-immolated in protest against the Chinese government.

Organisers of the summit felt "intimidated" and "frightened" by the ambassador and presented the exhibit's creators, filmmakers Ritu Sarin and Tenzing Sonam, with the choice to either have their exhibit taken down or covered up. The filmmakers decided the works should remain, but covered with white sheets to expose the censorship.

In May, New York-based dance troupe Shen Yun also felt China's long reach in **South Korea** when they found their scheduled performances cancelled by court order "explicitly citing threats by the Chinese embassy".

The trouble between the dance troupe, the Korean Broadcasting Service (KBS) which runs the theatre venue KBS Hall, and China started in January when the Chinese embassy sent a letter to KBS warning that allowing Shen Yun's show to go on would result in a "a huge loss" if China were to revoke KBS' broadcasting rights. KBS is one of the few companies allowed to air foreign television in China. KBS Hall capitulated and cancelled the show. This led local organisers New Cosmos Media to take the matter to court.

In proceedings, KBS Hall stated they were not "properly notified" of the troupe's association with Falun Gong, which gave them grounds for cancellation. Falun Gong is a Chinese spiritual practice that gained prominence in China in the 1990s, but was later banned and labelled as a "cult" by Chinese authorities.

According to Shen Yun, the group has experienced 59 events since 2007 of Chinese authorities "interfering" with the group's performances worldwide.

China also makes use of trade and tourist restrictions and pressure as part of the country's foreign and security policy.

When the South Korean government decided to deploy the US missile defence system called THAAD, the Chinese government strongly opposed the deployment.

While the Chinese government has never explicitly admitted to banning Korean cultural products, Geng Shuang, the spokesperson for China's Ministry of Foreign Affairs, on 21 November said: "Human exchanges between the two countries need to be based on public opinion", adding that the Chinese public was not happy with the deployment of THAAD.

China is the largest export market for South Korea's cultural products, but after the deployment of THAAD, South Korean export of cultural products dropped by 21.7% in the third quarter of 2016, according to The Korea Herald.

Since October 2016 no South Korean artists were given permission to perform in China and officials from China's State Administration of Press, Publication, Radio, Film and Television have allegedly passed down "verbal orders" to TV stations that approvals for South Korean programmes or those featuring South Korean stars would not be granted "for the time being".

2016 also saw China banning and blacklisting a number of artists from performing live, on radio and TV, and from having their music available on online streaming services because of their actions or statements related to Tibet, Taiwan and Hong Kong.

In a globalized world, information and art is constantly shared across borders. When foreign governments use legal, political or economic pressure to silence artists, the national and international response in defence of artistic freedom must be loud and clear. Antiquated national legislation, even when not used, does not help; rather, it creates an excuse for repressive regimes and thin-skinned heads of states to use similar laws to continue crackdowns on artists at home.

## CENSORING WOMEN ARTISTS

When women artists are targeted it is often specifically related to their gender. In several countries, women artists are prohibited from performing solo or for mixed audiences. Iran and Saudi Arabia are leading the league of religiously motivated states that ban and censor women artists from performing in public space.

Such bans have had devastating effects on the diversity of cultural expressions. Though many brave women artists are challenging these hardline bans, they face serious consequences.

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*“The omission of female players in Isfahan has led to the deterioration of the music scene in the province. Women make up half of the active and creative population and they have been paralyzed.”*

- Nasim Ahmadian, head of the all-women music group Nasim

---

In the **Iranian** province of Isfahan, women musicians are not allowed on stage at all. Mohammad Qotbi, head of the Isfahan Culture and Guidance administration and member of the clergy, compared music bands to the national football team, saying that just as there are substitutes for players on a football team, music groups should also have substitutes for their female players.

It was also in Isfahan that Fatemeh Motamed-Aria, one of Iran’s most famous actresses, was attacked by religious hardliners at a screening of her movie ‘Yahya Did Not Stay Silent’ on 29 January in the city of Kashan. Outside the movie theatre, the actress, director and cast of the movie were met by a crowd of about 50 people shouting at the group and calling on Motamed-Aria to leave the city.

“They insulted Ms. Motamed-Aria with things I had never heard before,” director Kaveh Ebrahimpour said.

The attack was condemned by the Ministry of Culture and Islamic Guidance, who granted permission for the screening, and by the Vice President for Women and Family Affairs Shahindokht Mowlaverdi, also a member of President Rouhani’s administration.

Motamed-Aria first drew negative attention from religious conservatives in 2010 when she attended France’s Cannes film festival without wearing a head scarf. She also acted in the 2012 film ‘Parinaaz’, which was banned until Hassan Rouhani became president. Despite the lifting of the ban, at the time, the film had yet to screen to the public.

Although music has slowly returned to **Afghanistan** after the all-out ban imposed by the Taliban during their rule has lifted, women’s voices are still considered undesirable in many regions.

In May, local Ministry of Information and Culture authorities in the southern Kandahar province of Afghanistan banned women’s songs from being broadcast across local media, directly affecting the 11 radio stations in operation in the area. Kandahar’s Information and Culture Director Hazrat Wali Hotak said that “programmes on many of the province’s radio stations are unacceptable and have warned the stations to change their programming or else they will be faced with legal action”.

In several countries, women singers and artists were specifically targeted as “indecent” in 2016.

The six **Egyptian** female singers, who were banned from performing by the Egyptian Musicians Union in January, were persecuted because their behaviour according to the syndicate was not in line with public morals as they wore “body revealing clothes”, acted “racy” and “sexually suggestive” on stage, including dancing while singing, to “deliberately stir instincts and desires”. The same reasoning was behind the **Tunisian** Musicians Syndicate’s banning of female singer Tunisian Naglaa in March.

In **Tanzania**, female musician Snura Mushi’s hit ‘Chura’ not only led Tanzanian authorities to ban

her music video, which shows scenes of women in dresses “twerking” on a beach, and ban its distribution on 4 May; they also banned the artist from performing until the video was edited. Further, authorities stated that any individual who shared or distributed the video would also face legal action.

The incongruity of initiatives against artists acting indecent, often hitting women artists harder than men, was clearly seen in Nigeria when the Motion Pictures Practitioners Association of **Nigeria** (MOPPAN) expelled Nigerian actress Rahama Sadau on 2 October for what it considered “immoral” actions. The actress played a character in male musician ClassiQ’s music video ‘I Love You’ where she hugged, cuddled and held hands with the male musician. While the actress was expelled and banned, no actions were taken against the male artist.

In **Japan**, a Tokyo district court on 9 May found Japanese artist Rokudenashiko (real name: Megumi Igarashi) guilty of breaking the country’s obscenity laws because of her artwork ‘Pussy Kajak’, and was fined 400,000 yen (approx. \$3,700 USD). In court, Igarashi insisted her artworks were not obscene.

“I am innocent because neither the data for female genitals nor my artworks shaped like female genitals are obscene,” she told the court.

The artist has explained that she started the art project as a response to the fact that female genitals were “overly hidden” in Japanese society, whereas the male sexual organ – the penis – is regarded as “part of pop culture” and has its own annual festival in Kawasaki, a festival which has been around for 39 years.

Art is for everyone. Women artists should be able to express themselves artistically anywhere, without fear of reprisal or bans. Societies have a responsibility to combat social and cultural biases that prevent women and girls from becoming artists in the first place. It is equally important that women’s right to access culture is respected worldwide.

## CONFLICTS BETWEEN COUNTRIES AFFECT CULTURAL INDUSTRIES

When two countries are in conflict cultural life and cultural industries are often heavily affected. Some artists feel pressure to support their national governments irrespective of their political views; others may even use nationalistic sentiments to promote their careers; while some suddenly see their potential markets shrinking. Artists attempting to be neutral, or who even take upon themselves a role as mediator, risk being accused of supporting the “other side”.

In 2016, local artists and cultural producers in Russia and Ukraine, as well as in India and Pakistan, were particularly affected by conflicts between countries.

The **Russia-Ukraine** conflict began in 2014 after Russia’s invasion and annexation of Crimea. The conflict left artists caught in the middle of a political struggle. Artists who have performed, or plan to perform, in Crimea, or who are considered sympathetic to either side’s position have seen their works and performances banned from being heard, screened or attended in either country. The conflict has even affected artists from other countries when they planned to perform in Crimea.

After the Ukrainian Ministry of Culture announced on 18 January that it would cancel Italian opera singer Alessandro Safina’s concerts in the country since he was also scheduled to hold performances in Crimea, the singer announced on 22 January that he would cancel his two dates in the contested region.

In April, Ukraine outright banned all Russian films and TV series released since 2014 from being screened in the country, as an amendment to its 2015 Law on Cinematography that already banned Russian military genre films. And Ukraine’s National Council of Television and Radio Broadcasting removed 15 Russian TV channels from its broadcasting providers.

In September, the Ukrainian government said it would deny entry to blacklisted Russian singers competing for the 62<sup>nd</sup> Eurovision song contest set to take place in capital Kiev in May 2017 if they are found to support the separatist cause.

A month later, in a positive move against the tendency of victimizing artistic productions due to the conflict, lawmakers in Ukraine's parliament, the Verkhovna Rada, voted against the bill.

In Russia, outright bans related to the conflict were rare, but more subtle mechanisms of censorship and marginalization affected artists and cultural organisers considered not being "patriotic enough" in relation to the Russia-Ukraine conflict. As an example, famed "founding father of rock" in Russia Boris Grebenshchikov's long-time band Aquarium had concerts cancelled in Khabarovsk, Komsomolsk-on-Amur and Blagoveshchensk officially due to an inability to find suitable sites.

However, many fans of the band took to social media reporting that the regional Ministry of Culture put Grebenshchikov, and other "insufficiently patriotic artists", on an unofficial blacklist. Tour organisers confirmed that political reasons were behind the cancellations, specifically concerning the musician's attitude toward the "Ukrainian question".

The almost 70-year old conflict between **India** and **Pakistan** over Kashmir has several times led to almost suspended diplomatic relations and a number of "cultural conflicts" between the two countries. This was also the case during the final part of 2016 when an attack by militants allegedly coming from Pakistan in September killed several Indian soldiers at an Indian army base and sparked off heated debates, bans and boycotts by state and non-state actors in both countries, affecting artists, cultural life and the cultural economy.

### Long history of bans between India and Pakistan

Even before the current tension over attacks in Kashmir and the subsequent sweeping censorship, India and Pakistan have instituted bans over each other's films and actors on an individual basis; though Pakistan more regularly bans Indian film. The longest and most serious ban came after the second war the two countries fought over Kashmir in 1965, wherein Pakistan banned Indian films for 43 years until the ban was lifted in 2008.

The Indian Motion Picture Producers' Association (IMPPA) decided at an annual general meeting on 30 September to ban Pakistani film workers in the film industry. Producer and IMPPA member Ashoke Pandit stated that the organisation "paid homage to the martyrs who were killed" and thus felt a "responsibility towards the nation". On 1 October, media mogul and chairman of Zee Entertainment, Subhash Chandra Goel, announced that his network would be pulling all Pakistani TV shows from its Zindagi channel, known for airing popular Pakistani TV serials.

India's lucrative film industry – though divided on the question of art versus patriotism – saw an association of more than 400 cinema theatre owners in Maharashtra, Goa, Karnataka and Gujarat states announce they would stop screening movies featuring Pakistani actors, who in the past years have gained increased popularity amongst Bollywood producers.

Pakistan's Film Exhibitors and Distributors group, in response to the Indian boycotts, suspended the screening of all Indian films until "normalcy returns" and many major cinemas filled in their movie schedule gaps by screening classic Pakistani films. The Pakistan Electronic Media Regulatory Authority (PEMRA) announced

an immediate ban on all Indian TV channels, effective as of 21 October, and stated that the federal government had authorised it to enact the ban.

However, as tensions “cooled down” by the end of the year, Film Exhibitors Association chairman Zoraiz Lashari confirmed that cinema owners would begin screening Indian films across Pakistan from 19 December, saying:

“Cinema business has been hit immensely and all stakeholders felt it was the right time to begin screening Indian films. It was always a self-imposed suspension, not a ban.”

Pakistani cinema chains rely heavily on Bollywood. Experts estimate Indian movies account for 60-70% of their revenues.

Banning cultural products is always a bad idea. Any lasting solution to a conflict is built on mutual understanding. Art and artists help bring humanizing stories and ideas across borders. Encouraging, rather than banning, such cultural exchanges should be in the interest of all sides of a conflict.

## LGBT ARTISTS AND ARTWORKS CONTROVERSIAL GLOBALLY

Lesbian, gay, bisexual, and transgender (LGBT) artists and art portraying LGBT-related content continue to be seen as controversial around the world. In many countries it is outright illegal. As a consequence, a number of cases of LGBT artists and LGBT-themed art have been censored in 2016.

In **Russia**, with its laws on homosexuality making headlines since the adoption of the federal anti-LGBT “propaganda” law in June 2013, orthodox activists in February attempted to stop the performance of the ‘All Shades of Blue’ play in St. Petersburg due to its plotline of a boy who decides to come out as gay to his family. The group attempted to dissuade people from watching the play and performances were interrupted two days in a row due to bomb threats called in to the theatre leading to the evacuation of audiences.

Also in Russia, the ‘I Want to Fly’ exhibition by Alexandra Kim was shut down just four days after its opening at the regional art gallery on Sakhalin Island following a collective complaint signed by eight members of the local Union of Artists, stating the exhibition was “promoting gay relations”.

## FACES BEHIND THE FIGURES: ANDREW HAIGH



NAME: ..... **Andrew Haigh**  
 PROFESSION: ..... **Film director**  
 COUNTRY: ..... **Italy**  
 ART FORM: ..... **Film**  
 VIOLATION TYPE: ..... **Censored**  
 ALLEGED OFFENCE: ..... **Film containing homosexuality and drug use**

Andrew Haigh’s 2011 film ‘Weekend’ was banned by the Catholic Church from being screened in its cinemas, shutting it out from over 1,100 theatres and limiting Italian audiences who wished to see the film to only be able to do so in ten independent theatres. The Italian Conference of Bishops’ Film Evaluation Commission described the film as “not advised, unusable and scabrous (indecent or salacious)”, listing its principle themes as drug use and homosexuality, rather than romance.

**India's** Central Board of Film Certification (CBFC) in July refused to certify 'Ka Bodyscapes', the latest film by New York-based director Jayan K Cherian, because the censors deemed it "vulgar" and obscene" for "highlighting gay" themes.

**Qatar, Bahrain, Jordan, Kuwait, Oman and United Arab Emirates** in the beginning of 2016 all banned screenings of Tom Hooper's transgender film, 'The Danish Girl', which failed to pass local censor requirements over "moral depravity", saying it "promoted homosexuality and gender transformation".

In **USA**, Christian band Everyday Sunday was dropped from the northern California Christian music festival Joshua Fest as 11 production staff threatened to walk out if gay lead singer of the band, Trey Pearson, took the stage.

A number of music videos were also censored for showing homosexual content in 2016.

The **Kenyan** Film and Classification Board banned Art Attack's video for its remix of Macklemore and Ryan Lewis' gay rights song 'Same Love' on the grounds that "it does not adhere to the morals of the country".

And in **Russia** a video by British electronic band Years and Years for its single 'Desire' was censored by blurring out a scene wherein the lead singer kisses another man.

Public response to LGBT performers, art and issues also continues to be controversial in **Singapore**. A brief peck between two male actors in musical 'Les Miserables', staged at Singapore's Esplanade Theatre, was cut from the production after the state's Media Development Authority said it violated the show's ratings and had received public complaints.

Eighty countries currently criminalise same-sex relations or the discussion of LGBT rights, according to Human Rights Watch. Instead of censoring LGBT artists and artworks, governments should repeal laws that openly discriminate against LGBT people and protect artists from being persecuted because of their sexual identity. Anything less is a violation of international law.

## FUNDING AS A TOOL OF REPRESSION AND CENSORSHIP

Lack of, or placing bans on, funding of oppositional and critical artists constitutes a severe threat to artistic freedom of expression and the protection of the diversity of cultural expression. In 2016, the suspension and banning of funding were particularly significant in South Korea, Israel and Russia.

**South Korea**, during the second half of 2016, plunged into a political scandal, which included a vote in December to impeach President Park Geun-hye. Artists and cultural workers had for a long time protested against the government's abuse of power and corruption. In an attempt to silence critics, the South Korean government in October blacklisted 9,473 artists from receiving state support, including financial support, due to their political activity of either being critical of the current government or backing opposition politicians. The blacklist is one element in the corruption and power abuse case against President Park.

On 12 January 2017, three of Ms. Park's former aides, including one of her former culture ministers, Kim Jong-deok, were arrested on charges of blacklisting cultural figures deemed unfriendly and barring them from government-controlled support programmes.

In **Israel**, the Netanyahu government and its cultural minister Miri Regev have started confronting artists and cultural institutions critical of the government and sympathetic to the Palestinian cause. At the end of January 2016, Regev proposed an amendment – dubbed the "loyalty in culture" bill – that would slash government funding for any arts organisation not "loyal to the state".

The proposal prompted accusations of censorship and sparked a fierce debate about racism, free speech and the future of Israeli democracy.

Numerous artists, writers and political leaders, came out against the bill, which was eventually turned down by Parliament.

In June, Regev cut funding to the Arabic-language al-Midan theatre, which had been staging 'Parallel Time', a controversial play about the prison life of a Palestinian who killed an Israeli soldier. She also announced a plan to cut funding by 33 percent to organisations that refuse to perform in the settlements and boost funding to those organisations who do by 10 percent.

Reacting to Regev's policy, a group of Israeli artists, museum directors and art educators filed a lawsuit against the minister. Threats to funding based on policies that limit freedom of expression could be a "death blow to culture institutions that rely heavily on public funding", said one of the petitioners in the lawsuit.

In **Russia**, cultural institutions are well aware that crossing "red lines" will result in persecution, withdrawal of funding, marginalization and the risk of being expelled from their art premises. An open controversy between Russia's artistic community and the Kremlin broke out in the autumn of 2016 when leading Moscow theatre directors accused the government of censorship and attaching informal conditions when giving funding.

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*If the state funds theatre it is entitled to make some recommendations as to content.*

- Dmitry Peskov, spokesman for President Vladimir Putin

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At a meeting with artists in December, President Vladimir Putin called any effort to interfere with theatre performances or exhibits "absolutely inadmissible", but said artistic expression carried responsibility to avoid offending religious believers.

The censorship mechanism of expelling critical art companies and cultural institutions from state-owned buildings is often used by Russian authorities. In 2016, the government-critical Teatr.doc company moved into their third location after authorities very suddenly came up with technicalities invalidating their occupation of the last two locations.

In the words of Farida Shaheed, the first UN Special Rapporteur in the field of Cultural Rights: "State cultural policies need to take artistic freedoms into consideration, in particular when establishing criteria for selecting artists or institutions for State support. The pivotal factor is ensuring that the system as a whole is neutral."

Governments should refrain from using funding as a tool to suppress critical artistic voices.

## PROTECTION AS AN EXCUSE FOR VIOLATING ARTISTIC FREEDOM

Two arguments run as a current below a majority of the tendencies that drove artistic freedom violations in 2016 – the "protection of the state" and "protection of traditional values and religion". Both arguments are not new, and both are widely used.

State protection was an argument extensively used by countries such as **China, Turkey** and **Israel** in 2016.

Tibetan artists prosecuted by **China** and serving time in 2016 were often sentenced on charges of "seditiously splitting the state" or "inciting separatism".

A new film law passed by Chinese lawmakers in 2016 now directs filmmakers to produce films that "serve the people and socialism", "prioritise social benefits", and preserve "national unity, sovereignty and territorial integrity". Authorities said the purpose of the law was to promote "socialist core values" and "enrich the spiritual and cultural life of the masses".

And as shown by this report, China has repeatedly censored artists at home and abroad who were seen as challenging Beijing's "One China" policy.

In **Turkey**, the immense amount of detentions, firings, prosecutions and persecutions of artists, media and academia after the attempted coup in July 2016 have been justified by authorities who claim the attacks are related to the Gülen movement. According to President Erdoğan and his administration, the movement was behind the coup attempt and thus is a threat to national security.

Additionally, the continued arrests and harassments of Kurdish artists, such as Grup Yorum, in Turkey, are also justified by authorities as a fight against terrorism and protecting the unity of the Turkish state.

In **Israel**, when Minister of Culture Miri Regev campaigned for the cancellation of a performance by Palestinian rapper Tamer Nafar at the Haifa Film Festival, she argued that "public funds should not be used to support activists who seek to undermine the state, its values and its symbols in the name of art and free speech".

Alongside the rationale of "protecting the state" to justify violations of artists' rights, the discourse of "traditional values" has gathered renewed energy from recent efforts in the international community led by the Russian Federation and supported by China along with numerous "Islamic" states and members of the African Group.

Since 2009, **Russia** has introduced several resolutions to the United Nations Human Rights Council "promoting human rights and fundamental freedoms through a better understanding of traditional values of humankind".

While framed as an attempt to enlist local religious and cultural practices in the service of universal human rights norms, this discourse of traditional values, much like the language of U.S. Christian conservatives of the 1990s, is organized around notions of the family and child development that are hostile to sexual and gender equality.

In national contexts, the same rhetoric has been associated with a wave of anti-LGBT actions

beginning with Russia's June 2013 nationwide ban on "propaganda" for "non-traditional sexual relationships", legislation emulated by states throughout Eastern Europe, Central Asia and Africa. According to Human Rights Watch, 80 countries currently criminalise same-sex relations or the discussion of LGBT rights.

As shown in this report, artistic expression has been affected by LGBT repression in Russia, as when a video by the British electronic band Years and Years was censored for its depiction of a same-sex kiss. Such incidents, however, are part of a broader constriction of cultural and artistic freedom under President Putin, who has publicly portrayed Russia as a global guardian against Western-style liberalism and tolerance that would erase national and cultural differences and undermine the very distinction between good and evil.

In **Uzbekistan**, the discourse of traditional values can be heard in an ongoing project to "restore" an authentic Uzbek national identity in the post-Soviet era. In the words of an embassy statement, the period of Soviet domination "destroyed the spiritual bases, values, ideals, traditions, and social orientations of the individual person and the whole nation". The government must now work to "restore spiritual and cultural values as a basis of sustainable development and powerful impetus to the national identity". The push for traditional cultural values has been behind the banning of over 700 films in 2016, the revocation of musicians' licenses to perform and a ban on broadcasting images of the tar, a musical instrument deemed "non-Uzbek".

In some national contexts, the appeal to traditional and national values finds a more explicitly religious expression.

In **Pakistan**, recent film bans have cited "anti-Pakistan as well as anti-Muslim" content and in **Nigeria** the film 'Ana Wata Ga Wata' was banned by the Kano State Censorship Board because it went "against the religious and cultural values of the people of the state". Kano state is one of the 12 Northern Nigerian states that has introduced Sharia law.

## FACES BEHIND THE FIGURES: SILVANOS MUDZVOVA



NAME: ..... **Silvanos Mudzvova**  
 PROFESSION: ..... **Actor, playwright**  
 COUNTRY: ..... **Zimbabwe**  
 ART FORM: ..... **Theatre**  
 VIOLATION TYPE: ..... **Abducted, attacked, arrested**  
 ALLEGED OFFENCE: ..... **Staging political play**

Artist and activist Silvanos Mudzvova was hospitalised after six armed men abducted him from his home late in the evening on 13 September 2016, drove him out of the capital city and brutally tortured him. Since April 2016, Mudzvova had been performing his recent one-man play, 'Missing Diamonds, I Need My Share', criticising the country's cash crisis and \$15 billion USD that has gone missing. He was arrested on 13 April 2016 for his first performance of the play, which he staged in front of parliament, and was released later that same evening.

In March 2016, the state council for the Islamisation of universities and educational centres in **Iran** disallowed musical performances except those of "fine and valuable Iranian music" that "strengthens national identity" and remains within "Islamic norms".

In November, Iranian singer Amir Tataloo (real name: Amirhossein Maghsoodloo) was sentenced to five years in prison and 74 lashes after being found guilty of "spreading Western immorality".

Also the censorship of female musicians in Iran is excused by the argument of defending

religious and traditional norms, as is the banning of women singers from performing in Egypt and Tunisia.

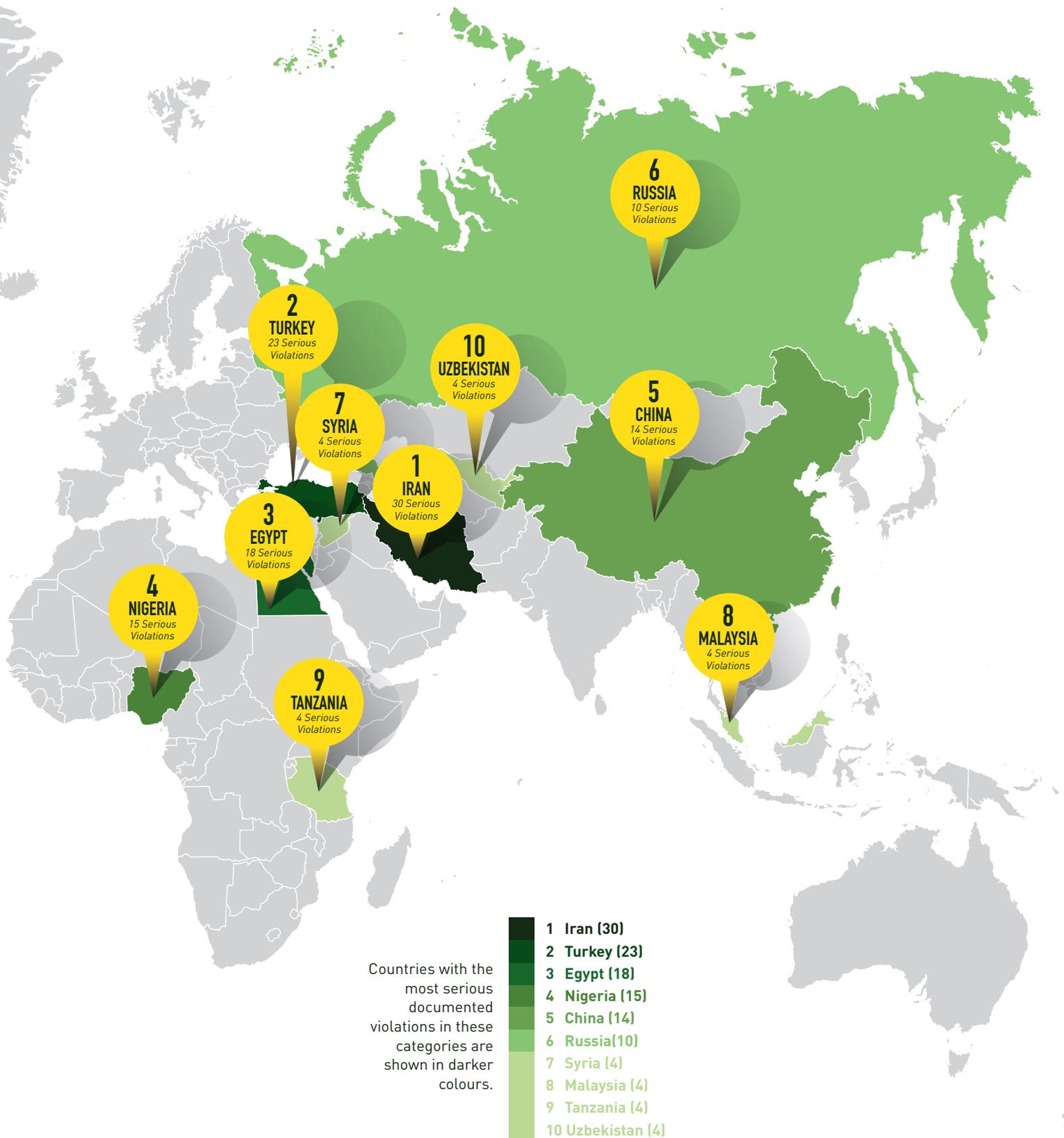
This report shows the variety of ways artists representing all art forms are hit by different violators using the same kind of excuses for curtailing artistic freedom. When governments or others in a position of power forcefully try to secure a single dominant narrative, artists are at increased risk. Artistic expressions do not and should not fit into one frame. A healthy society needs alternative creative expressions.

**VIOLATING**

**COUNTRIES**

## TOP 10 SERIOUS VIOLATORS

This map highlights the top 10 countries with the most **serious documented violations** of artistic freedom in 2016. This map excludes censorship; however, it includes all the other categories Freemuse monitors: killed, abducted, attacked, imprisoned, prosecuted and persecuted/threatened.



## TOP 10 CENSORING COUNTRIES

This world map highlights the top 10 countries with the **most documented cases of artistic censorship** in 2016. This map excludes the other categories Freemuse monitors, which we label as “serious violations”.

### 1. UKRAINE (557):

Ukraine was the country with the worst record for censorship in 2016 mainly due to a blanket ban on Russian movies and TV-series due to the conflict between the two countries over the contested region of Crimea. The country released a blacklist of 544 films, accounting for most of its 557 total censorship cases. For more about blacklists and how Freemuse documents them go to the Principles of Documentation section on page 44.

### 2. KUWAIT (61):

Kuwait was the second country with the worst record for censorship in 2016 with 61 cases registered, 54 of which come from a film blacklist. The motive behind banning the films on the list remains unknown. All of the country's documented violations in 2016 were censorship cases.

### 3. CHINA (20):

China continues to use censorship as a tool to silence voices that don't fall in line with the country's political ideology. In 2016, Freemuse registered 20 cases of censorship across all art forms. While in 2015 a song blacklist was made public, accounting for its unenviable ranking of worst country for censorship that year, no blacklists were able to be obtained in 2016, though reports of blacklists continued to surface.

### 4. EGYPT (19):

Egypt jumped from tenth place in 2015 to fourth in 2016 with 19 registered censorship cases. The country continues to use “indecentcy” and the “violation of public morals” as an argument to limit and outright ban artistic expression across art forms indiscriminately.

### 5. INDIA (17):

India rose from 11<sup>th</sup> place in 2015 to fifth in 2016 with 17 registered censorship cases. The country often used “indecentcy”, alongside religious arguments of offending sensitivities, as reasons for censoring artists and venues, mostly focusing efforts on banning films and plays found offensive.

### 6. RUSSIA (16):

Russia saw 16 registered acts of censorship in 2016 carried out mostly by government authorities and non-state actors under the umbrella of nationalist or religious values. Though these efforts were mostly focused on theatre and music, all art forms fell victim to such ideologies.

### 7. TURKEY (13):

Turkey rose from 12<sup>th</sup> place in 2015 to seventh in 2016 with 13 registered censorship cases. The country carried out acts of censorship across all art forms using “protection of the state” as its main motivation, exacerbated by President Erdoğan's clampdown on oppositional voices after the failed coup attempt in July 2016.

### 8. USA (13):

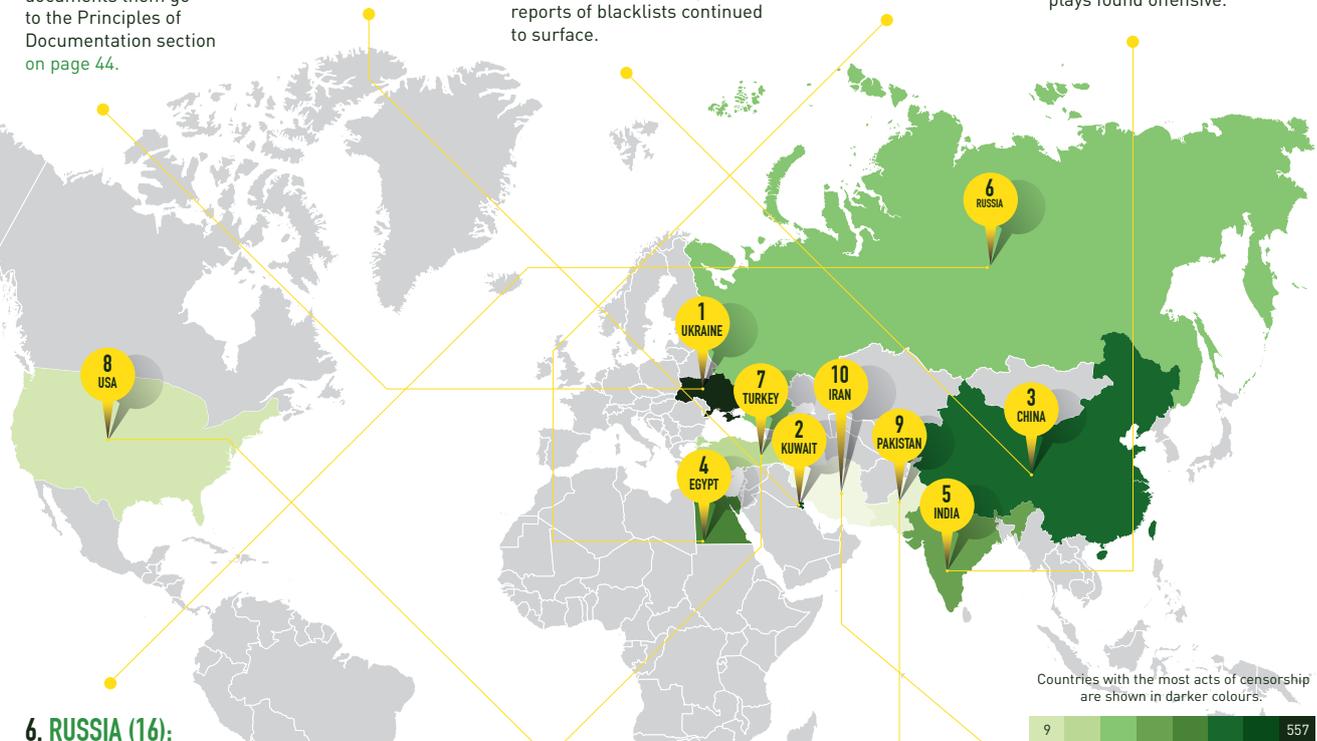
USA remained in eighth place, the same as in 2015, but tied with Turkey with 13 registered acts of censorship. Many of the cases in the country stemmed from non-state groups, including religious and minority groups, claiming discrimination, blasphemy or feeling offended by particular art works and events.

### 9. PAKISTAN (11):

Pakistan jumped from 16<sup>th</sup> place in 2015 to ninth in 2016 with 11 registered cases of censorship, mainly focused on film. Religion and “indecentcy” played a large role in the censorship enacted, as well as political motivations around the censoring of Bollywood films after a brief escalation of relations between India and Pakistan after a violent conflict took place over Kashmir in late 2016.

### 10. IRAN (9):

Iran continues to use religion and politics as its main motivations to silence artists in the country, registering nine cases of censorship in 2016, down from 16 cases in 2015 when it was ranked fourth, but remaining in the top ten of worst countries practicing censorship. Though all art forms are at risk in Iran, music was once again the main focus of censorship by government and religious authorities in the country in 2016.



## SERIOUS VIOLATORS

1

### IRAN

**SERIOUS VIOLATIONS: 30**

**ACTS OF CENSORSHIP: 9**

Iran continues to intimidate, persecute, imprison and ban artists, cultural producers and publishers, bringing it up from the second country with the most serious violations in 2015 to first in 2016.

In 2016, Freemuse registered 30 serious violations on artistic freedom of expression in Iran, including 19 artists behind bars, the prosecution of six artists, persecution of or threat to four artists and attack on one artist. Iran also carried out nine acts of censorship, for a total of 39 violations on artistic freedom of expression in 2016 – seven more cases than Freemuse registered for the country the previous year. Alarmingly, Iran in 2016 more than tripled the amount of artists it imprisoned or detained in comparison to 2015 – from six to 19.

The repressive environment for artists in Iran stems from an ongoing and internal power struggle within the country's political, religious and social institutions. Music has landed in the middle of the battlefield between President Rouhani's administration and the Supreme Leader and his religious institutions, where permissions to hold concerts given by the Ministry of Culture, are withdrawn by religious authorities. Thus, the Revolutionary Guards continue to have extensive power over the Ministry of Culture and Islamic Guidance, which is supposed to be the official agency in charge of approving any artistic creation before publication and giving permission to cultural events.

In late August 2016, the Tehran prosecutor recommended new rules for concerts in the capital that would include police recording all concerts and ensuring the Ministry of Culture and Islamic Guidance, as well as the provincial governor, takes more responsibility for the content of concerts.

## FACES BEHIND THE FIGURES: MEHDI RAJABIAN



NAME: ..... **Mehdi Rajabian**  
 PROFESSION: ..... **Musician**  
 COUNTRY: ..... **Iran**  
 ART FORM: ..... **Music**  
 VIOLATION TYPE: ..... **Imprisoned**  
 ALLEGED OFFENCE: ..... **Producing, promoting and spreading music across Iran**

Mehdi Rajabian, musician and founder of BargMusic, an alternative music distributor in Iran, and his filmmaker brother, Hossein Rajabian, were imprisoned on 5 June 2016. Both brothers are sentenced to three years in prison, three years of probation and a 200 million Rial fine (approx. \$6,600 USD) for "insulting the sacred" and "propaganda against the state" through the production and promotion of underground music. Both have suffered severe health problems while in prison and have gone on two hunger strikes to protest their charges and treatment. The brothers, along with two others, were originally arrested in October 2013.

Concerts by Kayvan Kalhor, an internationally renowned master kamancheh (traditional string instrument) player, planned in Neyshabour on 10 and 11 May 2016 were cancelled by the local prosecutor, who cited “complaints from the families of martyrs”; this despite the artist holding all the necessary permits from the provincial governor’s office and the Ministry of Culture and Islamic Guidance.

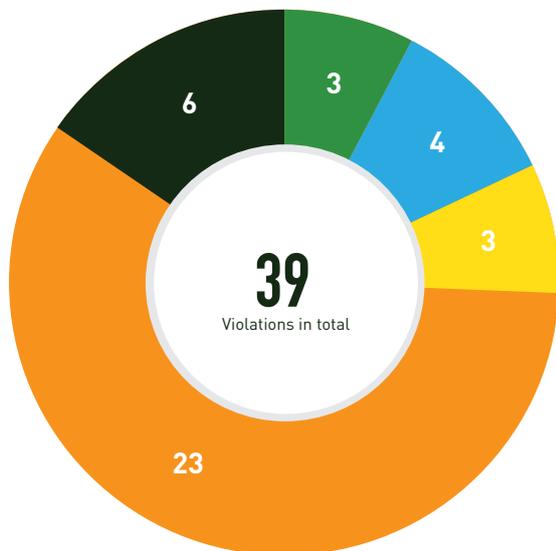
Female artists in particular face discrimination, with specific rules on how they can perform publicly or even record privately, including not being able to share a stage or sing with men. In provinces such as Isfahan no women musicians are allowed on stage.

Artists are often charged with and sentenced for “insulting the sacred”, “propaganda against the state” or “spreading depravity”. Iranian courts

use the “assembly line” method for prosecuting artists and other citizens, and barbaric methods, such as lashing, to punish convicts. On 5 November 2016, Iranian singer Amir Tataloo was sentenced to five years in prison and 74 lashes after being found guilty of “spreading Western immorality”.

Imprisoned artists are often mistreated and denied medical help and medicine. Currently, musician Mehdi Rajabian and his brother, filmmaker Hossein Rajabian, are behind bars in Tehran’s Evin Prison serving a three-year sentence for “insulting the sacred” and “propaganda against the state” through the production and promotion of underground music. Both have been on hunger strike twice, because Mehdi was denied medical help and because the brothers were separated when Mehdi, while still ill, was moved to the section for political prisoners.

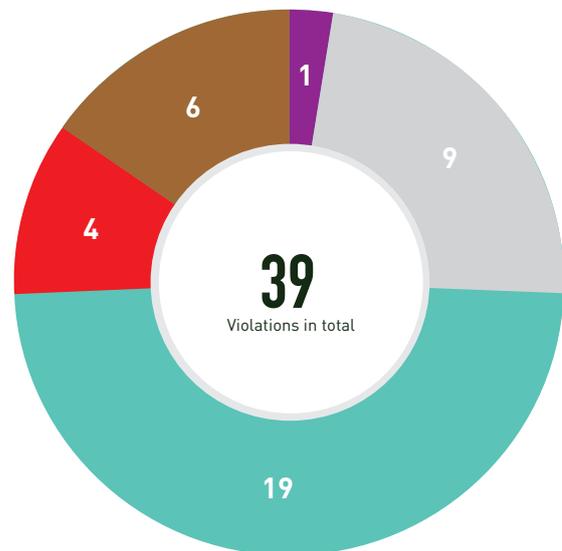
#### ► VIOLATIONS OF ARTISTIC FREEDOM IN 2016 BY ART FORM IN IRAN



#### ART FORM



#### ► VIOLATIONS OF ARTISTIC FREEDOM IN 2016 BY VIOLATION TYPE IN IRAN



#### VIOLATION TYPE



## 2

## TURKEY

**SERIOUS VIOLATIONS: 23****ACTS OF CENSORSHIP: 13**

2016 was a year when the situation for freedom of expression in Turkey went from bad to worse. The attempted coup against President Erdoğan on 15 July 2016 and the following State of Emergency led to a clampdown on oppositional voices in Turkey hitting media, academia and the arts world hard, literally silencing and imprisoning tens of thousands of people. The clampdown led Turkey to jump from the fourth country with the most serious violations on artistic freedom of expression in 2015, when it was tied with Syria and Burundi, to second in 2016.

In 2016, Freemuse registered 23 serious violations of artistic freedom of expression in Turkey, including 11 artists behind bars, the prosecution of seven artists, attacks on three artists and artworks and the persecution of or threat to two artists. Turkey also carried out 13 acts of censorship, for a total of 36 violations on artistic freedom of expression in 2016 – eight more cases than Freemuse registered for the country the previous year. Turkey's 2016 clampdown led to a worrying increase in putting artists behind bars in comparison to 2015 – from two to 11.

As part of the crackdown, numerous artists have been investigated and fired from their positions at public art institutions. On 1 August 2016, six artists – actors Arda Aydın, Mahberi Mertoğlu, İrem Arslan, Mahberi Mertoğlu and Sevinç Erbulak, and directors Ragıp Yavuz and Kemal Kocatürk – were fired from Istanbul City Theatre following investigations.

Also in August, the Turkish government cancelled four concerts by pop star Sila Gençoğlu over comments she made about a democracy rally held in Istanbul on 7 August in the aftermath of the attempted coup. “I am absolutely against the coup, but I prefer not be inside such a show”, the singer said about the rally.

Kurdish artists have long been the target of intimidations, prosecutions and attacks by Turkish officials and 2016 was no exception. The popular folk-rock band Grup Yorum, formed in the mid-1980s as a stridently political, left-wing, and pro-Kurdish group, have for three decades seen its members arrested, its concerts banned and its albums seized. On 23 November 2016, Turkish police arrested seven members of the band on charges of assault, resisting and insulting police, and being members of a terrorist group. As of January 2017 all members remain detained.

## FACES BEHIND THE FIGURES: ALI ELMACI



NAME: ..... **Ali Elmaci**  
 PROFESSION: ..... **Sculptor**  
 COUNTRY: ..... **Turkey**  
 ART FORM: ..... **Visual arts**  
 VIOLATION TYPE: ..... **Attacked/censored**  
 ALLEGED OFFENCE: ..... **Creating and exhibiting a sculpture of a woman with a painting of a sultan on her bathing suit**

Ali Elmaci's sculpture was removed from the 11<sup>th</sup> Contemporary Istanbul art festival on 3 November 2016, after a group of 20 to 30 protestors entered the festival chanting “Allahu Akbar”, refusing to leave until the sculpture of a woman wearing a swimsuit featuring the likeness of conservative Ottoman Sultan Abdulhamit was removed. They found the sculpture “offensive” to their “grandfather and ancestor”. Attempts to calm down the group led to more provocation and Elmaci made the choice to remove the sculpture.

The young Kurdish singer, Nûdem Durak, who was arrested in April 2015, charged with “promoting Kurdish propaganda” and sentenced to 10.5 years in prison for singing in Kurdish and teaching Kurdish songs to children in her community, remains in prison.

Since President Erdoğan became president in August 2014, he has initiated over 1,800 cases against people he claims have insulted him, according to The Guardian. In 2016 he even went as far as filing a complaint beyond Turkey’s borders against German comedian Jan Böhmermann for his poem mocking the President (see more in the “Censoring across borders” section of this report on page 15).

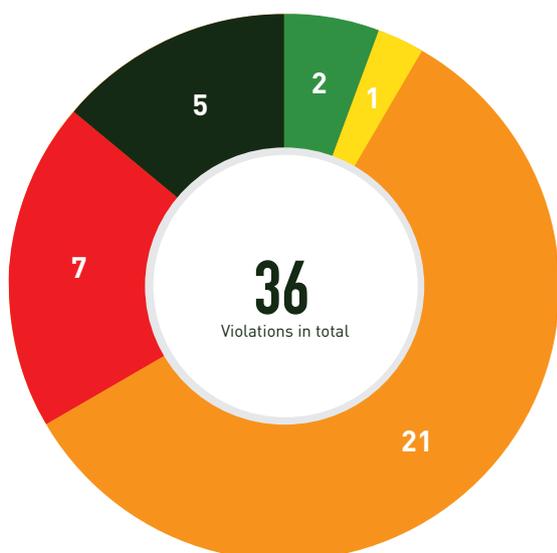
Numerous attacks on art by non-state actors were also registered in Turkey in 2016. A wooden sculpture by Amancio Gonzalez Andres entitled ‘Musician’ featured at the Izmirspor metro station

in western Turkey was smashed by a local man who called the statue “obscene” in May 2016.

Sculptor Andres told Birgün newspaper on 27 May 2016 he condemned the attack on his art piece and claimed it was “actually an indication of a weakened government”. “Art encourages individual thinking and enriches us in the humanitarian sense,” he told the newspaper. “An attack against art is actually an attack on everyone’s freedom; totalitarian regimes have always seen art as the first enemy.”

Several artists have been directly affected by the mass arrests after the coup attempt without Freemuse being able to confirm a direct link to their artistic work. Despite the obvious chilling effect of such arrests, Freemuse only includes cases in its statistics where we have been able to confirm, with reasonable certainty, that the artist was targeted for her or his artistic work. We continue to monitor unconfirmed cases.

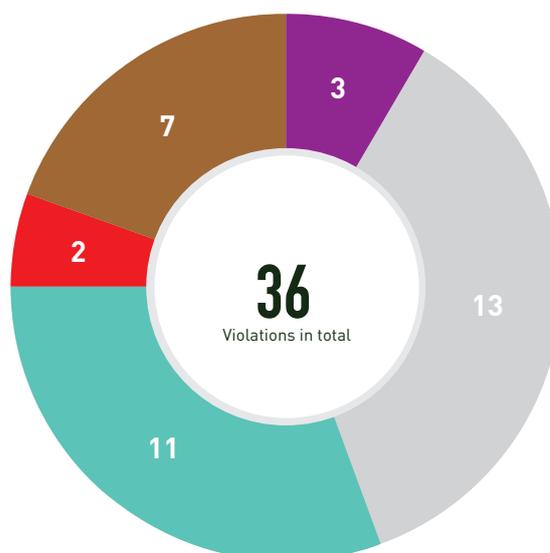
#### ▶ VIOLATIONS OF ARTISTIC FREEDOM IN 2016 BY ART FORM IN TURKEY



#### ART FORM



#### ▶ VIOLATIONS OF ARTISTIC FREEDOM IN 2016 BY VIOLATION TYPE IN TURKEY



#### VIOLATION TYPE



## 3

## EGYPT

**SERIOUS VIOLATIONS: 18****ACTS OF CENSORSHIP: 19**

State censorship of the arts in the name of “protecting public morals and state interests” continues to stifle artistic freedom of expression in Egypt. Restrictions on art and literary works that address politics, sex and religion, remain in place. This continued grip on artistic freedom has caused Egypt to jump from the eighth country with the most serious violations on artistic freedom in 2015, when it was tied with Morocco, to third in 2016.

In 2016, Freemuse registered 18 serious violations on artistic freedom of expression, including seven artists behind bars, the persecution of or threat to nine artists and the prosecution of two artists. Egypt also carried out 19 acts of censorship, for a total of 37 violations on artistic freedom of expression in 2016 – 20 more cases than Freemuse registered in 2015. All of Egypt’s violations went up in 2016 from the year previous.

In February 2016, writer Ahmed Naji was sentenced to two years in prison on charges that he “violated public decency” by publishing “sexually explicit”

passages in his novel ‘The Use of Life’. The case began after a private citizen brought charges against the author that certain parts of his book left him experiencing “health issues”. On 22 December 2016, Naji was released from prison after Egypt’s highest court suspended the two-year prison sentence against him. However, the writer still faces an appeal hearing on 2 April 2017.

Article 65 in Egypt’s 2014 constitution grants citizens the right to express their opinions verbally, in writing, through imagery, or by any other means of expression and publication. Another article guarantees freedom of artistic and literary creativity stating that “the state shall encourage arts and literature, sponsor creative artists and writers and protect their productions, and provide the means necessary for achieving this end”. However, Egypt’s legislation still allows for the jailing of artists and citizens on the charge of “contempt of religion”.

Music and arts syndicates continue to play a key role in the limitation of artistic expression in cinema, theatre, television and music, thus breaching labour agreements and international guarantees of freedom of association and assembly signed by Egypt (see more in the “Artists censoring artists” section of this report on page 13).

## FACES BEHIND THE FIGURES: AHMED NAJI



NAME: ..... **Ahmed Naji**  
 PROFESSION: ..... **Writer**  
 COUNTRY: ..... **Egypt**  
 ART FORM: ..... **Literature**  
 VIOLATION TYPE: ..... **Imprisoned**  
 ALLEGED OFFENCE: ..... **Publishing novel containing “sexually explicit” passages**

Egyptian author Ahmed Naji was sentenced to two years in prison on 20 February 2016 for “violating public decency” by publishing “sexually explicit” writings featured in his novel that also appeared as excerpts in a literary magazine. Naji appealed the decision several times. Naji was released from prison in December 2016 after a judge suspended his sentence; however, the writer will face a retrial in April 2017.

Egypt has given even more authority to the syndicates to control and pre-censor artistic expressions. The Musicians Syndicate in particular has taken on a “watchdog” role, using policing methods to force members into compliance with its strict regulations, while ostracizing some musicians and performers from the cultural scene altogether, often based on its “modest dress code” regulation.

In 2016, the Musicians Syndicate banned six female singers from performing due to their sexually suggestive behaviour during performances, thus affecting their livelihoods.

Actions were also taken against heavy metal bands that saw their concerts interrupted and their members named as devil worshippers – not a new phenomenon in the Middle East where the genre has often been targeted.

In May 2016, five members of the satirical music and theatre troupe Atfal al-Shawarea (Street Children) were arrested and detained for four months for its satirical videos – sketches made up of quotes and song lyrics tackling social and political issues in a humorous way – released on social media. The group was released in September after nine renewals of their pre-trial detention, but the investigation on various charges related to their online videos is ongoing.

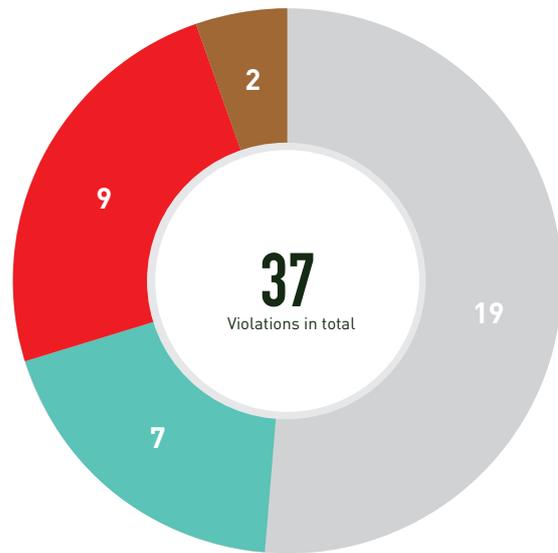
#### ► VIOLATIONS OF ARTISTIC FREEDOM IN 2016 BY ART FORM IN EGYPT



#### ART FORM

- DANCE
- FILM
- LITERATURE
- MULTIPLE ART FORMS
- MUSIC
- THEATRE
- VISUAL ARTS

#### ► VIOLATIONS OF ARTISTIC FREEDOM IN 2016 BY VIOLATION TYPE IN EGYPT



#### VIOLATION TYPE

- CENSORED
- IMPRISONED
- PERSECUTED / THREATENED
- PROSECUTED

## 4

## NIGERIA

**SERIOUS VIOLATIONS: 15****ACTS OF CENSORSHIP: 3**

The cases of violations of artistic freedom of expression seen in Nigeria in 2016 reflect the complex political and religious systems in the country. Violations are implemented by the government, local state authorities, religious institutions, families, artistic communities, militant extremists and lobbying groups, and violations take place in both the North and South of the country.

Artists face a complex system of censorship carried out by a variety of actors, further complicated by multiple censorship boards. In addition to the national censorship boards, states such as Kano in the North and Lagos in the South even have their own censorship boards, with the consequence that artists and cultural producers of these states face double censorship mechanisms.

In 2016, Freemuse registered 15 serious violations on artistic freedom of expression in the country, including one artist being abducted, three artists behind bars, the prosecution of nine artists, persecution of one artist and attack on an art village. Nigeria also carried out three acts of censorship, for a total of 18 violations on artistic freedom of expression in 2016.

Nigeria was not in the top ten of worst violating countries in 2015 even though the country registered a total of 19 cases in 2015, one more than 2016. However, in 2015, only one of the 19 cases was a serious violation – the imprisonment of a writer – and the remaining 18 cases were related to censorship. Thus, while the country registered one less case in 2016, the difference between the years is stark as all cases, except for three, were serious violations in 2016.

Nigeria consists of more than 250 different ethnic groups. The country is religiously divided between a Muslim-dominated North and a Christian-dominated South. The Southern part of the country is richer, has a more developed infrastructure and higher level of education than the generally poorer states in the North. The southern regions, dominated by the Yoruba and Ibo, have seen a rapid increase in Pentecostal churches and fundamentalist pastors since the economic crisis of the Eighties hit the country; while the Hausa-Fulani-dominated North has increasingly experienced a rise in a strict, conservative interpretation of Sunni Islam and the introduction of Sharia law now practiced in 12 Northern Nigerian states. The North is also effected by continued attacks by the militant Islamist group Boko Haram, whose mission is to create an Islamic state.

## FACES BEHIND THE FIGURES: RAHAMA SADAU



NAME: ..... **Rahama Sadau**  
 PROFESSION: ..... **Actress**  
 COUNTRY: ..... **Nigeria**  
 ART FORM: ..... **Film**  
 VIOLATION TYPE: ..... **Censored, persecuted**  
 ALLEGED OFFENCE: ..... **Hugging and holding hands with male artist in music video**

Nigerian actress Rahama Sadau was expelled by the Motion Pictures Practitioners Association of Nigeria on 2 October 2016 for what it considered “immoral” actions that violated the association’s code of ethics as the actress played a character in a music video who hugged, cuddled and held hands with a male artist. The male artist suffered no backlash for the video.

However, the giant nation cannot only be understood through this religious prism. The Nigerian federation relies on a complex political system that mixes respect for religion, traditional chieftaincy and clientelism. From local government, right up to the highest circles of federal power, the nation's political world continues to exercise coercion and corruption. Nigeria in 2015 ranked at number 136, very near the bottom, on Transparency International's Corruption Perceptions Index; the most corrupt country being ranked 168.

Two main tendencies in particular seem to drive violations against art in Nigeria – violations against artists who address political problems or issues such as corruption, or are seen as challenging to national or local state authorities; and a mainly religious, morality-driven fight against indecency and sexuality.

A number of Nigerian artists were detained, prosecuted and one even abducted in 2016, because political authorities felt personally offended and challenged by their works of art.

The musician Ado Daukaka was abducted in Adamawa State in North-Eastern Nigeria on 25 June 2016 just after the release of his anti-corruption song 'Gyara Kayanka' (Put your house in order). Five days later he was found unconscious, 80 kilometres away from state capital of Yola. Daukaka told media that his captors played his new song before questioning and threatening him. Less than 24 hours after he was found, Daukaka was detained by local police allegedly due to a complaint filed by a member of the state house of assembly, who believed the song on corruption and inefficiency ridiculed him specifically. Daukaka was released on bail under orders to report back to police on 4 July. Another singer, Baba Iyali, was also arrested in the Adamawa state on 9 January 2016, for his song criticizing the speaker of the Adamawa state house of assembly.

Performance artist Jelili Atiku, along with five other artists, performed a piece called 'Aragamago Will Rid this Land of Terrorism' in the streets of Lagos on 14 January 2016. The play addressed allegations against members of the local Ejigbo

royal family for property and development deals. Soon after the performance, a representative of the royal family filed a complaint with Nigerian police and the artists were arrested on 18 January and detained for four days, facing a series of charges, including disturbing the peace, intimidating the public and distributing publications likely to provoke the public. Judicial proceedings against the artists continued for six months until 18 July, when the Ejigbo Magistrate Court in Lagos cleared all six artists of all charges.

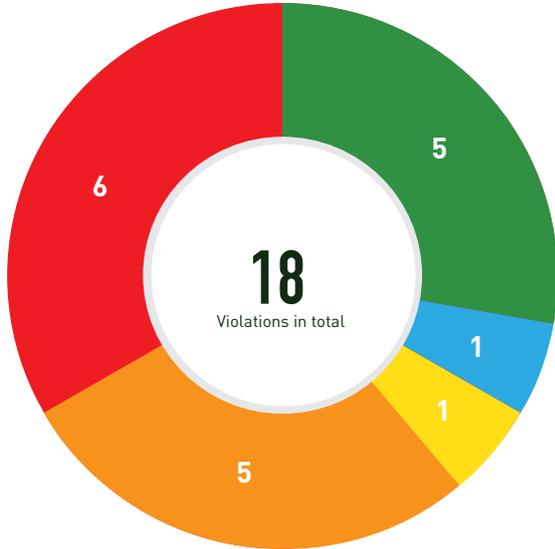
The fight against "indecent" and "sexually explicit" content is seen all over Nigeria, but with stricter rules and less tolerance being applied in the Sunni Islamic states of the North. The different levels of tolerance are mirrored in Nigeria's two main film industries, with the South's Nollywood being a lot more loose in what and how it chooses to portray characters and plots, while the North's Kannywood produces films that have to adhere to strict Islamic Sharia law.

When actress Rahama Sadau was expelled for life for "immoral actions" by The Motion Pictures Practitioners Association of Nigeria (MOPPAN), which controls the North's Kannywood; she was still able to star in drama TV-series produced in the South's Nollywood.

The film 'Ana Wata Ga Wata' was banned by the Kano State Censorship Board because it was "against the religious and cultural values of the people of the state". Three filmmakers behind the film, director Ali Gumzak, producer Abdulazeez Dan Small and executive producer Nuhu Abdullahi, were later summoned to the censorship board's mobile court on 6 April 2016 because they had released the film despite the ban.

Nigerian hip-hop star Olamide has often had his songs censored by another Nigerian censorship mechanism, The Nigerian Broadcasting Commission (NBC). In 2016, his song 'Don't Stop' was placed on NBC's blacklist of songs because of its "obscenity, being indecent, [and having] vulgar languages, lewd and profane expressions". To date the video has more than 2.5 million views on YouTube.

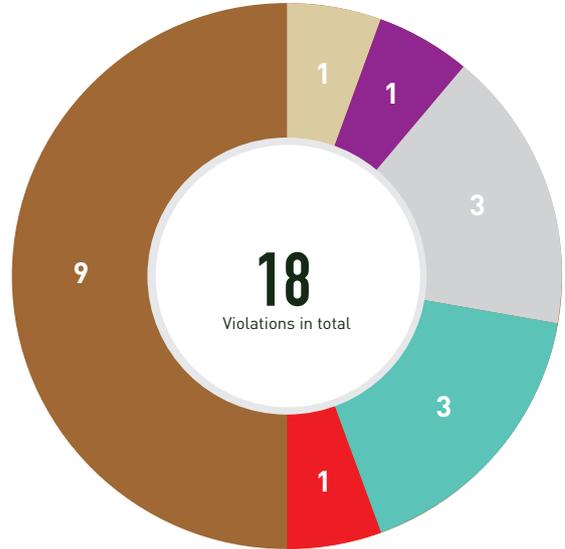
▶ VIOLATIONS OF ARTISTIC FREEDOM IN 2016 BY ART FORM IN NIGERIA



ART FORM

- FILM
- MUSIC
- LITERATURE
- THEATRE
- MULTIPLE ART FORMS

▶ VIOLATIONS OF ARTISTIC FREEDOM IN 2016 BY VIOLATION TYPE IN NIGERIA



VIOLATION TYPE

- CENSORED
- IMPRISONED
- PROSECUTED
- PERSECUTED / THREATENED
- ATTACKED
- ABDUCTED

## 5

## CHINA

**SERIOUS VIOLATIONS: 14****ACTS OF CENSORSHIP: 20**

While China has dropped from being the country with the most serious violations on artistic freedom of expression – an unenviable position it has had for two consecutive years – to the fifth country in 2016, China continues to hold a firm grip on artistic freedom. The country does this by imprisoning artists that hold political views opposite to that of authorities or silencing them via blacklists, bans or exerting economic and political pressure on organisations, cultural institutions, businesses and other structures.

China held 14 artists behind bars through the whole or part of 2016, which made up all of the serious violations on artistic freedom of expression for the country. The country also carried out 20 acts of censorship, for a total of 34 violations on artistic freedom of expression in 2016 – 92 less than Freemuse registered for the country the previous year. While 2016's registered cases for China were considerably less than the year previous, the main explanation for the difference lies in the fact that in 2015 Freemuse was able to obtain a blacklist of 120 songs, which we registered as 120 individual cases of censorship (see more in the "Principles of Documentation" section on page 44).

In China, legal bodies are not separated from political institutions and opinions considered in opposition with the government and country's "One China" policy are not allowed. Censorship of arts, media and academia is widespread. "Objectionable" content, including references to controversial Chinese historical details, Chinese politics, details about Chinese leaders, sexually explicit material and, in some instances, material relating to lesbian, gay, bisexual, and transgender (LGBT) issues are not allowed.

On the last day of 2015, Chinese censors issued an eight-page document on the production of TV content, forbidding a wide range of topics, including same-sex relationships, which led to the pulling of a popular same-sex drama 'Addicted Heroin' from online streaming sites in February 2016.

Artists who publically support the free Tibet cause, are in favour of Hong Kong and Taiwan independence from China, or who promote or believe in the Falun Gong spiritual practice, or are related to its members, are censored and cannot perform live on the mainland or have their art broadcast or streamed in China. China also aggressively tries to prevent artists from performing or having their art exhibited abroad that relates to the above issues (see more in the "Censoring across borders" section on page 15).

## FACES BEHIND THE FIGURES: DENISE HO



NAME: ..... **Denise Ho**  
 PROFESSION: ..... **Musician/Actress**  
 COUNTRY: ..... **China (Hong Kong)**  
 ART FORM: ..... **Music**  
 VIOLATION TYPE: ..... **Censored**  
 ALLEGED OFFENCE: ..... **Supporting Hong Kong independence & pro-democracy movement**

Pop star Denise Ho saw her music and online content removed, blocked and filtered from several major Chinese music and video streaming platforms in September 2016. Global cosmetics brand Lancôme cancelled a June 2016 event featuring a music performance by Ho, citing security reasons. The cancellation came after thousands of social media comments called for a boycott of the company when Ho's concert was announced. Trouble began for Ho in 2014 when she joined the pro-democracy movement in Hong Kong, known as the Umbrella Movement, and became the first celebrity to be arrested for her activism in the movement.

In January 2016, Taiwanese teen pop star Chou Tzuyu was banned from performing on China's Anhui Spring Festival programme for holding up a Taiwanese flag during a TV performance in South Korea. She later posted an emotional apology on YouTube, saying "there is only one China". And in August, Taiwanese actor Leon Dai, who played the lead character in Chinese romance 'No Other Love', was fired from the film for his alleged support of Taiwanese independence, and cut from two other films. Actress Mizuhara Kiko was also removed from the cast of 'No Other Love' after accusations of her being anti-China.

Government officials and exhibition organisers pulled an installation just five days into its run, set to be screened on the façade of Hong Kong's tallest building, the ICC tower, from 17 May 2016 to 22 June 2016, after the artists revealed that part of the piece had a political message linked to the date 1 July 2047 when Hong Kong will no longer be politically or legally divided from China.

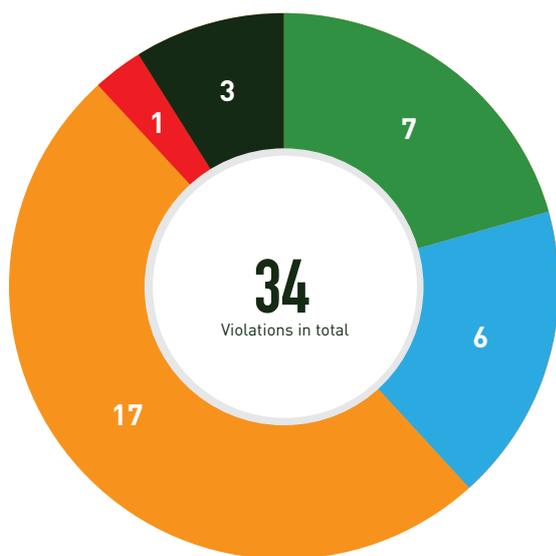
Currently, China is holding five Tibetan musicians – Lolo, Kelsang Yarphe, Trinley Tsekar, Shawa Tashi and Gonpo Tenzin – in prison. The singers are sentenced to between two and six years in prison for producing and performing "sensitive

or political lyrics" related to the Tibet issue. The vague charges most widely used by China against Tibetan artists are "seditiously splitting the state" or "inciting separatism".

China, however, not only punishes Tibetans for their stance and art on Tibet; they also target foreigners who are sympathetic to the Tibetan cause. In 2016, China banned American pop star Lady Gaga from entering the country and cancelled two concerts in the country by fellow pop star Selena Gomez because of their respective meetings with the Dalai Lama, among other artists.

Chinese lawmakers in 2016 passed the country's first extensive film law set to take effect in March 2017. The Film Industry Promotion Law directs filmmakers to produce films that "serve the people and socialism", "prioritise social benefits", and don't "jeopardise national unity, sovereignty and territorial integrity". According to the law, foreign filmmaking companies cannot independently film or distribute films in the country, and movie theatres have to ensure that no less than two-thirds of the annual screening time of all films will be of Chinese films, thus limiting screen time for foreign productions.

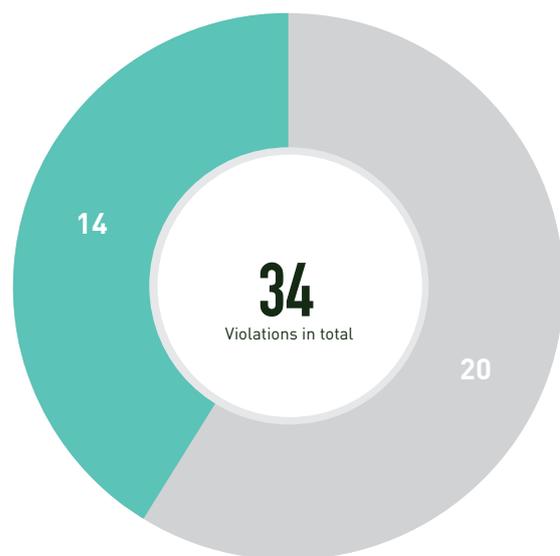
#### ► VIOLATIONS OF ARTISTIC FREEDOM IN 2016 BY ART FORM IN CHINA



#### ART FORM



#### ► VIOLATIONS OF ARTISTIC FREEDOM IN 2016 BY VIOLATION TYPE IN CHINA



#### VIOLATION TYPE



## 6

## RUSSIA

**SERIOUS VIOLATIONS: 10**  
**ACTS OF CENSORSHIP: 16**

Religious orthodoxy and political nationalism, under the guise of morality and protectionism, continued to be the main motivations behind attacks on artistic freedom in Russia in 2016. While Russia has moved from the third country with the most serious violations on artistic freedom of expression in 2015 to sixth in 2016, artists continue to produce art, or hesitate to, in an environment that is in continual conflict with religious, political and legal blocks at almost every turn.

In 2016, Freemuse registered ten serious violations of artistic freedom of expression in Russia, including the persecution of or threat to four artists, prosecution of three artists, attack on two artists or artistic venues and one artist behind bars. Russia also carried out 16 acts of censorship, for a total of 26 violations on artistic freedom of expression in 2016 – six less than we registered for the country the previous year. The country had eight less cases of prosecutions in 2016 compared to 2015.

The provisions that are often used to censor artists and their artworks in Russia are Article 148, passed in 2013 in the aftermath of the Pussy Riot incident, which makes the “insult of religious beliefs and feelings” illegal; the “gay propaganda law”, also passed in 2013, which makes it illegal to distribute “propaganda of non-traditional sexual relationships” to minors; and Article 282, amended in 2016, which prohibits “incitement to hatred or hostility, and humiliation of human dignity” in public or with the use of mass media.

Non-state actors, emboldened by ideology, use a variety of these and other provisions to rally the public or influence politicians to intervene in art and performances they find offensive.

Orthodox activists such as, “Narodny Sobor” (People’s Assembly), “Pravoslavni Soyuz” (Orthodox Unity) and the “Officers of Russia”, use their strict view of decency and morality to block and

shut down theatre performances, art exhibits and music concerts. They interfere, sometimes aggressively, when they deem the ideas and lyrics presented in the plays, paintings and songs to go against the sense of normality they feel should be for the whole of Russia.

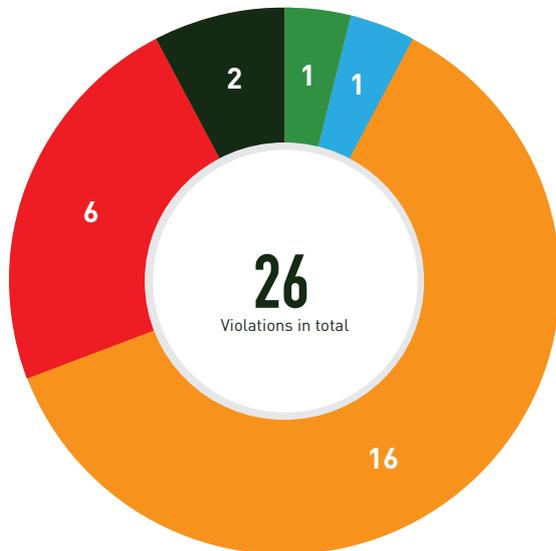
The rock opera ‘Jesus Christ Superstar’ was cancelled in the Siberian city of Omsk in October 2016 after Orthodox activists and members of the “Family, Love and Fatherland” activist group wrote to city officials complaining about the musical’s “continuous blasphemy” and “mockery of faith”. A performance of the same musical in the Siberian town of Tyumen scheduled in November 2016 was also cancelled after residents complained that the production gave a false portrayal of Christ.

Nationalism and political allegiance also continue to drive what type of art is allowed on stage and in halls, or what is funded by state coffers. Plays are vetted and cancelled for their political and moral content and artists are blacklisted for their political views on issues such as the Russia-Ukraine conflict (see more in the “Threats and attacks from non-state actors” section on page 12).

In June 2016, government authorities banned the Russian independent theatre company Teatr.doc’s production of the play ‘Pushkin and Money’, a play about a poet who himself was censored by the state, which was scheduled to be part of a theatre festival in Moscow.

The Russian dissident performance artist Pyotr Pavlensky, whose works blur the lines between protest, revolt and artistic expression, was detained and prosecuted in relation to two separate performances in 2016. In May, a Moscow court found Pavlensky guilty of vandalism for setting fire to car tires on Saint Petersburg’s Tripartite Bridge during a pro-Ukraine performance entitled ‘Freedom’ in February 2014. In June 2016, he was surprisingly released after a Moscow court sentenced him to pay a fine of about \$7,800 USD, and was ordered to compensate the security agency for the \$7,500 USD cost of replacing the heavy oak door of the Federal Security Service he set on fire as part of a performance entitled ‘Threat: Lubyanka’s Burning Door’.

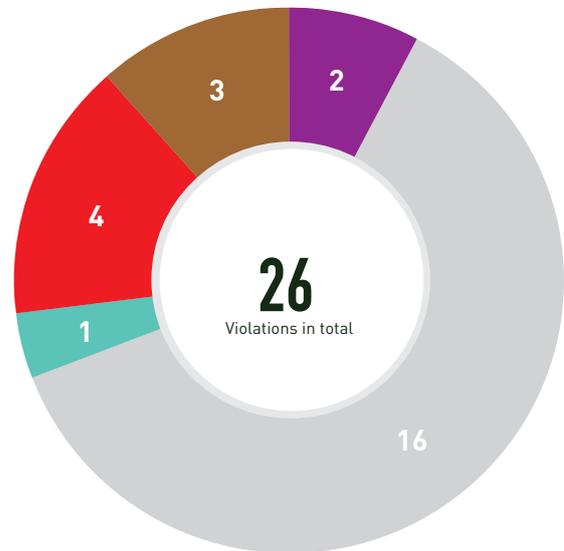
► VIOLATIONS OF ARTISTIC FREEDOM IN 2016 BY ART FORM IN RUSSIA



ART FORM

- FILM
- LITERATURE
- MUSIC
- THEATRE
- VISUAL ARTS

► VIOLATIONS OF ARTISTIC FREEDOM IN 2016 BY VIOLATION TYPE IN RUSSIA



VIOLATION TYPE

- CENSORED
- IMPRISONED
- PROSECUTED
- PERSECUTED / THREATENED
- ATTACKED



## ► FREEMUSE ANNUAL STATISTICS ON CENSORSHIP AND ATTACKS ON ARTISTIC FREEDOM IN 2016

COUNTRY	VIOLATION TYPES							TOTAL PER COUNTRY
	KILLED	ABDUCTED	ATTACKED	IMPRISONED	PROSECUTED	PERSECUTED/ THREATENED	CENSORED	
Afghanistan			1				1	2
Angola							2	2
Argentina							2	2
Australia						1	1	2
Azerbaijan				1				1
Bahrain							1	1
Bangladesh							1	1
Belarus							1	1
Bolivia			1					1
Bosnia and Herzegovina						1		1
Brazil							1	1
Brunei							1	1
Burundi	1			1		1	1	4
Cameroon					1			1
China				14			20	34
Cuba				2	1		1	4
Denmark							1	1
Egypt				7	2	9	19	37
Eritrea				2				2
Estonia							1	1
France			1				4	5
Gambia							1	1
Georgia			1					1
Germany			1		1		3	5
Greece						1		1
Guatemala						1		1
India			1	1			17	19
Indonesia							2	2
Iran			1	19	6	4	9	39
Iraq	1		1					2
Ireland							1	1
Israel					2	1	4	7
Italy							2	2
Japan					1			1
Jordan						1	3	4
Kazakhstan							4	4
Kenya						1	1	2
Kuwait							61	61
Lebanon					1	1	5	7
Malaysia			1	2	1		5	9
	KILLED	ABDUCTED	ATTACKED	IMPRISONED	PROSECUTED	PERSECUTED/ THREATENED	CENSORED	

COUNTRY	KILLED	ABDUCTED	ATTACKED	IMPRISONED	PROSECUTED	PERSECUTED/ THREATENED	CENSORED	TOTAL PER COUNTRY
Malta							1	1
Mauritania				1				1
Mexico							1	1
Morocco				1	1		6	8
Myanmar				1			1	2
Nigeria		1	1	3	9	1	3	18
Oman							1	1
Pakistan	1					1	11	13
Peru							1	1
Poland					1	1		2
Qatar				1			1	2
Russia			2	1	3	4	16	26
Saint Kitts and Nevis					1			1
Saudi Arabia				1			2	3
Sierra Leone				2			2	4
Singapore							5	5
Slovakia							1	1
Somalia				1			1	2
South Korea							3	3
Spain				2			1	3
Sudan							1	1
Sweden			1			1		2
Switzerland							1	1
Syria				4				4
Tanzania					2	2	1	5
Thailand				2			5	7
Tunisia						1	1	2
Turkey			3	11	7	2	13	36
Ukraine							557	557
United Arab Emirates							3	3
United Kingdom				1			1	2
Uruguay					2		1	3
USA				1			13	14
Uzbekistan						4	2	6
Venezuela							1	1
Vietnam				1				1
Zambia						1		1
Zimbabwe		1		1	1		1	4
Global							6	6
TOTAL	3	2	16	84	43	40	840	1028
	KILLED	ABDUCTED	ATTACKED	IMPRISONED	PROSECUTED	PERSECUTED/ THREATENED	CENSORED	TOTAL VIOLATIONS

## PRINCIPLES OF DOCUMENTATION

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Freemuse annual statistics document violations of artistic freedom in the past year, from 1 January to 31 December. We focus on music, visual arts, cinema/films (fictional), theatre (including performance art), literature (fiction) and dance. The statistics cover artists who are attacked, persecuted, killed, abducted, prosecuted, imprisoned (including detention) or censored. The statistics also cover attacks and censorship of artistic expressions, venues and events.

Freemuse verifies each case based on a combination of open sources, including incidents reported in international and local media, as well as information Freemuse receives and collects from network partners and stringers around the world.

We consider a case “confirmed” only if we are reasonably certain that an artist was targeted in reprisal for her or his artistic work.

Freemuse conducts its own independent research to determine the motive. When authorities make up false accusations, such as economic fraud or drug possession, in an attempt to silence an artist, the case is included in the statistics. Artists killed in a car accident or prosecuted for an actual crime unrelated to their artistic work are not included. When the motive of persecution is unclear, Freemuse considers the case “unconfirmed” and continues to investigate, but does not include it in the statistics.

When artists have faced multiple violations of their artistic freedom for the same incident, we count the most serious violation in our statistics. If an artist is threatened and attacked while abducted the case is only counted as “abducted” in the statistics. If an artist is detained, prosecuted and then consequently imprisoned for the same incident, the violation is only counted as “imprisoned”. If an artist is “abducted” in one incident, and “threatened” in a separate, unrelated incident, then those are registered as two separate cases.

“Attacked” refers to artists or arts events being physically attacked. If an artistic event is attacked then that is registered as one attack; however, if several artists were individually targeted or injured during the event then those incidents are registered as individual cases of being “attacked”.

The category of “imprisoned” artists includes artists who were detained or put in prison for their artistic work during the calendar year, as well as artists who were imprisoned in years previous, but remained behind bars during the whole or part of the year. If an artist was in prison during the year, later released and then imprisoned again for their artistic work, then those incidents would be registered separately as two incidents of imprisonment.

The “censored” category contains various kinds of incidents, such as concerts being stopped and fans arrested; films, books and music being censored and banned; and works of art being removed from exhibitions. In the case of blacklists, if Freemuse is able to obtain a blacklist, then we count each artist or art work in that list as an individual case of censorship. However, if Freemuse reports on a blacklist, but cannot obtain the official list, then we register the blacklist as one case of censorship and continue to investigate to obtain a copy.

When a festival, cultural event or exhibition that hosts a variety of art forms is censored or attacked, Freemuse registers the incident as censorship of or attack on “multiple art forms”. When a violation affects artists and audiences globally and cannot be attributed to a particular country, such as an act of censorship by an online company, we categorize such violations as “global”.

Freemuse also tracks who is behind artistic freedom violations. We make a distinction between the

following types of violators: “artistic community”, such as curators, event organisers and unions; “government”, including police, military and ministries; “non-state actors”, including civil society organisations, militant groups and religious groups; and “unknown”, for when it is unclear who was behind the violation. When a violator is “unknown”, Freemuse continues to investigate.

In our reporting we make a distinction between acts of censorship and serious violations. Serious violations include killed, abducted, attacked, imprisoned, prosecuted and persecuted/threatened.

The distinction is not to say censorship does not have serious consequences, but helps us to better describe the world of artistic freedom.

The statistics do not include attacks on journalists, bloggers and cartoonists working in media/magazines/blogs. Several of our sister organisations such as PEN International, Reporters Without Borders, Committee to Protect Journalists and the umbrella organisation IFEX document and monitor these violations. Our statistics also do not cover attacks on documentaries and non-fiction literature.



**FREEMUSE is an independent international membership organisation advocating and defending artistic freedom. Freemuse has Special Consultative Status with the United Nations since 2012.**

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**[freemuse.org](http://freemuse.org)**

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