

# ART UNDER THREAT

Freemuse Annual Statistics on Censorship  
and Attacks on Artistic Freedom in 2015



# **FREEMUSE**

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## **ARTSFREEDOM**

Art Under Threat — FREEMUSE Annual Statistics on Censorship and Attacks on Artistic Freedom in 2015

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

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# EXECUTIVE SUMMARY

## ART UNDER THREAT 2015

**ARTISTIC FREEDOM** is under extreme pressure in far too many countries. The Freemuse annual report summarises censorship and threats on artistic freedom in over **70 countries**.

While at the UN level there have been positive signs of larger attention being paid to the importance of protecting artistic freedom in 2015, sadly the year was dominated by a **20% increase** in registered killings, attacks, abductions, imprisonments and threats, and a staggering **224% increase** in acts of censorship.

In total, Freemuse registered **469 cases of censorship and attacks on artists** and violations of their rights in 2015, making it our worst recorded year yet, nearly doubling the number of cases from 2014 with a **98% increase** from the year previous, wherein 237 cases were registered.

The cases in 2015 include:

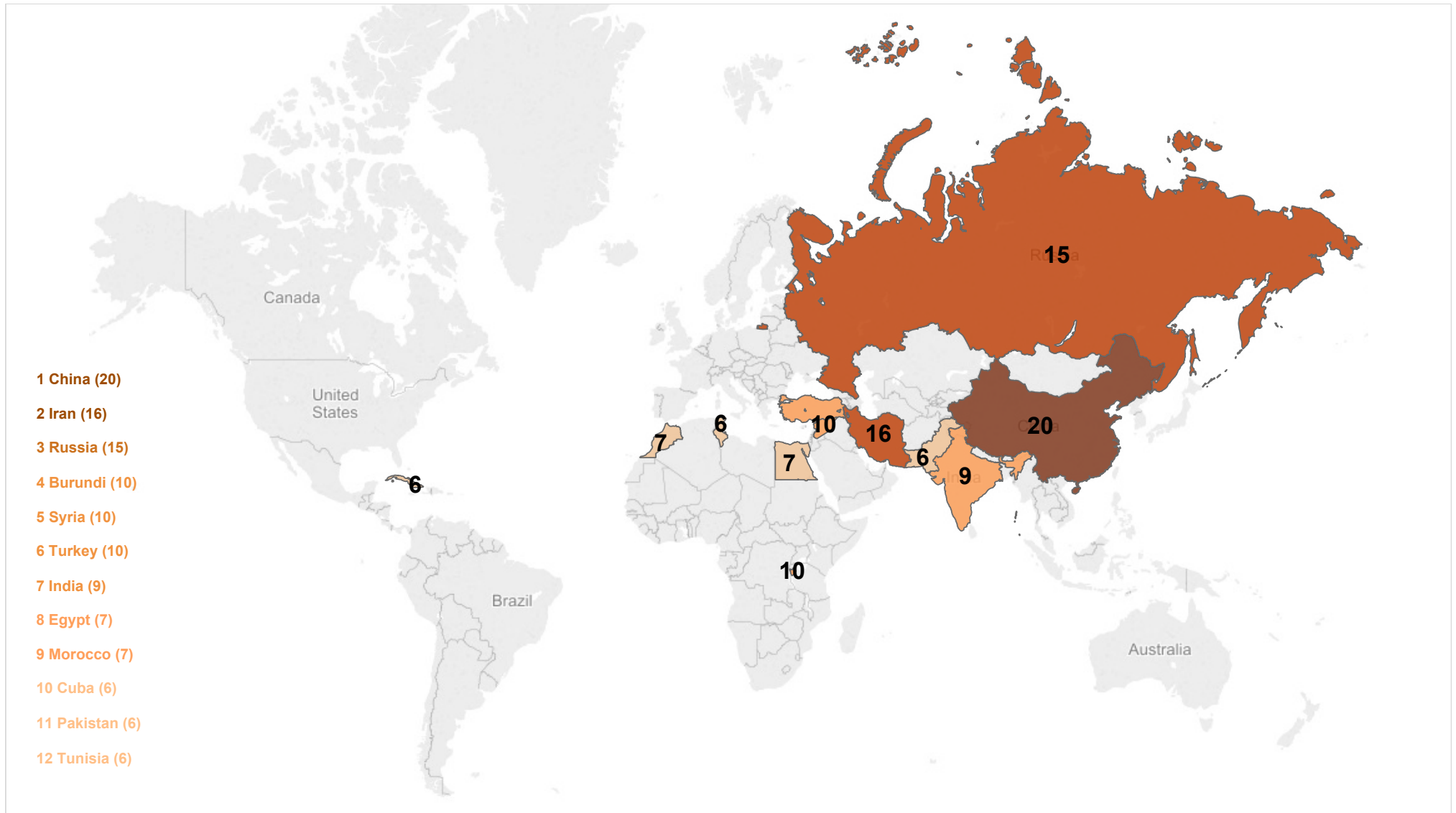
- 3** artists **killed**
- 15** newly **imprisoned**
- 31** **imprisoned** in previous years but still serving time
- 6** **abducted**
- 24** physically **attacked**
- 33** **persecuted** or **threatened**
- 42** **prosecuted**
- 23** **detained**
- 292** acts of **censorship**

The disturbing increase can partially be explained by the fact that Freemuse and its collaborating partners have improved their documentation methods and strengthened their networks, as well as the fact that artistic freedom is an issue that is slowly gaining larger attention. However, that change is slow and artistic freedom violations continue to be under-reported in many countries due to lack of awareness, registration, political will and reporting capacity.

In 2015, China had 146 overall violations of artistic freedom. In the censorship category, China accounts for 126 cases. This large number of cases is explained by the fact that its government released a "blacklist" of 120 songs in August 2015. Freemuse considers each of those censored songs to be individual instances of censorship.

Excluding censorship, Freemuse notes that China tops the list with 20 registered serious violations, followed by Iran with 16, Russia with 15, and three countries tied in fourth place with 10 violations each: Burundi, Syria and Turkey.

**Top 10 Countries**  
Registered Serious Violations of Artistic Freedom in 2015  
Killings, Abductions, Attacks, Threats and Imprisonment



**Number of Artists**  
6 20

This world map highlights the top 10 countries with the most serious violations of artistic freedom in 2015. This map excludes censorship; however, it includes all the other categories Freemuse monitors: killings, abductions, attacks, threats/persecutions, detentions, and imprisonments (both new for 2015 and ongoing from previous years). Countries with the most violations in these categories are shown in darker colours. This year there are 12 countries in our top 10 since three countries tied at the bottom of the top 10 with six violations each: Cuba, Tunisia and Pakistan.



## WHAT DROVE VIOLATIONS IN 2015?

**Politically motivated attacks** on artistic freedom dominated in many countries, but 2015 also saw an increase in **religiously motivated attacks** on artistic freedom.

**Paris** experienced the worst single attack on artistic freedom as heavily armed gunmen on 13 November attacked the Bataclan venue during a rock concert killing 89 people and critically injuring 99 others. The attack (one of several co-ordinated attacks on the French capital) sent shock waves all over the world and had the immediate effect of many concerts and artistic events being cancelled. Artistic freedom includes the right to access cultural events free of fear or repression, but many refrained from visiting museums, attending concerts and theatres in the months following the attacks. The brutal, religiously motivated attack took place a few hours after artistic expression was addressed at a widely attended meeting at the UNESCO headquarters in Paris, and illustrated that although artistic freedom is now being addressed in the UN, declarations alone cannot adequately and fully protect artistic freedom. According to Freemuse research, too many countries are violating international conventions and, in countries with good human rights records, artists are being attacked by militants or civil society groups linked to political or religious movements.

**Religious militant extremism** is strangling artistic activities in areas dominated by Taleban in Pakistan and Afghanistan, Daesh — also known as Islamic State (IS) — in Syria and Iraq, fundamentalists in Northern Mali, Boko Haram in Nigeria and different groups in Somalia.

It is impossible to estimate how many artists and acts of artistic expression are affected by this, but in reality millions of people are prevented from having access to a free flow of cultural and artistic expressions due to threats from militants.

Religious fundamentalism is increasingly behind attacks and threats on artistic freedom in India and Bangladesh, whereas religious orthodoxy combined with political agendas motivates attacks on artistic freedom in Russia.

## COUNTRIES IN BRIEF

**Saudi Arabia** and **Iran** continue to violate international human rights conventions protecting freedom of expression. This has been addressed by the UN Human Rights Council UN Universal Periodic Review (UPR). These violations are damaging creativity and the countries seem to "compete" in discrimination against female artists and in combining illegal verdicts of torture in the form of lashes with long prison sentences.

Most notably, Palestinian poet Ashraf Fayadh was sentenced to death on 17 November 2015 by a Saudi Arabian court for renouncing Islam.

Although another Saudi court overturned the death sentence in January 2016, imposing an eight-year prison term and 800 lashes instead, it shows that Saudi Arabia disrespects the rights to free thinking, freedom of/from religion and freedom from torture.

In Iran three artists were sentenced to six years in prison for the production and promotion of underground music. One of the artists was tortured in custody.

Freemuse statistics are based on verified cases of attacks and censorship, thus a country like **North Korea**, with its total control over any expression and all media outlets, does not figure in our research as one of the world's largest violators of artistic freedom. In December 2015, 119 countries voted to pass

a UN resolution condemning “long-standing and ongoing systematic, widespread and gross violations of human rights” in North Korea. Undoubtedly the country is the most censored and controlled on earth with no artistic freedom at all. But the amounts of violations are simply not registered and cannot therefore be verified.

**China, Iran, Russia, Turkey and Syria** belong to a special league of countries that systematically repress freedom of expression, accounting for 236 cases (50%) of violations on artistic freedom of expression of the total 469 Freemuse documented in 2015.

Political nationalism and religious orthodoxy were the main motivations behind attacks on artistic freedom in **Russia** in 2015. Throughout the year a number of cultural institutions came under pressure for being associated with the opposition. Russia is now ranked no. 152 of 180 countries in Reporters Without Borders' World Press Freedom Index and Russian associations are not allowed to receive funding from foreign sister organisations as Russian legislation considers such support as resources given by “foreign agents”. In 2015 Freemuse registered **32 attacks** on artistic freedom in the country. Add to this that state-controlled media and cultural institutions do not feature artistic dissent.

**Turkey** continues to prosecute, imprison and censor oppositional artistic voices; sometimes for purely political reasons, and sometimes combining such political motivations with “religious” or “cultural” references. President Erdoğan particularly seems to be thin-skinned, with him and his apparatus of lawyers and supporters being in the centre of several “insult” cases. The country also continues to repress artists addressing Kurdish issues. One particularly disturbing case is that of **Nûdem Durak**, a young Kurdish singer, who is serving a 10.5-year sentence for “promoting Kurdish propaganda” — one of the heaviest sentences passed against an artist in recent years. Further, many artists — like many other civilians — were arrested during demonstrations throughout the year. Freemuse does not register such arrests unless it is obvious and verified that the artists arrested were specifically targeted in their role as artists, rather than being arrested for their political actions. However, it has been an oft-used tactic to use political reasons to imprison and stifle artists in Turkey. Freemuse registered 15 violations on artistic freedom of expression in the country.

**China** ranked no. 176 in the World Press Freedom index and continues to have a dark record of imprisoning and detaining its citizens, as well as employing tactics for causing the disappearances of people and silencing dissent. The country continues to hold a firm grip on artistic freedom and continues to keep at least 10 Tibetan musicians imprisoned or detained. In 2015 the Ministry of Culture published an official “blacklist” of 120 censored songs, having huge financial and personal ramifications on not only the artists themselves, but on the venues that book talent and the media outlets that play and distribute such songs. In 2015 Freemuse registered a total number of 146 incidents against artistic freedom of expression in China, continuing to show its repressive trend since 2014's recording of 38 incidents, a year in which it was the top violator as it is again in 2015. An official list of banned songs is the main reason for the large increase. Unfortunately, China does not reveal lists of banned films, books, performances, etc., but undoubtedly the real numbers are much larger.

Five years after the 2011 mass uprising in **Egypt** calling for “freedom”, among other key demands, state censorship of the arts in the name of “protecting public morals and state interests” continues to stifle free artistic expression. In the wake of a security clampdown on free expression since the military takeover of the country two years ago, rights advocates and artists lament that the space for free artistic expression and creativity has diminished in Egypt as restrictions on art and literary works that address politics, sex and religion, remain firmly in place. Freemuse documented 17 attacks on artistic freedom of expression in 2015, a rise from 2014 where Freemuse documented 11 attacks.

The brief “fresh air” of the Arab uprisings five years ago has now been “exhaled”, and particularly Morocco and Tunisia are systematically violating artists' freedoms by imprisoning or charging young

political rappers who are addressing issues of police violence and social injustice in their music. Behind the democratic façades of the two countries a tight mind control over state institutions, festivals and cultural operators remain in place.

Political repression is also severe in **Burundi** and **Ethiopia**. Three Oromo speaking protest singers were reportedly arrested, abducted and tortured in Ethiopia in December and several others have been banned from radio waves.

In Burundi many artists have fled the country out of fear of retaliation in the country's deepening crisis and 2016 had hardly begun when Burundian singer and musician Pascal Treasury Nshimirimana was reported arrested and shot by police on 3 January.

In 2014, Freemuse did not register any cases of violations against artistic freedom of expression in Burundi, but that story drastically changed in 2015 as we registered 10 cases of threats, attacks and prosecutions, which catapulted the country from not being on the list at all in 2014 to being tied for fourth place with Turkey and Syria in 2015, when taking into account all types of violations other than censorship.

Freemuse in the past year has also noted an increase in civil society pressure on artistic freedom in several countries.

In Sweden several artists in 2015 revealed how they were continuously threatened by neo-Nazi and religious groups, whereas right-wing Hindu groups in India claiming "their religious sentiments were hurt" were behind several attacks on artistic productions.

No doubt "multicultural" and "blackness" issues have also been the focus of several controversies between institutions and pressure groups leading to cancellations or alterations of exhibitions and performances.

Self-censorship out of fear of financial, cultural, religious or political retaliation is creeping into many corners of artistic creations worldwide. Although the scope of freedom of expression has always been "negotiated" — and there may be several good reasons for taking political, religious or cultural considerations — no doubt the fear of political, religious and cultural pressure that censorship generates in artists and art institutions often leads to self-censorship.

## Freemuse Statistics on Artistic Freedom of Expression Violations 2015

### Violation Categories

Country	Persecuted or Threatened	Attacked	Abducted	Killed	Detained	Prosecuted	Newly Imprisoned	Still Imprisoned	Censored	Total per Country
Afghanistan		1								1
Algeria	1								2	3
Angola						1				1
Argentina		1							1	2
Australia		1								1
Azerbaijan									1	1
Bahrain						1				1
Bangladesh	3								1	4
Belarus						1				1
Belgium	1									1
Bolivia	1									1
Burkina Faso		1								1
Burundi	7	1				2				10
Cameroon								1		1
Canada									3	3
China					4	1		15	126	146
Costa Rica									1	1
Cuba					2	1	1	2	15	21
Denmark		1								1
Ecuador									1	1
Egypt	1				2	1	3		10	17
Eritrea								2		2
Ethiopia			2		1				1	4
France		2							2	4
Gambia	1									1
Germany		1								1
India	3	2			3	1			10	19
Indonesia									4	4
Iran	2				4	8	2		16	32
Israel	1								2	3
Japan						1				1
Kenya									1	1
Kuwait									1	1
Latvia									1	1
Lebanon									3	3
Macedonia									2	2
Malawi									1	1
Malaysia						1			4	5
Mexico			3	1					2	6
Morocco	1	1				4		1	5	12
Myanmar						1				1

## Freemuse Statistics on Artistic Freedom of Expression Violations 2015

### Violation Categories

Country	Persecuted or Threatened	Attacked	Abducted	Killed	Detained	Prosecuted	Newly Imprisoned	Still Imprisoned	Censored	Total per Country
New Zealand									1	1
Nigeria							1		18	19
North Korea									1	1
Pakistan		3	1	2					3	9
Paraguay						1				1
Poland	1									1
Qatar								1		1
Russia	1	3				11			17	32
Saudi Arabia	1							1	1	3
Singapore									1	1
Somalia					5					5
South Africa		1								1
South Korea									1	1
Spain									2	2
Sudan									1	1
Sweden	1									1
Syria	1	4						5	1	11
Thailand							2		1	3
Tunisia					1		5			6
Turkey	4	1			1	3	1		5	15
Uganda						1				1
Ukraine									3	3
United Arab Emirates									1	1
United Kingdom									6	6
USA						1			8	9
Uzbekistan									1	1
Venezuela									1	1
Vietnam								3		3
Zambia						1				1
Zimbabwe	2								2	4
Global									1	1
<b>TOTAL</b>	<b>33</b> Persecuted or Threatened	<b>24</b> Attacked	<b>6</b> Abducted	<b>3</b> Killed	<b>23</b> Detained	<b>42</b> Prosecuted	<b>15</b> Newly Imprisoned	<b>31</b> Still Imprisoned	<b>292</b> Censored	<b>469</b> TOTAL VIOLATIONS

## MUSIC — THE MOST ATTACKED ART FORM

Our statistics show that music continues to be the most affected and violated art form, accounting for **309 cases (66%)** in 2015, yet another staggering increase from 2014 where music was the most affected art form with 90 cases (38%). Attacks on music affect entire societies. Musicians and songwriters are being killed, persecuted and imprisoned more than other artists. Audiences who want to experience live music are also more at risk. The horrible attacks in Paris remind us that groups inspired by religious fundamentalism are willing to make use of the most brutal violence to stop the music. The Taleban made a total ban on music in Afghanistan in the 1990's, the jihadist group MUJAO copied this in Mali in 2012 and several websites promote ideas of music being “haram” or the “tool of the devil”.

The attack on Bataclan is registered as one attack, but behind this simple number the fate of hundreds of families tells a story of mostly young people, who looked forward to a musical experience, a celebration of life and taking part in an important communal act of artistic expression, but ended up instead as part of a terrified crowd filled with screams, fear, blood and death.

The attackers represent the darkest sides of mankind. They are in principle “proxies” of those regimes or communities that continue to financially and ideologically sponsor extremism from a perverted perspective of interpretation of religion.

Although religiously motivated attacks on music seem to have increased in several countries, the reality is that states in general are the greatest violators and that their motives are political — shutting down voices of dissent in countries such as China, Ethiopia, Morocco, Burundi, Belarus and Cuba.

## ARTISTIC FREEDOM IN FOCUS AT THE UN

Those who suppress artistic expression fear its transformative effect. This was one of the messages delivered when 53 states at the 30<sup>th</sup> session of the United Nations Human Rights Council on 18 September 2015 reaffirmed the right to creative and artistic expression. Speaking on behalf of the states, the ambassador of Latvia, Janis Karklins, told the council:

*“We stand firm in our commitment to protect and promote the right to freedom of expression, including artistic and creative expression. In addition to being an integral part of the protected human right to freedom of expression, artistic and creative expression is critical to the human spirit, the development of vibrant cultures, and the functioning of democratic societies. Artistic expression connects us all, transcending borders and barriers. Artistic expression can challenge us and change the way we view the world.”*

Freemuse started addressing artistic freedom at the level of the Human Rights Council in 2013 and the statement is a welcomed step on the way to securing that states around the world will stand by their obligation to protect artists from threats, persecution and violence.

However, it also shows that not all states wholeheartedly support freedom of artistic expression as only 53 of the United Nations' 193 member states supported the statement.

## UNESCO

Two high profile meetings at the UNESCO headquarters in Paris put focus on artistic freedom. A new global report 'RE | SHAPING CULTURAL POLICIES' included a chapter on artistic freedom written by the undersigned. The chapter points out that:

- Fundamental freedoms are an essential ingredient of the wellbeing of citizens and societies, in the dynamics of social development and for the stability of the arts and cultural and creative industries sectors.
- Restrictions to artistic freedom and access to artistic expressions generate important cultural, social and economic losses, deprive artists of their means of expression and livelihood, and create an unsafe environment for all those engaged in the arts and their audiences.
- Threats to artistic freedom are under-reported in comparison to threats to journalists and other media professionals. This leads to a limited picture of the true scale of the challenge to creative free expression, in particular the physical threat to socially engaged artists and practitioners.

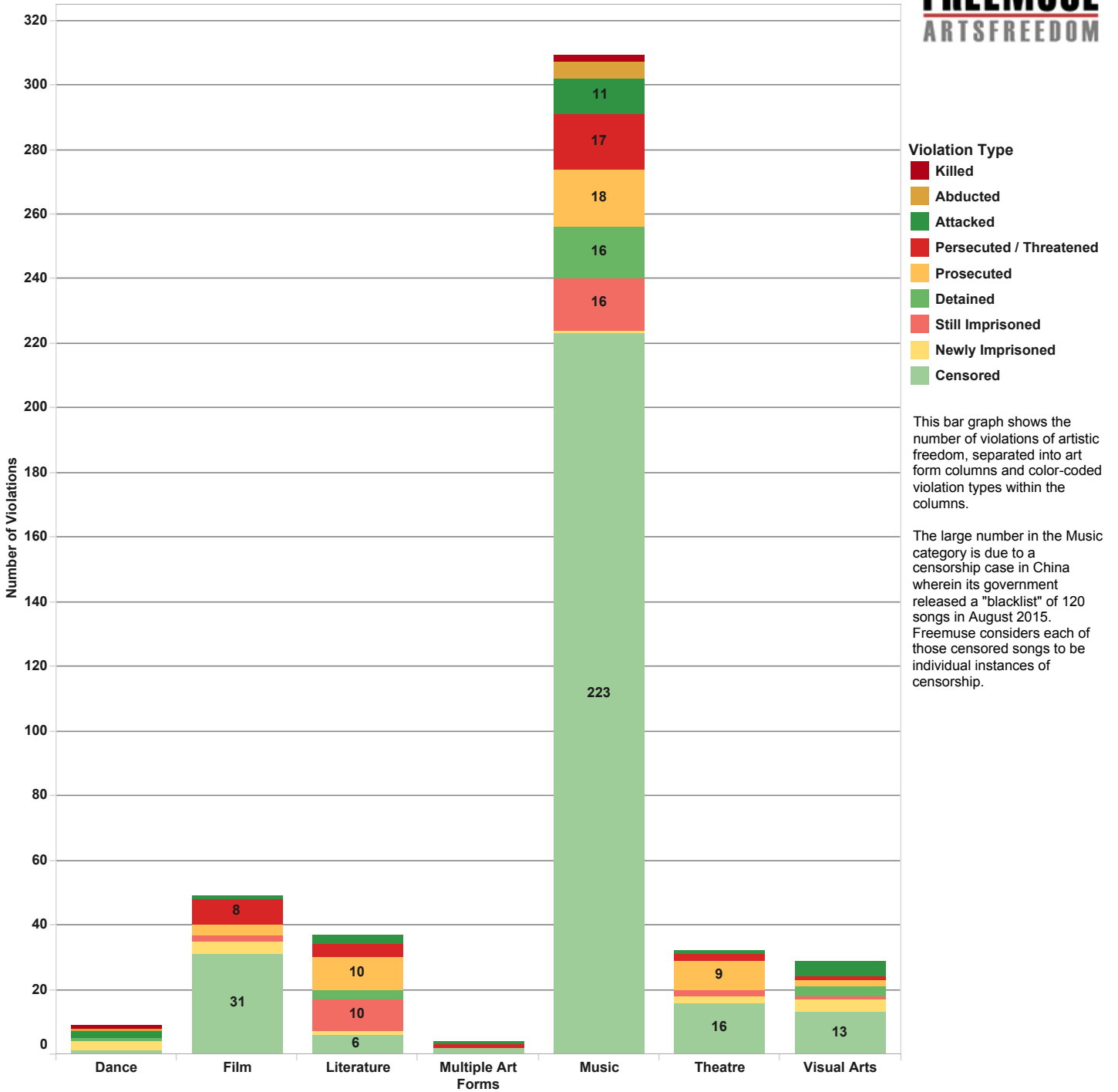
The global report is aimed at guiding governments on how to implement the 2005 UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

All chapters include an indicator framework and means of verification. It is the hope of UNESCO that the 140 ratifying state parties in the future will make use of this. For artistic freedom this will be the first time in history that states are particularly requested to report on the protection and promotion of artistic expression.

## HUMAN RIGHTS COUNCIL

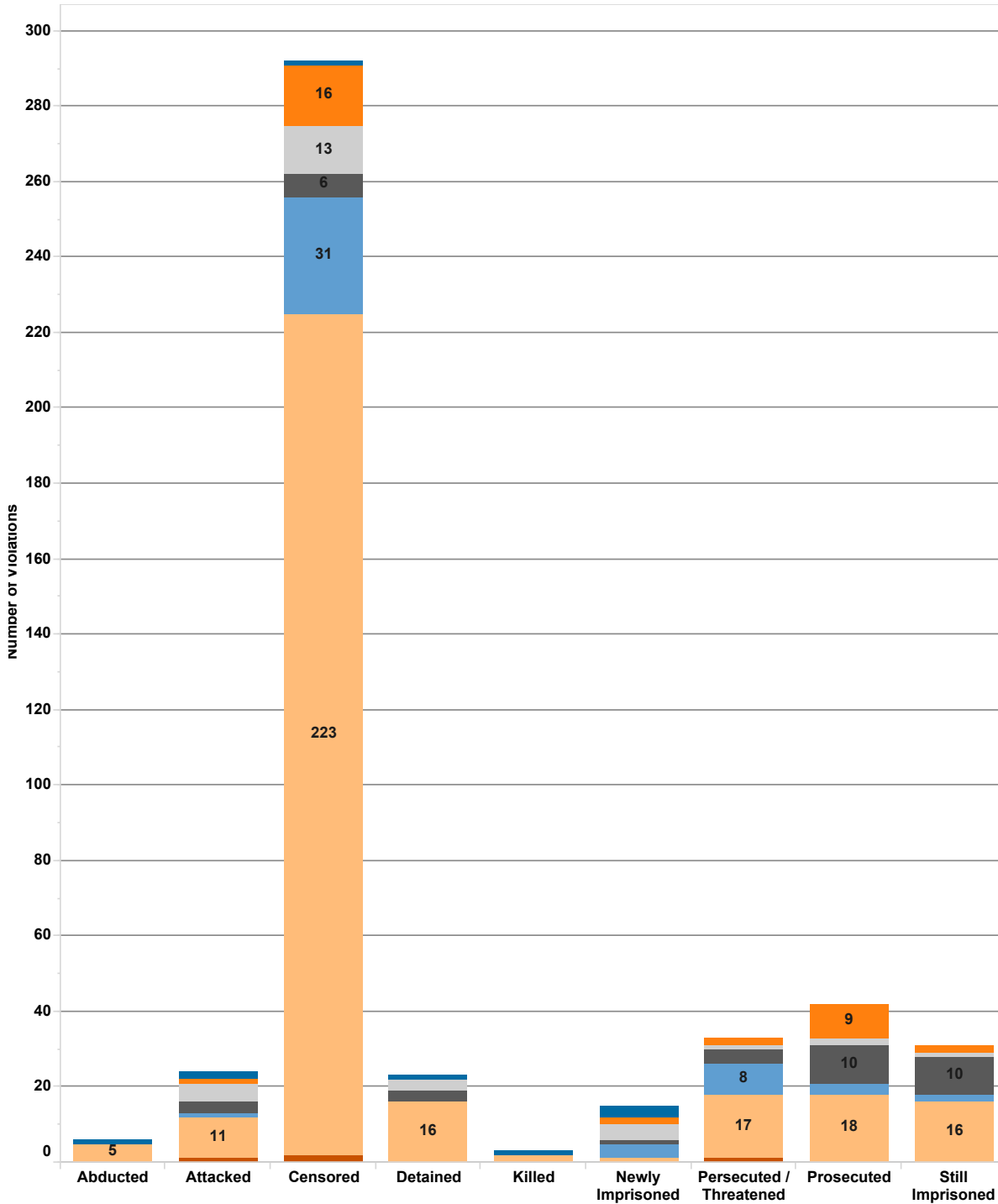
Freemuse submits reports on violations of artistic freedom in specific countries to the UN Human Rights Council. We do so in collaboration with local and international partners in what are called Universal Periodic Reviews (UPRs). The UPR process is the only global process that involves a periodic review of the human rights records of all 193 UN Member States. Freemuse, having UN Special Consultative status, makes use of this status to report on violations on artistic freedom and gives voice to artists in Geneva.

Violations of Artistic Freedom in 2015 by Art Form





Artistic Freedom Violations in 2015 by Violation Type



**Art Form**

- Dance
- Theatre
- Visual Arts
- Literature
- Film
- Music
- Multiple Art Forms

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

The large number in the Censored category is due to a censorship case in China wherein its government released a "blacklist" of 120 songs in August 2015. Freemuse considers each of those censored songs to be individual instances of censorship.

The Freemuse statistics represent a **cautious estimate** as most violations are never reported. As an example there are no real statistics available on film censorship. The global film industry ignores its responsibility to register and report on films either being stopped by censors before production or films being censored for screenings. Further, it is virtually impossible to document cases of self-censorship when artists feel social or political pressures to either not artistically express themselves or compromise their expression by creating something they did not intend to avoid controversy or personal attack.

Behind the numbers of the statistics are real people being censored or attacked. We recommend you to look further at specific cases and countries on our two platforms:

[www.artsfreedom.org](http://www.artsfreedom.org) and [www.freemuse.org](http://www.freemuse.org)

At [artsfreedom.org](http://artsfreedom.org) we document violations on all types of arts whereas at [freemuse.org](http://freemuse.org) — the world's largest database on music censorship — we continue to focus specifically on violations on music.

This year we have asked some of our stringers and researchers to provide reports on tendencies, trends and attacks in a number of selected countries. In the following pages, excerpts of these reports will provide you with a deeper insight to censorship and repression in countries such as China, Turkey, Russia, Egypt, Mali and Cuba.

Yours sincerely,

Ole Reitov  
Executive Director  
FREEMUSE

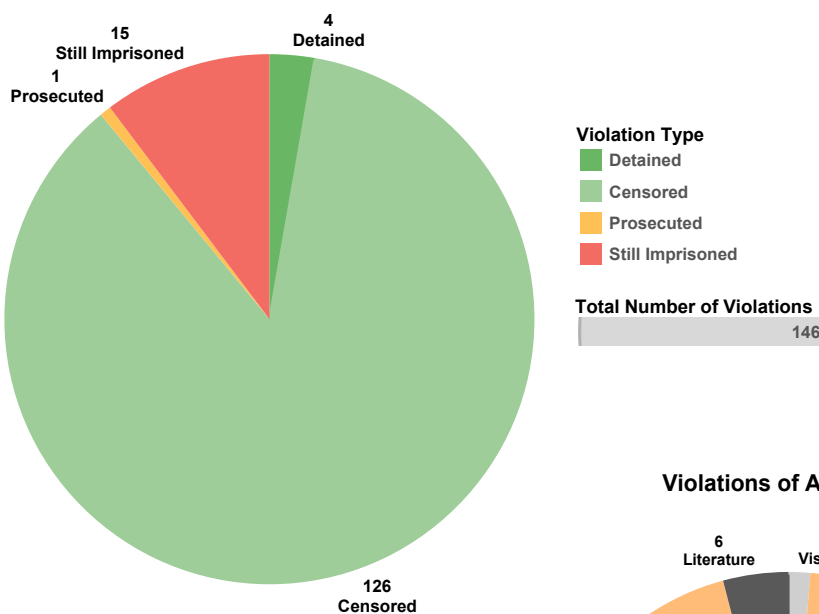
# **COUNTRY REPORTS**

# CHINA

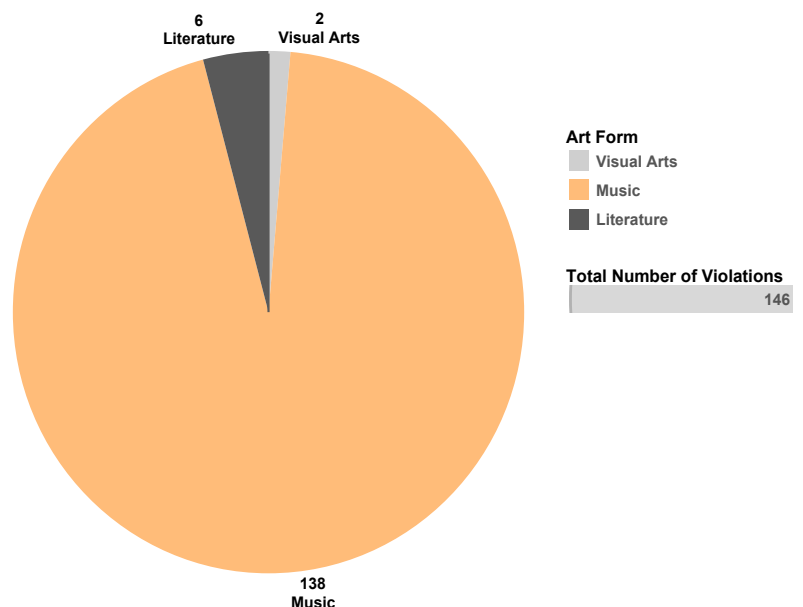
## DISAPPEARANCES, IMPRISONMENTS AND CENSORSHIP

China has a troubled record of human rights and freedom of expression abuses. The country's legal bodies are not separated from political institutions. Opposing opinions considered to be hurtful of the government or country are not allowed. Human rights — although present in the constitution — are limited by citizens' obligations to the state, and censorship prevails in all sectors of society, including the arts, media and academia. On 27 December 2015, China — in the name of “national security” — passed a controversial new anti-terrorism law. Critics consider this new law to be very broadly formulated and could potentially be used against dissidents — including artists and minorities, especially Tibetans and Uyghur, in any form they choose to express dissent. In 2015 Freemuse registered 146 violations on artistic freedom in China, including keeping 15 artists imprisoned, detaining four artists, and prosecuting one other.

Artistic Freedom Violations in 2015 by Violation Type



Violations of Artistic Freedom in 2015 by Art Form



## VISUAL ARTS

Although China returned Ai Weiwei's passport in July 2015, more than four years after he was banned from leaving his native China, the country continues to harass and censor visual artists.

Beijing authorities banned an art exhibition about feminism and domestic violence just before it was set to open. The exhibition, timed for the United Nations International Day for the Elimination of Violence Against Women, was due to open on 25 November 2015 at Beijing's Ginkgo Space art gallery. More than 60 Chinese artists — half of them women — contributed work to the show; but when they arrived at the venue, they found themselves locked out and the gallery staff absent.

## MUSIC — IMPRISONMENTS, BLACKLISTS AND INTERNET CONTROL

China continues to hold many Tibetan musicians imprisoned or detained without access to legal support. Freemuse is informed of at least 10 musicians still imprisoned: Gonpo Tenzin, Kalsang Yarphel, Lolo, Shawo Tashi, Choksal, Phulchung, Sogtruk Sherab, Choegon, Pema Trinley and Chakdor. The singers are sentenced to between two and six years for producing and performing "sensitive or political lyrics". On 23 October 2015 Pema Rigzin, originally sentenced to two and a half years in prison, was released after 11 months.

On 10 August 2015, the Ministry of Culture released a list of 120 banned songs that they considered promoted "obscenity, violence, crime or harming social morality". Website administrators were ordered to remove the songs from their sites according to Xinhua News Agency. On 12 August 2015, the ministry said the ban was also effective for entertainment venues, live performances and audio-visual publications.

The "blacklist" seems to be very arbitrary. In some cases, a band with a blacklisted song can still perform at concerts, as long as they do not play that particular song; in other cases, bands are completely banned from performing altogether. The list not only includes Chinese artists, it includes songs from foreign artists as well. Although it remains a mystery exactly where the threshold is set for a band being partially or completely banned, there are some issues that are considered particularly politically sensitive thus making them red flags for the "blacklist". Foreign acts that publically support Free Tibet — an organisation that campaigns for the freedom of Tibet and Tibetans — or Falun Gong — a spiritual practice considered illegal by Chinese authorities — are under no circumstances allowed to perform in mainland China.

The list is also under constant revision. Bands and songs seem to be put on the list or removed ad hoc depending on the political situation in China. If musicians wish to reach a larger audience, they are forced to adapt to the government's wishes of what and what not to express in their music. The complex system affects the whole music industry; although corruption sometimes opens spaces for "negotiation", as a venue owner said:

*"If you catch the attention of the authorities in a bad way, it is highly likely that you may have to shut down your venue. This reinforces the musicians' fear of creating provocative music, as the venues — in fear of their own survival — sometimes will not book bands that are deemed too controversial. There's censorship, there's permits, there's stuff like that; but it's still who you know, who you talk to, what channels you go through — it is unevenly enforced. It's only enforced when they want to enforce it, so basically everything we do, everything you do, in the music scene or in the art scene or the film scene is illegal. [...] You bribe the cops, you pay them off; you know that's what we do. It's bureaucracy, but it's how the Chinese system works. It's how it works everywhere in China."*

Although the government attempts to control the entire internet in China, underground music is being uploaded and downloaded. On one level, the internet has opened up spaces for free expression, but on another level, it is also being used as a tool for control and further (governmental) oppression. For example, venues that present alternative music make use of the internet to reach out to larger audiences, but this information is also picked up by the internet police. Receiving “notifications” from the authorities for promoting such music has the intended effect that these venues will then refrain from advertising this alternative, possibly controversial music, making it even more marginalized.

## FILM EXAMINATION STANDARDS

The country’s film market is unsurprisingly heavily regulated and nebulous, leaving filmmakers routinely unclear as to what they will be allowed to produce. A draft of China’s first film law aims to ease and clarify the country’s censorship process, though regulations will continue to exist. The law was debated on 30 October 2015 by the Standing Committee of the National People’s Congress, ABC News reported.

The new law would create “concrete film examination standards” that will be accessible to the public, and treatments of films would only need to be approved before shooting, rather than providing complete screenplays for approval, magazine Variety reported. However, finished films will still need to clear censorship standards before being released and that approval process would still be “subject to the opinions of experts”.

## LITERATURE

According to a report on Chinese Censorship published by PEN America in May 2015:

*“The government believes censorship helps guide public opinion and is crucial to maintaining domestic stability. For the Chinese book industry, this means publishers are on alert to weed out any “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. Such book censorship in China is nearly always carried out pre-emptively by publishers, not by officials, and is done to avoid government reprisals post-publication. This system of self imposed censorship seems efficient as publishers — whether music, film or literary — face ‘temporary business closure, permanent loss of their publishing license and / or hefty fines.’ ”*

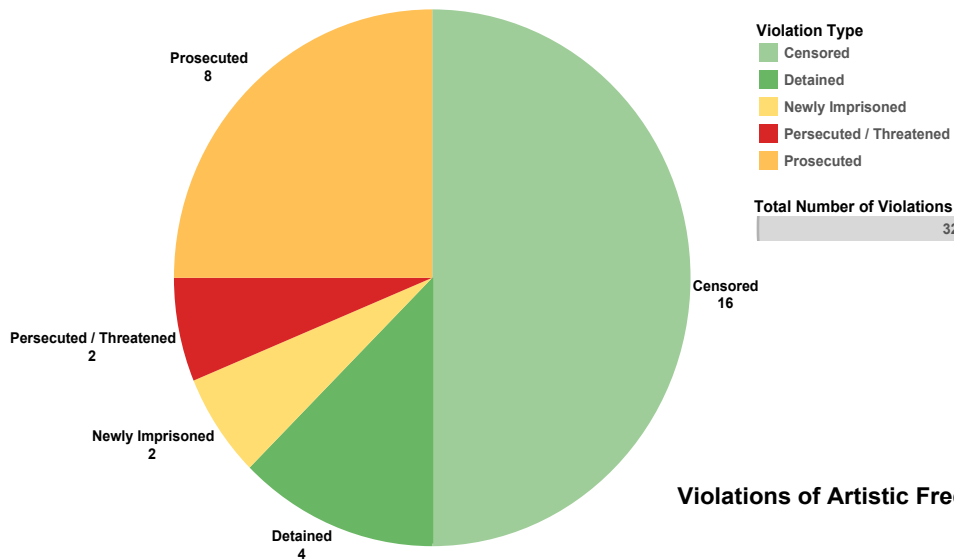
No one knows the exact amounts of artistic productions that are either pre- or post-censored or completely banned. The mechanisms of Chinese censorship are complex, and although China has the world’s largest internet police, the country cannot fully control all outlets.

# IRAN

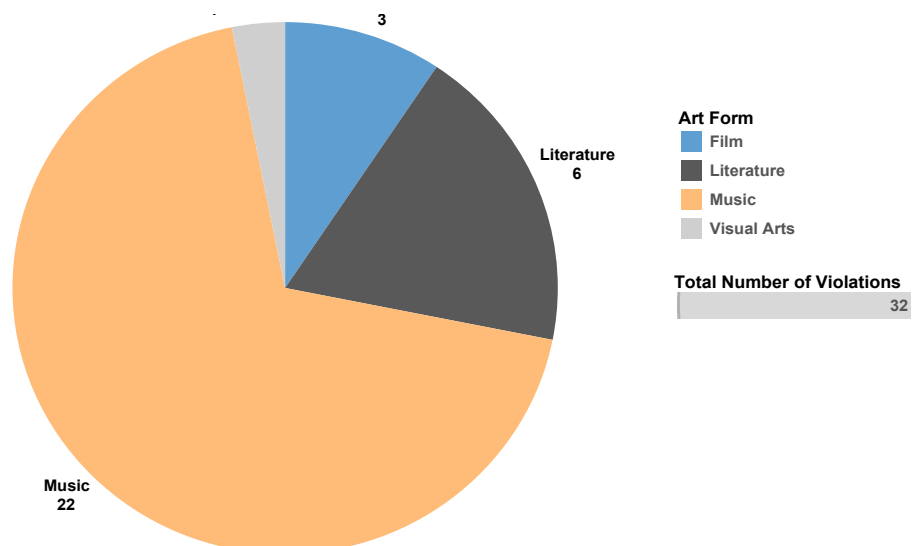
## LASHING AND INTERNAL POWER CONFLICTS

Iran continues to intimidate, persecute, imprison and ban artists, cultural producers and publishers. In 2015 Freemuse registered 32 violations on artistic freedom in Iran, including the prosecution of eight artists, imprisoning two artists, and detaining four others. Although President Hassan Rouhani and Minister of Culture Ali Jannati on occasion have publicly denounced heavy clamp downs on artists and media, the real power over artists continues to lie with the so-called Revolutionary Guards, who continue to have increased power over Iranian society and also seem to hold a firm grip on the Ministry of Culture and Islamic Guidance, which is supposed to be the official agency in charge of approving any artistic creation before publication. The ministry does not publish any statistics over the amount of artistic productions it pre-censors or bans.

Artistic Freedom Violations in 2015 by Violation Type



Violations of Artistic Freedom in 2015 by Art Form



Though all arts and artists are under constant scrutiny, female artists are particularly discriminated against with specific rules about how they can perform publicly or even record privately, including not being able to share a stage or sing with men. Iran violates any international Human Right Convention regulating freedom of expression and artistic creativity. Iranian artists who are banned from performing in Iran, but manage to perform outside the country, are interrogated upon their return to Iran and, as Freemuse has learned through several reports received, also have their homes searched, equipment confiscated and passports withheld for several months, effectively removing their freedom to create, perform or travel.

## **“INSULTING THE SACRED”**

Any criticism of religious authorities and their interpretation of Islam is immediately termed as “insulting the sacred”. The systematic crackdown is also used — and abused — to scare any opposing voice that criticises or provokes conservative norms. For example, on 16 December 2015 Iranian poet Mohamadreza Haj Rostambegloo was arrested from his home by six Revolutionary Guard agents and was released on bail four days later from Karaj Central Prison. The poet’s mother, Maryam Soltani, told the International Campaign for Human Rights in Iran that one of the agents informed her that her son had been “accused of insulting the sacred and spreading lies on social media and in his books” and that “they had been monitoring his activities for a long time”. Soltani explained that the agents came to her house in the afternoon with her son in handcuffs and searched the premises. The 41-year-old poet’s passport, national ID card, mobile phone and tablet were confiscated.

Iranian courts — according to Freemuse sources — in 2015 seemed to issue “assembly line” judgements on artists and publishers. Iranian poets and songwriters Fatemeh Ekhtesari and Mehdi Moosavi were sentenced to 11.5 and nine years in prison respectively, as well as 99 lashes each, for a variety of convictions. They were convicted of “insulting the holy sanctities”, for which they received seven and six year prison terms respectively. Moosavi was also sentenced to three years in prison for “storing tear gas” and Ekhtesari was sentenced to 18 months for “spreading propaganda against the system”, and to three years for allegedly publishing indecent images on the internet. Both were sentenced to 99 lashes for “illicit relations”. Two musicians, Mahdi Rajabian and Yousef Emadi, and a filmmaker, Hossein Rajabian, were jointly sentenced to six years in prison and fined 200 million toman (about \$66,650) each for “insulting the sacred” and “propaganda against the state”. Mehdi Rajabian, a musician and founder of BargMusic, an underground music distributor in Iran, along with his brother, Hossein, an independent filmmaker and photographer, and Emadi, a musician, were put on trial in May 2015 at Branch 28 of the Revolutionary Court presided by Judge Moghisseh. The trial lasted 15 minutes and the defendants were accused of encouraging indifference towards religion by promoting underground music. One of the artists was tortured in prison.

Iranian courts not only seem to use the “assembly line” method for prosecuting artists and other citizens, they also seem prone to using barbaric methods, such as lashing, to punish those they convict, demonstrating a clear tendency of Iranian courts using their might to spread fear amongst artists, intellectuals and political opponents.

## **THE INTERNAL CONFLICT**

The repressive environment for artists in Iran stems from an ongoing and internal power struggle within the country’s political, religious and social institutions. An example of this ongoing conflict between the President and the Supreme Leader that creates uncertainty for artists is President Rouhani’s statement that: “No one should stop artists and musicians from performing if they have a permit from the Ministry of Culture”.



However, the reality on the ground is much different. For example, a concert by the Tehran Symphony Orchestra was cancelled at the last minute on 29 November 2015 because some of the musicians were female, reported The National. The orchestra was due to play in Tehran before the World Wrestling Clubs Cup competition and was stopped from performing as it was readying itself to play the national anthem of Iran, even though they had official permission to play. The orchestra's conductor Ali Rahbari said organisers told him that "it's absolutely impossible for women to play musical instruments on stage".

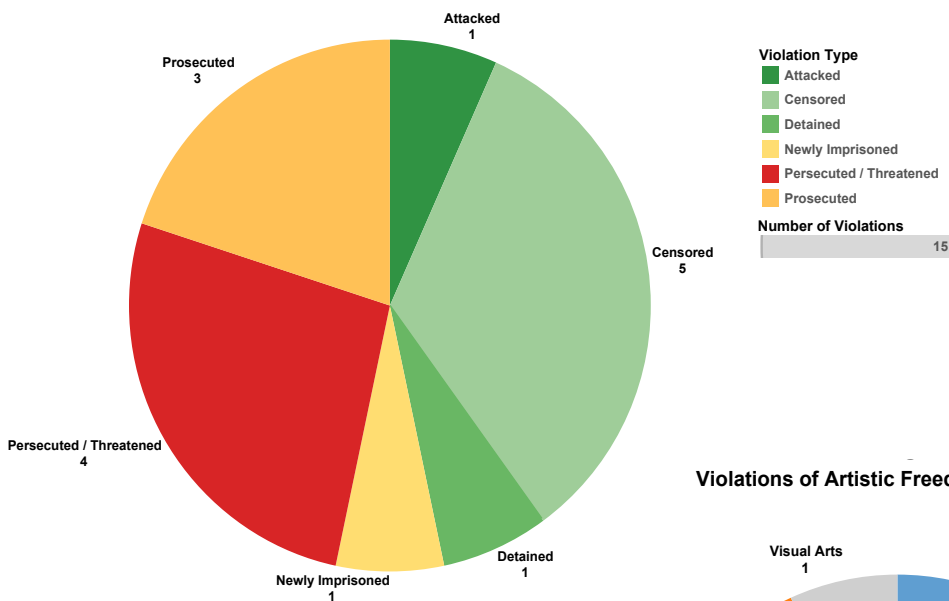
# TURKEY

## TERROR LEGISLATION AND THIN-SKINNED PRESIDENT

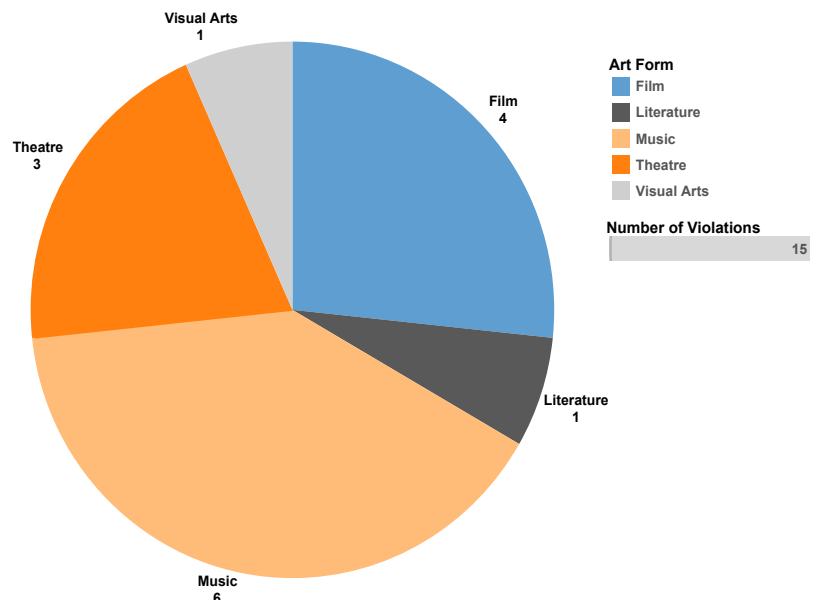
2015 was a more than usually troubled year for Turkey, especially as the year wore on, with growing tensions on the Syrian border, and a crisis situation in the Kurdish south east which is seeing a return of violence and the institution of curfews. Freemuse has registered 15 cases in 2015 in Turkey, which included four artists being threatened or persecuted, the prosecution of three artists, and the imprisonment of one other.

President Erdoğan seems to have a particularly thin skin when it comes to criticism. Since becoming president in August 2014, he has initiated well over 200 cases in which he claims he has been insulted. In the past year actors, singers, cartoonists and journalists have been investigated, tried and fined for mocking the president.

Artistic Freedom Violations in 2015 by Violation Type



Violations of Artistic Freedom in 2015 by Art Form



Turkey's anti-terror law, long-criticised for its vagueness and for being applied primarily against Kurdish rights activists, has been used to imprison singer Nûdem Durak to a 10.5 year term for "promoting Kurdish propaganda". The Gezi protests of 2013 still reverberate two years later with a group of actors on trial for a video commemorating the death of a child, while others lost their jobs and theatre companies that feature pro-Gezi works suffered finance cuts. Additionally, films covering Kurdish issues have been withdrawn from screenings and popular folk band Grup Yorum had to fight an attempt to stop it from staging concerts.

A small piece of good news was the dismissal of religious defamation charges initiated in previous years against two artists, yet arts and academic institutions remain jittery about staging pieces that could be seen as offensive.

Looking forward into 2016, as the situation in the Kurdish region is set to worsen and sharp scrutiny of Erdoğan's leadership is likely to carry on, artists will also continue to make work that challenges what they see going on around them. The legal system, alongside official and public attitudes on a range of sensitive topics, is likely to play a part in keeping artistic freedom of expression at risk.

## **KURDISH ARTISTS AT RISK — EUROPEAN COURT FINES TURKEY**

Kurdish artists have long been the target of intimidations, prosecutions and attacks. Notable among them is singer Ferhat Tunç who has over the years been arrested and prosecuted several times on doubtful grounds for his statements and performances. Some of his cases have been brought to the European Court of Human Rights which, in February 2015, convicted Turkey of violating freedom of speech for having prosecuted Tunç in 2003 to three months in prison and ordered him to pay a fine for having made dissident comments during a concert. The Court found that Turkey violated Article 6 (right to a fair trial) and Article 10 (freedom of expression) of the European Convention on Human Rights and ordered Turkey to pay compensation to the singer. However other cases continue against Tunç at Turkish courts, several of which under the auspices of the Anti-Terror Law (TMK) that has an overly broad definition of what comprises an offence under the law.

In December 2014, one of the heaviest sentences passed against an artist in recent years was given to the young Kurdish singer, Nûdem Durak, who was arrested in April 2015 and charged with "promoting Kurdish propaganda", under TMK and sentenced to 10.5 years in prison.

## **GRUP YORUM**

The popular folk-rock band Grup Yorum formed in the mid-1980s as a stridently political, left-wing, and pro-Kurdish group. The authorities have linked the group to the Revolutionary People's Liberation Party (DHKP-C), although the group itself has no formal affiliations and its fan base spans a broad spectrum of Turkish and Kurdish left-wing fans. Having released over 20 records it is among the top selling bands in Turkey. Over three decades its members have been arrested, its concerts banned and albums seized. 2015 was no exception. In April, a planned concert in Istanbul to mark the group's 30<sup>th</sup> anniversary was banned by the Istanbul Governor's office, citing that it could lead to public unrest. The group challenged the decision before the courts, and in June the concert was finally given permission to go ahead. The concert featured a 45-person symphony orchestra and over 100 guest artists, including American folk singer Joan Baez. The performance to a large audience was held without incident.

## **WITHDRAWAL OF FILMS FROM SCREENINGS**

Although Freemuse statistics do not cover censorship of film documentaries, it should be noted that anxiety around works that deal with the Kurdish issue has led to films that document the troubled history of Turkey's Kurds to be withdrawn from screenings. In April 2015 the documentary 'Bakur' (North) that investigates daily life in PKK camps was pulled from the Istanbul Film Festival program by the festival organisers after they had received a notice from the Ministry of Culture that this documentary did not have a "certificate of registration". Outraged by the decision, 23 film companies withdrew their own works from the festival, stating that pulling the documentary was a clear case of censorship. This had repercussions that rippled to the Ankara Film Festival, whose organiser decided to withdraw its documentary program citing the problems in Istanbul. There were also protests against the Antalya Film Festival removing its documentary category after a controversy in 2014 when it had removed documentaries on the 2013 Gezi protests from its schedule.

A film covering a massacre of Kurdish people in the 1930s, 'The Lost Girls of Dersim: Two Strands of Hair', was also subject to a ban, this time from an Istanbul University Faculty of Communications screening in March 2015. The film, which has been widely screened since it was produced in 2012, was deemed by the faculty dean as having "improper" content.

## **INSULTS — DONKEYS, LIGHT BULBS AND "FREAK" SCULPTURES**

President Erdoğan and his apparatus of lawyers and supporters are at the centre of several insult cases. In January 2015 a trial opened against folk musician Kutsal Evcimen who was charged with insulting Erdoğan for a talk he gave after performing a song about a donkey at the Arguvan Folk Festival in Malatya. In what is a typically long, drawn-out judicial process in Turkey, his second hearing was held almost a year later in November 2015 and was postponed to March 2016.

Sculptor Mehmet Aksoy turned the tables on Erdoğan in March 2015 when he filed an insult case against the President for calling Aksoy's 2011 sculpture he erected on the Turkish-Armenian border a "freak", and was subsequently demolished. Extraordinarily, in June 2015 Aksoy won the case and Erdoğan was ordered to pay him 10,000 Turkish Lira (\$3,800 USD) in damages. However, Erdoğan's legal team quickly sprang into action and opened new insult proceedings against the sculptor when, in an interview, Aksoy said he would not deign to spend "dirty" money on art in response to a question about whether he would spend the money on new sculptures.

## **2013 GEZI PROTESTS REVERBERATE**

Artists involved in the 2013 Gezi protests still suffer repercussions two years later. Actor Levent Üzümcü was dismissed from performing in Istanbul city theatres, meaning he will be barred from performing in any theatre that has city funding; a move linked to comments and statements he made following the Gezi protests. Another actor, Hamit Demir, had his contract with a popular tv series unexpectedly terminated, which he believes is due to his involvement in a video marking the anniversary of the death of 15-year-old Berkin Elvan who had been in a coma for almost nine months after being hit by a teargas canister during the Gezi protests. Eleven artists who also took part in the 2013 protests were taken in for questioning in April 2015 on charges of instigating public unrest.

## **OBSCENITY AND RELIGIOUS DEFAMATION AND “TRADITIONAL VALUES”**

Although a sensitive topic, in recent years few obscenity cases have come before the courts. Local authorities and arts institutions at times show an anxiety about putting up performances that may upset traditionalists. Even unofficial complaints of “obscenity” are taken seriously by theatres and companies for fear of repercussions. A planned production of Carl Orff’s opera ‘Carmina Burana’ by the Izmir State Opera and Ballet was delayed for several days after a column written by concert pianist Fazil Say pointed out that the piece contains scenes of sex and alcohol. Himself the subject of a long running religious defamation case for his tweets challenging religious attitudes, Say’s intention was not to stop the play, but to point out that there are many productions touching on these issues that are staged unimpeded in Turkey. The production eventually went ahead without cuts. Meanwhile, Say’s own case was dismissed on appeal in October 2015, as was artist Leman Sam who had similarly been charged for a 2014 tweet that was determined to be “denigrating religious values”. Additionally, a hate campaign stirred up by the Islamist press in the run up to the Boston Gay Men’s Chorus visit to Istanbul led to the arts venue cancelling the show. However, the attempt to censor the show backfired when Boğaziçi University offered its concert hall to the choral group and the performance went ahead before a sell-out crowd of more than 5,000.

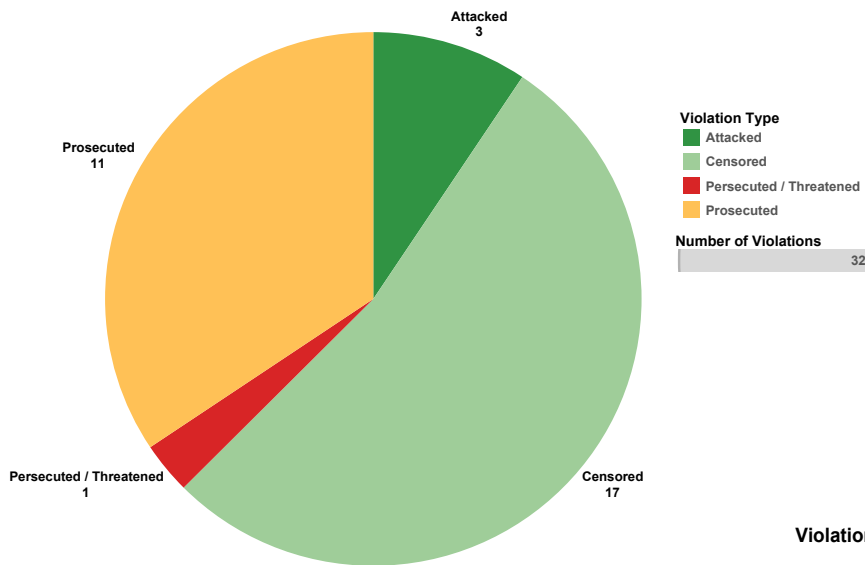
# RUSSIA

## NATIONALISM AND ORTHODOXY

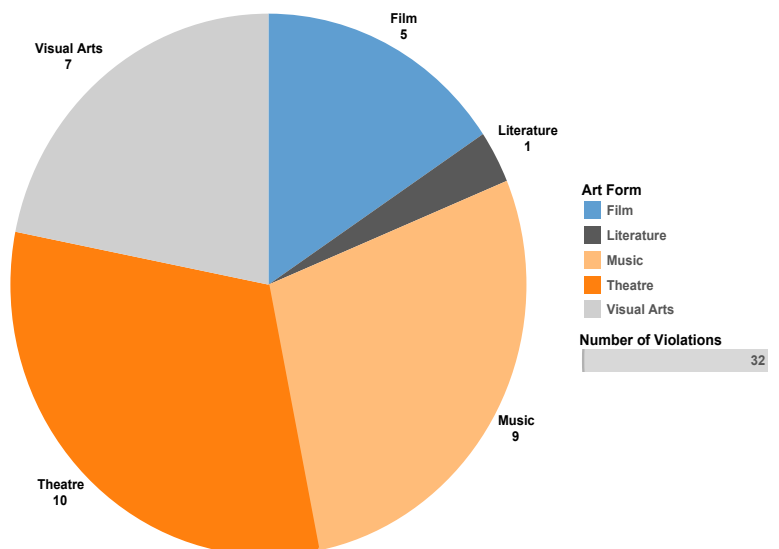
Political nationalism and religious orthodoxy were the main motivations behind attacks on artistic freedom in Russia in 2015. Throughout the year a number of cultural institutions came under pressure for being associated with the opposition. Russian associations are not allowed to receive funding from foreign sister organisations as Russian legislation considers such support as resources given by “foreign agents”.

Attacks and censorship were mainly targeted towards music, theatre, visual arts and cinema. Combined with an increased level of propaganda on state-controlled media and aggressive civil society actors attacking artistic freedom, the situation for artists is dire. Freemuse in 2015 registered 32 violations on artistic freedom in Russia.

Artistic Freedom Violations in 2015 by Violation Type



Violations of Artistic Freedom in 2015 by Art Form



Two intersecting groups are in the forefront of these attacks: activists and affiliated groups that declare their adherence to principles of purity and morality, and law enforcement agencies that act on the basis of anti-extremist legislation.

The activities of these two main groups are often backed up, and even instigated, by statements made by various high-ranking representatives of political and administrative agencies at both the federal and local levels.

The list of attacks on artistic expressions in Russia is extensive. The examples mentioned below illustrate the tendencies we've seen in 2015.

## **ARCHBISHOP AND MINISTRY JOIN HANDS — TARGET THEATRES**

2015 started with a scandal following the December 2014 premier of Wagner's opera 'Tannhäuser' at the Novosibirsk State Academic Theatre for Opera and Ballet. The case illustrates how the Ministry of Culture intervenes directly in cultural life and the extent to which reactionary patriotic and religious groups are permitted to determine the destiny of theatre repertoires and cultural policy.

The production of the opera was staged by Timophey Kulyabin and received great critical acclaim. Some aspects of the production, notably the depiction of Tannhäuser in the Venusberg scene, led to criminal proceedings following a complaint by the Orthodox Archbishop of Novosibirsk and Berdsk, Tikhon (Leonid Grigorevich Emelyanov). The Archbishop's complaint was that the opera constituted an "offense of the feelings of Orthodox believers" and demanded that the opera be removed from the repertoire. Although a court in the Novosibirsk district later dismissed the allegations, Minister of Culture Vladimir Medinsky dismissed the theatre's director, Boris Mezdrich, and appointed Vladimir Kekhman as the new director, who then cancelled future performances.

In June 2015 Moscow's city prosecutor's office launched an inquiry into the repertoire of six theatres, including Meyerhold Theatre Centre, Moscow Art Theatre and Gogol-Centre. The inquiry was initiated with the purpose to establish if productions by the theatres contained signs of pornography, obscenity and the propagating of immoral behaviour. Earlier, in April 2015, the Globus Theatre in Novosibirsk followed the recommendation of the regional culture ministry to remove a part of the 'Songs about Motherland' theatrical triptych because it infuriated Russian Orthodox Church activists. The part in question was based on a short story by Maya Kucherskaya entitled 'The story about the Orthodox hedgehog', which is about a hedgehog who forces a squirrel to be baptised in a river, but the squirrel cannot swim and drowns. Through it all, the hedgehog remains calm because at least the squirrel died having faith.

## **EVICCTIONS AND RAIDS**

Several incidents of violent attacks on galleries and the use of evictions as a tool of censorship were registered in 2015. Marat Guelman, a prominent Russian art gallery owner, on 18 October 2015 was evicted from an exhibition space in Moscow after hosting a charity auction for political prisoners imprisoned for taking part in a mass protest rally on Moscow's central Bolotnaya Ploshchad on the eve of Vladimir Putin's return to the presidency in 2012. And on 11 June 2015 police raided and destroyed an exhibition entitled 'To be oneself: stories of LGBT teenagers', hosted by the Red Square Gallery. According to an article in the Izvestia newspaper in May, the Ministries of Interior and Culture demanded galleries be checked for extremism, referring specifically to certain galleries in Moscow, Saint Petersburg and Nizhny Novgorod.

## FILMS AND PROBLEMS WITH SCREENING

Russian Orthodox Church activists were particularly active in attacking film screenings in 2015. The Oscar-nominated 'Leviathan' by Andrey Zvyagintsev was particularly in focus of conflicts involving religious and national sentiments. In January 2015 a number of public figures in Samara, including writers, sportsmen, priests and Russian Orthodox activists, demanded that the regional minister of culture should deprive Valery Gryshko, stage director of Samara Academic Gorky Drama Theatre, of his salary because of his role as a priest in the film. The signatories of the appeal stated that the character of the priest created by Gryshko was "a cynical and dirty parody on the Russian Orthodox priesthood". Gryshko sued local lawmaker Dmitry Sivirkin, who had published a defamatory article on him and won a court case against him in May 2015.

Russian Orthodox activists further pressed the Ministry of Culture in Moscow to ban the distribution of the film claiming that it "tarnishes the reputation of the Russian Orthodox Church". "Leviathan is an evil film, and there should be no distribution for evil films. We'll ask the Culture Ministry not to let the film appear in cinemas," the head of the Russian Association of Orthodox Experts, Kirill Frolov, told Izvestia.

Thirty-five percent of the funding for 'Leviathan' came from Russia's Ministry of Culture, but Russia's Culture Minister Vladimir Medinskiy said "he did not like the film's excessive profanity". He also complained that the movie had no positive characters and the story was not specific to Russia and could have been played out anywhere. Being the first Russian film to win a Golden Globe for best foreign-language movie since 1969 and later nominated for an Oscar, 'Leviathan' was finally released. However, Murmansk regional authorities introduced a ban on the film's screening because they didn't like that "the people of Russia's North were presented in the film in unfavourable light".

## CONFLICT AND TRAVEL BANS

The conflict between Russia and Ukraine led to travel bans for artists in both countries and several cases of censorship of performances.

On 10 April 2015 a concert with rapper Noize MC (Ivan Alexeev) was cancelled in Krasnodar. On 8 April the organizer of his concert had received a warning issued by the prosecutor's office of the Karasun district of Krasnodar on the "inadmissibility of extremist activities". The prosecutor's office referred to Noize MC's stance on Ukraine which "was of their concern because of the singer's dissent with the position of the Russian Federation to events in Ukraine". According to Yougopolis.ru, a local Krasnodar news portal, the live concert was finally cancelled after the city administration held a meeting with representatives of the prosecutor's office.



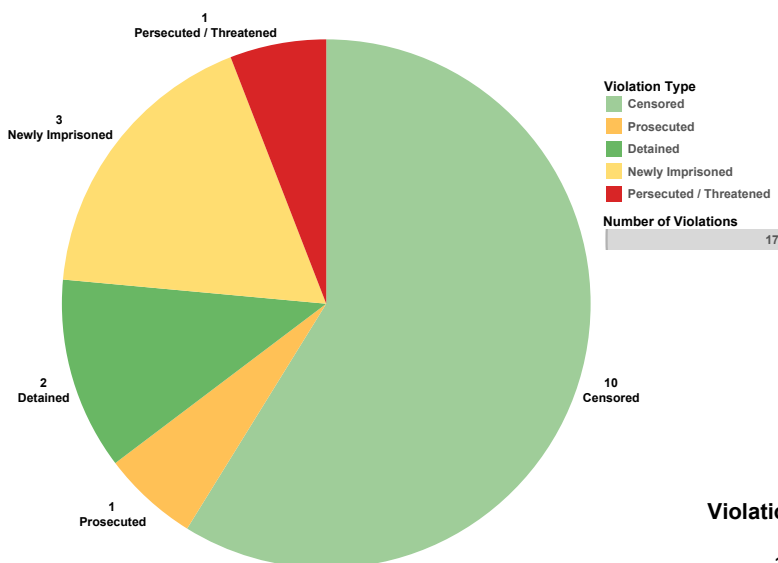
# EGYPT

## CENSORSHIP STIFLES ARTISTIC FREEDOM

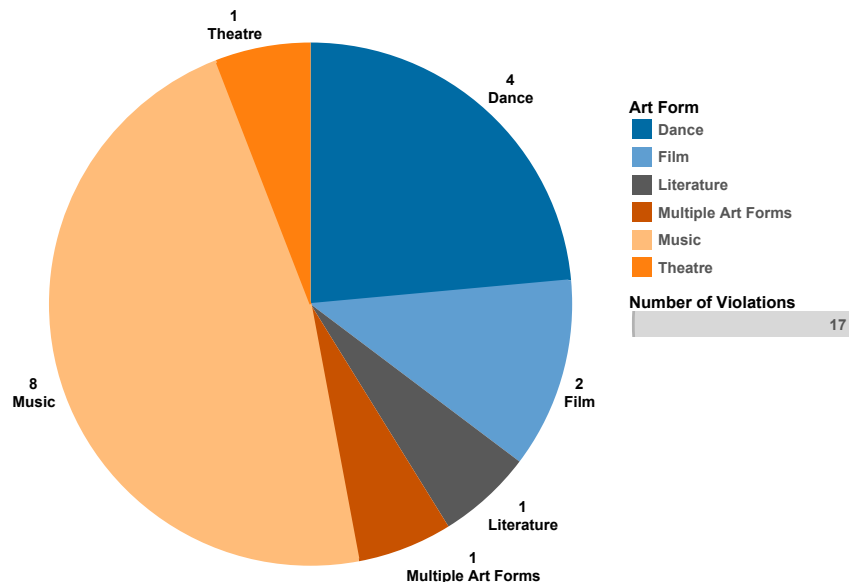
Freemuse registered 17 cases of violations on artistic freedom of expression in Egypt in 2015. The overthrow of Islamist President Mohamed Morsi by military-backed mass protests in Egypt in July 2013 raised Egyptians' hopes for greater freedom of artistic expression, long-constrained by censorship and the repressive policies of successive regimes.

Five years after the 2011 mass uprising in Egypt calling for “freedom”, among other key demands, state censorship of the arts in the name of “protecting public morals and state interests” continues to stifle free artistic expression. In the wake of a security clampdown on free expression since the military takeover of the country two years ago, rights advocates lament that the space for free artistic expression and creativity has diminished in Egypt as restrictions on art and literary works that address politics, sex and religion, remain firmly in place.

Artistic Freedom Violations in 2015 by Violation Type



Violations of Artistic Freedom in 2015 by Art Form



Rights activists had hoped that replacing the Islamist president with a non-Islamist ruler would bode well for artistic freedoms and free expression in the country. The adoption of a new, “more progressive” constitution in early 2014, guaranteeing freedom of thought and opinion, continued to bolster optimism for artists and patrons of the arts.

Article 65 in the new 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”.

While the new constitution does guarantee freedom of artistic expression, loopholes remain in Egypt’s legislation that allow for the jailing of artists and citizens on the charge of “contempt of religion”, for example. Article 98 of the Egyptian Penal Code states that “exploiting religion in spreading — either by words, in writing or in any other means — extreme ideas for the purpose of inciting strife, ridiculing or insulting the Abrahamic faiths, or sects following those faiths, or damaging national unity is punishable by prison sentences of between six months to five years”.

## **SELF-CENSORSHIP**

Despite the more progressive legislation, artists and writers have faced multiple challenges over the past year, including intimidation, arrests and detention, strict censorship of their work, and difficulties in finding the space to exhibit their artworks. In the current climate of fear and intimidation, many writers and artists are increasingly resorting to self-censorship, a major threat to the cultural space in Egypt today. Fearful of the consequences of freely expressing their ideas and creativity, many artists and writers have fallen silent. Meanwhile, the state has done little — other than pay lip service — to support artistic freedom of expression.

Five years after the revolution, in an increasingly polarized society, few are willing to embrace diversity of opinion and controversy or to take risks and experiment. In the face of the increased threats to the fundamental rights of free artistic expression and creativity, intellectuals, artists, writers and activists need to robustly defend artistic freedom of expression or otherwise risk losing it.

## **BOOK BURNING**

Freedom does not register attacks on or the censorship of non-fiction writers; however, one particular incident stood out in 2015 that sparked outrage in literary circles. In April 2015, images of government officials presiding over the burning of books in a schoolyard in Giza went viral on social media networks, earning wide condemnation from rights activists who described the act as “barbaric, backward and intolerant”. Among the 82 books that were burned in the schoolyard was a translated version of J. Christopher Herold’s ‘Bonaparte in Egypt’ and Abd El-Razzak El-Sanhuri’s book ‘The Foundation of Governance in Islam’. Known as the “Father of the Egyptian Constitution”, El-Sanhuri was among the earliest lawmakers in the Arab world who attempted to modernise Islamic Sharia Law.

Education officials involved in the book burning incident meanwhile, argued that the books “incited violence and hatred”. Dr. Bothaina Kishk, head of Giza’s education directorate and responsible for the burning, insisted she was simply following “security orders that entail getting rid of books that foment violence or run counter to the principles of moderate Islam”. While Kishk was referred to an internal investigation at the Ministry of Education, critics said the interrogation was an attempt by the ministry to save face as the book burning incident was a major source of embarrassment for a government that is trying to portray a secular, modern image and position itself as a “guardian of democratic principles”.

In June 2015, a few weeks after the book burning incident, the government announced it would purge libraries and mosques of books that “promote extremist views” and/or “incite violence”. While the decision has been welcomed by some liberals in society, opponents argue that the act of “cleansing” may differentially affect writers sympathetic to the Muslim Brotherhood (designated by Egypt as a terrorist group), limiting their freedom of expression.

## **HISTORY TOLD BY GRAFFITI ARTISTS DEMOLISHED**

Adding to the larger perspective of conflicts over artistic works, a graffiti-painted wall on Cairo’s Mohamed Mahmoud Street was demolished by workers in November 2015 in what many believe was part of a wider attempt by authorities to erase all traces of the 25 January 2011 Revolution. Street art had flourished in the months after the 2011 mass uprising, but for the sake of their security, many of the graffiti artists who participated in the short-lived street art movement, chose to remain anonymous, signing their artworks using nicknames like Ganzeer and Kaiser. Their fears were justified: street art has once again become criminalised in Egypt, coming with the risk of a four-year jail sentence and a lofty fine for violators.

## **SYNDICATES CONTROL ARTISTIC EXPRESSIONS**

Music and arts syndicates continue to be used as instruments of censorship, policing the arts, despite repeated calls by free expression advocates on Egyptian authorities to abolish prior censorship regimes and allow artists to organize freely. In 2014 Freemuse and the Association for Freedom of Thought and Expression (AFTE), in a report to the UN Human Rights Council, recommended to Egypt that it should replace “the prior censorship apparatus by an age-based classification of artistic works”, “reform the Penal Code to bring it in conformity with international norms that employ the risk of imminent harm as a threshold for the criminalization of expression”, and “repeal Law 35/1978 on the Federation of Artistic Syndicates”.

According to the report, artistic professional syndicates 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.

Contrary to this, Egypt has given even more authority to the syndicates to control and pre-censor artistic expressions. The Music 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. The latest “modest dress code” regulation follows last year’s ban by the State Censorship Board on 20 music videos allegedly containing “sexually explicit content”. Under the new regulation, performers who do not abide by the “modest dress code” will be dismissed from the syndicate and banned from performing in Egypt.

In September 2015 two belly dancers were charged with “debauchery” and “promoting immorality” in their music videos posted on YouTube. A conservative lawyer filed a legal complaint against them, suggesting they were “tarnishing Egypt’s image”. According to Al Ahram newspaper, a Cairo court sentenced Soha Mohamed and Dalia Kamal to six months in jail each after pronouncing them guilty of the charges. This is also seen as a manifestation of the increased influence of Wahhabism – a more rigid form of Islam spread by the more conservative Saudi Arabia – on Egyptian culture and the arts. Saudi Arabia has been a staunch supporter of the current Sisi regime and is one of the biggest aid donors to Egypt since the return of the military regime to power.

# TUNISIA

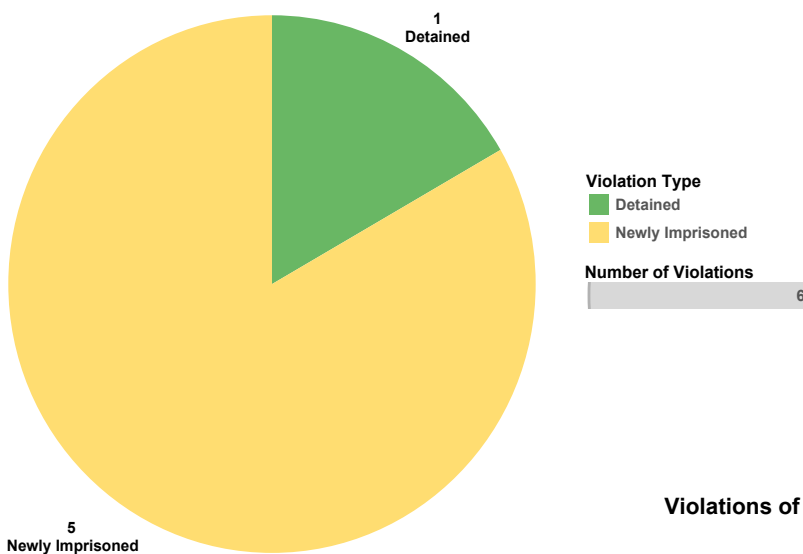
## FROM CONTROL TO FREEDOM TO REPRESSION

For more than 23 years under the dictatorial rule of President Ben Ali, censorship was a common practice that targeted all sectors and networks “daring” to criticise and denounce the situation in the country.

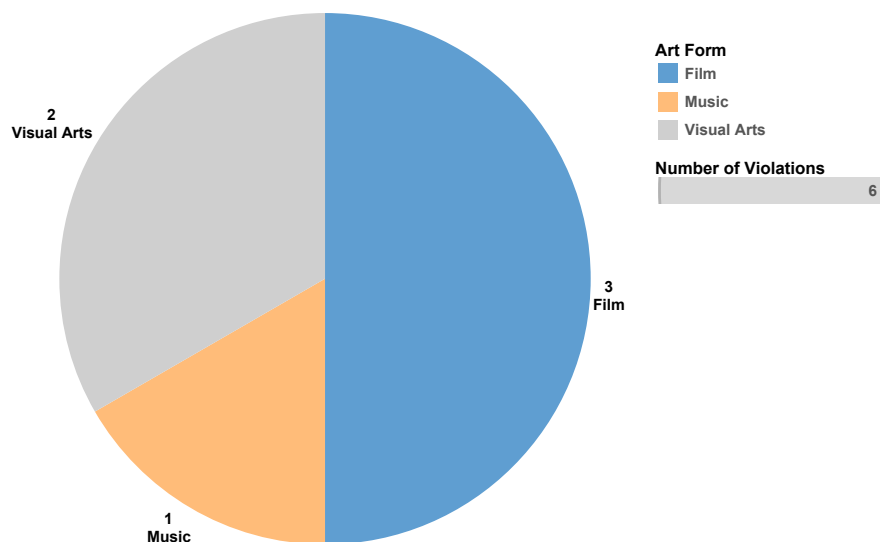
The artistic field was no exception. Film and theatre productions used to be systematically submitted to a special committee whose members were appointed by the government. Moreover, several of its members were either from the Ministry of Interior or the Ministry of Religious Affairs.

Most major venues were controlled and owned by the state. If an artist was not loyal to the ruler in their artistic works, or if they dared to talk about poverty, clientelism, abuse of power or nepotism in their songs, they would never have the opportunity to present their works to the public. Such artists would be blacklisted.

Artistic Freedom Violations in 2015 by Violation Type



Violations of Artistic Freedom in 2015 by Art Form



If someone shared their artistic creations over the Internet, then the work's life expectancy in Tunisia were short-lived and would be censored in just a few hours or days. Street art, such as graffiti, was nearly absent except for poor inscriptions like: CA, EST, or ESS, all acronyms for football teams names. The majority of Tunisian walls were monochromatic, dirty or covered with huge posters of Ben Ali.

Freemuse documented six cases of artistic freedom violations in Tunisia, in 2015, including the imprisonment of five artists.

## **A BRIEF AIR OF FREEDOM**

After the departure of Ben Ali in 2011 the situation changed, or at least this was what the majority of Tunisians believed. Tunisians thought they would inaugurate a new era of freedom, dignity and development.

Amidst the revolutionary euphoria and the newly acquired freedom — mainly the freedom of speech — artists started to express themselves freely and strongly believed that a new era, devoid of fear and censorship, started for them. The Tunisian artistic scene flourished. Many artistic creations started to see the light and were presented in public. Artists invaded the streets. Rap songs evoking social and political problems or criticising politicians were produced regularly. Spontaneous dance shows were performed on the streets in the capital and elsewhere. It became normal to see artists performing in the middle of a demonstration or a rally: painting, dancing, singing and becoming part of the event.

Many young artists started to organize themselves in movements and produce art works that were critical of the government. Walls started to be covered with colours and slogans and graffiti became part of the urban landscape. Young people poured their claims and discontent on the walls. Nevertheless, Tunisians were quickly disillusioned by the different events and developments taking place.

The phenomenal explosion of various forms of expression was quickly countered by a denial and counter-attack, coming both from the forces of the old regime trying to preserve their status, and the political forces that the social and political explosion brought out of hiding or returned from exile. These forces were hungry for power and rushed to master the course of events and neutralize any opposition to their plans.

After the elections of a Constituent Assembly in October 2011, the situation became worse. The censorship that used to be imposed by the government now started to be imposed via social and religious pressures. Proposals for the broadening and strengthening of laws criminalising blasphemous speech and undermining and insulting religion, were being discussed within the Constituent Assembly. Fears concerning the impacts of such laws on freedom of speech and artistic creation grew. Indeed, such laws did equip Tunisian authorities with enhanced powers to restrict rights. Moreover, these laws empowered the conservative elements of society trying to restrict freedoms. These fears were not without foundation, especially after different attacks on artistic expression on the basis of religion during the following years increased, and did so with a drastic increase of campaigns calling for the punishment for blasphemy.

In 2012 the Constituent Assembly witnessed heated debates on the subject. The question of blasphemy triggered one of the most controversial debates on the writing of the constitution. The Ennahdha Party, having the majority stake in the Constituent Assembly, proposed an article aimed at criminalising offenses against the “sacred”. Under the pressure of civil society, later versions of the draft did not include an article criminalising blasphemy and rather included articles guaranteeing freedom of speech and prohibiting prior censorship. The new Constitution ratified on 7 January 2014 included articles guaranteeing freedom of speech and artistic creation, as well as access to information.

Despite the inclusion of such articles in the constitution, artistic freedom does not seem to be protected well in Tunisia. Musicians, especially rap singers, are more exposed to assaults, attacks and arrests than other artists. This might be linked to many factors, including the genre's popularity and ease of dissemination (especially via the Internet), as well as the explicit nature of the messages in the songs, including denouncing the hypocrisy of the politicians and the system, as well as shining a light on police brutality.

The revolution has more or less freed artistic creation from direct political interference, but also generated new challenges to artists who are finding that they face new kinds of restrictions and threats. Despite the writing of a new constitution, including articles protecting artistic creation, the attacks continue both on political and religious grounds.

## **DRUG LEGISLATION AS TOOL OF PERSECUTION**

A controversial law on the consumption of cannabis, known as law 52, is widely being used to crackdown on political dissidents, activists, bloggers and underground artists with the aim of silencing them. Penalties vary from one to five years in jail for the consumption of cannabis. No doubt some artists may use cannabis, but human rights defenders consider that cannabis is even “planted” on controversial and oppositional individuals by police.

Two years after his arrest and sentencing to jail for insulting public officers (policemen), rapper Ahmed Ben Ahmed, known as Klay B.B.J, was arrested again on 17 October 2015. According to his lawyer, Klay B.B.J was with another rapper and a friend on their way to take part in a private concert in the city of Hammamet when they were arrested during a police drug raid in his neighbourhood. Despite the fact that he did not flee when police arrived, he was arrested, taken to a nearby police station and then transferred to the Bouchoucha detention centre. Klay B.B.J and his two friends were accused of consuming cannabis, which they firmly denied. He had asserted, however, that he had a verbal clash with the policemen.

Later on, a spokesperson for the Ministry of the Interior declared that the arrest took place at the request of the prosecutor. Young people and activists launched an online support campaign calling for the release of Klay B.B.J., who was soon released on 21 October. Along with his two friends, Klay B.B.J. refused to have a cannabis-screening test and after the consultation of their file, the prosecutor ordered their release.

On 19 November 2015, photographer Fakhri El Ghezal, artist Atef Maâtallah and filmmaker Ala Eddine Slim were arrested in Aala Eddine's Slim home in Nabeul. Around 15 armed policemen entered the house with a search warrant for suspected terrorist activity. The three artists were later charged with possession of cannabis and sentenced to one year in jail and a 1,000 Tunisian dinars (\$500 USD) fine each. On 21 December 2015 the artists were acquitted by the Tunisian court of appeals.

# MALI

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## MUSIC HAS RETURNED BUT FEAR REMAINS

Freemuse has not registered any attacks on music in Mali in 2015. However, our monitoring does show that several festivals have been discontinued due to threats from militants and a general cultural climate of not holding public music events has grown over the three years after jihadist group MUJAO announced a total music ban in northern Mali.

The capital of Bamako and the south of the country were luckily spared from the extremist occupation in the north, but they still suffered from a military coup and the deep political and economic crisis it left in its wake, which has fortunately only slightly weakened the spirit of modern urban musicians.

The terrorist attack on the Radisson Blu hotel in downtown Bamako on 20 November 2015, where local citizens and tourists were killed, seems to have dealt only a short-lived blow to Mali's musical spirit. Many concerts were cancelled, but only for a short period.

The Festival au Désert and Festival on the Niger in Sekou were not organised in 2015 due to security risks, and although Mali's musical spirit remains alive, the music ban and the advance of religious conservatism have only put the brakes on certain initiatives and projects in the northern part of the country.

In Timbuktu, a city that was firmly under the control of Islamic police three years ago, an 'Artistic and Cultural Weekend' was slated to take place on the weekend of 21 and 22 November 2015. However, it had to be cancelled in the wake of the Bamako hotel attack.

But several other initiatives proved that the will of the Malian art scene continues and fights back. Afro-reggae superstar and Freemuse Award winner Tiken Jah Fakoly promoted Festival Historique Manding in October 2015 in the small town of Siby, just outside Bamako. The event's aim was to "reinforce the pride of West African youth in their history and the ties between the sedentary Bambara people of the south and the semi-nomadic Touareg of the north".

### **SALAFIST HARDLINERS CONTINUE PROPAGANDA AGAINST MUSIC**

Reports from the northern Kidal region tell of the slow retreat of musical life. The lingering presence of Salafist hardliners, who were once members of AQIM or Ansar Dine, have since turned their coats and taken positions of authority since the French intervention, making people fearful of outward public displays of cultural joy and music making. Even more worrying is evidence that the hard-line puritanical ethos of the Salafists has infected local attitudes and people have less of an appetite for music than ever before.

The puritanical erosion of traditional music making isn't confined to the far northeast of Mali. Even in the southwest Wassoulou region, reformist hard-line Islam is turning people against their own traditional culture. Imams are reportedly coming into villages making wide claims that how people are living and what they are doing is not good or right, seemingly judging and criticising everything related to their animist past, which effectively amounts to judging a lot of their art. These moralising imams were often born and raised in the village to which they later return with reformist ideas gleaned from Salafist mosques and madrassas in the larger cities, or via video sermons of conservative preachers. Money from the Middle East finances a large part of this Salafist network in West Africa.

# LATIN AMERICA

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## UNDER-REPORTED

Freemuse’s annual statistics on Latin America and the Caribbean have in the past primarily focused on Cuba and Mexico.

The region is under-reported in regards to censorship and threats related to artists. Several countries are reported to have significant free-speech problems, sometimes as an effect of a tense political, financial or social environment that leads to practices of self-censorship, or disguised as laws that claim to protect morality, the common good and honour. Impunity on crimes against freedom of expression is a serious problem in many countries, and direct or indirect intimidation or physical aggression towards free speech advocates is common.

According to Freemuse sources, attacks and threats on radio stations along the continent contribute to a climate of self-censorship within the programming and production of not only news, but music as well. The number of attacks on radio stations and threats on producers, however, are neither registered nor verified. Therefore they are not included in the Freemuse statistics, but are important to mention because they contribute to an unsafe environment leading to self-censorship in the region.

Two examples of direct government censorship come from Argentina. Horacio Lombardi, head of the Federal System of Media and Public Content, ordered “modifications” on the traditional public radio station Nacional Rock. These “modifications”, in practice, translated into the exclusion of several musicians and was heavily criticized by several Argentinean rock stars and musicians, such as Fito Paez, Diego Frenkel and Cristian Aldana.

The violent eviction in late December 2015 of two artistic centers in Argentina — The Kirchner Cultural Center and Art Center Batalla Cultural — by the newly elected government, shows another trend: an internal battle against “Kirchnerism”, a political group formed by supporters of the populist Kirchner family who have held the Presidency from 2003 to 2015. In these last two cases of evictions, police officers were accused of working without identification and physically attacking artists and personnel, including a person with a disability.

### **BRAZIL — MUSIC GENRE CREATES CONTROVERSY**

Currently, Brazilian authorities, especially at the local level, maintain the position that Brazilian funk lyrics glorify and praise drug violence, thus meaning that criminal gangs in the favelas are promoting crime. The authorities also believe that funk music is an active way to recruit new gang members. Brazilian funk musicians — especially those who perform its more explicit version, “forbidden funk” — disagree with the authorities and claim their lyrics talk about their lives in the slums.

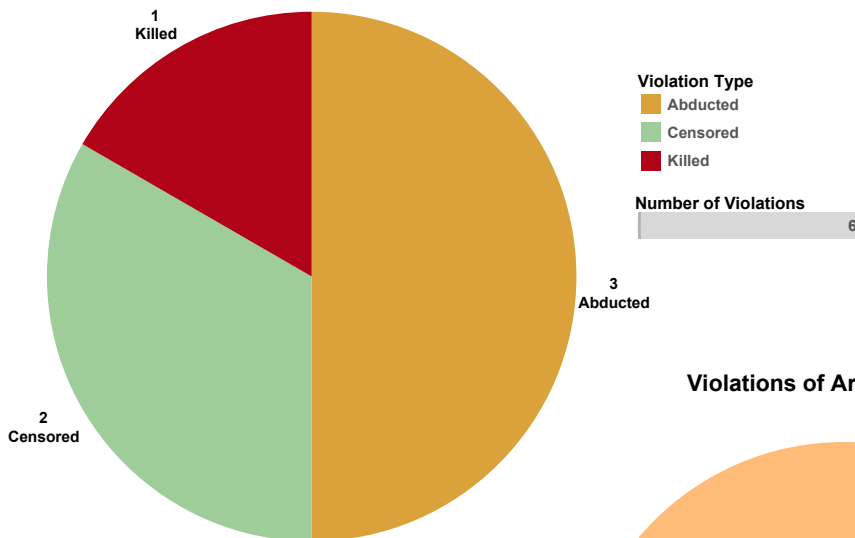
The police have used two articles within the “crimes against public peace” law to charge and jail rappers over the past several years: Article 286, “advocating crime or criminals”, and Article 287, “public incitement to crime”, both carry fines and three- to six-month jail terms.



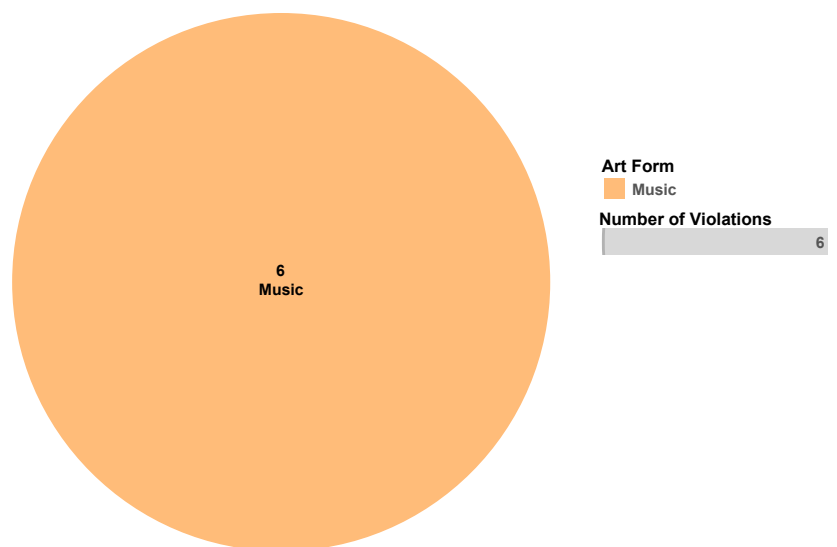
## MEXICO — DRUGS, BALLADS AND VIOLENCE

In 2015 narcocorridos were in particular focus of controversies and attacks in Mexico. The narcocorrido is a variation of corrido, a traditional Mexican ballad that has its origins in several music genres, such as waltz and polka. The main difference between the traditional corridos and narcocorrido songs is that while corridos used to tell stories of the Mexican Independence’s movement, the main topics of the stories told by narcocorridos are about real Mexican drug lords, their violent actions and their lifestyle. Because of the nature of the lyrics, narcocorrido singers are often legally prosecuted or restricted by media outlets or authorities at all levels.

**Artistic Freedom Violations in 2015 by Violation Type**



**Violations of Artistic Freedom in 2015 by Art Form**



In the fragile political scenario of Mexico, characterized by rampant violence and impunity across the country, narcocorrido artists are frequently endangered. In November, the narcocorrido group Los 4 Herederos was attacked by an armed group after performing a small concert in the town of Taray, in the state of Jalisco, resulting in four of the members being kidnapped and one being killed.

In November 2015 the iconic music narcocorridos band Los Tigres del Norte announced that they will stop singing narcocorridos and focus on other music genres. Jorge Hernández, the band’s lead singer, revealed that they often need to present a list of songs in order to be granted permission to perform. As a result, the band announced these measures leading to self-censorship in early November. Similarly, the narcocorridos band Calibre 50 declared they will also start focusing on other music genres due to the censorship they’ve suffered. In 2014, in collaboration with El Komander, the band composed a song called ‘¿Qué tiene de malo?’ (‘What is wrong with that?’), a narcocorrido tune with lyrics that state that just because someone likes narcocorridos doesn’t make him a drug dealer. The video has so far reached more than 100 million views on YouTube.

In September 2015, in Ciudad Juárez, in the State of Chihuahua, the local Congress approved unanimously to modify the Municipal Regulation on Public Events in order to ban narcocorridos at mass events. The approved law includes economic penalties of up to 350,500 Mexican pesos (\$21,000 USD) for those who break it. The legal initiative was presented by Major Enrique Serrano Escobar, who also asked organizers of public events to ask their musicians not to include narcocorridos in their repertoire. Despite this ban, in the beginning of September, municipality authorities wished to hire the narcocorridos band Voz de Mando as the main attraction for their city's festival. An officer of the municipality explained that this contract was made under the condition that the band wouldn't play any narcocorridos during the concert. Voz de Mando decided to cancel the presentation, arguing that fans in Ciudad Juárez asked for narcocorridos, and if they couldn't please their fans, they wouldn't play.

Freemuse documented six violations on artistic freedom of expression in Mexico in 2015, all of which focused on music, and includes the reprehensible kidnapping of the four members of Los 4 Herederos and the subsequent killing of one of them.

## **CUBA — WITHIN THE REVOLUTION EVERYTHING IS PERMITTED**

Cuba remains a classic dictatorship. The Cuban Constitution allows freedom of speech and press, as long as it follows the purposes of the socialist society as understood by the Cuban government. The Cuban government has gained a reputation for its limited tolerance for public criticism, and the Communist Party is mandated to give prior approval for printing almost all publications and to censor public screenings and artistic performances.

Freemuse in 2015 documented 21 cases of violations on artistic freedom of expression in Cuba, including imprisoning one artist and keeping two in prison, detaining two artists and prosecuting another.

Throughout 2015 the Asamblea Nacional del Poder Popular, the legislative parliament of Cuba, announced a “recommendation” of restricting free public spaces from vulgarity and the denigration of women in order to stop foreign influence contrary to Cuban values. The assembly also “advised” comedians to avoid “irresponsible humour”. The Cuban Institute of Radio and Television (ICRT), a state monopoly, amplified this statement. The president of the ICRT, Danilo Sirio, emphasized that “under no circumstances will artistic content that denigrates women, or incites vulgarity, obscenity or offensiveness, or what is contrary to the Cuban values will be broadcasted”. Sirio also suggested that some materials, such as foreign television series, should be accompanied by comments from a Cuban specialist.

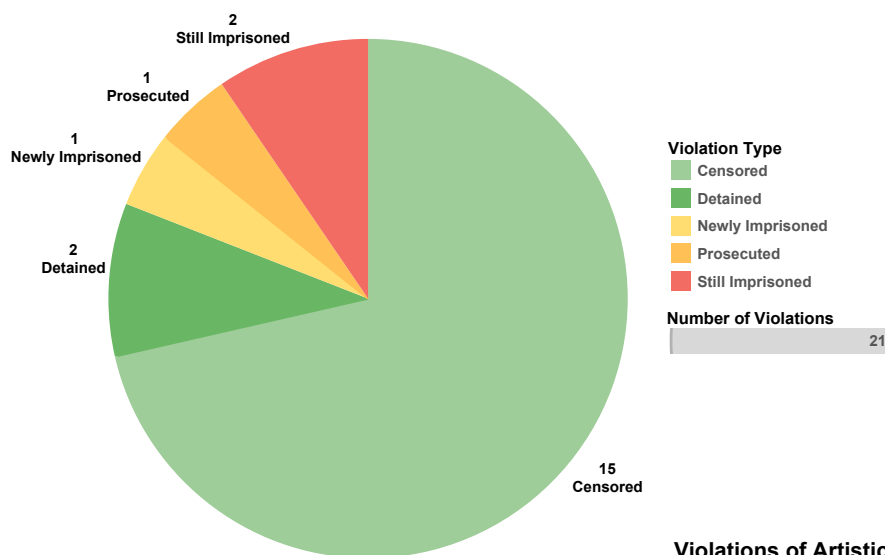
## **RAP & HIP-HOP AS DISSENT**

On 28 January 2015, rapper Maikel Oksobo “El Dkano” (real name Maikel Castillo Pérez) was sentenced to one year in prison in Havana. It is generally believed he was targeted for having used his music to express dissenting political opinions. El Dkano was sentenced under a charge known as the “*peligrosidad predelictiva*”, translated as “dangerousness that is likely to lead a crime”, which is used to imprison dissidents for longer periods.

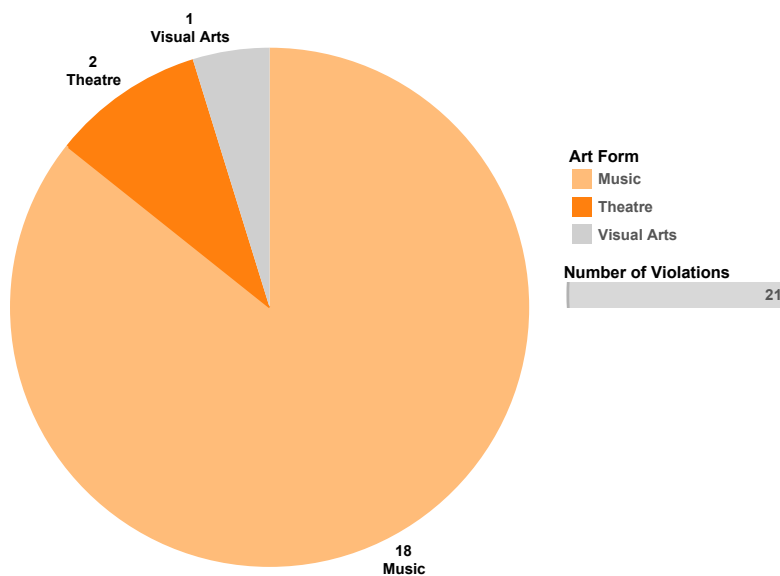
In April 2015 a group of Cuban hip-hop artists were expelled from the Cuban Rap Agency (ACR). In an open letter sent out on 28 June 2015, the group denounced Minister of Culture Julián González Toledo for deteriorating Cuban hip-hop both inside and outside the country. The group also said that the Cuban Institute of Music made “promises that never came true”, and that Cuban hip-hop is being censored

more than ever. Some of the artists stated that the real reason of their expulsion was their participation in Panama in the Summit of the Americas, a set of international summits organized by the Organization of the American States bringing together leaders of countries in the Americas. The hip-hop artists who participated in the summit were Soandry, Hermanos de Causa, Renovación Urbana, Maikel y El Fonky, La Alianza, Raudel Escuadrón Patriota, Ruta 11, Bárbaro el Urbano, Charly Mucha Rima, Cuentas Claras, Carlitos P and P, Yimi con Klase, and Onda Libre.

**Artistic Freedom Violations in 2015 by Violation Type**



**Violations of Artistic Freedom in 2015 by Art Form**



## PASSPORT RETURNED TO BRUGUERA

US-based performance artist Tania Bruguera was not allowed to leave Cuba during the first six months of 2015. The artist was first detained in December 2014 after trying to stage a work entitled ‘Tatlin’s whisper #6’, in Havana’s Revolution Square. Bruguera was harassed several times in 2015, and was also detained for a few hours in May 2015 after reading passages from Hannah Arendt’s ‘The Origins of Totalitarianism’ outside her home in Havana. Cuban authorities didn’t file formal charges, but Bruguera had her passport confiscated. In mid-July 2015 authorities returned her passport.

In October 2015, graffiti artist and activist Danilo Maldonado Machado, El Sexto, was released after being detained for 10 months. The artist was first detained in December 2014 after police officers found a drawing of two pigs named Fidel and Raul that the artist was planning to use in a performance. Authorities explained to the artist's family that El Sexto was detained because they considered him "counter-revolutionary". During this period the artist didn't face any trial or sentence.

## **GORKI ÁGUILA DETAINED AGAIN ... AND AGAIN**

Gorki Águila, leader of the band Porno Para Ricardo, has never had an easy relationship with Cuban authorities. A controversial figure, Gorki has been arrested or detained many times during the past 15 years; sometimes because of his role as an activist, sometimes because of his artistic work, and sometimes due to the combination of both his art and activism — or "artyvism" as some call it.

2015 was no exception for Gorki. On 23 May Gorki was arrested outside Havana's Museum of Fine Arts by Cuban authorities after carrying a banner with the image of the graffiti artist El Sexto and the word "libertad" (freedom) on it. Gorki was incarcerated for 23 hours and said police physically attacked him while in their custody.

In July, Gorki dedicated a song to the Damas de Blanco (Women in White), a citizen movement that gathers wives and relatives of political prisoners. Gorki declared that "it seems that the Cuban government planned to dismantle the Damas de Blanco with intimidation and violence, but what the governmental interference did was to only unite them even more". On 5 August 2015, some weeks after his presentation, officers of State Security waited for Gorki outside his home and detained him again for a couple of hours. A State Security officer warned him that, if he continued to attend opposition meetings, the government could restrict his travels to other countries. However, Gorki stated that the State is "violating every right, one after another: the right to pacific protest, to freedom of speech, to travel, and that the detentions in the island are totally arbitrary".

On 7 November 2015, Gorki was again detained, along with two journalists from tv channel France 24, for several hours in Havana. The musician and the two journalists were brought to the Playa Municipality police station, where Gorki made a phone call to digital independent media outlet 14ymedio, and reported the situation. After hours of detention, all three were set free without charges.

In November 2015, Cuban authorities suspended theatre director and filmmaker Juan Carlos Cremata's permission to work following the ban of his theatre play 'El Rey se Muere' (The King is Dying). Later, in December, Cremata wrote in his BBC-syndicated blog that Cuban authorities tried to expel Eliecer Ávila, an opponent of the Castro regime, from a meeting about Cuban cinema at the Cultural Center Fresa y Chocolate. According to Cremata, officials were spying on the event for a while before discretely trying to take Ávila away from the crowd. When people at the event asked for an explanation, officers just said that the event was "meant to be for film makers and revolutionaries only". The day after, the Cuban Institute of Art and Cinematographic Industry (ICAIC) defended the position of the officials in a letter, stating that: "there can't be place in our forums for those who are enemies of the Revolution".

# PRINCIPLES OF DOCUMENTATION

Freemuse focuses 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, detained, prosecuted, imprisoned and censored. The statistics even cover attacks and censorship of artistic productions, venues and events.

The annual Freemuse 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. Thus we do not include the attack on Charlie Hebdo in our statistics. Neither do our statistics cover attacks on documentaries and non-fiction literature. PEN publishes a semi-annual case that includes attacks on journalists, bloggers and publishers, as well as on fictional and non-fictional writers. Freemuse includes the PEN verified cases of attacks on fictional writers.

The statistics are based on a combination of open sources — such as incidents reported in media worldwide — and whatever verified information Freemuse can collect from network partners and stringers all over the world. The artsfex network is an important platform for collaborations and exchange of information with local, regional and international sister organisations advocating artistic freedom.

We consider a case "confirmed" only if we are reasonably certain that an artist was targeted in reprisal for his or her artistic work. Freemuse conducts its own independent research based on various sources 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.

If an artist is threatened and attacked while abducted the case is only listed as “abducted” in the statistics. If an artist is detained, prosecuted and then consequently imprisoned for the same incident the violation is only listed as “imprisoned”. “Attacked” refers to artists or arts events being physically attacked. The attack on Bataclan is registered as one attack on an event. If several artists are attacked during one event we would register the number of artists being targeted as individual cases of being “attacked”.

Imprisoned artists are divided into two categories: Artists who were sent to prison in 2015 are listed in the category “newly imprisoned”, while artists who were imprisoned before 2015 and remained in prison during all or part of 2015 are registered in the category “still imprisoned”.

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.



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