



RESOLUTION ON THE PROMOTION AND PROTECTION OF ARTISTIC FREEDOM

Artists play a critical role in challenging orthodoxies in contemporary society. When able to freely express themselves, artists stimulate innovation, reinvent media, articulate cultural critiques, and work with communities to effect change. It is precisely because they wield these abilities that many artists around the world face threats as a result of their creative expression. These threats—encompassing intimidation, violence, death, censorship, legal harassment, and other forms of persecution by both governments and non-state actors—not only harm and constrain the individual artist, but also lead to self-censorship and inhibition among other members of the community. These threats rob artists of the opportunity for creative expression and impoverish those societies that go without their contributions, insights, and inspirations.

The risk of persecution and physical harm is widespread globally for creative people working in all forms. The PEN network currently addresses scores of cases of authors, playwrights, poets, and other creative artists who are detained or otherwise persecuted. In 2015, Freemuse registered 469 cases of censorship and attacks on artistic freedom—covering music, visual arts, cinema/films (fictional), theater (including performance art), literature (fiction), and dance—ranging from killings to detentions, nearly double the number logged in 2014. Behind these statistics, PEN believes that hundreds more are affected without being counted, with immeasurable ramifications on our shared cultural heritage. Such restrictions pose critical barriers to the creative expression that fosters open dialogue and moves society forward. While many artists rally in defiance and continue their work, others have been cowed, engage in self-censorship, or live in constant fear and trauma.

Artistic expression continues to be persecuted around the world, including in:

- China, where singer songwriter Gonpo Tenzin, who is from the Tibetan Autonomous Region, was sentenced to three and a half years in prison in 2015 after a detention for more than a year allegedly for a CD entitled “How Can We Have New Year’s Celebrations in Tibet?” In a high profile case, in 2011, China detained artist Ai Wei Wei for 81 days, fined him 15,220,000 Yuan (approximately 2,000,000 USD), and banned him from leaving the country—his passport was kept by authorities until it was returned to him in July 2015.
- Cuba, where prominent artist Tania Bruguera was arrested by the government in May 2015 for publicly reading a controversial text.
- Iran, where poets Fatemeh Ekhtesari and Mehdi Moosavi were sentenced in 2015 to 11.5 and nine years in prison, respectively, for “insulting the holy sanctities,” “publishing unauthorized content,” and “spreading propaganda against the state” through their poetry.
- Mexico, where a number of singers have been attacked by unidentified gunmen in 2015 and 2016, including: 20-year-old singer Alfreddito Olivas, who was shot multiple times while performing at a nightclub on 28 February 2015, and singer Javier Rosas, shot while in a car on 22 March 2015.
- Myanmar, where poet Maung Saung Kha was arrested on 5 November 2015 for a poem he wrote and posted to Facebook. He was accused of defaming the president under Section 66(d) of the Telecommunications Law and spent six months in jail before being released in May 2016.

- Pakistan, where Sufi singer Amjad Sabri was shot dead by attackers in Karachi on 22 June 2016 and two other musicians were killed in the country in 2015.
- Russia, where the Russian culture minister fired theatre director Boris Mezdrich in March 2015 for including a controversial interpretation of the life of Jesus in an opera performance, purportedly offending the Orthodox Church.
- Saudi Arabia, where Palestinian poet, artist, and curator Ashraf Fayadh was sentenced to death by beheading in late 2015 by a Saudi Arabian court for apostasy, for his collection of poetry titled *Instructions Within*. On 2 February 2016, Fayadh's sentence was reduced to eight years in prison and 800 lashes, but the disproportionate consequences for artistic expression in the country remain a serious concern.

Furthermore, many artists, in particular from the global south, are faced with highly restrictive visa entry regimes in the global north, which prevent them from participating in arts festivals and thus contributing to a de facto censorship of voices from certain regions and cultural backgrounds.

The Assembly of Delegates of PEN International, meeting at its 82nd World Congress in Ourense, Galicia (Spain), 26th September to 2nd October 2016, calls on governments:

- To repeal laws, like blasphemy and obscenity laws, that criminalize and punish artistic expression in the name of protecting morals or society;
- To release writers and artists currently detained or imprisoned for their artistic expression and drop charges related to their legitimate exercise of artistic expression;
- To investigate all killings of those who exercise artistic expression and end impunity for their killers;
- To expand national and multilateral pools of emergency assistance funding to aid individual artists at risk;
- To facilitate visas and entry regimes for artists—in particular from the global south—to participate in festivals and other forms of artistic expression.