

**Freedom to publish.  
Challenges, violations and  
countries of concern.**



Published by International Publishers Association  
and Norwegian Publishers Association



THE NORWEGIAN  
PUBLISHERS ASSOCIATION



**Freedom to publish.  
Challenges, violations and  
countries of concern.**



THE NORWEGIAN  
PUBLISHERS ASSOCIATION

Freedom to publish.  
Challenges, violations and countries of concern.

## Freedom to publish. Challenges, violations and countries of concern.

Author: **Åsfrid Hegdal**, Norwegian Publishers Association

Copyright © 2020 International Publishers Association

Members of the Advisory Board: **Kristenn Einarsson**, Chair, IPA Freedom to Publish committee, CEO Norwegian Publishers Association

**Giulia Marangoni**, officer in the International Affairs Department of AIE, Italian Publishers Association

**Geoff Shandler**, Editorial Director of Custom House, Chair of the AAP's Freedom to Publish Committee

**James Taylor**, Director of Communication, IPA

Translation and copyediting: **Kristin Rødland Buick** and **Ailsa Buick**

Layout and Design: **Iconic Media Solutions Ltd.**

Contact person for queries and updates: **James Taylor**: [taylor@internationalpublishers.org](mailto:taylor@internationalpublishers.org)



THE NORWEGIAN  
PUBLISHERS ASSOCIATION

This report was commissioned for the 33rd International Publishers Congress in Lillehammer 2020, that was cancelled due to COVID-19.

---

## TABLE OF CONTENTS

The work of the International Publishers Association	1
Executive summary	2
The changing face of threats to freedom to publish	5
IPA Freedom to Publish Manifesto	7
What is the situation of freedom to publish around the world?	8
Banned Books	15
Argentina	18
Australia	20
Bangladesh	21
China	26
Egypt	32
France	38
Germany	40
Greece	44
Hungary	45
India	47
Italy	48
Lebanon	49
Mexico	50
Norway	51

---

Republic of Korea	55
Russia	58
Singapore	59
Sweden	61
Thailand	62
Turkey	64
United Arab Emirates	71
USA	73
Vietnam	78
Patterns and trends of violations on freedom to publish	82
Countries of concern and watch list	83
How is the work of the Freedom to Publish Committee implemented?	85
Freedom to publish seminars	94
Statutes for the Freedom to Publish Committee	98
The IPA Freedom to Publish Committee (FtPC)	99

---

## The work of the International Publishers Association

The IPA's Freedom to Publish Committee is one of the most valuable parts of the IPA. It constantly reminds us that irrespective of changing business models and the stories we tell, our freedom to publish is a fundamental part of what publishers do.

We are not alone in defending the freedom to publish and the freedom of expression. Authors, artists and journalists around the world are also targeted and it is useful for us to build on the great work of other associations to shine a light on the particular challenges faced by publishers.

This report is a testament to the bravery of many publishers around the world who are fighting for their own freedom to publish and the freedom of expression of their authors. Publishers like Khaled Lotfy, Gui Minhai or Turhan Günay have sacrificed their own personal freedom as they publish works that clearly offend some.

However, reading this report also reminds me of how fragile our freedom to publish is and how the challenges to it are constantly changing. While the situation in countries like Bangladesh is dramatic, and there are countries where they do not even realise they are self-censoring anymore, this report also shows clearly how even 'free' countries are seeing the freedom to publish eroded by defamation and cybersecurity laws as well as social media pressure.

This is not something that happens somewhere else. It's happening right here, right now. The IPA is committed to playing its role in supporting publishers around the world, wherever they feel their freedom to publish is threatened.

My sincere thanks to Kristenn Einarsson, CEO of the Norwegian Publishers Association and Chair of IPA's Freedom to Publish Committee for driving this report which I hope we will build on, looking harder at those countries who do not appear and tackling those countries where publishers and authors are not free.

**Hugo Setzer, IPA President**



Photo: IPA

## Executive summary

The aim of this report is to take stock of the legal framework and landscape concerning freedom to publish around the world. We study violations to this freedom around the world and look at the main challenges going forward.

This report is based on work carried out by various Non-Government Organisations (NGOs) and by IPA's Freedom to Publish Committee. The committee has put the freedom to publish on the international agenda through the Prix Voltaire and by holding seminars on freedom to publish at book fairs and other industry events around the world. The committee is continually monitoring registered cases and watching out for new violations against the freedom to publish. These cases form a part of this report.

In September 2019, a qualitative survey was sent out to all IPA member publishers, receiving approximately twenty full replies, asking for information on the array of challenges publishers face when it comes to freedom to publish. Our goal was to obtain greater knowledge about the challenges publishers are facing in their daily work due to existing or pending legislation, as well as specific governmental policies. It was also crucial to our work to receive information on incidents and reports concerning specific violations of this right.

We asked for information on three main subjects:

- Legislation and restrictive laws interfering with freedom to publish
- Violations by state and government agencies
- Pressure groups and other stakeholders that hinder the freedom to publish

The replies confirmed that different countries face different challenges. Even though most countries report having a legal freedom of speech, there is a concern that this freedom is undermined through misuse of defamation laws. The other challenge is self-censorship, an issue of high importance that is currently a common topic for discussion at seminars and fairs. We strongly recommend that this challenge remain in focus, as it requires a sustained dialogue going forward.

However, many countries didn't participate, possibly countries with the strongest violations against freedom to publish. As a result, this report also builds on the work of NGOs, like PEN International, Freedom House, Reporters Without Borders and Freemuse. Freemuse, an NGO monitoring violations against artistic freedom globally, reported in 2019 on 711 violations of artistic freedom in 93 countries. 11 percent of the reported cases concerned literature, comprising 77 documented cases in 27 countries.<sup>1</sup>

**The main violations against the freedom to publish, can be listed as:**

- Governmental censorship stopping texts
- Misuse of defamation and libel laws to pursue publishers
- Imprisonment and harassment (both physical and economic through seizure of assets and fines) of publishers and writers
- Government limitations on competition and pluralism in the education sector
- Book banning

---

<sup>1</sup> [https://freemuse.org/news/the-state-of-artistic-freedom-2020/?fbclid=IwAR3Qi3m1O\\_U7sbith9tUhbnsn\\_kuK-xH1ycdBewrkH7QQ--d2iUS6T7Xd8k](https://freemuse.org/news/the-state-of-artistic-freedom-2020/?fbclid=IwAR3Qi3m1O_U7sbith9tUhbnsn_kuK-xH1ycdBewrkH7QQ--d2iUS6T7Xd8k), p 12, (accessed 29.4.2020).



## The main challenges facing publishers are

- Self-censorship regarding controversial political topics and issues of sensitivity
- Harassment in social media
- Governmental online surveillance

There are several countries that are of particular concern regarding violations against freedom to publish. In **Bangladesh, China, Egypt, Turkey** and **Vietnam** publishers face prosecution and detention. As we can see from the latest Prix Voltaire nominations, in Bangladesh publisher Faisal Arefin Dipan was killed, while China is silencing critical voices like publisher Gui Minhai, and Egypt is sentencing publishers, like Khaled Lotfy, to jail. The same tendencies are seen in Turkey, with the government banning books and censoring publications. In Vietnam, we have addressed the harassment of independent publisher Liberal Publishing House.

In countries like **Russia** and **Thailand**, publishers need to execute self-censorship, primarily according to law, to be able to publish certain titles. In Russia, the list of forbidden topics is growing, and translated works have to be changed before publication. Defamation and libel laws have been used to suppress freedom of expression and freedom to publish, illustrated through the **Korean** Blacklist Scandal, where defamation laws were used to silence artistic expression. Similar tendencies have been seen in the **USA**, where certain topics are challenged by parental and governmental attempts to silence important literary voices by banning books from schools and libraries.

Sensitivity issues are increasingly important, and we need to secure publications on the body, sexuality and diverse identities. It is also critical that books targeting extremism and religion can be published and debated without fear of retaliation from pressure groups trying to stop controversial publications. In the country reports we can see examples on this from **France, Mexico, Germany** and the **USA**.

Some governments are tightening their grips on school curricula, deciding which works should be read and what picture to paint of the past. In the **UAE**, publishers need pre-publication approval by the Ministry of Culture and Development for both learning material and literature. In some countries, like **Iceland** and, more dramatically, **Hungary**, the state produces learning materials for certain age groups. This represents a threat to freedom to publish, as the state controls information in schoolbooks and other learning material, impacting greatly on how new generations are taught and formed, and how the country's history is presented.

## Conclusion

In addition to focusing on governmental censorship, imprisonment and harassment of publishers and authors, going forward the IPA and its Freedom to Publish Committee need to maintain focus on self-censorship, especially regarding politics and religion, as well as LGBTQ-related themes.

It would be of interest to issue a full report on global legalisation of freedom of expression versus defamation and libel laws, a subject not fully discussed in this report.



THE NORWEGIAN  
PUBLISHERS ASSOCIATION

Freedom to publish.  
Challenges, violations and countries of concern.

The international community is keeping an eye on developments in the United States, and so will the IPA and the Freedom to Publish Committee, addressing governmental obstruction of the press, the spread of non-valid and misleading information as well as presidential attempts to stop publications. IPA must keep up its work in support of imprisoned publishers, and continue to put pressure on governments that do not respect freedom of expression and freedom to publish like China, Egypt, Russia and Vietnam, where publishers are threatened with imprisonment, harassment and detention.

## The changing face of threats to freedom to publish

By Kristenn Einarsson, Chair,  
IPA Freedom to Publish Committee

The International Publishers Association is committed to defend and promote the freedom to publish, which is under siege today. Freedom to publish has been one of the IPA's two primary policy drivers since the creation of the organisation in 1896.



*Photo: Norwegian Publishers Association.  
Kristin Hefte.*

Although censorship by Governments and authorities is the main threat to publishing in many countries, author's and publisher's inclination to self-censor is increasing because of major pressure from different sources. Governments and authorities also use tools other than censorship—for example, pressure groups find new ways of influencing what can be published. Many countries have introduced special laws to deal with the COVID-19 crisis. There is a growing concern that these might be maintained in the future, after the crisis has ended, and that some of them could be used to limit the freedom to publish and freedom of expression.

If we are to create and maintain free, healthy societies, then publishers must have the will and the ability to challenge established thinking, preserve the history of our cultures, and to make room for new knowledge, critical opposition and challenging artistic expression.

Publishing has always operated in a social and cultural environment that is constantly changing and where the publishers themselves—through their commissioning or selection of material and as a result of the works they decide to disseminate—influence both what is discussed in society and how those works are received.

Freedom to publish means that publishers must be allowed to publish all that they deem worthy of publication, even, and perhaps especially, if those works challenge the boundaries established by the society they operate in. As the French Enlightenment philosopher and writer Voltaire is often credited with saying: "I disapprove of what you say, but I will defend to the death your right to say it."

The conditions governing and restricting freedom to publish vary around the world. In some places, it is governments and state regimes that prevent the publication of material or works deemed to be 'dangerous' or 'inappropriate'. In other cases, there are pressure groups (religious, social, commercial) trying to prevent publication of certain information. Increasingly, large technology companies are influencing, often secretly or behind our screens, what we as readers and consumers can and can't see.

A common challenge to publishers in all countries is the question of self-censorship. Even in countries with few regulations on freedom to publish, publishers might have to consider

the negative consequences of producing and distributing certain content. Prime examples of this are the draconian libel or criminal defamation laws in some countries which take no account of the public interest when a critical statement is made about people or even corporations, and instead place an extraordinary legal burden on authors or publishers.

Similarly, a growing number of jurisdictions are punishing whistle-blowers and investigative journalists who expose malpractice, corruption or official incompetence, when the public interest is more clearly served by the protection of these writers and their publishers. In this way, the same fears that affect publishers and lead them to self-censor can also infect authors, booksellers and librarians. In the end, if these fears delay or stop the creation or publication of such reports and works, then it is we, the readers, who are deprived.

There is an increasing concern about the interference by government in the production of learning materials, especially when producing and authorizing only one textbook for each subject. The best performing education systems around the world, by and large, encourage educational publishers to compete in an open market, producing innovative solutions that meet local needs. There should of course be no censorship. Through the development of curriculum, the educational authorities can do some form of curation, but the authorities should leave it to a responsible publishing industry to develop learning material accordingly. It is important in all dialogues with governments also to stress the freedom to publish aspect of having a competitive market for learning materials.

Publishing has always been a challenging—and a rewarding—task. We need international cooperation and we need to support each other so that we do not fail one of the major objectives of our work.

The situation for the freedom to publish is more challenging than ever. But it is not a time for despair. As Nobel Laureate Toni Morrison said: “This is precisely the time when artists go to work. There is no time for despair, no place for self-pity, no need for silence, and no room for fear. We do language. That is how civilizations heal.”

**Oslo, June 2020**  
**Kristenn Einarsson**

## IPA Freedom to Publish Manifesto<sup>2</sup>

Publishing is a powerful mechanism by which humanity has for centuries circulated works of the mind, information, ideas, beliefs and opinions. Many international treaties and declarations enshrine freedom of expression as an inalienable human right and affirm media freedom as fundamental to liberty.<sup>3</sup>

Human rights are safeguards of human dignity, and unhindered access to multiple information sources is a prerequisite for diversity, creativity, prosperity, tolerance and progress. Freedom of expression is the basis for the creation of works of the mind. For publishers, it forms both the creative and economic foundation of their profession.

The IPA believes that the unique contribution of publishers to enabling freedom of expression, debate and dialogue by disseminating the works of others deserves distinct recognition and protection.

The IPA is committed to defending and promoting the freedom to publish, which is under siege worldwide today. The IPA Statutes declare that the first Object of the Association is: *”To uphold and defend the right of publishers to publish and distribute works of the mind in complete freedom, provided that in so doing they respect all legal rights attached to these works within their own countries and internationally. It is the duty of the Association to oppose steadfastly any attempt or threat to restrict that freedom.”*

It is the task of the IPA’s permanent Freedom to Publish Committee to manage the association’s work in this field by implementing programmes and activities in partnership with member associations, international organisations, and other non-governmental organisations.

The IPA’s Freedom to Publish Committee does this by:

**HELPING OUR MEMBERS TO FIGHT FOR FREEDOM TO PUBLISH.** We support our members through legal advice and direct lobbying when laws that threaten freedom to publish are proposed. We do this in cooperation with an extensive network of international non-governmental organisations.

**CHALLENGING VIOLATIONS OF FREEDOM TO PUBLISH.** We raise the alarm when publishers and writers are in danger and we support them when they face wrongful prosecution. We liaise with global fora, such as relevant United Nations agencies, to ensure the collective voice of publishers resonates in the freedom of expression arena.

**DRIVING DIALOGUE ON FREEDOM TO PUBLISH.** We lead or support international engagements and conferences to raise the visibility of freedom to publish and foster continuous international conversation about this underrepresented area of freedom of expression advocacy. We coordinate our lobbying efforts with an extensive network of non-governmental organisations.

**CELEBRATING FREEDOM TO PUBLISH CHAMPIONS.** We award the annual IPA Prix Voltaire, which honours the courage of publishers who defy their would-be silencers and enable writers to exercise their freedom of expression.

<sup>2</sup> International Publishers Association: IPA Freedom to Publish Manifesto. <https://www.internationalpublishers.org/our-work/freedom-to-publish/ipa-freedom-to-publish-manifesto>, (accessed 31 January 2020).

<sup>3</sup> They can be found in several international conventions including Article 19 of the Universal Declaration of Human Rights, Article 10 of the European Convention on Human Rights, Article 11 of the EU Charter of Fundamental Rights, Article 13 of the American Convention on Human Rights, Article 9 of the African Charter on Human and Peoples’ Rights, Article 32 of the Arab Charter on Human Rights.

## What is the situation of freedom to publish around the world?

Is the freedom to publish under pressure globally? Or are we heading towards a reality where all countries have strong laws protecting freedom of expression, which are respected without exception, where authors can write what they want, and publishers can print what they wish without the involvement of the state?

On one end of the scale there are the countries traditionally labelled as ‘unfree’, where the media and publishers are subject to state censorship, such as in China and North Korea. Here, publications are subject to prior restraint, and anyone violating the laws will be prosecuted. In these countries the state and legal regulatory framework is known, and one stays within these boundaries to avoid legal prosecution.

At the other end of the scale are states where, in principle, the freedom of expression is enshrined in the constitution, and this is respected by the ruling government. These states are rated as ‘free’ by NGOs monitoring human rights and freedom of expression worldwide.

In the middle there are many states who are ‘partly free’, where freedom of expression is constitutional and there is no prior restraint but there are still limitations to the freedom to publish. For example, publications are subject to defamation laws and where the press and publishers challenging political or religious leadership may experience interference.

There are many NGOs currently working to document the global situation for human rights and freedom of expression. Below we present some of these and how the human rights NGOs assess the global conditions from a set of criteria. We will then compare these to our own findings.

### Freedom House

Freedom House is an independent organisation dedicated to the expansion of freedom and democracy around the world. It was founded in 1941. Freedom House suggests that more than 2.5 billion people live in countries that they rate as ‘not free’. This is more than one third of the world’s population. They also claim that freedom of expression has come under sustained attack, “through both assaults on the press and encroachments on the speech rights of ordinary citizens”. Data from Freedom in the World shows freedom of expression declining each year over the last 14 years, with sharper drops since 2012. This year, press freedom scores fell in four out of six regions in the world. During this period, 25 of the world’s 41 established democracies experienced net losses, according to the Freedom House 2020 report.<sup>4</sup> In addition to this, the report finds “an alarming global erosion in governments’ commitment to pluralism, a defining feature of liberal democracy.<sup>5</sup>” China, India and the USA are countries of strong concern regarding pluralism, oppression of minorities and weakened rights for asylum seekers, electoral

<sup>4</sup>Freedom House, New report; Freedom in the World 2020 finds established democracies are in decline, <https://freedomhouse.org/article/new-report-freedom-world-2020-finds-established-democracies-are-decline#.XmEfoJY4-c0>. twitter, (accessed 6.3.2020).

<sup>5</sup>Ibid.

interference and defiance of parliamentary authority. Of the 195 countries assessed in 2019, 83 were rated Free, 63 were Partly Free, and 49 were Not Free, the number of Partly Free and Not Free countries being on the rise.

Flagrant violations, like the imprisonment of journalists Wa Lone and Kyaw Soe Oo for their investigative reporting in Myanmar, have become more widespread. Even more stark has been the decline in personal expression, as governments have cracked down on critical discussion amongst citizens, especially online. The explosion of criminal cases for ‘insulting the president’ in Turkey—more than 20,000 investigations and 6,000 prosecutions in 2017 alone—is one of the most glaring examples of this global trend. The global offensive against freedom of expression is being supercharged by “**a new and more effective form of digital authoritarianism.**”<sup>6</sup>

Freedom House assesses the political rights and civil liberties of 210 countries and territories worldwide and displays their rating on an interactive [map](#), showing the scores of each country.

Countries with the lowest rating are mainly located in Asia and north and central Africa, and include Russia, China, Turkey and Saudi-Arabia.

You can read more about Freedom House at <https://freedomhouse.org/>.

## Reporters Without Borders/Reporters Sans Frontiers (RWB)

[RWB](#), established in 1985, is an independent organisation based in Paris, with offices in ten cities. RWB is a leading organisation for the defence and promotion of freedom of information. They mainly report on freedom of the press but are important contributors to the global surveillance of freedom of expression and publication. This organisation shares information concerning freedom of the press throughout the world and reports daily on abuses against journalists and all forms of censorship. They have established an annual World Press Freedom Index, which measures the degree of press freedom in 180 countries.<sup>7</sup> 15 countries have top ratings, 18 countries are rated severely problematic.<sup>8</sup>

According to RWB, 38 journalists, ten citizen journalists and three collaborators have been killed since January 2019. There are 239 jailed journalists, 117 jailed citizen journalists and 14 imprisoned collaborators per June 2020.

You can read more about RWB and freedom of the press at <https://RWB.org/>.

RWB’s primary concern is freedom for journalists, so their rating has a slightly different starting point to Freedom House. Despite this, their maps generally overlap, even though RWB have different levels of concern.

<sup>6</sup> Freedom in the World 2019, Democracy in Retreat, <https://freedomhouse.org/report/freedom-world/freedom-world-2019/democracy-in-retreat>, (accessed 16 December 2019).

<sup>7</sup> Reporters Sans Frontieres, Our activities, <https://rsf.org/fr/nos-activites>, (accessed 16 December 2019).

<sup>8</sup> Reporters Sans Frontieres, Classement, <https://rsf.org/fr/classement>, (accessed 16 December 2019).



Freedom of the press in the world 2020. Source: RWB. Reproduced with permission.

## Freemuse

Freemuse works mainly on issues of artistic freedom; monitoring musicians and other artists and reporting violations against their artistic freedom of expression. In 2019, they report on 711 violations of artistic freedom in 93 countries. 9 artists were killed in 8 countries, and 71 artists are imprisoned in 16 countries. 85 artists were detained in 27 countries, and 23 artists prosecuted in 13 countries.<sup>9</sup> Freemuse reports on artists in music, visual art, film, theatre, literature, dance and multiple artforms. 11 percent of the reported cases concern literature, with 77 documented cases in 27 countries.<sup>10</sup> Books are being banned for political content, and “the trend of removing books from schools and libraries for including stories about sexual orientation and gender identity has increased”<sup>11</sup>. Censorship is the most frequent violation, with 847 artists and artwork affected. The top countries with the most registered cases of censorship are USA, China, Russia, United Kingdom, Iran, France and Serbia.

<sup>9</sup> Download the report here: [https://freemuse.org/news/the-state-of-artistic-freedom-2020/?fbclid=IwAR3Qi3m1O\\_U7sbith9tlUhbsn\\_kuK-xH1ycdBewrkH7QQ--d2iUS6T7Xd8k](https://freemuse.org/news/the-state-of-artistic-freedom-2020/?fbclid=IwAR3Qi3m1O_U7sbith9tlUhbsn_kuK-xH1ycdBewrkH7QQ--d2iUS6T7Xd8k), (accessed 29.4.2020).

<sup>10</sup> [https://freemuse.org/news/the-state-of-artistic-freedom-2020/?fbclid=IwAR3Qi3m1O\\_U7sbith9tlUhbsn\\_kuK-xH1ycdBewrkH7QQ--d2iUS6T7Xd8k](https://freemuse.org/news/the-state-of-artistic-freedom-2020/?fbclid=IwAR3Qi3m1O_U7sbith9tlUhbsn_kuK-xH1ycdBewrkH7QQ--d2iUS6T7Xd8k), p 12, (accessed 29.4.2020).

<sup>11</sup> *Ibid.*



# CENSORSHIP

**847**

ARTISTS AND ARTWORKS WERE AFFECTED BY CENSORSHIP

**55%**

OF CASES WERE COMMITTED BY GOVERNMENT AUTHORITIES

## TOP 7 COUNTRIES WITH THE MOST REGISTERED CASES OF CENSORSHIP

USA / CHINA / RUSSIA / UNITED KINGDOM / IRAN / FRANCE / SERBIA

### ART FORMS UNDER PRESSURE:

MUSIC 29%  
VISUAL ART 29%  
FILM 21%  
THEATRE 10%  
LITERATURE 10%

### RATIONALE FOR CENSORSHIP:

POLITICS 26%  
INDECENCY 19%  
RELIGION 9%  
LGBT 8%  
CONFLICT 8%

### CENSORSHIP BY REGION:

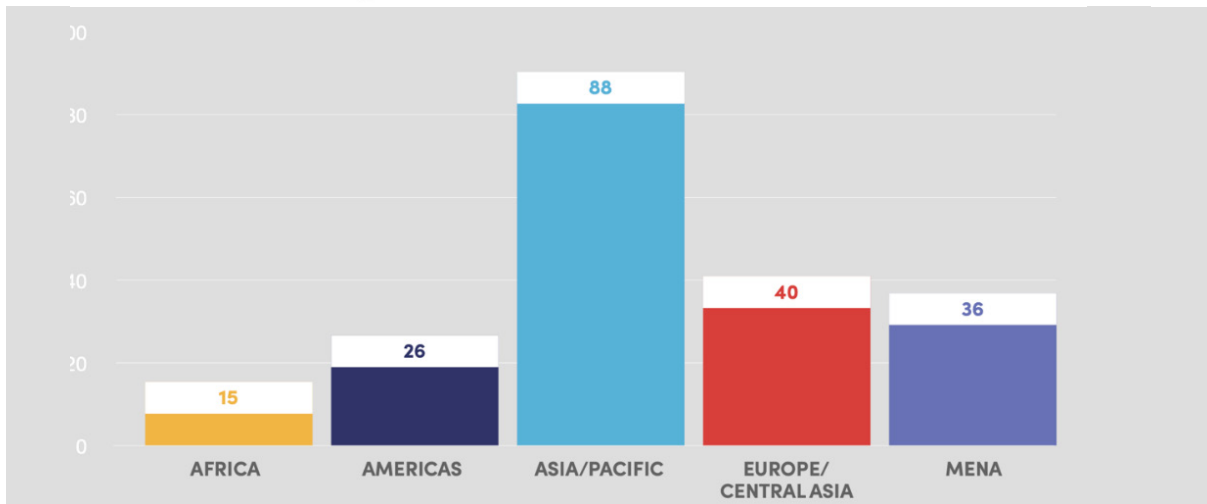
EUROPE 34%  
NORTH & SOUTH AMERICA 28%  
ASIA & PACIFIC 19%  
MIDDLE EAST & NORTH AFRICA 11%  
AFRICA 4%

Source: Freemuse: The state of artistic freedom 2020

## PEN International

In 2018 PEN International registered 205 attacks on writers globally. 43 percent happened in the Asia/Pacific, while only 7 percent of the cases were reported from Africa:

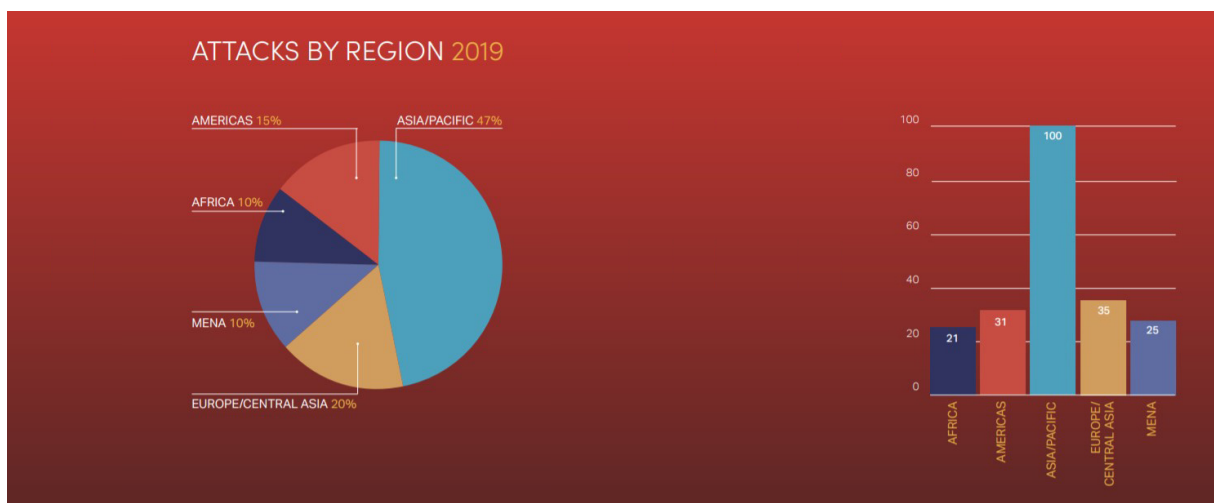
### In 2018, PEN International monitored 205 cases of attacks against writers across all world regions



Source: PEN International<sup>12</sup>

The most often reported cases are of the imprisonment of writers, followed by threats and harassment. Two writers were reported killed in 2018: Shahzahan Bachchu in Bangladesh and Nedim Yasar in Denmark.

In 2019, 212 cases were reported, with a slight increase in Africa and the Americas and a rise of 12 percent in Asia, mostly related to China and India.<sup>13</sup> Two writers have been killed this year.



Source: PEN International

<sup>12</sup> The PEN International Case List 2018, <https://pen-international.org/app/uploads/PEN-Case-List-FULL-Web-2018.pdf>, p 3 (accessed 4.3.2020).

<sup>13</sup> The PEN International Case List 2019, <https://pen-international.org/who-we-are/case-lists>, p 3 (accessed 20.5.2020).

Other NGOs providing substantial overviews and analyses are Human Rights Watch at <https://www.hrw.org/>, and Index On Censorship at <https://www.indexoncensorship.org>.

In their introduction to their Freedom to Write Index 2020, PEN states the following:

Amid global retrenchment on human rights and fundamental freedoms—deepening authoritarianism in Russia, China, and much of the Middle East; democratic retreat in parts of Eastern Europe, Latin America, and Asia; and new threats in established democracies in North America and Western Europe—the brave individuals who speak out, challenge tyranny, and make the intellectual case for freedom are on the front line of the battle to keep societies open, defend the truth, and resist repression.

Writers and intellectuals are often among the canaries in the coal mine who, alongside journalists and human rights activists, are first targeted when a country takes a more authoritarian turn. The unjust detention and imprisonment of writers and intellectuals impacts both the individuals themselves and the broader public, who are deprived of innovative and influential voices of dissent, criticism, creativity, and conscience. For this reason, the targeting of writers and public intellectuals for exercising their freedom of expression should be a source of grave concern to all.<sup>14</sup>

---

<sup>14</sup> Introduction, Freedom to Write Index 2020, <https://pen.org/report/freedom-to-write-index-2019/>, (accessed 22.5.2020).

# FORBIDDEN BOOKS

## FROM AROUND THE WORLD

### IN 2019

Region	Country	Book Title	Author
ASIA	BANGLADESH	Ranila Rasul	Pandit Chamupati M.A.
	INDIA	Such a Long Journey	Rohinton Mistry
	IRAN	The Alchemist	Paulo Coelho
	ISRAEL	All the Rivers	Dorit Rabinyan
	JORDAN	The Joke in the Arab World	Khaled Qashtrn
	KUWAIT	The Satanic Verses	Salman Rushdie
	LEBANON	Schindler's Ark	Thomas Keneally
	MALAYSIA	Fifty Shades of Grey	E.L. James
	PAKISTAN	Jinnah of Pakistan	Stanley Wolpert
	QATAR	The Boys	Garth Ennis
AFRICA	EGYPT	Feast for the Seaweeds	Haidar Haidar
	ERITREA	My Father's Daughter	Hannah Pool
	KENYA	The Satanic Verses	Salman Rushdie
	LIBERIA	The Satanic Verses	Salman Rushdie
	SOUTH KOREA	Bad Samaritans	Ha-Joon Chang
	THAILAND	The Devil's Discus	Rayne Kruger
	SAUDI ARABIA	Queen of Sheba and Biblical Scholarship	Bernard Leeman
	SENEGAL	The Satanic Verses	Salman Rushdie
	PAPUA NEW GUINEA	The Satanic Verses	Salman Rushdie
	AFRICA (Other)	Half of a Yellow Sun	Chimamanda Adichie
EUROPE	BOSNIA	The Mountain Wreath	Petar II Petrović Njegoš
	IRELAND	The Dark	John McGahern
	ITALY	Little Blue and Little Yellow	Leo Leonni
	NETHERLANDS	Mein Kampf	Adolf Hitler
	RUSSIA	Apocalypse Culture	Adam Parfrey
	UKRAINE	The History of the Russian State	Boris Akunin
	UKRAINE (Other)	Farina	Nacho Carretero
	UKRAINE (Other)	The German Girl	Armando Lucas Correa
	UKRAINE (Other)	Animal Farm	George Orwell
	UKRAINE (Other)	Five Cities that Ruled the World	Douglas Wilson
OCEANIA	AUSTRALIA	American Psycho	Bret Easton Ellis
	NEW ZEALAND	Into the River	Ted Dave
	INDONESIA	Five Cities that Ruled the World	Douglas Wilson
	INDONESIA (Other)	Roberto Carlos em Detalhes	Paulo César de Araújo
	INDONESIA (Other)	Chimamanda Adichie	Chimamanda Adichie
	INDONESIA (Other)	Salman Rushdie	Salman Rushdie
	INDONESIA (Other)	Haruki Murakami	Haruki Murakami
	INDONESIA (Other)	Killing Commendatore	Haruki Murakami
	INDONESIA (Other)	Little Black Sambo	Helen Bannerman
	INDONESIA (Other)	No Enemies, No Hatred	Liu Xiaobo
AMERICAS	CANADA	Noir Canada	Alain Deneault
	UNITED STATES	The Absolutely True Diary of a Part-Time Indian	Sherman Alexie
	CUBA	The German Girl	Armando Lucas Correa
	EL SALVADOR	One Day of Life	Manlio Argueta
	BRAZIL	Roberto Carlos em Detalhes	Paulo César de Araújo
	CHILE	The House of the Spirits	Isabel Allende
	ARGENTINA	Lolita	Vladimir Nabokov
	ARGENTINA (Other)	Chimamanda Adichie	Chimamanda Adichie
	ARGENTINA (Other)	Salman Rushdie	Salman Rushdie
	ARGENTINA (Other)	Haruki Murakami	Haruki Murakami

**GLOBALEnglishEditing**

Source: geediting.com

## Banned Books

Historically and day, in various contemporary guises, book banning continues to represent a serious threat to freedom to publish. To explore possible actions in this field, the IPA's Freedom to Publish Committee analysed different initiatives and campaigns around the world on the topic of book bans.

### I. Categories

Desk analysis and face-to-face meetings with representatives of organisations active in this field, allowed identification of certain aspects on which many of the initiatives and campaigns to uphold freedom to publish focus. These can be categorised as:

1. Raising awareness around books which cannot be published/traded at all in certain countries or regions ('total ban').
2. Keeping alive the memory of historical book bans by past regimes alive and commemorating the victims ('historical ban').
3. Resisting the banning of certain controversial books from schools, school reading lists and public libraries, which lowers their societal impact ('censorship by curation').
4. Exposing the exclusion of certain titles from the title selections offered by the ever more dominant sales platforms such as Apple, Amazon, and others for various reasons ('platform censorship').<sup>15</sup>

Each of the challenges to freedom to publish operates by way of its own mechanisms and needs to be addressed in a specific way. However, one important aspect, pertaining particularly to the 'total ban', but also to 'censorship by curation', is to look at the institution or force by which the ban is imposed and their methods: this may include school boards, a centralised authority, or the courts.

### II. Some initiatives from around the world

This (non-exhaustive) list aims to give a brief overview of the campaigns and initiatives grouped according to the criteria outlined above.

#### 1. Initiatives exposing 'total bans'

- Banned Books Week UK
- Banned books: Censorship of the printed word—exhibition at National library of Scotland 2011
- Börsenverein's list of banned books and linked bookshop activities (a series in which booksellers present books that are available in German translation but are banned in the authors' home countries)<sup>16</sup>
- Paradise of the Blind art exhibition focusing on books banned in the Asia-Pacific area
- Parthenon of Banned Books (Marta Minujin, Documenta) and banned books list

<sup>15</sup> Amazon is Inexplicably Destroying Indie Author Careers By Randomly Removing eBooks From the Kindle Store, <https://the-digital-reader.com/2018/11/11/amazon-is-inexplicably-destroying-indie-author-careers-by-randomly-removing-ebooks-from-the-kindle-store/>, (accessed 22.5.2020).

<sup>16</sup> Verbotene Bücher, <https://www.wort-und-freiheit.de/ig-meinungsfreiheit/verbotene-buecher/>, (accessed 22.5.2020).

- Ragıp Zarakolu's exhibition of books banned in Turkey hosted by Frankfurt and Gothenburg Book Fairs

## 2. Initiatives keeping alive 'historical bans'

- Banned books: Censorship of the printed word – exhibition at National Library of Scotland 2011
- Börsenverein's initiative on book burnings between 1939 and 1945
- Cambridge University exhibition of banned books
- Seoul International Book Fair

## 3. Initiatives addressing 'censorship by curation'

- Banned Books Week UK (in part)
- Banned Books Week US
- Cambridge University exhibition of banned books
- Freedom to Read Week, Canada

## III. Ideas for further work

Two pillars, common to a number of the initiatives analysed, could inspire future work on banned books:

- To contribute to and enhance **collaboration among different players** in the book value chain (authors, publishers, libraries, booksellers, etc.) on initiatives and campaigns;
- To raise awareness around the importance of freedom to publish by **engaging readers** in a number of initiatives **celebrating books and reading**.

The theme of censorship by '**total ban**' could be developed by focusing on contemporary forms of censorship in different areas of the world, when books are available in translation but banned in the author's country of origin. Engaging readers with translated banned books could be a way to raise awareness of this form of censorship.

The topic of '**censorship by curation**', could be explored, particularly in the context of educational publishing.

Depending on the number of cases that emerge, '**platform censorship**' could be approached by further investigating cases in which platforms with strong market positions discriminate against titles they decide are not 'suitable' for their store.



# COUNTRY REPORTS

## Interview: A view from Argentina - Ana María Cabanellas



President and publisher, Grupo Claridad.  
Member of the Freedom to Publish Committee.

- Freedom House Global Freedom Status: 85/100
- Reporters Without Borders: 64/180



Photo: IPA

We have asked members of the IPA's Freedom to Publish Committee what they think are the biggest challenges to freedom to publish and how we can best face these challenges.

### **What do you consider are the biggest challenges when it comes to freedom to publish today?**

The biggest challenges are governments, both those from the right and the left. In Latin America we see problems in Brazil and Chile, both can be considered right-wing governments. They are forbidding the publishing of books, for example a story in comic format where two men are kissing, in Brazil, or a book on social science that the government acquired for schools but wants to change the text before it is sent to the printer.

On the other hand, governments such as in Venezuela or Cuba, do not allow the publication and sale of many books. They close the frontiers and books cannot be imported and publishing is done by the government.

Argentina, during the government of Cristina Kirchner, did not forbid any publications, but you knew that if you wrote something that was against her, her family or her political party, the tax office would inspect you and your publisher, and would always find something wrong.

When she was succeeded by Mauricio Macri, we had four years of complete freedom. Today Kirchner's party is again in office and they say they have changed. Two months is not enough time to know what will happen next.

### **How can the publishing industry prepare to face the current threats to freedom to publish?**

Making publishers aware is very important. Many think that a lack of freedom is something from the past. That is why I consider that the Prix Voltaire is so important and that it is a very good idea to award the prize in different parts of the world, as it brings awareness.





THE NORWEGIAN  
PUBLISHERS ASSOCIATION

Freedom to publish.  
Challenges, violations and countries of concern.

It is also important that publishers stay together. A divided industry will never be able to defend itself from threats to the freedom to publish.

**Do you have any special cases that you are working for, or that you engage in?**

I am working with Cal y Canto, the Chilean publisher, and I am always alert to whatever is happening in Latin America. Publishers and writers should open their minds. Many do not realise that freedom to publish is not something that should be taken for granted.

## Australia



- Fear of political influence from China
- Freedom House Global Freedom Status: 97/100
- Reporters Without Borders: 26/180

Australian law does not currently provide clear and unambiguous protection for freedom of the press, or freedom of speech more generally. Australia does not have a Bill of Rights, and the constitution does not explicitly protect these freedoms.<sup>17, 18</sup> However, the constitution protects the freedom of religion as one of the guaranteed freedoms, and the freedom of political communication is an implied freedom, together with the implied right to vote. According to Freedom House, Australia however has a “strong record of advancing and protecting political rights and civil liberties,” and journalists cover controversial topics without risking harassment or violence.<sup>19</sup>

The main challenge reported in Australia is self-censorship, particularly concerning the government and international relations.

There is no direct interference from the government towards book publishers. However, the political influence of China in Australia is an issue. In November 2017, Clive Hamilton, author of *Silent Invasion: How China Is Turning Australia into a Puppet State*, accused publisher Allen & Unwin of “dropping his book on China’s influence on Australia in an act of self-censorship for fear of reprisals from Beijing.”<sup>20</sup> Allen & Unwin decided to cancel the publication due to ‘extensive legal advice’<sup>21</sup> as they feared the Chinese government might sue for defamation. The book was later published by another publishing house.

There are growing concerns in Australia about Chinese efforts to influence Australian politics and academic institutions and Australian publishers have been among the first to raise awareness of printing challenges in China for books destined for the Australian market but featuring topics which are controversial in China.<sup>22</sup>

<sup>17</sup> Australia’s Constitution, [https://www.aph.gov.au/about\\_parliament/senate/powers\\_practice\\_n\\_procedures/constitution](https://www.aph.gov.au/about_parliament/senate/powers_practice_n_procedures/constitution), p 27, (accessed 12.6.2020).

<sup>18</sup> How are human rights protected in Australian law?, <https://humanrights.gov.au/our-work/rights-and-freedoms/how-are-human-rights-protected-australian-law>, (accessed 10.6.2020).

<sup>19</sup> Australia, <https://freedomhouse.org/country/australia/freedom-world/2020>, (accessed 9.6.2020).

<sup>20</sup> The Bookseller, Australia’s Allen & Unwin accused of self-censorship for China, <https://www.thebookseller.com/news/allen-unwin-latest-publisher-accused-self-censorship-china-673501>, (accessed 11.2.2020).

<sup>21</sup> The Telegraph, ‘Fearful’ Australian publisher Allen & Unwin drops book about China, claims author, <https://www.telegraph.co.uk/news/2017/11/13/fearful-australian-publisher-allen-unwin-drops-book-china/>, (accessed 12.2.2020).

<sup>22</sup> Sydney Morning Herald: Chinese government censors ruling lines through Australian books <https://www.smh.com.au/entertainment/books/chinese-government-censors-ruling-lines-through-australian-books-20190222-p50zpn.html>, (accessed 20.05.20)

## Bangladesh



- Fatal assaults on publishers and bloggers
- Digital Security Act threatens freedom of expression
- Violations against press freedom
- Freedom House Global Freedom Status: 39/100
- Reporters Without Borders: 151/180

Photo: IPA

“The ruling Awami League (AL) has consolidated political power through sustained harassment of the opposition and those perceived to be allied with it, as well as of critical media and voices in civil society.”<sup>23</sup>

Reporters Without Borders reports that there are increasing threats to press freedom, and that “Bangladeshi journalists have been among the leading collateral victims of the tough methods adopted by the ruling Awami League and its boss, Prime Minister Sheikh Hasina. The executive’s latest weapon is the digital security law adopted in October 2018, under which “negative propaganda” is punishable by up to 14 years in prison. Radical Islamist militants meanwhile harass and murder journalists and bloggers who dare to defend an overly secular vision of society.”<sup>24</sup>

The situation in Bangladesh remains dangerous for publishers and has been a country of focus for IPA since June 2018, when IPA issued a statement condemning the murder of Shahzahan Bachchu.<sup>25</sup> The 2018 IPA Prix Voltaire Special Award was given to Faisal Arefin Dipan, the publisher murdered in October 2015. His widow, Razia Rahman Jolly received the award at the IPA International Publishers Congress in 2018 and spoke at Freedom to Publish seminars in London, Oslo and Sharjah.

<sup>23</sup> Freedom House, Bangladesh, <https://freedomhouse.org/country/bangladesh/freedom-world/2020>, (accessed 10.2.2020).

<sup>24</sup> RWB Bangladesh, <https://rsf.org/en/bangladesh>, (accessed 10.2.2020).

<sup>25</sup> IPA: Bangladeshi publishers still at risk <https://www.internationalpublishers.org/news/801-bangladeshi-publishers-still-at-risk> (accessed 20.05.20)

A new Digital Security Act, issued in 2018, has been heavily criticised by the EU due to concerns over the right to freedom of expression. The law introduces restrictions to criticising political leaders, writing intimidating or distorted information against someone or defamation and religious hate speech that threaten online freedom of expression.<sup>26</sup> Police in Bangladesh arrested two writers and an activist, in one week in May 2019 under the country's controversial Digital Security Act (DSA) and the Information and Communication Technology Act (ICTA).

The Dhaka Tribune reported (28 January 2019) on the slow progress of the investigations into the nine different murders of writers and publishers that have taken place since 2013.<sup>27</sup> Kristenn Einarsson was quoted in an opinion piece in the same publication, 4 February 2019.

---

<sup>26</sup> Freedom House, Bangladesh, Key Developments <https://freedomhouse.org/country/bangladesh>, (accessed 20.5.2020).

<sup>27</sup> Dhaka Tribune, Slow progress in blogger, publisher murder cases frustrate victims' families, <https://www.dhakatribune.com/bangladesh/nation/2019/01/28/slow-progress-in-blogger-publisher-murder-cases-frustrate-victims-families>, (accessed 10.2.2020).

## Life as a resident writer: Ahmedur Rashid Chowdhury

### Shuddhashar Publishing House, Bangladesh

Chowdhury, also known as Tutul, was born in the north east of Bangladesh in 1973. In 1990, Chowdhury started publishing and editing the magazine *Shuddhashar*, which soon became a platform for young and unconventional writers in Bangladesh. It ran about 13 issues per year and hosted essays by free and logical thinkers. Chowdhury opened his publishing house in Dhaka in February 2004, under the name Shuddhashar, where he primarily printed works of open-minded and progressive writers in his country.

Publications included *Obishwaser* (Philosophy of Non-Belief), written by the late Avijit Roy and Raihan Abir, first published in 2011 and later in 2012. On 26 February 2015, the blogger Avijit Roy and his wife Bonya Ahmed were attacked in the street, shortly after attending the Shuddhashar book publishing ceremony at Dhaka's annual Ekushey Book Fair. Ahmed survived the attack, but Roy died shortly afterwards.

*Parthiba* (Nothing is Divine) is a collection of articles on secularism and rationalism, written by the late Ananta Bijoy Dash and Shoikot Chawdhury in 2011. These and other books published by Shuddhashar are considered blasphemous by Islamic extremists in Bangladesh.<sup>28</sup>

Following a series of fatal assaults on secular bloggers and publishers by extremists in Bangladesh, in October 2015 Ahmedur Rashid Chowdhury was attacked by several men in his Dhaka office, scarcely surviving. His colleague, Faisal Arefin Dipan, publisher at Jagriti Prakashani, was stabbed to death the same day. Tutul fled to Nepal while still under treatment and arrived in Skien, Norway in February 2016.<sup>29</sup>

Today, Tutul continues to publish Shuddhashar from his home in Skien, a City of Refuge, where he is living as a resident writer and editor.

**Four years have passed since Tutul was forced to flee his home in fear for his life. We ask him about his life in exile and his thoughts on the arena for freedom of expression in Bangladesh.**

*Shuddhashar* is a very emotional place for me. The reality is that after coming into exile, I have had to change my style of *Shuddhashar* work. I made many efforts to continue *Shuddhashar* activities in Bangladesh, but sadly that was not possible. Since January 2019, *Shuddhashar* has been published online as a magazine. Currently we are publishing theme-based issues. In the meantime, I have published a total of eighteen issues



Tutul received the 2016 Jeri Laber International Freedom to Publish Award and the Norwegian PEN Ossietzky Award in November 2018. He was awarded International Writer of Courage Award 2016 and nominated for the IPA Prix Voltaire in 2016 and in 2018.

Photo: Tine Poppe/  
Aschehoug

<sup>28</sup> IPA, Freedom to Publish Prize finalist profile: Ahmedur Rashid Chowdhury, <https://www.internationalpublishers.org/news/385-freedom-to-publish-prize-finalist-profile-ahmedur-rashid-chowdhury>, (13.12.2019).

<sup>29</sup> ICORN, Ahmedur Rashid Chowdhury /Tutul, <https://www.icorn.org/writer/ahmedur-rashid-chowdhury-tutul>, (Accessed 13.12.2019).

including special issues on authoritarianism, poetry, and feminism. These have been quite acceptable to readers. We have also published eBook editions of some of our Bangla books. In addition, *Shuddhashar* regularly issues statements about violations of human rights and freedom of expressions, and we seek to draw attention to these violations from others working in the field of human rights (like PEN International, Amnesty International, IPA, Freemuse and others). We are doing these activities despite many limitations and challenges. We want to make these efforts more broadly and deeply. We would like to publish some eBooks and hard copy books. I would like to promote exiled writers more. I want to write some important articles about the specific care of exiled writers. Since my own exile, I have dreamed of doing this type of work for others in similar situations. You know, when the birds get an open sky, they can fly freely.

### **Have you encountered any new challenges to your work in exile?**

Yes, I have to work with many problems and limitations. Some challenges are because of my new environment, and some are my personal limitations. One serious challenge is that people lose interest in their work and lives when they face problems. I know that too. I have also lost interest and been disappointed, but even then, I try to pull myself up. I try to delve into the vision of what is at the centre of *Shuddhashar*.

### **What is the current situation in Bangladesh? Has it changed since you were forced to flee?**

The casualties have reduced, but in 2018, publisher Shahjahan Bachchu was killed. It was a tragic loss.

Looking at the situation for publishing, we can better understand what has happened. Over the past few years, the number of books published, the number of publishers, and the glossiness of publishing have increased greatly. However, my colleague, Dipan, was killed in 2016 for publishing controversial books; I was nearly killed that same day for the same reason. Those kinds of books are no longer being published in Bangladesh. We are, however, seeing the downstream publishing industry expanding rapidly. In addition, the current government, which has been in power for a long time, has become one of the most powerful authoritarian governments in the world. They have destroyed the normal political culture of Bangladesh and negotiated with religious fundamentalist forces. At present, trust between the minority and majority communities in Bangladesh is the worst it has ever been. Moreover, no policy has been adopted yet regarding book editing and quality translation. I think this is a major limitation for Bangladesh publishing.

There are regular freedom of speech violations. The Digital Security Act is being used to sue people and silence dissent at an alarming rate. Baul singers have been arrested and sued. In this environment, publishers are not willing to publish dissenting or challenging books for fear that a case will be filed against them through the Digital Security Act. It's getting very quiet. I think in the next five years, publishers of religious ideology will lead the publishing world of Bangladesh.

## In your view, what are the greatest challenges to the freedom to publish in Bangladesh today?

There are three major challenges: lack of a fair political culture that is supported by democratic values; lack of humanitarian values and commitments by politicians and bureaucrats; and the inability of the government and politicians to understand the importance of real human development, which includes not only economic development but also a holistic educational development. If Bangladesh continues down this path of narrowing the scope of what can be said, written, and published, we will face a very difficult future. Bangladesh will not only silence people, it will also stifle and suppress all forms of creativity, and we will become less resilient and less relevant as we face future global challenges.

### Tutul: At the hospital<sup>30</sup>

*A gathering of rainflowers  
Dewdrops on a broken autumn evening  
Instead of a book fair  
Instead of letters, words and sentences  
We, with our severed fingers,  
Skulls split open and jaws,  
Rajib, Abhijit. Ananta, Neel,  
Deepan's blood drying on the floor  
Your eyes, your inner eyes,  
At the heart of agony must see,  
Instead of the autumn bookfair  
In this opening ceremony  
Before this empty microphone  
On the public library walls  
In the murmuring leaves  
On the boulevards of Ahahbagh.  
Please see it  
all.*

Translated by Arunava Sinha

---

<sup>30</sup> Originally published in Norwegian in Johanne Fronth-Nygren (ed.): Å kysse en ørken. Å kysse en myr – 13 fribyforfattere, Aschehoug, Oslo 2019. English edition published by Norwegian PEN, Oslo, September 2019. Printed with permission.

## China



- Imprisonment of publishers
- Print delays due to sensitive content
- Difficulties in obtaining ISBN numbers
- Freedom House Global Freedom Status: 11/100
- Reporters Without Borders: 177/180

Freedom House is drawing attention to China having:<sup>31</sup>

- The world's most restrictive media environment
- A sophisticated system of censorship, particularly online
- Control over news reporting
- Blocked thousands of websites
- Implemented the 2017 Cybersecurity Law, which resulted in more sophisticated internet censorship
- A score declining from 1 to 0 because the already limited space for media freedom shrank further during 2018, as the government worked more vigorously to eliminate the remaining avenues for circumventing censorship

More than 60 journalists and bloggers are imprisoned. RWB states that “by relying on the massive use of new technologies, President Xi Jinping has succeeded in imposing a model of society based on information control and citizen surveillance. Beyond its borders, Beijing seeks to promote this repressive model and to establish a ‘new world media order’ under its influence.”<sup>32</sup>

Officially, there is no censorship in China. While the publishing market in China is undoubtedly more open than it was 30 years ago, the freedom to publish context in China is particularly challenging. Many international publishers now make their works available in China, but almost all operate through a local partner.

In recent years there have been reports of:

- Arrest, imprisonment and torture of publishers
- Publishers being asked to withdraw access to certain academic journals<sup>33</sup>
- Journal publishers being encouraged to license journal packages at a sufficiently granular level to enable local licensing partners to decline individual articles they may consider sensitive<sup>34</sup>
- Publishers facing lengthy print delays (or even refusal to print) on books not intended for the Chinese market due to sensitive content (e.g. maps, references to historical events)<sup>35</sup>
- ISBN numbers being difficult to obtain, possibly due to the content of a publication<sup>36</sup>
- Printed books being destroyed or ‘lost’ upon import or export<sup>37</sup>

<sup>31</sup> Freedom House, China, <https://freedomhouse.org/country/china/freedom-world/2020>, (accessed 20.5. 2020).

<sup>32</sup> RWB, China, <https://rsf.org/fr/chine>, (accessed 10.2.2020).

<sup>33</sup> Reuters: British publisher pulls academic journals from China after government complaint, (accessed 24 Dec. 2018).

<sup>34</sup> The Guardian: Cambridge University Press backs down over China censorship, (accessed 21 Aug. 2017).

<sup>35</sup> The Bookseller: China crackdown on maps sparks major production delays, (accessed 25 Feb. 2019) and The Sydney Morning Herald: Chinese government censors ruling lines through Australian books, (accessed 23 Feb. 2019).

<sup>36</sup> The Bookseller: Publishers report ‘pause’ on US authors in China, (accessed 25 Sept. 2019).

<sup>37</sup> ForeignPolicy.com: China Is Burning Books Again, (accessed 28 Mar. 2019).



- Self-publishing platforms (such as Midu Novels, Tomato Novel, and Jinjiang Literature City) being asked to remove content deemed objectionable by the government<sup>38</sup>
- Publishers finding 'errors' or missing passages in the Chinese translations of their works<sup>39</sup>
- Schools and public libraries removing or burning books deemed illegal, improper or outdated as part of efforts to "create a healthy and safe environment for education." This includes books thought to endanger national security, harm social stability or national honour, promote superstition, illegal religious activities, or "incorrect global outlook and values."<sup>40</sup>

Publishers face difficult decisions when choosing to target the Chinese market. It is not unusual for a publisher to adapt a work to a different market and such modifications are made with the authors' consent. But when does adaptation to a local market become censorship? Upon entering a new market, when do necessary business practices, like having to work with a local partner, become a smokescreen for censorship?

---

<sup>38</sup> Publishers Weekly: China Literature Feels the Pressure, (accessed 23 Aug. 2019).

<sup>39</sup> The Guardian: Edward Snowden says autobiography has been censored in China, (accessed 12 Nov 2019).

<sup>40</sup> The Guardian: Book burning by Chinese county library sparks fury, (accessed 9 Dec. 2019).

## Gui Minhai, Hong Kong/Sweden, Prix Voltaire 2018 Laureate

Gui Minhai (b. 1964) was nominated for the Prix Voltaire in 2017, before he was awarded it in 2018. He also received the 2017 Jeri Laber award. The award, given annually by the Association of American Publishers International Freedom to Publish Committee (FTPC), recognises a book publisher from outside of the US “who has demonstrated courage and fortitude in the face of restrictions on freedom of expression.”<sup>41</sup>



Photo:  
<https://freeguiminhai.org>

Gui Minhai is a Swedish citizen. In 2012 he set up a publishing house, printing regime critical books. He disappeared from his holiday flat in Thailand in October 2015. Two years later, in October 2017, he was suddenly released, and was able to travel freely. Rumours had it that he had gone to live in a flat on China’s east coast, south of Shanghai. On 20 January 2018 he was on his way to a medical examination but was handcuffed, in front of the eyes of Swedish diplomats, an hour before his train was due to arrive in Beijing. This happened despite guarantees given to the Swedish Embassy by the Chinese government that the journey could go ahead. He disappeared without a trace and remained missing until 9 February when he appeared at a press conference. He refused to say that he was suffering from the neurodegenerative disease ALS, publicly rejected his Prix Voltaire, and showed signs of having been tortured.<sup>42</sup>

In November 2019, Minhai was awarded the Tucholsky Prize by Swedish PEN. [Ahead of the award ceremony](#), traditionally given by the Swedish Minister of Culture, the Chinese ambassador threatened retaliation if the Minister attended. The Swedish Prime Minister rejected the threats, stating that the Minister of Culture, Anne Linde, would be present to award the prize as planned, and that the Swedish government would not give in to this sort of threat. Following the ceremony, the Chinese ambassador Gui Congyou said “wrong deeds will only meet with bad consequences.”<sup>43</sup> He further stated at a seminar at the University of Gothenburg on the 4 December 2019, according to the newspaper Göteborgs-Posten, “The Chinese government can absolutely not allow any country, organisation or person to damage China’s national interests. We must of course carry out counter measures. The cultural collaboration between the Swedish government and China will naturally be affected. Our economic relations and trade relations will also be affected.”<sup>44</sup>

On 12 December 2019, Norwegian and Danish PEN released a statement raising concerns over Chinese pressure on Sweden following the award of Swedish PEN’s Tucholsky Prize. They were concerned that China was threatening Sweden with counter measures for awarding the prize to Gui Minhai, due to the Chinese ambassador’s repeated public

<sup>41</sup> Association of American Publishers: Detained Hong Kong Publisher and Bookseller Gui Minhai to Receive 2017 Jeri Laber Award, <https://publishers.org/news/detained-hong-kong-publisher-and-bookseller-gui-minhai-to-receive-2017-jeri-laber-award/>, (accessed 31 January 2020).

<sup>42</sup> The case is presented in Olsson, Jøffe (2018): Fångslad. Förnedrad og och svartmålad. Kinas behandling av den svenske förläggaren Gui Minhai. Svenska förläggareförbundet, Stockholm.

<sup>43</sup> Reuters, China, Sweden escalate war of words over support for detained bookseller, <https://www.reuters.com/article/us-china-sweden/china-envoy-threatens-sweden-over-award-to-detained-writer-gui-minhai-idUSKBN1XP197>, (accessed 15 November 2019).

<sup>44</sup> Göteborgs-Posten, Kinas ambassadör til GP: Handelsrestriktioner ska införas mot Sverige, <https://www.gp.se/ekonomi/kinas-ambassad%C3%B6r-till-gp-handelsrestriktioner-ska-inf%C3%B6ras-mot-sverige-1.21197960>, (accessed 6 December 2019).

criticisms. The two PEN organisations called for the Norwegian and Danish governments to show solidarity with their Swedish colleague and foreign minister Ann Linde. Mille Rode, secretary general of Danish PEN, said:

“We see increasing attempts from China to pressure the governments of other countries to submit to Chinese interests, and to prevent any form of criticism. China’s attempts to pressure Sweden is unacceptable. The Danish and the Norwegian government should give their clear and unequivocal support to their Swedish colleagues in this case. The Chinese government is attempting to limit the freedom of expression and the democratic rights and freedoms which form the basis of the Scandinavian countries. The governments of the Scandinavian countries should stand together against this.”<sup>45</sup>

In February 2020, Gui Minhai was sentenced to ten years in prison in the city of Ningbo in the Zhejiang province, for having shared information with a foreign power. He pled guilty and will not appeal the verdict, according to the Chinese government. He has also allegedly given up his Swedish citizenship.

The Swedish government demands the immediate release of Gui Minhai, and has openly criticised the Chinese government over their treatment of him. It has led to a strained relationship between the two nations. The Chinese Embassy in Sweden has repeatedly contacted Swedish media outlets to try to convince them to change their coverage of the story, without success.

The verdict against Gui Minhai was condemned by Amnesty International and Reporters Without Borders. “Gui appears to have been tried and convicted in secret, denying him any chance of a fair trial,” says Amnesty International’s China Researcher Patrick Poon.<sup>46</sup>

“This case sets a dangerous precedent in which Beijing has assumed the right to kidnap an EU citizen, hold him arbitrarily for more than four years, and then give him a jail term that amounts to a death sentence in light of his state of health,” said Erik Halkjaer, president of RWB Sweden. “We urge the international community to step up pressure on China to free Gui Minhai and all other detained journalists and bloggers.”<sup>47</sup>

The IPA also expressed its steadfast support for Gui Minhai and his family, and calls on Sweden, the EU and the international community to renew their efforts to secure Gui Minhai’s release.

His daughter, Angela Gui, runs the website <https://freeguiminhai.org/> where updates are being posted.

<sup>45</sup> Norsk PEN, Skandinavia må stå sammen mot Kinas press mot ytringsfriheten, [https://norskpen.no/nb\\_NO/2019/12/12/skandinavia-ma-sta-sammen-mot-kinas-press-mot-ytringsfriheten/](https://norskpen.no/nb_NO/2019/12/12/skandinavia-ma-sta-sammen-mot-kinas-press-mot-ytringsfriheten/), (accessed 13 December 2019).

<sup>46</sup> China: Bookseller handed outrageous 10-year sentence must be released, <https://www.amnesty.org/en/latest/news/2020/02/china-bookseller-handed-outrageous-10-year-sentence-must-be-released/> (accessed 9.6.2020).

<sup>47</sup> Call for pressure on China to free Swedish publisher jailed for ten years, <https://rsf.org/en/news/call-pressure-china-free-swedish-publisher-jailed-ten-years>, (accessed 9.6.2020).

## Two poems by Gui Minhai

Published in *Washington Post*  
30 July 2018<sup>48</sup>

### Père David's Deer

*Under the harsh light day and night  
I quickly turned into a Père David's deer  
it took only seven hundred days or so  
for my graying hair to evolve into antlers  
These strange creatures don't live here  
they say my name is "Neither Fish Nor Fowl"  
When I was caught I started to evolve  
When I started to evolve, I was tamed  
As soon as my clothes were peeled away  
I became a tamed David's deer  
I sobbed in front of the cameras  
admitting I was a deer that had strayed away*

*In the secret garden, my swift devolution  
turned speech into furry groans  
turned a hat into a black hood  
turned nationality and citizenship into diplomatic dispute  
In every Chinese encyclopedia, it is written  
that Père David's deer is a rare beast unique to China  
thus one such deer, at ease in the Swedish forest  
began a new life in an Asian swamp  
I am a devolved David's deer  
unable to choke down poems or prose  
but while I am shamed in the swamp  
I still yearn to run through the Swedish woods.*

First written in prison, rewritten Dec. 10, 2017

<sup>48</sup> Translated by Anne Henochowicz. First published in the *Washington Post*, 30 July 2018. Printed with permission. A collection of Gui Minhai's poems (in Swedish) is available from Kaunitz-Olsson under the title: *Jag ritår en dörr på väggen med fingret* (I draw a door on the wall with my finger), ISBN: 9789189015142. For international distribution, please go to <https://papercutshop.se>.

## Heroism

*When I was young, I cared for a cute little chicken  
in the time of my childhood it laid an egg  
an egg that shone toward the sun's light  
with a round, round yolk inside its shell  
I took this egg with me everywhere  
and made many yolk-yellow drawings  
when even the moon was curved with exhaustion  
I dreamed dreams as round as a yolk*

*Only when a pair of boots trampled my egg  
did I know how frail an eggshell is  
the forlorn, helpless yolk on the ground  
the egg white flowing out like tears  
A bare chicken egg is so weak  
after the yolk had been ravaged  
I curled into a ball, surrendered the egg's genetic code  
and admitted I really was a duck egg  
I burn to my end in the red-hot pan  
only because I have this humble notion:  
once I'm fried into a fat omelette  
a hero's death will be wrapped inside me*

*written Dec. 27, 2017*

## Egypt



- Imprisonment of publishers and authors
- Civilians judged in military courts
- Human rights crisis
- Freedom House Global Freedom Status: 21/100
- Reporters Without Borders: 166/180

According to Freedom House, President Abdel Fattah al-Sisi, who has been in power since June 2014, is governing Egypt in an increasingly authoritarian manner. President al-Sisi was re-elected in 2018, after becoming president following a coup in 2013. The 2018 election was characterised by low attendance, widespread use of state resources to support Sisi's candidacy, bought votes and intimidation of voters. Prior to the election, Sami Anan, al-Sisi's most prominent challenger, was arrested and detained, and other opposition candidates were pressured to withdraw. Critics, opposition figures and journalists were arrested prior to the election.

To further quote Freedom House on key developments in Egypt:

“Two laws ratified in August, the Anti-Cyber and Information Technology Crimes Law and the Media Regulation Law, further threatened freedom of expression and freedom of the press by imposing prison sentences on journalists who “incite violence,” giving the government wide latitude to block websites, and granting security services broad surveillance powers over internet users, among other provisions.”<sup>49</sup> Political opposition, say Freedom House, is virtually non-existent, and activists from all groups face criminal prosecution and imprisonment.

Reporters Without Borders ranks Egypt 166 out of 180 on the 2020 World Press Freedom Index, down three points from 2019. Reporters Without Borders confirms that challenges to press freedom have become more alarming after the re-election of al-Sisi. The internet was previously considered “the only place left where independently reported information can circulate, but more than 500 websites have been blocked since the summer of 2017, and more and more people are being arrested because of their social network posts.”<sup>50</sup>

Human Rights Watch states that “President Abdel Fattah al-Sisi's government continues to oversee Egypt's worst human rights crisis in decades and has escalated the use of counterterrorism laws to prosecute peaceful dissidents.”<sup>51</sup> HRW writes that thousands of civilians have been sent to military courts, which undermines the judiciary's independence. Dozens of opponents have been executed with flawed trials.

United Nations Human Rights Council in Geneva November 13 2019, saw its members offering strong criticism towards what they called Egypt's human rights crisis. Countries from all regions called on Egypt to “end torture and ill-treatment, investigate crimes committed by security forces, allow non-governmental organisations and activists to work

<sup>49</sup> Freedom in the World 2019, <https://freedomhouse.org/country/egypt/freedom-world/2019>, (accessed 3.2.2020).

<sup>50</sup> Reporters without borders, Egypt, <https://RWB.org/en/egypt>, (accessed 3.2.2020).

<sup>51</sup> Human Rights Watch, Egypt, <https://www.hrw.org/middle-east/n-africa/egypt>, (accessed 3.2.2020).

independently, and protect human rights while countering terrorism.”<sup>52</sup> More than 130 countries offered 372 recommendations for Egypt to improve their human rights situation. Egypt has several months to accept or reject the recommendations.

The Freemuse report 2019, states that in Egypt, “New state bodies tighten control of artistic freedom via prior censorship and prior performance permission.”<sup>53</sup> In 2018, at least a dozen artists have been prosecuted, only for using their freedom of expression. The counter-terrorism law from 2015 has been used by the military and the National Security Agency to charge artists for acts of terrorism. One case (described below) is that of Khaled Lotfy, the Egyptian publisher and bookseller, who was sentenced to five years in jail by a military court in February 2019 for publishing a translation of Uri Bar-Joseph’s *The Angel: The Egyptian Spy Who Saved Israel*. Other examples include the Egyptian poet Galal El-Behairy who was sentenced by a military court for his collaboration with Ramy Essam, a musician, for writing a song critical of President al-Sisi. The song ‘Balaha’ was said to insult the military and spreading false news. El-Behairy was arrested five days after its release, alongside others connected to the song including the director of the video who subsequently died in prison under contested circumstances.<sup>54</sup> In an unpublished anthology of poems, *The Finest Women on Earth* El-Behairy criticised the public Egyptian mindset on terrorism. The book had received permission to be published, and despite the fact that the first edition was already out, his publisher, Dar Da’ad Publishing and Distribution, terminated the contract.<sup>55</sup> 31 July 2018, the Egyptian military court in Cairo sentenced El-Behairy to three years in prison and gave him a fine of 10 000 Egyptian pounds for his poetry. He is still imprisoned.

In its 2016 resolution on Egypt, PEN International expressed deep concern regarding the deterioration of free expression in Egypt in recent years. In particular they were concerned over the arbitrary detention of writers and government interference with the Journalists Syndicate and the work of journalists.

In 2017 PEN International supported and campaigned for the blogger and activist Alaa Abd El Fattah Hesham Gaafar, a prominent Egyptian writer and the head of Mada Foundation for Media Development (MADA); and the Egyptian writers and journalists who were dismissed from their work at a leading newspaper on 26 July 2017. Egyptian writers and journalists who were dismissed from their work at a leading newspaper on 26 July 2017.

<sup>52</sup> Human Rights Watch, UN: States Denounce Egypt’s Rights Record, <https://www.hrw.org/news/2019/11/27/un-states-denounce-egypts-rights-record>, (accessed 3.2.2020).

<sup>53</sup> Freemuse, The state of artistic freedom 2019, <https://freemuse.org/resources/item/the-state-of-artistic-freedom-2019/> p 80, (accessed 3.2.2020).

<sup>54</sup> Egypt says jailed filmmaker who mocked Sisi died from alcohol poisoning, <https://www.bbc.com/news/world-middle-east-52559134>

<sup>55</sup> Freemuse, The state of artistic freedom 2019, *ibid.* <https://freemuse.org/resources/item/the-state-of-artistic-freedom-2019/> (accessed 3.2.2020).

## Galal EL-Behairy:

### I have a date with tomorrow<sup>56</sup>

*I have a date with tomorrow  
 But, man, I am in prison  
 I would love to see you tomorrow  
 So will you visit me, if only in my dreams?  
 Tomorrow is not coming tomorrow  
 And my heart is oozing blood!  
 Between coffee and smoke  
 Between mattress and prison bars  
 Between jail and jailer  
 Between lucidity and disorientation  
 I wait ...  
 The prison walls don't know us  
 They don't see the human in us!  
 They only know humans as prisoners  
 As numbers  
 Always standing in line  
 Living and dying in line  
 We're the people who are born and die  
 Waiting ...  
 O Freedom!  
 You most beautiful of women  
 You most difficult of women  
 I implore you, meet me on a date tomorrow  
 If only for a second ...  
 Give me new steps  
 And a heart made of steel  
 That doesn't grow tired  
 And people who love without fear  
 And a promise that's new  
 A promise not heard before  
 Nights that pass, my brunette ...  
 – you know –  
 In this prison  
 Nights are merciless.  
 My heart is eroded in the flood  
 My soul trembles and wilts.*

<sup>56</sup> English PEN: Egypt: 500 days since arrest of poet Galal El-Behairy, #FreeGalal, <https://www.englishpen.org/campaigns/egypt-500-days-since-arrest-of-poet-galal-el-behairy/>, The translator has asked to remain anonymous. (accessed 3.2.2020).



*Patience, it turns out, is not enough  
 Nor does it heal  
 Nor is it a virtue...  
 I am away  
 You and I are tired of being away  
 This dawn is not truthful  
 This night is not deceitful  
 O prison outside of me  
 O imprisoned sigh  
 O prison inside of me  
 Your walls are stubborn, without doors.  
 O friends and lovers  
 We wait ...  
 Despite the ghastly sight  
 Despite the hidden moon  
 Your smell is a knife in the rib  
 Your taste, in my mind, is sugar sweet  
 Your love... a divine touch  
 I touch it with my soul, and I break.  
 From the ruins, an image emerges  
 Tender, smelling of ambergris  
 An image that can be  
 Very easily interpreted.  
 The years of prison and exile  
 In my heart, you know,  
 The letters of your name are hidden  
 Beneath red lipstick.  
 And man, I sit in my prison cell  
 The dream visits me, carrying another dream  
 Distress leaves  
 Making room for more distress  
 And I wait for tomorrow's date  
 To come tomorrow, late!*

## Khaled Lotfy, Publisher and Bookseller from Egypt, Prix Voltaire Laureate 2019



On February 4, 2019, Khaled Lotfy, founder of Cairo's Tanmia Bookshop and Publisher, was sentenced to five years in prison on charges of divulging military secrets and spreading rumours for having distributed an Arabic translation of the book *The Angel: The Egyptian Spy Who Saved Israel*, by Uri Bar-Joseph. The problem began when Tanmia's founder signed an agreement with the Lebanon based Arab Scientific Publishers to publish an Egyptian edition of the book. Khaled Lotfy was arrested in April 2018 and has been in prison ever since.

Tanmia Bookshop opened in 2011 and soon developed into a highly respected publishing house that printed translations of work by a number of acclaimed authors. Tanmia also published original works in Arabic, including a children's book version of Mahmoud Darwish's poem *Think of Others*, which won an Etisalat Prize for Arabic Children's Literature.

At the Freedom to Publish Open Meeting in Frankfurt, 16 October 2019, Mahmoud Lotfy presented the case of his brother, Khaled. He told the audience that the film adaptation of the book had been aired on Netflix in the Arab World, and its controversial issue was not a big deal.

However, according to Mahmoud, the incarceration of Khaled Lotfy has resulted in greater self-censorship due to publishers no longer knowing where the red line is drawn. The fact that the case went through a military court adds extra complexity. There is no official censorship process in Egypt, but there is a question of whether the ISBN issuing process is being used as part of a censorship tool.

On 20 December, Tanmia learnt that it had been refused space at the Cairo International Book Fair both as a publisher and as a bookseller. On 24 December, the Egyptian Military Court of Cassation rejected Khaled Lotfy's final appeal after 11 postponements, thereby upholding the five-year prison sentence. On 9 January, IPA wrote to the organisers of Cairo International Book Fair urging them to reconsider the exclusion of Tanmia. On 14 January, IPA issued a press statement urging President Abdel Fattah el-Sisi to grant Khaled Lotfy a presidential pardon.<sup>57</sup> IPA's statement was relayed in the publishing industry press with supporting statements from the French Publishers Association (SNE), Börsenverein and the Australian Publishers Association.

On 22 January, coinciding with the opening of Cairo International Book Fair, IPA issued a press statement on Tanmia's exclusion.<sup>58</sup>

On the 16th of April 2020, IPA made a new, unsuccessful, appeal to the Egyptian president to release Khaled Lotfy on the occasion of the Sinai Liberation Day April 25. According to the IPA press release, "such a release would be in line with the second article of the pardoning decree No. 157 of Wednesday 15/4/2020. According to the Egyptian Constitution, the President has the right to issue pardons for convicted prisoners after consulting with the Cabinet <sup>59</sup>".

<sup>57</sup> International Publishers Association, Khaled Lotfy: International Publishers Call for Presidential Pardon, <https://us5.campaign-archive.com/?e=4b24fa1ab1&u=914a89e2e13ccd381d1c47e5d&id=ba2bfaea4d>, (accessed 31.1.2020).

<sup>58</sup> International Publishers Association, Cairo International Book Fair Excludes Khaled Lotfy's Publishing House, <https://internationalpublishers.org/news/938-cairo-international-bookfair-excludes-khaled-lotfy-s-publishing-house>, (accessed 31.1.2020).

<sup>59</sup> IPA, International Publishers Appeal for Pardon for Lotfy, <https://mailchi.mp/internationalpublishers/international-publishers-appeal-for-pardon-for-lotfy?e=4b24fa1ab1> (accessed 16.4.2020).

## Interview: A view from Egypt - Sherif Bakr

Former Secretary General of the  
Egyptian Publishing Association.  
Member of the Freedom to Publish Committee



Photo: Private

**Sherif Bakr, what do you consider are the biggest challenges when it comes to freedom to publish today?**

Firstly, and after what happened in Egypt, I would say self-censorship. We build our own fence here. There are no clear guidelines. There are ambiguous words that can be used according to the personal view of the judge.

**How can the publishing industry prepare to face the current threats to freedom to publish?**

Publishers must unite. Which is not coming soon due to differences. They need to know what are the restrictions, and what constitutes freedom to publish. Also, they must get educated about how things usually work in this area.

**Do you have any special cases that you are working for, or that you engage in?**

We have a publisher in prison. We are trying to change the copyright law now, but only for piracy and not the freedom to publish. We have a committee for freedom to publish in the Egyptian Publishers Association and the Arab Publishers Association, but they have never supported any case.

## France



- Unfair competition by state publishing
- Censorship by internet giants
- Self-censorship regarding sensitivity publishing
- Freedom House Global Freedom Status: 90/100
- Reporters Without Borders: 34/180

France is rated 'free' on all human rights indexes. Reporters Without Borders has reported concerns over an increasing trend towards hatred and attacks on journalists over the last year.

French publishers are subjected to some of the provisions of the Law of the Press of July 1881, which includes laws on defamation.<sup>60</sup>

One challenge, pointed out by the French Publishers Association (SNE) as a threat to their freedom to publish, is that in France publishers are facing unfair competition by the state. State publishers are developing free online content or content not reflecting production costs. There is no visibility of strategies or costs, and no open competition prior to publication, thereby making it impossible for publishers to enter the market. Furthermore, there is a lack of clear limits for online publication by the state and local authorities.

In academic publishing, professors are encouraged to produce free online content. Open access solutions are often based on immediate access, which is a threat to private publishers. In textbook production, there is an increasing volume of online resources provided by the state. In legal publishing, online data goes beyond the need of plain information for civil users. In art publishing, excessive fees to reproduce art from museums in books are making it financially impossible for private publishers to publish art books.

Another reported challenge is the fact that the internet giants are prohibiting nude drawings, for instance from art comic books.

The SNE also reports that public debate is becoming increasingly volatile, to a disturbing degree, and this is considered to have a negative impact on the freedom to publish.

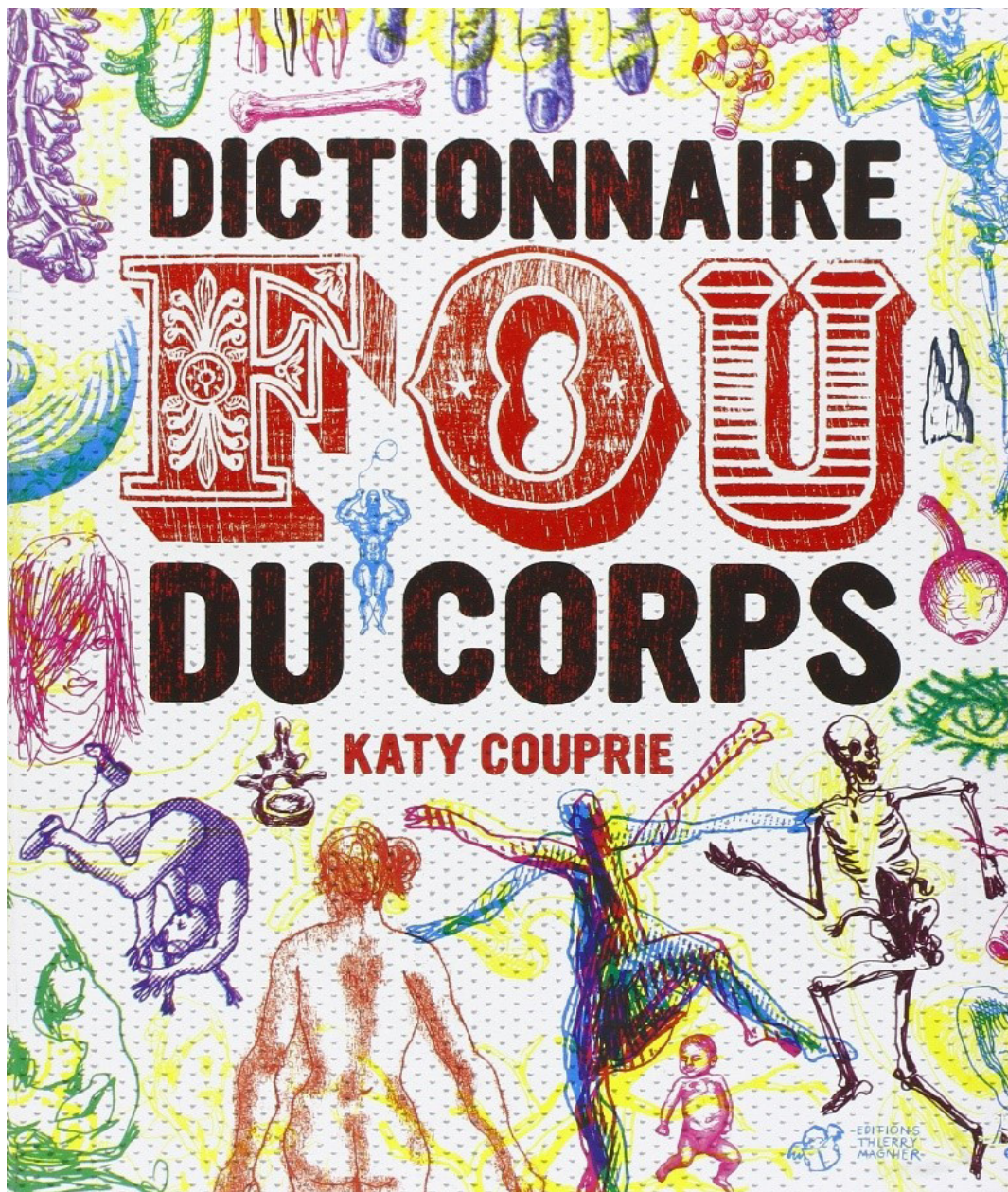
There have also been known cases of self-censorship, for instance Gallimard rejected the anti-Semitic pamphlets by Louis-Ferdinand Celine, and Fayard delayed a critical edition of Adolf Hitler's *Mein Kampf*.

Political correctness and self-censorship pose a big challenge. In recent years one book has been removed from Kindle and another withdrawn from sale, both of which dealt with the issue of puberty. Books aiming to teach body parts to children were attempted to be removed from libraries in Paris at the end of 2016.<sup>61</sup>

<sup>60</sup> [https://www.legifrance.gouv.fr/affichTexteArticle.do;jsessionid=A34886BA3FC63C51F2301C4972D36231.tplgfr26s\\_2?idArticle=LEGIARTI000006419790&cidTexte=LEGITEXT000006070722&dateTexte=20200324](https://www.legifrance.gouv.fr/affichTexteArticle.do;jsessionid=A34886BA3FC63C51F2301C4972D36231.tplgfr26s_2?idArticle=LEGIARTI000006419790&cidTexte=LEGITEXT000006070722&dateTexte=20200324)

<sup>61</sup> <http://tempsreel.nouvelobs.com/culture/20161028.OBS0465/la-chose-sexuelle-quand-la-mairie-de-paris-censure-deux-livres.html>

Livres Hebdo reported, 8 October 2019, that independent publisher Éditions Lapin had been removed from the Amazon Kindle platform on 6 October because of the submission of one publication: *Le Vrai Sexe de la Vraie Vie (The Real Sex of Real Life)*, an educational album for teenagers. The platform considers that the book contains pornographic elements while the author CY seeks to "break the taboos, like that of the pregnant woman who makes love," as she explained in 2017: "I would like to target a young audience, at the beginning of their sexuality."<sup>62</sup> The decision of Kindle is all the more surprising as the Amazon platform includes many openly pornographic books, classified in its 'eroticism' section.



One of the titles that were attempted to be recalled from Paris schools. Source: Amazon/Thierry Magnier

<sup>62</sup> Kindle censure une BD pédagogique sur le sexe, <https://www.livreshebdo.fr/article/kindle-censure-une-bd-pedagogique-sur-le-sexe?fbclid=IwAR2rTUvKOKlrzXSQWvR3i-DtgdcmiTKg-i1rQhsG6tiqXuP9SQ5OFLADJ7g> (accessed 9.6.2020).

## Germany



- Confiscation of Kurdish literature
- Investigative journalism uncovers influence by extreme right in rural districts
- Confrontations at the Frankfurt Book Fair
- Freedom House Global Freedom Status: 94/100
- Reporters Without Borders: 11/180

Germany has secured the fundamental right of Freedom of Expression in Arti. 5 I and 5 II of the German Constitution, stating that “freedom of the press and freedom of reporting by means of broadcasts and films shall be guaranteed, that there shall be no censorship (I)” and that “arts and sciences, research and teaching shall be free (III).”<sup>63</sup> The Criminal Code, however, contains defamation laws.

There are criminal laws against incitement to hatred, depictions of violence, violating the memory of the dead, dissemination of propaganda material of unconstitutional organisations, incitement to crime, instructions for commission of crime, denigration of religions and limitations to the distribution of pornography.

### Confiscation of Kurdish books

The German publishers and booksellers association (Börsenverein des Deutschen Buchhandels) has some areas of rising concern, an example being the confiscation of the books of the publisher Mezopotamien Verlag in Neuss, Germany, in February 2019. The publisher’s stock was confiscated, not because of its content, but due to its value as a physical asset. The publishing house, which published Kurdish literature in Germany, was closed down. The reason behind this was that the publisher was accused of being a financial supporter of the Kurdistan Workers’ Party (PKK), an illegal organisation under German law. It was also claimed that the publishing house was a part of the PKK.

“It’s necessary to push back the PKK, because they continue to be active in Germany despite being banned,” said Federal Interior Minister, Horst Seehofer.<sup>64</sup>

It was argued by the administration that the confiscation was by no means because of the content of the books, but because of their economic value. The books were recently re-published in a show of solidarity by three publishing houses in Austria, Germany and Switzerland (Edition Mezopotamien).

Jürgen Horbach, spokesperson for freedom of expression at Börsenverein, said in a statement, “With the Mezopotamien edition, the participating publishers are making an important contribution to freedom of expression and publication. The books have not been banned, but had almost completely disappeared from the market—including from public debate—due to the confiscation of the stock. We also request that the confiscated Kurdish

<sup>63</sup> Basic law for the Federal Republic of Germany, <https://www.btg-bestellservice.de/pdf/80201000.pdf>, p 16 (accessed 3.2.2020).

<sup>64</sup> Associated Press, Germany bans 2 Kurdish publishing houses for backing PKK, <https://apnews.com/8fcf41131c0d4aaaa6fd4e1303c68ffc>, (accessed 3.2.2020).

music archive, which was owned by The Mezopotamien Publishing House, be treated with care by the competent authorities and made available for scientific purposes.”<sup>65</sup>

## Exposure of far-right settlers

In June 2016 the book *Völkische Landnahme—Alte Sippen, junge Siedler, rechte Ökos* (*Taking the land—Old clans, young settlers, right-wing environmentalists*, [non-official translation]) by Andrea Röpke and Andreas Speit was published. Both the authors are journalists and they had followed the development of the far-right in Germany for years. The book describes a quiet change currently taking place in rural Germany. People with neo-nazi sympathies are seeking refuge in smaller villages, entering into local politics, often under a pseudonym, and are attempting to move local communities in the direction of an ideology more hostile to democracy. The authors have followed this development closely for several years and present their findings in the book. Several individuals, who wanted to live and work anonymously, were exposed.<sup>66</sup>

The book has gained a lot of attention in Germany, and many settlers have been named in the book. Between 30 August and 16 September the book was challenged in court five times, four of them suits brought by the lawyer Ralf Höcker. He is the spokesperson for the right-wing fraction of the centre-right christian democratic political alliance (CDU/CSU). Höcker also represents the right wing to far-right political party Alternative for Germany (AfD). He has said that he will continue to threaten journalists doing this sort of investigative journalism and demand legal prosecution, indemnity and compensation.

He has also directly challenged the authors and publishers of the book. The publisher, Christoph Links, has received 12 notices of legal action from Höcker’s office regarding the book, which is an attempt to limit the freedom of expression of the authors, the publisher claims. A litigation demanding 15 changes to the book was dismissed by the district court.

The publisher claims that critical and investigative journalism walks a fine line between the right to privacy and the right to information. They regard the book as an important contribution to society as it is uncovering threats to the democratic constitution, and that this transcends the right to privacy of some of those portrayed in the book. The fact that someone goes to criminal proceedings on the basis of the right to privacy must be understood as a political act in order to prevent two renowned journalists from continuing to uncover quiet far-right changes.

## Confrontations at the Frankfurt Book Fair

Börsenverein has reported on confrontations at the Frankfurter Buchmesse (FBM: The Frankfurt Book Fair). The organisers were repeatedly confronted with sometimes aggressive appeals to exclude certain exhibitors from participating in the fair. There were also protests against certain events organised at the fair. The view of the Börsenverein and the Book Fair is that anyone who is not breaking the law has the opportunity to exhibit their titles.

<sup>65</sup> [https://www.boersenblatt.net/2019-11-13-artikel-ig\\_meinungsfreiheit\\_des\\_boersenvereins\\_begruessst\\_edition\\_mezopotamya-mezopotamien-titel\\_wieder\\_auf\\_dem\\_markt.1759828.html](https://www.boersenblatt.net/2019-11-13-artikel-ig_meinungsfreiheit_des_boersenvereins_begruessst_edition_mezopotamya-mezopotamien-titel_wieder_auf_dem_markt.1759828.html), (accessed 3.2.2020).

<sup>66</sup> <https://uebermedien.de/42632/abmahnwelle-setzt-kritische-journalisten-unter-druck/>, (accessed 3-2-2020).

Another concern expressed by the Börsenverein is that German universities are faced with a growing movement aiming to exclude specific individuals or groups from lectures or guest readings. These cases are mostly initiated by students. In the academic discourse, there are new debates about microaggressions, calls for a safe space, appropriation and trigger warnings. There is a fear that over time this may impose limits on the freedom of speech.

### In defence of words and freedom<sup>67</sup>

There appears to be a growing awareness regarding the importance of freedom of expression and freedom to publish not only for the book trade, but for democratic society as a whole. This is reflected by the foundation of a Freedom to Publish Committee within Börsenverein in May 2017, and by the many articles and debates that have flourished regarding the scope and use of freedom of expression in Germany.

The aim of the Börsenverein Freedom to Publish Committee is to work for the protection of freedom of speech nationally and internationally. The group is working with projects, events and actions intended to unite publishers, booksellers and distributors in an effort to uphold freedom of speech and expression as a quality inherent to the book trade and as a core value for a free and democratic society. The group aims to promote a diversity of opinion and to offer support for prosecuted publishers and authors.

Between May 5 and 10, 2020, the organisation planned to host a Freedom of Opinion Week, however it had to be postponed to 2021.

---

<sup>67</sup> Für das Wort und die Freiheit.



## Interview: A view from Germany - Jessica Sanger

Legal Counsel and Director of European &  
International Affairs, Borsenverein  
des Deutschen Buchhandels.  
Member of the Freedom to Publish Committee.



Photo: Magdalena Spinn

We asked **Jessica Sanger** what she considers the biggest challenge when it comes to freedom to publish today?

We are looking at a range of challenges of different kinds across the world, depending on the situation publishers find themselves in locally. There are those cases where individuals are persecuted or even killed for exercising their freedom to publish. These require our immediate and continuous attention and support in a way that is adapted to the specific context. Examples of such cases are the abduction and detention of Gui Minhai, the incarceration of Khaled Lotfy, or the persecution of publishers in Turkey.

But beyond these individual cases of human rights abuses, a major threat to freedom to publish can lie in restrictive legal frameworks which aim to suppress dissenting views, or which sometimes sacrifice freedom of expression as collateral damage. Such regimes exist in dictatorships, of course, but recently, we are also seeing extremely worrying developments in democratic states such as Hungary. And who would have imagined five years ago that an American president would publicly threaten a publisher over the publication of a book?

Publishers working within such an environment often report resorting to self-censorship in order not to overstep invisible 'red lines' and put themselves or their authors at risk. This chilling effect can have a huge impact on societal discourse. Sometimes, publishers of controversial books are subjected to civil litigation under flawed defamation laws. The rules aim to protect individuals but de facto enable the silencing of critical voices by their opponents due to the financial risk they pose for the defendant—even if there is in fact no sound case for defamation.

Finally, we need to look closely at situations where societal pressures and norms lead to self-censorship or even conflicts over publications. I am thinking of societies in which minority views about sensitive topics can lead to tremendous pressure on individuals, or even to crimes against them, like in the case of Faisal Arefin Dipan, who was murdered in Bangladesh in 2015. Sometimes these are religious norms or traditional viewpoints—but the free speech controversies that have erupted on US campuses are an example of a whole new set of challenges for societies which may have viewed themselves as immune to attacks on freedom of expression.

These diverse challenges and contexts will require a broad range of responses from publishers and associations. There is obviously no one-size-fits-all solution. But developing an awareness of the problems, sharing experiences or successful strategies and publicly defending those at risk are important elements of fighting back as a sector.

## Greece



- Misuse of defamation laws
- Freedom House Global Freedom Status: 88/100
- Reporters Without Borders: 65/180

The Greek Constitution guarantees freedom to publish and freedom of expression.<sup>68</sup>

However, Greece does have defamation laws. According to the new Penal Law 4596/2019 (articles 362 & 363), defamation is described as follows: “Whoever in any way claims or spreads rumours or facts that may damage the honour of a third party, is punished by up to one year imprisonment or a fine. If the act was publicly committed or via the Internet, imprisonment of up to three years or a fine may be imposed.”<sup>69</sup>

The following case has been reported: Nikos Kotzias, former Greek Minister of Foreign Affairs, filed in 2010 a civil lawsuit against *Athens Review of Books* (ARB) for defamation. He asked for 250,000 Euros in compensation for a comment in a published letter claiming that he had been a member of the communist party; calling him a “Gauleiter of Stalinism”.

In 2015, the court awarded him 22,000 Euros. The ARB appealed to the Supreme Court, where the verdict was upheld. Consequently, ARB has appealed to the European Court of Human Rights and printed in the *New York Review of Books*, an open letter dated 21 March 2019 to Jean-Claude Juncker, President of the European Commission, and Donald Tusk, President of the European Council. The letter was written by scholars including Kwame A Appiah, Harold Bloom, JM Coetzee, Linda Colley and Jeffrey Eugenides, and stated that because of the Greek law on defamation, politicians can file lawsuits against the press and sue them for large sums of money.<sup>70</sup>

<sup>68</sup> Greek constitution, Article 14 (Freedom of the press), <https://www.hellenicparliament.gr/Vouli-ton-Ellinon/To-Politevma/Syntagma/article-14/>, (accessed 3.2.2020).

<sup>69</sup> Lawspot, Law 4596/2019, <https://www.lawspot.gr/nomikes-plierofories/nomothesia/nomos-4596-2019>, (accessed 3.2.2020).

<sup>70</sup> <http://www.ekathimerini.com/238213/article/ekathimerini/news/scholars-seek-eu-action-over-kotzias-persecution-of-athens-review-of-books>

## Hungary



- Attacks on democratic institutions
- Interference in cultural institutions
- Nearly all school books are state-published
- Freedom House Global Freedom Status: 70/100
- Reporters Without Borders: 89/180

Hungary's status declined from 'free' to 'partly free' on the Freedom House Index 2020. This is due to "sustained attacks on the country's democratic institutions by Prime Minister Viktor Orbán's Fidesz party, which has used its parliamentary supermajority to impose restrictions on or assert control over the opposition, the media, religious groups, academia, NGOs, the courts, asylum seekers, and the private sector since 2010."<sup>71</sup>

The recent Freemuse report, launched 21 January 2020, states that the "Hungarian government rhetoric, interference in cultural institutions and the presence of right-wing press all serve to overshadow and contradict Hungary's constitutional protection of artistic freedom."<sup>72</sup> After taking office in 2010, Prime Minister Viktor Orbán rewrote Hungary's constitution, with a series of proclamations that serve to "underline Hungary as a Christian state, [uphold] the importance of nationhood and religious values and of 'promoting and safeguarding' Hungarian culture."<sup>73</sup> "The Hungarian Academy of Arts benefited from the same favouritism, securing it a large amount of government funding. Coincidentally, many arts institutions have been taken over by leaders appointed by the government.

Whilst Freemuse reports on cancelled opera shows and art exhibitions, the main concern of IPA is the state interventions on educational textbooks. In an interview in June 2019 Dr Ildikó Török of Mozaik Education explained:

"At its current state, we can no longer speak of a Hungarian market for textbooks in the traditional sense of the word. In the 5 years following the legislative changes of 2014, save for a few special cases, private publishers' general education subject textbook licenses have expired, and nearly all books ordered by elementary and secondary schools are now state published. The only exceptions to this are foreign language books (i.e. for language learning), where there are a couple of hundred books with valid permits, most of which are publications from companies based outside the country. The state introduced free textbook supplies in 2013. In 2019, grades 1-9 receive their books free of charge (in reality, loaned from the school library), and the government has recently announced that this will be extended to all 12 grades, starting from the upcoming academic year. Schools are only allowed to order the publications listed in the official textbook register from the state. Books can only be added to the register if they have been approved by the state. However, getting accredited is only possible for state-owned publishers."<sup>74</sup>

<sup>71</sup> Freedom in the World 2019, Hungary, <https://freedomhouse.org/country/hungary/freedom-world/2019>, (accessed 3.2.2020).

<sup>72</sup> Freemuse: Security, Creativity, Tolerance and their Co-existence: The New European Agenda on Freedom of Artistic Expression, p 44, <https://freemuse.org/news/the-security-creativity-tolerance-and-their-co-existence-the-new-european-agenda-on-freedom-of-artistic-expression/>, (accessed 3.2.2020).

<sup>73</sup> Ibid.

<sup>74</sup> IPA, Educational publishing in Hungary, <https://www.internationalpublishers.org/news/866-educational-publishing-in-hungary-an-interview-with-dr-ildiko-toeroek>, (accessed 3.2.2020).

In the beginning of February 2020 Viktor Orbán's nationalist government published its new National Basic Curriculum (NAT) for literature. In the new list Imre Kertész, an Auschwitz survivor, who in 2002 became the first Hungarian to receive the Nobel Prize for literature, was no longer on the "required" reading list. He had been replaced by other classic mid-20th century Hungarian authors, writing "ideological novels that glorify mythical ideas of Hungarianness, and present Hungary as a victim of Western powers after the Great War"<sup>75</sup>. This provoked negative responses in the press and in academic circles, claiming that these books will be a turn-off for the students, and not sparking a literary interest.

"The official line was that it was time to modernise the copious and often dull material that Hungarian students have to plough through during 12 years of studies", according to Balkan Insight Reporting Democracy, who state that "The government was also clear that it wanted to make the curriculum 'more patriotic'"<sup>76</sup>.

This confirms the governmental ideological influence on the curriculum, illustrating an alarming political trend, which must be watched carefully.

---

<sup>75</sup> Tablet, Laureate Imre Kertész is dumped from the Hungarian curriculum, [https://www.tabletmag.com/jewish-arts-and-culture/299208/holocaust-hungary-viktor-orban?fbclid=IwAR1bxTN1L\\_zGKhpQ7OeqE\\_4ZKOWjNffFz4vKel1bZc6kHRWv-ItSE8swWE](https://www.tabletmag.com/jewish-arts-and-culture/299208/holocaust-hungary-viktor-orban?fbclid=IwAR1bxTN1L_zGKhpQ7OeqE_4ZKOWjNffFz4vKel1bZc6kHRWv-ItSE8swWE), (accessed 4.3.2020).

<sup>76</sup> Balkan Insight, Reporting Democracy, Democracy Digest: Hungary's curriculum crusade, <https://balkaninsight.com/2020/02/07/democracy-digest-hungarys-curriculum-crusade/>, (accessed 4.3.2020).

## India



- Publisher arrested for displaying and selling a book on state government corruption
  - Freedom House Global Freedom Status: 71/100
  - Reporters Without Borders: 142/180

During the 43rd Annual Book Fair in Chennai, organised by the Book Sellers and Publishers Association (BAPASI) in January 2020, writers boycotted events over the arrest of a publisher, Makkal Seithi Maiyam, for selling books reportedly exposing corruption in the Indian government. On 11 January a publisher and journalist were arrested by city police for displaying, at the fair, a book about the government's alleged corrupt activities.<sup>77, 78</sup>

This incident suggests that we should closely follow developments in India. According to Reporters Without Borders, criminal prosecutions are “often used to gag journalists critical of the authorities, with some prosecutors invoking Section 124a of the penal code, under which ‘sedition’ is punishable by life imprisonment. The mere threat of such a prosecution encourages self-censorship.”<sup>79</sup> At the same time, Freedom House claims that “authorities have used security, defamation, and hate speech laws, as well as contempt-of-court charges, to curb critical voices in the media.”<sup>80</sup> The score on journalistic freedom has declined by 1 point since 2017.

<sup>77</sup> NewsClick, Controversies Mar Chennai Book Fair, <https://www.newsclick.in/TN-War-Words-Among-Allies-Book-Fair-Controversies-Auction-Hydrocarbon-Exploration>, (accessed 4.2.2020).

<sup>78</sup> NewsClick, Journalist Arrested in Chennai for Selling Book Criticising Government, <https://www.newsclick.in/Journalist-Arrested-Chennai-Selling-Book-Criticising-Government>, (accessed 4.2.2020).

<sup>79</sup> Reporters without borders, India, <https://rsf.org/en/india>, (accessed 4.2.2020)

<sup>80</sup> Freedom House, India, <https://freedomhouse.org/country/india/freedom-world/2019>, (accessed 4.2.2020).

## Italy



- Proposals for changes to defamation law
- Freedom House Global Freedom Status: 89/100
- Reporters Without Borders: 41/180

In Italy, freedom of expression and of the press is secured by article 21 of the Constitutional Law, which states that “Anyone has the right to freely express their thoughts in speech, writing, or any other form of communication. The press may not be subjected to any authorisation or censorship<sup>[81]</sup>.” Article 21 further states that “Publications, performances, and other exhibits offensive to public morality shall be prohibited. Measures of preventive and repressive measure against such violations shall be established by law.”

Italy has defamation and libel laws, disposed by the Press law article 8 and 13 of n. 47/1948 and by Penal Code of 1939. In the case of defamation committed by the press, the penalty can be imprisonment or fines.

When it comes to publishing books, under penal law the publisher is called to respond only if the author is unknown or not punishable; under civil law the publisher is jointly responsible together with the author.

Even though the judiciary attitude towards freedom to publish is respectful and trials are managed correctly, there have been cases where publishers involved in defamation trials had to sustain very high legal costs, even if they won the lawsuit. Indeed, according to some general principles of the national legal framework and depending on judges’ case-by-case evaluation, a party involved in a trial may be asked to support its part of legal costs even in case of victory. Such costs can be very high, also because of the length of the trial.

Proposals for changing the defamation law are currently under discussion in the Italian Parliament. In order to reduce the number of cases like those described above and to discourage unfounded defamation lawsuits and requests for damages, a proposal supported by AIE (Italian Publishers Association) is to introduce appropriate sanctions for the claimant, proportional to the amount of the damages requested, to be applied in those cases where the claimant is found to have undertaken reckless legal actions against the author or the publisher.

---

<sup>81</sup> Constitution of the Italian Republic, [http://www.senato.it/application/xmanager/projects/leg18/file/repository/relazioni/libreria/novita/XVII/COST\\_INGLESE.pdf](http://www.senato.it/application/xmanager/projects/leg18/file/repository/relazioni/libreria/novita/XVII/COST_INGLESE.pdf)

## Lebanon



- Criminal defamation
  - Freedom House Global Freedom Status: 44/100
  - Reporters Without Borders: 102/180

In Lebanon, legal censorship by security authorities is a condition of publishing a book. Defamation is criminalised under general criminal law. Unfortunately, according to Human Rights Watch, these laws are being increasingly misused by the state.<sup>82</sup>

However, their publishing association is not aware of any harassment regarding publisher's freedom to publish, neither have they experienced challenges, bans, or punishments in relation to publishing books.

Over the last three years, the impression given is that the freedom to publish in Lebanon has improved.

---

<sup>82</sup> There Is a Price to Pay. The Criminalization of Peaceful Speech in Lebanon, <https://www.hrw.org/report/2019/11/15/there-price-pay/criminalization-peaceful-speech-lebanon>, (accessed 4.2.2020).

## Mexico



- Strong defamation and libel laws
  - Organised crime (and related activities) and attacks on journalists and media workers is a continued threat to the freedom to publish and freedom of expression as a whole.
- Freedom House Global Freedom Status: 62/100  
→ Reporters Without Borders: 143/180

Freedom of expression is enshrined in the Mexican constitution of 1857. The first paragraph in Article 7 states that no law or authority can carry out prior restraint, censorship or otherwise limit the freedom to publish. The prohibition of censorship does not mean that there are no limitations to freedom of expression or that legislators cannot pass regulations on how to exercise the freedom.

A report published May 6th 2019, describes freedom of expression in Mexico as a “shrinking space”. According to an NGO specialising in freedom of expression, worldwide, Mexico is one of the countries where journalists suffer the greatest number of attacks thus eroding the right of people to be informed, and democracy itself. According to Article 19, “from 2009 to 2017, 2,765 attacks against the press were registered, most of them from public officials.”<sup>83</sup>

Freedom House’s index defines Mexico as ‘partly free’, and Reporters Without Borders ranks the country 143 out of 180. However, Mexico has improved its score by four points from 2018 to 2020. Although no violations or incidents are reported from The National Chamber of the Mexican Publishing Industry (CANIEM), the freedom to publish is severely challenged by organised crime and attacks on journalists and the media.

There is no defamation law at the federal level, but local laws and defamation laws override freedom of expression in several Mexican states. Defamation is a criminal offence, and sentences vary from three days to five years in prison.

The Law on Printing Crimes, in place for more than a century, was reformed in 2015. It establishes limits and sanctions to different acts and manifestations in printed publications if they represent an attack on morality or an attack on order or public peace.

<sup>83</sup> EL Sol de Mexico, #Data, La libertad de expresión está siendo atacada en México, <https://www.elsoldemexico.com.mx/mexico/sociedad/data-la-libertad-de-expresion-esta-siendo-atacada-en-mexico-3578093.html> (accessed 4.2.2020).



## Norway



- Picture Book: *The Lemonade*. Has it got racist content?
- Freedom House Global Freedom Status: 100/100
- Reporters Without Borders: 1/180

The picture book *The Lemonade* by Hilde Henriksen (author) and Helena Ohlsson (illustrator) was originally published by Magikon publishing house in 2010. It tells the story of Nasir and his mother, who have moved to Norway from Syria, and are on the path of settling into a different culture. Nasir wishes to be accepted at school, but often feels stupid and different. Some of this is due to his mother's struggle to do the things that are considered culturally acceptable in a new country.

In September 2019 the book was reported to the Norwegian Gender Equality and Anti-Discrimination Ombudsman (LDO), by Mina Adampour, a medical doctor and social commentator. There had been a campaign on social media against the book, claiming that one page had racist content, as Nasir thinks about his mother: "Dumb, Dumb, Dumb. Dumb old mama, he thinks. Dumb old mama who doesn't know the school rules. She doesn't know that lemonade is a soft drink. She doesn't know that soft drinks are not allowed. Mama is from Syria and wears a hijab. I want a mama who wears Norwegian clothes. A mama who knows what's allowed."<sup>84</sup>

In an interview with The Norwegian Broadcasting Corporation, on 14 September 2019, the author claims that the book is clearly anti-racist. This view is supported by Dag Larsen, author and chair of the Literary Committee in Norwegian PEN. He claims in the newspaper *Klassekampen*, on 17 September, that the interpretation of the book's content as racist is far-fetched. Children's literature is under pressure from different angles, he explains, and adds that in countries like Russia and China, there is legally supported censorship. In western countries there is no formal censorship, but for instance in the USA, parents and interest groups are leading campaigns against certain books in libraries and bookstores. This is a trend that is developing also in Europe and Scandinavia, Larsen points out, in his view there is great reason to worry about this trend, with pressure groups trying to stop books from being published or read.<sup>85, 86</sup>

This view was contradicted by Adampour in the same newspaper two days later, claiming that she, with her Iranian background, is more entitled to define whether this book contains elements of racism, not native Norwegian Larsen, and that it has nothing to do with censorship to report it to the LDO and to ask for advice on the question.<sup>87</sup> Contrarily, she claimed that she was being censored and called for Norwegian publishers to use sensitivity readers to avoid similar presentations of minority women. In response, on

<sup>84</sup> Hilde Henriksen: *Sitronlimonaden*, Magikon forlag. 2010. Translated by Jeanne Eirheim.

<sup>85</sup> Dag Larsen: *Rasistisk, denne boka?*, <https://barnebokinstituttet.no/wp-content/uploads/2019/09/kk-6.jpg>. (accessed 4.2.2020).

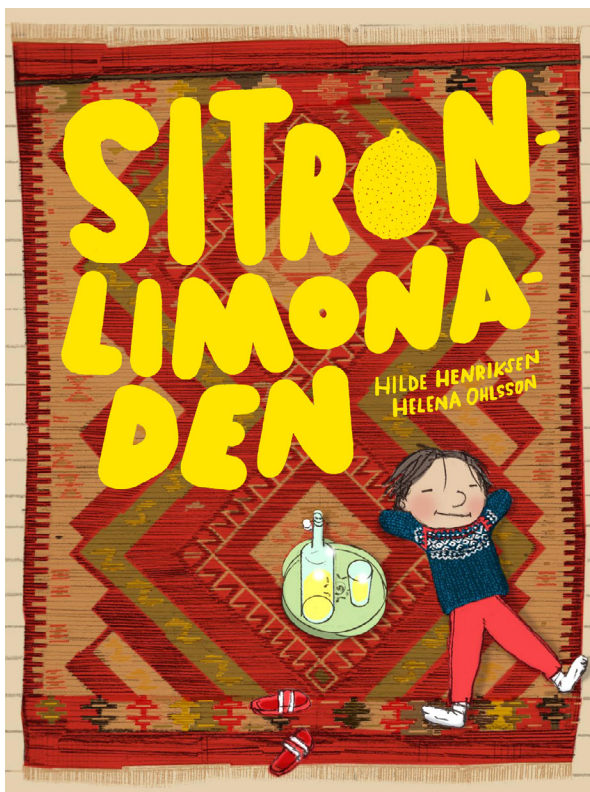
<sup>86</sup> [https://norskpen.no/nb\\_NO/2019/09/17/rasistisk-denne-boka/](https://norskpen.no/nb_NO/2019/09/17/rasistisk-denne-boka/)

<sup>87</sup> Mina Adampour, *Takk for leksjonen*, Larsen, <https://barnebokinstituttet.no/wp-content/uploads/2019/09/kk-5.jpg> (accessed 4.2.2020).

21 September,<sup>88</sup> Larsen argued that fiction for children is supposed to put the child's perspective foremost, and in this view, grown-ups are often described as strange and not very wise. Such pressure campaigns that are often trying to obtain advice from state institutions, will eventually undermine authors' and publishers' freedom of expression.

This is an interesting case which received widespread coverage in the Norwegian press. It consists of many opposing components: a young immigrant woman versus a middle aged white Norwegian man; censorship versus self-censorship; anti-racists accused of being racist and censors; state intervention in fictional literature; questions of who is entitled to define what is racist and what is not; the understanding of children's literature as a genre; literary interpretation; global trends of interest groups attempting to stop books with 'undesirable' content; and last but not least, the power of social media.

How does a case like this affect a publisher and an author who had exactly the opposite of intentions?



Source: Magikon Publishing House, published with permission

<sup>88</sup> Dag Larsen: Ikke skjønnlitteratur?, <https://barnebokinstituttet.no/wp-content/uploads/2019/09/kk-2.jpg> (accessed 4.2.2020).

## Case Interview: Absurd and surprising

Svein Størksen at Magikon Publishing House says he found the case both absurd and surprising when the book suddenly got so much attention in the media. *Sitronlimonaden* (*The Lemonade*) is an anti-racist book which has been used as a resource in work on anti-racism for more than ten years, he says, without anyone criticising it for containing racist views before.



Photo: Magikon Forlag

For me, it started when we received hate mail from a stranger calling us sickening people in a disreputable publishing house, urging us to burn all the books, he says. The following day a complaint was sent to the LDO. I replied and copied in the complainant where I explained the book and that it had been used against racism for a long time.

### **Looking at the book as a whole, it is difficult to understand the claim of racism. How did this case start?**

What it has been accused of came about through a misunderstanding of a tiny excerpt where the boy is annoyed with his mum because she doesn't understand the Norwegian codes. And wearing a hijab and being a housewife, she is different from the mums of his Norwegian friends. The boy is at an age where he dislikes standing out as different from his mates. Some of the misunderstanding can also be rooted in cultural differences when it comes to children's literature. Real life problems and delicate matters are discussed in many Norwegian books. In some other countries, parents expect children's literature to be edifying and not show any kind of difficult theme.

### **How did this become such a big thing?**

Some people genuinely misunderstood, that's OK, we can listen to them and discuss that. But then there were activists who seemed to want to polarise and use the case in a political fight. It took me a while to realise. There were also many people who criticised the book without ever having read it. Luckily we have had many declarations of support from immigrant parents too, both in media and directly to us.

### **What knowledge does the author have of these topics?**

The author has worked as a teacher in adult education for immigrants. She has also written a nonfiction book containing interviews with immigrant mothers from several countries called *Double mum - on being a mum in a new country*. These women told her how their children have to relate to both their native and the Norwegian culture, and

they became an important primary source for “The Lemonade”. The book is actually voicing true experiences by immigrant women who otherwise are rarely heard in the public discourse. When activists wanted to halt the book, it was the voice of these women that risked being silenced.

**Mina Adampour claims that she only wished for the book to be reviewed by the LDO and that Norwegian Pen accuses her of being on the censorship path. Did those who defend the book ignite the accusations of censorship?**

Dag Larsen from PEN did not accuse her of censorship in the traditional form. What he said was that Adampour and her associates’ actions resembled an international campaign trend where pressure groups attempt to disturb or halt the publication and distribution of individual titles. This also puts freedom of speech and publication under pressure.

**How has the case developed?**

The case was rejected by LDO. It was not referred further. We don’t know whether the book has been removed from schools and other places. We agreed with the author to offer a digital version for free online, so that people can read it and make their own judgement. It has now been read more than 50,000 times on the website.

**What do you think of future publications on this topic?**

I still want to publish books to fight racism but it is becoming complicated. A part of the criticism was rooted in the fact that a white ethnic Norwegian author wrote about an immigrant family. I strongly object to the idea that fiction writers should only be ‘allowed’ to invent characters and stories based on their own first hand experiences. Then it would be impossible for any author to write stories with multicultural personal interactions. The arts must remain free and we need literature that reflects our multicultural society. It’s in the very nature of fiction that authors use their imagination and empathy when writing about people. I think this kind of imagination has a lot in common with the approach we all should use when meeting strangers. If we all meet each other with openness and respect instead of prejudices, if we all learn to value diversity, then we’ll be on the right track to a society without discrimination.

**Where does the author stand today?**

She says that she won’t write more books on this topic. She has been publicly shamed as racist and the case has had major consequences for her.

## Republic of Korea



- The Blacklist Scandal
  - Freedom House Global Freedom Status: 83/100
  - Reporters Without Borders: 42/180

The Constitution of the Republic of Korea guarantees freedom of expression and freedom to publish. Article 21 states that:

1. All citizens shall enjoy freedom of speech and the press, and freedom of assembly and association.
2. Licensing or censorship of speech and the press, and licensing of assembly and association shall not be recognised.
3. The standards of news service and broadcast facilities and matters necessary to ensure the functions of newspapers shall be determined by laws.
4. Neither speech nor the press shall violate the honour or rights of other persons nor undermine public morals or social ethics. Should speech or the press violate the honour or rights of other persons, claims may be made for the damage resulting therefrom.

The official laws of Korea, including the Constitution, do not include any clauses that condone censorship. However, there is a disparity between Korean legislation and what is happening in reality. Consider, for example, Article 21 (4) of the Constitution: The criminal law of Korea has clauses for defamation and libel (Articles 307-312) stating that a person who defames another by publicly alleging false facts shall be punished by imprisonment or fines. For instance, defamation through printed materials “by means of newspaper, magazine, radio, or other publication with intent to defame another, shall be punished by imprisonment or hard labour for not more than three years or by a fine not exceeding seven million won.”

### The Blacklist Scandal

Defamation and libel laws have been used to suppress freedom of expression and freedom to publish. One recent case involves the Korean Publishers Association. A brief account of the Blacklist Scandal is needed to fully understand this case.

*The Blacklist Scandal* refers to the unconstitutional crimes committed by the two previous governments, the Lee Myung-bak administration (2008-2012) and the Park Geun-hye administration (2013-2017). They abused their authority within state institutions and public organisations by mobilizing laws, policies and other official measures to silence dissenting voices. Different versions of the blacklists have been disclosed so far, containing many Korean writers, artists, publishers, and other cultural workers. By abusing power through inspection, surveillance, censorship, exclusion and discrimination against those

who were critical of the government, the authorities seriously damaged the principles of democracy, undermined freedom of expression, and suppressed the rights of writers, artists, and publishers concerned.

In early 2017, “the Candlelight Revolution”, a nation-wide peaceful civil resistance, overturned the government that implemented the blacklists. A committee for investigating the blacklists was immediately organised by a group of civilians and the new government. The committee collected and examined blacklist-related official documents, building a database of blacklisted artists and cultural workers. It was confirmed by the committee that the lists had affected a total of 9,273 entities, comprising of 342 organisations and 8,931 individuals.

The committee also confirmed that the blacklists produced serious damages of a comprehensive scale on various levels. They were used to exclude individual authors, publishers and culture or arts groups from government funding and subsidy programs. Furthermore, they were used to carry out illegal inspections and surveillance of individuals and groups, to implement censorship against cultural and artistic creation, and to destroy freedom of expression.

In June 2018, after almost a year of investigations, the committee submitted recommendations calling for the need to clarify the responsibilities of 131 officials in government offices and affiliated institutions; they demanded criminal investigation into 26 officials, and punitive actions against the remaining 105. However, the Ministry of Culture, Sports and Tourism (MCST) announced in September 2018, that it would refer only seven officials to criminal investigation and give a ‘mild caution’ to 12 others.

The Ministry’s plan aroused strong protest on the part of authors, artists, and publishers who on 3 November 2018 took to the streets. They demonstrated, marched and staged various street performances calling attention to the blacklists scandal.

On 8 November, they met Lee Yong-sun, Senior Presidential Secretary for Civil Affairs, in front of the Blue House and demanded substantial follow-up measures. Lee promised that he would convey their views and opinions to the president exactly as he had heard. On 31 December, however, MCST announced a final plan of follow-up measures, referring ten officials in the Ministry and affiliated institutions to criminal investigation, ‘cautioning’ and taking other punitive actions against the others, including just one MCST official. MCST tried to wrap up the blacklists scandal with a public apology from the Minister and other high-ranking officials.

## Work of the Korean Publishers Association

Mr Yoon, president of the Korean Publishers Association (KPA), immediately released a statement criticizing the MCST action plan, citing the names of two former high-ranking public officials who had played leading roles in implementing the blacklists. Mr Han, one of the two public officials, filed both criminal and civil lawsuits against Mr Yoon under the defamation laws of the Korean legal system. The prosecutor's office dropped the criminal charge, finding it invalid, but the civil lawsuit is still ongoing.



In a newspaper column, Mr Myung-hwan Kim, director of KPA's research institute, criticised Mr Han's lawsuits against the president of KPA, pointing out that, according to Article 310, Mr. Yoon's statement cannot be the object of legal dispute, being true and of public interest. Mr Han also filed criminal charges against Mr Kim for this newspaper contribution. He was investigated by the police and the prosecutor's office, but the charge was dropped after two months.

This is the way Mr Han, one of the accomplices for the Blacklists Scandal, misuses defamation law to attack Korean publishers' endeavours for freedom of expression and freedom to publish. The policies of the Ministry and the ethics committee of the Publication Industry Promotion Agency of Korea (KPIPA) are another serious problem for Korean publishers. In particular, the ethics committee of KPIPA, a former organ of censorship, is threatening freedom of expression. The committee justifies its own existence as being for the protection of children and juveniles, but it has the potential to restrict freedom of expression.

There has been little progress in the punishment of people involved in the blacklists scandal so far, and the endeavours for the freedom of expression of authors, artists, activists, and publishers including Korean Publishers Association is far from over.

## Russia



- Increased governmental internet control
- Strong self-censorship
- Editing of translations to pass censorship
- Growing list of forbidden topics
- Freedom House Global Freedom Status: 20/100
- Reporters Without Borders: 149/180

Rated 'not free' by Freedom House, stating that NGOs and journalists remain under severe threat in 2019, being harassed and intimidated by the police by police raids and arrests. They report that "LGBT+ residents and activists were targeted with renewed campaigns of violence and intimidation. The year began with a crackdown on a group of LGBT+ social media users in Chechnya, leading to multiple arrests and two deaths at the hands of police. In the summer, activist Yelena Grigoryeva was murdered in St Petersburg, deepening fears over an anti-LGBT+ hit list<sup>89</sup>."

Arrests of and attacks on journalists are common, and most media remains under government control, even though the Russian constitution states, "The freedom of the mass media shall be guaranteed. Censorship shall be prohibited."

RWB reports on the other hand that the situation for journalists and bloggers is hardening, and there is increased concern over the governmental determination to control the internet.<sup>90</sup>

We have no direct reports from publishers, but according to other sources, there is increasing self-censorship. LGBTQI issues are targets for censorship. Author Victoria Schwab discovered that the Russian edition of her book *Shades of Magic* had removed a queer plot without her consent. Oleg Novikov, co-owner of one of Russia's largest publishing houses, Eksmo-AST, claims that "the list of forbidden topics has lengthened in recent years, making it harder to work with content from the West."<sup>91</sup>

In the summer of 2019, author Yuval Noah Harari, faced strong criticism for changing passages in a Russian edition of his book *21 Lessons for the 21st Century*. He admitted that he had approved a censored Russian translation saying that "Russian censors would not have allowed him to publish the original text<sup>92</sup>." Facing this fact, he agreed to rewrite some parts criticising the Russian invasion of Ukraine, because of the importance he felt of the book being published in Russia.

An interview with publisher and poet Ilya Danishevsky by Masha Gessen in the Intercept (2016) gives a good overview of the complex situation in Russia,<sup>93</sup> where several topics, like LGBTQI subjects, drug abuse and diverse family topics will be hard to sell to bookstores as the publishers will be facing economic loss publishing books with this content.

<sup>89</sup> Freedom House, Russia, Key Developments, <https://freedomhouse.org/country/russia/freedom-world/2020>, (accessed 4.3.2020).

<sup>90</sup> RWB, Russia, <https://rsf.org/en/russia>, (accessed 5.3.2020).

<sup>91</sup> Publishing Perspectives, Russian Censorship Is Being Intensified; Translated Work Examined, <https://publishingperspectives.com/2017/08/censorship-in-russia-us-author-complaint/> (accessed 5.3.2020).

<sup>92</sup> The Guardian, Yuval Noah Harari admits approving censored Russian translation, <https://www.theguardian.com/books/2019/jul/26/yuval-noah-harari-admits-approving-censored-russian-translation-sapiens>, (accessed 5.3.2020).

<sup>93</sup> The Intercept, Russian purge, <https://theintercept.com/2016/02/15/putin-doesnt-need-to-censor-books-publishers-do-it-for-him/>, (accessed 5.3.2020).



## Singapore



- Unpublished exhibition catalogue due to portraits of historic events
- Freedom House Global Freedom Status: 50/100
- Reporters Without Borders: 158/180

Singapore is rated 'partly free' by Freedom House,<sup>94</sup> and rated down 7 points from 2019 by Reporters Without Borders, who state that "The Media Development Authority has the power to censor all forms of journalistic content. Defamation suits are common and may sometimes be accompanied by a charge of sedition, which is punishable by up to 21 years in prison. As a result of judicial and financial pressure from the authorities, self-censorship is widespread, including within the alternative independent media."<sup>95</sup> It is relevant to view the following case with this in mind.

A catalogue that was prepared to accompany an exhibition at the National Gallery of Singapore, entitled *Awakenings: Art in Society in Asia 1960s–1990s* and on display in Singapore June–September 2019, remains unpublished in Singapore itself. In a well-researched presentation of the art of Southeast Asia in the 1980s and 1990s, the book touches upon the well-documented repressive use of the internal security acts of Malaysia and Singapore, as well as the nuanced work of Taiwanese video artists examining the reporting of the Tiananmen incident.

The Motovun Group of International Publishers (MGIP) has raised this as a chilling development that should worry professionals engaged in museum publishing as well as the IPA Freedom to Publish Committee and at PEN International. The catalogue is a serious scholarly contribution to the field, well designed and produced. It still remains unavailable in its country of origin.

The publisher of this title is the National Gallery of Singapore, which is a member of Singapore Book Publishers Association. They made the decision not to further distribute the book, after its initial publication and distribution to stakeholders, some key libraries, and visitors to the Korean venue of the exhibition with the same title. After seeing the published catalogue, senior management of the National Gallery took the initiative to seek input and opinion from the Ministry of Community, Culture, Youth and Sports (MCCYS). After being consulted, the ministry raised objections to how some parts of the catalogue portrayed past events in Singapore and China. The Gallery proceeded to withdraw the book from circulation rather than make any changes to it.

The overarching reason for this decision is that the Singapore government has shown high sensitivity to a few specific points of interpretation of Singapore history—in particular, any events that illustrate the use of the power of detention without trial, either by the colonial government during the transitional period towards full independence after 1959, or by the government in power since independence in 1965. The general understanding

<sup>94</sup> Freedom House, Singapore, <https://freedomhouse.org/country/singapore/freedom-world/2020>, (accessed 20.5.2020).

<sup>95</sup> Reporters Without Borders, Singapore, <https://rsf.org/en/singapore>, (accessed 11.2.2020).

of the current government's position is that it will robustly defend its interpretation of these historical events. While it does not prevent publishers from publishing contrary interpretations (which they do without problem), the policy is that government resources should not be used to forward different interpretations on these key points. It was this practice that led the National Arts Council (also under the MCCYS) to withdraw its grant support for *The Art of Charlie Chan*, a bestselling graphic novel published by Epigram Books in Singapore. Although the Gallery is formally independent, the ministry is the main source of its funding.

There is ongoing concern over the state's influence on the cultural institutions it both created and supports, which often includes the appointment of the senior managers of these institutions. IPA understands this incident has raised a difficult, but useful dialogue internally at the Gallery about how to manage this process in the future.

Such decisions send signals and narrows the space for public debate on these matters. It also leaves a negative impression on the image of Singapore to publishers overseas, and undermines the industry's efforts to promote Singapore's creative and intellectual talents.

## Sweden



- Freedom House Global Freedom Status: 100/100
- Reporters Without Borders: 4/180

Freedom to print and to publish are constitutional rights, according to the Swedish constitution.

Sweden does not have a specific defamation law, but the act of defamation is a criminal offence in the Swedish Penal Code. This can work as a limitation of freedom of expression and the Swedish publishers association arranges at least one meeting a year to discuss this.

One reported challenge may be self-censorship. This might have been the case when Fredrik Virtanen, a famous and renowned Swedish journalist, in October 2017 was accused of rape in open social media posts at the start of the #MeToo movement. Following the report of an incident by a female actor in 2006 naming him, he lost his job. He decided to write about this experience, but faced problems when he approached publishers with his manuscript. The Norwegian publisher Gloria decided to publish his book in Sweden and Norway,<sup>96</sup> where it received positive reviews.

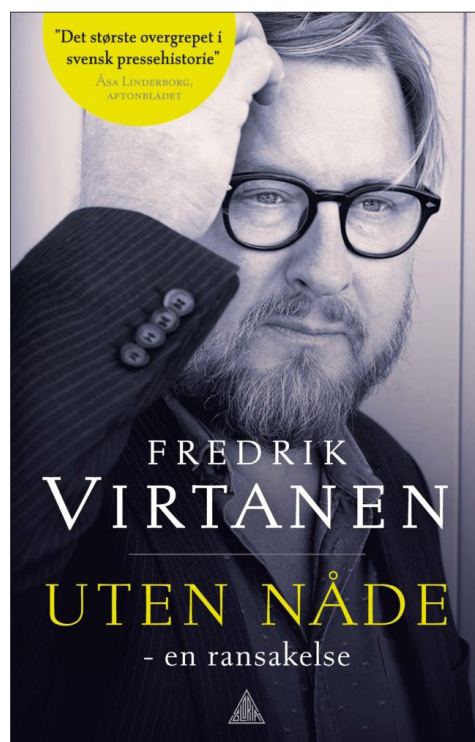


Photo: Gloria

<sup>96</sup> NRK, Ingen menneskerett å få gi ut bok, <https://www.nrk.no/kultur/norsk-forlagssjef-reagerer-pa-at-svenske-forlag-sier-nei-til-fredrik-virtanens-bok-1.14531489>, (accessed 6.3.2020).

## Thailand



- Authors face stronger limitations
- Self-censorship is increasing
- Freedom House Global Freedom Status: 32/100
- Reporters Without Borders: 140/180

After the end of the absolute monarchy in 1932 the conditions for freedom of expression and freedom to publish in Thailand have been difficult. Since then, there have been 20 constitutions. Following the latest military coup on 22 May 2014, the National Council for Peace and Order (NCPO) appointed its leader to serve as prime minister. This junta censored the broadcasting system. Since 16 July 2019, the NCPO was formally dissolved and a new cabinet sworn in.

Freedom House rates Thailand as ‘partly free.’ In their 2020 report, the country is moving up from the not free category.<sup>97</sup> The NGO points out that “the number of Lèse-Majesté (insulting the monarchy) cases has increased sharply under the NCPO.”<sup>98</sup>

In Thailand, publishers have a legal freedom to publish. Exceptions are insults to the monarchy, pornography and defamation. It is prohibited to insult or threaten the king, queen, heir or regent through the Lèse Majesté Law 112 of the Criminal Code. It is further prohibited to discuss freedom of expression in an educational institution, and it is illegal for trade associations to be involved in any political activity.

The overall view in Thailand is that authors face a stronger limitation to their freedom of expression than the publishers. Furthermore, journalists, magazine editors and bloggers have experienced harassment of some kind, including pressure from social media. Self-censorship is increasing, consciously or unconsciously.

Recent cases include:

- LGBT publishers organising a book sale around Bangkok selling a ‘Y romance’ (Y is a shortened form of a Japanese word, ‘Yayoi’, which is a female name also referring to a prehistoric period and currently trendy among young readers). They faced disapproval and harassment from the community.
- IPA has been informed of an author withdrawing a licence to a Thai publisher for the book *Fighting for Virtue: Justice and Politics in Thailand* following concerns over the Supreme Court’s heavy-handed use of the contempt of court laws. Ms Sarinee Achavanuntakul, a Thai academic, was accused of contempt of court after she wrote an article titled “Perils of Excessive Rule of Law (revisited), Case of Media Shareholding by MP candidates” for the *Krungthep Turakit* newspaper on 14 May 2019.

<sup>97</sup> Freedom House, Thailand, <https://freedomhouse.org/country/thailand/freedom-world/2020> (accessed 6.3.2020).

<sup>98</sup> Freedom House, Thailand, <https://freedomhouse.org/country/thailand/freedom-world/2019>, (accessed 20.5.2020).

## Interview: The view from Thailand - Trasvin Jittidecharak

Owner and founder of Silkworm Books,  
Thailand. Member of the Freedom to  
Publish Committee.



**What do you consider are the biggest challenges when it comes to freedom to publish today?**

The bad habit of self-censorship—the habit of accepting anything without questioning it. It’s a habit that develops from fear. Fear not only from being abused by the legal system, by the authorities, but also from being different.

**How can the publishing industry prepare to face the current threats to Freedom to publish?**

In developing countries where the rule of law and democracy are rudimentary practices, the local publishers association must keep track of the legislation and update the information to its members. It must be ready to lobby the legislators as well as attracting public attention if the state is issuing any restrictions that violate fundamental rights. As for an individual publisher, participating in the activities of their publishers association and showing solidarity is necessary.

## Turkey



- Increasing online censorship
- Censorship of children's books by the 'board for the protection of minors from obscene publications.'
- Freedom House Global Freedom Status: 32/100
- Reporters Without Borders: 154/180

In the Freedom in the World 2019 report by Freedom House, Turkey earning a place in the 'not free' category, with low scores on freedom rating, political rights and civil liberties.<sup>99</sup>

On the World Press Freedom Index, published by Reporters Without Borders (RWB), Turkey ranks three points up from the year before. According to RWB, worldwide, Turkey has the highest rate of imprisoned journalists, and the "censorship of websites and online social media has reached unprecedented levels and the authorities are now trying to bring online video services under control."<sup>100</sup>

According to Human Rights Watch's world report 2019, Turkey remained the world leader in jailing journalists.<sup>101</sup> Currently, it is estimated that 175 journalists and media workers are in pretrial detention or are serving sentences for 'terrorism offences'. Hundreds more are on trial without arrest.

The blocking of websites and removal of online content continues. Since being blocked in April 2017, Wikipedia was eventually unblocked, following a court ruling, almost three years later in January 2020.

Having followed the situation in Turkey closely, NGOs are unified in their conclusion: there is no real freedom of expression. Journalists and authors face a great risk of legal prosecution. The International Press Institute has published a comprehensive report on the current situation for journalists in Turkey.

<sup>99</sup> Freedom House, Turkey, <https://freedomhouse.org/countries/freedom-world/scores>, (accessed 6.3.2020)

<sup>100</sup> Reporters Without Borders, Turkey, <https://rsf.org/en/taxonomy/term/145>, (accessed 5.2.2020).

<sup>101</sup> Human Rights Watch, <https://www.hrw.org/world-report/2019/country-chapters/turkey>, (accessed 5.2.2020),

## Report on Freedom to Publish in Turkey

Every year since 1995, the Turkish Publishers Association (TPA) has been issuing the *Report on Freedom to Publish in Turkey*. This report “covers lawsuits, investigations regarding book contents, book recalls, censorship in prisons, schools and universities, books being counted as criminal evidence, pressure on the press and social media and recent legislative changes.”<sup>102</sup> You can download the 2018-2019 full report [here](#).

The 2019 report states that the restrictions on freedom to publish are increasing. A number of books had been recalled, there were bans on the distribution of certain books and greater limitations to the access to books in prisons. Freedom of expression is restricted in the press and on the internet generally. New legislation regulating the internet has been passed, further restricting freedom of expression.

The report lists many violations against freedom to publish. Several books have been banned, accused of containing terrorist propaganda. Artam publishing, which publishes books in Turkish and Kurdish, was raided in February 2018, and 85 books were banned and recalled. Since then, nine more books by Aram have been banned in different courts. Other books are prohibited, accused of criminal content. The book *Put Adam (Idol Man)* by an anonymous author was confiscated, and its distribution and sale was obstructed because of open insults to the memory of Turkey’s first president, Kemal Atatürk. In Bodrum, ten books and nine issues of seven different magazines have been recalled, confiscated and banned. The prevention of access to books and periodicals in prison has been on the rise. Turkey has 353 penal institutions. In 2018, according to the book *Freedom of Expression in Prisons* by Berivan E Korkut and Hilal Başak, 145 magazines were refused admission into prison, 45 newspapers were prohibited, as well as 99 books, even though there were no bans on these books elsewhere. There have been lawsuits against writers and publishers, and censorship campaigns on social media.

The findings in this report clearly confirm the statements contained in the NGO reports mentioned above.

One challenge especially addressed by the Turkish Publishers Association, is the censorship of children’s books by the board for the protection of minors from obscene publications.

On 1 October 2019, the Turkish government’s board for the protection of minors from obscene publications [ruled](#) that the bestseller *Good Night Stories for Rebel Girls* and three other books should be partially banned and treated like pornography (meaning it must be concealed from view in shops) because it could have a “detrimental influence” on young people. The same day, the Turkish Publishers Association [released](#) a statement saying the government’s decision was “a danger from the perspective of freedoms of expression and press, and a threat to the principles of a democratic society”.

---

<sup>102</sup> Turkish Publishers Association, Freedom to Publish Report, <http://turkyaybir.org.tr/en/freedom-to-publish/#.XepYsehKibg>, (accessed 5.2.2020).

## The Ahmet Altan-case

*I woke up.*

*The doorbell was ringing. I looked at the digital clock by my side, the numbers were blinking 05.42.*

*It is the police, I said.*

*Like all dissidents in this country, I went to bed expecting the ring of the doorbell at dawn.*

*I knew one day they would come for me. Now they had.*

*I had even prepared a set of clothes in an overnight bag so that I would be ready for the police raid and what would follow.*

*A pair of loose black linen trousers tied with a band inside the waist so there would be no need for a belt, black ankle socks, comfortable soft trainers, a light cotton T-shirt and a dark-coloured shirt to be worn over it.*

*I put on my raid uniform and went to the door<sup>103</sup>.*

One well known case from Turkey, is that of the imprisoned author Ahmet Altan. He was arrested after the coup in 2016, when President Erdogan started to prosecute opponents more actively. In February 2018, Altan was sentenced to lifelong imprisonment, accused of assisting a terror group. Altan has consistently maintained that he had nothing to do with the coup attempt.

In the summer of 2019, his verdict was overruled by an appeal court. Ahmet Altan was released 4 November, after spending three years in prison. However, the state attorney in Istanbul appealed the release, and he was re-detained after an arrest warrant was issued eight days later, on the 12 November.

---

<sup>103</sup> Ahmet Altan, *I will never see the world again*, Granta 2018. Translated from Turkish by Yasemin Congar.



## Interview: The view from Turkey - Filiz Kocaboğa

Public Relations Specialist of  
Turkish Publishers Association, Turkey.  
Member of the Freedom to Publish Committee.



Photo: Merve Bahtiyar

**What do you consider are the biggest challenges when it comes to freedom to publish today?**

When we look at the recent international reports regarding freedom of expression and human rights, it can be observed that governments are becoming more authoritarian and some ground has been lost in terms of freedoms. We can say that freedom to publish has been experiencing a downturn instead of improvement. When it comes to freedom to publish today, the biggest challenge is the arbitrary practice of the suppression of publishers, writers and books for political gains.

When we look at the laws and regulations regarding freedom to publish in Turkey, even though some minor improvements are needed, the real problem lies in the execution of the existing laws. For example, the law that regulates publishing in Turkey is the Press Law. However, even though article 26 of the Press Law expressly states that legal proceedings against a publication have to be started within six months of its publishing, this is disregarded. There are court cases initiated against books that were published over ten years ago. Limitations of jurisdiction defined by regulations are also disregarded in decisions of banning and recalling books. Through this practice, the sale and distribution of a lot of books are prevented, and books are recalled and banned in ways that contradict laws.

In addition to the decisions to confiscate, recall, and ban the printing, circulation and sale of books, another issue is the practice of not serving official notification of such court decisions to the publishers and copyright owners. The lack of timely official notification of court decisions exposes the publishers and writers to other rights violations. The publishers impacted the most negatively in Turkey by this practice are Avesta Publishing and Aram Publishing which have been publishing books in Kurdish and Turkish. They have learned about court decisions on their books indirectly through various legal proceedings. For example, Aram Publishing learned in 2019 that nine more of their books had been banned by court decisions in previous years, thus raising the total number of their banned books to 94. Avesta Publishing also learned this year that their book *Kürdistan Tarihi (History of Kurdistan)* was banned in 2018, but no official notification of this court decision was served. The publishing house representatives have stated that they became aware of the decision when they received an official letter from Istanbul Chief Public Prosecutor's Office demanding information regarding ten of their books including *Kürdistan Tarihi*. The publishing house is yet to receive any official notification of the court decision.

Recently, ‘lynching’ campaigns on social media targeting books, writers and publishers have been posing a serious threat to freedom to publish. There have been investigations and court cases started against publishers and writers in 2019 in Turkey due to the reactions expressed on social media. The reactions have become so threatening that a publisher’s office was attacked with sticks and stones. Moreover, these social media campaigns can sometimes get out of control and target other books. For example, people have been calling on social media for public prosecutors to ban and recall the books that they personally dislike.

These reactions and social media campaigns that can be described as “execution without due process” lead writers and publishers who are already under a lot of pressure in terms of freedom to publish to self-censorship. We are observing that practices of censorship and self-censorship have been expanding towards bookstores and libraries. Censorship and self-censorship have become some of the biggest challenges when it comes to freedom to publish today.

### **How can the publishing industry prepare to face the current threats to freedom to publish?**

The most important thing is to stand together. Firstly, publishers associations of every country have a duty to follow the developments in their country regarding the freedom of thought and expression and inform the public about the restrictions to freedom to publish. When a publisher encounters any kind of restriction to its publishing activities, they should have easy access to the publishers association in their country. They should not have to deal with these difficulties on their own. Press statements and expressions of solidarity from professional associations can have an influence in such cases. I think it is important to form public opinion and to take advantage of its power. By doing this, many book bans can be lifted, and a lot of publishers and writers can be saved from receiving punishment.

Moreover, publishers associations should also lead the way for their members. Associations should hold meetings with their members to inform them about laws, censorship and self-censorship. They should organise panels and conferences to draw the attention of opinion leaders and intellectuals to the issue of freedom to publish.

It is also essential to take an active role in the creation and implementation of the laws regarding freedom to publish. Publishers associations should act in collaboration with other NGOs advocating for civil rights in order to have a guiding role in the discussions on the freedom of thought and expression. Otherwise, freedoms and rights that have been attained through arduous efforts can easily be replaced by oppressive and prohibitory laws and practices.

Lastly, I would like to add that it is crucial to give moral support to writers and publishers who receive punishment, are pressured or who are robbed of their rights for their publishing activities or for having expressed their opinion. This can be done in several ways. One

of these ways is to honour them by giving them awards. Thanks to these awards, the criminalization and the pressure they experience can be invalidated. Or, giving an award to a banned book can accord it legitimacy in the public eye, and you can thus actively participate in the execution and jurisdiction processes.

Accordingly, Turkish Publishers Association has been giving the Freedom of Thought and Expression Award every year since 1995 in order to send the message to writers and publishers who have been fighting for the freedom of thought and expression that we are on their side in their rightful struggle, and to draw public attention to their struggle. Similarly, the Prix Voltaire that IPA awards annually and the press statements it makes, helps publishers to put international pressure on governments. As I said at the beginning, we can face the current threats to freedom to publish effectively by standing together and showing solidarity.

### **Do you have any special cases that you are working for, or that you engage in?**

There is no court case that the publishers association is engaged in right now. However, Turkish Publishers Association has been publishing the Report on Freedom to Publish annually since 1995. Our annual reports include investigations and trials of publishers, writers, translators, and printing presses due to the contents of their books; court decisions banning and recalling books; de facto censorship exercised on publications; restrictions experienced during different stages such as editing, distribution, and publicity; prevention of access to publications in prisons, schools and universities as well as banning reading and writing activities all together; pressures from the media and the internet; and the changes in the related legislation, international reports and the rulings of the European Court of Human Rights (ECHR). To sum up, we are closely following incidences and court cases related to the freedom to publish and offer our support through our press statements.

This year, one of the biggest occurrences in terms of freedom to publish in Turkey was the decision of the Board for the Protection of Minors from Obscene Publications to ban four children's books. The Obscenity Board is responsible for many debated decisions throughout its history in Turkey. Even some world classics have been banned by the decision of the Obscenity Board.

Previously operating under the Prime Minister's Office, the constitution of the Board for the Protection of Minors from Obscene Publications was revised by the Statutory Decree of July 9 2018, and it was moved under the Ministry of Work, Social Policies and Family. Now, the Board is formed by 5 members (one of them being the chair) who are appointed by the Ministry of Work, Social Policies and Family from among the ministry's department directors. On September 27 2019, the Board decided, without providing specific evidence, that Elisabeth Brami's *Erkek Çocuk Hakları Bildirgesi (Declaration of the Rights of Boys)* and *Kız Çocuk Hakları Bildirgesi (Declaration of the Rights of Girls)* published by Yapı Kredi Publishing; Francesca Cavallo and Elena Favilli's *Asi Kızlara Uykudan Önce Hikâyeler Olağanüstü 100 Hikaye (100 Extraordinary Stories for Rebel*

*Girls*) published by Hep Kitap; and *Sünnetçi Kız (The Circumciser Girl)* published by Cinius Publishing, contained content that “would have detrimental impact on the morals of those under 18.” According to the decision of the board, as it appeared in the official gazette on September 27, 2019, these four ‘obscene books’ can only be sold to adults packaged in a non-transparent bag or envelope with only the title of the book and the statement “detrimental to children” present on the packaging.

As soon as this decision was made public, the publishers association released a press statement condemning it and we created public opinion. Some of the publishers have chosen to appeal these decisions. We are following these ongoing cases. The publishers association is determined to do everything it can once the cases are finalised in order to overturn these decisions.

There are other ongoing court cases of banned and recalled books. There are also court cases in which the publishers are accused of terrorist propaganda. We keep in contact with lawyers, publishers and writers. Through our annual reports on freedom to publish, monthly bulletins, press statements, and our annual Freedom of Thought and Expression Awards, we try to give the best support we can to our publishers and writers.

## United Arab Emirates



- Limitations for freedom to publish
- Positive development according to publishers
- Important focus on freedom to publish at fairs and seminars
- Freedom House Global Freedom Status: 17/100
- Reporters Without Borders: 131/180

Freedom of speech is enshrined in the United Arab Emirates (UAE) constitution. However, the government uses its judicial, legislative and executive powers to limit this right. The Federal Law No. 15/1980 for Printed Matter and Publications regulates all aspects of the media. This law is considered one of the most restrictive press laws in the Arab world. It allows the state to censor domestic and foreign publications prior to distribution. Criticism of the government is prohibited, as well as criticism of the UAE rulers and ruling families and friendly foreign governments. Violations of the law can result in fines and prison sentences. Defamation is a criminal offence, and journalists can be prosecuted under articles of the penal code and a cybercrime law that was tightened through a presidential decree in 2012. According to Freedom House, “Article 28 of the law states that the publication or dissemination of information, news, or images deemed ‘liable to endanger security and its higher interests or infringe on the public order’ can be punished with imprisonment and a fine of up to 1 million dirhams (\$270,000).” Under Article 29, “deriding or harming the reputation, stature, or status of the state, any of its institutions, its president or vice president, the rulers of the emirates, their crown princes or their deputies,” as well as a number of national symbols, is also punishable with imprisonment and a fine of the same amount. Article 41 allows the government to close websites related to the commission of these crimes.”<sup>104</sup>

Publishers in the UAE must apply for ISBN numbers and gain formal approval by the Ministry of Culture and Development Knowledge before a book can be published. In addition to this, there are approval processes for printing, distribution and the sale of books.<sup>105</sup>

In the IPA survey on freedom to publish, the 27 UAE respondents underline the constitutional right to freedom of expression. At the same time, some of them say that there are other laws restricting this freedom, stressing the religious and political aspects of these restrictions.

However, the majority report that there have been positive developments and that laws are becoming more flexible. According to several respondents, the Emirates Publishers Association has contributed to this development and is working actively for this through seminars addressing concerns over freedom to publish. There are no examples to confirm these positive developments, neither have we received examples of state violations against publishers or writers. The respondents are unwilling to go into questions about

<sup>104</sup> Freedom House, UAE <https://freedomhouse.org/country/united-arab-emirates/freedom-world/2020>, (accessed 22.5.2020).

<sup>105</sup> Emirates Publishers Association, How to publish a book, <https://www.epa.org.ae/How-to-publish-a-book.aspx>, (accessed 9.12.2019).

self-censorship and restrictions for publishers. Most of them admit, however, that they as publishers are restricting themselves according to the principle of responsibility when it comes to what they chose to publish. No respondents are reporting experiences of harassment. Several answers stress the importance of local book fairs in the Arab world with a focus on freedom to publish, and others claim that the UAE is one of the better Arab states when it comes to freedom of expression and freedom to publish.

Just before the Hay Festival Abu Dhabi 25-18 February 2020 in the UAE, a substantial list of signatories, including Stephen Fry, Noam Chomsky, IPA and more than 40 NGOs, signed an open letter to the Emirati authorities, urging them to demonstrate respect for the right to freedom of expression by freeing all imprisoned human rights defenders.<sup>106</sup> The letter addresses the paradox that Emirati leaders are promoting a platform for freedom of expression, whilst imprisoning Emirati citizens for using this freedom.

The signatories also demand better treatment of the prisoners, claiming that the UAE authorities are violating the absolute prohibition of torture and ill-treatment under international law. The letter points out that “The Hay Festival Abu Dhabi is supported by the UAE’s Ministry of Tolerance, in a country that does not tolerate dissenting voices,” and calls for the authorities to use this opportunity to release prisoners and address the human rights violations in UAE. IPA will monitor the situation closely.

---

<sup>106</sup> IPA, UAE. Freedom of expression must be upheld at all times, not only tolerated during Hay Festival Abu Dhabi, <https://www.internationalpublishers.org/news/949-uae-freedom-of-expression-must-be-upheld-at-all-times-not-only-tolerated-during-hay-festival-abu-dhabi> (accessed 25.2.2020).

## USA



- Declining press freedom
- Challenged books and book burning
- LGBTQIA+ topics are targets of censorship
- Freedom House Global Freedom Status: 86/100
- Reporters Without Borders: 45/180

The USA is rated ‘free’ by Freedom House 2019, however, “in recent years its democratic institutions have suffered erosion, as reflected in partisan manipulation of the electoral process, bias and dysfunction in the criminal justice system, flawed new policies on immigration and asylum seekers, and growing disparities in wealth, economic opportunity, and political influence.”<sup>107</sup>

Reporters Without Borders (RWB) give the USA a rank of 45 out of 180 on their Press Freedom Index, up from place 48 in 2019. The report states that press freedom continues to suffer during President Donald Trump, and the hostility toward the press persists.<sup>108</sup>

The Freemuse Report 2019 is concerned that “70 percent of the violations of artistic freedom documented by Freemuse in the USA in 2018 involved censorship.”<sup>109</sup> They state that although the fundamental right to freedom of expression is protected by the First Amendment of the American constitution, “... art perceived as particularly controversial and provocative has continued to be under threat in 2018.”<sup>110</sup> The report names examples of political artwork being rejected at exhibitions, and artwork focusing on LGBTQI themes being censored in films and books.

In the USA, free speech is viewed as a fundamental right, secured by the First Amendment of the US Constitution. Freedom of speech and expression is protected against government interference. The First Amendment states that “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.”<sup>111</sup> The actual space for the freedom to publish turns out to be narrower than the legislation would indicate.

During the Freedom to Publish Open Meeting at the Frankfurt Book Fair in 2019, it was pointed out that freedom of expression is strong in the US, with books by Edward Snowden and an unvetted memoir by a CIA officer being published. However, the current president has a powerbase built on an anti-media platform, including publishers, which is divisive. In addition to that, President Trump threatened action against two books in 2018. In both these cases, IPA backed the publishers Macmillan and Simon and Schuster. Similarly, in January 2020, the president threatened former national security adviser John Bolton and Simon & Schuster, the publisher of his book *The room where it happened* (March 2020), demanding the withdrawal of the book, claiming it contained classified material.

<sup>107</sup> Freedom House, USA, <https://freedomhouse.org/country/united-states/freedom-world/2020>, (accessed 25.5.2020).

<sup>108</sup> Reporters Without Borders, USA, <https://rsf.org/en/united-states>, (accessed 5.2.2020).

<sup>109</sup> USA, [https://freemuse.org/resources/item/the-state-of-artistic-freedom-2019/p\\_114](https://freemuse.org/resources/item/the-state-of-artistic-freedom-2019/p_114), (accessed 5.2.2020).

<sup>110</sup> USA, [https://freemuse.org/resources/item/the-state-of-artistic-freedom-2019/p\\_114](https://freemuse.org/resources/item/the-state-of-artistic-freedom-2019/p_114), (accessed 5.2.2020).

<sup>111</sup> Cornell Law School, First Amendment, [https://www.law.cornell.edu/constitution/first\\_amendment](https://www.law.cornell.edu/constitution/first_amendment), (accessed 5.2.2020).

The book was released June 20 2020, a few days after the Trump administration tried to block the release, claiming it has breached non-disclosure agreements the author had signed as National Security Advisor for president Trump.

The Association of American Publishers (AAP) has a Freedom to Publish Committee. This committee defends and promotes the freedom of written communication worldwide, and participates in a coalition that monitors, and addresses as appropriate, First Amendment issues.<sup>112</sup> AAP also gives out the Jeri Laber Award for freedom to publish each year. Previous laureates include Tutul, Gui Minhai and Azadeh Parsapour.

## Georgia Book Burning

On the 9 October 2019, Jennine Capó Crucet, an English professor at the University of Nebraska at Lincoln, was invited to the Georgia Southern University to talk about her 2015 book *Making Your Home Among Strangers*, addressing the issue of diversity and her experiences as a student with a Latino background. During and after the reading and talk, a number of white students challenged Crucet's 'authority' to write on issues of white privilege, which is a major theme in the novel, and accused the author of 'racism' against white people.<sup>113</sup> After a heated debate, some students later that night gathered on campus to burn their copies of the book. Several also gathered outside her hotel, and she had to leave due to security reasons.

The University later made an official statement that said: "While it's within the students' First Amendment rights, book burning does not align with Georgia Southern's values nor does it encourage the civil discourse and debate of ideas."<sup>114</sup>

The Association of University Presses issued a statement on 16 October, that condemned the book burning incident. Whilst agreeing with the statement from the University that it is within the students' First Amendment right to free expression to burn the book, they argued this act was wrong, dangerous and terrifying: "It is the actions in the aftermath of that event—where ideas were exchanged freely, if contentiously—that we condemn. Video has been shared of students gathering to burn copies of Crucet's book. Furthering the implicit threat in that act, people also gathered in front of the hotel where the university was hosting the author, forcing a change in accommodations to prevent violence."<sup>115</sup> Heinrich Heine's words from 1823 ends the statement: "Where they have burned books, they will end in burning people."

## Challenged books

The American Library Association's (ALA) Office for Intellectual Freedom (OIF) receives reports from libraries, schools, and the media on attempts to ban books in communities across the country. They compile lists of challenged books in order to inform the public about censorship efforts that affect libraries and schools. Every year, they compile a top ten list of challenged books, a list based on information from media stories and voluntary reports sent from US communities.

<sup>112</sup> American Association of Publishers, <https://publishers.org/aap-programs/>, (accessed 25.5. 2020).

<sup>113</sup> Publishers Weekly, Georgia Southern University Book Burning Condemned by AUPresses, <https://www.publishersweekly.com/pw/by-topic/industry-news/publisher-news/article/81478-georgia-southern-university-book-burning-condemned-by-aupresses.html>, (accessed 5.2.2020).

<sup>114</sup> <https://www.washingtonpost.com/education/2019/10/11/latina-novelist-spoke-about-white-privilege-students-burned-her-book-response/>, (accessed 9.6.2020).

<sup>115</sup> AUPresses; AUPresses Condemns Book Burning incident, <https://aupresses.org/news/aupresses-condemns-book-burning-incident/>, (accessed 5.2.2020).



OIF tracked 347 challenges to library, school and university materials and services in 2018. In ALA’s State of American Libraries report 2019,<sup>116</sup> the challenged subjects are addressed as follows:

“...most challenges to library resources in 2018 focused on materials and programs addressing issues of concern to those in the lesbian, gay, bisexual, transgender, queer, intersex, asexual, and related (LGBTQIA+) communities, most notably drag queen story hours and books affirming transgender youth, like Alex Gino’s *George*. Also challenged were materials that candidly portray the injustices and inequality experienced by persons of colour, such as Angie Thomas’s *The Hate U Give*.”<sup>117</sup>

The list of challenged books in 2019 gives the same impression, with LGBTQIA+ as the most challenged topic, followed by political viewpoint, racist content and witchcraft.<sup>118</sup>



Source: ALA

The challenges take place in public libraries, school libraries and schools, representing 97 percent of the 377 registered challenges. A total of 607 materials, including books, films and newspapers, were registered, an increase of 14 percent over the previous year. A challenge is defined as an attempt to remove or restrict materials or services based on content, while a ban is removal of materials or cancellation of services based on content.<sup>119</sup>

<sup>116</sup> American Library Association. *The State of America’s Libraries 2019: A Report from the American Library Association*. Kathy S. Rosa, ed. 2019. <http://www.ala.org/news/state-americas-libraries-report-2019>, (accessed 5.2.2020).

<sup>117</sup> American Library Association. *The State of America’s Libraries 2019: A Report from the American Library Association*. Kathy S. Rosa, ed. 2019. <http://www.ala.org/news/state-americas-libraries-report-2019>, p 15, (accessed 5.2.2020).

<sup>118</sup> <http://www.ala.org/advocacy/bbooks/frequentlychallengedbooks/top10>, (accessed 3.6.2020).

<sup>119</sup> Free infographic downloads: <http://www.ala.org/advocacy/bbooks/bannedbooksweek/ideasandresources/freedownloads>

# TOP 10 CHALLENGED BOOKS OF 2019



The American Library Association tracked **377 challenges** to library, school, and university materials and services in 2019. Overall, 566 books were targeted. Here are the “Top 10 Most Challenged Books in 2019,” along with the reasons cited for censoring the books:



**1 | *George* by Alex Gino**  
Challenged, banned, restricted, and hidden to avoid controversy; for LGBTQIA+ content and a transgender character; because schools and libraries should not “put books in a child’s hand that require discussion”; for sexual references; and for conflicting with a religious viewpoint and “traditional family structure”



**2 | *Beyond Magenta: Transgender Teens Speak Out* by Susan Kuklin**  
Challenged for LGBTQIA+ content, for “its effect on any young people who would read it,” and for concerns that it was sexually explicit and biased



**3 | *A Day in the Life of Marlon Bundo* by Jill Twiss, illustrated by EG Keller**  
Challenged and vandalized for LGBTQIA+ content and political viewpoints, for concerns that it is “designed to pollute the morals of its readers,” and for not including a content warning



**4 | *Sex is a Funny Word* by Cory Silverberg, illustrated by Fiona Smyth**  
Challenged, banned, and relocated for LGBTQIA+ content; for discussing gender identity and sex education; and for concerns that the title and illustrations were “inappropriate”



**5 | *Prince & Knight* by Daniel Haack, illustrated by Stevie Lewis**  
Challenged and restricted for featuring a gay marriage and LGBTQIA+ content; for being “a deliberate attempt to indoctrinate young children” with the potential to cause confusion, curiosity, and gender dysphoria; and for conflicting with a religious viewpoint



**6 | *I Am Jazz* by Jessica Herthel and Jazz Jennings, illustrated by Shelagh McNicholas**  
Challenged and relocated for LGBTQIA+ content, for a transgender character, and for confronting a topic that is “sensitive, controversial, and politically charged”



**7 | *The Handmaid's Tale* by Margaret Atwood**  
Banned and challenged for profanity and for “vulgarity and sexual overtones”



**8 | *Drama* written and illustrated by Raina Telgemeier**  
Challenged for LGBTQIA+ content and for concerns that it goes against “family values/morals”



**9 | *Harry Potter series* by J. K. Rowling**  
Banned and forbidden from discussion for referring to magic and witchcraft, for containing actual curses and spells, and for characters that use “nefarious means” to attain goals



**10 | *And Tango Makes Three* by Peter Parnell and Justin Richardson, illustrated by Henry Cole**  
Challenged and relocated for LGBTQIA+ content

## The Parental Oversight of Public Libraries Act<sup>120</sup>

On 15 January 2020, PEN America issued a press release showing concern over a bill recently proposed in Missouri which was seen as an attempt to legalise book banning in public libraries within the state:<sup>121</sup>

“The bill — the Parental Oversight of Public Libraries Act or House Bill 2044 — aims to add several provisions to the state’s funding law for public libraries,” PEN America states. “These new provisions establish ‘parental library review boards’ that would evaluate whether any library materials constitute ‘age-inappropriate sexual material’. Representatives of these five-member boards, who would be elected at a town meeting by a simple majority of voters, are empowered to determine whether material is appropriate, including by evaluating its literary merit.”

As a consequence of this bill, librarians could be imprisoned for granting minors access to books banned by these boards.

“This is a shockingly transparent attempt to legalise book banning in the state of Missouri,” said James Tager, deputy director of Free Expression Research and Policy at PEN America. “This act is clearly aimed at empowering small groups of parents to appoint themselves as censors over their state’s public libraries. Books wrestling with sexual themes, books uplifting LGBTQIA+ characters, books addressing issues such as sexual assault—all of these books are potentially on the chopping block if this bill is passed<sup>122</sup>.”

At the time of printing, this bill is not passed. However, it is indicative of tendencies in the US which give cause for concern. This is why IPA should follow the situation closely in the future.

---

<sup>120</sup> New York Times: Librarians Could Face Charges for ‘Age Inappropriate Material’ Under Proposal, <https://www.nytimes.com/2020/02/03/us/missouri-libraries-sexual-books.html>, (accessed 7.2.2020).

<sup>121</sup> PEN America, Proposed Book Banning Bill In Missouri Could Imprison Librarians,

<sup>122</sup> PEN America, Proposed Book Banning Bill in Missouri Could Imprison Librarians, [https://pen.org/press-release/proposed-book-banning-bill-in-missouri-could-imprison-librarians/?fbclid=IwAR3unF7m98n3OXrb8tcrxaTBF\\_ma9XrhYoA2h-B-19FUFFoAw2xHqYi\\_2Sk](https://pen.org/press-release/proposed-book-banning-bill-in-missouri-could-imprison-librarians/?fbclid=IwAR3unF7m98n3OXrb8tcrxaTBF_ma9XrhYoA2h-B-19FUFFoAw2xHqYi_2Sk), (accessed 7.2.2020).

## Vietnam



- Harassment of independent publisher, Liberal Publishing House
- Author/journalist injured during interrogations
- Bloggers and citizen-journalists face state violence
- Freedom House Global Freedom Status: 20/100
- Reporters Without Borders: 175/180

On 27 November 2019, Human Rights Watch (HRW) and Amnesty International (AI) made a statement asking the Vietnamese government to stop intimidation and harassment of the independent publishing house Liberal Publishing House.<sup>123</sup> The statement calls for Vietnamese authorities to immediately end the crackdown on the publishing house, where “dozens of people have been harassed and intimidated by the police across the country, and at least one person has reported torture and another ill-treatment in detention.”<sup>124</sup> Individuals targeted by the police are employees or customers of the publishing house. Amnesty has information claiming that people connected to the publisher have been summoned to the local police station, interrogated and forced to sign statements promising “that they would not buy books from this publishing house again.”

The Liberal Publishing House was established on 14 February 2019 and publishes non-fiction books by Vietnamese authors on political science, public policy and other social issues. According to Amnesty International and HRW, “many of these books are considered sensitive by the government, and their publication is effectively banned.”<sup>125</sup> Dissident blogger Pham Doan Trang is one of the publishing house’s most important contributors. Trang wrote a book on political engagement, *Politics for Everyone*, published by Createspace Independent Publishers in 2017. She has received the Reporters without Borders 2019 Prix De L’Impact (Press Freedom Award) for her journalistic work contributing to the improvement of freedom, independence and pluralism of journalism.<sup>126</sup> She has suffered severe injuries during police interrogations.

The Liberal Publishing House was awarded the Prix Voltaire 2020. Kristenn Einarsson, Chair of the IPA’s Freedom to Publish Committee, said at the award ceremony:<sup>127</sup> “The work of Liberal Publishing House in Vietnam as guerrilla publishers, making books available in a climate of intimidation and risk for their own personal safety, is nothing short of inspirational. The international publishing community recognises their bravery and will support them however we can.”<sup>128</sup>

The 2020 award winner will be presented in the Prix Voltaire chapter of this report.

The Vietnamese authorities generally “censor publications that are perceived to conflict with government policy.”<sup>129</sup> According to AI and HRW, this crackdown shows escalating

<sup>123</sup> Human Rights Watch, Vietnam: Stop Intimidation and harassment of Independent Publishing House, <https://www.hrw.org/news/2019/11/27/vietnam-stop-intimidation-and-harassment-independent-publishing-house>, (accessed 27.11.2019).

<sup>124</sup> Ibid.

<sup>125</sup> The Vietnamese, Two Human Rights Groups Issue Joint Statement Against Harassment of Independent Publishing House, Statement, <https://www.thevietnamese.org/2019/11/two-human-rights-groups-issue-joint/>, (accessed 27.11.2019).

<sup>126</sup> Reporters Without Borders, Journalists from Saudi Arabia, Vietnam and Malta honoured at RSF’s 2019 Press Freedom Awards, <https://rsf.org/en/news/journalists-saudi-arabia-vietnam-and-malta-honoured-rsf-2019-press-freedom-awards> (accessed 11.2.2020).

<sup>127</sup> <https://youtu.be/2ulyTuZMSVs>

<sup>128</sup> Vietnam’s Liberal Publishing House awarded 2020 Prix Voltaire, <https://www.internationalpublishers.org/news/985-vietnam-s-liberal-publishing-house-awarded-2020-prix-voltaire>, (accessed 3.6.2020).

<sup>129</sup> HRW, Viet Nam: Stop intimidation and harassment of independent publishing house, [https://www.hrw.org/sites/default/files/supporting\\_resources/191127\\_ai\\_hrw\\_statement\\_vietnam.pdf](https://www.hrw.org/sites/default/files/supporting_resources/191127_ai_hrw_statement_vietnam.pdf), (accessed 27.11.2019).

restrictions on the freedom of expression, with people facing arrest and imprisonment for voicing their opinions.

On the RWB 2019 ranking, Vietnam holds place 176 out of 180 countries, ranked just above China, Eritrea, North-Korea and Turkmenistan. This is one point lower than the 2018 score. According to the RWB, bloggers and citizen-journalists face state violence. By Freedom House, Vietnam is rated 'not free', stating that "freedom of expression, religious freedom and civil society activism are tightly restricted."<sup>130</sup> Despite the Vietnamese constitution upholding freedom of opinion and speech and freedom of the press, the reality is that the press is entirely under the control of the Vietnamese Communist Party, and the media faces significant censorship.

Private publishing has been allowed in Vietnam since 2004, when it became a signatory of the Bern Convention. Previously, only state-owned publishers were permitted to publish books. There are now around 100 private publishers in Vietnam and 60 state-owned publishers. To put a book on the market, six licences are needed, and private publishers face additional difficulties. For instance, they have to handle their own distribution, unlike the state publishers.

All books must be licensed by the Ministry of Information and Communications prior to publication. After receiving a publication registration dossier from a publishing house, the ministry will grant a certification number and an ISBN. In case of refusal, a written reply shall state the reason.<sup>131</sup>



<sup>130</sup> Freedom House, Vietnam, <https://freedomhouse.org/country/vietnam/freedom-world/2020>, (accessed 27.11 2019).

<sup>131</sup> Lawyer VN, Process of publishing a book in Vietnam, <http://www.lawyervn.net/en/news/publications/process-of-publishing-a-book-in-vietnam.html>, (accessed 27.11 2019).



The image features a blue-tinted landscape with a road leading to a house, overlaid on an open book. The text "GOING FORWARD" is centered in the middle of the image.

**GOING FORWARD**

# Patterns and trends of violations on freedom to publish

**Identified below are the principal violations and challenges that need to be watched:**

## **Main violations**

- Governmental censorship stopping controversial texts
- Misuse of defamation and libel laws to pursue publishers
- Imprisonment and harassment of publishers and writers
- Book banning

## **Main challenges**

- Self-censorship regarding controversial political topics and sensitivity issues
- Harassment in social media and lack of online ethical guidelines
- Governmental online surveillance

Dictatorship, imprisoned and harassed authors, burning of books, censorship and prosecution of publishers are not things of the past. Globally, these violations persist and demand our tenacious focus on freedom of expression and human rights.

There are huge challenges regarding freedom to publish in countries like China, Russia and Turkey. Freedom of expression and press freedom are under pressure in many countries in Eastern Europe, Asia, the Middle East and Africa.

In this report we have identified some of the varied challenges for the freedom to publish, from unlawful imprisonment of publishers and authors, via cases concerning the consequences of whistleblowing on the internet, such as #MeToo and racism, to self-censorship regarding political and sensitivity issues.

Freedom to publish in some countries is threatened by state abuse, with laws on freedom of speech becoming utterly diluted by exemptions and heavy-handed defamation laws. We also see an increasing online trend towards state surveillance and self-censorship, which over time erodes freedom of speech.

The effect of special laws as the result of the COVID-19 crisis has yet to be seen. We have a grave concern that these might be used in some countries to further curb the freedom to publish.



## Countries of concern and watch list

There are several countries that are of particular concern regarding violations against freedom to publish. In **Bangladesh, China, Egypt, Turkey and Vietnam** publishers face prosecution and detention. As we can see from the latest Prix Voltaire nominations, China is silencing critical voices like Gui Minhai, and Egypt is arresting publishers, like Khaled Lotfy. The same tendencies are seen in Turkey, with the government banning books and censoring publications, and accusing books of having a bad influence on young people. In Vietnam, we have addressed harassment of independent publisher Liberal Publishing House, and have received information of an author being injured during interrogations.

In countries like **Russia, Thailand and Vietnam**, publishers need to practise self-censorship to be able to publish certain titles. In Russia, the list of forbidden topics is growing, and translated works have to be changed before publication. Defamation and libel laws have been used to suppress freedom of expression and freedom to publish, illustrated by the **Korean** Blacklist Scandal, where defamation laws were used to silence artistic expression. Similar tendencies have been seen in the **USA**, where certain topics are challenged by parental and governmental attempts to silence important literary voices through the banning of books from schools and libraries.

Sensitivity issues are important to face, and we need to secure safe publications on the human body, sexuality and diverse identity. It is also critical that books targeting extremism and religion can be published and debated without fear of retaliation by pressure groups trying to stop controversial publications. Countries to watch regarding this are, as described above, **France, Mexico, Germany** and the **USA**.

Some governments, like the Orbán government in **Hungary**, tighten their grip on school curricula, deciding which works should be read and which picture to paint of the past. In the **UAE**, publishers need pre-publication approval by the Ministry of Culture and Development for both learning material and literature. In some countries, like **Iceland** and the above-mentioned Hungary, the state produces learning materials for certain age groups. This represents a threat regarding freedom to publish, as the state controls information in schoolbooks and other learning material, making a great impact on how new generations are taught and formed, and how the country's history is presented.

### Recommendations

IPA and the Freedom to Publish Committee must continue to object to government censorship, imprisonment and harassment of publishers and authors. But self-censorship, especially regarding politics and religion, as well as LGBTQ-related themes, must be addressed strongly and continuously by the industry on a global level. The international community, as well as the IPA and FtP Committee, is keeping an eye on developments in an increasing number of countries, addressing governmental obstruction of the press, the spread of non-valid and misleading information as well as attempts to stop publications.



THE NORWEGIAN  
PUBLISHERS ASSOCIATION

Freedom to publish.  
Challenges, violations and countries of concern.

Going forward, it would be of interest to issue a full report on global legalisation on freedom of expression versus defamation and libel laws, a subject touched upon but not fully discussed in this report. A report about online censorship would also throw light on a growing challenge for the industry.

## How is the work of the Freedom to Publish Committee implemented?

- The Freedom to Publish Committee (FtPC) continues to award the Prix Voltaire every year. This is a core activity for the committee and highlights how freedom to publish is challenged in different parts of the world. The prize goes to a publisher, imprisoned or persecuted due to their published works.
- Freedom to publish seminars are organised regularly at bookfairs and other international congresses and seminars.

The committee is also monitoring cases and following some countries closely, for instance Turkey. The Committee has established a case file that is updated on a regular basis.

### The IPA Prix Voltaire—the Freedom to Publish Prize

Freedom of expression and freedom to publish are human rights under Article 19 of the Universal Declaration of Human Rights. Yet freedom to publish is under continuous, sustained daily attack, with writers and publishers vilified, jailed, tortured and killed merely for doing their jobs. In 2005, the IPA created the Freedom to Publish Prize to honour a person or organisation deemed to have made a significant contribution to the defence and promotion of freedom to publish in the world.

In 2016, the prize was renamed the IPA Prix Voltaire, in tribute to the French philosopher and writer François-Marie Arouet (pen name Voltaire), who propounded tolerance and free expression before the terms were in general use.<sup>132</sup>

In the IPA's call for nominees, the following is stated:

*“Nominees will have recently published works despite pressure, threats, intimidation or harassment, whether from governments, other authorities or private interests. Alternatively, they may be publishers with a distinguished record of upholding the values of freedom to publish and freedom of expression. For the purposes of the IPA Prix Voltaire, we define ‘publisher’ as an individual, collective or organisation that provides others with the means to share their ideas in written form, including via digital platforms.*

*Individuals, groups or organisations can nominate; what matters most is the courage and the context of their nominee.”*

The IPA Prix Voltaire comes with a CHF 10,000 prize.

The prize has been awarded 12 times since 2006. It was not awarded in 2013 and 2015.

<sup>132</sup> International Publishers Association, <https://www.internationalpublishers.org/our-work/freedom-to-publish/ipa-freedom-to-publish-prize>, (accessed 19 November 2019).

## Prix Voltaire Shortlist 2020

### Avesta Yayinlari, Publishing House, Turkey



Avesta was founded in 1995 and has published around 700 books in more than 50 series, with some in English and French, but most in Kurdish and Turkish. Over the years, the company has faced lawsuits concerning a number of its books. Upon the opening of a bookshop in south eastern Turkey in 1999, these lawsuits intensified and their warehouse was subject to an arson attack which destroyed 3000 books and ultimately the closing of the store in 2016. The owner of the publishing house, Abdullah Keskin, was investigated in 2019 on charges of terrorist propaganda. The company received the Turkish Publishers Association Freedom of Thought and Expression award in 2019.

### Mr Chong Ton Sin, Gerakbudaya/SIRD Publishing House, Malaysia



At the age of 52, after many years of political activism and eight years in detention, Mr Chong Ton Sin launched Gerakbudaya Publishing House in 2000 and then an academic imprint Strategic Information and Research Development Centre in 2003. His intention was to create a publishing house and distributor for controversial but important books for Malaysians to read, at affordable prices and in all the country's major languages. At the time, much of Malaysian media and publishing was directly or indirectly controlled by the government through ownership and censorship. Recent books include *The Sarawak Report* on the 1MDB scandal. Other publications have focused on voices from Malaysia's recent political history as well as on deforestation (a source of corruption in Malaysia). The latest publication, which has been subject to an investigation, is *Unveiling Choice* by Maryam Lee, a Muslim feminist, on the social pressure to wear the headscarf in Malaysia. The results of the investigation are still unknown. Gerakbudaya has also published books which would not be published elsewhere, such as *Once a Jolly Hangman* by Alan Shadrake, which was banned in Singapore and the author arrested.

### **The Liberal Publishing House/Vietnam**

Established 14 February 2019, it publishes non-fiction books by Vietnamese authors on political science, public policy and other social issues. According to Amnesty International, “many of these books are considered sensitive by the government, and their publication is effectively banned”.

### **Maktaba-e-Daniyal/ Pakistan**

The award-winning satire *A Case of Exploding Mangoes* by journalist turned novelist Mohammed Hanif about Pakistan’s former Martial law administrator/president Gen Zia-ul-Haq was published in Urdu in Pakistan by Maktaba-e-Daniyal in November 2019. In January 2020 copies were confiscated in a raid on the publisher and the author reported to have received a defamation notice from Gen Zia’s son.

Online reports cite the author Mohammed Hanif (via Twitter) claiming that people claiming to be from the Inter-Services Intelligence (ISI) barged into his Urdu publisher Maktaba Daniyal offices, confiscated all copies of the Urdu translation of *A Case of Exploding Mangoes*. The manager was threatened, and officials had demanded information on his whereabouts. Hanif also said security agents seized stock from his Karachi publishers and bookshops in Islamabad and Lahore. The book was launched to acclaim in English in 2008, when it, was long-listed for the Man Booker prize. The book won the Commonwealth first book prize in 2009.

## Winner of the Prix Voltaire 2020

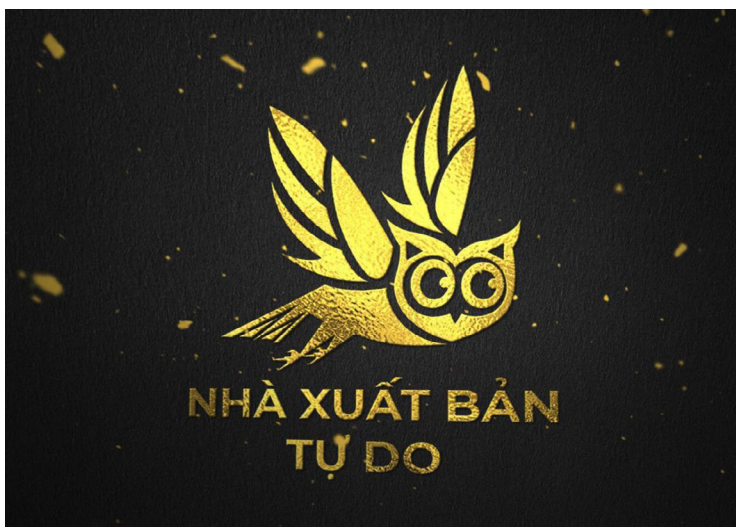
### Liberal Publishing House, Vietnam

Liberal Publishing House was founded in February 2019 in Ho Chi Minh City by a group of dissidents as a direct challenge to the Vietnamese government's control of the publishing industry. Through their work, which they are forced to carry out clandestinely due to the government's crackdown on what they consider 'anti-state' activity, the voices of Vietnam's growing crop of dissident writers have reached the nation's readers. In Vietnam, such publications are banned by the government and gathered under the name Samizdat—a word describing the illegal copying and distribution of books.

Amnesty International's Vietnam campaign team has pointed out that the police have questioned and at times detained nearly 100 people for either owning or reading books printed by Liberal Publishing House. Despite harassment and intimidation attempts, the 2020 Prix Voltaire winner continues to operate under dangerous conditions, to give hope to the Vietnamese people that any opinion, whether deemed favourable by the government or not, can benefit from the protection of freedom of expression. IPA recognises the importance of their contribution to this important message and congratulates the laureate for their exemplary dedication and courage.

In a recorded video message, Liberal Publishing House's spokesperson Pham Doan Trang, a Vietnamese author and journalist, said: "The men and women who work for the Liberal Publishing House every day risk their safety, their freedom and even their lives altogether just to publish books. The award that we receive today does not just recognise our tireless efforts but it represents the bravery of tens of thousands of Vietnamese readers who have been harassed, who have been arrested and interrogated simply for reading our books."

You can view the full message [here](#).



## Previous Prix Voltaire recipients<sup>133</sup>

### 2017: Turhan Günay & Evrensel Publishing House (Turkey)

Turhan Günay is an executive at Cumhuriyet Books, the book publishing branch of the daily Cumhuriyet newspaper. Initially arrested and then released, he has had his passport removed, confining him to Turkey. Evrensel, meaning ‘universal’, is a Turkish publishing house whose catalogue includes books in Turkish, Kurdish, Armenian, Assyrian and Arabic. Evrensel was unduly forced to stop trading when its accounts were abruptly frozen and its assets seized.

Turhan Günay participated in a freedom to publish panel at the Istanbul Book Fair in 2017. Elif Günay (his daughter) and Cavit Nacitarhan attended the award ceremony in Gothenburg and spoke at the International Publishers Congress in 2018.

Günay was acquitted in April 2018 but is unable to travel outside Turkey.

### 2016: Raif Badawi (Saudi Arabia)

On 10 April 2016, Raif Badawi became the first winner of the *IPA Prix Voltaire*, formerly the IPA Freedom to Publish Prize. Badawi’s wife, Ensaf Haidar, travelled from Canada – where she secured political asylum in 2013, and subsequently citizenship – to collect the award on her husband’s behalf from the President of English PEN, Maureen Freely.

Badawi set up the now closed Free Saudi Liberals forum to facilitate political and religious debate. He did so aware that he was risking everything to publish his own pro-reform, secular ideas and those of other dissenting Saudis. He is currently serving a 10-year prison term and has endured 50 of 1,000 lashes.

Raif Badawi’s sister, a human rights activist, was arrested in July 2018 prompting a diplomatic conflict with Canada and the expulsion of the Canadian Ambassador from Saudi Arabia. Ensaf Haidar expressed concern over the possible impact on Raif.

In early November 2018, Amnesty International launched a video as part of the #FreeRaif campaign. The Canadian Prime Minister, Justin Trudeau, raised Raif Badawi’s case at the G20 summit in Buenos Aires. US Senator Marco Rubio also called for the release of Raif Badawi during a senate debate on the US relationship with Saudi Arabia. The United States Commission on International Religious Freedom is also advocating for his release. Ensaf Haidar met Canadian Prime Minister Trudeau several times. The British Foreign Secretary, Jeremy Hunt, also reportedly raised Raif Badawi’s case in a meeting with the new Saudi Foreign Minister.

Ensaf Haidar and her children addressed the Geneva Summit for Human Rights and Democracy in March 2019.

---

<sup>133</sup> For Khaled Lotfy and Gui Minhui please see under Egypt and China above.

Raif Badawi has also received the Daniel Pearl Award for Courage and Integrity in Journalism on 26 March 2018. The Raif Award for courageous journalists is given at Frankfurt Book Fair every year by Ensaf Haidar. Ms Haidar has joined the IPA's Freedom to Publish seminar in Frankfurt Book fair in 2018 and 2019 to talk about the situation of her husband.

#### **2014: Ihar Lohvinau (Belarus)**

The Prize was given in recognition of Mr Lohvinau's efforts to defend freedom of expression in Belarus despite the government removing his publishing licence. It was accepted on his behalf by his daughter and co-worker, Alexandra Logvinova, during the London Book Fair.

In February 2015, PEN International raised concern over a large fine imposed on Ihar Lohvinau for "carrying out illegal business activities." On 9 January 2015, the Economic Court of Minsk convicted the Lohvinau Bookstore for operating without the required state registration and fined it 976 million rubles (€56,000) – his entire income from selling books in 2014. If Lohvinau did not pay, he faced confiscation of property and a possible prison sentence. He launched a successful crowdfunding campaign to pay his fine.

#### **2012: "Zapiro" (South Africa)**

On 14 June 2012, cartoonist Jonathan Shapiro ("Zapiro") received the Freedom to Publish Prize. In 2006, Jacob Zuma sued Zapiro for 15 million South African Rand over three cartoons drawn during the future South African President's rape trial (he was acquitted). The amount demanded was reduced, but the lawsuit not withdrawn. In 2008, Jacob Zuma sued again for a subsequent cartoon, seeking 5 million South African Rand for defamation.

Zapiro was invited to attend the IPA Regional Seminar in Lagos, but was unable to attend. He was also advised not to attend the Seminar in Nairobi for security reasons. Zapiro received France's highest cultural award, Knight in the Order of Arts and Letters, at a ceremony in Cape Town on 13 November 2019.

#### **2011: Bui Chat (Vietnam)**

Bui Chat, founder of Giay Vun Publishing in Vietnam, received the 2011 IPA Freedom to Publish Prize on 25 April 2011 as part of the Buenos Aires World Book Capital programme.

Giay Vun is devoted to printing and publishing of the works of Vietnam's 'pavement poets' beyond the reach of censorship authorities. Under Bui Chat's leadership, Giay Vun assisted the establishment in Vietnam of other publishing houses that operate independently and freely, publishing the works of banned authors and historians.



### **2010: I. Shovkhalov & V. Kogan-Yasni of Dosh (Chechnya-Russia)**

On 2 November 2010, the IPA Freedom to Publish Prize was awarded to Israpil Shovkhalov and Viktor Kogan-Yasny, respectively editor-in-chief and publisher of Chechen human rights magazine Dosh.

Dosh aims to bring news, analysis, reports and commentaries from Chechnya and the entire Caucasus region. The magazine is one of the very few press institutions that reports and brings stories from both sides of the on-going conflict.

### **2009: S Bensedrine, N. Rijba, M. Talbi, Founders of Olpec (Tunisia)**

On 4 June 2009, the IPA Freedom to Publish Prize was awarded to Sihem Bensedrine, Neziha Rjiba and Mohamed Talbi, founders of the Observatory for the Freedom of the Press, Publishing and Creation in Tunisia (OLPEC).

OLPEC was founded by the trio in 2001 to serve as a monitoring body for all forms of media and literary censorship in Tunisia, and to make these issues public. OLPEC's website was operated from Morocco due to Internet censorship in Tunisia. It is currently unavailable.

Sihem Bensedrine featured in a Guardian article as the head of the truth and dignity committee in Tunisia and spoke at the IPA Regional Seminar in Nairobi in June 2019.

### **2008: Ragıp Zarakolu (Turkey)**

Turkish publisher Ragıp Zarakolu received the IPA Freedom to Publish Prize on 18 September 2008. Upon starting his publishing house Belge in 1977 he faced imprisonment, confiscation and destruction of books, and the imposition of heavy fines, endangering the survival of the Belge publishing house. Ragıp Zarakolu also chaired the Freedom to Publish Committee of the Turkish Publishers Association.

Because of lectures given at the Politics Academy of the oppositional Kurdish party (BDP), in November 2011, Ragıp Zarakolu and 14 others were arrested in connection with the Kurdistan Communities Union (KCK) trials, accused of "aiding and abetting a terrorist organisation." His son Deniz Zarakolu was also detained, released after two and a half years, in May 2014. In February 2012 Zarakolu was nominated for the Nobel Peace Prize by members of the Swedish Parliament. He was released on 10 April 2012. With other charges hanging over him coupled with ongoing health problems, he decided to move to Sweden shortly after. His lawsuits include the Ozgur Gundem newspaper lawsuit in which Asli Erdogan is among the defendants. In 2016, Zarakolu's house was raided by the police in connection with this investigation.

Ragıp Zarakolu is now the subject of an Interpol red notice arrest warrant, a move condemned by IPA. IPA issued a joint statement with the German Publishers and

Booksellers Association in October 2019 in response to the arrest warrant curtailing Mr Zarakolu's freedom to travel to the 2019 Frankfurt Book Fair.

### **2007: Trevor Ncube (Zimbabwe)**

Zimbabwean publisher Trevor Ncube received the 2007 IPA Freedom to Publish Prize. Since 2008 he has received other international prizes for his work as a rights activist: German Africa Award, Kenya Nation Media Group Life Achievement Award, MISA Press Freedom Award.

He spoke on the freedom to publish panel at IPA's Regional Seminar in Lagos in May 2018.

### **2006: Shalah Lahiji (Iran)**

The first IPA Freedom Prize was awarded to Iranian publisher Shalah Lahiji on 21 September 2006. The first woman publisher in Iran, she founded Roshangaran in 1983. Her publishing activities were severely threatened and disrupted on many occasions through imprisonment and the petrol-bombing of her publishing house.

The 28th IPA Publishers Congress meeting in Seoul, Korea, in May 2008, adopted a resolution calling on Iran "to engage and implement reforms, which will improve the freedom to publish." In June 2009, IPA launched a report on freedom to publish in Iran entitled "Freedom to Publish Under Siege in the Islamic Republic of Iran."

## Special Award Recipients

### 2018: Faisal Arefin Dipan (Bangladesh) & Liu Xiaobo (China)

On 13 February 2018, the late Faisal Arefin Dipan and Liu Xiaobo were posthumously awarded Prix Voltaire Special Awards at the 2018 International Publishers Congress.

The widow of Faisal Arefin Dipan, Razia Rahmann Jolly, delivered an acceptance speech and spoke at the IPA Freedom to Publish Seminar at the London Book Fair. She spoke on the Freedom to Publish Panel at Sharjah International Book Fair in November 2018.

Nobel Peace Prize winner, Liu Xiaobo died under guard in a Chinese hospital on 13 July 2017. Liu Xiaobo's wife, Lia Xia, was under house arrest in China after Xiaobo was awarded the Nobel Peace Prize, until she was permitted to go to Germany to receive medical treatment in July 2018.

### 2010: İrfan Sancı (Turkey)

The 2010 IPA Freedom to Publish Prize Special Award was given to Turkish publisher İrfan Sancı (Sel Yayıncılık).

İrfan Sancı, the owner of Sel Publishing was sued for publishing Guillaume Appollinaire's *The Exploits of a Young Don Juan* for 'obscenity' in 2010. In December 2013, the court decided to suspend the sentence for three years. In 2011, Sancı was again sued for William Burroughs's *Soft Machine* again for 'obscenity', together with the translator (regarded responsible due to Turkish Copyright Law as the "rightsholder" of the translated works). This case was also suspended, in May 2012. In the case of *Soft Machine*, Sel's lawyer applied to the Constitutional Court for violation of freedom of expression. The court made a positive decision in December 2017 declaring that, because he had not been acquitted, the publisher's freedom of expression had been violated.



Photo: © Sabine Felber, NORLA.

At the Guest of Honour Pavilion in Frankfurt, Mahmoud Lotfy, brother of Prix Voltaire winner Khaled Lotfy who is in jail in Egypt, Ensaf Haidar, wife of the jailed blogger Raif Badawi in Saudi Arabia, and Burhan Sönmez from Turkey join Kristenn Einarsson, the chair of IPA's Freedom to Publish Committee to look at the situation in the countries of recent Prix Voltaire laureates and their evolution over the last four years. The discussion was followed by a vigil for 2018 Prix Voltaire laureate, Gui Minhai, who remains in detention in China.

## Freedom to publish seminars

### Frankfurt Book Fair 2019: International focus on freedom of expression

IPA filled several slots in the programme during the Frankfurt Book Fair in 2019. The Freedom to Publish Committee met on Tuesday 15 October and an open meeting was held the following day. There was a good turnout for this latter event with participants sharing several stories depicting challenges concerning publishing and freedom of expression.

Mahmoud Lotfy talked about the arrest of his brother, Khaled Lotfy, and linked it to the current situation in Egypt. He expressed the difficulty publishers faced in Egypt to know exactly where the freedom to publish boundaries are defined.

Thursday 17 October Kristenn Einarsson facilitated a discussion on the main stage in the Guest of Honour Pavilion. The topic was the Prix Voltaire laureates and their situations since receiving the awards.



Vigil for Gui Minhai at the Agora. Photo: Åsfrid Hegdal, Forleggerforeningen



Kristenn Einarsson and Mahmoud Lotfy interviewed for the Norwegian Broadcasting Corporation (NRK), Frankfurt, 17.10.19. Photo: Ingvild Brodal, Forleggerforeningen

A Freedom of Expression Series was hosted daily on the Norwegian Pavilion during the book fair, featuring guests from Turkey, Egypt and the Sami area in northern Scandinavia, discussing censorship and self-censorship. In an interview with the Norwegian Broadcasting Corporation (NRK), Kristenn Einarsson stated that challenges to the freedom of expression and publishing span from the Middle East to Africa, Europe, USA, Latin America, and also in countries and territories where we have taken this freedom for granted. Publishers and authors around the world continue to be imprisoned and killed. The Freedom to Publish Committee aims to show what risk publishers are taking today publishing books or other texts that governments are afraid of.<sup>134</sup>

Mahmoud Lotfy, brother of the imprisoned Egyptian publisher Khaled Lotfy, visited Frankfurt on behalf of his brother, telling the NRK listeners that Khaled was charged with the spreading of fake news and of revealing military secrets. He said that there are restrictions to publishing in Egypt, but he doesn't see these limitations as extreme.

Einarsson stated that the Freedom to Publish Committee follow their winners closely and continue to work with them years after they receive the prize. Recently, Mauretanian blogger Mohamed Cheikh Ould Mkhaitir was released after years in prison, partly due to sustained pressure and scrutiny from the IPA and other NGOs.<sup>135</sup>

## Saudi Arabia: Imprisonment of blogger Raif Badawi

Also present at the Book Fair was Ensaf Haidar, wife of the jailed blogger Raif Badawi in Saudi Arabia. She spoke at the IPA Prix Voltaire seminar, about how her husband has been in jail since 2013. Badawi became, in April 2016, the first winner of the IPA Prix Voltaire, formerly known as the IPA Freedom to Publish Prize.

When asked about the freedom to publish in Saudi Arabia and her husband's situation, Haidar answered that as she is not working in publishing, she couldn't fully answer the question. However, she knew that certain books are prohibited from entering Saudi Arabia, and that there is a blacklist of books.

The situation for bloggers is complex. "There are many bloggers in prison for what they wrote, but this is very hush hush, because nobody wants anyone to know that someone in their family is in prison for blogging," she said, and went on to explain that some blogs are not allowed to be published in Saudi Arabia, and the government is restricting the internet. "Many bloggers use pen names, so we wouldn't know who they are or why they are imprisoned."

Ensaf Haidar also said that when supporting imprisoned authors and bloggers it is important to lobby our own politicians, and ask them to put pressure on oppressive governments—for example, to use sanctions such as stopping the supply of weapons to Turkey's operations in Syria.

"Through the IPA's work," she said, "you give Raif hope. Support is what gives you hope and keeps you alive in prison. And through the work of your community, the international publishers'

<sup>134</sup> NRK, Historisk bokfest, 17. oktober, <https://radio.nrk.no/serie/historisk-bokfest/KMRA14000419/17-10-2019>, (accessed 19 November 2019, in Norwegian).

<sup>135</sup> Publishing Perspectives, Human Rights Proponents Hail Mauritania's Release of Mkhaitir, <https://publishingperspectives.com/2019/08/human-rights-proponents-hail-mauritania-release-of-writer-mkhaitir/>, (accessed 19 November 2019).

work, you give him hope, courage and patience to endure what he is living through. Because you believe in him, and in believing in him, he believes in his work himself.”

Badawi set up the now closed Free Saudi Liberals forum to facilitate political and religious debate. He did so aware that he was risking everything to publish his own pro-reform, secular ideas and those of other dissenting Saudis. He is currently serving a ten-year prison term and has endured 50 of 1,000 lashes.

Raif Badawi has also received the Daniel Pearl Award for Courage and Integrity in Journalism on 26 March 2018. The Raif Award for courageous journalists is awarded at the Frankfurt Book Fair every year by Ensaf Haidar.

## Amman Congress 2019

30 Sept - 1 Oct 2019, The International Publishers Association (IPA) and the Union of Jordanian Publishers (UJP) hosted a Middle East publishers’ seminar in Amman, the first of its kind. A conversation about Freedom to Publish and News Media covered the real and potential dangers of social media when in the wrong hands. Also, Chair of the IPA’s Freedom to Publish Committee, Kristenn Einarsson, talked about the strategy used by the South African NB Publishers for the launch of a book about Jacob Zuma titled *The President’s Keepers* by Jaques Pauw. This controversial book was subjected to a series of attacks by the South African State Security Agency and the tax authorities, in an attempt to discourage its publication. According to Einarsson, this case shows that it is not only necessary to have the will to challenge the authorities by publishing a book they want to stop, you need more:

“You need the dedication to publish what you deem fit to publish. But that is not enough, you need to plan well.”

## Seoul International Book Fair 2019

Alongside the award ceremony for the 2019 IPA Prix Voltaire, the 2019 Seoul International Book Fair hosted a two-part seminar on freedom to publish featuring IPA President, Hugo Setzer, the Chair of IPA’s Freedom to Publish Committee, Kristenn Einarsson, and Committee member Myung-hwan Kim.

The first session focused on the Czech Republic, where Radovan Auer of the Prague International Book Fair noted that the situation in that country is not perfect but there is freedom of speech. Jung-Hwan Cheon, a poet and exhibition curator spoke of the recent history of censorship in Korea. Yoel Makov, Director of the Jerusalem International Book Fair agreed that “we need very courageous publishers” and that “the most scary thing is self-censorship,” when publishers self-censor to ensure sales.

Swedish journalist Jojje Olsson gave a fascinating presentation of the changes in Hong Kong in recent years that have seen the five people behind the Causeway Bay Bookshop

and associated Mighty Current publishing house disappear, including Prix Voltaire laureate Gui Minhai. The fair also featured an exhibition on banned books in Asia, with examples from Korea, Japan, Malaysia, Taiwan, Thailand and Turkey.<sup>136</sup>

## Africa Rising 2019

At the IPA Seminar in Nairobi, Kenya, June 2019, the growing threat of self-censorship was the subject of a well-attended panel discussion.

---

<sup>136</sup> IPA, <https://www.internationalpublishers.org/news/876-freedom-to-publish-seminar-at-seoul-international-book-fair> (accessed 11.2.2020).

## Annex 1

### Statutes for the Freedom to Publish Committee

The Freedom to Publish Committee consists of nine members. The members are nominated by a different full member. The Chair is elected by the Freedom to Publish Committee members from among the Freedom to Publish Committee members. Full members of the IPA may nominate a candidate for the FtPC. The Committee should be balanced in terms of publishing experience, regional representation and gender. The Committee members are appointed for two years by the General Assembly by majority vote.<sup>137</sup>

The main objective of the Freedom to Publish Committee is that Freedom to Publish is respected and promoted by all member organisations of the IPA and by the IPA itself. Freedom to Publish is closely connected to the universal human right of the individual to freedom of expression, as defined by the United Nations in Art. 19 of the Universal Declaration of Human Rights, and the Freedom to Publish Committee shall ensure that all member organisations of IPA endeavour to uphold and defend the right of publishers to publish and distribute the works of the mind in complete freedom, provided that in so doing they respect all legal rights attached to these works within their own countries and internationally. It is the duty of the Association to oppose steadfastly any attempt or threat to restrict that freedom.

As a statutory body of the IPA, the Freedom to Publish Committee may make public statements on individual cases of violation of or threat to Freedom to Publish without requiring the agreement of other bodies or officers of the Association.

The Freedom to Publish Committee shall develop and, from time to time, review an IPA Manifesto on Freedom to Publish in consultation with the Executive Committee. This document is published on the IPA website and generally promoted by IPA in the Freedom to Publish context.

---

<sup>137</sup> International Publishers Association: Guidelines for the appropriate governance of the IPA Freedom to Publish Committee (FtPC), <https://www.internationalpublishers.org/images/aa-content/committees/committees-guidelines/guidelines-rev-ipa-ftp-committee-11042016.pdf>, (accessed 31 January 2020).



## Annex 2

### The IPA Freedom to Publish Committee (FtPC)

The IPA Freedom to Publish Committee (FtPC) use the IPA Freedom to Publish Manifesto to set the agenda on freedom to publish worldwide. The nine-member committee meets regularly to discuss freedom to publish violations, and how to respond to them. The committee is also responsible for managing the IPA Prix Voltaire, the only award that specifically recognises the freedom to publish, upon which many forms of freedom of expression rely.

### Current members of the Freedom to Publish Committee, elected at the committee meeting 15.10.2019 in Frankfurt:

Chair: **Kristenn Einarsson**, CEO, Norwegian Publishers Association, Norway.

**Sherif Bakr**, former Secretary General of the Egyptian Publishing Association, Egypt.

**Ana María Cabanellas**, President and publisher, Grupo Claridad, Argentina.

**Trasvin Jittidecharak**, Owner and Founder of Silkworm Books, Founder of Mekong Press and Mekong Press Foundation, Thailand.

**Myung-hwan Kim**, Director, Publishers Research Institute, Republic of Korea.

**Filiz Kocaboğa**, Public Relations Specialist of Turkish Publishers Association, Turkey.

**Giulia Marangoni**, officer in the International Affairs Department of the Italian Publishers Association, Italy.

**Jessica Sängner**, Legal Counsel and Director of European & International Affairs, Börsenverein des Deutschen Buchhandels, Germany.

**Geoff Shandler**, Editorial Director of Custom House, Chair of the AAP's Freedom to Publish Committee, USA

**Freedom to publish.  
Challenges, violations and  
countries of concern.**



© International Publishers Association 2020

All data, copy and images are subject to copyright and may not be reproduced, transmitted or made available without permission from IPA.

Designed by **Iconic Media Solutions**