

Regulation of Cultural Relationship between Russia and Ukraine after Crimea's Annexation: A Comparative Socio-Legal Study

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Abstract : This paper explores the impact of the annexation of Crimea on the regulation of live performances and tour management of Russian pop music performers in Ukraine and of Ukrainian performers in Russia. Without a doubt, the cultural relationship between Russia and Ukraine is not limited to this issue. Yet concert markets tend to respond particularly rapidly to political, economic, and social changes, especially in Russia and Ukraine, where the high level of digital piracy means that the music businesses mainly depend upon income from performances rather than from digital rights sales. This paper argues that the rules formed in both countries after Russia's annexation of Crimea in 2014 have contributed to the separation of a single cultural space that had existed in Soviet and Post-Soviet Russia and Ukraine before the annexation. These rules have also facilitated performers' self-censorship and increased the politicisation of the music businesses in the two neighbouring countries. This study applies a comparative socio-legal approach to study Russian and Ukrainian live events and tour regulation. A qualitative analysis of Russian and Ukrainian national and intergovernmental legal frameworks is applied to examine formal regulations. Soviet and early post-Soviet laws and policies are also studied, but only to the extent that they help to track the changes in the Russian-Ukrainian cultural relationship. To identify and analyse the current informal rules, the study design includes in-depth semi-structured interviews with 30 live event or tour managers working in Russia and Ukraine. A case study is used to examine how the Eurovision Song Contest, an annual international competition, has played out within the Russian-Ukrainian conflict. The study suggests that modern Russian and Ukrainian frameworks for live events and tours have developed Soviet regulatory traditions when cultural policies served as a means of ideological control. At the same time, contemporary regulations mark a considerable perspective shift, as the previous rules have been aimed at maintaining close cultural connections between the Russian and Ukrainian nations. Instead of collaboration, their current frameworks mostly serve as forms of repression, implying that performers must choose only one national market in which to work. The regulatory instruments vary and often impose limitations that typically exist in non-democratic regimes to restrict foreign journalism, such as visa barriers or bans on entry. The more unexpected finding is that, in comparison with Russian law, Ukrainian regulations have created more obstacles to the organisation of live tours and performances by Russian artists in Ukraine. Yet this stems from commercial rather than political factors. This study predicts that the more economic challenges the Russian or Ukrainian music businesses face, the harsher the regulations will be regarding the organisation of live events or tours in the other country. This study recommends that international human rights organisations and non-governmental organisations develop and promote specific standards for artistic rights and freedoms, given the negative effects of the increasing politicisation of the entertainment business and cultural spheres to freedom of expression and cultural rights and pluralism.

Keywords : annexation of Crimea, artistic freedom, censorship, cultural policy

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