
March 19, 2015

Summary

Just about everyone has a camera at his or her immediate disposal through a smartphone. It is not uncommon to want to immortalize certain individuals, experiences, sites, or scenery, especially when traveling abroad. However, individuals to be photographed might have religious or animist/indigenous beliefs that photographs steal the soul (particularly of children) or disrespect the spiritual world; gender roles may make photography difficult, precluding women from being photographed; and security apparatus (police and military) generally do not want to be photographed. Some people simply want to be paid for being photographed. However, foreign laws and customs governing what is permissible to photograph can vary vastly from U.S. norms.

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Behavior that might be deemed inappropriate includes: lewd or lascivious acts, kissing, drinking alcohol, and immodest skin exposure. Edifices that might be deemed sensitive might include: government buildings, voting centers and processes, embassies, military facilities and vehicles (including airplanes), religious structures, and palaces. Scenery might include: war zones, sacred grounds, archeological sites, and tribal artifacts.

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Villagers in rural areas are sometimes suspicious of strangers, especially if they are not prone to seeing many people from outside their own community or country. There have been several incidents of violence in rural areas of Kenya, for instance, against Kenyan and foreign adults suspected of stealing children. Be aware that close contact with children, including taking their pictures or giving them gifts, can be viewed with deep alarm in some cultures, and may provoke panic and/or violence.

In some cases, anti-photography laws exist but are generally not pursued. For example, photographing the Eiffel Tower in Paris at night is [technically](#) a copyright infringement and, thus, illegal. Or, in Romania and Bulgaria, public buildings can be photographed, but those images cannot be sold. Further, in March 2014, [Hungary](#) made taking a photograph of people illegal unless everyone included has given permission; however, vagaries in the civil code leave room for interpretation.

Case Studies in 2014 and 2015

In mid-March 2015, OSAC staff members visited Turkmenistan and were told not to photograph government buildings, which are rarely clearly identified as such but are numerous

In early March, two U.S. citizens carved their names into the Coliseum walls and then photographed themselves and their act of vandalism. The two were arrested for [aggravated damage](#) and may face fines and jail time. The Coliseum has [signage](#) in English and Italian that defacing the structure is prohibited.

In early February 2015, U.S. sisters were [arrested and deported](#) from Cambodia for taking inappropriate photographs of themselves in the Preah Khan Angkor temple, a World Heritage site. They were [charged](#) with [aggravated damage](#) and sentenced to a six-month suspended prison term, fined the equivalent of U.S.\$315, and banned from the country for four years.

In October 2014, a U.S. citizen was [arrested](#) in the United Arab Emirates and charged with charged with taking pictures of a restricted area. He was held in the al-Wathba prison, charged, fined the equivalent of U.S.\$135, and [released](#) after 29 days incarceration. The U.S. citizen was to speak at a conference and then travel on to Malaysia. However, as in many cases, the detention was allegedly not communicated to the Embassy or to his contacts, and only after the U.S. citizen did not appear in Malaysia days later did his friends become concerned and begin searching for him.

Impact to Private Sector

Depending on what country is involved, visitors who violate local law or custom can be detained for lengthy periods, charged stiff fines, and/or be declared persona non grata. Not knowing local laws and customs is not excusable in the eyes of the court or police. Further, photographic [documentation](#) of illegal activities can be used in most judicial trials, as was the case when a fish poacher photographed himself with an illegal weapon in Wales, U.K. Prisons overseas are not kept to U.S. standards, and prolonged detainment under such conditions may lead to biological and psychological maladies. Further, should a detained individual be representing a corporate entity, an arrest could cause unwanted business tensions. The notoriety that would likely come, at least online if not in mainstream media, may be damaging personally, making future academic or professional pursuits chaur(da)-2D 25>> B604B>-20299> BD BT 1 0 0 1 447.3

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