

**pen**  
INTERNATIONAL



**WRITERS IN  
PRISON COMMITTEE  
CASE LIST**

**JANUARY-DECEMBER 2014**



## Imposing Silence: The Use of India's Laws to Suppress Free Speech

May 20 2015

In 2015, PEN International in partnership with PEN Canada and the International Human Rights Program (IHRP) at the University of Toronto Faculty of Law released a ground-breaking report calling on India to repeal overbroad and vaguely worded laws that enable censorship in the world's largest democracy. *Imposing Silence: The Use of India's Laws to Suppress Free Speech* finds that overreaching legislation and longstanding problems with the administration of justice have produced cumbersome legal processes that deter citizens from exercising their right to free expression. The resulting chill silences political criticism and often discourages marginal voices from speaking out on sensitive social, cultural, and religious matters.

To read this report please go to:

<http://www.pen-international.org/wp-content/uploads/2015/05/Imposing-Silence-FINAL.pdf>

## The Gezi Park Protests: The impact on freedom of expression in Turkey

March 14 2014

In *The Gezi Park Protests: the impact on freedom of expression in Turkey*, PEN assesses the violations of the right to freedom of expression and to freedom of assembly during last year's protests, detailing numerous examples of intimidation, judicial harassment and violence against writers and journalists by the authorities in Turkey, and shedding light on the mechanisms by which the mainstream media in Turkey is pushed towards self-censorship.

To read this report please go to:

<http://www.pen-international.org/wp-content/uploads/2014/03/PEN-Gezi-Report.pdf>

## Honduras: Journalism in the Shadow of Impunity

January 22 2014

Journalists who cover organized crime, government corruption and other sensitive issues are increasingly facing threats and lethal attacks in Honduras, with almost complete impunity for perpetrators, said PEN International in a new report released today in partnership with PEN Canada and the International Human Rights Program (IHRP) at the University of Toronto Faculty of Law.

The report – *Honduras: Journalism in the Shadow of Impunity* – documents the rise in violence against journalists following the coup d'état that ousted President José Manuel Zelaya in June 2009, and the failure of both state and international mechanisms to investigate and punish those responsible. Since June 2009 at least 32 Honduran journalists – most working for the broadcast media – have been killed and many more continue to work in a climate of fear and self-censorship.

To read this report please go to:

<http://www.pen-international.org/wp-content/uploads/2014/01/Honduras-Journalism-in-the-Shadow-of-Impunity1.pdf>

## The PEN Report: Creativity and Constraint in Today's China

May 3 2013

On World Press Freedom Day, PEN International launched *The PEN Report: Creativity and Constraint in Today's China*. The culmination of five years of collaborative research among PEN members inside and outside of China, the report is a frank assessment of the climate of freedom of expression in the world's most populous state. It also provides first-hand accounts of life under the weight of Chinese censorship through personal essays by 10 of China's leading dissident writers.

To read this report please go to:

<http://www.pen-international.org/wp-content/uploads/2013/05/The-PEN-Report-Creativity-and-Constraint-in-Todays-China.pdf>

When the Writers in Prison Committee of PEN International was formed in 1960, we were a committee of three individuals campaigning on behalf of 56 imprisoned writers, in Albania, Czechoslovakia, Hungary, France and Romania. The Committee itself now comprises more than 70 PEN centres, and the 2014 WiPC case list contains the names of some 900 writers, journalists, publishers, editors, bloggers under threat in every region of the world.

The WiPC has published a formal case list for more than 20 years, usually updating it every six months. We are now publishing an annual case list and, when resources permit, we will move to an online database.

The case list is the bible for PEN's freedom of expression work on behalf of individual writers. It's an invaluable research tool for PEN centres and other organizations; it is also a unique historical document, the record of PEN's work over decades in some of the world's most repressive regimes.

But the case list is not only a catalogue of names; it is an account of charges, imputed crimes and sentences: defamation, splittism, terrorism, incitement, disturbing public order, subversion of state powers, insulting the state, the people, the King, the Sultan, religious leaders, "waging war against God."

The case list is the basis of our campaigning against repressive regimes that threaten, incarcerate and kill writers, and many PEN centres use it to identify individuals to adopt as honorary members for whom they engage in sustained and long-term support of many different kinds. So it is essential that we are as precise and accurate as possible. In 2013, we revised the categorisations of cases and the format of the entries; the WiPC staff has made considerable effort to make the approach standard across all the regions. In cases where we knew of releases or deaths of individual writers at the time of preparation of the entries, that information was added in square brackets at the end. However, there have subsequently been releases which are not reflected in these entries, so please do check with London research staff for the latest information on any individual case.

But freedom of expression work is not static. Especially in the digital age, information comes in literally every minute, the story changes, the danger shifts. When PEN began its defence of imprisoned writers, the crimes were texts, written, published, printed, a poem, an essay, a novel. In recent years, almost half of the transgressions for which writers were punished have been fragments of digital information, a Tweet, a file sent electronically, an email caught in the relentless surveillance routinely undertaken by both regimes and democracies.

Over the next few years, we will move to a different system for building the case list. An annual list like this one will stand as a permanent record, but it will be supplemented by a more dynamic online database, which can be updated frequently, and which will allow us much more scope to analyse the wealth of information captured in the case list which will inform and improve our campaigning.

One of the fundamental principles in PEN's work is the naming of names. The WIPC case list has been, for thousands of individuals over almost 60 years, the document that says: this person exists, this person is not forgotten.

A handwritten signature in black ink, reading "Marian Botsford Fraser". The signature is written in a cursive style with a large, stylized initial 'M'.

Marian Botsford Fraser  
Chair  
Writers in Prison Committee  
PEN International

September 2015



## PEN INTERNATIONAL CHARTER

The P.E.N. Charter is based on resolutions passed at its International Congresses and may be summarised as follows:

P.E.N. affirms that:

1. Literature knows no frontiers and must remain common currency among people in spite of political or international upheavals.
2. In all circumstances, and particularly in time of war, works of art, the patrimony of humanity at large, should be left untouched by national or political passion.
3. Members of P.E.N. should at all times use what influence they have in favour of good understanding and mutual respect between nations; they pledge themselves to do their utmost to dispel race, class and national hatreds, and to champion the ideal of one humanity living in peace in one world.
4. P.E.N. stands for the principle of unhampered transmission of thought within each nation and between all nations, and members pledge themselves to oppose any form of suppression of freedom of expression in the country and community to which they belong, as well as throughout the world wherever this is possible. P.E.N. declares for a free press and opposes arbitrary censorship in time of peace. It believes that the necessary advance of the world towards a more highly organized political and economic order renders a free criticism of governments, administrations and institutions imperative. And since freedom implies voluntary restraint, members pledge themselves to oppose such evils of a free press as mendacious publication, deliberate falsehood and distortion of facts for political and personal ends. Membership of P.E.N. is open to all qualified writers, editors and translators who subscribe to these aims, without regard to nationality, ethnic origin, language, colour or religion.

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## PEN INTERNATIONAL

### Writers in Prison Committee

PEN International promotes literature and freedom of expression and is governed by the PEN Charter and the principles it embodies: unhampered transmission of thought within each nation and between all nations. Founded in London in 1921, PEN International – PEN's Secretariat – connects an international community of writers. It is a forum where writers meet freely to discuss their work; it is also a voice speaking out for writers silenced in their own countries. Through Centres in over 100 countries, PEN operates on five continents. PEN International is a non-political organisation which holds Special Consultative Status at the UN and Associate Status at UNESCO. PEN International is a registered charity in England and Wales with registration number 1117088. [www.pen-international.org](http://www.pen-international.org)

The Writers in Prison Committee of PEN International was set up in 1960 as a result of mounting concern about attempts to silence critical voices around the world through the detention of writers. It works on behalf of all those who are detained or otherwise persecuted for their opinions expressed in writing and for writers who are under attack for their peaceful political activities or for the practice of their profession, provided that they did not use violence or advocate violence or racial hatred.

Member centres of PEN International are active in campaigning for an improvement in the conditions of persecuted writers and journalists. They send letters to the governments concerned and lobby their own governments to campaign for the release of detained writers and for investigations in cases of torture and killings. Through writing to the families and, where possible, directly to prisoners, they provide encouragement and hope. PEN International has consultative status with the United Nations and with UNESCO.

#### Information sources

The WIPC gathers its information from a wide variety of sources. It seeks to confirm its information through two independent sources. Where its information is unconfirmed, it will either take no action, or send an appeal worded to reflect the fact that the information is as yet incomplete. Sources include press reports, reports from individuals in the region in question, reports from other human rights groups, PEN members themselves, embassy officials, academics, prisoners' families, lawyers and friends, and exile groups. It also partners with international NGOs, such as Article 19 and Index on Censorship. It is a founder member of IFEX – the International Freedom of Expression Exchange. IFEX is a collaborative, on-line service in which national, regional and international organisations involved in the campaign for free expression pool information and amplify each others' voices. For further details see the IFEX website [www.IFEX.org](http://www.IFEX.org)

Our work would be impossible without our Sponsors who include: OXFAM/NOVIB, Swedish International Development Foundation, Norwegian Ministry for Foreign Affairs, the Swedish Ministry of Culture, the Fritt Ord Foundation, individual donations and membership fees from PEN members

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The Writers in Prison Committee of PEN International records of persecuted writers are updated daily. For up-to-date information on a particular country (or countries), contact the PEN International secretariat in London.

The last report was dated December 2013

## EXPLANATION OF TERMS USED

### Important: Please Read

**KILLED** – A writer or journalist killed in the period of this case list. PEN is certain the individual was a writer/journalist targeted for their writing

**KILLED: MOTIVE UNKNOWN** – A writer or journalist killed in this period, but it is unclear if the individual was targeted for their writings

**KILLED: IMPUNITY** – The killing did not occur in the period of this case list, but there is ongoing impunity for the killing i.e. there has been no conclusion of the case or no investigation has taken place

**EXECUTED:** Executed by the state after a death sentence was imposed by a court for freedom of expression ‘offences’. Does not include executions of writers for criminal offences unless there were fair trial concerns.

**DEATH IN CUSTODY:** Writer died in custody (including in hospital while under guard) in circumstances where treatment in prison is believed to have contributed to death (eg torture or lack of medical care)

**ENFORCED DISAPPEARANCE** – PEN is certain the individual is a writer/journalist and that their disappearance was carried out by the authorities or with their acquiescence

**ABDUCTED** – PEN is certain the individual is a writer/journalist and that non-state actors are responsible for their disappearance

**REPORTED MISSING** – A writer or journalist may have been abducted, but it is unclear who was responsible. May include cases where the individual was killed, but a body has never been found

**IMPRISONED - MAIN CASE** – PEN is certain he/she is a writer/journalist who is serving a prison sentence after conviction in relation to their writings and as far as we know has not used violence or advocated racial hatred

**IMPRISONED - INVESTIGATION** – Under PEN investigation. Serving a prison sentence, where one or more of the following is unclear: if they are a writer; if they have been detained or persecuted for their writings; if they have advocated racial hatred

**DETAINED – MAIN CASE** – PEN is certain he/she is a writer/journalist and is being detained pending charge/trial or where there is no intention to charge them. Includes those held in administrative detention and unofficial house arrest. Can also include individuals in detention who are facing charges or are under judicial investigation

**DETAINED – INVESTIGATION** – Under PEN investigation. Detained, but where one or more of the following is unclear: if they are a writer; if they have been detained or persecuted for their writings; if they have advocated racial hatred

**ON TRIAL** – Including individuals facing charges, appealing sentence, but not currently detained or imprisoned

**JUDICIAL CONCERN** – PEN has no position on the criminal charges against the writer/journalist in question but is concerned about reported irregularities in the trial or legal process or about torture allegations or the death penalty

**BRIEF DETENTION** – will be recorded as a brief detention where they were held for over 48 hours, but the individual is released without charge. There is no definite time limit, but it could be up to a couple of months, depending on the region and context.

### DEATH THREAT

**ATTACKED** – Indicates a use of force or violence causing physical damage to the individual or destruction of personal property e.g. arson

**THREATENED** – where individuals have received threats intended to make them desist from writing (including ‘in hiding’)

**HARASSED** – Including intimidation, brief detentions of fewer than 48 hours, dismissal from employment where it is linked to their work, etc.

**JUDICIAL HARASSMENT** – for example, repeated arrests or summons for questioning where the period of detention is less than 48 hours or investigations suspended which can be reopened at any time, acting as a form of deterrence on the writer

**SENTENCED** – where a writer/journalist has reached the end of the judicial process, has been sentenced, but has not yet been imprisoned

**CONDITIONAL RELEASE** - Including suspended sentence

**RELEASED** – including acquitted, end of sentence

**CASE CLOSED** – A case may be closed when PEN has no access to updated information for six to twelve months, or case dropped due to new information – e.g. case not linked to their writings, use of violence, civil proceedings, etc.



## FURTHER INFORMATION ON CATEGORIES

### MAIN CASES

In these cases, the Writers in Prison Committee will take all possible action for their release or for compensation. In cases where a prisoner is held without charge or trial for a considerable length of time, the Writers in Prison Committee will consider them to be a main case until and unless information is provided which shows that they have used violence or advocated racial hatred.

### INVESTIGATION CASE

The Writers in Prison Committee publishes details of investigation cases so as to provide a complete account of reports of abuses against individuals practising their right to free expression in all countries. However, it will not usually call for their release. Once sufficient information is available, their cases will be reclassified as a main case or closed as appropriate.

### JUDICIAL CONCERN

These are cases where the main concern includes convictions based on trial proceedings which were manifestly unfair, where there are serious concerns regarding allegations of torture or where there are other irregularities in the judicial process. In these cases, the Writers in Prison Committee calls for a re-trial following fair trial practice or is calling for an investigation of the alleged malpractice and for those found guilty of committing such acts as torture to be brought to justice.

# AFRICA

## ANGOLA

### ON TRIAL

#### Rafael MARQUES DE MORAIS:

**PROFESSION:** author, journalist and human rights activist.

**DETAILS OF TRIAL:** Marques is facing multiple counts of defamation. Following publication of his book *Blood Diamonds: Corruption and Torture in Angola*, in November 2011 Moraes made a criminal complaint against eight individuals – seven military officials and the head of a mining company, accusing them of crimes against humanity, including murder, torture and forced displacement of civilians. The Attorney General dismissed the complaint on 18 June 2012, on the grounds the events were not substantiated or had not occurred, ruling that Marques' witnesses merely repeated what they had already told Marques. The individuals named in his complaint filed a criminal defamation lawsuit against Marques in Portugal in 2012, which the Portuguese Prosecution Service chose not to pursue in February 2013. They are reportedly now pursuing a private prosecution in Portugal for libel and defamation against Marques and his publisher, seeking a total of 300,000 Euros (approx. US\$400,000) in damages. The plaintiffs then lodged a complaint of criminal defamation in Angola. On 3 April 2013, Marques was summoned by telephone to the organised crime unit of the national police. During his interrogation he was informed that he had been indicted in January 2013 on charges of defamation, but was not allowed to see the evidence compiled against him. According to Angolan law, the nature and content of such an investigation do not need to be disclosed to the accused or their legal counsel. On 31 July 2013 Marques attended a hearing at the National Directorate on Criminal Investigation and Action in the Angolan capital Luanda, regarding 11 counts of defamation. Marques and his lawyers were still not allowed to review the full indictments and files or evidence related to the charges. The only information provided was that the 11 charges were based on eight individual complaints and three collective criminal complaints, filed by seven Angolan generals, a civilian, two mining companies and a private security company. All of the lawsuits were triggered by Marques' book. According to a letter written by several human rights organisations, one of the charges is a re-filing of the criminal defamation case brought against him in Portugal – where it was dismissed. In respect of this charge, he is both the accused and a state witness, a violation of his right not to testify against himself. In July 2014, Marques was again summoned and was formally charged with eight counts of defamation, although the charge sheet dated March 2014 was not given to him and his lawyer. His trial was expected to commence on 24 March 2015.

**BACKGROUND:** In 2000, Marques was sentenced to six months in prison and ordered to pay damages for defamation against the president of Angola, however, the United Nations Human Rights Committee later found that the judgement had violated Marques' rights and ordered Angola to pay him damages.

**AWARDS:** Recipient of Transparency International's 2013 Integrity Award

**PEN ACTION:** Joint appeal to international and regional human rights mechanisms August 2014, press statement December 2014 [**STOP PRESS:** In April 2015, it was reported that Marques' trial had been postponed until 14 May. An additional 15 charges of defamation have reportedly been brought against him.]

## BENIN

### SENTENCED

#### \*John AKINTOLA:

**PROFESSION:** publisher of L'Indépendant

**DATE OF SENTENCE:** 25 June 2014

**SENTENCE:** Akintola was handed down a three-year suspended sentence and fine of 200,000 CFA (approx. US\$416). The newspaper was also suspended for three months effective 16 July 2014.

**DETAILS OF TRIAL:** Akintola was convicted alongside L'Indépendant reporter Prudence Tessi (see below) of "insulting" President Thomas Boni Yayi in an article written by Tessi. The article reportedly alleged that trips abroad by President Yayi had been illegally financed by the Benin Electric Energy Company (SBEE). No further information as of 31 December 2014.

**BACKGROUND:** The general director of SBEE is reported to have been dismissed as a result of the case and left the country. An earlier case, which he is reported to have brought against the newspaper, led to a three-month suspension of the newspaper. The suspension was due to expire on 15 July 2014.

### RELEASED

#### \*Prudence TESSI (f):

**PROFESSION:** reporter for L'Indépendant

**SENTENCE:** Two months in prison. The newspaper was also suspended for three months effective 16 July 2014.

**DETAILS OF TRIAL:** According to reports, Tessi was convicted on 25 June 2014 alongside the newspaper's publisher John Akintola (see 'sentenced' below) for "insulting" President Thomas Boni Yayi in an article she wrote. The article reportedly alleged that trips abroad by President Yayi had been illegally financed by the Benin Electric Energy Company (SBEE).

**BACKGROUND:** The general director of SBEE is reported to have been dismissed as a result of the case and left the country. An earlier case, which he is reported to have brought against the newspaper, led to a three-month suspension of the newspaper. The suspension was due to expire on 15 July 2014.

#### \*François YOVO:

**PROFESSION:** editor and publisher of Libération

**DATE OF SENTENCE:** 17 May 2014

**DATE OF RELEASE:** 27 June 2014

**SENTENCE:** Yovo was reportedly arrested in May 2014 to serve a three-month sentence for defamation imposed in November 2013, and was taken to Cotonou prison. His newspaper had reportedly published corruption allegations against the director of the National Society for the Promotion of Agriculture (Sonapra). Yovo was released on 27 June 2014 after the charges were dropped.

## BOTSWANA

### ON TRIAL

#### \*Outsa MOKONE:

**PROFESSION:** editor of the Gaborone-based Sunday Standard

**DATE OF ARREST:** 8 September 2014

**DATE OF RELEASE:** 9 September 2014

**DETAILS OF ARREST:** Mokone was reportedly arrested by police who raided the newspaper's offices on 8 September 2014. Only Mokone's computer was seized during the raid.

**DETAILS OF RELEASE:** Mokone was released from detention on 9 September following an application by his lawyers.

**DETAILS OF TRIAL:** He was charged with "seditious intention" contrary to section 50(1) as read with section 51(1) C of the Penal Code of Botswana over an article about an alleged car accident involving the president. The High Court judge reportedly ordered the police commissioner to "not apply for any further warrants of arrest against the applicant based on facts similar in nature to those founding the warrants." Mokone reportedly challenged the constitutionality of the sedition charge; a hearing was due to be held on 28 November 2014. No further information as of 31 December 2014; PEN is seeking an update.

**BACKGROUND:** The journalist, who wrote the offending article, Edgar Tsimane, reportedly fled the country and has received provisional refugee status in South Africa. Mokone has written articles critical of the Directorate of Intelligence and Security.



# BURKINA FASO

## RELEASED

### Lohé Issa KONATÉ:

**PROFESSION:** editor of the private weekly newspaper L'Ouragan,

**DATE OF ARREST:** 31 October 2012

**DATE OF RELEASE:** 29 October 2013

**DETAILS OF TRIAL:** Konaté was convicted of criminal defamation on 31 October 2012, alongside L'Ouragan contributor Roland Ouédraogo, who received the same sentence in absentia. Both journalists were also sentenced to a fine of 1.5 million CFA (US\$2,900) and were ordered to pay a total of 4 million CFA (US\$7,800) in damages to the state prosecutor. The judge also banned the newspaper from circulation for six months. Konaté was taken straight to prison following sentencing. The authorities had reportedly issued an arrest warrant for Ouédraogo (note: he was not imprisoned as previously reported). According to the journalists' defence lawyer, Konaté's appeal was rejected and his sentence upheld in May 2013. He was released after serving his sentence. He filed a complaint with the African Court on Human and Peoples' Rights (ACHPR) on 16 June 2013, asking it to rule that his conviction violated his right to freedom of expression that criminal laws should never be used in a dispute about reputation, and that imprisonment and closure of a media outlet are unduly harsh sanctions. PEN International and several other international and regional human rights organisations acted as amici curiae, or friends of the court, before the ACHPR in Konaté's case, as it raised the use of criminal defamation and insult laws to silence government critics.

**UPDATE:** On 5 December 2014, the ACHPR ruled that imprisonment for defamation violates the right to freedom of expression and that criminal defamation laws should only be used in restricted circumstances.

**BACKGROUND:** On 1 and 8 August 2012, L'Ouragan published articles which detailed alleged abuse of power by the prosecutor's office. Konaté is reported to have admitted that publication of the articles amounted to professional misconduct, for which he apologized.

**PEN ACTION:** Joint statement 18 December 2013, 21 March 2014, 5 December 2014.

# CAMEROON

## KILLED: IMPUNITY

### Eric Ohena LEMBEMBE:

**PROFESSION:** executive director of the Cameroonian Foundation for AIDS (CAMFAIDS), LGBT rights activist, author of several chapters in From Wrongs to Gay Rights, journalist and contributor to the 'Erasing 76 Crimes' blog.

**DATE OF BIRTH:** 1980

**DETAILS OF KILLING:** Lembembe was found dead, his body mutilated, on 16 July 2013. It is thought that he was murdered between 12 and 13 July. Lembembe's neck and feet appeared to have been broken, while his face, hands and feet had been burned with an iron. His murder reportedly followed several attacks on the offices of human rights defenders, including those campaigning for equal rights for LGBT people. On 20 September 2013, Cameroon's ambassador to Geneva reportedly told the United Nations Human Rights Council that Lembembe had been killed because of his personal life, suggesting that the journalist might have been a criminal killed in a "settling of scores". The ambassador's claims came despite the authorities' failure to identify any suspects two months after Lembembe's murder; he reportedly dismissed all concerns that his murder was linked to his activism as "fantasy".

**UPDATE:** According to PEN's information, the investigation into Lembembe's death remains at a standstill as of 31 December 2014; PEN is seeking information as to whether the investigation is on-going.

## IMPRISONED: MAIN CASE

### Dieudonné Enoh MEYOMESSE:

**PROFESSION:** author, historian and president of the National Association of Cameroonian Writers. Many of his books are critical of President Paul Biya, Meyomesse is also a political activist who aspired to be a candidate for the 9 October 2011 presidential election under the banner of the United National Front (Front National Uni, FNI).

**DATE OF BIRTH:** Born 1954

**SENTENCE:** Seven years in prison

**DATE OF ARREST:** 22 November 2011

**DETAILS OF ARREST:** Meyomesse was arrested at Yaoundé airport on his return from a trip to Singapore and was charged with armed robbery (of gold) and organising a coup. He was accused along with three other men who had accompanied him on the trip. According to Amnesty International, on 18 November 2011, while Meyomesse was in Singapore, gendarmes broke into his house without a search warrant and took documents, compact discs, flash drives, photographs and other personal property. Several days after their arrest, Meyomesse and his three co-accused were transferred in the middle of the night to Bertoua,

the capital of Eastern region, where they were tortured or otherwise ill-treated with food and water deprivation and threats of violence. Fearing for their lives, Meyomesse and the others reportedly signed statements that they were not allowed to read. Meyomesse also says that during the interrogation he was told to call his business partners and ask for 15 million Euros (approx. US\$20.5 million) which he would in turn give to investigators; he did not make the call. On 19 December 2011, while Meyomesse's family was still searching for his whereabouts, the news broke that he was being held in Bertoua. On 22 December 2011, Meyomesse and his three co-accused were presented as armed robbers at a press conference in Bertoua. The accusation of plotting to overthrow the government was not mentioned at the press conference. All four subsequently appeared before Yaoundé military court before being transferred to Kondengui prison in Yaoundé.

**CURRENT PLACE OF DETENTION:** Kondengui maximum security prison, Yaoundé.

**DETAILS OF TRIAL:** The three men were charged with armed robbery (of gold) and organising a coup. The trial of Meyomesse and his three co-defendants began in July 2012 at Yaoundé military court. On 14 December 2012 they were found guilty of armed robbery and illegal sale of gold. The Government Commissioner requested a sentence of seven years in prison for Meyomesse and a fine of 200,000 CFA (approx. US\$418), which was confirmed on 27 December 2012. His three co-defendants were reportedly sentenced to terms of between two and nine years in prison. According to Amnesty International, the alleged victims of the armed robbery were not presented or even named during the trial and were only referred to as "Koreans" by the military prosecutor. In April 2013, it was reported that Meyomesse's lawyers had succeeded in having his case referred to a civil court for appeal. On 16 January 2014, after several postponements on legal technicalities, including the failure of witnesses to appear, a hearing took place in which all witnesses were in attendance. According to PEN's information, documents were presented to the court, including a memorandum written by Meyomesse outlining his defence. Meyomesse's appeal hearings were continually postponed throughout 2014.

**CONDITIONS IN DETENTION:** Meyomesse was held in solitary confinement and denied access to a lawyer for the first 30 days of his detention. All four defendants were held incommunicado after arrest and reportedly deprived of food and water for several days at a time and made to sleep on the bare floor in a dark cell infested with insects. A judicial interrogator put a gun on a table and threatened to shoot them in the thigh if they did not admit to having been involved with plotting to overthrow the government and an armed robbery. Meyomesse suffers from a degenerative eye condition provoked by the month spent in solitary confinement, in total darkness. According to reports received on 16 April 2013, Meyomesse had been prevented from using the prison computer room where he writes his books since 5 April. In addition, the computer on which he was working and saving his work while waiting to buy a CD to back it up had reportedly been declared out of use and removed from the room. Meyomesse had saved three of his recent texts on the computer in question: Poems of Hope, The Elite Against the People from 1884 to the Present Day and Cameroon, Desert of Human Rights. Meyomesse believes that the prison superintendent may have banned him from using the computer room as punishment for Cameroon, Desert of Human Rights and for his support from PEN and Oxfam-Novib. His requests to meet with the computer room manager to discuss the matter and to have his subscription fees refunded have come to nothing. As of October 2013, Meyomesse still had no access to a computer, but continued to write using paper and pen. In July 2014, Meyomesse was granted re-admittance to the computer room.

According to PEN's information, a number of activists visiting Meyomesse in prison have faced subsequent harassment.

**HEALTH CONCERNS:** According to PEN's information, Meyomesse was hospitalised on several occasions in 2014, for malaria, amoebiasis and severe gastroenteritis, among other complaints. In August 2014, Meyomesse reportedly applied for conditional release.

**BACKGROUND INFORMATION:** According to Amnesty International, Meyomesse says he travelled to Singapore to meet potential business partners there. His three co-accused are personal friends who have been involved in his political campaigns. Before travelling to Singapore, Meyomesse had asked them to travel to the Eastern region to gather information about opportunities, including gold mining, for prospective Australian business partners he was going to meet in Singapore. Meyomesse was reportedly carrying samples of gold when he was arrested. He was previously arrested at Yaoundé airport on 30 January 2011 when returning from Ivory Coast. Meyomesse was reportedly unable to run in the 9 October 2011 presidential elections because the Supreme Court did not validate his candidacy.

**PEN POSITION:** PEN believes that the charges against Meyomesse are politically motivated and that his imprisonment is linked to his writings critical of the government and his political activism and is thus calling for his immediate and unconditional release.

**AWARDS:** 2012 Oxfam Novib/ PEN Freedom of Expression Award.

**HONORARY MEMBER:** American PEN and Austrian PEN.

**PEN ACTIONS:** RAN 04/12 and updates. He featured as the "Empty Chair" at the WiPC's biennial Conference in Krakow, Poland in May 2013. English PEN have published an e-book of translations of his poetry, which may be downloaded here. A second book of his poetry written while in prison was published in French in January 2014 and may be downloaded here. PEN International also featured his case in its campaign around the 2014 Football World Cup in Brazil. **[STOP PRESS:** Meyomesse was released from prison on 27 April 2015. He has not been formally acquitted and has appealed to the Supreme Court.]

### **\*Amungwa Tanyi NICODEMUS:**

**PROFESSION:** publisher and editor of the private weekly newspaper The Monitor

**SENTENCE:** four months in prison and damages of 10 million CFA (approx. US\$21,000)

**DATE OF ARREST:** 29 March 2014

**DETAILS OF ARREST:** Arrested after conviction to serve sentence.

**DETAILS OF TRIAL:** On 10 March 2014 a court in Bamenda, northwest Cameroon, convicted Nicodemus in absentia of criminal defamation and sentenced him to four months in prison and payment of damages. He was also accused of failing to respond to a summons that he had allegedly been served on 16 December 2013. Nicodemus reportedly denied ever receiving the summons. The court in Bamenda issued a warrant for his arrest after the announcement of the verdict. According to reports, a judge postponed indefinitely a bail hearing for Nicodemus on 11 April 2014. His appeal hearing was expected to be held on 28 April.

**CURRENT PLACE OF DETENTION:** Bamenda Central Prison

**UPDATE:** Nicodemus was due to be released in July 2014, but was currently still detained as of October 2014 as he could not afford to pay the damages, which exceed the limit set by Cameroon's penal code. Nicodemus' applications for bail and appeal were scheduled to be



held on 16 December 2014. No further information as of 31 December 2014; PEN is seeking an update.

**BACKGROUND:** The charges are alleged to stem from a complaint filed by the Cameroon Co-operative Credit Union League (CAMCCUL) following the publication of a series of articles in The Monitor that alleged, among other things, the embezzlement of funds and corruption on the part of CAMCCUL. [STOP PRESS: CPJ blog posted on 4 May 2015 reported that Nicademus had recently been released.]

## DETAINED: INVESTIGATION

### \*Zacharie NDIOMO:

**PROFESSION:** editor of the bi-monthly Le Zénith

**DATE OF ARREST:** 13 October 2014

**DETAILS OF ARREST:** According to PEN's information, Ndiomo was arrested as a result of a libel suit by the chief of staff of Cameroon's finance ministry relating to an article published in Le Zénith, which claimed that the official was about to be jailed for illicit enrichment.

**DETAILS OF TRIAL:** Ndiomo was reportedly initially charged with defamation before the charges were altered to blackmail and issuing threats. He denies all charges. Ndiomo was expected to appear in court on 15 December 2014; no further information as of 31 December 2014.

**CURRENT PLACE OF DETENTION:** Yaounde Central Prison (Kondengui) since 22 October 2014

**CONDITIONS OF DETENTION:** He Ndiomo was denied access to medicine and his family after his transfer, according to reports. [STOP PRESS: According to February 2015 reports, Ndiomo was released from Kondengui prison on 6 February 2015 following his appearance at a tribunal on 22 January.]

## ON TRIAL

### \*Félix Cyriaque EBOLE BOLA

**PROFESSION:** journalist with Mutations

### Rodrigue TONGUE

**PROFESSION:** journalist with Le Messenger

**DETAILS OF TRIAL:** Ebole Bola and Tongue were reportedly charged with "non-denunciation" of facts potentially endangering state security during a military court hearing in Yaoundé held on 28 October 2014. The journalists are reportedly free under judiciary supervision. They are required to report to court once a week, may not leave Yaoundé and are barred from commenting on the case. According to PEN's information, they were also barred from practising their profession. No further information as of 31 December 2014; PEN is seeking an update.

**BACKGROUND:** The charges are reported to stem from when the journalists learned of a Central African rebel chief stationed on the border of Cameroon claiming to be in possession of national security information. Ebole Bola reportedly wrote to a national security delegate informing him of this news and requesting confirmation. In response, the police asked the journalist to share information and to provide any updates. After communications ceased, Mutations was reportedly ordered to court for not having responded to the police request.

## ATTACKED

### \*Denis NKWEDO:

**PROFESSION:** editor of the private daily newspaper Le Jour, correspondent for Radio France Internationale's English-language service in Cameroon, president of the National Syndicate of Cameroonian Journalists, and member of Investigative Reporters and Editors.

**DATE OF ATTACK:** 24 April 2014

**DETAILS OF ATTACK:** According to reports, Nkwebo's car was destroyed in an explosion; no one was hurt in the incident. The journalist had reportedly been warned by acquaintances and contacts within the government to be careful in his investigation and reporting of the Cameroonian security forces. Nkwebo had recently reported that the security forces were struggling to prevent a spate of kidnappings and armed attacks at the country's borders with Nigeria and the Central African Republic – claims Cameroon's Defence Ministry deny. Nkwebo reported the incident to the police, who are said to be investigating the incident. No further information as of 31 December 2014.

## HARASSED

### \*Guy NSIGUÉ:

**PROFESSION:** sports reporter for Mboafootball.com and Radio Sport info

**DATE OF ARREST:** 21 October 2014

**DATE OF RELEASE:** 22 October 2014

**DETAILS OF ARREST:** Nsigué was reportedly arrested by men from the defence ministry after he was lured there by a source. It is thought that he was arrested for an article in which he accused the head of the Cameroonian Football Federation's normalization committee of embezzlement. He was detained overnight at the headquarters of Cameroon's Gendarmerie and released after appearing before a prosecutor the next day. He was reportedly still under investigation.

## CASE CLOSED

### Baature EDUA MVOCHOU: (Nigerian national)

**PROFESSION:** editor of South African magazine Drum, based in Jos, Nigeria

**DATE OF ARREST:** 1 October 2012

**DETAILS OF ARREST:** Edua was arrested in Buea along with Martin Yembe Fon, editor of local newspaper The Frontier Telegraph, when they tried to cover a secessionist gathering at a local church. Police officers reportedly stopped the journalists and seized their press cards before ordering them to go inside the church. According to Fon, a large number of policemen entered the church and rounded up those gathered there.

**DATE OF RELEASE:** On 8 November 2012 it was reported that Edua was free on bail.

**DETAILS OF TRIAL:** After 10 hours of detention the journalists were taken to court and charged with unlawful assembly. According to Edua's lawyer, the court had heard his defence and the case was adjourned until 14 March 2013. If convicted, Edua faces a maximum sentence of six months in prison and a fine of 100,000 CFA (US\$200). Fon was later reported to have been cleared of all charges. No further news as of 31 December 2014; case closed due to lack of information.

# CENTRAL AFRICAN REPUBLIC

## ON TRIAL

### \*Régis ZOUIRI

**PROFESSION:** editor of Le Palarès

### Patrick Stéphane AKIBATA

**PROFESSION:** editor of Le Peuple

**DATE OF ARREST:** 14 and 15 April 2014 respectively.

**DATE OF RELEASE:** Reported in May 2014 to have been freed as a result of international pressure.

**REASON FOR ARREST:** The journalists were reportedly charged with 'insulting the president,' 'defamation,' 'public insult' and 'attacking internal state security.' Only the final charge is considered a criminal offence in the Central African Republic. They were expected to appear before the court on 22 April 2014. Zouiri and Akibata were still on trial as of 30 June 2014. No further information as of 31 December 2014; PEN is seeking an update.

**BACKGROUND:** The charges are reported to relate to articles published for which the newspapers Le Peuple and Le Démocrate were suspended for one and two weeks

respectively by a court of their peers at a hearing on 8 April. An arrest warrant was also reported to have been issued for Ferdinand Samba, journalist with Le Démocrate.

## HARASSED

### Davy KPENOUWEN:

**PROFESSION:** managing editor of the daily newspaper Le Pays

**DETAILS OF HARASSMENT:** Kpenouwen was reportedly summoned by the Prosecutor General and threatened with arrest on 2 August 2013. It is thought that the summons was in connection with the newspaper's coverage of the so-called "Badica affair", although no libel action has been brought against it.

**UPDATE:** Kpenouwen fled into exile leading to the temporary suspension of the newspaper, according to 17 May 2014 reports. No further news.

# CHAD

## THREATENED

### Moussaye AVENIR DE LA TCHIRÉ:

**PROFESSION:** editor-in-chief of Abba Garde bi-monthly newspaper and treasurer of the Union of Chadian Journalists. On 16 April 2014, it was reported that he had received threats relating to articles incriminating a former minister in the embezzlement of public money. He reportedly sought refuge in a local police station.

**BACKGROUND:** Avenir de la Tchiré has previously received threats and in 2013 was held for over three months in pre-trial detention. On 7 May 2013, he was arrested by a group of men in civilian clothes. He was in his car in a suburb of N'Djamena when the men forced him into their vehicle. His whereabouts were not immediately known; on 8 May he was found in a former military camp known as "Camp OCAM". His arrest came in the wake of an alleged coup attempt on 1 May 2013 in which eight people were reportedly killed in unclear circumstances. A number of other journalists were arrested following the coup attempt, including Eric Topona (see under Jean Laokolé's entry below). On 29 August 2013, the editor was given a two-year suspended sentence after conviction of "inciting hate and popular uprising" and a fine of 1 million CFA (approx. US\$2,091) on 29 August 2013, and released the same day. He did not appeal his sentence. In December 2012 Avenir de la Tchiré received a number of threatening calls following the publication of an issue of Abba Garde that was particularly critical of the president of the ruling party, Mouvement patriotique du salut (MPS). On 28 December 2012, unidentified individuals entered Avenir de la Tchiré's house at night; he believes they were sent by politicians, apparently to kill him. One of his journalists, Franck Mbaidje Mbaidogotar, was reportedly abducted and beaten by men wearing gendarmes' uniforms two days earlier, on 26 December 2012. In June 2012 he was one of a group of Chadian journalists who said they had been threatened by a government minister.



**PEN ACTION:** RAN 17/13 and updates

## CONDITIONAL RELEASE

### Jean Etienne LAOKOLÉ:

**PROFESSION:** activist, humanitarian worker, writer and blogger

**DATE OF ARREST:** 22 March 2013

**DATE OF RELEASE:** August 2013

**DETAILS OF ARREST:** Laokolé was arrested by a group of men in civilian clothes in the Chadian capital N’Djamena and spent almost five months in pre-trial detention. He was reportedly driving with family members when he was stopped and forced into another vehicle. Laokolé’s arrest was thought to be in connection with a series of articles he wrote denouncing corruption, poor governance and nepotism in Chad and posted on a well-known Chadian blog, Le Blog de Makaila (<http://makaila.over-blog.com>), under the pseudonym Vourboubé Pierre in 2012. Laokolé was reportedly identified as the author by the intelligence services. According to reports, earlier on the day of his arrest Laokolé had been summoned for questioning by the criminal investigation police as a result of a complaint about an article he had written.

**DETAILS OF TRIAL:** Laokolé appeared before a magistrate on 1 April 2013, where his lawyer stated that the procedure in the case of defamation had not been followed and that there was no reason why Laokolé should not be granted bail pending trial. On 19 August 2013 he was convicted of defamation and “abortive conspiracy against public order” and handed down a three-year suspended prison sentence.

**CONDITIONS IN DETENTION:** Laokolé was held incommunicado for three days following his arrest before reportedly being sighted in a former military camp in N’Djamena on 25 March 2013. He was then transferred to the Am Sinene detention centre, 30 km outside the capital, where conditions amount to cruel, inhuman and degrading treatment or punishment, according to Amnesty International. He was reportedly later given access to a lawyer and his family.

**BACKGROUND:** On 6 May 2013, Eric Topona, broadcast journalist and secretary general of the Union of Chadian Journalists (Union des Journalistes Tchadiens), was arrested after he attended a summons to testify in Laokolé’s case at the N’Djamena Magistrate’s Court. Accused of working with Laokolé and contributing to Le Blog de Makaila, he was reportedly charged with “endangering constitutional order,” detained under warrant and transferred to Am Sinene detention centre where he remained in prison pending trial. Topona was also convicted on charges of defamation and “abortive conspiracy against public order” and given a three year suspended sentence, and released, on 19 August 2013. Topona was reported to be appealing his sentence. No further information; PEN is seeking an update.

**PEN ACTIONS:** RAN 17/13 and updates

## CASE CLOSED

### Juda ALLAHONDOUM:

**PROFESSION:** editor of the private weekly L’Union

**DETAILS OF TRIAL:** Allahondoum was convicted of criminal defamation on 30 July 2013 and given a suspended six-month prison sentence. The case reportedly relates to a story published on 16 April 2013 which discussed the findings of a government audit and alleged the involvement of presidential advisers in the embezzlement of funds in the organisation of an annual event of the ruling party. He is reported to have appealed his sentence. No further update as of 31 December 2014; case closed to lack of information.

# CONGO

## HARASSED

### \*Sadio KANTE (f):

**PROFESSION:** freelance journalist

**DATE OF HARASSMENT:** 22 September 2014

**DETAILS OF HARASSMENT:** Kante was reportedly arrested and held overnight in the capital, Brazzaville, before being expelled to the Malian capital of Bamako the following day. Police are reported to have accused her of disturbing the peace, drug consumption, and illegal residence, however, she denied the allegations, suspecting that it was linked to her coverage of an attack on a Cameroonian journalist and his family. She had reportedly been threatened by police following publication of her report.

# DEMOCRATIC REPUBLIC OF CONGO

## IMPRISONED – MAIN CASE

### \*Mike MUKEBAYI NKOSO:

**PROFESSION:** publisher of Congo News newspaper

**DATE OF ARREST:** 21 August 2014

**DETAILS OF ARREST:** Mukebayi was reportedly arrested in connection with an article regarding a cardinal published in Congo News on 18 July 2014. He was charged with “detrimental allegations,” a criminal offence under article 28 of Law 96-002, which holds responsible the publisher, editor and author of articles considered defamatory. If found guilty he could face a

possible one-year jail sentence and fine. An arrest warrant was also issued for the newspaper's managing editor John Tshingombe Lukusa, whose whereabouts were unknown.

**DETAILS OF TRIAL:** According to October 2014 reports, Mukebayi had been held in detention for two months without his case being brought before the court. The most recent hearing, scheduled for 16 October 2014, was reportedly cancelled as the judge did not attend.

According to Reporters Without Borders (RSF), no complaint was filed by any persons who might have felt that they had been libeled by the article. Included in the case file only is a complaint made by a Richard Vianney whom no one has met or heard of, RSF reports. A request for release on bail was rejected in November 2014. No further information as of 31 December 2014; PEN is seeking to establish whether Mukebayi has been brought to trial.

**CURRENT PLACE OF DETENTION:** Kinshasa Penitentiary and Re-education Centre (CPRK), formerly Makala prison.

**BACKGROUND:** according to PEN's information, Congo News was banned on 20 August 2014 by the Media Ministry owing to the fact that it did not have a licence. Mukebayi has appeared on several of PEN's case lists over the years including July-December 2003 and July-December 2006. [**STOP PRESS:** On 16 March 2015, Mukebayi was sentenced to 11 months in prison, a fine of 100,000 Congolese Francs (US\$109) and damages of 100,000 Congolese Francs after being convicted of defamation. He did reportedly not appeal his sentence.]

## THREATENED

### \*Keny KATOMBE:

**PROFESSION:** journalist with Reuters

**DATE OF THREATS:** 15 January 2014

**DETAILS OF THREATS:** According to reports, a spokesman for the Armed Forces of the Democratic Republic of Congo (FARDC) in Nord-Kivu publically threatened Katombe and Austere Malivika – journalist with Voice of America – with the same fate as journalists in other parts of Africa such as Moussa Kaka (imprisoned in Niger), or Jean Hélène (murdered in Ivory Coast) for “sticking their noses into the army's business”. It is thought that the threats were in response to Katombe's attempts to cover the army's operations against Ugandan rebels and the death of an army colonel in an ambush near Beni in the beginning of January 2014. The threat made in public followed reported threatening telephone calls made by the FARDC spokesman, who later reportedly denied that any journalists had been threatened. No further information as of 31 December 2014.

### \*Alain WANDIMOYI:

**PROFESSION:** freelance reporter and blogger (<http://alainwandimoyi.blogspot.co.uk/>)

**DATE OF THREATS:** 4 January 2014

**DETAILS OF THREATS:** Members of the National Intelligence Agency are reported to have threatened Wandimoyi and Agence France-Presse stringer Albert Kambale in Butembo, accusing them of knowing too much about the death of an army colonel and insisting that they surrender material they had gathered on the case.

**BACKGROUND:** The threats against Wandimoyi appear to have been part of a wave of threats related to the coverage of Colonel Ndala's death during an ambush near Beni on 2 January 2014, including those made against Keny Katombe (see above). The exact circumstances of the colonel's death and the identity of those responsible have not yet been established. No further information as of 31 December 2014.

## CASE CLOSED

### Charly KASONGO:

**PROFESSION:** editor of the newspaper L'Intelligent

**DATE OF ARREST:** 29 May 2013

**DETAILS OF DETENTION:** Kasongo was arrested and held for a week before being released on bail on 5 June.

**DETAILS OF TRIAL:** Kasongo was facing charges of defamation filed against him by the minister of employment, labour and social welfare. The charges relate to an article published in L'Intelligent on 14 May 2013, in which Kasongo referred to a memorandum from labour inspectors to the prime minister calling for the minister of employment, labour and social welfare to be dismissed. No further information as of 31 December 2014; case closed due to lack of information.

### Nicaise Kibel BEL'OKA:

**PROFESSION:** publisher of the bimonthly newspaper Les Coulisses

**SENTENCE:** four-month suspended sentence and a fine

**DETAILS OF TRIAL:** Bel'Oka was sentenced on 20 June 2013 to a four-month suspended prison sentence and a fine equivalent to US\$3,000 for allegedly libeling the deputy director of the customs department in Béni in relation to a June 2012 article claiming customs fraud. The offending article reported that 977 tons of timber was exported on 18 May 2012 without being registered by the Béni customs department. According to PEN's information, the judge in charge of the case opted to excuse himself owing to a conflict of interest revealed by Bel'Oka. Bel'Oka reportedly continues to wait for his appeal to be heard before a court in Goma. No further information as of 31 December 2014; case closed due to lack of information.

**BACKGROUND:** Bel'Oka served a six-month prison sentence for libel in 2004.

**AWARDS:** Bel'Oka was awarded the 2009 CNN award for press freedom in Africa.

# DJIBOUTI

## JUDICIAL HARASSMENT

### Mohamed Ibrahim WAISS:

**PROFESSION:** journalist for the pro-opposition news website La Voix de Djibouti.

**DETAILS OF HARASSMENT:** Waiss was arrested and briefly detained at least three times between December 2013 and August 2014 for covering demonstrations. Most recently, he was arrested on 8 August 2014 while covering a demonstration by the Union Pour Le Salut National (Union for National Salvation), a coalition of opposition parties, in Djibouti City. He was reportedly beaten by police, causing injuries to his eyes and back, and was denied medical treatment. Accused of incitement and publishing false news on social media networks under the recently passed Computer Crime Act, he was acquitted and released on 21 August 2014. He reportedly made a complaint about his mistreatment in detention to various UN bodies. On 10 June 2014, he was reportedly among 48 others arrested when he went to show support for former journalist and opposition leader Daher Ahmed Farah; Waiss was released after 48 hours.

**2013:** On 12 December 2013, Waiss was arrested in Djibouti City while covering a protest staged by women demanding land plots that they had been promised by the government after their residences had been destroyed, and detained for a week. He was released on bail on 19 December 2013, reportedly 78 hours over the statutory maximum pre-trial custody period of four days. He reportedly faced charges of 'inciting a demonstration'. His trial was expected to commence on 2 January 2014; no further information.

**BACKGROUND:** Other journalists for the La Voix de Djibouti website have been subject to previous harassment. In June 2013, Houssein Ahmed Farah was conditionally released from prison after being charged with inciting public disorder. On 4 December 2013, two other colleagues, Abdourahman Houssein and Sadam Ainan were reportedly beaten and detained by police while they covered a police raid on market stall vendors in Maka Moukarama Market. On 7 December 2013, another colleague Farah Abadid Hildid was reportedly briefly detained by police (see 2013 Case List).

# EQUATORIAL GUINEA

## HARASSED

### \*Juan Tomás AVILA LAUREL:

**PROFESSION:** writer and poet

**DATE AND DETAILS OF HARASSMENT:** In February 2014, the police began a search for Avila after he organised a peaceful protest in Malabo. Permission to stage the sit-in protest against an

alleged recent wave of extrajudicial killings perpetrated by the military was reportedly denied by the provincial government. In response, Avila began planning an alternative event, when he heard on the radio that they would be arrested on 18 February. The police reportedly sought him on suspicion of an attempted coup. No further information as of 31 December 2014.

**BACKGROUND:** Avila fled into exile in Barcelona, Spain, in February 2011, returning two years later.

### \*Javier BLAS (Spanish national) and Peter CHAPMAN (British national):

**PROFESSION:** Africa editor and senior writer for the Financial Times respectively

**DATE AND DETAILS OF HARASSMENT:** On 20 January 2014 the journalists were arrested and detained for three hours at the Ministry of National Security, Malabo, as they made their way to an interview with a government official. While their passports and mobile telephones were returned to them after seven hours, their equipment – including laptops, notebooks and digital recorder, which contained interviews with diplomats and local politicians – was retained. Both are reported to have been denied access to their local consulates during their detention. According to reports, the journalists had been warned by one of their interviewees not to hold confidential conversations on the telephone as they were being monitored. In addition, a police officer reportedly told them that they had been monitored for hours before their detention. The journalists reportedly left Equatorial Guinea on 21 January, but were only allowed to leave once they had revealed the password to their laptops to the authorities. No further information as of 31 December 2014.

**BACKGROUND:** Blas and Chapman were in Malabo to cover the lead-up to an investment conference being held in early February 2014 for which Equatorial Guinea was bringing in experts and investors from all over the world to discuss opportunities to diversify the country's economy.

# ERITREA

## DETAINED: MAIN CASE

Detained before 2001:

### Gebrehiwot KELETA:

**PROFESSION:** reporter for the newspaper Tsigenay

**DATE OF BIRTH:** 1951

**DATE OF ARREST:** June 2000

**DETAILS OF ARREST:** He was reportedly arrested after he met a US embassy official along with other journalists. He has been detained incommunicado without charge ever since. Keleta, who is also a former Eritrean Liberation Front officer, was 49 at the time of his arrest.

**PLACE OF DETENTION:** Eraero prison. No further information as of 31 December 2014.



Detained in September 2001:

### **Mahmud AHMED SHERIFFO**

**PROFESSION:** former Minister of Local Government,

### **Haile WOLDETENSAE**

**PROFESSION:** former Minister of Trade and Industry,

### **Petros SOLOMON**

**PROFESSION:** former Minister of Fisheries,

### **Saleh Idris KEKIA**

**PROFESSION:** former Minister of Transportation and Communication,

### **General Ogbe ABRAHA**

**PROFESSION:** Chief of Staff of the Defence Force,

### **Astier FESHATSION (f)**

**PROFESSION:** former Minister of Trade and Industry,

### **Berhane GHEBRE EGHZABIHER, Hamid HIMID, Estifanos SEYOUM, Germano NATI and Beraki GHEBRE SELASSIE:**

Also former members of government

**DATE OF ARREST:** 18 or 19 September 2001

**DETAILS OF ARREST:** they have been detained since the publication in May 2001 of an open letter critical of the government addressed to members of the ruling People's Front for Democracy and Justice (PFDJ) party. All 11 were members of the so-called G-15, a group of 15 PFDJ senior officials who signed the letter. They were arrested in Asmara on 18 and 19 September 2001 and accused of crimes against national security and sovereignty. A twelfth G15 member was also arrested but was released when he recanted. The three remaining members were abroad at the time of the arrests and have not returned to Eritrea. In February 2002, in the first parliamentary session since 2000, President Issayas Afewerki declared that the G-15 members had "committed treason by abandoning the very values and principles the

Eritrean people fought for". The National Assembly therefore "strongly condemned them for the crimes they committed against the people and their country". After such statements it seems highly improbable that the 11 currently held will receive a fair trial.

**CONDITIONS IN DETENTION:** They have been held incommunicado since their arrest and it is not known whether they have been formally charged. According to Amnesty International, their family and friends have faced persecution whenever they have tried to speak out against the detentions. In April 2009, Amnesty stated that at least one of the G-15 members, General Ogbe Abraha, had reportedly died in custody due to the harsh conditions and lack of access to medical treatment. According to Amnesty International, in early 2009 there were unconfirmed reports that nine of the former government officials known as the G-15 had died in detention since 2002.

**HEALTH CONCERNS:** Astier Feshatsion was said in 2009 to be suffering from stomach ulcers. According to a May 2013 report by Amnesty International, in July 2012 it was reported that Petros Solomon had been admitted to a hospital in Asmara due to a serious illness. However, adequate medical care was not available in Eritrea and it is known what has happened to him since.

**OTHER INFORMATION:** On 27 November 2007, the UN Working Group on Arbitrary Detention (WGAD) adopted its opinion (No. 23/2007 Eritrea) that the politicians' detention was arbitrary under both category I ('When it is impossible to invoke any legal basis justifying the deprivation of liberty') and category II ('When the deprivation of liberty results from the exercise of the rights or freedoms guaranteed by the Universal Declaration of Human Rights and, in so far as state parties are concerned, the International Covenant on Civil and Political Rights'). WGAD requested their immediate release. According to a report by the UN Special Rapporteur on the situation of human rights in Eritrea published in May 2013, the Eritrean government had still not provided any information on the fate of the G11 political leaders. In meetings with government representatives in early 2013, the Special Rapporteur asked them to confirm whether or not the political leaders were still alive, their whereabouts, state of health and access to medical treatment, and why they had not yet been brought before an independent court to be charged with a crime recognisable under international law. She had not received any response to these questions at the time the report was published. A 2013 report by Amnesty International states that the brother of Estifanos Seyoum, Colonel Tesfaledet Seyoum, was also arrested in 2001 and had been detained incommunicado since. He was reportedly arrested for expressing political views in opposition to the government. No further information as of 31 December 2014.

### **Emanuel ASRAT**

**PROFESSION:** editor-in-chief of Zemen – 'Time',

### **Temesken GHEBREYESUS**

**PROFESSION:** sports reporter of Keste Debena (Rainbow) and actor

**DATE OF BIRTH** c. 1967,

## Mattewos HABTEAB

**PROFESSION:** chief editor of Meqaleh (Echo)

**DATE OF BIRTH:** c. 1973

## Dawit HABTEMICHAEL

**PROFESSION:** co-founder and assistant chief editor of Meqaleh; also said to be a science teacher

**DATE OF BIRTH:** c. 1973

## Seyoum TSEHAYE

**PROFESSION:** freelance contributor to Setit, playwright, newspaper, TV and radio journalist and photographer

**DATE OF BIRTH:** 1952

**DATE OF ARREST:** In the days following 23 September 2001

**DETAILS OF ARREST:** The detentions came in the wake of the closing down of all eight independent newspapers by the authorities on 18 September 2001 (these include the weeklies Meqaleh, Setit, Tsigenay, Zemen, Wintana and Admas).

**DETAILS OF TRIAL:** They are believed to be held without charge or trial. Since then, only state-owned newspapers have been published. The authorities have either denied that a clampdown took place, claiming instead that the journalists have merely been sent to carry out their national service, or that the closures and mass arrests were necessary for the sake of national unity or were carried out because of the newspapers' failure to comply with laws covering media licences. However, a more likely explanation is that the crackdown was an attempt to stamp out criticism of the Eritrean government's treatment of students and political dissenters, and of its conflict with Ethiopia. In April 2003, President Isaias Afewerki told Radio France Internationale that the journalists listed as arrested or missing had been bribed by forces opposed to the government to cause division. He stated, "You cannot say a spy is a journalist...In the middle of the war we had to check them. We had to say enough is enough." In a 2004 interview, President Afewerki commented that there had never been any independent media in Eritrea, only journalists in the pay of the CIA.

**CONDITIONS IN DETENTION:** It was reported in April 2004 that the journalists were being held in secret security sections of the 2<sup>nd</sup> and 6<sup>th</sup> police stations in the capital Asmara. It is believed that they have since been moved to prisons in various locations, where conditions are reputed to be brutal. There are serious concerns about severe ill treatment, possible torture. In 2007, reports emerged that four of the journalists who were arrested in September 2001 had died in custody between 2005 and early 2007: Said Abdelkader (Admas), Medhanie Haile (Keste Debenä), Yusuf Mohamed Ali (Tsigenay), Fesshaye Yohannes "Joshua" (co-owner of Setit, playwright and poet). Their deaths were attributed to harsh conditions and lack of medical attention. Some sources suggest that that Yohannes was tortured prior to his death, including by having his fingernails ripped out. According to Reporters Without Borders on 30 August 2012, Dawit Habtemichael and Mattewos Habteab died in Eiraeiro prison camp, Habtemichael

in the second half of 2010. PEN is continuing to seek confirmation of these reported deaths.

**HEALTH CONCERNS:** The detainees are believed to be in poor health and lack access to medical care, as highlighted by the reported deaths of four journalists in custody (see above). In September 2009, Reporters Without Borders reported that many of the imprisoned journalists were being held in metal containers or underground cells in Adi Abeito military prison (northwest of Asmara), Eiraeiro prison (near the locality of Gahtelay) and in the Dahlak archipelago.

**OTHER INFORMATION:** In May 2007, the African Commission on Human and People's Rights (ACPHR) of the African Union ruled that the detention of the journalists was arbitrary and unlawful and called on the Eritrean government to release and compensate the detainees. In September 2011, the European Parliament adopted a strongly worded resolution urging Eritrea to "lift the ban on the country's independent press and to immediately release independent journalists and all others who have been jailed simply for exercising their right to freedom of expression." According to a report by the UN Special Rapporteur on the situation of human rights in Eritrea published in May 2013, the Eritrean government has still not provided any information on the fate of the journalists detained in 2001. In meetings with government representatives in early 2013, the Special Rapporteur asked them to confirm whether or not the journalists were still alive, their whereabouts, state of health and access to medical treatment, and why they had not yet been brought before an independent court to be charged with a crime recognisable under international law. She had not received any response to these questions at the time the report was published. In 2014, a UN resolution on the situation in Eritrea called on the authorities to "account for and release all political prisoners, including members of the "G-15" and journalists".

**HONORARY MEMBERS (ALL):** PEN American Centre and PEN Canada.

## Dawit ISAAC

**PROFESSION:** co-owner of Setit, playwright and writer. Isaac, who spent a number of years in Sweden during the Eritrean war of independence and the border dispute between Eritrea and Ethiopia, holds Swedish citizenship.

**DATE OF BIRTH:** 1964

**DATE OF ARREST:** In the days following 23 September 2001, along with Emanuel Asrat, Temesken Ghebreyesus, Mattewos Habteab and Seyoum Tsehaye (see above).

**SENTENCE:** It is thought that Isaac, like his colleagues, has yet to be put on trial.

**DETAILS OF ARREST:** The detentions came in the wake of the closing down of all eight independent newspapers by the authorities on 18 September 2001 (these include the weeklies Meqaleh, Setit, Tsigenay, Zemen, Wintana and Admas). The authorities have either denied that a clampdown took place, claiming instead that the journalists have merely been sent to carry out their national service, or that the closures and mass arrests were necessary for the sake of national unity or were carried out because of the newspapers' failure to comply with laws covering media licenses. However, a more likely explanation is that the crackdown was an attempt to stamp out criticism of the Eritrean government's treatment of students and political dissenters, and of its conflict with Ethiopia. In April 2003, President Isaias Afewerki told Radio France Internationale that the journalists listed as arrested or missing had been bribed by forces opposed to the government to cause division. He stated, "You cannot say a spy is a



journalist...In the middle of the war we had to check them. We had to say enough is enough." In a 2004 interview, President Afewerki commented that there had never been any independent media in Eritrea, only journalists in the pay of the CIA. In a TV interview in June 2009, President Afewerki said that he did not know what crime Isaac had committed but that he had made a "big mistake". He added that the Eritrean authorities would not release Isaac or put him on trial and that they have their "own ways of dealing with that".

**CONDITIONS OF DETENTION:** Reportedly tortured. As of January 2010, Isaac was reportedly being kept in solitary confinement, in a tiny cell with no windows and was in very poor physical and mental health. He and the other inmates are reportedly not allowed any contact with each other or the outside world, are routinely shackled and receive almost no medical care. In November 2001, the Swedish local consul held a brief meeting with Isaac in jail. In November 2005, Isaac was briefly released for a medical check-up and was allowed to call his family and friends in Sweden. This was due to pressure by groups in Sweden but did not lead to Isaac's release: he was returned to prison two days later with no explanation. Since then Isaac has reportedly been moved to various prisons around the country. According to Amnesty International in May 2011, he was reportedly in poor mental and physical health. However in May 2012, Amnesty stated that it had received reports in October 2011 that Isaac may have died in detention, as he was no longer in the prison where he had been held. The Eritrean government did not confirm these reports.

**HEALTH CONCERNS:** Isaac reportedly suffers from a diabetic condition that requires medical supervision. In April 2002, it was reported that Isaac had been hospitalized suffering from injuries sustained through his torture. In January 2009, he was reportedly transferred from prison to an Air Force hospital in Asmara as a result of serious illness but was later returned to prison.

**PLACE OF DETENTION:** In May 2011, Amnesty International reported that Isaac remained in detention, allegedly in Eiraeiro prison camp, 10 miles north of the capital Asmara.

**OTHER INFORMATION:** In August 2009, he was among the subjects of a communication from the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the UN Special Rapporteur on the situation of human rights defenders to the Eritrean authorities, to which they had received no response by March 2011. In July 2011, Isaac's brother, Esayas Isaac, reportedly filed a writ of habeas corpus with Eritrea's Supreme Court calling for information on the journalist's location and a review of his imprisonment. The writ was not supported by the Swedish government; Foreign Minister Carl Bildt reportedly said the country's goal was to have Isaac released on humanitarian grounds rather than stand trial. The Supreme Court did not respond. As a result, three European jurists referred Isaac's case to the African Commission on Human and People's Rights (ACHPR), according to Reporters Without Borders on 27 October 2012. Isaac's case was due to be heard by the ACHPR during the Commission's extra-ordinary session from 18 to 25 February 2013 in Banjul, The Gambia. The ACHPR judged Isaac's case to be admissible in the second half of 2014; no further news. In late January 2014, the Eritrean ambassador to Israel Tesfamariam Tekeste Debbas reportedly told journalists in Tel Aviv that Isaac is still alive, commenting "when he comes and doesn't follow the country's laws, he must be punished". Swedish diplomacy: In September 2012, Swedish Foreign Minister Carl Bildt said that the Swedish government was working for Isaac's release, but that it could not reveal details of its diplomatic efforts. However, a few months earlier, in an interview with Swedish newspaper Aftonbladet in May 2012, President Afwerki reportedly denied that Sweden was using any form of silent diplomacy to get Isaac out

of prison and refused to comment on suggestions that Isaac may be dead. It was reported that Isaac's lawyer would attend the session. According to a report by the UN Special Rapporteur on the situation of human rights in Eritrea published in May 2013, the Eritrean government has still not provided any information on the fate of the journalists detained in 2001. In meetings with government representatives in early 2013, the Special Rapporteur asked them to confirm whether or not the journalists were still alive, their whereabouts, state of health and access to medical treatment, and why they had not yet been brought before an independent court to be charged with a crime recognisable under international law. According to her 2014 report, she had not received any response to these questions. In 2014, a UN resolution on the situation in Eritrea called on the authorities to "account for and release all political prisoners, including members of the "G-15" and journalists."

**UPDATE:** According to 23 September 2014 reports, the Swedish prosecutor has closed an investigation into the complaint accusing the authorities of crime against humanity, torture and abduction in the Isaac case. Lawyers acting for Isaac filed it with the Swedish judicial authorities in July. According to Reporters Without Borders, the prosecutor deemed that the investigation was a waste of resources as the Eritrean authorities were unlikely to cooperate.

**HONORARY MEMBER:** PEN American Centre, PEN Canada, Finnish PEN and Swedish PEN.

**AWARDS:** Isaac was awarded the 2009 Tucholsky Award by Swedish PEN, the 2009 Norwegian Authors' Union Freedom of Expression Prize and the 2011 Golden Pen of Freedom, the annual press freedom prize of the World Association of Newspapers and News Publishers (WAN-IFRA). An award in his name was established in 2007 by the Swedish National Press Club.

**WRITINGS:** A collection of Isaac's writings, entitled Hope- the Tale of Moses and Manna's Love, was launched at Sweden's Gothenburg book fair in September 2010.

**PEN ACTIONS:** RAN 51/05 and updates; Because Writers Speak Their Minds campaign in 2010, PEN resolutions 2013, 2014

Detained after September 2001:

## Idris ABA'ARE

**PROFESSION:** writer and disabled Eritrean Liberation Front veteran.

**DATE OF ARREST:** October 2001

**DETAILS OF ARREST:** Reportedly arrested after questioning the G-15 arrests (see above), according to a May 2013 report by Amnesty International.

**DETAILS OF DETENTION:** He has been detained incommunicado without charge since his arrest, in a secret location. No further information as of 31 December 2014.

**BACKGROUND:** Aba'are was reportedly a department head at the Ministry of Labour at the time of his arrest.

## Yirgalem ASFHA (f)

**PROFESSION:** essayist and journalist, staff member at Radio Bana, and former art critic for the independent weekly newspaper Zemen,

**DOB:** 1979 approx.



## Yirgalem FISSEHA MEBRAHTU (f)

**PROFESSION:** poet and journalist for Radio Bana

**DOB:** 1982 approx

## Meles Negusse KIFLU

**PROFESSION:** writer, poet and journalist, formerly worked for Tsigenay

## Bereket MISGHINA (“Wedi Misghina”)

**PROFESSION:** playwright and actor, and staff member at Radio Bana.

**DATE OF ARREST:** 22 February 2009

**DETAILS OF ARREST:** they were arrested during a raid on Radio Bana, based in Asmara, during which at least 50 employees were arrested by the security forces. By April 2009, most had been released but a number of them, around 12 in total, are thought to remain in detention. Those listed here are known to be writers or print journalists.

**DETAILS OF ARREST:** No reason has been given for the journalists’ arrest and they have apparently not been charged with any offence. However, it is thought that Asfha and Misghina might have been arrested due to their close working relationship with foreigners and a programme broadcast on Radio Bana in January 2009 about participatory government. Radio Bana produces educational programs for the Ministry of Education.

**PLACE OF DETENTION:** various. Kiflu and Misghina were reportedly first held at the Doboziro detention centre and then at the military prison in Adi Abeito, to the northwest of Asmara. Fisseha, who was 27 at the time of her arrest, was initially taken to Adi Abeito but was subsequently transferred to the nearby May Srwa prison. According to a 30 August 2012 report by Reporters Without Borders, Meles Negusse Kiflu was still being held at Adi Abeito and Yirgalem Fisseha Mebrahtu was detained at a hospital in Asmara. According to a May 2013 report by Amnesty International, the journalists remain in detention; they have not been charged or brought before a court and their families have not been told where they are being held.

**HEALTH CONCERNS:** Yirgalem Fisseha Mebrahtu was admitted to hospital in the Eritrean capital Asmara in a serious condition in January 2012. She was under permanent guard and was allowed no visitors. Her family and friends were not told of the nature of her illness but her treatment requires the purchase of medication abroad.

**OTHER INFORMATION:** Misghina is said to come from a very prominent family in Keren in northern Eritrea. He was reportedly tortured in 2002 after a screening of his film Fistametat. Asfha, who is thought to have been aged 30 at the time of her arrest, is from Adi Keyih in the south of the country. Kiflu is married with two children. No further information as of 31 December 2014.

**[STOP PRESS:** Fisseha, Kiflu and Misghina were reportedly released on the evening of 21 January 2015, along with three other Radio Bana journalists: Ghirmay Abraham, poet, journalist for Dimtsi Hafash radio and freelancer for Radio Bana, and Basilos Zemo, head of Radio Bana and the media section of the Ministry of Education (neither recorded on case list) and Petros Teferi (see below). Yirgalem Asfha, whose detention was reported by RSF in 2009,

was not included in reports on the released Radio Bana journalists; her fate is not known. At least seven other non-writer journalists with Radio Bana were released on bail in March 2013, according to RSF.]

## Mulubrhan HABTEGEBRIEL

**PROFESSION:** journalist for the independent newspapers Meqaleh and Setit, as well as an essayist, commentator and translator for Radio Zara and the state-run newspaper Hadas Eritrea.

**DATE OF ARREST:** 2008.

**DETAILS OF ARREST:** Not known.

**CURRENT PLACE OF DETENTION:** Adi Abeito militaprison.

**OTHER INFORMATION:** Along with other prisoners (including Bereket Misghina and Meles Negusse Kiflu – see above), reportedly taken to an unknown destination in armoured cars on the night of 22 May 2009 before being sent back to Adi Abeito. According to a 30 August 2012 report by Reporters Without Borders, Habtegebriel was still being held at Adi Abeito. No further information as of 31 December 2014.

## Petros TEFERI (Wedi Qeshi)

**PROFESSION:** writer and poet.

**DATE OF ARREST:** February 2009.

**DETAILS OF ARREST:** At the time of his arrest in February 2009 Teferi was working for the state media radio ‘Dimtsi Hafash’ & ‘ERI-TV’ as well as contributing to the Ministry of Education-run Radio Bana as a freelancer, according to Article 19.

**PLACE OF DETENTION:** Teferi’s whereabouts is not known. No further information as of 31 December 2014. **[STOP PRESS:** released on 21 January 2015]

## Sahle TSEGAZAB (previously listed under pen name of Wedi ITAY)

**PROFESSION:** freelance journalist, former journalist for Keste Debona; writer and essayist.

**DATE OF ARREST:** October 2001.

**CURRENT PLACE OF DETENTION:** Eiraeiro prison camp.

**OTHER INFORMATION:** Tsegazab was in his 40s at the time of his arrest and as of 2009 was said to be seriously ill. He is reportedly a former member of the Eritrean People’s Liberation Front (EPLF). According to a Reporters Without Borders report dated 30 August 2012, Tsegazab had died in Eiraeiro prison camp from an unidentified illness and from the lack of medical treatment; PEN is seeking confirmation. No further information as of 31 December 2014.

## DETAINED: INVESTIGATION

### Miriam HAGOS (f):

**PROFESSION:** Director of Cinema in the Ministry of Information and former employee of the Eritrean Liberation Front information department, Hagos was reportedly the organiser of the Asmara Film Festival for a number of years.

**DATE OF ARREST:** Late 2001/early 2002, according to a May 2013 report by Amnesty International.

**CURRENT PLACE OF DETENTION:** Unknown. PEN is seeking to confirm whether Hagos is also a writer. No further information as of 31 December 2014.

### Idris MOHAMED ALI:

**PROFESSION:** popular singer in the Tigris language

**DATE OF ARREST:** November 2005, according to a May 2013 report by Amnesty International.

**DETAILS OF DETENTION:** No reason was given for his arrest but according to Amnesty's sources he was suspected of opposition to the government. He has never been charged, brought before a court or been given access to a lawyer.

**PLACE OF DETENTION:** His family do not know where he is being held and have had no news of him since his arrest. PEN is seeking to confirm whether Mohamed Ali is also a songwriter. No further information as of 31 December 2014.

# ETHIOPIA

## IMPRISONED: MAIN CASE

### Reeyot ALEMU (f):

**PROFESSION:** contributor to the independent weekly newspaper Feteh.

**DATE OF ARREST:** 21 June 2011.

**SENTENCE:** 14 years in prison, reduced to five years on appeal

**DETAILS OF ARREST:** Alemu was arrested two days after Woubshet Taye (see below), on 21 June 2011, at a secondary school where she taught English in Addis Ababa; her home was also searched by police. She was initially detained incommunicado without charge. The authorities did not disclose the reason for the arrests, but it was suspected that both were detained under Ethiopia's 2009 Anti-Terrorism Proclamation. Alemu's arrest was thought to be related to her articles criticising the ruling EPRDF party. Her 17 June 2011 column in Feteh was reportedly critical of the EPRDF's public fundraising methods for the Abay Dam project, and drew parallels between Prime Minister Meles Zenawi and the late Libyan leader Muammar Gaddafi.

**DETAILS OF TRIAL:** On 6 September 2011, Taye and Alemu appeared before Ethiopia's High

Court and were charged under the Anti-Terrorism Proclamation. Their lawyers said they did not have any details about the charges as they were not notified of the hearing and as a result could not attend. Terrorism charges were also filed in absentia against Elias Kifle, editor of the US-based anti-government website Ethiopian Review; Kifle lives in exile in the USA. On 19 January 2012, Taye and Alemu were convicted and sentenced to 14 years in prison for 'lending support to terrorist groups.' Kifle was sentenced in absentia to life imprisonment. On 3 August 2012 it was reported that an appeals court in Addis Ababa had reduced the 14-year prison sentence given to Alemu in January to five years and dropped most of the terrorism charges against her. The court upheld one of the charges against her, that of "participating in the promotion or communication of a terrorist act". Her lawyers said that they were seeking to have her acquitted of this final charge. On 9 January 2013, Ethiopia's Court of Cassation, the last resort for legal appeals in the country, rejected Alemu's appeal and ordered that she serve her five-year term. On 18 October 2013 it was reported that an appeal had been filed with the African Commission on Human and Peoples' Rights on Alemu and Eskinder Nega's (see below) behalf. The Commission was expected to consider the appeal in a session beginning in October 2014. According to PEN's information, the ruling has been subject to delays owing to the Ebola crisis.

**UPDATE:** According to news reports, Alemu was offered the chance to apply for probation in October 2014 as per Ethiopian legislation, which allows all prisoners to apply if they have completed two thirds of their sentence. Alemu reportedly refused as the form required her to repent her actions.

**CURRENT PLACE OF DETENTION:** Alemu was held at the federal investigation centre at Maekelawi Prison in the capital Addis Ababa, before being transferred to Kality prison, on the outskirts of Addis Ababa.

**CONDITIONS IN DETENTION:** Alemu said that she had been denied access to a lawyer during their interrogation. According to reports in April 2013, Alemu was threatened with solitary confinement for two months as a punishment for alleged bad behaviour toward the prison authorities and for threatening to publicise human rights violations by prison guards. On 11 September 2013, Alemu reportedly began a hunger strike to protest an order by prison officials to turn in a list of visitors. In response to the hunger strike, the authorities forbade her from having any visitors except her parents and a priest. Two days later officials reportedly removed the visitation sanctions, with the exception of her younger sister and her fiancé, journalist Sileshi Hagos. Hagos was reportedly detained for four hours at the prison on the same day when he attempted to visit her. Alemu was reported to have stopped her hunger strike on 15 September 2013. The visitation sanctions imposed on her run in contravention to the Ethiopian Constitution. According to her lawyer, visitation restrictions remained in place as of December 2013 and were believed to continue at 30 June 2014. It remains unclear whether the restrictions were in connection with an article critical of anti-terrorism legislation written by Alemu and published by the International Women's Media Foundation in August.

**HEALTH CONCERNS:** Alemu's physical and psychological state of health was said to have seriously deteriorated in prison and as of early September 2011 she was said to be extremely weak. Her relatives had been allowed to visit her and bring her medicines but she had not received any treatment from doctors. According to reports in April 2013, Alemu was denied access to medical treatment after she was diagnosed with a fibroadenoma in her breast. As of 1 December 2013, she was reported to be suffering from chronic gastritis and sinusitis. She had recently complained of severe pain and bleeding. According to her lawyer, Alemu was



due to have a check-up in November 2013, but the authorities refused to take her to the hospital.

**BACKGROUND:** The managing editor of Awramba Times, Dawit Kebede (see below), is reportedly the target of on-going harassment by the authorities and by the pro-government media.

**AWARDS:** Alemu was awarded the International Women's Media Foundation Courage in Journalism Award in 2012 and the UNESCO/ Guillermo Cano World Press Freedom Prize in May 2013. Taye is a recipient of Human Rights Watch's Hellman-Hammett Award 2012 and CNN's Free Press Africa Award 2013.

**HONORARY MEMBER:** PEN Canada

**PEN ACTIONS:** RAN 34/11 and updates; call to action 19 December 2013; International Women's Day Action 2014. She was also the subject of the international Kality Tweet Chat campaign which PEN International participated in on 19 December 2013].

### Asfaw BERHANU:

**PROFESSION:** former contributor to the private bilingual newspaper The Reporter.

**SENTENCE:** Two years and nine months' imprisonment.

**DATE OF ARREST:** Unclear

**CURRENT PLACE OF DETENTION:** Hawassa Prison.

**DETAILS OF TRIAL:** Berhanu was reportedly convicted on 25 December 2013 of "spreading false rumours" and thereby "creating a danger of public disturbances" under Article 486/1 of Ethiopia's criminal code. He reportedly planned to appeal the sentence. Berhanu's conviction follows the 4 September 2013 publication of an article in which he claimed that three state government officials had been removed from their posts – allegations that later proved to be false, according to news reports. The newspaper issued a front-page retraction on 8 September and dismissed Berhanu. No further information as of 31 December 2014.

**OTHER INFORMATION:** On 9 October 2013, three policemen arrested Reporter Managing Editor Melaku Demissie in connection with the 4 September article. His release was ordered the same day (see 2013 Case List).

**BACKGROUND:** Together the English and Amharic-language versions of The Reporter constitute Ethiopia's leading independent newspaper. The Amharic-language website gets up to 30,000 visitors a day. The newspaper and its employees have reportedly been the target of intimidation in the past. In August 2008, editor-in-chief Amare Aregawi was illegally arrested and transferred outside Addis Ababa, and subsequently suffered a serious attack a few months after his release (see previous Case Lists).

### Temesgen DESALEGNE:

**PROFESSION:** editor of the now defunct independent Amharic-language weekly newspaper Feteḥ and managing director of the bi-monthly magazine Addis Times, which was created after the authorities closed Feteḥ in August 2012.

**SENTENCE:** three years in prison

**DATE OF ARREST:** 27 October 2014

**DETAILS OF TRIAL:** The Federal High Court in the capital Addis Ababa reportedly found Desalegne guilty of incitement, defamation, and false publication on 13 October and sentencing him to three years imprisonment on 27 October 2014. He was reportedly taken into custody upon being convicted.

**BACKGROUND:** Desalegne was originally jailed on 24 August 2012 in connection with articles published in Feteḥ which criticized the late Prime Minister Meles Zenawi. He was reportedly charged under three articles of Ethiopia's Criminal Code: Article 613, "defamation and calumny"; Article 486, "inciting the public through false rumours"; and Article 238, "outrages against the Constitution or the Constitutional Order". The company that publishes Feteḥ was also charged with inciting the public to violence. Four days later, on 27 August 2012, Desalegne was released and all charges against him and the publishing company were dropped. The authorities did not explain why the charges had been dropped. On 8 February 2013, it was reported that the charges faced by Desalegne in 2012 had been reinstated.

### Eskinder NEGA:

**PROFESSION:** journalist for now-defunct political magazine Change

**DATE OF ARREST:** 9 September 2011

**SENTENCE:** 18 years

**PLACE OF DETENTION:** Kality Prison, Addis Ababa.

**DETAILS OF TRIAL:** Nega was arrested under Ethiopia's sweeping Anti-Terrorism Proclamation. He was officially charged under the same legislation on 11 November 2011. He was accused of having a relationship with the leaders of Ginbot 7, 'planning terrorist acts' (article 4) and inciting the public to overthrow the government encouragement of terrorism – article 6), passing such information to Ginbot 7 and the enemy state of Eritrea and calling, organising and leading a meeting that was summoned for the purpose of terrorist goals. Local journalists suspect that some of Nega's recent writings criticising the government's arrest of the famed Ethiopian actor Debebe Eshetu on terrorism charges triggered his arrest. Nega appeared before a court on 15 September 2011 where he was remanded in custody for 28 days. He was charged under the Criminal Code and the Anti-Terrorism Proclamation on 11 November 2011 although some of the initial charges were later dropped, according to the government. His trial began on 5 March 2012 on charges of "committing a terrorist act" (article 3 [1,2,3,4,and 6] of the Anti-Terror Proclamation); "serving as a leader in a terrorist organisation (article 7 [2] of the Anti-Terror Proclamation), "treason" (articles 32[1a] and 248 [b] of the Criminal Code, and "espionage" (articles 32[1a] and 252[1a] of the Criminal Code. He was convicted on 27 June 2012; the prosecutor asked for a life sentence. On 13 July 2012, Nega was sentenced to 18 years in jail. At the beginning of November 2012 he appeared briefly in court to appeal the charges of terrorism against him. According to reports, his appeal was cut short and he was not allowed to read his defence statement. His appeal hearing was then repeatedly rescheduled. On 2 May 2013, the Ethiopian Federal Supreme Court upheld Nega's conviction and sentence. One of the charges against him, "serving as a leader of a terrorist organisation", was dropped, but his sentence was not reduced. Nega, representing himself, reportedly filed an appeal to the Court of Cassation in May 2013, as of March 2014 he was still awaiting a date for a hearing. On 18 October 2013, it was reported that an appeal was lodged on behalf of Nega and Reeyot Alemu (f) (see above) with the African Commission on Human and Peoples'



Rights. The Commission is expected to consider the appeal in a session beginning in October 2014. According to PEN's information, the ruling has been subject to delays owing to the Ebola crisis. No further information as of 31 December 2014.

**OTHER INFORMATION:** An opinion handed down by the UN Working Group on Arbitrary Detention (WGAD) in December 2012 found that the Ethiopian government's continued detention of Nega constituted a violation of international law, violating Nega's rights to free expression and due process, recognising "several breaches of Mr. Nega's fair trial rights". According to WGAD's panel of five independent experts, Nega's imprisonment came "as a result of his peaceful exercise of the right to freedom of expression" and called for his immediate release. However, the WGAD's opinion is not binding.

**BACKGROUND:** Nega was previously briefly arrested and detained by the federal police on 11 February 2011 after leaving an internet café in Addis Ababa. He was accused of attempting to incite protests similar to those that took place in Egypt and Tunisia in early 2011 in articles he had recently posted online - in particular one posted a week earlier in which he defended the right to peaceful protest. He was warned that this article was viewed as an attempt to undermine the army and that he would be held responsible for any protests that took place in Ethiopia. Nega was jailed along with his wife, journalist Serkalem Fasil, between 2005 and 2007 on treason charges for their coverage of protests that followed the 2005 legislative elections.

**AWARDS:** PEN American Centre named Eskinder Nega as its 2012 PEN/Barbara Goldsmith Freedom to Write Award Winner on 12 April 2012. In 2014, he was awarded WAN-IFRA's Golden Pen of Freedom award.

**HONORARY MEMBER:** PEN USA, PEN Canada.

**PEN ACTION:** RAN 52/11 and updates, Call to action 19 December 2013

### Woubshet TAYE:

**PROFESSION:** deputy editor of the independent weekly Awramba Times.

**SENTENCE:** 14 years in prison.

**DATE OF ARREST:** 19 June 2011.

**DETAILS OF ARREST:** Teye was arrested at his home in Addis Ababa on 19 June 2011 by security agents who confiscated various documents, cameras, CDs and copies of Awramba Times, which provides in-depth political coverage. He was initially detained incommunicado without charge and later said that he had been denied access to a lawyer during his interrogation. The authorities did not disclose the reason for his arrest, but it was suspected that he was detained under Ethiopia's 2009 Anti-Terrorism Proclamation due to his alleged sympathy for the banned political party Ginbot 7, which the Ethiopian government had recently designated as a terrorist organisation.

**CURRENT PLACE OF DETENTION:** Teye was held at the federal investigation centre at Maekelawi Prison in the capital Addis Ababa, before being transferred to Kality prison, on the outskirts of Addis Ababa. He was reportedly transferred to Ziway prison, about 83 miles southeast of the capital, on 19 April 2013. In October 2014, he was reportedly transferred back to Kality prison.

**DETAILS OF TRIAL:** On 6 September 2011, Teye appeared before Ethiopia's High Court along with Reeyot Alemu (see above). Both were charged under the Anti-Terrorism Proclamation. Their lawyers said they did not have any details about the charges as they were not notified of

the hearing and as a result could not attend. Terrorism charges were also filed in absentia against Elias Kifle, editor of the US-based anti-government website Ethiopian Review; Kifle lives in exile in the USA. On 19 January 2012, Teye and Alemu were convicted and sentenced to 14 years in prison for 'lending support to terrorist organisations' (article 5 of the Anti-Terror Proclamation). Kifle was sentenced in absentia to life imprisonment. In September 2013 Teye's application for a presidential pardon was rejected, according to news reports.

**CONDITIONS IN DETENTION:** During a court hearing in August 2011, Teye said that he had been tortured by state officials while he was being interrogated in prison; the court did not investigate his complaint.

**UPDATE:** Teye is reported to have published a collection of essays in September 2014 entitled The Voice of Freedom, detailing his trial and the challenges Ethiopian journalists face. The police are reported to have restricted visits by friends and family after the book was released.

**HEALTH CONCERNS:** As of early September 2011 he was reportedly suffering from pain in his ear and stomach as a result of beatings, but had not been given any medical treatment. Teye is also said to have suffered from a kidney infection following his transfer to Ziway prison in April 2013. He is said to have finally received treatment for the infection upon his return to Kality prison in October 2014.

**AWARDS:** Teye is a recipient of Human Rights Watch's Hellman-Hammett Award 2012 and CNN's Free Press Africa Award 2013.

**PEN ACTION:** RAN 34/11 and updates

### DETAINED: MAIN CASE

**Atnaf BERHANE, Mahlet FANTAHUN (f), Natnael FELEKE, Befeqadu HAILU, Zelalem KIBERET, Abel WABELA,**

**PROFESSION:** Contributor to the Zone 9 blog

### Tesfalem WALDYES

**PROFESSION:** freelance journalist writing for the weekly English Fortune and monthly newspaper Addis Standard

### Asmamaw HAILE GORGIS

**PROFESSION:** editor of the monthly Amharic-language Addis Guday magazine

### Edom KASSAYE (f)

**Profession:** former journalist for the state-owned daily newspaper Addis Zemen and a member of the Ethiopian Environmental Journalists Association

**Date of arrest:** 25 and 26 April 2014

**REASON FOR DETENTION:** The Zone 9 bloggers stand accused of working with foreign human rights organisations and receiving finance to incite public violence through social media. It is thought that the journalists have been arrested for having connections to Zone 9

**DETAILS OF ARREST:** On 25 and 26 April 2014 the bloggers and journalists were detained in what appear to be a coordinated series of arrests. They were brought before a court on 27 April without legal representation and remanded in custody for 28 days, renewed twice at subsequent court appearances.

**CURRENT PLACE OF DETENTION:** Maekelawi detention centre

**TRIAL:** The bloggers' and journalists' first trial hearing set for 7 and 8 May was postponed for 10 days to allow the police to continue their investigation. At the hearing, held on 17 May, the court reportedly granted police an additional 28 days to carry out their investigations after claiming that they were unable to access the Facebook and Twitter accounts of the detainees while it carried out investigations into suspected violations of the 2009 Anti-Terrorism Act. At the same hearing, Berhane complained of severe torture and interrogation, according to Reporters Without Borders. At each hearing an extension was granted to police on the condition that they complete their investigation and finalise the charges by the next hearing. The bloggers and journalists were reportedly granted access to their lawyers for the first time on 14 and 16 May 2014. The hearings that should have been held on 12 and 14 July to charge them were simply cancelled. On 18 July 2014, the bloggers were formally charged with intending to "destabilise the nation," connections to outlawed organisations including Ginbot7 and the Oromo Liberation Front (OLF), and planning to carry out terrorism under the Anti-Terrorism Act; they had been held for more than 80 days without charge, beyond the maximum period allowed under the law. Their case was referred to the Federal High Court. According to November reports, their trial had been postponed 11 times. During a hearing on 12 November, lawyers petitioned the court to have the charges against the bloggers to be amended as they did not specify what acts of terrorism they were accused of carrying out. The court also dropped the charge of knowingly committing criminal acts by disseminating seditious writings with the intention of inciting the overthrow of the constitutional state. However, the amendment had not been made by the prosecution in December 2014. Evidence submitted to court includes signed confessions, articles written by the bloggers, the possession of human rights advocacy training manuals, and digital security manuals.

**BACKGROUND:** Two days prior to the bloggers' arrest, Zone 9 – an independent collective of bloggers who campaign against political repression and human rights abuses in Ethiopia – announced the resumption of operations after a hiatus of several months due to security concerns. Access to the blog is reportedly regularly blocked within Ethiopia; however, it has a strong following among the Ethiopian diaspora community. The day before his arrest, Feleke was reportedly ordered to hand over the contact details of all Zone 9 contributors, which he refused to do. In the weeks prior to her arrest, Kassaye was reportedly subject to surveillance and interrogation over her connection to and the activities of Zone 9, including their relationship with foreign human rights organisations.

**PEN ACTION:** World Press Freedom Day action 3 May 2014, Joint open letter 24 July 2014, press statement 24 April 2015

## Yusuf GETACHEW

**PROFESSION:** editor of the now-defunct weekly newspaper Ye Muslimoch Guday (Muslim Affairs).

**DATE OF ARREST:** 20 July 2012.

**DETAILS OF ARREST:** Arrested in the capital, Addis Ababa, following a raid on his house and taken to the Maekelawi Federal Detention Centre. The police reportedly confiscated four of Getachew's mobile telephones, his wife's digital camera, some books and 6,000 birr (US\$334). The editor spent weeks in pre-trial detention at Maekelawi, with no access to his family and only limited contact with his lawyer. He was held for more than three months before being charged.

**CURRENT PLACE OF DETENTION:** Kality Prison, Addis Ababa.

**DETAILS OF TRIAL:** On 29 October 2012, Getachew appeared in court and was charged under the Anti-Terrorism Proclamation 2009 with plotting acts of "terrorism, intending to advance a political, religious or ideological cause" by force; and the "planning, preparation, conspiracy, incitement and attempt of terrorist acts." Getachew's trial is part of a wider trial of at least 29 Muslim protest leaders and others charged under Ethiopia's Anti-Terrorism Proclamation. The trial has reportedly been marred by serious due process violations, including undermining the defendants' presumption of innocence. On 8 August 2013 it was reported that the trial, which was closed to the public, was on-going. On 1 December 2013 it was reported that Getachew was being held at Kality Prison in Addis Ababa. During his trial, Getachew has told the court that he had been beaten while in custody – a complaint that has not been adequately investigated as both the first instance court and the high court have claimed not to have the jurisdiction over such matters. As of 31 December 2014, Getachew's trial is reported to be ongoing; PEN is seeking an update.

**BACKGROUND:** Local journalists believe that Muslim journalists and newspapers were being harassed as part of an attempt to quell media coverage of protests which began in 2011 by Ethiopian Muslims relating to government policies that they said interfered with their religious practices. Ye Muslimoch Guday provided extensive coverage of the protests. Other Ye Muslimoch Guday journalists have gone into hiding, and the publication ceased operations following Getachew's arrest. According to reports, many journalists attempting to cover or report on the protests were detained or intimidated. Despite these arrests, protests continued throughout the country in 2013. In February 2013, the managing editor of Ye Muslimoch Guday, Solomon Kebede, was detained by the authorities (see below).

## Solomon KEBEDE

**PROFESSION:** managing editor of the now-defunct weekly newspaper Ye Muslimoch Guday (Muslim Affairs).

**DATE OF ARREST:** 17 January 2013.

**DETAILS OF ARREST:** Kebede was arrested by the Ethiopian security forces in Addis Ababa under the Anti-Terrorism Proclamation. Local journalists believe that his arrest is linked to his columns criticising perceived government intrusion in religious affairs. Kebede had recently

covered demonstrations staged in 2012 by Muslims protesting alleged interference in Islamic Council elections.

**DETAILS OF TRIAL:** Kebede was arrested and reportedly held for over two months without charge, at least some of the time in solitary confinement. The Anti-Terrorism Proclamation permits pre-trial detention for up to four months without charge. A court date was set for 13 February 2013. On 15 March 2013, the first instance court reportedly granted the police an additional 28 days for further investigation. As of 2 April 2013 he reportedly still had no access to a lawyer. He was eventually charged with “incitement to terrorism” along with 27 others. The authorities are reported not to have disclosed any evidence against him. No further information as of 31 December 2014; Kebede’s trial is thought to be ongoing. PEN is seeking an update.

**CURRENT PLACE OF DETENTION:** Kilinto Prison, Addis Ababa

**HEALTH CONCERNS:** Kebede’s health is said to be poor.

**OTHER INFORMATION:** Ye Muslimoch Guday was reportedly forced to stop publishing in July 2012, following the arrest of its editor Yusuf Getachew (see above). Local journalists reportedly suspected that Kebede is being held so that the authorities could question him on the whereabouts of two of his colleagues from the paper, senior editor Akemel Negash and copy editor Isaac Eshetu, who fled into hiding in August 2012 after their homes were kept under surveillance for several weeks.

**PEN ACTION:** RAN 15/11 and updates

## BRIEF DETENTION

### Elias GEBRU:

**PROFESSION:** editor-in-chief of the independent news magazine Enku

**DATE OF ARREST:** 26 May 2014

**DETAILS OF ARREST:** Gebru was reportedly detained after Ethiopia’s federal police summoned him for questioning in connection with a column published in Enku. On 27 May an Ethiopian court reportedly extended his pre-trial detention in Maekelawi Detention Centre by 14 days, however, he was released shortly afterwards. According to news reports, local journalists believe the authorities were attempting to link Enku to deadly clashes between Oromo student protesters and the security forces, which took place in April 2014.

**BACKGROUND:** The column in question reportedly discussed a monument recently erected outside the capital, Addis Ababa, in honour of ethnic Oromos massacred in the 19<sup>th</sup> century by Emperor Menelik’s forces. The monument has reportedly ignited divisions between some Oromos and supporters of the emperor’s legacy.

## JUDICIAL HARASSMENT

### \*Soliana SHIMELES (f):

**PROFESSION:** Zone 9 blogger

**DETAILS OF TRIAL:** It was reported in July 2014 that Shimeles had been charged in absentia with coordinating communications with terrorist organisations for Zone 9 from abroad, enlisting new recruits to join Ginbot7, and coordinating digital security training with “Security in-a-box” on 17 July 2014. According to translated court documents, the authorities seized as evidence a Ginbot7 press release, recruiting criteria for Ginbot7, a human rights and digital security training manual and documents from an advocacy workshop.

**BACKGROUND:** Shimeles was one of three bloggers reported to be outside of Ethiopia at the time of her colleagues’ arrest in April 2014. She is thought by the authorities to be the founder of Zone 9.

## SENTENCED

### \*Endalkachew TESFAYE

**PROFESSION:** publisher of Addis Guday magazine

### Gizaw TAYE

**PROFESSION:** publisher of Lomi magazine

### Fatuma NURIYA

**PROFESSION:** publisher of Fact magazine

**SENTENCE:** According to October 2014 reports, the three publishers were sentenced in absentia to between three years and three months to three years and 11 months in prison for “inciting violent revolts, printing and distributing unfounded rumours and conspiring to unlawfully abolish the constitutional system of the country.” They had reportedly fled the country before the trial began.



# GAMBIA

## ENFORCED DISAPPEARANCE

### “Chief” Ebrimah MANNEH:

**PROFESSION:** reporter and sub-editor with the pro-government Daily Observer

**DATE OF ARREST:** 7 July 2006

**DETAILS OF ENFORCED DISAPPEARANCE:** Manneh was reportedly arrested by two National Intelligence Agency (NIA) officers and has been held in incommunicado detention by the NIA at various sites ever since, seemingly without having been charged with any offence. The NIA has repeatedly denied that they have the journalist in their custody; the government also denies any knowledge of his case. It is believed that the reason for Manneh’s arrest is that he is alleged to have had contact with a foreign journalist before the July 2006 African Union Summit held in the Gambian capital Banjul. Manneh apparently gave this journalist information deemed by the Gambian government to have been damaging to the country’s image. According to a former colleague, Ousman Darboe, Manneh reprinted a BBC story critical of President Yahya Jammeh’s democratic credentials; his decision was later overruled by editors and the relevant issue of the Observer withdrawn. Manneh has reportedly been moved around the country throughout his detention and although the local media has reported seeing him on several occasions, the government remained silent on the subject until April 2009 (see below). Manneh was reportedly seen on 26 July 2007 at Gambia’s main hospital where he was receiving treatment for high blood pressure. He was said to be very weak and was accompanied by members of the Police Intervention Unit (PIU), a paramilitary wing of the Gambian Police Force and Prison Service. Prior to the sighting Manneh had apparently been detained at Mile Two Central Prison on the outskirts of Banjul, before being briefly admitted to Gamtel Ward Hospital and then being transferred to a military clinic in Banjul.

**DETAILS OF INVESTIGATION:** On 6 April 2009, the Gambian authorities finally broke their silence with regards to Manneh’s disappearance when the Attorney General and Minister of Justice publicly stated that the journalist was not in police custody and rejected the 2008 ECOWAS ruling (see below). According to the Committee to Protect Journalists (CPJ), in a 16 March 2011 meeting with the Gambian media that was broadcast on state television, President Jammeh suggested that Manneh may have died. “Let me make it very clear that the government has nothing to do with the death of Chief Manneh or Deyda Hydara or the disappearances of so many people,” said the President. He also suggested that Manneh may have disappeared after attempting to illegally migrate to Europe or the United States. On 6 July 2011, a Gambian National Police spokesman told CPJ that the police had no information about Manneh. In an interview on 6 October 2011 with the Daily News, Gambia’s justice minister, Edward Gomez, denied Manneh was in state custody and declared that he is alive. According to officials from the British Foreign and Commonwealth Office, there will be an investigation into the disappearance of Chief Ebrimah Manneh. On 28 September 2012 it was reported that President Jammeh had given the United Nations permission to investigate Manneh’s disappearance.

**OTHER INFORMATION:** On 5 June 2008, the Community Court of Justice of the Economic Community of West African States (ECOWAS) in Nigeria declared Manneh’s arrest and detention illegal and ordered the Gambian authorities to release him. The court also awarded Manneh US\$100,000 in compensation from the Gambian government. The government refused to cooperate throughout the court proceedings. According to an 11 July 2013 report, the government has still failed to respect the 2008 ECOWAS ruling and has yet to implement the subsequent 2010 ruling to provide the former editor-in-chief of The Independent newspaper with compensation. In November 2009, the United Nations Working Group on Arbitrary Detention issued an opinion stating that the Gambian government’s arrest and continued detention of Manneh are without legal justification and in violation of international law, and called for Manneh to be released immediately.

**UPDATE:** On 10 June 2014, the ECOWAS court held that previous rulings against the Gambia, including Manneh’s case, proved the Gambian government was fostering a climate of impunity which in itself was a violation of freedom of expression. No further news as of 31 December 2014.

## ON TRIAL

### Alhagie JOBE:

**PROFESSION:** deputy editor-in-chief of Daily Observer newspaper

**DATE OF ARREST:** 8 February 2013

**DATE OF RELEASE:** 4 September 2014.

**DETAILS OF ARREST:** Jobe was arrested and taken to the NIA offices in Banjul.

**DETAILS OF TRIAL:** He was charged with six counts of carrying out an act with seditious intention, seditious publication and possession of seditious publication, giving false information to a public servant, recklessness and negligence. The first three charges are thought to relate to the publication on 19 December 2012 of an article entitled, ‘Major Lamin Touray on the run for imminent re-arrest and detention and charged in absentia for breach of office ethics and code by refusing to take orders in the execution of some people’. According to news reports, Jobe testified on 4 December 2013 that he was not guilty. His trial before the Special Criminal Court (SCC) in Banjul was adjourned and postponed on numerous occasions between January and June 2014.

**UPDATE:** On 3 September 2014 the High Court acquitted Jobe of all charges. He reports that the state filed an appeal against the judgment one month later and sought to detain him. Jobe fled the country.

**CONDITIONS IN DETENTION:** During his trial, Jobe stated that when he was arrested and taken to the National Intelligence Agency (NIA) offices he was tortured until he confessed that he was the author of a document found in his vehicle.

**BACKGROUND:** The Managing Director and author of the article of the newspaper have fled, according to news reports. The recklessness and negligence charge appears to relate to a traffic offence from the day he was arrested.

## HARASSED

### \*Sanna CAMARA:

**PROFESSION:** journalist and correspondent for Internet Sans Frontiers

**DATE OF ARREST:** 27 June 2014

**DATE OF RELEASE:** 28 June 2014

**DETAILS OF ARREST:** Camara was reportedly summoned by police in the capital Banjul and placed in custody. He was released on bail the following day and was being investigated for “false publication.” He reportedly fled the country in August 2014. No further information as of 31 December 2014; PEN is seeking to confirm whether or not Camara was officially charged.

**BACKGROUND:** Camara’s arrest is thought to be connected to an article he had written on human trafficking published on the day of his arrest in the Standard newspaper. False publication carries a minimum six-month prison sentence and the equivalent of a US\$105,000 fine.

## RELEASED

### Musa SHERIFF and Sainey M.K. MARENAH:

**PROFESSION:** editor-in-chief and owner of The Voice, and freelance journalist respectively.

**DATE OF ARREST:** 13 January 2014

**DATE OF RELEASE:** 16 January 2014

**DETAILS OF ARREST:** On 13 January state security officers from the National Intelligence Agency arrived at the offices of The Voice in Serekunda. Having interrogated staff, they requested copies of a 6 December 2013 article and took Sheriff to Sanyang police station. Marenah was summoned to the police station later the same day. They were held until their release on bail on 16 January 2014. National Intelligence Agency officers reportedly arrested Sheriff and Marenah on the orders of President Yahya Jammeh in response to an article entitled ‘19 Green Youths Defect to UDP’ published on 6 December 2013. The journalists stood accused of ‘conspiracy to cause a misdemeanour’ and ‘publishing news with intent to cause fear and alarm to the public or to disturb the public peace’ after they alleged that 19 members of President Yahya Jammeh’s Alliance for Patriotic Reorientation and Construction (APRC) had defected to the United Democratic Party (UDP). They denied the charges.

**DETAILS OF TRIAL:** The trial of Sheriff and Marenah was postponed on a number of occasions since it was first scheduled to commence on 21 January.

**UPDATE:** Sheriff and Marenah were reportedly acquitted of both charges and discharged on 10 November 2014.

# IVORY COAST

## KILLED: IMPUNITY

### Désiré OUE:

**PROFESSION:** editor of the Christian publication Tomorrow Magazine.

**DATE OF DEATH:** 14 November 2013

**DETAILS OF DEATH:** Oué was reportedly killed in unclear circumstances on the night of 14 November 2013. According to reports, Oué (40) was shot in the chest at his home in Abidjan by unidentified armed men. According to some media reports, the assailants then took computers and documents from the house.

**DETAILS OF INVESTIGATION:** On the basis of a preliminary investigation the authorities stated that the murder was the result of a burglary gone wrong. One press report said that Oué was known in his area for being an activist in support of former president Laurent Gbagbo in the 2010 presidential elections. The Ivory Coast Private Press Union (le Syndicat de la presse privée de Côte d'Ivoire -- Synapp-CI) has called for a full investigation. No further information as of 31 December 2014; PEN is seeking an update.

## ENFORCED DISAPPEARANCE

### Guy-André KIEFFER (French-Canadian national):

**PROFESSION:** writer and independent reporter.

**DATE OF BIRTH:** c 1950

**DATE OF DISAPPEARANCE:** 16 April 2004

**DETAILS OF DISAPPEARANCE:** According to Reporters Without Borders, he was “abducted from the car park of an Abidjan supermarket on 16 April 2004 after falling into a trap set for him by a member of [former] President Laurent Gbagbo's entourage”. He is assumed to have been killed. For information on Kieffer’s journalistic work, see previous case lists.

**DETAILS OF INVESTIGATION:** The investigation into Kieffer’s disappearance has dragged on since 2004 with no conclusion. French judge Patrick Ramaël, who initially led the investigation, reportedly faced constant obstruction by the Ivorian authorities throughout his tenure as investigating judge in the case, although they have denied this. Key suspects have included Michel Legré – the brother-in-law of former President Gbagbo’s wife, Simone Gbagbo – who was detained for 18 months in connection with the case before being granted provisional release in October 2005. Jean-Tony Oulaï, an Ivorian army captain who claims to have belonged to the Ivorian special services, was detained for two-and-a-half years from 2007 on suspicion of kidnapping and illegally detaining Kieffer before being provisionally released in April 2010. In October 2009, it was reported that a man claiming to be a soldier in the Ivorian army said that Kieffer had been killed by members of Simone Gbagbo’s entourage, without her knowledge, during a botched interrogation within the presidential compound. However, in apparent response to the new testimony, the then Ivorian state prosecutor Raymond Tchimou stated that Kieffer had been taken out of the country and was still alive. Tchimou offered no

other explanations or details on the journalist's purported whereabouts. On 14 April 2011, Kieffer's wife and daughter met with the Ivorian ambassador in Paris to ask what possibilities there were of further investigation into Kieffer's case following the departure of former president Laurent Gbagbo. After the meeting the ambassador reportedly stated that the "whole truth" would be revealed about Kieffer's disappearance and that he would speak to the minister of justice about the matter the same day. He added that President Ouattara wanted to put an end to impunity and establish the rule of law in Côte d'Ivoire. Kieffer's wife noted that President Ouattara had backed the family from the time the journalist disappeared. In a letter sent in April 2013, Kieffer's family, along with the head of the Truth for Guy-André Kieffer Association and the secretary-general of Reporters Without Borders, asked French President François Hollande to raise Kieffer's abduction with his Ivorian counterpart at their meeting on 11 April 2013. The letter reported that while positive developments have been seen with regards to the case – including the appointment of a new investigating judge and a prosecutor, as well as the facilitation of the work of the Judge Ramaël – the case has failed to advance adequately, with Kieffer's fate still unknown. The family and civilian parties were scheduled to meet with French foreign ministry officials on 16 April 2013, the ninth anniversary of Kieffer's abduction. In September 2013, Judge Ramaël was discharged from the case, owing to a statutory rule which decrees that no one may hold the same position for longer than 10 years. On the tenth anniversary of Kieffer's disappearance in April 2014, reports suggested that neither his family or lawyers nor other interested parties had been contacted by the new judges put in charge of the investigation in September 2013, Cyril Paquaux and Nicolas Blot. **UPDATE:** In July 2014 Reporters Without Borders (RSF) asked French President François Hollande to request the creation of a special commission of enquiry or the formation a joint judicial investigative unit by the French and Ivorian judges in charge of the case. In a written reply on 20 October, the Elysée Palace said solving the case continued to be a "priority for France" and promised to monitor "the progress of this investigation being conducted by the judicial authorities of the two countries concerned, France and Côte d'Ivoire." The investigating judge who replaced Patrick Ramaël as judge in charge of the French investigation has reportedly complied with requests for continued legal actions made by the registered civil parties (the Kieffer family and RSF). He reportedly submitted letters rogatory to the Ivorian authorities in November 2014. They have yet to respond. No further information as of 31 December 2014.

**PEN ACTION:** PEN 2014 World Cup Action: Ivory Coast

# KENYA

## REPORTED MISSING

### Dickson BOGONKO BOSIRE:

**PROFESSION:** editor of the Jackal News blog

**DATE OF DISAPPEARANCE:** 18 September 2013

**DETAILS OF DISAPPEARANCE:** According to a 15 October 2013 report by Reporters Without Borders, Bogonko's family had not heard from him since 18 September 2013 while his mobile phone had remained on voicemail. The police were reportedly investigating his disappearance. There was speculation that Bogonko had gone into hiding after the website revealed the name of an International Criminal Court witness, but his family have reportedly ruled this out. Bogonko reportedly went missing two days before the start of the terrorist attack on the Westgate shopping Centre in the capital Nairobi, where he is based. No further information as of 31 December 2014; PEN is seeking an update.

**BACKGROUND:** Bogonko worked for Agence France-Presse before launching Jackal News, a website which covers a spectrum of stories from corruption to gossip and scandals. The content of the blog has reportedly led to confrontation and threats by the subjects of critical articles. Bogonko has reportedly had to flee Nairobi and go into hiding on several occasions previously. The website has also been hacked and shut down twice.

## IMPRISONED: MAIN CASE

### \*John ORONI:

**PROFESSION:** editor-in-chief of the Weekly Citizen newspaper

**SENTENCE:** Six months' imprisonment

**DATE OF ARREST:** 24 September 2014

**DETAILS OF ARREST:** arrested to serve prison sentence after failing to pay a fine

**DETAILS OF TRIAL:** On 10 March 2014, Oroni was ordered to pay damages of 3 million shillings (approx. US\$32,000) and to publish an apology in the newspaper disowning articles deemed defamatory by the court. On 16 September 2014, the courts ordered Oroni's arrest after he had failed to pay the sum; he was imprisoned on 24 September. The charges relate to a story published in July 2011 that alleged that the plaintiff had hired out Kenyan forest land to Ugandans, according to news reports. Although the claim was pursued through a civil court, Oroni's failure to pay led to his arrest and subsequent sentence of six months' imprisonment. Oroni has filed an appeal, which is expected to be heard in February 2015.



## DETAINED: INVESTIGATION

### \*Ibrahim Said SALAH: (Somali national)

**PROFESSION:** editor of www.allcarmo.com

**DATE OF ARREST:** 27 October 2014

**DETAILS OF ARREST:** Salah was reportedly detained in Nairobi, Kenya, after he returned from Bossaso, Puntland, where he had been working on stories on the formation of political parties and Puntland's democratisation process. The Kenyan police are reportedly carrying out investigations into the website. A Nairobi court reportedly confirmed Salah's detention for ongoing interrogation. No further information as of 31 December 2014; PEN is seeking to ascertain whether he is still detained.

## DEATH THREATS

### \*Vincent MABATUKA:

**PROFESSION:** journalist for the Standard newspaper

**DETAILS OF THREATS:** Mabatuka reportedly received threatening text messages and telephone calls on 10 April 2014. It is thought that the threats are connected to an article published in the Standard on Saturday 5 April, which reported on alleged attacks on residents of Kimoriot and Tuyobei Settlement Scheme in Mochongoi, Baringo County, by youths who wanted to evict them. Mabatuka reported the threats to Nakuru Central Police Station. No further information as of 31 December 2014.

## THREATENED

### \*Lydia NGOOLO (f):

**PROFESSION:** journalist with the privately owned daily newspaper The Star

**DETAILS OF THREATS:** Ngoolo reportedly received a threatening text message warning her to stop writing about "us" on 5 May 2014. On the same day a caller mistook another Star journalist for her and threatened her saying "We know you and that you are the person working with the Star newspaper in Mwingi". Ngoolo reportedly went into hiding on 7 May 2014. The Kitui County Criminal Investigations Department is reported to be carrying out an investigation.

**UPDATE:** Ngoolo reportedly came out of hiding three months later.

**BACKGROUND:** Ngoolo reportedly believes that the threats are linked to two stories she published in The Star on 28 and 29 April 2014, respectively, which referred to allegations that Somali members of the Al-Shabaab terrorist group used a house in Mwingi Town as a transit centre.

## JUDICIAL HARASSMENT

### \*Justus OCHIENG:

**PROFESSION:** correspondent for The Star newspaper

**DATE OF ARREST:** 29 October 2014

**DETAILS OF HARASSMENT:** Ochieng has reportedly received persistent threats since September 2014 when he began investigating a story linking police officers to a spate of robberies. After filing the report in October 2014, Ochieng was reportedly accosted by officers attached to Kisumu Central Police Station who warned him of unspecified consequences for exposing their colleagues in his articles. He was reportedly arrested on 29 October when he sought to find out the progress of the investigation into threats made against him. According to reports, he was held for eight hours during which time he was beaten and threatened and told he was under arrest for supposed defamation linked to an earlier article. He was released on bail.

# LIBERIA

## ATTACKED

### \*Emmanuel MENSAH

**PROFESSION:** news editor with the National Chronicle newspaper

### Philibert S. BROWNE

**PROFESSION:** copy editor with the National Chronicle newspaper

**DATE OF ATTACK:** 14 August 2014

**DETAILS OF ATTACK:** Mensah and Browne were reportedly arrested along with computer technician Emmanuel Logan following a police raid on the Daily Chronicle's offices during which police officers broke down the door, released teargas, and seized two computers. They were later released following the intervention of the Press Union of Liberia. The National Chronicle has remained closed since the attack.

**BACKGROUND:** it is suspected that the harassment came in connection with the paper's coverage of Ebola. The Liberian government are reported to have cracked down on newspapers reporting on the epidemic. In addition, the newspaper had recently published a series of articles critical of the president's son, who heads the National Security Agency, according to reports. The day that the newspaper was closed down, information minister Lewis Brown had asked journalists to restrict their coverage emphasising that Liberia was currently in a state of emergency.

## THREATENED

### Rodney SIEH:

**PROFESSION:** editor of the daily news website FrontPage Africa.

**DATE OF THREAT:** ongoing since 18 November 2013

**DETAILS OF THREAT:** According to March 2014 reports, Sieh had received a number of anonymous threats via SMS message since his release from prison in 2013.

**BACKGROUND:** Sieh was jailed after Liberia's Supreme Court upheld a decision ordering him to pay a former government minister US\$1.5 million dollars in libel damages. The judge ordered the website's closure and Sieh's detention pending payment on 20 August 2013. Unable to pay the fine, Sieh was incarcerated in Monrovia Central Prison. Given the size of the fine, he faced effective life imprisonment. He was granted compassionate release on 7 October 2013 and formally released on 18 November 2013. On 10 January 2014, the Supreme Court found Councillor Christiana Tah, Minister of Justice and Dean of the Supreme Court, and FrontPage Africa lawyer Councillor Beyan Howard guilty of contempt in connection with Sieh's compassionate release. The Supreme Court ruled that Minister Tah released Sieh from prison "without any legal reference or deference to the court." Both lawyers were suspended for six months. For more information see January – December 2013 Case List.

**PEN ACTIONS:** RAN 29/13 and updates

## HARASSED

### \*Henry KARMO:

**PROFESSION:** journalist with the independent daily news website FrontPage Africa.

**DATE OF HARASSMENT:** 11 August 2014

**DETAILS OF HARASSMENT:** Karmo was reportedly arrested on 11 August while covering a protest against the imposition of a state of emergency in the country and subsequent curfew, which prevented anyone – including journalists – from going out after 9pm. Despite identifying himself as a journalist, Karmo was reportedly arrested and held for four hours during which time he was beaten, his equipment was confiscated and he was forced to delete photographs.

**BACKGROUND:** According to Reporters Without Borders, the authorities ordered FrontPage Africa to turn off its generator on 1 September 2014 on the grounds that it was causing pollution in what was considered a bid to prevent them from reporting on the Ebola epidemic.

### \*Helen G. NAH (f):

**PROFESSION:** editor of the newspaper Women Voices

**DATE OF HARASSMENT:** 30 August 2014

**DETAILS OF HARASSMENT:** Nah was reportedly summoned for questioning in relation to an article published in the previous day's issue of Women Voices entitled, 'Police accused of Ebola money corruption: junior officers crying foul of unfair distribution of operation money,' that

alleged the embezzlement of funding earmarked for combatting Ebola. No charges were brought against Nah, however she was interrogated for several hours.

# MADAGASCAR

## BRIEF DETENTION

### \*Jean-Luc RAHAGA

**PROFESSION:** publisher and editor-in-chief of the Madagascar Matin daily newspaper

### Didier RANDRIAMBININTSOA

**PROFESSION:** editor of the Madagascar Matin

**DATE OF ARREST:** 21 July 2014

**DATE OF RELEASE:** 25 July 2014

**DETAILS OF ARREST:** the journalists were reportedly arrested on charges of defamation after they published a reader's letter that accused government ministers of involvement in the trafficking of rosewood. Rahaga was reportedly summoned to the national gendarmerie's criminal investigation department on 21 July, where he was interrogated for several hours.

Randriambinintsoa was reportedly summoned a few hours after Rahaga. Their arrest is reported to be the result of a defamation complaint by several ministers responsible for land infrastructure, the environment and trade.

**DETAILS OF TRIAL:** According to reports, a closed trial was held on 23 July, during which it became apparent that the pair faced between six months and two years' imprisonment. More than 50 journalists were reportedly to have demonstrated outside the court. In response, the president reportedly publicly denounced their arrest and the ministers withdrew their complaint.

**PLACE OF DETENTION:** Antanimora prison

# MAURITANIA

## IMPRISONED: MAIN CASE

### \*Mohamed Cheikhould MOHAMED:

**PROFESSION:** blogger

**DATE OF ARREST:** 2 January 2014

**SENTENCE:** Death sentence

**REASON FOR ARREST:** Mohamed was reportedly arrested in Nouadhibou shortly after he posted an article criticising the inequality of Mauritania's caste system, referencing the teachings of the Prophet Mohammed on Aqlame news website on 2 January 2014. The article was taken down a few minutes after posting.

**DETAILS OF TRIAL:** On 24 December 2014, a court in Nouadhibou reportedly imposed a death sentence upon Mohamed after convicting him of apostasy. In court, Mohamed said he had not intended to insult the Prophet Muhammad and repented. According to the Committee to Protect Journalists (CPJ), a fatwa was issued to kill Mohamed and nationwide demonstrations led his family to denounce him and his lawyer to drop his case. Mohamed's lawyers appealed against the sentence on 26 December 2014. He is reportedly eligible to be pardoned by the Supreme Court if his repentance is verified, according to article 306 of the Mauritanian penal code. No further information as of 31 December 2014; PEN is seeking an update.

## MAURITIUS

### RELEASED

#### Dharmanand DOOHARIKA:

**PROFESSION:** editor-in-chief of the private weekly Samedi Plus.

**SENTENCE:** Three months in prison.

**DATE OF ARREST:** 20 October 2011

**DATE OF RELEASE:** 31 October 2011

**DETAILS OF TRIAL:** Convicted of contempt of court on 17 October 2011, owing to stories he ran in the newspaper reporting corruption allegations made about the judiciary. The conviction stems from press coverage in July and August 2010 of the activities of a businessman and disbarred lawyer, who represented a car leasing company in a fraud lawsuit against the local subsidiary of the United Kingdom-based global financial services provider Barclays. The Supreme Court ruled against him. He then made public allegations of partiality against Supreme Court Chief Justice Bernard Sik Yuen. In response to the accusations, the chief justice asked the Mauritian president to take steps to sanction the businessman/disbarred lawyer, according to news reports. The government's Director of Public Prosecutions then brought complaints against Samedi Plus for covering the remarks. In its complaint against Dooharika, the Director of Public Prosecutions cited a 14 August 2010 editorial that suggested the allegations against the chief justice should be given credence. Samedi Plus devoted extensive coverage to the case and the allegations, including the front page, the complaint said. The director accused the journalist of "publicly scandalizing the Supreme Court," "bringing the administration of justice into disrepute," and "thereby committing a contempt of court." Shortly after the announcement of the verdict Dooharika reportedly suffered a stroke and was hospitalised under police guard. He was imprisoned on 17 October 2011 until his release two weeks' later pending his appeal against his conviction and sentence. According to reports, the editor's lawyers made a request to appeal before the Privy Council in May 2012, seeking to suspend the sentence. This request was rejected. In August 2012 it was reported

that Dooharika had applied to the Judicial Committee of the Privy Council for special leave to appeal against his sentence. In December 2012, the Privy Council granted him leave to appeal, which is due to be heard in February 2014.

**UPDATE:** In February 2014, the Commonwealth Lawyers' Association was granted permission to intervene on Dooharika's behalf. In its ruling on 18 February 2014, the Privy Council acquitted Dooharika on appeal, ruling that he had not acted in bad faith.

## NIGER

### BRIEF DETENTION

#### \*Ousmane Dan Badji:

**PROFESSION:** editor of the newspaper L'Union

**DATE OF ARREST:** 27 January 2014

**DATE OF RELEASE:** 30 January 2014

**DETAILS OF ARREST AND DETENTION:** Dan Badji was arrested by judicial police in Niamey on charges of "media offences" and "defamatory statements" following a televised discussion on a talk show that aired on the privately-owned Canal 3 channel on 14 January.

**DETAILS OF RELEASE:** Dan Badji was released on 30 January 2014 on the condition that he "remain available to judicial authorities", owing to the fact he had allegedly declined to divulge the name of a source. No further information as of 31 December 2014.

#### \*Soumana Idrissa Maïga:

**PROFESSION:** editor of the privately-owned newspaper L'Enquêteur

**DATE OF ARREST:** 23 January 2014

**DATE OF RELEASE:** 27 January 2014

**DETAILS OF ARREST:** Maïga was arrested on charges of "plotting against state security" and "abetting wrongdoers" in connection with an article printed in the 17 January issue of L'Enquêteur. The article in question, entitled 'Congrès Chaud de Lumana', speculated that the ruling party's days in power were numbered. Maïga was reportedly detained in violation of current Nigerien press laws that prevent journalists from being held in police custody. No further information as of 31 December 2014.



# NIGERIA

## KILLED: IMPUNITY

### Ikechukwu UDENDU:

**PROFESSION:** editor of Anambra News, a monthly newspaper in Anambra state

**DATE OF DEATH:** 12 January 2013

**DETAILS OF DEATH:** he was shot dead by unknown assailants on the evening of 12 January 2013. Udendu's brother, publisher of the paper, reportedly received an anonymous telephone call in which he was told to retrieve the journalist's body from in front of a local restaurant. Local journalists reportedly suspect that Udendu was killed in connection with his reporting.

**DETAILS OF INVESTIGATION:** According to reports, the state's police commissioner promised to investigate the murder personally. According to a 10 February 2013 report, Udendu's family suspect that the gunmen were hired assassins. No further information as of 31 December 2014; PEN is seeking an update.

## DETAINED: MAIN CASE

### \*Oga Tom UHIA:

**PROFESSION:** publisher of the monthly independent magazine Power Steering

**DATE OF ARREST:** 15 July 2014

**DETAILS OF ARREST:** Uhia was reportedly charged with five counts of criminal conspiracy, injurious falsehood, and defamation of character of the governor of Benue state.

**DETAILS OF TRIAL:** Police reportedly kept Uhia in custody despite the publisher meeting bail conditions of 2 million naira and a surety. If convicted, Uhia could face up to two years in jail and/or a fine. His trial date was scheduled for 1 September 2014. No further information as of 31 December 2014; PEN is seeking an update.

**BACKGROUND:** The charges are reported to stem from a June issue of Power Steering that republished the magazine's September 2010 article that questioned whether the governor was a lawyer, alleging that he had forged his academic certificate. The magazine asserts that the article was based on documented evidence and the confession of an individual alleged to have procured the forged documentation. In 2010, the police filed similar charges against the magazine, its editor-in-chief, the individual who said he procured the forged documents, and another individual. That case was quashed after a judicial panel indicted the magistrate of the case of "unethical" conduct in favour of the governor, according to court documents. According to reports, in April 2014 the Nigerian High Court issued a ruling restricting the authorities from "entertaining any charge or application pertaining, concerning and relating to the facts" of the case filed in 2010.

## ON TRIAL

### Tony AMOKEODO

**PROFESSION:** news editor for the independent daily newspaper Leadership

### Chibuzor UKAIBE

**PROFESSION:** political reporter for the independent daily newspaper Leadership

**DATE OF ARREST:** (1) 8 April 2013 and (2) 15 April 2013

**DATE OF RELEASE:** (1) 9 April and (2) 16 April 2013

**DETAILS OF ARREST:** Amokeodo and Ukaibe were summoned to police headquarters, along with two colleagues and were reportedly detained incommunicado at an Abuja police station. Police demanded to know the sources for the article. Prior to their arrest, the police had reportedly visited the newspaper's offices three times to see the journalists who wrote the story.

**DETAILS OF RELEASE:** Amokeodo and Ukaibe were released on 9 April, but were required to report to police headquarters daily; their colleagues were released on 8 April. Amokeodo and Ukaibe were then re-arrested and detained on 15 April and taken to the Special Anti-Robbery Squad (SARS) headquarters detention facility in Abuja. The journalists were released on bail on 16 April and remained free at the end of 2014.

**DETAILS OF TRIAL:** On 16 April 2013, Amokeodo and Ukaibe were charged with forgery and other offences, stemming from the publication of a memo reported to be from former President Goodluck Jonathan along with a companion article in the paper's 3 April 2013 edition. The offending article, entitled 'Outrage Trails Presidential Directive on Tinubu, APC', reported on public criticism of the president following an article published in Leadership the previous day which provided details of an alleged presidential memorandum in which the president laid out plans to increase petrol prices and sabotage a merger of opposition political parties ahead of the 2015 elections. The president's office reportedly initially dismissed the article. The journalists stand by their story and believe the memorandum to be genuine. Abuja's Federal High Court withdrew all charges against them on 2 May, after Leadership challenged the federal court's jurisdiction to hear the case. On 19 June the federal government's prosecutor filed new charges, comprising 11 counts, before an Abuja High Court. On 27 June 2013 Amokeodo and Ukaibe appeared in court facing 11 charges including forgery, conspiracy to commit a felony, inciting feelings of disaffection against the president and inducement to commit an offence against public peace, amongst others, which they denied. A court date was set for 16 July 2013. Upon resumption of the hearing, Amokeodo and Ukaibe's lawyer told the court that he had filed a motion to suspend further proceedings indefinitely to await the end of President Jonathan's term; the journalists wish to call him to testify as a witness, but were unable to do so while he enjoyed the immunity afforded to him by his office. The petition was refused by the Abuja High Court in Kubwa on 29 July 2013. The judge adjourned the trial until 24 October 2013. On 30 July, the journalists' lawyer reportedly filed a motion to appeal the Abuja high court ruling. On 26 November 2013, the presiding

judge reportedly withdrew from the case following the publication of two articles in Leadership on 25 November. The judge stated that he was stepping down owing to the concerns raised in the articles that justice would not be served if he was the presiding judge as he came from the same state as the president. He was the third judge to have presided over the case. No further information as of 31 December 2014; PEN is seeking an update. **[STOP PRESS:** A court hearing on 29 April 2015 was adjourned due to the absence of the judge; the next hearing is scheduled for 8 June 2015.]

### **Tukur MAMU:**

**PROFESSION:** publisher of the Desert Herald newspaper and author of FCT Administration: The Rot Within

**DATE OF ARREST:** 4 September 2013

**DATE OF RELEASE:** 19 September 2013

**DETAILS OF ARREST:** Mamu was arrested by plainclothes police and was taken to Kaduna's Criminal Investigation Department (CID), before being transferred to Abuja where he was held at the CID in Garki. He was reportedly held in the same cell as hardened criminals and suspected terrorists.

**DETAILS OF RELEASE:** On 19 September 2013, the Wuse Magistrates' Court granted Mamu bail in the sum of N1million (approx. US\$6,000) with one surety.

**DETAILS OF TRIAL:** He is being sued for criminal defamation and attempted bribery in a case brought by the minister of the Federal Capital Territory (FCT), the subject of Mamu's book. The plaintiffs are reported to be seeking up to N7 billion (approx. US\$30.7 million) in damages and a permanent injunction preventing Mamu from releasing his book, FCT Administration: The Rot Within. A preliminary hearing was held at an Abuja court on 5 September 2013. The hearing was postponed until 9 September 2013 and again until 15 October 2013.

**UPDATE:** According to news reports, Mamu's lawyers sought to establish that the Abuja High Court did not have jurisdiction in the case owing to the fact that the owners of Desert Herald and the offices of the paper are in Kaduna. On 21 January 2014, the judge reportedly ruled against the defence. The judge is also reported to have ordered that the entire case – including arguments, presentation of evidence and cross examination of witnesses – be heard over three days, between 11-13 March 2014. Mamu reportedly questioned the judge's fast-tracking of the case given the current long waiting time of what he judged to be more important cases, including those against Boko Haram. No further information as of 31 December 2014.

**HEALTH CONCERNS:** Mamu was hospitalised following his collapse during the hearing in September 2013. He is believed to suffer from a health condition for which he is required to take prescribed medication daily but was reportedly deprived of this medication while detained.

**BACKGROUND:** According to reports, unknown men broke into the Desert Herald offices on the night of 4 September 2013, following Mamu's arrest, stealing three laptops, one external hard drive, some CDs and official files. Mamu was reportedly arrested under similar circumstances in 2009 for writing articles deemed to "harm the government's interests".

### **BRIEF DETENTION**

#### **\*Thomas THOMAS:**

**PROFESSION:** editor of the Global Concord newspaper

**DATE OF ARREST:** 1 July 2014

**DATE OF RELEASE:** 11 August 2014

**DETAILS OF ARREST:** Thomas was reportedly handcuffed and thrown into a car by armed men in Uyo. It is believed that he was taken by agents of the state security service in a suspected retaliation for the newspaper's recent criticism of alleged assassination plots ahead of the 2015 general elections. However, the SSS denied holding him.

**DETAILS OF TRIAL:** After his release, a charge sheet was made public issued by the Chief Magistrate Court of Akwa Ibom state, in which he was charged with 'making himself an object of dread and nuisance and organising a system of intimidation through a series of articles in the newspaper, and causing extreme fear to two individuals by presenting an alleged threat to murder them by a state official.

**BACKGROUND:** Thomas had recently published a series of articles regarding the Akwa Ibom state's alleged mismanagement of public funds.

### **THREATENED**

#### **\*Constance MEJU (f) and staff of *National Point Newspaper*:**

**PROFESSION:** deputy managing editor of a Port Harcourt-based regional tabloid newspaper National Point

**DETAILS OF THREATS:** On 9 May 2014 Meju reportedly received a telephone call in which the caller, a suspected agent of the governor of Rivers state, verbally abused her and threatened her and staff at the newspaper for publishing a story concerning judge who was suspended, which the state government is reported to have found offensive. On 12 May a man stormed into the newspaper's offices. He attempted to attack members of staff before fleeing when the police were called. Later the same day, Meju reportedly received another telephone call claiming to be the assailant from earlier that day and a relation of the suspended judge. The man reportedly threatened to shut down the newspaper and threatened her and her staff, warning that no one has a monopoly on violence. No further information as of 31 December 2014.

### **HARASSED**

#### **Mallam Nasir EL-RUFAI:**

**PROFESSION:** former Minister of the Federal Capital Territory and author.

**DETAILS OF HARASSMENT:** He is facing a lawsuit in connection with the publication of his memoir entitled The Accidental Public Servant, according to reports published on 8 February 2013. El-

Rufai was said to be under investigation and may face prosecution over alleged breaches of the Official Secrets Act. The authorities reportedly contend that the sections of the book constitute a mass reproduction of restricted and classified government documents. No further information as of 31 December 2014.

## CASE CLOSED

### Taka LAFIYA (“Rabi’u”):

**PROFESSION:** a Hausa singer

**DATE OF ARREST:** unclear

**DETAILS OF TRIAL:** reportedly on trial before the Kano State Censorship Tribunal for allegedly releasing a blasphemous and uncensored song entitled ‘Barhama Nake Bautawa’ (I Worship Barhama) on 31 May 2013. In the song Rabi’u allegedly says that he worships the founder of the Tijjaniyya sect. The prosecution claims that the production and release of an uncensored song is in violation of Sections 100 (2) and 99(l) (a) of the Kano State Cinematography (Licensing) Regulations Law 2001. Rabi’u pleaded not guilty to the charges. A senior magistrate adjourned the case to 3 June for ruling on the bail application, ordering that Rabi’u be remanded in prison custody. No further information as of 31 December 2014; case closed due to lack of information.

# RWANDA

## JUDICIAL CONCERN

### Francois Xavier BYUMA:

**PROFESSION:** playwright and human rights activist

**SENTENCE:** 17 years in prison

**DATE OF ARREST:** May 2007

**DETAILS OF ARREST:** Byuma was reportedly arrested on charges of being present at one of the barriers erected to prevent Tutsi fleeing the 1994 genocide, having a firearm, and participating in weapons training in May 2007. His arrest is believed by Frontline Defenders to be in retaliation for his group’s investigation into the rape of a young girl that may have been committed by the gacaca judge who heard Byuama’s case in court.

**DETAILS OF TRIAL:** Byuma was acquitted of the first two charges, but found guilty of participating in weapons training during the genocide. In addition, the court found him guilty of several counts not mentioned when the charges were first read, including assaulting and abducting a woman. PEN International is also concerned that he received an unfair trial, as the judge was not independent and the evidence given in court was reported to be largely contradictory, and such conflicting evidence was not reconciled or explained by the court in its decision. His sentence was upheld on appeal on 18 August 2007. Following domestic and

international protests, the National Service of Gacaca Jurisdictions (SNJG) accepted his request for a revision of his case; the SNJG reluctantly agreed to allow a lawyer to assist Byuma in his defence (as long as he did not wear his robe). During the hearing, however, the lawyer provided by Avocats Sans Frontières was not permitted to sit next to his client and was repeatedly denied the opportunity to question witnesses. The court accepted what they considered new evidence from accusing witnesses, even though some of this information was inconsistent with earlier testimony given at trial and on appeal. His conviction was upheld, although his sentence was reduced to 17 years in prison.

## DEATH THREAT

### \*Eric UDAHEMUKA:

**PROFESSION:** journalist with Isimbi newspaper.

**DETAILS OF THREAT:** Udahemuka reportedly fled the country with his family on 1 April 2014 after being followed, threatened, attacked, and otherwise harassed since 2012. Levels of intimidation and harassment reportedly increased following the publication of a number of articles critical of the Rwandan government in Isimbi in January and March 2014. Two men who had been following him for two months reportedly warned him that he could be killed at any moment. No further information as of 31 December 2014.

## HARASSED

### Stanley GATERA:

**PROFESSION:** editor of the private weekly newspaper Umusingi.

**DETAILS OF HARASSMENT:** Gatera reportedly fled the country on 17 April 2014 after the police informed him that there was a plot to murder him and his family. Earlier the same day, Gatera had been arrested on charges of extortion. According to Article 19, Gatera was in a café when an unknown individual approached him and slipped an envelope in his pocket, whereupon three plainclothes policemen immediately arrested him and took him to the police station. After holding him for six hours, the police escorted him to his home.

**UPDATE:** According to the Committee to Protect Journalists (CPJ) Gatera is now living in exile.

**BACKGROUND:** On 26 July 2013, Gatera was released from prison on completion of a one-year sentence. An opinion piece Gatera published in the paper in June 2012 which reportedly suggested that men may regret marrying Tutsi women solely for their beauty led to his arrest after police received complaints from women’s groups. The state prosecutor argued that the article broke the nation’s laws about referring to ethnic identities (see January - December 2013 case list).



**\*Steve TERRILL (US citizen):**

**PROFESSION:** freelance journalist for Al Jazeera and the Christian Science Monitor

**DETAILS OF HARASSMENT:** On 15 March 2014, Rwandan immigration officials allegedly blocked Terrill from entering the Rwandan capital Kigali to cover the 20<sup>th</sup> anniversary of the Rwandan genocide. He was reportedly detained for several hours, before being placed on a departing flight to Addis Ababa, Ethiopia. Terrill was reportedly not permitted to contact the U.S. embassy, and Rwandan authorities failed to provide a reason for his expulsion. No further information as of 31 December 2014.

**BACKGROUND:** Terrill has openly maintained that the Rwandan government uses at least a dozen false Twitter accounts to counter its critics, and has likewise stated his opinion that certain pro-government Rwandan news websites are creations from within Kigali's state house.

**RELEASED**

**Agnes UWIMANA (f):**

**PROFESSION:** editor of the now-defunct independent weekly tabloid newspaper Umurabyo.

**DATE OF ARREST:** 8 July 2010

**DATE AND DETAILS OF RELEASE:** 18 June 2014, on completion of sentence

**SENTENCE:** 17 years in prison, reduced to four years on appeal after conviction of "sedition", "inciting public disorder", "ethnic divisionism" and "promoting genocide ideology". Uwimana was arrested on 8 July 2010 while her colleague Saidati Mukakibibi (f), assistant editor/reporter for Umurabyo (see under 'Released' in January – December 2013 Case List) was detained the following week, allegedly for comparing the President to Adolf Hitler. Makakibibi was released on 25 June 2013 upon completion of her three-year prison term (reduced from seven years on appeal).

**BACKGROUND:** In June 2010, the chairman of Rwanda's Media High Council Board accused Uwimana of publishing "defamatory articles and falsehoods" in an article that suggested that all Rwandans were both victims and perpetrators of the 1994 genocide. Uwimana had previously served a one-year prison sentence in 2007-08, on charges of ethnic divisionism and libel after she published an opinion piece on ethnic violence in Rwanda.

**PEN ACTIONS:** RAN 06/11

## SENEGAL

**SENTENCED**

**\*Félix N'ZALÉ:**

**PROFESSION:** editor of La Tribune

**SENTENCE:** one-year suspended prison sentence and a fine of 1 million CFA (approx US\$2,000).

**DETAILS OF TRIAL:** N'Zalé was reportedly sentenced to a one-year suspended sentence and a fine on 14 August 2014 after misreporting that there were Ebola cases in Senegal in an 11 August 2014 article entitled, "5 cases of Ebola in Senegal." According to reports, the state prosecutor summoned N'Zalé, keeping him under police custody until he was placed under a committal order on 12 August. N'Zalé reportedly apologised to the court and acknowledged that he had not cross-checked the information.

## SIERRA LEONE

**JUDICIAL HARASSMENT**

**\*Jonathan LEIGH**

**PROFESSION:** managing editor of the opposition daily newspaper Independent Observer

**Bai Bai SESAY**

**PROFESSION:** editor of the Independent Observer

**DETAILS OF HARASSMENT:** On 14 January 2014, Leigh and Sesay were reportedly summoned for questioning by the Criminal Investigation Department (CID) on charges of seditious libel following a complaint by the information minister. No further information as of 31 December 2014.

**BACKGROUND:** The summons came three days after a police raid on the offices of the Independent Observer in which officers seized computer equipment and arrested one of its journalists N'Fa Allie Turay (see below). At the time, Leigh and Sesay were also facing 26 charges including "conspiracy to commit acts of seditious intent" (see 2013 Case List). On 10 March 2014 these charges against Leigh and Sesay was reportedly abandoned; according to news reports, the pair were cautioned and discharged after 25 of the 26 counts were dropped. Leigh and Sesay were reportedly pressured by the court to plead guilty to a single count of conspiracy to defame the president in return for the judge not passing sentence.

### \*N'Fa Allie TURAY:

**PROFESSION:** journalist with the opposition daily newspaper Independent Observer.

**DETAILS OF HARASSMENT:** Turay was reportedly arrested after police raided the offices of the Independent Observer on 14 January 2014 and released after several hours of interrogation.

**BACKGROUND:** Between October 2013 and January 2014, seven journalists were arrested in Sierra Leone, and two newspaper premises were searched by the police. The Independent Observer has come under particular attack with both its editor and managing editor the victims of judicial harassment (for more information see above: Jonathan Leigh and Bai Bai Sesay, both under 'Judicial harassment').

## SOMALIA

### KILLED: IMPUNITY

#### Abdirahman Mohamed ALI:

**PROFESSION:** reporter for the sports news website Ciyaarahamaanta.

**DATE OF DEATH:** 27 September 2012

**DETAILS OF DEATH:** He was found murdered next to Suqa Holaha, a local livestock market, in the Huriwa district of the capital Mogadishu on 27 September 2012. According to local journalists, unknown gunmen abducted Ali (26) on the evening of 26 September as he was visiting his mother's house. Ali was found with his hands tied behind his back and his severed head on his chest. The motive for the killing was not clear; no group initially claimed responsibility.

**UPDATE:** According to The Journalists Memorial, the Islamist militant group Al-Shabaab claimed responsibility for Ali's murder, claiming that he did not live in Suqa Holaha and that he had gone there to spy on Al-Shabaab members. No further information as of 31 December 2014; PEN is calling for an investigation into the murder.

#### Warsame Shire AWALE:

**PROFESSION:** poet, playwright, radio actor and singer-songwriter.

**DATE OF DEATH:** 29 October 2012

**DETAILS OF DEATH:** shot several times by unidentified armed men near his home in the capital Mogadishu on 29 October 2012. He was taken to hospital but was declared dead on arrival. According to the National Union of Somali Journalists (NUSOJ), he had recently received threats in connection with comments he had made about gunmen who targeted civilians. At the time of his death Warsame, who was in his 60s, was working at Radio Kulmiye where his plays were known for their criticism of the extremist Islamist group Al-Shabaab. According to NUSOJ and other sources, he was the 18th media worker to be killed in Somalia in 2012. No further information as of 31 December 2014; PEN is calling for an investigation into the murder.

### RELEASED

#### \*Michael Scott MOORE: (German/US national)

**PROFESSION:** journalist and writer

**DETAILS OF ABDUCTION:** According to news reports, Moore was abducted in January 2012 by an armed militia while he was researching a book on piracy.

**DATE AND DETAILS OF RELEASE:** Moore was reportedly handed over to the authorities on 23 September 2014 after a ransom was paid; it is unclear by whom. He is thought to have returned to his home in Berlin.

**BACKGROUND:** Moore had reportedly freelanced for the English-language page of Der Spiegel's website, served as European correspondent for Miller-McCune Magazine, and as a contributor to US publications such as The Atlantic Monthly, Salon and The Los Angeles Times. He is the author of the novel Too much of Nothing (2003) and Sweetness and Blood (2011), a book about surfing. He is also reported to have written a blog entitled, Radio Free Mike.

## SOMALILAND

### IMPRISONED: MAIN CASE

#### \*Yusuf Abdi GABOBE

**PROFESSION:** owner and founder of Haatuf newspaper

#### Ahmed Ali IGEH

**PROFESSION:** editor of the Somali-language version of Haatuf newspaper

**SENTENCE:** Three and four years in prison respectively. They were each fined 50 million Somaliland Shillings (approx. US\$8,000)

**DATE OF ARREST:** 10 May 2014

**DETAILS OF ARREST:** Gabobe and Egeh were reportedly arrested following the publication of articles in both Haatuf and its English-language sister publication Somaliland Times that alleged corruption and the mishandling of finances within the Ministry of Minerals, Energy and Water Resources. After a hearing at Hargeisa Regional Court lasting five hours, the journalists were reportedly denied bail and remanded into custody.

**CURRENT PLACE OF DETENTION:** Central Hargeisa Prison

**DETAILS OF TRIAL:** The two were convicted of "spreading false information" and "defamation" on 25 June 2014 and sentenced to three and four years in prison respectively and a fine. A number of irregularities relating to their trial, including the prosecution's refusal to apply the Somaliland's 2004 media law (Media Law No. 27/2004) in favour of applying Somalia's Penal Code. Somaliland's 2004 media law decriminalises media offences and, according to Somaliland's constitution, supersedes Somalia's 1962 penal code. Additionally, the journalists'

lawyers are said to have complained in court about bias from the presiding judge. No further information as of 31 December 2014.

**BACKGROUND:** The offices of Haatuf and Somaliland Times were reportedly closed following a police raid carried out on 7 April 2014. According to reports, the Court authorities did not provide a process to appeal the suspension of the newspapers. On 16 April 2014 the websites of both publications were blocked by telecommunications companies within Somaliland following a further court order. The 25 June 2014 sentence of Gabobe and Igeh also revoked the license of the Haatuf Media Network, which publishes both Haatuf newspaper and the Somaliland Times. In 2013, at least four media outlets were closed by the government for publishing articles perceived to be anti-government, according to Article 19. The closures included Hubaal newspaper in December after it was accused of promoting insecurity in the country.

#### IMPRISONED: INVESTIGATION

##### Jama Said ELMI:

**PROFESSION:** contributor to the independent daily newspaper Hubaal.

**DATE OF ARREST:** 27 March 2013

**REASON FOR ARREST:** Elmi was arrested in connection with his columns alleging corruption and nepotism in the Silanyo administration.

**DETAILS OF TRIAL:** He was convicted on charges of insulting the nation and sentenced to six months in prison along with a fine of 1 million Somaliland shillings (approx. US\$700). Possible re-imprisonment: However, according to an unconfirmed media report, on 20 August 2013 Elmi was sentenced to four years in prison and a fine of one million Somaliland shillings (approx. US\$700) for defaming the president in an article. The same report states that he had been secretly detained since July 2013. PEN is seeking confirmation of Elmi's re-conviction and imprisonment. No further information as of 31 December 2014.

#### DETAINED – INVESTIGATION

##### \*Ahmed Adan ROBLEH:

**PROFESSION:** Baligubadle Online Media editor

**DATE OF ARREST:** Robleh was reportedly arrested along with Universal TV director Mohamed Aabi in Hargeisa on 27 July 2014.

**DETAILS OF ARREST:** According to reports, Robleh is being held for "spreading false information" about Somaliland President Ahmed Mohamed Mohamoud Silanyo's health. He was reportedly ordered to appear at the Criminal Investigation Department the day before his arrest. No further information as of 31 December 2014.

#### SENTENCED

##### Abdiaziz BASHIR:

**PROFESSION:** reporter for the news website Hadhwanaag.

**DATE OF ARREST:** 3 December 2013

**DATE OF RELEASE:** Released on bail on 9 December 2013.

**SENTENCE:** fine of 100,000 Somali shillings (approx. US\$100) by a court in Hargeisa, according to February 2014 reports.

**DETAILS OF TRIAL:** He was convicted of taking part in illegal demonstrations, incitement and insubordination.

**BACKGROUND:** The protest was staged by journalists in connection with the release of a police officer alleged to have attacked the Hargeisa offices of Hubaal newspaper on 24 April 2013. No further information as of 31 December 2014.

## SOUTH AFRICA

#### RELEASED

##### Cecil MOTSEPE:

**PROFESSION:** former Sowetan journalist.

**SENTENCE:** A fine of R10,000 (approx. US\$888) and 10 months in prison, suspended for five years.

**DETAILS OF TRIAL:** He was convicted of criminal defamation at a magistrates' court in Gauteng on 21 June 2013. In 2009, Motsepe reportedly published a series of articles about a Guateng magistrate, accusing him of abusing his position. Motsepe reported that the magistrate handed out different punishments to black and white defendants accused of the same crime, inaccurately citing specific cases in which he alleged that a white woman had received a lighter sentence than a black man for drunk driving. According to reports, his defence based their argument on the fact that Motsepe had not intentionally set out to defame the magistrate, but believed that the facts were correct, emphasising that he had taken steps to verify the accusations and presented the information to the magistrate for comment prior to publication, at which point the magistrate reportedly declined to comment. According to reports, the sentences were written in Afrikaans, a language that Motsepe does not understand; as a result he had to rely on translations by two separate sources. Motsepe appealed against his conviction and sentence.

**UPDATE:** On 5 December 2014, the Guateng Division High Court, Pretoria, upheld Motsepe's appeal against his conviction; however it ruled that criminal defamation charges are consistent with the Constitution, rejecting an amicus curiae appeal submitted.

**OTHER INFORMATION:** A coalition led by the Freedom of Expression Institute and including PEN International acted as amicus curiae (friends of the court) in Motsepe's appeal, contending that



criminal defamation charges are unconstitutional and unjustifiably limit the rights of freedom of expression and the media. On 5 December 2014, the same day as the Pretoria High Court ruling on Motsepe's appeal, the African Court on Human and Peoples' Rights (ACHPR) found that criminal defamation laws should only be used in 'very exceptional' circumstances, holding that Burkina Faso's criminal defamation provisions violated freedom of expression protections found in Article 9 of the African Charter of Human and Peoples' Rights and Article 19 of the International Covenant of Civil and Political Rights (ICCPR) (see Lohe Issa Konaté above under Burkina Faso section). South Africa has ratified the African Charter of Human and Peoples' rights, meaning that it is theoretically bound by the Burkina Faso judgement in the ACHPR. No further information as of 31 December 2014

## SOUTH SUDAN

### KILLED: IMPUNITY

#### Isaiah Diing Abraham Chan AWUOL:

**PROFESSION:** contributor to news websites including Sudan Tribune, Gurtong and SudaneseOnline

**DETAILS OF DEATH:** was shot dead by unidentified men at his home in the capital Juba on 5 December 2012. The gunmen arrived at Awuol's house, asked him to step outside, then shot him dead and took his mobile telephone. Awuol had reportedly been threatened several times in the past and been warned to stop writing. Local journalists believe that he could have been targeted in connection with his online columns. Awuol was known for his opinion articles critical of the South Sudanese leadership and their relationship with the Sudanese authorities. In his most recent article, published on 27 November 2012 in the Sudan Tribune, Awuol had urged the authorities to foster a better relationship with Sudan and refrain from supporting Sudanese rebel groups.

**DETAILS OF INVESTIGATION:** The police said that they would investigate the murder.

**UPDATE:** No progress has been reported on Awuol's case following his murder. The authorities reportedly arrested a number of unnamed suspects in December 2012, but no one was known to have been brought to trial by 31 December 2014.

### HARASSED

#### \*Abraham AGOTH:

**PROFESSION:** freelance journalist

**DATE AND DETAILS OF HARASSMENT:** Agoth is reported to have gone into hiding on 28 July 2014, fearing his arrest. He reportedly believed that he had angered the governor of the northern state of Bahr el Ghazal over his coverage of security issues in media outlets, including the local news website Gurtong, the independent weekly newspaper The Patriot, and Voice of

America. He reports having received telephone calls from the governor calling him in for questioning regarding his reports on protests earlier in July. He also warned him not to cover alleged rebel attacks in the state. No further information as of 31 December 2014.

## SUDAN

### REPORTED MISSING

#### Adam Ali ADAM: (Chadian national)

**PROFESSION:** journalist for the Chadian newspaper N'Djamena Al Djadida.

**DATE OF ABDUCTION:** 15 December 2012

**DETAILS OF ABDUCTION:** He was reportedly kidnapped in the Sudanese capital Khartoum, where he was studying at university, on 15 December 2012. Adam's family and friends have not heard from him since. At 31 December 2012 Adam's whereabouts and the identity of his kidnappers remained unknown, but there were rumours that he had been taken to the Chadian capital N'Djaména.

**BACKGROUND:** In the months leading up to his disappearance Adam had reportedly received threats linked to his writings critical of the Chadian government. No further information as of 31 December 2014; PEN is seeking an update.

### DETAINED: INVESTIGATION

#### \*Abdelrahman ALAAGIB:

**PROFESSION:** journalist of the daily newspaper Al-Youm Al-Tali

**DATE OF ARREST:** 22 September 2014

**DETAILS OF ARREST:** Alaagib was reportedly arrested by officers of the National Intelligence and Security Services (NISS) alongside photographer Eisa Aizain in central Khartoum. The reason for their arrest was unknown. According to Reporters Without Borders, a NISS official accused Alaagib of being involved in the conflict in Darfur during a televised broadcast. No further information as of 31 December 2014; PEN is seeking to ascertain whether he is still held.

#### Mohamed Ali HAMATO:

**PROFESSION:** journalist

**DATE OF ARREST:** September 2013

**DETAILS OF ARREST:** arrested while covering a protest in Khartoum. The charges were not known and he was being held in an unknown location. No further information as of 31 December 2014. PEN is seeking information as to whether he was released or is still held.

## Ameer HASSAN:

**PROFESSION:** correspondent for Al-Hurra

**DATE OF ARREST:** September 2013

**DETAILS OF ARREST:** Arrested while covering a protest in Khartoum. No further information as of 31 December 2014. PEN is seeking information as to whether he was released or is still held.

## BRIEF DETENTION

### \*Al-Nur Ahmad AL-NUR:

**PROFESSION:** Sudan correspondent for London-based Al-Hayat and columnist for the Sudanese daily newspaper Al-Tigheer

**DATE OF ARREST:** 23 October 2014

**DATE OF RELEASE:** 29 October 2014.

**DETAILS OF ARREST:** Al-Nur was reportedly arrested by National Intelligence and Security Services (NISS) officials on his way to his office on 23 October 2014. Held initially at the NISS headquarters, he was later transferred to Kober prison, according to reports. He was held without charge for six days before being released.

## ATTACKED

### \*Osman MIRGHANI:

**PROFESSION:** editor-in-chief of the daily newspaper El Tayyar

**DATE OF ATTACK:** 19 July 2014

**DETAILS OF ATTACK:** According to PEN's information, armed men stormed the newspaper's offices, assaulted staff and beat Mirghani until he fell unconscious. According to reports, the attack was claimed by a previously unheard of group called the Hamza Combat Group Against Atheism and Heresy that has reportedly vowed to attack anyone who is "openly hostile to the Palestinian resistance"; however, there is some speculation that the group was directed by the National Intelligence and Security Services (NISS).

**BACKGROUND:** Mirghani had reportedly defended the idea of normalising relations with Israel in his column and on a televised talk show in the week prior to the attack.

## RELEASED

### Tajeldin Ahmed ARJA:

**PROFESSION:** blogger.

**DATE OF ARREST:** 24 December 2013

**DATE OF RELEASE:** 14 May 2014

**DETAILS OF ARREST:** He was reportedly detained incommunicado from his arrest at a conference on the situation in Darfur, after he stood up at the start of the conference and criticised both the Sudanese and Chadian presidents, accusing them of being liars and responsible for human rights violations in Darfur. Eight security guards are reported to have seized him.

**PLACE OF DETENTION:** According to news reports, Arja was held in the Kafouri area of Khartoum.

**CONDITIONS OF DETENTION:** He was not allowed access to his family or a lawyer. Arja is reported to have claimed that he was subjected to systematic torture; PEN International does not know whether these claims have been investigated.

**BACKGROUND:** Arja, from North Darfur, was displaced with his family during the early years of the Darfur conflict, and has since then reportedly voiced his criticism of the Sudanese government through his writings and blogs about the situation in Darfur.

## CASE CLOSED

### Abuzar AL-AMIN:

**PROFESSION:** deputy editor of the opposition daily newspaper Rai al-Shaab.

**DATE OF ARREST:** 16 May 2010

**DATE OF RELEASE:** 22 August 2011

**DETAILS OF ARREST:** Al-Amin was arrested along with Rai al-Shaab reporter and political editor Ashraf Abdelaziz and Altahir Ibrahim (known as Abo Jawharah) during a raid by the National Intelligence and Security Services (NISS) on the newspaper's offices in Khartoum on 16 May 2010. NISS agents confiscated equipment and copies of the latest issue of the paper and closed the newspaper down until further notice. Two other Rai al-Shaab employees were reportedly also arrested. All three journalists were detained incommunicado.

**DETAILS OF TRIAL:** On 15 July 2010 the three journalists were convicted under the 1991 Criminal Act of "undermining the constitutional system" (article 50) and "publishing false news" (article 66). Al-Amin was sentenced to five years in prison while Abdelaziz and Ibrahim received two-year sentences. A fourth Rai al-Shaab reporter on trial, Ramadan Mahjub, was acquitted. The court also ordered the newspaper's closure and the seizure of all the assets of the company that owns it. Both Abdelaziz and Ibrahim were subsequently released on 6 February 2011 after their sentences were reduced on appeal. For background, see previous case lists. In May 2011, Al-Amin's prison sentence was reduced from five years to one year. He was due to be released on 3 July 2011. However, in late June 2011 prison officials informed him that he would instead be transferred to the custody of State Security Prosecution for further investigation. Two new complaints had been brought against him by the NISS. The first related to articles written for Rai al-Shaab before his imprisonment, for which he faced the charges of: criminal conspiracy (article 21 and 24 of the 1991 Criminal Act), assisting an offence (article 26), attacks on the state aimed at "undermining the constitutional system" (article 50) and publication of false news (article 66). He was also reportedly facing charges under article 24 of the press law (on the responsibilities of editors) and article 26 (on the duties of journalists). Offences under article 50 of the 1991 Criminal Act can carry the death penalty or life imprisonment. The second complaint was lodged by a security officer whom Al-Amin claimed had tortured him during his pre-trial detention in May 2010. The officer says that Al-Amin inflicted "grievous bodily harm" upon him. According to Al-Amin's family, the journalist was

simply defending himself. Al-Amin was released on bail on 22 August 2011; however the new charges brought against him were still pending.

**CONDITIONS IN DETENTION:** Al-Amin and Ibrahim were reportedly tortured and otherwise ill-treated by NISS agents while in detention. The torture allegations were denied by the security forces and were reportedly never investigated. As of January 2013, the charges had reportedly not been dropped, meaning that Al-Amin could still face a death sentence if convicted. No further information as of 31 December 2014; closed due to lack of information.

**PEN ACTIONS:** RAN 36/10 and updates

## SWAZILAND

### IMPRISONED: MAIN CASE

#### Thulani Rudolf MASEKO

**PROFESSION:** prominent human rights lawyer and member of the Lawyers for Human Rights Swaziland who contributes opinion pieces to The Nation magazine

#### Bheki MAKHUBU

**PROFESSION:** editor-in-chief of The Nation

**SENTENCE:** two years in prison

**DATE OF ARREST:** (1) 17 and 18 March 2014, respectively. (2) 10 April 2014

**DATE OF RELEASE:** (1) 7 April 2014

**DETAILS OF ARREST:** Maseko and Makhubu faced charges of ‘scandalising the judiciary and contempt of court’ in relation to two articles they wrote and published in the February edition of The Nation criticising Chief Justice Michael Ramodibedi. Makhubu’s article reportedly questioned the rationale behind the arrest of the Chief Government Motor Vehicle Inspector, Bhanshana Gwebu, after he arrested the driver of a judge for allegedly abusing a government vehicle. Maseko’s article, entitled ‘Mandela stood for values far removed from us’, was reportedly critical of the state’s involvement in the case. The lawsuit was reportedly brought against the journalists by Chief Justice Ramodibedi. Maseko and Makhubu were reportedly denied access to their lawyers and remanded in custody without the opportunity for bail after summary proceedings held behind closed doors on 18 March 2014. Normal criminal procedure dictates that the men should have appeared before a magistrate rather than being taken to Chief Justice Ramodibedi’s chambers.

**DETAILS OF RELEASE:** At a 7 April 2014 hearing, the defendants lodged a complaint against the chief justice and the government, challenging the constitutionality of their arrest. In response, High Court Judge Mumcy Dlamini reportedly quashed the arrest order of Maseko and Makhubu, ruling that the warrant had not followed procedure and was issued by a court under the authority of one of the parties of the case. They were released immediately. However,

Chief Justice Ramodibedi is reported to have appealed the decision. As a result, the pair were reportedly re-arrested on 10 April after a third judge, Judge Simelane, issued new arrest warrants citing contempt of court, alleging that the two had failed to heed a 1 April court order to appear before him.

**CURRENT PLACE OF DETENTION:** Maseko and Makhubu are held in Swaziland’s Sidwashini prison.

**DETAILS OF TRIAL:** The pair were reportedly found guilty of two counts of contempt of court on 17 July 2014 and sentenced to two years in prison on 25 July 2014. The judge also fined The Nation and independent publishers to SZL 100,000 (approximately EUR 7,080) payable within one month. Their appeal, heard at the Supreme Court on 4 November 2014, was reportedly adjourned sine die until such time as the appellants could provide the requisite materials for a fair hearing. It would appear that they did not provide sufficient or appropriate evidence for their appeal to be heard. Maseko is also reportedly awaiting the resumption of sedition charges dating back to 2009.

**CONDITIONS IN DETENTION:** On 1 April 2014, Makhubu was reportedly brought before the court in leg irons on the ground that he represented a “security risk”. When family members questioned the reasoning behind this a government spokesman is reported to have refused to answer on security grounds.

**OTHER INFORMATION:** On 2 April 2014, the UN Working Group on Arbitrary Detention along with other UN special procedures wrote a urgent action letter to the Swaziland authorities.

**BACKGROUND:** Makhubu was also sentenced on appeal to a suspended three-month prison sentence for contempt of court in May 2014 (see below).

### CONDITIONAL RELEASE

#### Bheki MAKHUBU:

**PROFESSION:** editor of the privately-owned magazine The Nation.

**DETAILS OF TRIAL:** Makhubu was charged with criminal defamation on 14 December 2010 in a case brought by the Attorney General. He was convicted by the Swaziland High Court on two counts of contempt of court on 17 April 2013 and sentenced to a fine of 200,000 Emalangeni (approx. US\$18,500) or two years in prison, with the jail sentence to take immediate effect if the fine was not paid within three days.

**UPDATE:** On 30 May 2014, the Supreme Court reduced Makhubu’s sentence to three-months in prison, suspended for three years. If he is convicted of any offence of scandalising the court in this period, the sentence will be implemented. The fine against the paper was reduced to 30,000 Emalangeni (approx. US\$2,800).

**BACKGROUND:** The charges were in connection with the publication of two articles, the first published in November 2009 and the second in February 2010, that questioned the independence of the country’s judiciary. During the trial, Makhubu denied that the content of the articles constituted criminal defamation or contempt of court. (For more information see July-December 2011 case list.) Makhubu is currently serving a two-year prison sentence on another count of contempt of court, along with Thulani Rudolf Maseko (see Imprisoned: main case above).



# TANZANIA

## RELEASED

### Absalom KIBANDA

**PROFESSION:** managing editor of daily tabloid Tanzania Daima and chair of the Tanzania Editors Forum

### Theopil MAKUNGA

**PROFESSION:** senior editor at Mwananchi Communications

### Samson MWIGAMBA

**PROFESSION:** feature writer for Tanzania Daima. Mwigamba is also an opposition leader.

**DATE OF ARREST:** Mwigamba was arrested on 8 December 2011.

**DATE OF RELEASE:** Mwigamba was released on 13 December 2011 after he satisfied bail conditions.

**DETAILS OF TRIAL:** Mwigamba was initially charged with “sedition” under the Newspaper Act, but this was changed in March 2012 to incitement to mutiny - a charge under the penal code that can result in 18 months’ imprisonment. The charges relate to an article published on 30 November 2011, which the prosecution said was published “with intent to excite disaffection against the lawful authority of the United Republic of Tanzania contrary to sections 46(b), 55 (1)(a) and 35 of the Penal Code. On 6 March 2012, Mwigamba, Kibanda and Makunga were all charged with the amended charge of “sedition” under section 32(1)(c) and 31(1)(a) of the Newspaper Act (2002). All three began giving their defence testimonies on 2 September 2013.

**UPDATE:** The journalists were reportedly acquitted of sedition due to lack of evidence on 29 January 2014.

**AWARDS:** Absalom Kibanda received the Daudi Mwangosi Heroic Journalism and Servanthood Excellence Award 2013.

**OTHER INFORMATION:** Kibanda was attacked and seriously injured in March 2013. According to PEN’s information, no one has been brought to account for the attack (see 2013 case list).

# TOGO

## CASE CLOSED

### Zeus AZIADOUVO:

**PROFESSION:** editor of the newspaper Liberté

**DETAILS OF TRIAL:** Aziadouvo was charged with complicity in the destruction of public property and complicity with a criminal group after refusing to reveal his sources for an article published on 18 March 2013, in which he accused the police of torturing alleged arsonists involved in the burning down of two markets at the beginning of January 2013. Aziadouvo was reportedly briefly detained for questioning by members of the intelligence services on 21 March 2013. No further information as of 31 December 2014; case closed due to lack of information.

**BACKGROUND:** In January 2013 fires destroyed the Kara and Lomé markets in the midst of opposition protests. The 18 March article denounced the physical and mental torture allegedly used against Toussaint Tomety, the suspected arsonist. Tomety was reportedly manipulated into starting the fires by supporters of the political opposition.

# UGANDA

## KILLED: IMPUNITY

### Thomas PERE:

**PROFESSION:** journalist for New Vision covering society stories for the entertainment and supplements sections.

**DATE OF BIRTH:** c1975

**DETAILS OF DEATH:** was killed by unknown assailants on 16 June 2013. Pere (38) reportedly left work to go home on the evening of 16 June; his body was found the following morning in a field in Masajja, where he lived. An interim post mortem established the cause of death to be blunt force trauma. Pere reportedly suffered two broken collar bones and a blow to the head.

**DETAILS OF INVESTIGATION:** According to reports, the police do not believe he was killed at the place where the body was found due to the absence of signs of a struggle at the scene. Two commuter taxi operators arrested in July with a taxi that had blood stains in it were released on 17 September 2013 after three months’ detention at Katwe Police Station after DNA results were negative. No further information as of 31 December 2014.

## ON TRIAL

### Norman TUMUHIMBISE:

**PROFESSION:** author.

**DATE OF ARREST:** 27 June 2013

**DETAILS OF ARREST:** Tumuhimbise was arrested shortly before the publication of his book Behind The Devil's Line. According to reports, the police intended to file charges of "publication of defamatory matter" in relation to his book, which is critical of the regime of President Museveni. Tumuhimbise was initially taken to the Criminal Investigation and Intelligence Department (CIID) in Kibuli for questioning before being detained at Jinja Road Police Station. Three plain-clothes police detectives reportedly searched the writer's home on 28 June.

**DATE OF RELEASE:** 28 June 2013, on bail.

**DETAILS OF TRIAL:** charged with publication of inflammatory matter.

**FURTHER INFORMATION:** He reportedly carried on selling his book through trusted local contacts after book stores refused to stock it. He launched his book on 21 November 2013, and reported receiving threatening phone messages beforehand. No further information as of 31 December 2014; PEN is seeking an update.

## ATTACKED

### \*Solomon HAMALA:

**PROFESSION:** Red Pepper journalist

**DATE OF ATTACK:** 13 January 2014

**DETAILS OF ATTACK:** According to news reports, Hamala was attacked while covering the eviction of female kiosk owners from the Main Taxi Park in the Iganga District, by the Iganga Municipal Council authorities. Two local security guards, Kemba Azizi and Isiko Yakubu, allegedly assaulted Hamala with a baton and a bicycle padlock, later dragging him along tarmac for over 20 metres, in an attack that lasted almost 30 minutes. Hamala was subsequently admitted in a critical condition to a local clinic, after sustaining deep wounds to his head, chest and fingers. His assailants also reportedly stole a digital camera, mobile telephone and money. **DETAILS OF INVESTIGATION:** Following a trial that began on 5 February 2014, Kemba Azizi was sentenced to four years' imprisonment on charges of assault under Section 236 of the Penal Code Act; Isiko Yakubu remains at large.

### \*Ddamba ISMAEL:

**PROFESSION:** journalist with Vision Group's Bukedde Newspaper

**DATE OF ATTACK:** 12 April 2014

**DETAILS OF ATTACK:** Ismael was attacked by a mob of commercial motorcyclists (boda boda) in the capital Kampala, who reportedly intended to lynch him on suspicion of acting as a police spy. At the time of the attack the motorcyclists were protesting the arrest of their colleague,

who had been detained by the boda boda authorities for allegedly failing to pay operational fees. Ismael was attempting to cover the event when he was set upon by the mob. Police were forced to disperse the crowd by firing bullets. Three suspects were arrested in connection with the assault and were facing charges of grievous bodily harm; no further information as of 31 December 2014.

**BACKGROUND:** Ismael was reported to be the fourth journalist to be mobbed while on duty in the space of two weeks.

# ZAMBIA

## ON TRIAL

### Clayson HAMASAKA:

**PROFESSION:** journalist suspected of contributing to news website *Zambian Watchdog*.

**DATE OF ARREST:** 9 July 2013

**DETAILS OF ARREST:** Hamasaka was initially arrested along with Thomas Zgambo (see below) on suspicion of sedition. Both of the journalists' homes were raided separately, the police claiming to be searching for drugs and seditious material and accusing them of publishing stories for the *Zambian Watchdog*. According to Hamasaka's lawyer, the police confiscated documents and computers from Hamasaka's home including past articles.

**DATE AND DETAILS OF RELEASE:** Released under caution on 10 July 2013.

**DETAILS OF TRIAL:** More than three weeks after his release, Hamasaka was charged with "possession of obscene material" on his computers. He pled not guilty. A witness for the prosecution testified in January 2014 that there was evidence that Hamasaka's laptop had been accessed in his presence. His trial was ongoing at the end of 2014, having been adjourned several times.

**BACKGROUND:** *Zambian Watchdog* is a privately owned news website that is registered outside of the country. It publishes content written by *Zambian* journalists and edited by journalists in exile, and documents alleging *Zambian* government corruption. It has reportedly been the target of harassment by the *Zambian* government. In August 2012, *Zambia's* minister of tourism reportedly called for the banning of the *Zambian Watchdog*, arguing that the website's critical coverage could affect the country's image in the lead-up to the UN World Tourism Organisation meeting, which *Zambia* was hosting. In September 2012, news accounts reported that President Michael Sata had ordered government agencies to explore ways to block access to the site. After domestic access to *Zambian Watchdog's* website was blocked by the government on 24 June 2013, Reporters Without Borders hosted a mirror of the site, however it was only accessible until mid-July 2013, when this was also blocked in *Zambia* by the authorities.

## \*Richard SAKALA

**PROFESSION:** managing editor of The daily Nation

## \*Choolwe BEYANI

**PROFESSION:** journalist and academic with the University of Zambia (UNZA)

**DETAILS OF TRIAL:** According to news reports, President Sata is suing the journalists for defamation in his individual capacity over the publication of stories that allege that he had protected his friends from paying back money owed to the Development Bank of Zambia. On 21 May 2014, Sata reportedly testified in court.

## Thomas ZGAMBO:

**PROFESSION:** contributor to news website Zambian Watchdog

**DATE OF ARREST:** 9 July 2013

**DATE OF RELEASE:** 11 July 2013, on bail

**DETAILS OF ARREST:** Zgambo was initially arrested and detained on along with journalist Clayson Hamasaka, who is also thought to be a contributor to Zambian Watchdog (see above under 'On trial'). Police reportedly raided the journalists' homes that same day in separate operations, claiming to be searching for drugs and seditious material and accusing them of publishing stories for the Zambian Watchdog.

**DETAILS OF TRIAL:** Zgambo was reportedly charged with "sedition" in connection with documents found at Zgambo's home about how President Sata started his Patriotic Front party. Zgambo was expected to appear in court again on 6 August 2013. According to reports on 2 August 2013, Zgambo was called back for further questioning at police headquarters, where he was asked to re-write a document that the police suspect was authored by him, but he refused. According to 3 October 2013 news reports, the sedition charge was dropped. However, on 14 November 2013, he was charged with "possession of obscene material likely to corrupt morals of the public", to which he pled not guilty. This trial was ongoing as of 31 December 2014; a state witness has admitted lying in the case. For background on Zambian Watchdog, see above under Clayson Hamasaka – 'On trial'.

## DEATH THREAT

## Thomas ZGAMBO:

**PROFESSION:** contributor to news website Zambian Watchdog

**DATE OF ATTACK:** 12 March 2014

**DETAILS OF ATTACK:** Zgambo was reportedly attacked by the son of President Michael Sata on 12 March 2014. Kazim Sata reportedly beat Zgambo and threatened him, saying "we will kill you". **BACKGROUND:** Zgambo is currently on trial for sedition (see 'on trial' above).

## ATTACKED

## \*Wilson PONDAMALI:

**PROFESSION:** freelance journalist and former reporter for The Post.

**DATE OF ATTACK:** 11 April 2014

**DETAILS OF ATTACK:** Pondamali was reportedly attacked by four assailants near the Kabwe Civic Centre as he was covering the installation of the new mayor. His assailants reportedly attempted to abduct him, but when Pondamali resisted they robbed him of his reporting equipment. Three of the assailants were reportedly arrested following the incident but were released later the same day. The attackers were identified as members of a militia of the ruling Popular Front (PF) party. Pondamali sustained injuries to his ribs. **BACKGROUND:** In February 2014, Pondamali had been acquitted of "unlawful possession of a restricted military pamphlet", among other charges (see 'Released' below).

## RELEASED

## Wilson PONDAMALI:

**PROFESSION:** freelance journalist and former reporter for The Post.

**DATE OF ARREST:** 16 July 2013

**DATE OF RELEASE:** 31 July 2013 after spending almost a week in hospital

**DETAILS OF TRIAL:** Charged on 19 July 2013 with "unlawful possession of a restricted military pamphlet", among other charges. The charge reportedly carries a two-year jail term. It is thought that his arrest was connected to those of Zambian Watchdog contributors Thomas Zgambo and Clayson Hamasaka (see above – 'On trial'); Pondamali is suspected by the government of involvement with the news website. During proceedings, the judge ordered Pondamali's release, however the police refused to comply with the order claiming that he had attempted to escape from custody. On 23 August 2013 it was reported that Pondamali had briefly appeared in court earlier that week on additional charges, including theft of a library book and being in possession of military supplies. The court reportedly received no instructions from the director of public prosecution for the matter to proceed, so the case was adjourned until the end of September 2013.

**UPDATE:** According to 1 February 2014 reports, Pondamali was reportedly acquitted on counts of malicious damage to property and attempted escape by the Kabwe Magistrate Court. He was also cleared of "unlawful possession of a restricted military pamphlet."

**CONDITIONS IN DETENTION:** He was reportedly held chained to his hospital bed under police guard.

**HEALTH CONCERN:** On 22 July 2013, while still detained, Pondamali contracted pneumonia and was transferred to a hospital.

**BACKGROUND:** Pondamali was attacked and robbed in April 2014 as he attempted to cover the appointment of the new mayor at Kabwe Civic Centre (see 'attacked' below).



## Richard SAKALA

**PROFESSION:** managing editor of the opposition newspaper The Daily Nation

## Simon MWANZA

**PROFESSION:** production editor of the opposition newspaper The Daily Nation

**DATE OF ARREST:** 10 December 2013

**DATE OF RELEASE:** 13 December 2013

**DETAILS OF ARREST:** They were arrested in connection with the publication of an interview with former journalist and executive director of Foundation for Democratic Process (FODEP) MacDonald Chipenzi.

**DETAILS OF TRIAL:** Sakala and Mwanza, along with Chipenzi, were reportedly accused of “publication of false information with intent to cause public alarm” under section 67 of the Zambian penal code on 12 December 2013. The journalists were released after they met bail conditions of 10,000 kwacha (approx. US\$1,300) and two guarantors who were employed by the government or a para-governmental organisation. Their trial was expected to commence on 26 January 2014. **UPDATE:** According to March 2014 reports, their case was referred to the Lusaka High Court for constitutional determination after defence lawyers argued that the application of section 67 in Sakala and Mwanza’s case was arbitrary and excessively hampered freedom of expression as guaranteed by section 20 of the Zambian Constitution. On 4 December 2014, the Lusaka High Court ruled in Sakala and Mwanza’s favour, holding that Zambia’s so-called “false news” law violates the right to freedom of expression and is therefore unconstitutional thereby halting their prosecution.

**BACKGROUND:** In the interview in question, Chipenzi questioned the reasons behind a change in the police recruitment process in Zambia after concerns were raised that a secret militia was being recruited within the police force that could be used for political purposes.

# ZIMBABWE

## ON TRIAL

### Edmund KUDZAYI:

**PROFESSION:** editor of the state-controlled Sunday Mail

**DATE OF ARREST:** 19 June 2014

**DATE OF RELEASE:** 3 July 2014, on bail

**DETAILS OF ARREST:** Kudzayi was reportedly arrested following a raid on Sunday Mail’s offices in the capital Harare. He was reportedly remanded into custody following the denial of his bail application. The case has been referred to the high court. According to news reports, along

with his brother, Kudzayi is suspected of being anonymous Facebook blogger “Baba Jukwa,” who posts critical information about the government and officials.

**DETAILS OF RELEASE:** He was released on \$5,200 bail on 3 July 2014.

**DETAILS OF TRIAL:** He was charged with “attempting to subvert a constitutionally-elected government” and “undermining the authority of the President”; attempting to commit an act of insurgency, banditry, sabotage or terrorism” and keeping ammunition in an unsafe place.

**UPDATE:** According to local news reports dated 2 September 2014, the state was seeking the assistance of search engine providers and social media entities based in the United States. No further information as of 31 December 2014.

**BACKGROUND:** A blog by “Baba Jukwa” reportedly became popular in the run-up to the July 2013 elections when the blogger, an alleged ZANU-PF mole, disclosed allegations of assassination plots and corruption within the ruling party. State-owned media has become involved in a bitter dispute within the ZANU-PF as different factions seek to influence the choice of successor to President Robert Mugabe, according to reports. On 11 May 2014, the Sunday Mail reportedly ran a front-page story claiming that two South African-based Zimbabweans were the bloggers behind the “Baba Jukwa” Facebook page – charges they denied. The night before Kudzayi’s arrest, police reportedly raided his home seizing a number of electronic devices.

## Dumisani MULEYA

**PROFESSION:** editor of the privately-owned weekly newspaper Zimbabwe Independent

## Owen GAGARE

**PROFESSION:** chief reporter of the privately-owned weekly newspaper Zimbabwe Independent

**DATE OF ARREST AND RELEASE:** held for seven hours on 7 May 2013

**DETAILS OF TRIAL:** Both men were charged under Section 31 of the Criminal Law (Codification and Reform) Act for publishing or communicating false statements prejudicial to the state. If convicted they could face up to 20 years in prison or a fine. The charges follow the 26 April 2013 publication of a story alleging that the opposition Movement for Democratic Change had engaged in private talks with Zimbabwe’s security chiefs ahead of general elections that. During their detention, the police reportedly attempted to pressurize the journalists into revealing their sources for the article.

**UPDATE:** According to a 2014 report by the UK Foreign and Commonwealth Office, the Constitutional Court declared the law under which Muleya and Gagare were charged unconstitutional on 8 November 2013. The court reportedly also moved to challenge the constitutionality of other sections of the Criminal Law Act, including the arrest of journalists on allegations of publishing falsehoods. No further information on the case as of 31 December 2014; PEN is seeking to confirm whether this trial is ongoing.

## ATTACKED

### \*Godfrey MUTIMBA:

**PROFESSION:** correspondent for the independent Daily News newspaper

**DATE OF ATTACK:** 22 January 2014

**DETAILS OF ATTACK:** Mutimba was attacked while reporting on a meeting hosted by the US embassy in the town of Masvingo, the capital of southeastern Masvingo province. Assailants reportedly punched him, tore his jacket and threatened him, saying they knew that he wrote "propaganda for Western imperialists" and "negative things" about the ruling party, ZANU-PF. At the time of the attack, Mutimba was taking pictures on his mobile phone of youths from ZANU-PF, who were reportedly criticising the continued imposition of US sanctions against Zimbabwe. Police in plainclothes were present at the time of the attack, but allegedly did not intervene. Mutimba did not report the assault to officials. No further information as of 31 December 2014.

## THREATENED

### \*Albert NCUBE:

**PROFESSION:** correspondent for Southern Eye newspaper

**DATE OF THREAT:** 13 January 2014

**DETAILS OF THREAT:** Ncube was reportedly threatened by a local official after he published articles alleging that the official had been offered a council house for purchase at a reduced price by the Gwanda town council. No further information as of 31 December 2014.

## HARASSED

### \*Helen KADIRIRE (f):

**PROFESSION:** Reporter for the independent daily newspaper the Daily News

**DATE OF HARASSMENT:** 3 July 2014

**DETAILS OF HARASSMENT:** Kadirire was reportedly detained for several hours by police in Mutoko after she attempted to cover a demonstration by the local community organisation, the Mutoko North Development Trust. Kadirire was reportedly accused of inciting the local population to protest, but was released without charge the following day.

## RELEASED

### Nevanji MADANHIRE and Patience NYANGOVE (f):

**PROFESSION:** respectively editor and reporter for the independent weekly newspaper The Standard.

**DATE OF ARREST:** 29 June 2011

**DETAILS OF ARREST:** They were arrested following the publication of an article by Nyangove about the police's alleged detention of the minister of state in the prime minister's office.

**DATE OF RELEASE:** Nyangove was released on bail later on 29 June 2011; Madanhire was released on 30 June 2011.

**DETAILS OF TRIAL:** On 1 July 2011 both were charged with criminal defamation against the head of the Harare Central Police Station's Law and Order unit for "publication of false statements prejudicial to the state" and "communicating statements that undermine public confidence in law enforcement agents." On 31 August 2011, the Attorney General's Office decided not to proceed with the charges under Section 31(a) (iii) of the Criminal Law (Codification and Reform) Act. The section criminalizes the "publishing or communication of false statements prejudicial to the State and statements undermining public confidence in a law enforcement agency, the Prison Service or the Defense Forces of Zimbabwe." The State, however, was said to be proceeding with the charge of criminal defamation. The Harare Magistrates Court adjourned the trial on 1 August 2012 until 4 December 2012. The case was still pending in the courts as of 3 May 2013. According to news reports, on 10 October 2013, their defence lawyer Eric Morris argued against the use of criminal defamation legislation before the Constitutional Court. The presiding judge reportedly indicated that the court would make a determination in the case after examination of both the old and new constitution.

**UPDATE:** In June 2014 it was reported that Madanhire and Nyangove had won their case against the charges of criminal defamation at the Constitutional Court. The landmark ruling, which effectively decriminalized defamation, cleared the journalists. The Constitutional Court called on the Justice Minister to reform the Criminal Law (Codification and Reform) Act.

# AMERICAS

## ARGENTINA

### ON TRIAL

#### **Juan Pablo SUÁREZ:**

**PROFESSION:** editor of the daily newspaper Última Hora

**DATE OF ARREST:** 9 December 2013

**DATE OF RELEASE:** 19 December 2013

**REASON FOR ARREST:** Suárez reportedly spent 10 days in detention charged with sedition under Article 212 of the anti-terrorism law following his arrest while he was covering police demonstrations in the northern city of Santiago del Estero. The charges were later changed to “inciting collective violence” and “terrorising the population”. The charges carry a possible 12-year prison term. No further information as of 31 December 2014.

**BACKGROUND:** A 2007 reform of the Argentine penal code allows for a three to six year prison term for publically inciting collective violence against groups of persons or institutions, while Article 41 – an 2011 addition – provides for the doubling of all sentences where crimes are committed “with the aim of terrorising the population.”

### DEATH THREATS

#### **\*Germán DE LOS SANTOS:**

**PROFESSION:** correspondent for the daily newspaper La Nación, based in Rosario, Santa Fe province

**DATE OF THREAT:** 13 November 2014

**DETAILS OF THREAT:** De Los Santos reportedly received threatening telephone calls from a local criminal gang, who wanted him to stop his reporting on organised crime. The unknown callers provided detailed descriptions of his comings and goings. De Los Santos filed a complaint with the police and the government provided him with a police escort.

**BACKGROUND:** De Los Santos has spent the last few years investigating and reporting on drug trafficking and organised crime in Santa Fe province.

#### **\*Leonel RODRIGUEZ:**

**PROFESSION:** journalist with daily newspaper La Nación, based in La Banda, Santiago del Estero province

**DATE OF THREAT:** 8 November 2014

**DETAILS OF THREAT:** A miniature coffin was reportedly left outside the home of Rodriguez’ parents on 8 November 2014. He also reports receiving a series of threatening messages via false accounts on Facebook. He reportedly believes that the threats stemmed from his investigation and coverage of a sex abuse case involving a local official.

### ATTACKED

#### **\*César RÍOS:**

**PROFESSION:** director of the newspaper Síntesis

**DATE OF ATTACK:** 15 February 2014

**DETAILS OF ATTACK:** A group of unknown men threw a plastic container filled with petrol at Ríos’ home in San Lorenzo, Santa Fe province. The container hit the window of his children’s room, setting fire to the window, curtains and a number of toys. Passers-by were able to put out the fire. No one was hurt in the incident. Ríos is reported to believe that the attack is related to his journalism. No further information as of 31 December 2014.

**BACKGROUND:** The beginning of 2014 saw a spate of attacks on journalists. On 15 February three armed men reportedly burst into the offices of the newspaper El Sol Diario Online, threatening its journalists. According to reports, three of the newspaper’s journalists were placed under police protection on 13 February after the Criminal Intelligence unit received information that an alleged drug trafficking leader had ordered their execution. Although the threat was directed at the entire newspaper, the police reportedly determined that the most at risk individuals were the three reporters as they had investigated the group. The journalists allegedly exposed the criminal group’s activities in their reports. The identities of the three journalists have been withheld for security reasons.

## BOLIVIA

### JUDICIAL HARASSMENT

#### **\*Claudia BENAVENTE (f) and Ricardo AGUILAR:**

**PROFESSION:** editor and reporter for La Razón, respectively.

**DETAILS OF HARASSMENT:** On 22 April 2014 the prosecutor-general reportedly filed a complaint accusing Aguilar of “espionage” and Benavente with “complicity” following the 13 April publication of a story about the complaint that Bolivia brought against Chile before the International Court of Justice in The Hague. On 7 May 2014, a court ordered Aguilar to reveal



his sources for the report within five days. On 9 May, La Razón's lawyer brought a counter-motion against the judge in charge of the case and the prosecutor, accusing them of incompetence.

**UPDATE:** On 5 August, the judge ruled with the defence and dismissed the charges against Benavente and Aguilar, ruling that the case should be moved to the Press Tribunal. This motion means that the journalists will not face criminal charges. No further information as of 31 December 2014; PEN is seeking an update on the outcome of the Press Tribunal. According to reports, the country's general prosecutor has said that he will continue his investigation to find the source of the story despite the judge's ruling.

**BACKGROUND:** Bolivia, a land-locked country since the Pacific War (1879-84), lodged a complaint with the ICJ as part of its historic campaign to recover territory that would give it access to the Pacific Ocean in May 2014. It is the second complaint lodged by the Bolivian state with the ICJ.

## RELEASED

### \*Rogelio PELÁEZ:

**PROFESSION:** editor of the monthly newspaper Larga Vista

**DETAILS OF HARASSMENT:** In July 2014 the Bolivian Supreme Court handed down a ruling overturning the 30-month jail term handed down to Peláez in 2012 for alleged defamation, according to Reporters Without Borders. (For more information see July-December 2012 Case List)

# BRAZIL

## KILLED: MOTIVE UNKNOWN

### \*Marcos de Barros Leopoldo GUERRA:

**PROFESSION:** blogger (Ubatuba Cobra) and lawyer

**DATE OF DEATH:** 23 December 2014

**DETAILS OF DEATH:** Guerra, aged 51, was reportedly shot dead by unidentified gunmen on a motorcycle at his home in Ubatuba, Sao Paulo state. The attackers opened fire on Guerra from outside the house through a kitchen window; he died after receiving wounds to the face, back and abdomen. According to Guerra's father, he had received death threats in connection to articles published on his blog prior to his death.

**DETAILS OF INVESTIGATION:** Ubatuba Civil Police Chief Fausto Cardoso is reported to have confirmed that police are considering his blog as a possible motive for the crime. No further information as of 31 December 2014.

**BACKGROUND:** Guerra was known to be critical of local government corruption in his blog. In one of his most recent articles he had questioned local authorities over the alleged diversion of public funds.

### \*Pedro PALMA

**PROFESSION:** owner of the local weekly newspaper Panorama Regional

**DATE OF DEATH:** 13 February 2014

**DETAILS OF DEATH:** Palma (47) was reportedly killed outside his home in Miguel Pereira city, Rio de Janeiro state. He was shot three times by two assailants riding a motorcycle. According to reports, the police believe the motive for the murder to be a witness elimination ("queima de arquivo").

**DETAILS OF INVESTIGATION:** In June 2014, the police arrested a suspect in connection with Palma's murder. No further information as of 31 December 2014.

**BACKGROUND:** According to a friend of Palma, the journalist had reported receiving threats. However, the delegate in charge of the case is reported to have said that there had been no known threats against him. The publication, Panorama Regional, reportedly frequently denounced alleged corruption in the office of the mayor of Miguel Pereira.

## KILLED: IMPUNITY

### Paulo Roberto CARDOSO RODRIGUES (known as Paulo ROCARO):

**PROFESSION:** editor of the local daily Jornal Da Praça and the news website Mercosul News

**DATE OF DEATH:** 12 February 2012

**DETAILS OF DEATH:** Rocaro was shot dead in Ponta Porã. He had been driving home when he was attacked by two armed men riding a motorcycle, who fired at least five bullets into him. Rocaro (51) reported on politics. According to reports, he had been critical of the local mayor and had publicly lent his support to a rival mayoral candidate. On the night he was killed, the journalist had been returning home after a meeting with the opposition candidate. The killing took place near the Paraguayan border, a region of Brazil known for organized criminal activity and for political corruption.

**DETAILS OF INVESTIGATION:** Police were reportedly investigating the crime as a possible contract killing, and were looking into political motives, among others. On 4 October 2012, the owner of Jornal Da Praça, Luis Henrique Georges, and another of the newspaper's employees were reportedly shot dead by unknown individuals while another member of staff was injured as a result of the incident. Jornal Da Praça had recently published articles highly critical of candidates for the municipal elections held in Ponta Porã on 7 October 2012. On 7 May 2013, police in Mato Grosso do Sul state reportedly presented the results of the investigation into Rocaro's murder: they believe the motive to be political. Rocaro, a member of the Workers' Party, had a disagreement with another member of the party, Claudio Rodrigues de Souza, about who should run for Ponta Porã mayor two days before the shooting. During the argument, Rocaro reportedly threatened to publish stories on alleged irregularities involving Rodrigues' businesses. The police believe that Rodrigues hired two hit men to kill Rocaro.

Rodrigues reportedly has a previous conviction for homicide in São Paulo state. Luis Henrique Georges' murder remained unsolved as of 31 December 2014 and no evidence had been produced indicating whether or not the two murders were related.

**UPDATE:** Two years on from Rocaro's murder, the police have failed to gain sufficient evidence against those it believes to have ordered and carried out the crime. Rodrigues de Souza is reported to have given his statement to the police in Ponta Porã in which he claimed his innocence. The whereabouts of one of the alleged hit men remains unknown. No further information as of 31 December 2014.

### **Eduardo CARVALHO:**

**PROFESSION:** editor and owner of the website Última Hora News

**DATE OF DEATH:** 21 November 2012

**DETAILS OF DEATH:** Carvalho (52) was arriving home with his wife in Campo Grande, capital of Mato Grosso do Sul state, when an unidentified man on a motorcycle shot him three times before fleeing. According to Última Hora News, Carvalho, a retired military police officer, often criticised the local police and politicians and denounced local corruption in his articles. He had reportedly been receiving threats in connection with his journalism since 2011 and had also survived an assassination attempt, as a result of which he was authorised to carry a gun. According to the police, Carvalho had been the subject of many libel lawsuits related to his reporting. His last article, published on the day of his murder, accused an unnamed military police official of abusing his authority to intimidate local citizens.

**DETAILS OF INVESTIGATION:** The police reportedly intend to focus their investigation on whether the murder was related to Carvalho's journalistic work.

**UPDATE:** On 7 February 2013, it was reported that the investigations into Carvalho's murder were on-going, with initial material evidence and telephone records under review. The police had reportedly received more than 30 formal complaints against the journalist alleging defamation and libel, but they added that the motive of the murder had not been proven. No further information as of 31 December 2014.

### **Francisco GOMES DE MEDEIROS:**

**PROFESSION:** contributor to newspaper Tribuna do Norte, internet writer and news director of a local radio station

**DATE OF DEATH:** 18 October 2010

**DETAILS OF DEATH:** He was shot dead by a man on a motorbike in front of his house in Caicó, Rio Grande do Norte state. Gomes had reported on a variety of local topics, including government corruption, crime and drug trafficking. He had recently received death threats after publishing a piece on his blog accusing local politicians of being involved in buying votes in exchange for drugs during the first round of the Brazilian general elections on 3 October 2010.

**DETAILS OF INVESTIGATION:** On 19 October 2010 the police arrested João Francisco dos Santos and claimed that he had admitted killing Gomes in reprisal for his coverage of Santos' 2007 conviction on armed robbery charges. Despite this, state police said that they were still

investigating the case and had not ruled out further leads. On 3 December 2010 the Diário de Natal reported that Gomes' killing was carried out on the orders of a jailed drug trafficker, according to local police. Valdir Souza do Nascimento, who was arrested in 2007 and was then serving a sentence for drug trafficking, allegedly ordered Santos to shoot Gomes because the journalist's reporting was affecting the criminal activities that Souza was continuing to run from prison. On 23 October 2012, Globo reported that the charges against Souza had been dropped.

**DETAILS OF TRIAL OF PERPETRATORS:** On 13 April 2011, it was reported that the investigation into Gomes' murder was complete and that the trial of the suspects was due to begin on 3 May 2011. A businessman, Lailson Lopes, was accused of having ordered the crime while João Francisco dos Santos was accused of carrying it out. On 6 August 2013 João Francisco dos Santos was sentenced to 27 years in prison for the shooting and killing of Gomes. Lailson Lopes was reportedly sentenced to 21 years in prison, reduced by one third to 14 years in April 2014. Four other men including a local army lieutenant colonel, a military police officer, a lawyer and a former pastor, were reportedly also facing charges and awaiting trial. All four men deny any involvement in the murder. According to 13 February 2014 reports, a judge ruled that there was insufficient evidence to prosecute either the lieutenant colonel or the military police officer. A lawyer for the family of Gomes is said to be appealing the decision. The case against the lawyer and a former pastor was allowed to proceed. The trials are thought to be ongoing. No further information as of 31 December 2014.

### **Mario Randolpho MARQUES LOPES:**

**PROFESSION:** editor-in-chief of the news website Vassouras na Net

**DATE OF DEATH:** 8 February 2012

**DETAILS OF DEATH:** Along with his companion, Marques (50) was abducted from his home in Barra do Piraí, Rio de Janeiro state. Both were found the following day, shot dead. Marques had frequently accused local officials of corruption in articles on his website, according to news reports. His most recent article on his website accused local judges and courts of being corrupt and too powerful. Marques had been attacked before. In July 2011, an unidentified gunman entered the Vassouras na Net newsroom in Vassouras, and shot him five times in the head, which left him in a coma for three days.

**DETAILS OF INVESTIGATION:** An investigation is underway. Marques' body was reportedly exhumed on 25 February 2013 in order to extract DNA samples for use in testing against blood stains found in three vehicles seized at the time of his murder; one of the vehicles was reported to be that of a taxi driver who worked in the city centre. The exhumation of the body came in response to a request filed eight months previously by the principal delegate of the civil police of Barra do Piraí. No further information as of 31 December 2014.

### **Rodrigo NETO DE FARIA:**

**PROFESSION:** host of the "Plantão Policial" ("Police Shift") show on Radio Vanguardia, press aide for the local mayor and reporter for the daily newspaper Vale do Aço

**DATE OF DEATH:** 8 March 2013



**DETAILS OF DEATH:** Neto (38) was shot dead by two men on a motorcycle. He was reportedly getting into his car after leaving a local bar he often frequented with a colleague in Ipatinga, Minas Gerais, when he was shot twice; he died later in hospital. His attackers did not take any of the professional equipment he had with him. Neto had only started work for Vale do Aço the week before his murder. According to reports, the journalist had aggressively covered police corruption throughout his career and had frequently received threats, especially in relation to his coverage of cases in which police officers were suspected of being involved in local murders. At the time of his death he was reportedly working on a book entitled The Perfect Crimes, which investigated several murders in which he suspected police involvement. Neto had recently reported being followed. His reporting had led to his giving testimony to the Minas Gerais state assembly's human rights committee in which he accused police officers of involvement in criminal activity. Local journalists believed that Neto's murder could be related to his work. A tweet by the human rights minister suggested that the federal authorities regarded Neto's murder as an execution-style killing probably linked to his work.

**DETAILS OF INVESTIGATION:** On 19 April, the chief of police in Minas Gerais confirmed the participation of police officers in Neto's murder. Five police officers had been arrested and were under investigation for Neto's killing and that of his colleague, Walgney Carvalho, a Vale do Aço photojournalist who was shot dead on 14 April 2013. Investigations revealed that both men were killed by the same gun. The police officers are reportedly suspected of belonging to militia groups that operate in the region, whose activities Neto had reportedly been investigating; Carvalho is said to have taken the photographs that accompanied the investigation. In July it was reported that Carvalho's murder had been confirmed as a witness elimination; he had publicly claimed, including on social media, to know who was responsible for Neto's death. It was believed that the person behind the both journalists' murders is Alessandro Neves Augusto (known as Pitote), while policeman Lucio Lirio Leal was identified as a co-conspirator. It was also believed, but not yet confirmed, that four other policemen arrested for alleged involvement with a death squad in the region may have been responsible for carrying out the shootings; they reportedly have connections to Neves.

**DETAILS OF TRIAL OF PERPETRATORS:** On 22 August 2013, Neves and Leal were charged with Neto's murder. Leal is considered an accomplice to the crime, having provided the assassin with information as to Neto's whereabouts. Neves was also charged with the murder of Carvalho. The trial began on 9 December 2013. An investigation was ongoing into the motive behind the crime and its intellectual author.

**UPDATE:** Leal was reportedly sentenced to 12 years in prison for his involvement in the murder on 29 August 2014. **[STOP PRESS:** According to March 2015 reports, a verdict against Neves is expected to be announced on 19 June 2015]

## José Roberto ORNELAS DE LEMOS:

**PROFESSION:** director of the daily newspaper Jornal Hora H

**DATE OF DEATH:** 11 June 2013

**DETAILS OF DEATH:** Ornelas was reportedly gunned down by four masked men on 11 June 2013. According to reports, Ornelas (45) was shot at least 40 times while he was at a bakery in Nova Iguaçu, Rio de Janeiro. Ornelas had reportedly received constant threats related to the newspaper's reporting.

**DETAILS OF INVESTIGATION:** The police were reported to be considering all lines of enquiry and had not ruled out his work as a possible motive. As of 31 December 2014, the police have failed to make any headway into their investigation into Ornelas' murder; the investigation remains open.

**BACKGROUND:** Jornal Hora H is known for its reporting on political and police corruption. Ornelas had reportedly been investigated for three murders committed in the 1990s, but was never formerly charged. In 2003, he was imprisoned for the murder of a local official; however, he was later acquitted. In 2005, he reportedly survived an attempt on his life, which was suspected to be in retaliation for complaints that were published in the newspaper.

## Décio SÁ:

**PROFESSION:** reporter for local newspaper O Estado do Maranhão and blogger at Blog do Décio

**DATE OF DEATH:** 23 April 2012

**DETAILS OF DEATH:** Sá was shot dead in a bar in what police said was a contract killing. Sá, who reported on politics and crime, was shot six times in the head and back. According to colleagues at O Estado do Maranhão, Sá's reporting, both for his newspaper and for his blog, had made him several enemies. His blog was one of the most popular in Maranhão.

**DETAILS OF INVESTIGATION:** The police arrested seven people in June 2012, including a businessman (a former local councillor) and a police officer. Jhonatan de Souza Silva, one of those arrested, reportedly confessed to the killing. Police believe that the motive for the killing was Sá's reporting, especially his reports on the businessman's alleged connection to loan-sharking and racketeering.

**DETAILS OF TRIAL OF PERPETRATORS:** The trial of 11 suspects began in late January 2013. The attorney general of Maranhão reportedly claimed that the defence for the accused in Sá's murder trial was attempting to "delay the course of proceedings". The accusation came in response to the defence's request for an order to suspend the reading of the accusations on 29 January, on the grounds that it had not been given access to the content of the wiretaps used by the prosecution, a claim which the attorney general has denied. The defence's request was granted by the judge after only three of the 15 accusations scheduled for the day had been heard. On 20 February it was reported that the principal witness to Sá's murder, Ricardo Santos Silva, had died after being shot seven times during an attack suspected to be a targeted assassination in January. He was reportedly due to give evidence in court shortly before he was shot. Seven suspects were arrested. Mayors and former mayors of the municipalities of Maranhão were expected to appear in court in May 2013 to aid in investigations into their alleged connection with the money lenders thought to be responsible for Sá's murder. On 5 February 2014, a jury in Sao Luis convicted two of 11 people accused of Sá's murder following a two-day trial. Sousa, the confessed gunman, was reportedly sentenced to 25 years and three months in prison, while Marcos Bruno Oliveira, the alleged driver of the motorcycle, was sentenced to an 18 years and three months prison sentence. According to reports, Silva changed his testimony during the trial in which he had previously claimed that an entrepreneur Raimundo Sales Alves Chaves Junior, known as Junior Bolinha, was behind the hit. In court on 4 February, Silva reportedly told the jury that he was hired by a different man and that the police had coerced him to name Junior Bolinha as the mastermind by threatening his family. Oliveira's defence is also reported to claim that Oliveira was tortured



for 12 hours to force him to confess to the crime; Oliveira pleaded not guilty to the charges. The remaining nine suspects include the alleged intellectual author of the crime, members of a criminal gang, and police officers who are reported to have attended meetings in which the murder was planned. All the remaining suspects are currently awaiting trial.

**UPDATE:** According to 26 August 2014 reports, José de Alencar Miranda Carvalho, aged 74, one of the accused awaiting trial, was granted house arrest instead of preventative detention owing to his ill-health on 22 August 2014. No further information as of 31 December 2014.

## ON TRIAL

### Luis Carlos BORDONI:

**PROFESSION:** journalist and blogger

**DETAILS OF TRIAL:** He was ordered to pay R\$200,000 (approx. US\$95,000) in damages to the governor of Goiás on 28 May 2013. In his blog, Blog do Bordonni, he accused the governor of using money from a corrupt businessman to pay off the debt from his 2010 political campaign. The judge reportedly ruled that Bordonni, who had worked on some of the governor's campaigns, did not have any evidence to back up his claims and ordered that he remove all interviews with and any statements against the governor from his blog. In the case of noncompliance, the penalty was the suspension of Bordonni's website and a daily fine of R\$500 (approx. US\$250). Bordonni planned to appeal the ruling. No further information as of 31 December 2014.

### \*Aguirre TALENTO:

**PROFESSION:** reporter for Folha de S. Paulo

**DETAILS OF TRIAL:** In May 2014, it was reported that Talento was sentenced to six months and 6 days in an open prison after being convicted of criminal defamation. The sentence was reportedly commuted to community service. The charges are said to relate to stories published by Talento while he was working for A Tarde newspaper, which a real estate entrepreneur claims contain false information. The judge reportedly ruled that Talento had intended to stain the entrepreneur's reputation. His lawyer is said to be appealing the sentence. No further information as of 31 December 2014.

**BACKGROUND:** According to the Bahia Journalists Union (Sinjorba), Talento is one of a number of A Tarde journalists currently being sued.

## DEATH THREAT

### \*Davi KOPENAWA:

**PROFESSION:** author of The Falling Sky

**DATE OF THREAT:** July 2014

**DETAILS OF THREAT:** In July 2014, armed men on motorbikes reportedly raided the Boa Vista offices of ISA – an association which works closely with the Yanomami tribe – and asked for Kopenawa. The men reportedly attacked staff and stole computers when they were unable to locate Kopenawa. In May 2014, the Yanomami association, Hutukara – headed by Kopenawa – reportedly received threatening messages from gold miners, which claimed that Kopenawa would not survive the year.

**BACKGROUND:** Kopenawa belongs to the Yanomami tribe based in Brazil's amazon rainforest; he is a shaman and renowned spokesman for the tribe. Kopenawa has worked closely with Hutukara and the Brazilian government to evict illegal miners in the region.

## ATTACKED

### \*Barbara FERREIRA SANTOS (f), Sérgio ROXO, Paulo TOLEDO PIZA, Fabio LEITE, Amanda PREVIDELLI (f), Reynaldo TORTULLO and Mauro DONATO:

**PROFESSION:** respectively journalists for Estado de S. Paulo, O Globo, G1, Estadão, Brasil Post, Folha de São Paulo, Diário do Centro do Mundo.

**DATE OF ATTACK:** 22 February 2014

**DETAILS OF HARASSMENT:** According to reports, Ferreira Santos, Roxo, Toledo Piza, Leite and Larozza were all briefly detained by police as they attempted to report on a protest against the world cup in the centre of São Paulo. Ferreira Santos, Tortullo and Roxo were reportedly assaulted by the police prior to their detention. Previdelli and Donato also suffered attacks, according to Abraji. No further information as of 31 December 2014.

### \*Flávia JUNQUEIRA (f):

**PROFESSION:** reporter for the newspaper EXTRA

**DATE OF HARASSMENT:** 9 May 2014

**DETAILS OF HARASSMENT:** Junqueira, along with news photographer Fabio Guimarães and their driver were reportedly covering a Federal Police operation against fraud in the health plan of the Postal and Telegraph Company when a person identified as Janjão, suspected of being implicated in the wrongdoing, crashed into their vehicle. On 13 May the newspaper published the formal complaint on its front page. No further information as of 31 December 2014.

## HARASSED

### \*Vera ARAUJO (f):

**PROFESSION:** reporter for O Globo newspaper

**DATE OF HARASSMENT:** 15 June 2014

**DETAILS OF HARASSMENT:** Araujo was reportedly arrested by a military police sergeant while covering the arrest of an Argentine football supporter accused of urinating in the street. The police sergeant reportedly arrested Araujo on charges of "contempt of authority" after she

identified herself as a reporter following his order to turn off her equipment. Araujo was reportedly detained for an hour and her mobile telephone confiscated. During the incident she was verbally harassed, according to news reports. Araujo has registered the case as an abuse of authority. The case is reportedly under investigation by internal affairs. No further information as of 31 December 2014.

## JUDICIAL HARASSMENT

### \*Allan de ABREU:

**PROFESSION:** journalist with Diário da Região newspaper

**DATE OF HARASSMENT:** 27 November 2014

**DETAILS OF HARASSMENT:** A federal court reportedly ruled in favour of the police, giving them permission to obtain details of calls made by Abreu from his personal and work telephones in order to identify his source for a story about a police operation in 2011. Abreu is reportedly being prosecuted for violating the secrecy of a police investigation into alleged corruption involving employees of the labour ministry's regional office in São José do Rio Preto. He has always refused to name his source when questioned.

**BACKGROUND:** According to reports, in 2011 the prosecutor's office wanted to initiate similar proceedings against TV Tem, a local TV station, which reported the same information as Abreu. However, a judge dismissed the case on the grounds that it would violate the constitution and that identifying the source of the leak would jeopardize freedom of information.

## SENTENCED

### José Cristian GÓES:

**PROFESSION:** journalist and blogger

**SENTENCE:** Seven months and 16 days in prison commuted to community service

**DETAILS OF TRIAL:** In December 2012, a high court judge in Sergipe brought civil and criminal proceedings against the journalist for libel and defamation following the publication of a short fictional story on his blog on 29 May 2012. Góes was convicted of slander on 4 July 2013. His prison term was later commuted to community service for which he must serve one hour per day for the duration of the sentence, according to a 9 July 2013 report. In January 2013, a prosecutor for the Public Ministry reportedly filed additional criminal charges against Góes in relation to his story, proposing that Góes pay the equivalent of three minimum wages or do three months' community service. Góes refused to comply on the grounds that he did not believe that he had committed a crime; as a result, the prosecutor filed the criminal charges.

**UPDATE:** According to December 2014 reports, Góes was ordered to pay 30,000 Reals (approx. US\$11,300) in compensation for moral damages to judge Edson Ulisses, vice president of the Sergipe Justice Tribunal in November 2014

**BACKGROUND:** Whilst Góes' fictional story mocking nepotism and corruption in local politics is written in the first person and no names or dates were mentioned, the judge concerned

believed that the story defamed his brother-in-law, the governor of Sergipe; the governor himself has not filed charges.

**OTHER INFORMATION:** The Brazilian National Federation of Journalists (Federação Nacional dos Jornalistas, FENAJ) filed a complaint against the criminal proceedings.

# CHILE

## CASE CLOSED

### Daniel ROJAS PACHAS:

**PROFESSION:** writer, editor and teacher

**DETAILS OF HARASSMENT:** Rojas was reportedly informed by the Chilean Investigative Police (Policia de Investigaciones de Chile, PDI) at the beginning of April 2013 that he was under investigation by the sexual crimes squad for handing out material with "erotic content" to minors. The investigation stems from a complaint filed by a civil servant of the Municipality of Arica and a representative of the cultural council, following a workshop run by Rojas in February. There are differing reports as to the exact circumstances of the events. According to Rojas and some reports, he was approached by the municipality to run a bookbinding workshop for adults. The workshop consisted of four sessions with pre-printed materials with which the attendees could create booklets with hardcover bindings. Halfway through the series of workshops he was reportedly asked to accommodate children who were in the library. At the end of the session, it was suggested that the children should be allowed to take their books home with them. According to reports, one child's booklet contained an extract from Allen Ginsberg's provocative poem 'Howl'. After the mother complained, Rojas reportedly apologised for the error and the child was allowed to attend the next session. The official complaint was reportedly filed almost two months later. The civil servant claims that Rojas approached the municipality to run the workshop for 40 children, not adults, reportedly calling him "depraved" and suggesting that he intended to distribute "highly sexual content" to children. The number of children at the event has been disputed, with Rojas maintaining that there were only six or seven, one of whom ended up accidentally binding in some of Ginsberg's work. Rojas maintains that he did not intend the workshop to be for children and that it was not intended to be a literary workshop, simply a practical one. It has been suggested that the complaint was filed for political reasons, as an attempt to attack the current town mayor. Rojas has not been detained.

**BACKGROUND:** Ginsberg's poem 'Howl' reached notoriety in 1957 when it was subject to trial after a customs official complained about its "obscene" language, references to drugs and sexual practices, both heterosexual and homosexual. The trial focussed on whether there was any literary merit to the poem, with the judge eventually ruling that it was a "work of redeeming social importance and not in any way obscene".

**CASE CLOSED:** No further information as of 31 December 2014

# COLOMBIA

## KILLED: IMPUNITY

### Guillermo QUIROZ DELGADO:

**PROFESSION:** freelance journalist and contributor to the daily newspaper El Meridiano

**DATE OF DEATH:** 27 November 2012

**DETAILS OF DEATH:** Quiroz died of a heart attack in a hospital in Sincelejo, Sucre department; he had spent a week in intensive care after an altercation with police. Quiroz (31) was arrested on 20 November 2012 while covering a protest against an energy company in San Pedro, on the grounds that his motorcycle documents were not in order. According to an interview with Quiroz on 21 November 2012, he was put into a police vehicle, then beaten and thrown from the moving vehicle. The police denied this account, stating instead that Quiroz had jumped from the vehicle in order to avoid arrest. He suffered severe injuries, particularly to the head, and subsequently lapsed into a coma, before dying of a heart attack on 27 November 2012.

**DETAILS OF INVESTIGATION:** Three officers present in the vehicle at the time of the incident were investigated. According to Quiroz' colleagues, the journalist said that the police had told him he was targeted because of his news coverage. He had previously reported on cases of police brutality in San Pedro as well as on the theft of cattle that were later found on a farm owned by a former San Pedro politician. Quiroz had reportedly received a death threat on his mobile telephone in October 2012 which he reported to the police and the local office of the Attorney General. On 6 February 2013, it was reported that the Internal Affairs Office of the Colombian police had accused an officer of involuntary manslaughter in relation to Quiroz' death. The disciplinary hearing of police officer Jorge David Pérez Contreras took place on 4 February 2013. The officer could be charged with failing to take the necessary steps to guarantee the safety of the detained reporter during his transportation to the police station. Pérez attempted to sue the Internal Affairs office in June 2013, however, his case was dismissed. No further information as of 31 December 2014; PEN is seeking an update.

## ON TRIAL

### Angye GAONA (f):

**PROFESSION:** poet, cultural worker and student

**DATE OF ARREST:** 13 January 2011

**DATE OF RELEASE:** 21 May 2011

**DETAILS OF ARREST:** She was arrested in Cucuta, Norte de Santander department, near the border with Venezuela, and detained at Buen Pastor Prison in Cucuta for 93 days - three days after the maximum 90-day period during which she could be legally held without charge. Gaona's supporters claimed the real reason for her arrest was her outspoken support for the demands of a labour union in the district where she lives. Her detention has been linked to that

of three other student activists in the region, Julián Aldoni Domínguez, William Rivera Rueda and Aracely Cañaveral Vélez. The arrests reportedly took place in the context of a wave of attacks against human rights defenders in the Santander region, including attempted assassinations and forced disappearances and death threats, and against informal economy workers affiliated to the Colombian Trades Union Congress (Central Unitaria de Trabajadores, CUT) in Bucaramanga. It is feared that the arrests were intended to silence their legitimate human rights activism.

**DETAILS OF RELEASE:** released on bail without formal charge in May 2011

**DETAILS OF TRIAL:** she was charged with "aggravated conspiracy for drug trafficking and rebellion" at a hearing in Cartagena on 23 May 2011, two days after her release; her lawyer attended but Gaona was not obliged to appear in court. The arrest warrant against her had not yet been revoked and the Attorney General had appealed her release order. Gaona denies the charges and maintains that the case against her is a set-up and is due to her left-wing political sympathies. She says she was not interrogated once during her three months' detention, and also questions the fact that she was detained in Cucuta when the case has been brought in Cartagena, more than 400km away. Her trial began on 15 February 2012, in Cartagena. There are concerns around the fairness of her trial. Gaona maintains that she has been depicted as a terrorist by the press, that witnesses against her are former members of the armed forces, and that the prosecution is using false recordings of allegedly incriminating telephone conversations as evidence against her. Her defence deny that it is Gaona's voice in the recordings and have complained that the Attorney General had not made public all the evidence against her, a violation of due process. As of 31 December 2014 the preparatory hearing, where the evidence for the defence is presented, had been repeatedly postponed. Gaona believes that the delays are due in part to a lack of dedicated legal representation in her case. According to Gaona, the arrest warrant against her had still not been cancelled, meaning she could be re-arrested at any point.

**BACKGROUND:** Born in Bucaramanga on 21 May 1980, Gaona's poems have been published in anthologies and other print and internet publications in Colombia and abroad. In 2009 she published her first book, *Nacimiento Volátil* (Volatile Birth) (Editorial Rizoma). Until her detention a student of languages and literature at the Universidad Industrial de Santander, Bucaramanga, Gaona is a former organiser of the Medellín International Poetry Festival and in 2001 organised the International Exhibition of Experimental Poetry, also in Medellín. Prior to her arrest, she organised poetry events in Bucaramanga. She is also said to work as a journalist for community media. Gaona is the mother of a young child.

## DEATH THREATS

### \*Eva DURÁN (f):

**PROFESSION:** award-winning writer and journalist who has previously written for newspapers such as El Tiempo and el Universal, and animal rights campaigner

**DETAILS OF THREAT:** On 18 January 2014, Durán reportedly received a telephone call from an unknown man who threatened to silence her by cutting out her tongue. According to news reports, he mentioned her exact address and described the clothes she was wearing at the time of taking the call. Earlier the same day, her family was reportedly contacted by an



unknown individual who said he was looking for her. Durán reports being the subject of a smear campaign on the part of the media, including ones she has worked for, who are linked to local authorities of whom she has written critical stories. Durán recently wrote a story about a contract set up by the Barranquilla city hall for the construction of a slaughterhouse. No further information as of 31 December 2014.

### **Claudia LÓPEZ (f), Gonzalo GUILLÉN, León VALENCIA and Ariel ÁVILA:**

**PROFESSION:** López is a freelance journalist and analyst, Guillén is an independent investigative journalist who has produced documentaries and reported for the Miami newspaper El Nuevo Herald, and reports for Colombian newspapers El Tiempo and El País de Cali. Valencia and Ávila are political analysts for the Nuevo Arco Iris think tank; Valencia is also a columnist for Semana magazine.

**DETAILS OF THREAT:** On 25 September 2013, the National Protection Unit (UNP) reportedly informed the four journalists that they were liable to be targeted by a criminal gang of former paramilitaries. The journalists were reportedly provided with a police escort and an armoured car the next day. On 1 October López announced via Twitter that she was leaving the country as a precautionary measure. On 12 October, Guillén also announced that he would be going into self-imposed exile. The threats are thought to relate to their work exposing alleged links between the governor of La Guajira department and a gang linked to a drug trafficker. No further information as of 31 December 2013.

**BACKGROUND:** Guillén, Valencia and Ávila also received threats earlier in 2013; however the threats are reported to have intensified in September. In July 2011, López, then a columnist with El Tiempo, was acquitted of libel and slander charges related to an opinion piece published in July 2006 (see ‘Released’ –July-December 2011 case list). On 22 May 2014, Guillén was reportedly informed by agents of the Directorate of Criminal Investigation and Interpol (Dirección Central de Policía Judicial e Inteligencia – DIJIN) and the district attorney’s office of a new assassination plot. Guillén received the information shortly before he and his bodyguards were followed by two vehicles. The UNP has reportedly implemented an emergency plan and stepped up security for the journalist increasing his protection detail from two to nine bodyguards.

**UPDATE:** Guillén reportedly fled Colombia for the fourth time in early September 2014 following continued threats on his life.

### **\*Leiderman ORTIZ BERRIO:**

**PROFESSION:** editor of weekly newspaper reporting on corruption and violence La Verdad del Pueblo

**DATE OF THREATS:** September 2014

**DETAILS OF THREATS:** Ortiz’ name reportedly featured on a black list of 24 names circulated by the paramilitary organisation “los Rastrojos” in September 2014. The leaflets, circulated in the city of Montería, Córdoba department, labelled the individuals as “agitators” and warned that they would “pay the price” if they continued their “leftist proselytizing against” the

organisation. Others on the list included radio journalist Edgar Astudillo, and political leaders and activists.

**BACKGROUND:** Ortiz has reportedly been the target of repeated threats. In 2010 the Inter-American Commission on Human Rights (IACHR) requested that the Colombian government provide him with protection. He now travels in an armoured car and is protected by three body guards.

### **\*Amalfi ROSALES (f):**

**PROFESSION:** reporter for El Herald and Al Día newspapers, and correspondent for Bogotá’s independent news network Noticias Uno TV

**DATE OF THREATS:** 3 September 2014

**DETAILS OF THREATS:** In the early hours of 3 September 2014, unknown assailants fired shots at Rosales’ home, breaking windows and penetrating the front wall of the property in Barrancas, La Guajira province. The authorities are reported to be investigating the incident. Rosales has requested protection from the National Protection Unit.

**BACKGROUND:** Rosales has reported receiving threats since November 2013 when she began reporting on the alleged legal problems of the then governor of La Guajira. She reportedly continued to receive threats throughout 2014, culminating in her filing a criminal complaint with the attorney general’s office in June. Fellow journalist Gonzalo Guillén (see above), who also covered aspects of the same case is reported to have temporarily fled Colombia following renewed threats to his safety.

### **\*Yesid TORO MELÉNDEZ:**

**PROFESSION:** writer and reporter for Q’Hubo and El Pais

**DATE OF THREAT:** 29 September 2014

**DETAILS OF THREAT:** Toro’s name was reported to be among that of eight others placed on a hit list by criminal group Los Urabeños. The death threat came in response to the journalists’ coverage of the arrest of an alleged member of the group in Chile, and gave the journalists 24 hours to flee their respective departments.

**BACKGROUND:** Toro is the author of Complot para matar al diablo (Plot to Kill the Devil) (2013). In April 2013 he received death threats following its publication, leading him to flee Cali (see January-December 2013 case list for more information).

## **ATTACKED**

### **\*Javier OSUNA SARMIENTO:**

**PROFESSION:** journalist and student

**DATE OF HARASSMENT:** 22 August 2014

**DETAILS OF HARASSMENT:** According to reports, unknown intruders broke into Osuna’s home in Bogotá and set fire to his computers, which contained 18-months of research compiled

regarding the experiences of victims of paramilitary groups in the north-eastern department of Norte de Santander and his thesis on the same topic. Osuna had only just returned from a research trip to San José de Cúcuta. The authorities are reported to be investigating the incident and Osuna has been assigned temporary protection from the national protection unit.

#### **\*Andrea TORRES (f), Sebastian CARVAJAL, Juan Fernando ROJAS:**

**PROFESSION:** journalists with the daily newspaper El Colombiano

**DATE OF ATTACK:** 1 May 2014

**DETAILS OF ATTACK:** The journalists along with photographer, Esteban Vanegas, were reportedly attacked by riot police while they covered May Day demonstrations in Medellín. The journalists are reported to have shown their press accreditation prior to the attack. Vanegas was reportedly accused of assaulting public servants and released after being held for 12 hours.

#### **THREATENED**

#### **\*Gustavo RUGELES:**

**PROFESSION:** editor of the Bogotá-based news website Las 2 Orillas

**DATE OF THREAT:** 29 October 2014

**DETAILS OF THREAT:** According to reports, a member of a far-right group demanded the withdrawal of a recent post to the Las 2 Orillas website, threatening to “deal with” him personally when Rugeles refused.

**BACKGROUND:** Rugeles has reportedly been investigating links between Neo-Nazi groups, paramilitaries and politicians for the past three years and has regularly received threats as a result of his coverage. While Rugeles receives protection from the National Protection Unit, a recent risk evaluation reportedly led to the scaling back of his protection provision.

#### **CASE CLOSED**

#### **Jineth BEDOYA LIMA (f):**

**PROFESSION:** journalist for El Tiempo; author of Vida y muerte del Mono Jojoy

**DATE OF THREAT:** 11 January 2013

**DETAILS OF THREAT:** Bedoya reportedly received a threatening message related to her recent work via one of her sources. Bedoya was reportedly told that she should stop reporting on “these things” or else she knew what might happen. According to reports, the January 2013 attack was the sixth she had suffered since January 2011.

**DETAILS OF INVESTIGATION:** Whilst the federal attorney’s office reportedly promised that investigations of each threat would be assigned to the same judicial office as part of a precautionary measures agreement, as of January 2013 this promise had not been kept and no one had been brought to justice for the threats. No further information on the status of the investigation as of 31 December 2014; case closed due to lack of information.

**BACKGROUND:** Bedoya has received various precautionary measures from the Inter-American Commission on Human Rights since 2000, after she was kidnapped, tortured and sexually assaulted. On 26 September 2014, the Inter-American Commission on Human Rights reportedly ruled that her kidnap, torture and sexual assault in 2000 constituted a crime against humanity.

**AWARDS:** 2000 CJFE International Press Freedom Award, 2001 Courage In Journalism Award of the International Women's Media Foundation

## **CUBA**

#### **IMPRISONED: MAIN CASE**

#### **José Antonio TORRES:**

**PROFESSION:** correspondent for the government newspaper Granma.

**SENTENCE:** 14 years in prison and the withdrawal of his university degree in journalism

**DATE OF ARREST:** February 2011.

**DETAILS OF ARREST:** Torres was arrested after writing articles about the mismanagement of an aqueduct project in Santiago de Cuba and the installation of fibre-optic cable between Venezuela and Cuba.

**DETAILS OF TRIAL:** In mid-June 2012, following a closed trial, Torres was reportedly convicted of espionage and sentenced to 14 years in prison and the withdrawal of his university degree in journalism. On 16 November 2012 it was reported that Torres had appealed against his conviction, but feared that his sentence could be increased as a result.

**CURRENT PLACE OF DETENTION:** Boniato Prison

**BACKGROUND:** Torres’ 5,000-word article on the mismanagement of the aqueduct project, published in July 2010, was reportedly praised by President Raúl Castro, who wrote in Granma that “this is the spirit that should characterise the (Communist) Party press: transparent, critical and self-critical.” His report on the fibre-optic cable was published four months later. Torres noted in neutral terms that the Vice President Ramiro Valdés was responsible for supervising both projects. Cuba’s state-run media has made only a few brief references to Torres’ case and little is known about the espionage charge, although there are rumours that he may have offered or given confidential information to the US Interests Section in Havana. No further information as of 31 December 2014; PEN is seeking an update.

**PEN ACTIONS:** RAN 09/13 and updates [**STOP PRESS:** According to 23 March 2015 reports, changes to the terms of Torres’ imprisonment will now allow him to work and to visit his home.]

## IMPRISONED: INVESTIGATION

### \*Yoení de Jesús GUERRA GARCÍA :

**PROFESSION:** independent blogger with Yaybo Press agency.

**SENTENCE:** seven years in prison

**DATE OF ARREST:** October 2013

**DETAILS OF TRIAL:** Guerra was reportedly sentenced to by a court in Sancti Spiritus on 13 March 2014 on unclear charges. Some media reports have suggested he was convicted of theft and killing of animals.

**CURRENT PLACE OF DETENTION:** Nieves Morejón Prison

**CONDITIONS OF DETENTION:** Guerra has reportedly been the repeated victim of torture by prison staff.

### Angel Yunier REMÓN ARZUAGA (aka “El Crítico”):

**PROFESSION:** rapper and human rights activist

**SENTENCE:** Six years in prison

**DATE OF ARREST:** 26 March 2013

**DETAILS OF ARREST:** he was reportedly arrested following his attempt to stand up to an organised mob that harassed him at his home between 23 and 26 March. The mob reportedly threw objects, including dead animals, at his home. Remón reportedly believes that the group was organised by the police. According to reports, Remón was accused of assaulting a police officer.

**DETAILS OF TRIAL:** His trial began December 2013. According to reports dated 30 November 2013, 15 witnesses for Remón’s defence were not allowed to testify. According to PEN’s information, hearings were suspended in June 2014. He was reportedly sentenced to six years in prison on 15 October 2014 for contempt, public disorder and resisting arrest.

**CONDITIONS IN DETENTION:** According to reports, Remón has been beaten while in prison and his wife is not allowed to see him as punishment for the fact that he will not shave or stand up straight at roll call. According to PEN’s information, Remón was beaten by at least 10 guards on 23 February 2014 after he carried out a series of protests from prison, including refusing to shave his beard and writing words like ‘Freedom’ and ‘change’ on his sheets. The guards reportedly held him while they forcibly shaved his beard – leaving him with a number of cuts – and then beat him.

**CURRENT PLACE OF DETENTION:** Las Mangas Prison, Bayamo.

**HEALTH CONCERNS:** Remón reportedly contracted cholera while in detention in July 2013. On 16 October 2013 he began a hunger strike, which on 20 October he expanded to exclude liquids. Remón reportedly broke off his hunger strike on 11 November following promises that his case would be reviewed.

**BACKGROUND:** Remón’s wife is reportedly suffering from continued harassment, and is frequently arrested alongside members of the Damas de Blanco opposition movement. **[STOP**

**PRESS:** Arzuaga was released on 9 January 2015 as part of negotiations between the USA and Cuba for normalizing relations between the two countries.]

## JUDICIAL CONCERN

### Ángel SANTIESTEBAN PRATS:

**PROFESSION:** award-winning writer and author of the blog ‘The Children Who Nobody Loved’ (‘Los Hijos que Nadie Quiso’)

**SENTENCE:** five years in prison

**DATE OF ARREST:** 28 February 2013

**CURRENT PLACE OF DETENTION:** Unidad de Guardafronteras Prison, Havana.

**DETAILS OF TRIAL:** convicted on 8 December 2012 for alleged assault and trespassing. The case dates back to 2009, when a number of charges were filed against him including charges of a hit and run and aggravated robbery. Santiesteban was eventually found guilty of having broken into his ex-wife’s house and physically assaulted her; all of the other charges were dropped. The writer maintains that the charges are fabricated and politically motivated, retribution for his blog which is critical of the Cuban situation and government. He also claims that he was informed of what the outcome of the trial would be on 8 November 2012, one month before the sentencing took place, when he was arrested along with 15 others following the detention of Yaremis Flores Julián and beaten (see previous case lists). Details of the case against Santiesteban have not been made public in state media. Santiesteban’s appeal was filed with the Supreme Court on 20 December 2012. The Supreme Court confirmed Santiesteban’s five-year sentence on 28 January 2013.

**FAIR TRIAL CONCERNS:** According to the appeal lodged by Santiesteban’s lawyer in December 2012, there were a number of irregularities in the writer’s trial and sentencing. The plaintiff is said to have changed her statement four times and overall her testimony was inconsistent with the crimes of which Santiesteban was eventually found guilty. A supposed eyewitness for the plaintiff allegedly later confessed in a home video that he had been pressured and bribed by the plaintiff to lie, but this was reportedly discarded by the court. A number of important witnesses in Santiesteban’s defence are said to have been overlooked by the court, including three individuals who testified that he was not at the scene at the time that the crimes are alleged to have taken place, and the headmistress at his son’s school, who stated that the boy had confessed to her that his mother had forced him to make statements incriminating his father. Moreover, Santiesteban’s son, who was said to be traumatised by the incident, was in fact not present at the scene, according to the appeal document. During the sentencing, evidence was allegedly added to the case which had not been heard in court and the five-year sentence is said to be disproportionate to the alleged crimes: the two years for trespassing is reportedly a year above the maximum one-year penalty for such an offence while the maximum penalty for assault was applied without the alleged crime having been sufficiently proven.

**UPDATE:** According to a 28 February 2014 report by Reporters without Borders, the National Association of Law Offices suspended Santiesteban’s lawyer for six months.



**CONDITIONS OF DETENTION:** On 5 April 2013, Santiesteban reported in a statement published on his blog that he had been informed that he would be taken to the Salvador Allende military hospital for a check-up in relation to a skin complaint. Santiesteban said that he would refuse to go as it was a military hospital. According to the writer, dark spots had begun to appear on his face and arms shortly after his imprisonment, which had been diagnosed by a dermatologist as skin cancer and which had responded positively to treatment in prison. A subsequent blog post-dated 9 April stated that Santiesteban had been handcuffed and taken from the prison. The post claimed that the reason for his removal was that the 'Human Rights Commission' (possibly the Comisión Cubana de Derechos Humanos) had been due to visit the prison that day. It subsequently transpired that Santiesteban had been transferred to El Pitirre Prison. According to reports, he was placed in an isolation cell after he recommenced his hunger strike following his transfer. On 22 April he reported that prison guards had held him down and forced him to drink a filthy liquid that made him ill.

**BACKGROUND:** Santiesteban is a member of the official Union of Writers and Artists of Cuba (Unión de Escritores y Artistas de Cuba - UNEAC).

**OTHER INFORMATION:** According to reports, Santiesteban escaped from prison on 21 July 2014; he remained free for five days before turning himself in to the authorities, claiming that he had been exercising his right to leave prison and had not been on the run. His claims were reportedly based on the fact that his sentence provided for 72-hours of parole after two months in prison, a provision the authorities have failed to comply with. He was transferred to a high security detention centre on his return. On 26 September 2014, the Inter-American Commission on Human Rights (IACHR) reportedly requested that the Cuban government adopt the necessary protective measures to ensure Santiesteban's physical safety after the editor of Santiesteban's blog appealed to them with evidence of threats, mistreatment and psychological torture in June 2013.

**AWARDS:** Santiesteban has won a number of awards, including the Juan Rudolfo Prize from Radio France International (1989), National Prize from UNEAC (1995), Cesar Galeano award (1999), Alejo Carpentier Prize from the Cuban Book Institute for his short story collection Los hijos que nadie quiso (2001) and the Casa de las Américas Prize for his book Dichosos los que lloran (2006).

**PEN POSITION:** PEN holds no position on Santiesteban's guilt or innocence. However, it is concerned that his trial appears to have fallen short of international human rights standards. It calls on the Cuban government to make public details of the trial and to ensure that his appeal is reconsidered.

**PEN ACTIONS:** RAN 09/13 and updates

## BRIEF DETENTION

### \*Manuel GUERRA PÉREZ:

**PROFESSION:** freelance journalist

**DATE OF ARREST:** 30 August 2014

**DATE OF RELEASE:** 1 September 2014.

**DETAILS OF ARREST:** Guerra was reportedly arrested by state security agents and members of the national police for alleged threats. He was initially taken to Capri police station but was later transferred to Vivac detention centre.

### \*Ricardo SÁNCHEZ TAMAYO:

**PROFESSION:** journalist for Hablemos Press news agency.

**DATE OF ARREST:** 13 September 2014

**DATE OF RELEASE:** 15 September 2014.

**DETAILS OF ARREST:** Sánchez was reportedly arrested on 13 September 2014 and held for 48 hours for circulating the Hablemos Press newspaper in the south-eastern city of Bayamo.

### \*Ernesto Antonio VERA RODRÍGUEZ:

**PROFESSION:** lawyer, activist and freelance journalist

**DATE OF ARREST:** 15 April 2014

**DATE OF RELEASE:** 18 April 2014

**DETAILS OF ARREST:** Vera Rodríguez was reportedly arrested by state security and national police agents after he handed in a document to the Venezuelan embassy in Cuba expressing solidarity with the Venezuelan people. He was reportedly held for 72 hours.

## ATTACKED

### \*Guillermo FARIÑAS (aka 'El Coco'):

**PROFESSION:** independent journalist, dissident

**DATE OF ATTACK:** 26 November 2014

**DETAILS OF ATTACK:** a man attempted to stab Fariñas in his home during a meeting of the Anittotalitarian United Front (Frente Antitotalitario Unido - FANTU), according to Cubanet. While the man failed to reach Fariñas, several other attendees of the meeting were severely injured. The assailant reportedly remains at large, despite Fariñas having reported the incident to the police.

**BACKGROUND:** Fariñas has been subject to regular harassment and previous attacks, including repeated brief detentions and an attack that took place in February 2014 leaving him with broken ribs (see previous case lists).

**AWARDS:** recipient of the European Parliament's Sakharov Prize in 2010.

### \*Roberto de Jesús GUERRA PÉREZ:

**PROFESSION:** editor for Hablemos Press news agency

**DATE AND DETAILS OF ATTACK:** Guerra was reportedly physically attacked by police in Havana on 11 June 2014. He received multiple injuries to his face, including a broken nose, and right foot.

**BACKGROUND:** Guerra and Hablemos Press correspondents have regularly faced harassment

for their work. In April this year, Guerra was briefly detained by police at José Martí airport (see ‘harassed’ below, and previous case lists for more details).

#### **\*Dania Virgen GARCÍA (f):**

**PROFESSION:** blogger, dissident and independent journalist who contributes reports to Cubanet and the Cuban Human Rights Observatory (Observatorio Cubano de Derechos Humanos)

**DATE OF ATTACK:** 12 April 2014

**DETAILS OF ATTACK:** García was reportedly attacked by police officers as she dropped her nephew off at school. She was reportedly briefly detained along with two TV journalists who began to film the attack and released later the same day.

#### **\*Raúl RAMIREZ PUIG:**

**PROFESSION:** correspondent for Hablemos Press news agency.

**DETAILS OF ATTACK:** Ramirez was reportedly knocked down by a car in Mayabeque province on 7 June 2014. One of the two people in the car reportedly told him that “anything can happen”.

### **HARASSED**

#### **\*Julia Estrella ARAMBURU TABOAS (f), Arnaldo RAMOS LAUZURIQUE, Juan Carlos DÍAZ FONSECA, Misladi Canell GONZÁLEZ (f), Alejandro DOMÍNGUEZ MORENO, Rodrigo Alberto RODRÍGUEZ VERDECÍA, Bárbara FERNÁNDEZ BARRERO (f), Misael AGUILAR HERNÁNDEZ:**

**PROFESSION:** Reporters for the Cuban Network of Community Communicators (Red Cubana de Comunicadores Comunitarios)

**DETAILS OF HARASSMENT:** The group was reportedly briefly detained by state security agents as they made their way to the house of Marta Beatriz to participate in a network meeting.

**BACKGROUND:** On 9 April 2014, members of the group including

**Marta DOMÍNGUEZ CALERO (f), Yuleidy LÓPEZ GONZÁLEZ (f), Judit MUÑIS PERAZA (f), Díaz Fonseca, Maritza Concepción SARMIENTO (f), Fernández Barrera (f),**

**Aguilar Hernández, José Antonio SIERRE RAMALLO** were reportedly detained when they protested the arrest of Juliet Michelena Díaz. They were released later that same day.

Fernández Barrera, **Aguilar Hernández, Sierras Ramallo, Landa Linares** and **Michelena Díaz** were all reportedly briefly detained on 2 April 2014 in order to prevent them from meeting at the RCCC’s headquarters in Centro Habana municipality. They were released later that same day.

#### **\*Bernardo ARÉVALO PADRÓN:**

**PROFESSION:** independent journalist and reporter for opposition newspaper El Cubano Libre de Hoy

**DATE OF HARASSMENT:** 6 September 2014

**DETAILS OF HARASSMENT:** Arévalo was reportedly threatened by police with a four-year jail term if he did not immediately leave the country. Arévalo was reportedly then arrested on 28 September 2014 as he was travelling with his wife to the northern province of Matanzas. He was reportedly held for two hours, forced to undress and had a USB stick confiscated, which contained four articles that he had written for El Cubano Libre de Hoy. He believes that the harassment is the result of recent reporting in El Cubano Libre de Hoy.

**BACKGROUND:** Arévalo reportedly spent six years as a political prisoner, from 1997-2003, after being convicted of insulting Fidel Castro and the then vice-president Carlos Lage (see case lists from those years)

**HONORARY MEMBER:** English PEN.

#### **\*Víctor ARIEL GONZÁLEZ**

**PROFESSION:** reporter for digital newspaper 14ymedio

#### **Yoani SÁNCHEZ (f)**

**PROFESSION:** blogger and founder of 14ymedio

#### **Reinaldo ESCOBAR**

**PROFESSION:** journalist and editor of 14ymedio

**DATE OF HARASSMENT:** 30 December 2014

**DETAILS OF HARASSMENT:** Ariel, Sánchez and Escobar were among several journalists and dissidents who were pre-emptively detained by police in order to prevent them attending an event in the Plaza de la Revolución, Havana. Sánchez was reportedly held under house arrest for several hours, while Ariel and Escobar were arrested separately and detained. Ariel was reportedly held in Guanabacoa police station for 25 hours before being released, while Escobar was released on the same day as his arrest.

**BACKGROUND:** The journalists and dissidents were detained in a pre-emptive strike in order to prevent their participation in an artistic event on censorship planned to be held in the Plaza de la Revolución, which had been banned by the government who considered it political provocation. Sánchez has faced regular harassment for her blog GeneraciónY (see July-December 2012 and January-June 2014 Case Lists for more information).



**\*William CACER DÍAZ:**

**PROFESSION:** photographer and freelance journalist, correspondent for Hablemos Press news agency

**DATE OF HARASSMENT:** 14 April 2014

**DETAILS OF HARASSMENT:** Cacer Díaz was reportedly detained on and held for five hours.

**BACKGROUND:** Has been subject to brief detentions at the hands of the authorities. He was also briefly detained on 14 February 2014. In October 2013 he was held for three days and reportedly ordered to hand over some of his work (see 2013 case list).

**\*Mario ECHEVARRÍA DRIGGS and Pablo MORALES MARCHÁN:**

**PROFESSION:** Independent journalists

**DATE OF HARASSMENT:** 1 April 2014

**DETAILS OF HARASSMENT:** Echevarría and Morales were detained by state security and national police agents as they were taking notes of an opposition meeting in Havana's Central Park. They were released later the same day. Echevarría was also reportedly briefly detained by the Internal Security Department on 8 June 2013.

**\*Bárbara FERNÁNDEZ BARRERA (f), Misael AGUILAR HERNÁNDEZ:**

**PROFESSION:** members of the Cuban Network of Community Journalists (Red Cubana de Comunicadores Comunitarios - RCCC)

**DATE OF HARASSMENT:** 20 August 2014

**DETAILS OF HARASSMENT:** Fernández and Aguilar were reportedly detained for eight hours by state security agents and members of the national police to prevent them from attending a RCCC meeting in San Antonio de los Baños, Artemisa.

**BACKGROUND:** reporters with the RCCC are regularly harassed. In April 2014, a group of members were arrested as they made their way to a network meeting.

**\*Karina GÁLVEZ CHUIG (f) and Juan Carlos FERNÁNDEZ:**

**PROFESSION:** economist and journalist for independent magazine Convivencia, respectively. Fernández also reportedly works as a correspondent for 14ymedio.com

**DATE OF HARASSMENT:** 21 August 2014

**DETAILS OF HARASSMENT:** They were reportedly summoned and detained by state security agents, who opened a police file against them and threatened to press charges against them owing to their activities for the magazine and 14ymedio.

**\*Roberto de Jesús GUERRA PÉREZ:**

**PROFESSION:** journalist for the independent Hablemos Press news agency

**DATE OF HARASSMENT:** (1) 3 April 2014 (2) 11 June 2014 (3) 30 September 2014

**DETAILS OF HARASSMENT:** (1) He was arrested when returning from a trip abroad on 3 April 2014 in which he had reported violations of freedom of information in Cuba to the Inter-American Commission on Human Rights at Havana's José Martí International Airport. The officials were also reported to have confiscated several of his books and work documents. His daughter, aged 12, sister and nephew, aged seven, were reportedly detained by the police for several hours two days later. (2) Guerra was reportedly attacked by police, sustaining multiple injuries to his face, including a broken nose, and right foot on 11 June 2014. (3) Guerra was reportedly held for six hours on 30 September 2014 by immigration officials as he returned from a trip to Panama. Customs officials in Havana's International Airport reportedly confiscated a digital recorder from him. (For more information see January-December 2013 Case List).

**\*Calixto Ramón MARTÍNEZ ARIAS, Miriam HERRERA (f), José Antonio FORNARIS:**

**PROFESSION:** freelance journalists

**DATE OF HARASSMENT:** 26 April 2014

**DETAILS OF HARASSMENT:** Martínez, Herrera and Fornaris were reportedly briefly detained as they made their way to the house of Carlos Río Otero on where they were due to participate in a meeting. They were released later the same day.

**BACKGROUND:** Martínez Arias has been subject to frequent harassment on the part of the state (see 'harassed' in 2013 case list and RAN 09/13 and updates for more information).

**\*Camilo Ernesto OLIVERA:**

**PROFESSION:** freelance journalist published on cubanet

**DATE OF HARASSMENT:** 13 April 2014

**DETAILS OF HARASSMENT:** Olivera was reportedly detained by state security and national police agents in Playa municipality. He was reportedly held for two hours during which time he was interrogated and threatened with imprisonment if he continued his work as a journalist.

**\*Jorge OLIVERA CASTILLO:**

**PROFESSION:** writer, poet, journalist

**DETAILS OF HARASSMENT:** Olivera reports being the victim of on-going harassment. He reports that his family, including his ex-wife, are regularly visited by police officials who wish to pressure Olivera to leave the country. On 23 January 2014, two police agents reportedly visited him at his home where they threatened to return him to prison if he did not stop spreading false news.



**BACKGROUND:** Olivera Castillo was a former PEN Main Case. He was released 6 December 2004 after serving 20 months of an 18-year prison sentence for national security ‘offences’  
**HONORARY MEMBER:** Czech PEN and English PEN

#### \*Magaly Norvis OTERO SUÁREZ (f):

**PROFESSION:** journalist for the independent Hablemos Press news agency and member of the Damas de Blanco opposition movement

**DATE OF HARASSMENT:** 12 June 2014

**DETAILS OF HARASSMENT:** Otero Suárez was reportedly summoned by the Internal Security Department and told to moderate the tone of Hablemos Press’ articles. On 11 June the agency had reported receiving repeated telephone threats in the previous two months.

**BACKGROUND:** Otero was briefly detained along with her husband, Roberto de Jesús Guerra Pérez, in December 2013 (see 2013 Case List). Both journalists have had their mobile telephones disconnected by the authorities, according to Reporters Without Borders.

#### \*Moisés Leonardo RODRÍGUEZ VALDÉS:

**PROFESSION:** freelance journalist and promoter of Corriente Martiana

**DATE OF HARASSMENT:** 17 April 2014

**DETAILS OF HARASSMENT:** Rodríguez was reportedly detained at José Martí airport for two hours as he carried out a pacific protest calling for his daughter’s release.

#### \*Lia VILLARES (f):

**PROFESSION:** blogger

**DATE OF HARASSMENT:** 7 April 2014

**DETAILS OF HARASSMENT:** Villares was arrested by State Security and National Police agents when she made her way to participate in an activity organised by journalists, according to reports. She was released later the same day.

#### JUDICIAL HARASSMENT

#### \*José Leonel SILVA GUERRERO:

**PROFESSION:** correspondent for Hablemos Press news agency

**DATE OF HARASSMENT:** 7 November 2014

**DETAILS OF HARASSMENT:** Silva reportedly received a summons to court and was threatened with legal sanctions if he refused to work for a State-run media outlet. The municipal tribunal reportedly threatened to apply the social danger law (Ley de Peligrosidad Social) if he failed to comply with their demands. According to Reporters Without Borders, Silva has been briefly detained and threatened with reprisals against his family if he did not stop working as the Hablemos Press correspondent in Holguín.

#### RELEASED

#### \*Juliet Michelena DÍAZ (f):

**PROFESSION:** independent journalist, member of the Cuban Network of Community Journalists (RCCC) – an organisation that defends freedom of information

**DATE OF ARREST:** 7 April 2014

**DATE OF RELEASE:** 7 November 2014

**DETAILS OF ARREST:** According to CPJ, Díaz and other contributors to the RCCC witnessed police officers using dogs to break up an altercation between residents in Havana on 26 March. Díaz was reportedly detained for several hours for photographing the incident. The authorities reported re-arrested her on charges of threatening a neighbour when they learned that she had kept the photographs and was writing a companion report.

**DETAILS OF RELEASE:** She was released from Guatao Women’s Prison the afternoon after she was acquitted

**DETAILS OF TRIAL:** The charges reportedly changed to the more serious charge of “terrorism” following the publication of the article on the Miami-based independent news platform Cubanet. According to a letter written by Díaz’ husband, the lawyer appointed to Díaz’ case had not been acting adequately, providing incorrect details regarding her case to the public prosecutor.

**UPDATE:** Díaz was reportedly cleared of all charges on 6 November 2014

**CONDITIONS OF DETENTION:** Reports indicate that her arrest was heavy-handed. Díaz suffers from asthma and there were concerns for her health while in detention.

**BACKGROUND:** Her husband José Antonio Sierre Ramallo was reportedly briefly detained and beaten when he appeared at the San Miguel del Padrón police station to demand his wife’s release on 7 April. The RCCC has reportedly been harassed by the authorities in recent months, who have broken up their meetings (see ‘Harassed’ above).

## DOMINICAN REPUBLIC

#### ON TRIAL

#### Robert VARGAS and Julio BENZANT:

**PROFESSION:** editor and journalist respectively for the news website Ciudadoriental.org

**DETAILS OF TRIAL:** The pair face charges of criminal defamation brought against them by a member of parliament, according to a 5 December 2013 Reporters Without Borders report. No further information as of 31 December 2014; PEN is seeking further information.

**BACKGROUND:** In 2012, Vargas faced similar charges of defamation, which were subsequently dropped on 21 November 2012 (see July-December 2012 case list).

## ATTACKED

### \*Pedro FERNÁNDEZ:

**PROFESSION:** correspondent for El Nacional newspaper

**DATE OF ATTACK:** (1) 25 June 2014; (2) 29 June 2014

**DETAILS OF ATTACK:** (1) On 25 June 2014 homemade explosives were reportedly thrown at Fernández' home and a handwritten note threatening him with death if he continued his writing was left at the scene. The authorities are said to be investigating the incident. (2) Fernández was reportedly shot at while driving on 29 June 2014. He escaped unharmed from the incident, which he reported to the police. As of 30 June 2014, an investigation was ongoing.

**DETAILS OF INVESTIGATION:** On 1 July it was reported that President Danilo Medina had ordered that Fernández be given protection measures, meanwhile on 2 July, the man who shot at him was said to have handed himself in to the authorities. The authorities are reported to have ruled out his journalism as a possible motive, operating under the suspicion that it relates to a personal dispute. No further information as of 31 December 2014; PEN is seeking to confirm whether an investigation remains ongoing.

**BACKGROUND:** Fernández has reportedly written a great deal about violence between drug gangs in the Dominican Republic. He believes that his reporting was the reason for the threat to his life. According to Reporters without Borders, Fernández reported that he had evidence that a local drug dealer had hired two hit men to murder him in January 2014.

# ECUADOR

## DEATH THREATS

### Javier BONILLA 'BONIL':

**PROFESSION:** cartoonist for El Universo newspaper

**DETAILS OF THREAT:** Bonilla was reportedly threatened on the social media site Facebook after President Correa demanded an apology for a political cartoon published on 21 January 2014 during his re-election campaign. According to reports, the threats repeat much of the language used by the president to discredit the press. Bonilla published a corrected – if ironic – version of the cartoon in El Universo on 5 February. The president reportedly complained to the electoral commission about Bonilla's cartoon, which suggested that the president had faked his kidnapping during the police rebellion of 30 September 2010, demanding a full apology from the newspaper. The newspaper responded by publishing the president's letter of complaint in full in the Opinion section. **[STOP PRESS:** Bonilla reportedly received threats on 1 March 2015 via a letter posted to El Universo]

## HARASSED

### \*Emilio PALACIO:

**PROFESSION:** former columnist for El Universo newspaper

**DATE OF THREAT:** 23 August 2014

**DETAILS OF THREAT:** During his regular weekly programme 'Enlace Ciudadano', President Correa reportedly discredited Palacio and his work, calling the reporter a "psychopath" and asking his listeners whether they felt "like kicking a guy like that" in response to an article Palacio published on his blog (ubicatv.com) in April 2014 regarding an alleged trip that Correa took to New York, which the president claims never took place. According to reports, hours after president Correa's programme aired, several of his supporters took to Twitter to call for Palacio's head, offering \$100,000-\$200,000. On 25 August, state-run newspaper El Telégrafo published an editorial accusing Palacio of lying and committing slander.

**BACKGROUND:** Palacio fled Ecuador in 2011 following a lawsuit brought against him and el Universo executives by President Correa (for more information see January-June 2012, and 2013 Case List).

## SENTENCED

### \*Fernando VILLAVICENCIO:

**PROFESSION:** journalist for the digital publication Plan V, advisor to opposition party legislator Cléver Jiménez; author of Sarayaku, a book about his life in hiding published in November 2014

**SENTENCE:** 18 months' imprisonment

**DETAILS OF TRIAL:** Villavicencio was sentenced to 18 months in prison after he was found guilty of defaming President Rafael Correa along with opposition party legislator, Cléver Jiménez, and activist Carlos Figueroa. Jiménez was also handed down an 18-month term while Figueroa received a six months sentence. In March 2014 the Ecuadorean authorities issued a detention order for Villavicencio. The order also suspends Jiménez' citizenship rights for the duration of his sentence, and calls for the men to apologise to the president and pay \$140,000 in damages. The authorities are reported to have requested Interpol's assistance in detaining Villavicencio.

**UPDATE:** According to CPJ, Villavicencio went into hiding in the Amazon in order to evade capture; he remains on the move. His wife reports being followed by agents of Ministry of the Interior. Figueroa has reportedly been apprehended and is serving his sentence. No further information as of 31 December 2014.

**BACKGROUND:** In 2011, the three men reportedly filed a complaint against Correa with the attorney general for allegedly having ordered an armed intervention into a hospital for law enforcement officers during a police uprising in 2010. Prosecutors reportedly claimed that they did not find evidence to support the claims and threw out the complaint. President Correa filed a counter suit. Villavicencio reportedly regularly writes investigative reports on government corruption, especially concerning the oil industry.

**OTHER INFORMATION:** In December 2013, a group of officials and an armed team reportedly raided Villavicencio's home, confiscating his files and computer. The events were satirised in el Universo, resulting in a fine and an order to issue a correction after it was found that the cartoon violated Ecuador's Communications Law. The Inter-American Commission on Human Rights (IACHR) issued precautionary measures on behalf of Villavicencio, Jiménez and Figueroa and demanded the suspension of the detention order against them on 24 March 2014.

## GUATEMALA

### KILLED: IMPUNITY

#### Jaime Napoleón JARQUÍN DUARTE:

**PROFESSION:** journalist for Nuevo Diario newspaper

**DATE OF DEATH:** 20 March 2013.

**DETAILS OF DEATH:** Jarquín (63) was playing cards on the street with friends in Ciudad Pedro de Alvarado, Jutiapa, when unidentified gunmen got out of a farm vehicle and opened fire, killing the journalist and wounding two of his companions. Police indicated that the attackers remain unidentified and that the motive for the killing was still unknown. Colleagues of the journalist have suggested that Jarquín had not reported receiving any threats.

**UPDATE:** On 30 June 2014, police reportedly arrested a 23-year-old man in connection with Jarquín's murder following the issuance of an arrest warrant on 19 June. The man is thought to be a member of a gang of hit men known as Cristo Negro. He is also implicated in the murder of the ex-governor of Jutiapa, Luis Alberto Lemus Ruano. No further information as of 31 December 2014.

**BACKGROUND:** Jarquín was a former professor who joined the paper three years previously. He was the founder of a committee to create a new municipality and a consultant for various political candidates vying for the local mayor's position. Nuestro Diario is known for its coverage of crime and violence in Guatemala.

**PEN ACTIONS:** RAN 13/13

### ON TRIAL

#### \*Juan Luis FONT:

**PROFESSION:** editor of the magazine Contrapoder

**DETAILS OF TRIAL:** Font stands accused of criminal libel and "ideological and material falsehood" in connection to an article published on 21 March 2014. The complaint is reported to have been brought against him by six members of the Libertad Democrática Renovada (LIDER) political party. According to news reports, Font issued a public apology for the article's mistakes and corrected the online version immediately following the filing of the complaint.

However, the plaintiffs reportedly chose to bring additional charges, extending them to all of Contrapoder's staff and demanding 30 million quetzals (US\$ 3.8 million).

**UPDATE:** According to 13 January 2015 reports, in August 2014 newspaper La Nación reportedly published an article in which it alleged that Font had been receiving bribes in return for manipulating information. In July 2014, Font and other colleagues working for Canal Antigua TV station, were charged with plagiarism. The lawsuit claims that the name of a reality TV programme hosted on the channel is plagiarised from a regional newspaper. [ **STOP PRESS:** Font reportedly responded by filing a lawsuit for defamation against the newspaper on 12 January 2015.]

### BRIEF DETENTION

#### \*Norma Lila SUT SANCIR (f):

**PROFESSION:** Social communicator and human rights defender

**DATE OF ARREST:** 18 September 2014

**DATE OF RELEASE:** 22 September 2014.

**DETAILS OF ARREST:** Sut was reportedly arrested on 18 September 2014 as she made her way to attend a peaceful protest against recently-passed mining legislation. She was reportedly arrested by ten members of the National Civil Police (Policía Nacional Civil – PNC) as she attempted to cover the police's alleged violent response to protestors in the department of Chiquimula; Sut was reportedly taking photographs when she was arrested. Sut was reportedly detained for inciting public disorder.

**DETAILS OF RELEASE:** Sut was released after a judge ruled that there was a lack of merit in the cases against her.

**PLACE OF DETENTION:** Preventative Centre for Men and Women in Zacapaca in the village of Los Jocotes.

**BACKGROUND:** In April and June 2014, the Guatemalan government passed several decrees, which have been widely criticised by local civil society organisations for legalising the criminalisation of those who legitimately oppose mining activities and the installation of mining infrastructure, according to reports. On 17 and 18 September 2014, a series of peaceful anti-mining protests took place across the country demanding the repeal of the laws. Sut's work as a journalist reportedly covers human rights, the environment and education. She also works in the Ch'orti' region in the "New Day" Chortí Campesino Central Coordinator (Coordinadora Central Campesina Ch'orti' "Nuevo Día").

[PEN Guatemala statement 19 September 2014]

### HARASSED

#### José Rubén ZAMORA MARROQUÍN:

**PROFESSION:** founder of the daily newspaper Siglo Veintiuno and editor of the newspaper elPeriódico

**DATE OF HARASSMENT:** 9, 10 and 15 August 2013



**DETAILS OF HARASSMENT:** Zamora reported being subjected to various incidents of harassment in 2013. On 9 and 10 August 2013, 20 individuals, some in police uniform, arrived at Zamora's home stating that they wanted to deliver something to him. On both occasions his wife prevented their entry. The government has insisted that they were replacing his security guards, however, Zamora claims that it was "exactly the same modus operandi" used by military counterintelligence agents in 2003 (see Background below). He believes that such incidents are part of a coordinated government campaign to discredit the newspaper's reporting on alleged corruption. On 15 August, it was reported that Zamora's security protection – put in place in 2003 at the request of the Inter-American Commission on Human Rights following an attack on his life – would be removed following an evaluation of security measures. According to the International American Press Association, the changes in his security detail are thought to be in response to tensions caused by elPeriódico's allegations of corruption against the public administrator's office. On announcing the changes, the government reportedly asserted that the newspaper had a habit of publishing false and unfounded claims against government officials and denied that the publisher had been intimidated, suppressed or restricted. On 17 December 2013, a judge presiding at the Criminal Court for Offences and Violence Against Women and Sexual Violence reportedly issued an order for the physical protection of Vice President Ingrid Roxana Baldetti Elías, labelling Zamora an "aggressor" and prohibiting him from intimidating her or being physically close to her home or place of work for six months. The ruling is thought to be in response to Zamora's publication of investigations and criticism of alleged wrongdoing in the public office where Baldetti works. Zamora has also claimed that his newspaper is the subject of a targeted economic boycott and daily cyber-attacks by the government.

**BACKGROUND:** In 2003, Zamora and his wife and three children were briefly held at their home by military counterintelligence agents, who pointed guns at them and simulated Zamora's execution.

**UPDATE:** According to news reports, the president dropped a criminal complaint against Zamora on charges of "coercion, extortion, violation of the Constitution and contempt of the chairmen of government entities" in January 2014; however, he will pursue the complaint in a civil court. Vice President Baldetti Elías also announced that she would be dropping her criminal complaint in favour of an Honour Tribunal. A report by Reporters without Borders suggests that Baldetti may not have fulfilled her promise. No further information as of 31 December 2014.

## HAITI

### KILLED – IMPUNITY

#### **Georges Henry HONORAT:**

**PROFESSION:** editor-in-chief for the weekly newspaper *Haiti Progrès*, aide to Haiti's prime minister and secretary general of the Popular National Party – an opposition party which opposed the Duvalier dictatorships

**DATE OF DEATH:** 23 March 2013

**DETAILS OF DEATH:** Honorat was shot dead when two masked hit men reportedly opened fire on him while passing his house on a motorbike, shooting him twice. According to reports, the newspaper had received threats prior to the shooting. Employees of the paper reportedly suspect "grassroots organisations" were responsible for the killing.

**DETAILS OF INVESTIGATION:** An investigation was opened afterwards but no motive was suggested. No update on the murder investigation as of 31 December 2014.

**BACKGROUND:** In 2008 *Haiti Progrès* reportedly lost two of their journalists in a sudden outbreak of mob violence in northern Haiti while covering a national senate campaign.

### HARASSED

#### **\*Guyto MATHIEU:**

**PROFESSION:** correspondent for the *Haiti Libre* news website and director of Radio Préférence FM

**DATE OF HARASSMENT:** 4-9 September 2014

**DETAILS OF HARASSMENT:** Mathieu has reportedly been subjected to insults and derogatory comments linked to his support for Petit-Goâve parliamentarian Jacques Stevenson Thimoléon.

## HONDURAS

### KILLED – IMPUNITY

#### **José Noel CANALES LAGOS:**

**PROFESSION:** reporter for the news website *Hondudiari*

**DATE OF BIRTH:** c 1979

**DATE OF DEATH:** 10 August 2012

**DETAILS OF DEATH:** According to reports, Canales was driving to work in Comayagüela when a group of men opened fire on his vehicle, shooting him in the head. The motive for the attack was unknown. Canales had also worked for Sepoc news, a company dedicated to monitoring national news. According to news reports he had received frequent death threats since 2009.

**UPDATE:** According to a letter from the Office of the Public Prosecutor (Ministerio Público) dated 16 July 2013, Lagos is not considered to be a journalist as he transcribed the news for *Hondudiario*. PEN is seeking to establish whether an investigation into his murder is taking place. No further information as of 31 December 2014.

**BACKGROUND:** On 16 October 2012, it was reported that a contributor to *Hondudiario*, Aristedes Aceituno, had been receiving anonymous telephone threats in relation to its investigations into excessive use of helicopters by the government and the debt it allegedly owed to the helicopter rental company. The website was reportedly also hacked.

## **Erick MARTÍNEZ ÁVILA:**

**PROFESSION:** journalist and gay rights activist

**DATE OF BIRTH:** c 1981

**DATE OF DEATH:** 7 May 2012

**DETAILS OF DEATH:** Martínez was found dead and dumped in a ditch in Guasculile, north of Tegucigalpa. He had been strangled. Martínez was a well-known spokesman for the lesbian and gay rights group Kukulnan and was politically active in the National Popular Resistance Front (Frente Nacional de Resistencia Popular - FNRP) and Freedom and Re-Foundation (Libertad y Refundación - LIBRE). LIBRE is the political wing of the FNRP, grassroots movement led by Xiomara de Castro Zelaya the wife of Manuel Zelaya, the former Honduran president who was deposed in a coup in 2009. The motive for Martínez' murder was unknown.

**DETAILS OF INVESTIGATION:** On 12 September 2012, the police arrested Eduardo José López Gutierrez (18) on a bus in El Pedregal. López Gutierrez, thought to be a member of the "18" gang, was one of the main suspects in the investigation and was expected to be charged with murder and theft of a car. Testimony of protected witnesses reportedly placed López and two other accomplices at the scene. There were conflicting reports as to the status of López' alleged accomplices. While some reports claimed that one was in prison and the other dead, other reports suggested that the police were still looking for the accomplices. Police reportedly suspect that Martínez Ávila was picked up in a stolen car, strangled and left at the side of the road. The police have not yet confirmed the motive for Martínez Ávila's murder. According to the Office of the Public Prosecutor (Ministerio Público), as of 16 July 2013 two suspects had been charged, one of whose cases was at the preliminary hearing stage and the other at the preparatory hearing stage.

**UPDATE:** According to reports, on 30 June 2014 one of the accused accomplices was absolved of Martínez' murder. The court deemed that the public prosecutor had failed to produce evidence to support the charge of murder (asesinato) – which implies a level of premeditation – allowing a charge of manslaughter (homicidio simple), ruling that the public prosecutor failed to prove the accused's involvement. The court ruled that the man should be released. The reading of the sentence was scheduled for 6 August 2014. According to news reports, witnesses testimony was deemed unreliable as was evidence gathered at the scene, including DNA evidence. News reports indicate that the accused had already been arrested on charges of armed robbery at the time of Martínez' murder making it impossible for him to have participated in the crime. No further news as of 31 December 2014.

## **THREATENED**

### **Dina MEZA (f):**

**PROFESSION:** journalist and human rights defender. Meza has worked for a number of human rights organisations and digital media outlets since 1989. She is the author of the Honduras chapter in *Vamos a portarnos mal: protesta social y libertad de expresión en América Latina* (Let's misbehave: social protest and freedom of expression in Latin America) (Friedrich-Ebert

Stiftung, Bogotá, 2011). In 2014 she was elected President of the newly established PEN Honduras Centre of which she is a founding member

**DATE OF THREAT:** From 2012 onwards

**DETAILS OF THREATS:** In February 2012, Meza received a number of messages threatening her with sexual violence and death signed by 'Comando Álvarez Martínez' – a pseudonym which has often been used when sending threats to journalists and human rights defenders since the 2009 coup d'état. One of the messages referred to the Bajo Aguán region whose land conflicts Meza often covers. At various points in the same year, she and her sons were subject to surveillance and further threats. In November 2012, her 19-year-old son was followed and threatened by an armed man. The threats and surveillance that she was subject to in 2012 led to Meza leaving Honduras for a few months in early 2013. While Meza was studying at York University's Centre for Applied Human Rights as part of their Protective Fellowship scheme, her children were forced to leave their home in the capital Tegucigalpa for a week due to a suspicious looking man keeping watch outside her younger son's school. Since returning to Honduras in May 2013, Meza has continued to be subject to harassment and surveillance. She reports having been followed on at least four occasions between May and August 2013; one of these occurred after she spoke to the media about her situation at a presentation of a report on freedom of expression in Honduras by the non-governmental organisation Committee for Free Expression (Comité por La Libre Expresión - C-Libre) in Tegucigalpa on 30 May 2013. On 12 August 2013 Meza reported being the victim of a suspected attempt to abduct her; this incident led to her changing her daily travel plans and routes. On 21 September 2013, Meza reports that an unknown man with military-style short hair was keeping watch by her home as her children were about to go out in the family car. Concerned by the man's presence, the family cancelled the trip. After returning the car to the garage they realised that one of the tyres had been slashed. A visitor to the family reported being followed by the man after leaving the building that same day. Meza suspects also that her telephones are tapped owing to regular interference on the line. She has not reported any of the incidents which she has experienced since her return to Honduras in May 2013 to the authorities as she has been told that the office of the Special Prosecutor for Human Rights lacks the resources to investigate.

**UPDATE:** The harassment against Meza has intensified in 2014; she reports being subjected to increased surveillance since late January. In the week commencing 20 January 2014, unknown men with military-style haircuts took photos of Meza with their mobile phones while she was meeting colleagues and friends in public places and followed her afterwards. As a result she increased her personal security measures. In March 2014, a man claiming to be collecting donations for an orphanage called at Meza's home asking for information regarding who lived there. The man wore a hat that covered his face and his ID card did not appear to be linked to work for an orphanage. Meza refused to answer his questions, suspecting that he was pretending to work for an orphanage in order to precisely ascertain in which house she lives in the building. In the weeks prior to the incident, Meza reports being followed by someone in a slow-moving unmarked red Toyota with blacked out windows as she walked along the street. On 25 March 2014, Meza formed part of a PEN delegation that presented the findings of its joint PEN-IHRP report on violence against journalists in Honduras at a hearing before the Inter-American Commission on Human Rights. Meza reports that upon her return to Honduras she was subject to increased surveillance; she reports being followed through the centre of Tegucigalpa and that her telephone was tapped. In addition, she began receiving a



number of telephone calls from unknown numbers in which the caller hangs up as soon as Meza answers. On 13 May 2014, Meza was surveilled by a man while in a café with her daughter. The man took several photographs on his mobile phone. Meza told her daughter out of the café, and arranged to meet her several minutes later. Remaining in the café she watched the man move tables but continue to observe her. Meza left to meet her daughter a few minutes later, making sure that she was not followed. On 8 June 2014, Meza was followed by a man on an unmarked motorcycle as she made her way to meet colleagues. Meza was eventually able to evade the motorcyclist by running into a nearby shopping centre. Meza continued to be harassed by unknown callers throughout June. Meza reports that the tyres of her car have been punctured by nails at least three times since October 2014, when she attended the launch of the book *Centroamérica amenazado*; her tyres have subsequently been punctured in December 2014 and January 2015. Meza reports that her telephone lines were interfered in January 2015; she could hear noises on the line, on two occasions it sounded like someone else had also picked up the call and on separate occasions preventing those on the other end of the line from hearing her. Meza believes that the increase in harassment is in part linked to her campaigning on behalf of television journalist Julio Ernesto Alvarado (see PEN's statement here). In December 2013 Alvarado was sentenced on appeal to a 16-month prison sentence and a ban on working as a journalist for alleged criminal defamation and has since received threats; PEN believes his conviction and sentence may be politically motivated. In May 2014, Meza went to the Public Prosecutor's office to enquire as to the state of the investigation into threats made against her. The authorities responded to say that they were currently reorganising the office and that they did not have all of the information to hand.

**BACKGROUND:** Meza began her work as a human rights defender in 1989 after one of her brothers, a carpenter who was part of an agricultural collective with connections to the campesino (rural worker) movement, was abducted by security forces and detained incommunicado for a week, during which time he was tortured and accused of being a guerilla. Meza has been the victim of harassment and threats since 2006, when a lawyer who formed part of her team supporting security guards whose labour rights were being violated was killed. Since then, she has reported being followed, watched, threatened and her communications intercepted. None of these incidents have been properly investigated. She and her family have had to move house twice since 2012 for security reasons. Meza has been the beneficiary of precautionary measures from the Inter-American Commission on Human Rights since 2006 but these have had little effect. PEN International believe that she is targeted for exercising her right to free expression and that her physical security is at risk.

**AWARDS:** In 2007, Meza was the recipient of Amnesty International UK's Special Award for Human Rights Journalism Under Threat. Meza was recipient of the 2014 Oxfam Novib/PEN International Freedom of Expression Award.

**PEN ACTIONS:** Day of the Imprisoned Writer Case 2013; appeared at Free the Word! Event at Hay Cartagena 2014; PEN press release 14 February 2014; International Women's Day Case 2014; brought by PEN to testify at Inter-American Commission on Human Rights May 2014

## HARASSED

### \*Leticia ELVIR LAZO (f):

**PROFESSION:** poet and writer, founding member of PEN Honduras, and university professor

**DATE OF HARASSMENT:** 27 October 2014

**DETAILS OF HARASSMENT:** Attempts were made to physically prevent and intimidate Elvir out of attending a University Council meeting on 27 October, Elvir reports. She reports that, as president of the Humanities and Arts Faculty's Board at the UNAH (Universidad Nacional Autónoma de Honduras – UNAH), she had every right to be there; however, members of the University security team attempted to physically restrain her when she entered the building. Once sat down, she reports that the head a security – a former captain in the military – then ordered two young men to photograph and film her, close up. When confronted the head of security reportedly claimed that he would be filing a report about her, but did not detail to whom, and claimed that the man taking photographs worked for *Presencia Universitaria*, a university newspaper. Elvir was followed by the photographer as she spoke to students in attendance at the meeting. She reports that her car has previously been photographed.

**BACKGROUND:** Elvir's name appeared on a "hit list" alongside those of 35 other journalists, lawyers, human rights defenders and activists who had been "investigated" and were reportedly targets for assassination in the run up to the 24 November 2013 presidential elections (see 2013 case list).

### Annie BIRD (f):

**PROFESSION:** human rights activist and co-director of the US- and Canada-based NGO Rights Action, who has worked in Honduras for 12 years and written several reports on the country for the organisation.

**DETAILS OF HARASSMENT:** On 19 December 2013, it was reported that the commander of Operation Xatruch III – a military-police task force based in Colón province – had claimed that Bird was working to destabilise the Bajo Aguán region, where land disputes have led to violence. Quoted in *La Tribuna* newspaper on 12 December 2013, Col. German Alfaro Escalante's statement has been reproduced in national media accompanied by photographs of Bird. In the article, the colonel said that Bird had pressured campesinos in the region to rebel against the security forces and that the force was in the process of investigating a complaint about her. Bird reportedly believes that the colonel's statements are in response to her efforts to document recent abuses alleged to have been committed by the government's security forces. In mid-December, Bird had accompanied a group of locals to the attorney general's office to denounce the alleged abuses and was interviewed on local radio about her work. According to reports, an article on the colonel's statement has led to comments from readers that include death threats against Bird.

**UPDATE:** According to PEN's information, the harassment led by the colonel continues.

**BACKGROUND:** Bajo Aguán in northern Honduras has been the setting for land disputes since the implementation of changes to the country's agrarian law in 1992. According to reports, between 2009 and 2012, 92 people were killed in land disputes in the region.



# MEXICO

PEN is monitoring the cases of some 61 print journalists and writers killed in Mexico since December 2006. The following list gives details of deaths in the period January to December 2014 ('Killed' and 'Killed: motive unknown') as well as cases from previous periods where there have been recent developments ('Killed: impunity'). The full list of names of writers killed since 2006 is available upon request.

## KILLED: MOTIVE UNKNOWN

### \*María del Rosario FUENTES RUBIO (f):

**PROFESSION:** Doctor and netizen who tweeted about violence and organised crime under the pseudonym 'Felina' using the @Miut3 account

**DATE OF DEATH:** 15-16 October 2014

**DETAILS OF DEATH:** Fuentes was reportedly kidnapped by armed men as she left the Tierra Santa clinic in Tamaulipas where she worked as a doctor on 15 October 2014. One day later, tweets were sent from her account deterring people from risking their lives and informing about organised crime, and warning them that the cartels were closing in on them. Subsequent tweets exposed her true identity and posted two images of Fuentes – the first alive, the second apparently dead.

**INVESTIGATION:** As no body has yet been recovered, the case officially remains open as a kidnapping, according to Article19. The case is thought to be being pursued by the anti-kidnapping squad, after family members filed a report on her abduction. According to a press statement by the Tamaulipas Attorney General, officials believe that Fuentes' abduction and probable murder are linked to her work as a doctor. According to information provided by the Deputy Attorney General's office for Human Rights, Fuentes was involved in an incident at the hospital involving the treatment of an assumed gang-member for a gunshot wound. Fuentes reportedly quit her job at the hospital three days later. The investigation into the case remained ongoing as of 31 December 2014.

**BACKGROUND:** Fuentes had reportedly contributed to Valor por Tamaulipas (Courage for Tamaulipas) is a website used by citizen journalists to report on criminal activity, until she felt forced to stop in 2013 for safety reasons. She is also reported to have regularly posted to a related Facebook page called Responsabilidad por Tamaulipas. In February 2013 an unidentified drug cartel offered a reward of US\$44,000 for the identities of Valor por Tamaulipas' administrators.

**PEN ACTION:** 17 November 2014 Statement

### \*Jesús Antonio GAMBOA URÍAS ("El Tony Gamboa")

**PROFESSION:** editor of the magazine Nueva Prensa

**DATE OF DEATH:** 10 October 2014

**DETAILS OF DEATH:** According to local news reports, Gamboa was reported missing on 10 October 2014, he was found semi-buried 12 days later in Villa de Ahome, Sinaloa state.

**DETAILS OF INVESTIGATION:** The Sinaloa state attorney general reportedly ruled out his journalism as a possible motive, indicating that it related to a confrontation in a bar with one of its employees. The authorities reportedly arrested the employee of the bar and her partner after one of the suspects used Gamboa's credit card. According to reports, Gamboa had a disagreement with the barmaid, who immediately called her partner, who went to the bar along with several men. Gamboa was reportedly dragged from the establishment and taken behind a local motel where he was shot multiple times. Four others are being sought in connection with his murder.

**PEN ACTION:** 17 November 2014 Statement [**STOP PRESS:** on 20 March 2015 it was reported that the Attorney General's office had arrested another suspect in Gamboa's murder]

### \*Miguel Ángel GUZMÁN GARDUÑO:

**PROFESSION:** Opinion columnist for the daily newspaper Vértice and primary school teacher.

**DATE OF DEATH:** 23 January 2014.

**DETAILS OF DEATH:** Guzmán (55) was reportedly found dead at his home in Chilpancingo, capital of Guerrero State. His body, discovered in his bedroom, was reported to have been in an advanced state of decomposition. Statements made by Mexican authorities have indicated that they believe that Guzmán was beaten to death in a suspected robbery, on the basis that a number of electrical items had been removed from his home and his car was also missing. However, on 24 January the chief of the National Commission of Human Rights (Comisión Nacional de los Derechos Humanos- CNDH) called on the federal and state authorities to conduct a timely and thorough investigation into Guzmán's murder as an attack on freedom of expression. The CNDH also launched its own parallel investigation into the killing. No further information as of 31 December 2014.

**PEN ACTION:** 3 March 2014 statement

### \*Gregorio JIMÉNEZ DE LA CRUZ ("Goyo"):

**PROFESSION:** Reporter covering the police beat for the newspaper El Liberal del Sur and the news agency NotiSur.

**DATE OF DEATH:** 6 February 2014, body found 11 February 2014.

**DETAILS OF DEATH:** Jiménez (42) was abducted by armed men from his home in Coatzacoalcos on 5 February and reportedly forced, handcuffed, into an unmarked grey pickup truck. His body was found in a clandestine grave in Las Choapas, Veracruz State, alongside the body of union leader Ernesto Ruiz Guillen and an as yet unidentified taxi driver. Forensic reports indicate that it is likely that he was killed the day after he was kidnapped, on 6 February 2014.

**DETAILS OF INVESTIGATION:** The initial stages of the investigation into Jiménez' abduction were widely reported to be inadequate; however, a joint operation conducted by the army, navy and Veracruz state police was later instigated. The arrest of a man at Coatzacoalcos bus station by members of the Veracruz Investigation Agency (Agencia Veracruzana de Investigaciones, AVI) on 10 February led to the discovery of Jiménez' body and the apprehension of five other

suspects. On interrogation, the man reportedly confessed to his role in Jiménez' murder and identified Teresa de Jesús Hernández – Jiménez' neighbour and owner of a local bar – as the intellectual author of the crime. According to the Veracruz state prosecutor (Procurador General de Justicia de Veracruz), Felipe Amadeo Flores Espinosa, Hernández hired the group to kidnap and kill Jiménez for the sum of 20,000 pesos (approx. US\$1,500) following a series of personal differences. At the end of the year, Hernández and the other five suspects were all detained pending trial, with three further suspects sought for arrest. The Veracruz state prosecutor cited "personal vengeance" as the motive for the killing, following reports of a conflict between Hernández' son and Jiménez' daughter, who had allegedly been romantically involved. However, Jiménez' wife claims that the dispute arose from articles that the journalist had written on homicides that allegedly took place in Hernández' bar, according to an interview with Animal Político. Some of his colleagues have questioned the investigation's conclusions, urging that his journalism not be ruled out as a possible motive given the fact that Jiménez had written two articles on the disappearance of union leader Ernesto Ruiz Guillen, alongside whom he was found buried. According to a 17 February report, a number of NGOs including Reporters Without Borders and Article 19, have raised concerns over the impartiality of the presiding judge in the case. Judge Uriel Domínguez Colío is the brother of the state government's spokesperson. Journalists and organisations alike called for a new judge to be assigned to the case. According to 28 May reports, new evidence against those held in connection with Jiménez' murder linked them to other violent crimes. At a press conference, the state prosecutor indicated that the investigation was following three lines of inquiry: the personal dispute with a local bar owner, his work as a journalist, and an additional theory where the two other lines of inquiry may be connected.

**UPDATE:** According to reports, those held in connection with Jiménez' abduction and murder were granted an amparo (legal protection of their constitutional rights) on 2 September 2014 pending an investigation into handling of the case after they alleged that they were tortured during their detention.

**BACKGROUND:** Jiménez had recently covered a wave of kidnapping reported in Villa Allende, including that of Ernesto Ruiz Guillen. He had reportedly received threats prior to his death, which had been reported to the authorities.

**PEN ACTION:** 3 March 2014 statement

### \*Victor PÉREZ PÉREZ:

**PROFESSION:** journalist for crime Sucesos magazine

**DATE OF DEATH:** 3 September 2014

**DETAILS OF DEATH:** Pérez was reportedly shot dead at his home in Ciudad Juárez, Chihuahua State. His assailants reportedly forced entry to his home. Pérez, aged 40, died upon his arrival to hospital.

**DETAILS OF INVESTIGATION:** According to reports, municipal police had arrested one of his alleged killers by the end of the day. The other is thought to remain at large. No further information regarding the investigation has been released.

**BACKGROUND:** Pérez' relative and former editor of Sucesos, Candelario Pérez Pérez, was also shot dead in 2008 (see Jan-June 2008 case list).

**PEN ACTION:** 17 November 2014 Statement

### \*Octavio ROJAS HERNÁNDEZ:

**PROFESSION:** crime correspondent for El Buen Tono, based in Veracruz state, and municipal press officer for Cosolapa, Oaxaca state

**DATE OF DEATH:** 11 August 2014

**DETAILS OF DEATH:** Rojas, 47, was reportedly shot four times by an as yet unidentified attacker at his home in San Jose Cosolapa, Oaxaca, on 11 August 2014. Rojas had recently returned home from an event in the community of Palma Sola, Oaxaca, when a man knocked on his door to enquire about the sale of a car parked outside. The man fired four shots after Rojas went outside to discuss the sale, hitting him twice in the head and once in the chest and shoulder. Rojas died at the scene while the killer fled on foot.

**INVESTIGATION:** According to a statement by the state attorney general, the State Investigations Agency (Agencia Estatal de Investigaciones – AEI) responded to the call, sending out the prosecutor and various specialists to investigate the crime scene. Investigators recovered four bullet casings from the scene. The statement made no reference to Rojas' work as a correspondent for El Buen Tono occasioning concern that they will not pursue his work as a journalist as a line of inquiry. His colleagues reportedly believe that his murder relates to his recent articles for the newspaper. The investigation was believed to be on-going at the end of the year.

**BACKGROUND:** Just two days prior to his murder, Rojas had published his latest article in a series on 'chupaductos' – a cartel-linked gang that reportedly siphons off fuel and oil from illegally tapped pipelines for sale on the black market. In the article, Rojas reported on a military operation against the 'chupaductos' and implicated Cosolapa chief of police as a member of the criminal gang. The police chief has reportedly since disappeared and is considered a fugitive from justice. Although the article did not include his by-line, Rojas was easily identifiable as the author as he was the only reporter in the Cosolapa area, rendering it relatively easy to deduce his authorship. El Buen Tono has been the subject of previous threats and harassment; in 2011, a few short months after opening, the newspaper's offices were set alight. In 2013, the special prosecutor's office for crimes against freedom of expression reportedly announced that it was not competent to investigate the arson attack and transferred the case to the Veracruz state prosecutor's office.

**PEN ACTION:** 17 November 2014 Statement

### \*Jorge TORRES PALACIOS:

**PROFESSION:** writer of political column 'Nothing Personal' for weekly newspaper El Dictamen de Guerrero, correspondent for the newspaper Novedades, former correspondent for Televisa, host of a nightly news programme on Radio y Televisión de Guerrero, and spokesman for the public health department of Acapulco

**DATE OF DEATH:** Between 29 May and 2 June 2014

**DETAILS OF DEATH:** Torres was reportedly kidnapped on 29 May 2014 by 12 armed men driving three vehicles. His body, which reportedly bore marks of torture, was found inside a bag semi-buried in a clandestine grave on 2 June 2014. Early reports indicated the cause of death was asphyxia, however, later reports suggest that he was decapitated and dismembered.



**DETAILS OF INVESTIGATION:** An anonymous tip led the authorities to the location of Torres' body in Plan de los Amantes, Acapulco, according to news reports. An investigation by Ministerial Police and agents of the public prosecutor's office is reported to be underway. The team are reported to be collecting evidence and witness statements. No further information as of 31 December 2014.

**BACKGROUND:** According to news reports, Torres' column for El Dictamen de Guerrero often reported on the region's high level of violent crime. A recent article referred to public anger in Chilpancingo, the Guerrero state capital, and protests against the alleged involvement of public officials in crime, including arbitrary arrests, extortion and abduction. Both Torres' father and brother were shot dead in January 2001. As with the murder of Gregorio Jimenez de la Cruz (see above), journalists came out on the streets to protest Torres' abduction, demanding his safe return.

**PEN ACTION:** 5 June 2014 statement

## **KILLED: IMPUNITY**

### **Marco Antonio ÁVILA GARCÍA:**

**PROFESSION:** reporter for newspapers Diario Sonora de la Tarde and El Regional de Sonora

**DATE OF DEATH:** 17 or 18 May 2012

**DETAILS OF DEATH:** Ávila was abducted and murdered in Obregon, Sonora State. Witnesses say that he was approached at a car wash by armed men and asked if he was a journalist. After replying that he was, he was then bundled into a waiting truck. His body was discovered dumped on a road hours later. He had been tortured and then strangled to death. Police say that a note, reportedly signed by a cartel, was found near his body. They have not revealed the contents of this note.

**DETAILS OF INVESTIGATION:** According to communications with the special prosecutor for crimes against freedom of expression, the case was being investigated by the attorney general of Sonora. No further information as of 31 December 2014.

**PEN ACTION:** RAN 26/12

### **Víctor Manuel BÁEZ CHINO:**

**PROFESSION:** crime reporter for the daily newspaper Milenio El Portal de Veracruz and editor of the website reporterospoliciacos.mx

**DATE OF DEATH:** 14 June 2012

**DETAILS OF DEATH:** According to reports, Báez Chino was kidnapped by a group of armed men as he was leaving his office late at night on 13 June. In the early hours of the next morning, his body was found dumped in a street in the state capital Xalapa near where the offices of the newspapers Oye Veracruz, Gráfico de Xalapa and Diario de Xalapa are located.

**DETAILS OF INVESTIGATION:** Local and federal authorities have said they believe Báez Chino to be a victim of organized crime. According to reports, the drugs cartel, Los Zetas, are suspected of the murder. On 15 August 2012, the Attorney General of Veracruz, Amadeo Flores Espinosa, announced that authorities had solved the case. The attorney general said that

witnesses had identified two members of the Zetas cartel, who were killed in a shootout with authorities in June, as being responsible for the murder. Flores did not elaborate on the case or take any questions. The Committee to Protect Journalists and other press freedom groups are sceptical, noting that the authorities have been unwilling to provide credible details to support their announcement that the murder has been solved. No further information as of 31 December 2014.

**PEN ACTION:** RAN 30/12

### **Susana CHÁVEZ CASTILLO (f):**

**PROFESSION:** prominent poet and activist who led protests against the unsolved murders of women in Ciudad Juárez since the early 1990s

**DATE OF DEATH:** 6 January 2011

**DETAILS OF DEATH:** Found strangled, with a bag over her head, and her left hand cut off, in the city centre of Ciudad Juárez on. Chávez (37) was identified only five days later. The authorities denied that her murder was related in any way to her activism and poetry, or to organised crime, despite the recent murder and harassment of numerous other local rights defenders.

**DETAILS OF INVESTIGATION:** The Chihuahua state attorney general's office said that Chávez was killed by three teenage boys she had met while out drinking. In January 2011, the prosecution for the case was reportedly given 60 days to produce sufficient evidence to convince the judge that the juveniles deserved the maximum sentence. The Mexican National Commission of Human Rights was reportedly following the case. On 3 April 2013, a court in Ciudad Juárez, Chihuahua State, reportedly sentenced Sergio Ruben Cárdenas, Aarón Roberto Acevedo Martínez and Carlos Gibrán Ramírez Muñoz to 15 years in prison each for Chávez' murder. According to reports, a trail of blood led police to Cárdenas' home, where they found more blood and Chávez' severed hand. Cárdenas reportedly confessed immediately following his arrest and named his two accomplices. The teenagers allegedly invited her to Cárdenas' house and murdered her while they were drunk and high on drugs, cutting off her hand to try to make the murder look as if it was connected to organised crime. According to news reports, Chávez and the teenagers got into an argument after Cárdenas claimed that they were members of the local gang 'Los Aztecas'. In response, Chávez reportedly told them that she was an undercover policewoman and that she would report them, at which point they took her to the bathroom and asphyxiated her. According to reports, Aarón Roberto Acevedo Martínez was acquitted on appeal of his part in Chávez' murder and released on 22 July 2013. The judge reportedly ruled that there was insufficient evidence that Acevedo was directly involved in Chávez' murder. No further information as of 31 December 2014; PEN is seeking to confirm whether the investigation is now closed.

**BACKGROUND:** Chávez was active in organisations supporting the families and friends of the deceased women, and took part in poetry readings that she dedicated to the victims. Her death took place three weeks after the 16 December 2010 murder of human rights defender Marisela Escobedo Ortiz, a mother who fought tirelessly for justice for her daughter, Rubí Marisol, who was killed in Ciudad Juárez in 2008. At least five other rights activists had reportedly been killed in Chihuahua in the previous two years while others had been threatened and attacked. Some 1,000 mainly poor women have been murdered in the Juárez



area since 1993, 300 of them in 2010 alone. Most of the murders remain unsolved and have been variously attributed to serial killers, drug cartels, domestic or sexual violence.

**PEN ACTION:** Women's Day action, March 2011; Day of the Imprisoned Writer Case 2011, World Poetry Day action, March 2014 and March 2015

### **Mario Ricardo CHÁVEZ JORGE:**

**PROFESSION:** founder, director and contributor to the news website El Ciudadano

**DATE OF DEATH:** Between 24 May and 24 June 2013

**DETAILS OF DEATH:** he was reportedly found dead in Ejido Santa Clara, Tamaulipas state, on 24 June. Chávez' body was discovered partially buried alongside the decapitated corpse of an unidentified female victim not thought to be connected to him. Press reports at the time indicated that the journalist had been missing for about two weeks, and that he had been kidnapped by a group of armed men as he left a cinema in Ciudad Victoria with his. Chávez' Twitter account had been inactive since 22 May. According to a 7 August 2013 article by the Committee to Protect Journalists (CPJ), Chávez went missing on 24 May 2013; El Ciudadano website went dark at the same time. His girlfriend, who reported him missing on 30 May, reportedly told police that she had received ransom demands over the telephone. CPJ's report also indicates that police received an anonymous telephone call on 10 June which led them to Chávez' dismembered body. However, the state attorney general's spokesman reportedly denied that the office had received any report of Chávez' death. According to federal officials, state investigators did not conduct any forensic work at Chávez' home or at the site where his body was found. The federal attorney general's special prosecutor for crimes against freedom of expression (FEADLE) opened a parallel investigation into the case without having asserted jurisdiction over the case stated that she had identified key witnesses. Four people who worked for El Ciudadano had reportedly gone into hiding since Chávez' went missing.

**UPDATE:** An investigation carried out by the authorities determined that the motive of the killing was not related to Chavez' journalistic work and closed the case, according to Diario19 on 15 January 2014.

### **Guillermo FERNÁNDEZ GARCÍA:**

**PROFESSION:** poet and translator

**DATE OF BIRTH:** 2 October 1932

**DATE OF DEATH:** 31 March 2012

**DETAILS OF DEATH:** Neighbours discovered his body at his home in Toluca. He had been bound and killed with a blow to the head. Nothing was stolen by the killer or killers and the motive for the murder is unknown. However, some are suggesting that the killer(s) was/were known to Fernández as there were glasses of wine and full ashtrays in the room with the body.

**DETAILS OF INVESTIGATION:** According to official correspondence with the Mexican authorities, the case was referred to Mexico's attorney general. On 4 April 2013, it was reported that attorney general's office had failed to make headway in its investigation. According to PEN International's information, the case remains at a standstill as of 31 December 2014.

**PEN ACTION:** RAN 16/12

### **Jaime Guadalupe GONZÁLEZ DOMÍNGUEZ:**

**PROFESSION:** editor and reporter for the news website Ojinaga Noticias (www.ojinaganoticias.com.mx)

**DATE OF BIRTH:** 1975

**DATE OF DEATH:** 3 March 2013

**DETAILS OF DEATH:** Shot dead by a group of armed men in the centre of Ojinaga, Chihuahua state. González (38) was reportedly shot 18 times at close range with large-calibre firearms. The woman he was with at the time of the shooting was unharmed. Witnesses said that the only thing taken during the attack was González' camera, leading to speculation that he was targeted for photographs that he had taken. According to the newspaper La Jornada, the camera contained photos of a member of a criminal gang. A spokesperson for the Chihuahua state Attorney General's office has stated that the authorities do not consider theft to be the motive for the murder. González' colleagues at Ojinaga Noticias believe that González was targeted for his journalism. They decided to suspend all activities the day after the murder for fear that they might also be targeted. The website covered community events, local sports, crime and politics. According to the newsweekly Proceso, González had been working on articles about issues affecting people who work on the streets and had been due to publish a second article on the subject before he was killed. Reportedly among the last stories posted on the website were two about the arrest of racketeers and recent murders in Ojinaga. On 12 March 2013 it was reported that González had received repeated written threats from persons demanding that he ignore certain subjects. For this reason, he had reportedly been considering selling the news website and moving to Mazatlán, Sinaloa state. These reports lend support to the theory that he was killed in connection with his work. No further information as of 31 December 2014; PEN is seeking an update.

**BACKGROUND:** Prior to setting up Ojinaga Noticias, González reportedly worked for several years as a journalist for a local weekly newspaper, Contacto, but resigned after receiving threats. Ojinaga is reportedly disputed territory for organised crime groups vying to control drug trafficking routes to the United States.

**PEN ACTION:** RAN 10/13

### **Ramón Abel LÓPEZ AGUILAR:**

**PROFESSION:** editor of the website Tijuana Informativo and photojournalist

**DATE OF BIRTH:** 1959

**DATE OF DEATH:** 14 October 2012

**DETAILS OF DEATH:** López Aguilar was shot in Tijuana, Baja California state. His body was found on a street in Tijuana the next morning; he died of a single gunshot to the head, according to the state attorney general's office.

**DETAILS OF INVESTIGATION:** Initial reports suggested he had been abducted by an armed group at 5 a.m. at a bar in the Zona Río. Tijuana Informativo had recently reported on drug trafficking and organized crime in the region. The state authorities began an investigation into his murder, including the possibility that the shooting was related to his journalistic work. Subsequent reports by the deputy attorney suggest that the son-in-law had alleged that López Aguilar was

kidnapped at 3:15 a.m. whilst they were travelling together to hospital to receive treatment for a head injury. He said he did not report the abduction for several hours, fearing reprisals. There are inconsistencies in officials statements as to the time at which the body was found. On 16 October 2012 López' son-in-law, who also worked for the website, was arrested after he confessed to the killing after police identified inconsistencies in his statement and gunshot residue on his hand. As a result, the state attorney general ruled out a link between López' death and his work as a journalist. No further information as of 31 December 2014.

**PEN ACTIONS:** RAN 69/12

## **Alberto LÓPEZ BELLO:**

**PROFESSION:** crime reporter for the daily newspaper El Imparcial and reporter for Radiorama's police news programme "Foro Político"

**DATE OF DEATH:** 17 July 2013

**DETAILS OF DEATH:** His body was found in the early hours of the morning on the outskirts of Oaxaca City, Oaxaca, next to that of Arturo Alejandro Franco, variously described in media reports as a police informant, police officer and city employee. Both bodies showed signs of gunshot wounds and blunt force trauma, although at the time the murders were reported the authorities were yet to specify the precise weapons used in the attack. López (28) and Franco had reportedly been drinking in a bar in Oaxaca the previous night. López was last heard from at three in the morning on 17 July, when he spoke to a friend; there was no indication of a problem at that time. He had worked for El Imparcial for six years and had recently written several stories about drug dealing in Oaxaca. The Oaxaca state governor reportedly instructed the attorney general to treat López' murder as a high-impact crime and to channel the case through a special unit for crimes against journalists. Organised crime was reportedly one of the lines of enquiry being pursued by state authorities. There was some suggestion that López himself might have had links with the drugs trade; however, his colleagues have asserted that he was killed because of his journalistic work. According to the Committee to Protect Journalists, an email circulated among state investigators on 23 July suggested that senior officials in the state police were responsible for López' murder because he knew of their connections to drug traffickers. On 27 July, Noticias newspaper reportedly called for an investigation into two former heads of the State Investigations Agency (AEI) for alleged involvement in López' murder. By 30 September, according to Reporters Without Borders, the investigation had stalled and López' family had felt forced to leave Oaxaca having received no assistance from either the authorities or El Imparcial. According to press reports, on 6 November 2013, the state authorities and the federal attorney general's special prosecutor for crimes against freedom of expression (FEADLE) confirmed that on the basis of a joint investigation they had ruled out López' journalism as a possible motive, favouring the theory that an argument broke out between López and a gang associated with organised crime in the bar where he and Franco had been drinking. Four men identified as the culprits were arrested on 6 May 2014: Julián Ramírez Benítez, Gerardo García Flores, Rafael Martínez González and Aldo Tenorio Benítez. The men reportedly confessed to the crime after being arrested in a separate murder enquiry.

**UPDATE:** The Oaxacan prosecutor Manuel de Jesús López resigned the day after the FEADLE report was published, after having left the case open. López Bello's family disputed the

FEADLE conclusion, pointing to faults in the investigation, and claimed the government was protecting López's murderers.

**BACKGROUND:** On 18 May 2013 López was reportedly arrested by state police along with his colleague, Jacobo Robles, while photographing a sign allegedly left on a footbridge by an organised crime group. Officials confiscated their equipment and telephones and detained them for four hours until the public prosecutor's office ordered their release on the grounds that their detention was illegal. In October 2007, three of El Imparcial's newspaper sellers were killed while they drove in a van marked with the newspaper's logo. The case remains unresolved.

## **Regina MARTÍNEZ (f):**

**PROFESSION:** journalist for investigative news magazine Proceso

**DATE OF DEATH:** 28 April 2012

**DETAILS OF DEATH:** She was found beaten and strangled at her home in Veracruz state. She had reported on drug trafficking and organised crime.

**DETAILS OF INVESTIGATION:** According to communications with the special prosecutor for crimes against freedom of expression (FEADLE), the state attorney general of Veracruz was investigating the crime, including any possible link with her writing, with the participation of the federal attorney general. However, according to reports in July and August 2012, investigators had found that Martínez had almost solely been interviewing other journalists and concluded the murder was a crime of passion. This interpretation and approach was strongly criticized by journalists who demonstrated in the streets calling for justice for Martínez and for police to investigate links with organised crime. On 2 November 2012, it was reported that a man charged with Martínez' murder, Jorge Hernández Silva, had retracted his confession, claiming that he had been tortured and his mother threatened in order to force him to confess to the murder. Upon Hernández' arrest, the state attorney general had given the motive for murder as robbery, using his confession as the principal piece of evidence against him. DNA samples taken from the scene reportedly do not match anyone on the national criminal database and therefore rule out Hernández, owing to his criminal record. Both Proceso and the FEADLE both reported being excluded from the investigation despite being entitled to participate fully alongside the state authorities according to the law. Neither Proceso's appointed reporter nor FEADLE were party to the line of enquiry that led to Hernández' arrest. Proceso's appointed reporter has noted that "at no point did the state ever consider Regina's journalistic work as a possible motive for murder." On 13 November 2012, it was reported that the authorities had confirmed the motive for Martínez' murder was robbery after her watch was recovered. The man in possession of the watch indicated that Jorge Hernández Silva and José Adrián Hernández Domínguez had sold it to him. According to reports, the authorities identified Hernández Domínguez as Martínez' boyfriend and named him as the principle suspect. He remains at large. On 10 April 2013 it was reported that a judge had sentenced Jorge Hernández Silva to 38 years and 60 days in prison for Martínez' murder. According to reports, Hernández Silva, who initially confessed to the murder, "did not provide evidence of his innocence." While the state case was considered closed with the conviction of Hernández Silva, a federal investigation reportedly remained open. According to the Committee to Protect Journalists, two federal investigators doubted Hernández Silva's guilt based on the evidence



collected at the scene. According to 28 May 2014 reports, the Veracruz state prosecutor announced in a press conference that the investigation into Martínez' murder remains open, that it would restart from beginning to explore a number of avenues and that an arrest warrant has been issued for José Adrián Hernández Domínguez, who remains at large. On 8 August 2013, Hernández Silva's sentence was overturned by the Veracruz State Supreme Court, citing insufficient evidence on the basis that the 'confession' was allegedly obtained under torture.

**UPDATE:** According to a statement by the Veracruz attorney general made on 22 October 2014, state police re-arrested Jorge Hernández Silva on charges of the aggravated robbery and murder of Martínez. According to the statement, his arrest warrant was secured after Martínez' family lodged an amparo appeal, in which the judge found that there was sufficient evidence to determine that Hernández had committed the crime. He is expected to serve out the remainder of his 38-year prison sentence in Pacho Viejo prison. The authorities continue to search for José Adrián Hernández Domínguez.

**PEN ACTION:** RAN 23/12

### **René ORTA SALGADO:**

**PROFESSION:** political activist and ex-El Sol de Cuernavaca journalist with 20 years' experience

**DATE OF DEATH:** 12 or 13 May 2012

**DETAILS OF DEATH:** he was reported missing by his family on 12 May 2012; his body was discovered in the boot of his car in Cuernavaca, Morelos state, 24 hours later, on 13 May 2012. A scarf had been taped across his face. Reports suggested that he had been stabbed and strangled. According to the Mexican authorities, Orta had not received any death threats previously. Orta was a vocal supporter of the Institutional Revolutionary Party (PRI) political party, which was then in opposition.

**DETAILS OF INVESTIGATION:** On 19 May 2012, it was reported that investigations by the Morelos State Attorney's Office were underway. In a press conference the investigating authorities confirmed that the cause of death was stab wounds, a blow to the head and strangulation and that the journalist had not been bound and gagged. The authorities ruled out organised crime as a possible cause of death owing to the lack of a note and the fact that while the body did show signs of a beating, the marks were not made by a gun. The authorities announced that they hoped to establish a timeline of events leading up to his murder and identify those who were last to see him alive once they have received all of the surveillance footage. No further information as of 31 December 2014.

**PEN ACTION:** RAN 25/12

### **Adrián SILVA MORENO:**

**PROFESSION:** freelance journalist and crime reporter for local media outlets including the newspapers Global México and Puntual Puebla

**DATE OF BIRTH:** c1978

**DATE OF DEATH:** 14 November 2012

**DETAILS OF DEATH:** he was shot dead along with a former policeman in Tehuacán, Puebla state. Silva (34) had been covering an army investigation into the theft of gasoline from a government petroleum company in Tehuacán, an area said to be controlled by organised criminal groups. Silva reportedly called another journalist to tell him he had witnessed an armed stand-off between soldiers and gunmen and that he had found something important at the scene of the theft which he would explain later. However, his car was then apparently intercepted and he was shot dead; his body was found with multiple gunshot wounds. His passenger, former municipal policeman Misrael López González, was shot in the head after he fled from the car. On 19 November it was reported that family members and colleagues of Silva who had attempted to visit his body at the morgue where it had been taken had received threats from unidentified individuals. The police subsequently sent officers to protect the morgue. The motive for Silva's murder was unknown, but colleagues suspected that it may have been related to his reporting on the gasoline theft. He is not known to have received threats from organised criminal groups prior to his death.

**DETAILS OF INVESTIGATION:** On 20 November 2012 it was reported that investigators were pursuing organised crime as one of their main lines of enquiry. In addition, investigators found finger prints, suspected to belong to those responsible, on a truck left 150 metres from the scene. On 29 November 2012, the special prosecutor for crimes against freedom of expression (FEADLE) reportedly commented that Silva's case may be passed on to local authorities because he was not active as a journalist at the time his murder. She also announced that the sheer number of avenues for investigation made it impractical for her office to investigate the case. No further information as of 31 December 2014.

**PEN ACTION:** RAN 74/12

### **Ana María Marcela YARCE VIVEROS (f) and Rocío GONZÁLEZ TRÁPAGA (f):**

**PROFESSION:** founder, reporter and head of public relations of the bimonthly political magazine Contralinea; and freelance journalist and former Televisa reporter respectively

**DATE OF DEATH:** 1 September 2011

**DATE OF BIRTH:** Both born c1964

**DETAILS OF DEATH:** they were found dead near a cemetery in a park in a poor neighbourhood of the capital Mexico City on, along with Yarce and González, both 48, were reportedly abducted as they left their office in the city centre the previous night and strangled. Their bodies were found naked with nooses around their necks and their hands tied behind their backs.

**DETAILS OF INVESTIGATION:** According to a letter to PEN from the Mexican Presidency dated 13 September 2011, the case was referred to the federal attorney general. However, according to another letter from the Special Prosecutor for the Attention of Crimes against Freedom of Expression (FEADLE) also dated 13 September 2011, the case was being investigated by the Mexico City attorney general's office although FEADLE had offered its assistance. Two men, Oscar Yair Quiñones Emmer and Lázaro Hernández Ángeles, were arrested on 30 September and 1 October 2011 respectively, suspected of killing the journalists. A third man, Jonathan González Tapia, was arrested in June 2012, suspected of providing the weapons used during the attack; an unnamed youth has also been implicated in their murders. According to Federal District prosecutor Miguel Ángel Mancera, the motive for the murders was robbery. Quiñones and Hernández reportedly confessed they had attacked the two women to rob them of a large



sum of money. Quiñones had known Yarce for three years since working as a parking attendant at the offices of Contralínea. Yarce was reportedly not involved in any specific journalism projects at the time of her death. González, who owned a currency exchange point at Mexico City's international airport, apparently withdrew a large amount of money on the afternoon of 31 August 2011, according to Article 19. According to a press report dated 21 June 2012, the Mexico City attorney general's office considered its investigation into Yarce and González' murders closed following the detention of the four suspects. On 19 September 2012 it was reported that Lázaro Hernández Ángeles was sentenced to 109 years in prison for the murders of Yarce and Trápaga and ordered to pay one million pesos in damages along with 94,515 pesos in compensation. The trial against Oscar Yair Quiñones Emmer was on-going. No further news on Quiñones' trial as of 31 December 2014; PEN is seeking an update.

**PEN ACTION:** RAN 47/11

## ABDUCTED

### Marco Antonio LÓPEZ ORTIZ:

**PROFESSION:** news editor for the daily newspaper Novedades Acapulco

**DETAILS OF ABDUCTION:** López was reportedly kidnapped in Acapulco, Guerrero state, on 7 June 2011. That night López (42) left work and was later assaulted by unidentified men who took him away. López was responsible for overseeing the paper's coverage of crime, among other responsibilities. According to local journalists, organized crime groups constantly threaten them to keep coverage to a minimum. Novedades Acapulco's reports on crime are accordingly kept brief and do not probe the facts reported, in order to avoid angering and being targeted by the groups.

**DETAILS OF INVESTIGATION:** The state attorney general began an investigation and the National Human Rights Commission was reportedly also looking into the disappearance. The office of former president Calderón sent a letter dated 18 July 2011 to PEN International, saying that López' case had been referred to the Federal Attorney General (Procuraduría General de la República). In June 2012, a year after López' disappearance, it was reported that there had been no progress in the investigation. The case is believed to remain unsolved as of 31 December 2014. **PEN ACTIONS** RAN 33/11

### \*Gilberto MORENO FONTES:

**PROFESSION:** author of the column 'Political Reflections' for Primera Hora newspaper and director of Un Atorón Tamaulipeco ('A Tamaulipas Traffic Jam')

**DATE OF ABDUCTION:** late February 2014

**DETAILS OF ABDUCTION:** Moreno was reportedly kidnapped, beaten and threatened to stop publishing Un Atorón Tamaulipeco by an unidentified group. On 26 March, four weeks after his kidnap, Moreno committed suicide in his home in Nuevo Laredo, Tamaulipas, according to news reports. No further information as of 31 December 2014.

**BACKGROUND:** Moreno's magazine Un Atorón Tamaulipeco was reportedly known for its critical coverage of local government proceedings, but did not cover organised crime. It was

reportedly banned from being distributed in the municipal town hall because it "defamed councillors" and published caricatures with obscene content. In May 2011, Moreno was reportedly hit by a local councilwoman for publishing content criticising her. Moreno was accused by the former-mayor of demanding 100US\$ fortnightly from councillors.

**AWARDS:** Moreno was awarded the Manuel Buendía state journalism award for his column 'Political Reflections' in 2009.

### \*Miguel Enrique ORTEGA BONILLA:

**PROFESSION:** journalist with the online news portal RexRadio Date of kidnapping: 5 October 2014

**DATE OF RELEASE:** 5 October 2014

**DETAILS OF KIDNAPPING:** Ortega was reportedly kidnapped from the centre of Teziutlán, Puebla, by four armed men as he made his way to cover a peace march in Chignautla. The men reportedly covered his head with a bag and beat him before forcing him into a car. Ortega was able to send out a message of alert to friends and colleagues, but was not heard from again until seven hours later. His assailants had reportedly pressed a gun to his head before seeking orders as to whether they should kill him or scare him, shortly before he was thrown into a ravine with his hands tied. He had reportedly been warned not to cover the march, but had not received any threats previously. Upon his return to his home, Ortega sought protection measures from the authorities.

## REPORTED MISSING

### Gabriel Manuel FONSECA HERNÁNDEZ:

**PROFESSION:** police reporter for the newspaper El Mañanero based in the municipality of Acayucan, southern Veracruz state

**DATE OF DISAPPEARANCE:** Fonseca has been missing since 19 September 2011. According to the newspaper's director, Fonseca (19) was last seen when he came to the paper's offices to collect his wages that day. Witnesses claimed to have seen Fonseca in Acayucan later that afternoon but he did not return home that night and has not responded to calls to his mobile phone. His father reported him missing to the authorities on 21 September 2011. Fonseca, who previously worked for the newspapers El Diario de Acayucan and La Verdad de Jáltipan, covered the police beat for El Mañanero but did not report on matters directly related to organized crime, according to the paper's director. The investigation was referred to the attorney general's office.

**DETAILS OF INVESTIGATION:** On 18 September 2012, a year after Fonseca's disappearance, it was reported that the case had been referred to the Agencia del Ministerio Público Especializada en Delitos Cometidos contra la Prensa and the Special Prosecutor for the Attention of Crimes against Freedom of Expression (FEADLE) but that there had apparently been no progress in the investigation.

**UPDATE:** According to February 2014 reports, the state attorney general has reopened the investigation into Fonseca's disappearance following pressure from state government

(Secretaria del Gobierno) and the Acayucan Journalists' Union. The State Commission for the Comprehensive Care of Victims of Crime (Comisión Estatal para la Atención Integral a Víctimas de Delito) has reportedly been assigned the case. The commission will also offer friends and relatives psychological support, while the State Commission for the Attention and Protection of Journalists agreed to provide the family with financial support for six months. No further information as of 31 December 2014.

**PEN ACTION:** RAN 51/11

### **Sergio LANDA ROSADO:**

**PROFESSION:** police reporter for the newspaper Diario Cardel, based in the municipality of La Antigua, Veracruz state

**DATE OF BIRTH:** c1967

**DATE OF DISAPPEARANCE:** 22 January 2013

**DETAILS OF DISAPPEARANCE:** has not been seen since leaving his offices on 22 January 2013. Landa (45) was reportedly last seen at Diario Cardel's offices where he was preparing material to send to print; he failed to return home that evening and was reported missing the next day.

**DETAILS OF INVESTIGATION:** Ministerial and state authorities said they would coordinate their efforts to find the reporter. Landa's case is under investigation by the Special Prosecutor for Crimes Against Freedom of Expression (FEADLE). According to a 30 September 2013 report, Landa remained missing. No further information as of 31 December 2014; PEN is seeking to establish whether an investigation is ongoing.

**BACKGROUND:** According to reports, colleagues nicknamed Landa the "oilcloth reporter" owing to the fact he had escaped unharmed from previous attacks. Landa was reportedly kidnapped by an armed group in November 2012, later being released after the intervention of federal forces. After his release, Landa reportedly went into hiding with the support of the state government, but returned to Diario Cardel in January 2013 following the murder of a man who had been identified as the leader of the group which had kidnapped him. Landa ran as a candidate for federal congress for Nueva Alianza in 2012; however, he pulled out prior to the elections, citing disenchantment with the party.

**PEN ACTION:** RAN 20/13

### **JUDICIAL CONCERN**

### **Enrique ARANDA OCHOA:**

**PROFESSION:** university teacher and writer

**SENTENCE:** 57 years in prison

**DATE OF ARREST:** 25 June 1996 has been imprisoned along with his brother since 1996 for allegedly kidnapping the daughter of a politician.

**PLACE OF DETENTION:** imprisoned in Reclusorio Sur prison in Mexico City as of October 2010 and were believed still to be held there as of 31 December 2014.

**DETAILS OF ARREST:** Arrested with his brother Adrián Aranda Ochoa, the pair was accused of several crimes, including kidnapping and carrying weapons. They were later charged with

kidnapping Lorena Pérez-Jácome F., a television presenter and the daughter of an Institutional Revolutionary Party (PRI) politician who has been a senator and presidential spokesman. They were also charged with robbery. The brothers were allegedly tortured while in the custody of the police and Public Ministry and forced to sign confessions.

**DETAILS OF TRIAL:** In August 1997, both brothers were sentenced to 57 years in prison, confirmed in December that year. The allegations of torture were not taken into account. Following a retrial, the brothers' sentence was reduced to 40 years in January 2005. This was further reduced to 32 years in March 2007 after the robbery charge was dropped, and in December 2008 to 24 years and six months. Enrique Aranda believes his arrest and conviction were due to his political activism and open criticism of the former PRI administration. When he was initially detained he was questioned about his political activities. He claims that the legal process has been marred by political pressure throughout.

**CONDITIONS IN DETENTION:** The brothers filed a complaint against the state for torture and abuse of authority. In May 1999, a medical certificate was issued showing that they had been tortured. In 2002, the Human Rights Commission of the Federal District (CDHDF) issued a recommendation calling for those responsible for torturing the Aranda brothers to be brought to justice and that the brothers should be awarded reparations. The recommendation was accepted by the Attorney General, however it has yet to be implemented. In April 2014, the Centro de Derechos Humanos Fray Francisco de Vitoria submitted the case of the Aranda brothers to the UN Special Rapporteur on Torture. The brothers have requested release on parole. According to reports, Enrique Aranda was denied release on parole at a hearing on 9 August 2013. The presiding judge reportedly ruled that he had not fulfilled all the requirements of the law in order to be permitted parole. While he had met the provision of good conduct while in prison, it was determined that he had not sufficiently participated in work, educational, sporting or other activities organised by the prison.

**PEN POSITION:** PEN holds no position on Aranda's guilt or innocence. It is concerned by the allegations that he was tortured and calls on the Mexican authorities to implement CDHDF's recommendation.

**BACKGROUND:** Enrique Aranda lectured for several years in political psychology at the Iberoamerican University in Mexico and is a former president of the Mexican Association of Psychologists. Since his imprisonment, he has become a prolific writer, having produced six books of poems, short stories, plays, novels and non-fiction, all unpublished to date. His work has reportedly earned him some 11 national awards. Adrián Aranda is an accountant.

### **BRIEF DETENTION**

### **Felipe MADRIGAL JIMÉNEZ:**

**PROFESSION:** independent reporter and contributor to the online portal Denuncie Sin Miedo ("Report without fear").

**DATE OF ARREST:** 22 February 2014.

**DATE OF RELEASE:** 23 February 2014

**DETAILS OF DETENTION:** Madrigal was reportedly detained by police officers while covering a protest in the city of Orizaba, Veracruz State. According to reports, Madrigal was beaten by



police, both at the time of his apprehension and whilst detained. Images posted by the portal show that he sustained injuries all over his body and head.

**DETAILS OF RELEASE:** He was released 17 hours later on 23 February after paying a fine of 3,000 pesos (approx. US\$287). He is reportedly under investigation by the state's attorney general for aggression against the Orizaba authorities.

## DEATH THREATS

### Marta DURAN DE HUERTA (f):

**PROFESSION:** journalist with Proceso and Mexico correspondent for Radio Nederland Wereldroep

**DETAILS OF THREAT:** On 13 May 2014, Duran reportedly received a telephone call at work in which the caller, whose voice was distorted, said "I'm going to kill you" ("Te voy a matar"). Duran immediately reported the incident to the Mexico City Human Rights Commission (Comisión de los Derechos Humanos del Distrito Federal –CDHDF), who ordered that she be given protective measures. On 30 May 2014, Article 19 reported that Duran had reported the incident to the state attorney general. No further information as of 31 December 2014.

### Anabel HERNÁNDEZ (f):

**PROFESSION:** award-winning journalist and author, currently a freelance contributor to the investigative newsweekly magazine Proceso and the daily newspaper Reforma (previously worked for Milenio, its investigative supplement La Revista (now emeequis) and newspaper and website Reporte Índigo). Hernández also writes books on corruption and the abuse of power in Mexican politics, including La Familia Presidencial (2005), Fin de fiesta en Los Pinos (2006), Los Señores del Narco (Grijalbo, Random House Mondadori, 2010) [translated in English as Narcoland: The Mexican Drug Lords and their Godfathers, Verso, September 2013] and México en llamas (2012).

**DETAILS OF THREATS:** Hernández has received constant death threats since late 2010, following the publication of Los Señores del Narco (2010) which reveals alleged links between drug trafficking cartels and the Mexican state. In the book, she makes a number of controversial allegations against public figures, including accusing Genaro García Luna – who at the time was Federal Secretary of Public Security – of illicit enrichment and complicity with organised crime while he was serving as former president Felipe's Calderón's chief of police (see January-June 2011 case list for details). In December 2010, Hernández made public an alleged plot to have her killed involving officials working for García Luna and the federal police. Since that time, Hernández' sources have been subjected to harassment, intimidation and even murder. In January 2011, armed men reportedly burst in on a gathering of Hernández' family members and threatened them with guns. Hernández herself had left the gathering by this point, but given that no attempt was made to use any of the credit cards which were stolen she believes that this was an attempt to intimidate her and her family rather than a robbery. In an interview with PEN International on 13 September 2013, Hernández explained that the threats against her continue. On 5 June 2013, two boxes containing decapitated

animals – one kid and four cockerels – were left on the doorstep of her house. She believes that this was a warning to her and her bodyguards that they are being watched: in Mexico 'goat' can mean a 'grass' or 'snitch'. That day there were four policemen on duty to protect her (there are usually five), and the boxes were delivered at a time when Hernández is usually at home yet when her police guards were momentarily absent. According to Hernández, earlier that day she had gone to talk to the National Commissioner for Public Security (Comisionado Nacional de Seguridad Pública), Manuel Mondragón y Kalb, about her case, on the recommendation of the Sub Secretary for Human Rights (Subsecretaría de Derechos Humanos), Lía Limón García. Hernández believes that García Luna may have found out that she had visited Mondragón, who occupies García Luna's former offices, and ordered the incident. On 21 December 2013, a group of a dozen men armed with AK-47 rifles and hand guns reportedly broke into Hernández' home. The men forced entry to three other residences in order to find out where she lived and deactivated security cameras in the neighbourhood. While Hernández was not at home at the time of the incident, one of her bodyguards was attacked and briefly detained. The motive for the home invasion remains unclear; the assailants reportedly first identified themselves as agents of the Federal Police before later claiming to belong to the Zetas drug cartel.

**DETAILS OF INVESTIGATION:** Hernández reported the 2010 plot to the Mexican National Human Rights Commission and the Mexico City Attorney General's office (PGJDF). According to Hernández, the PGJDF did little to investigate but provided her with 24-hour protection for her and her two daughters from the Mexico City police. She reported the January 2011 attack to the Federal Attorney General's office (FGR). In March 2013, Hernández reportedly learned that García Luna was still planning retaliation against her for her investigations. Hernández reported the June 2013 incident to the PGR and provided them with footage from a neighbour's CCTV, but they have yet to inform her about any progress in the investigation. She also has filed a complaint in regard to the December 2013 incident with Special Prosecutor for Crimes against Freedom of Expression (FEADLE), who has reportedly opened a preliminary investigation into the incident. In March 2013, she was informed that the PGJDF no longer had jurisdiction over her case, since her file containing her 2010 complaint had been transferred to the Federal Attorney General's office (PGR) to be merged with her 2011 complaint, and as a result it was discontinuing her police protection. The PGR offered her protection from the Ministerial Federal Police (PF), however Hernández refused on the grounds that she believes this would endanger rather than protect her: she has denounced corruption in the PF in her work for years and believes that many of the PF's head officials are allied with García Luna. Following international pressure, the protection from the Mexico City police was extended but as of year-end reportedly remained under review by the Protection Mechanism for Human Rights Defenders and Journalists. In May 2014, an article was reportedly published on CNN International claiming that leaders of a drug cartel had paid Hernández to insult Mexico's former Federal Secretary of Public Security, Genaro García Luna. Hernández dismissed the accusations as "defamatory", and stated that they put her and her family's lives at higher risk. **UPDATE:** Following the failure of the government to guarantee her safety, Hernández reported feeling forced to leave the country in September 2014.

**BACKGROUND:** According to reports, on 16 December 2013 Forbes Magazine listed García Luna as one of Mexico's ten most corrupt people, citing Los Señores del Narco as a source. On the same day García Luna reportedly wrote to the editor of the magazine to criticise the article and the rigour of the sources it used.



## ATTACKED

### \*Ignacio DOMÍNGUEZ:

**PROFESSION:** editor of the newspaper Tinta Verde

**DATE OF ATTACK:** 2 September 2014

**DETAILS OF ATTACK:** Domínguez's home in Xalapa, Veracruz state, was reportedly fired upon in the early hours of 2 September 2014. He also found the head of a pig left on his doorstep along with a threatening message.

**BACKGROUND:** Tinta Verde is a weekly newspaper which covers farming in Veracruz state. While it may sometimes be critical of government policies relating to farming, it does not cover crime or other sensitive topics. Nonetheless, a government official is reported to have threatened him during a National Peasant Confederation congress in Guadalajara on 28 August 2014 in connection with a series of articles published in the newspaper.

### \*Margarito JUÁREZ GONZÁLEZ:

**PROFESSION:** crime and politics correspondent for the daily newspaper Página 24 and Radio B15

**DATE OF ATTACK:** 30 September 2014

**DETAILS OF ATTACK:** Shots were reportedly fired at the journalist's home in Fresnillo city, Zacatecas state, by unidentified gunmen in the early hours of 30 September 2014. No one was harmed in the attack, however, his home and car were damaged.

**DETAILS OF INVESTIGATION:** An investigation into the attack is reportedly underway. The authorities are thought to be investigating the possibility that the attack was carried out in connection with his work for the newspaper. Juárez has been provided with police protection while the case is being investigated.

**BACKGROUND:** Juárez has reported on crime and local government corruption. He has reportedly faced reprisals for his reporting since December 2013, when his vehicle was stolen and set alight. He was reportedly verbally threatened by a local government official in connection with the publication of an article relating to a case about an alleged connection between the official and the Zetas criminal gang dating back to 2008.

### \*Adrián LÓPEZ ORTIZ:

**PROFESSION:** director of newspaper Noroeste

**DATE OF ATTACK:** 3 April 2014

**DETAILS OF ATTACK:** López Ortiz was reportedly shot in the leg shortly after being robbed by two men. According to reports, the two men robbed him, later returning to shoot him in the leg. López Ortiz was returning to Culiacán from Mexico City, where he had participated in a roundtable organised by ARTICLE 19 and Fundar and where he had spoken about media outlets and official advertising when the attack took place. According to ARTICLE 19, the Sinaloa Attorney General immediately dismissed any connection between the attack and his

work despite the fact that Noroeste and its personnel have been the target of more than 50 attacks in the last three years. No further information as of 31 December 2014.

**BACKGROUND:** In March 2014, three Noroeste reporters – photojournalists and videographers – were attacked by state and municipal police while covering marches in the cities of Culiacán and Guamúchil on 2 March 2014 supporting drug lord Joaquín “El Chapo” Guzmán, according to news reports.

### \*Antonio MUNDACA, Eduardo JIMÉNEZ SANDOVAL, Victor LÓPEZ (Oaxaca) and José DE JESÚS ALCÁNTARA (Veracruz):

**PROFESSION:** Journalists for the newspaper El Tuxtepecano.

**DATE OF ATTACK:** 1 January 2014

**DETAILS OF ATTACK:** The journalists were in the municipality of San Miguel Soyaltepec, Oaxaca, documenting the inauguration of the local mayor. Whilst at the ceremony, they noticed that supporters of the People's Unity Party (Partido Unidad Popular, PUP) had blocked the road and that state police seemed to be trying to get them to leave the area. When the journalists neared the PUP supporters, they attacked them with stones, machetes, and sticks. Jiménez was beaten by the crowd and José de Jesús had his camera and other work equipment stolen, but the state police provided him with medical treatment. Mundaca and López were cornered and punched and the PUP supporters threatened to kill them. No further information as of 31 December 2014.

**BACKGROUND:** The San Miguel Soyaltepec mayor took office on 1 January following a win in the July 2013 elections that left two people dead, a PUP member and one from the Institutional Revolutionary Party (Partido Revolucionario Institucional, PRI)

### \*Carlos NAVARRETE ROMERO:

**PROFESSION:** journalist with El Sur Acapulco newspaper

**DATE OF ATTACK:** 11 November 2014

**DETAILS OF ATTACK:** Navarrete was reportedly beaten by police officers and hit with a stone as he attempted to cover the confrontations between police and protestors outside public buildings in Chilpancingo, Guerrero state. He had identified himself as a journalist prior to the attack.

**BACKGROUND:** Several other journalists, such as Rosario García – reporter for El Financiero – José Antonio Belmont and Alejandro Cardona – journalists with Milenio newspaper were also injured while covering the same protest, according to news reports.

### \*Karla Janeth SILVA (f):

**PROFESSION:** reporter for El Heraldo de León newspaper

**DATE OF ATTACK:** 4 September 2014

**DETAILS OF ATTACK:** Silva was reportedly beaten and kicked in the chest and head by three armed men who broke into the newspaper's offices in Silao, Guanajuato state on 4 September.

After the attack, her aggressors reportedly warned her to change the tone of her reporting and stole her computer and telephone. Silva was admitted to hospital as a result of her injuries.

**DETAILS OF INVESTIGATION:** According to Sin Embargo, the United Nation's Mexico Office of the High Commissioner for Human Rights (OHCHR) has taken charge of the investigation into Silva's attack. Representatives of the OHCHR are said to have visited the newspaper's offices in order to meet with Silva in late September. Four men have been arrested in connection with the attack while government officials are implicated in its instigation, including the former director of Public Security in Silao who is alleged to have ordered the attack.

**BACKGROUND:** Silva covers the local government stories for El Herald de León and had recently been critical of the municipal authorities and the escalating crime rate in the city of Silao.

## THREATENED

### \*Balbina FLORES MARTÍNEZ (f):

**PROFESSION:** Reporters Without Borders Mexico correspondent.

**DATE OF THREAT:** 12 March 2014

**DETAILS OF THREAT:** Flores reportedly received three threatening phone calls to her Mexico City office from a person identifying himself as "Captain Omar Treviño" - the name of the leader of the Zetas cartel. The caller is reported to have claimed that he had been investigating her for 15 days and had been hired to hurt her. Flores reported the threats to the Special Prosecutor for Crimes against Freedom of Expression (FEADLE) of the Mexican Attorney General's Office and the Federal District Human Rights Commission. She also reported it to the Protection of Defenders of Human Rights Network and Interior Ministry staff. No further information as of 31 December 2014.

### Emilio LUGO:

**PROFESSION:** editor of the news website Agoraguerrero

**DETAILS OF THREAT:** reportedly received anonymous threats in relation to an article published on the website on 12 March 2013 which addressed a federal police officer's presumed murder in Acapulco, Guerrero state.

**DETAILS OF INVESTIGATION:** Lugo immediately filed a complaint and notified the federal prosecutor's office about the threats. He was reportedly advised that the prosecutor's office would be unable to provide him with protection and that he should stay in a hotel. Lugo subsequently fled Guerrero with the help of the Federal Mechanism for the Protection of Human Rights Defenders and Journalists. No further information as of 31 December 2014.

## HARASSED

### \*Lorena Evelyn ARRÁIZ (f):

**PROFESSION:** journalist for El Universal newspaper

**DATE AND DETAILS OF HARASSMENT:** On 12 February 2014, the journalist was threatened via Twitter. According to reports, she was warned "we're coming for you and yours! Here no one is safe" and informed that they had all her personal details. Arráiz was reporting on the opposition protests in Táchira state. No further information as of 31 December 2014.

### \*"Chuy News":

**PROFESSION:** Blogger who tweets as @MrCruzStar and contributes to #Reynosafollow

**DATE OF HARASSMENT:** 21 July 2014 onwards

**DETAILS OF HARASSMENT:** Chuy News has reported being the targeted of a smear campaign since July. According to reports, he has been accused of being a leader of the "hawks" - people who report police activity to drug traffickers, and accused of arranging organised crime meetings in Reynosa, Tamaulipas state. On 22 July 2014, a photo of "Chuy News" was posted online, ending his anonymity. He believes that he is being targeted for his criticism of anti-drug trafficking operations in the state. Journalist with the news website La Jornada, Julia LE DUC (f), has also been targeted with a smear campaign by the same users.

**BACKGROUND:** Fellow contributor to #Reynosafollow **Maria del Rosario Fuentes Rubio (f)** was killed in October 2014 see 'Killed: motive unknown' above for more details.

### \*Darío RAMÍREZ:

**PROFESSION:** Human rights defender, Mexico and Central America's director of the freedom of expression organisation, Article 19.

**DATE OF HARASSMENT:** 16 March 2014.

**DETAILS OF HARASSMENT:** Ramirez' Mexico City house was reportedly broken into whilst he was holidaying with his family. Those responsible allegedly took work equipment, computers and small valuables. A formal complaint has been filed at the Office of the Attorney General of the Federal District (Procuraduría General de Justicia del Distrito Federal). According to a February 2014 report, Article19 accepted protection measures from the federal Mechanism for Protection of Human Rights Defenders and Journalists for its staff.

**BACKGROUND:** This is the fifth security incident related to ARTICLE19 Mexico personnel since April 2013, when Ramírez and other staff received death threats, which, despite filing complaints, were not investigated (see July-December 2013 Case List for more information). The robbery also occurred two days before the scheduled public presentation of Article 19's annual report on violence against journalists and news in the media: "Dissenting in Silence: Violence against the press and the criminalisation of protest, Mexico 2013". Members of Article 19's staff report being followed on several occasions. Common to all incidents is the use of a Yamaha motorcycle and black attire of the perpetrators. Article 19 also reports that the server that hosts its website has been under constant attack since 20 January.



## JUDICIAL HARASSMENT

### \*Sanjuana MARTÍNEZ MONTEMAYOR (f):

**Profession:** journalist and author

**DATE OF HARASSMENT:** 24 December 2014

**DETAILS OF HARASSMENT:** Martínez was reportedly detained for several hours at the attorney general's offices (Procuraduría General de la República - PGR) in Nuevo León on 24 December 2014 in connection with a case dating back to 2012. Martínez reports receiving three separate summonses on 24 December to make a statement at the attorney general's offices, which she complied with having been warned that failure to attend would result in her arrest. Held incommunicado during her detention, she reported being back at home five hours later.

**REASON FOR ARREST:** Martínez was taken into custody on suspicion of making a false declaration to the court relating to an amparo (legal protection of her constitutional rights) that she was granted in 2012. A statement released by the Nuevo León Human Rights Committee (Comite de Derechos Humanos de Nuevo Laredo) suggested that her arrest could be linked to an article published in La Jornada on 14 December 2014 in which she denounced the alleged rape of a member of the Tamaulipas state police force by a superior officer of the Mexican Armed Forces. On the same day that the article was published Martínez' house was ransacked by unknown intruders who damaged some of her property. Martínez herself stated via Twitter that both the arrest and the attack on her home were clearly intended as harassment in reprisal for her work.

**BACKGROUND:** A fierce critic of the Mexican government. Martínez is the author of at least seven books, among them two books on alleged sexual abuse in the Catholic Church in Mexico, Prueba de Fe (Test of Faith) (Planeta, 2007) and Manto Púrpura (Purple Cloak) (Grijalbo, 2006), for which she faced harassment and death threats (see July – December 2008 case list). Her most recent book is Las amantes del poder: los escandalosos usos y abusos del poder público en la vida privada (The Lovers of Power: the scandalous use and abuse of public power in private life) (Temas de Hoy, 2014). Martínez writes for SinEmbargo and La Jornada newspapers, and her own website. Martínez reports being the victim of a parallel harassment campaign on social media, through which she has been threatened with death and harassed. She reports that some social media users have created false accounts in her name in an attempt to discredit her.

**PEN ACTION:** International Women's Day action – 9 March 2009

# NICARAGUA

## CASE CLOSED

### Ismael LÓPEZ OCAMPO:

**PROFESSION:** journalist for the newspaper Confidencial and for the weekly TV news programme Esta Semana

**DETAILS OF HARASSMENT:** López and his family, were reportedly subject to harassment and surveillance, both covert and overt, by alleged high-ranking plainclothes officials from the Nicaraguan army's Defence Information Directorate (Dirección de Información para la Defensa - DID) between August and October 2013. This took various forms, including constant harassment of López' family members in order to obtain information on the journalist's personal life and professional activities; constant surveillance of López and his personal activities; and surveillance of López and his professional activities both in and outside his place of work for Confidential and Esta Semana. After repeated phone calls and contact with his family members, the DID officials summoned López to a meeting on 11 October. At the meeting, the officials presented themselves as "representatives of the intelligence body which replaced the now defunct State Security (Seguridad del Estado)" and proceeded to interrogate him for 45 minutes about his personal and family life and his professional activities. Topics included the editorial lines of Confidential and Esta Semana; the content of some opinion pieces by columnists who are critical of President Daniel Ortega; the work and responsibilities of the producer and editor of Esta Semana and Confidential respectively; the decision-making process of these media outlets in terms of deciding on content; and the finance management policies of Promedia and Invermedia, the production companies of Esta Semana and Confidential respectively. López refused to reply to their questions, repeatedly telling the DID officials that these subjects had nothing to do with national defence. Four days later, on 15 October, the DID officials began openly following him and keeping watch over his movements. López does not know the reason for the harassment and surveillance, though he points to an investigation into armed insurgent groups in northern Nicaragua that he was working on as a possible motive. He and his editor - Carlos F. Chamorro, journalist and director of Confidential and Esta Semana - believe that the DID's intention is to show their powers and intimidate López and the media outlets he works for, in order to silence their criticism of the government and restrict freedom of expression in Nicaragua.

**DETAILS OF INVESTIGATION:** On 24 October, López made a complaint to the Nicaraguan Centre for Human Rights (Centro Nicaragüense de Derechos Humanos – CINIDH) and asked for the organisation's help.

**OTHER INFORMATION:** In an open letter to the head of the army, General Julio César Avilés, published in the Nicaraguan media on 28 October, Chamorro states that López, his family, and both media outlets have all been subject to "political spying" and intimidation. Pointing out that such "political spying" is forbidden by Article 96 of the Nicaraguan Constitution, Chamorro calls on the army chief to order an immediate end to the DID's harassment and surveillance of López, his family, Confidential and Esta Semana, and to ensure that those



responsible are sanctioned, in line with the Nicaraguan Constitution, laws and the Military Code. He also calls for the National Assembly to initiate an independent investigation into the case. On 29 October 2013 PEN Nicaragua issued a statement condemning the intimidation and surveillance of Lopez and his family. According to a local press report, López' case was raised with the Inter-American Commission on Human Rights' Special Rapporteur for Freedom of Expression, Catalina Botero, on 28 October 2013. According to López, the harassment against him has ceased; case closed.

## PARAGUAY

### KILLED: MOTIVE UNKNOWN

#### \*Pablo MEDINA VELÁZQUEZ:

**PROFESSION:** correspondent for daily newspaper ABC Color

**DATE OF DEATH:** 16 October 2014

**DETAILS OF DEATH:** Medina, 56, was reportedly shot dead by unknown assailants in the north-eastern department of Canindeyú as he was returning home after doing a report in the Ko'ê Porã indigenous community in Villa Ygatimí. His assailants, wearing camouflage, reportedly asked him to identify himself before they shot him several times in the head and chest. Medina died at the scene, while his assistant died on the way to hospital from injuries she sustained in the attack.

**DETAILS OF INVESTIGATION:** Police are reported to suspect local drug traffickers and had arrested four suspects by 17 October 2014.

**BACKGROUND:** Canindeyú is known for the trafficking of marijuana and timber. Medina had regularly received threats related to his reporting. In previous years he had been afforded the protection of a police escort, however, this was withdrawn in September 2013. **[STOP PRESS:** According to 30 March 2015 reports, the Paraguayan authorities are seeking the extradition of Vilmar "Neneco" Acosta from Brazil, a Paraguayan national accused of being the intellectual author of the crime. The petition also requests that he be held in preventative detention until a decision is reached on his extradition.]

### ON TRIAL

#### Nelson AGUILERA:

**PROFESSION:** writer and author of a series of children's stories, member of PEN Paraguay and teacher.

**SENTENCE:** 30 months in prison

**DETAILS OF TRIAL:** Aguilera was convicted of alleged plagiarism on 4 November 2013. His lawyer filed an appeal on 25 November 2013 with the Chamber of Appeals. According to Aguilera, 40 witnesses were prevented from testifying in his defence as the judge ruled that

they had been presented too late. These included a recognised legal expert in plagiarism employed by the court to investigate the case against Aguilera. The expert ruled that Aguilera did not have a case to answer, however he was reportedly not allowed to act as a witness for the defence. The case relates to a lawsuit filed by writer Maria Eugenia Garay that began in 2010. Garay alleged that Aguilera had plagiarised her adult fiction novel El túnel del tiempo (The Tunnel of Time) (2005) in the second in his series of children's fiction novels Karumbita: La patriota (Karumbita: The Patriot) (Alfaguara Infantil, 2010).

**BACKGROUND:** A number of independent experts and writers have provided a detailed analysis of both works and found that the similarities in them cannot be described as plagiarism. They argue that while they both feature similar thematic elements, such as time travel, and significant dates in Paraguayan history, the manner in which they are used is significantly different. The experts add that time travel has been used as a theme throughout literature and as such its use alone cannot constitute plagiarism. The analysis also showed that the literary styles, structure and argument of the works differ significantly and that Aguilera had not taken any sentences or paragraphs from Garay's work. There has been some suggestion that the sentence for plagiarism may have been influenced by the fact that Garay's brother, César Garay Zuccolillo, is minister of the Supreme Court of Justice.

**UPDATE:** In June 2014, Aguilera's conviction and sentence was confirmed by the Chamber of Appeal in Asunción. He is thought to be taking his appeal to the Supreme Court. No further information as of 31 December 2014.

**PEN ACTION:** Day of the Imprisoned Writer Case 2015; open letter from Luisa Valenzuela

## PERU

### KILLED: MOTIVE UNKNOWN

#### \*Fernando RAYMONDI URIBE:

**PROFESSION:** reporter for Caretas magazine and final-year student of journalism.

**DATE OF DEATH:** 9 November 2014

**DETAILS OF DEATH:** Raymondi was reportedly shot dead at his father's grocery store in San Vicente de Cañete by two unknown assailants on 9 November. Raymondi was standing outside the shop along with a friend when the men appeared on a motorcycle, according to local news reports. The assailants then reportedly ordered Raymondi into the shop and asked for money. As Raymondi's father reached for money to give them, one of the assailants reportedly shot Raymondi in the chest. The men fled the scene empty-handed. Raymondi died en route to hospital.

**DETAILS OF INVESTIGATION:** Raymondi's murder is currently under investigation of the Lima Homicide Division (División de Homicidios de Lima). According to Caretas, Cañete police arrived at the scene two hours after the shooting; eight hours later the Lima Homicide Division took over the case. According to news reports, on 11 November, head of the Peruvian Police, General Jorge Flores Goicochea, reportedly rejected any connection between Raymondi's death and his work as a journalist, arguing that police believed that Raymondi was a victim of

circumstance, caught up in an attempted robbery gone wrong. Unidentified police officers reportedly disagreed with the General's statement, arguing that no hypothesis had been ruled out. Assertions that were supported by the Minister for the Interior, according to media reports. The police have reportedly identified five individuals as suspects. No further information as of 31 December 2014.

**BACKGROUND:** Raymondi began working for Caretas in March 2014, while in the final year of his journalism degree at Universidad San Martín de Porres, and began covering organised crime and corruption in July. He had recently begun investigating an alleged spate of murders in Cañete, including several in the construction industry. According to his editor, he had been working on a story about killing by gangs who had allegedly been extorting construction companies in the town. Raymondi had not reported receiving any threats.

## ON TRIAL

### Mónica VECCO (f):

**PROFESSION:** investigative journalist and academic

**DETAILS OF TRIAL:** she has been subjected to judicial harassment, smears and threats since September 2013. She believes that these are in reprisal for her work for the fact-checking team of the "megacomisión", a multiparty congressional commission in charge of investigating alleged irregularities committed during ex-President Alán García Pérez' administration (2006-2011). On 7 September 2013, Mauricio Mulder Bedoya, congressman for the Alianza Popular Revolucionaria Americana (Popular Revolutionary American Party, APRA) – the political party of former President García and owner of the newspaper El Diario de Hoy, publicly accused congressman Sergio Tejada, head of the megacomisión, of having leaked a preliminary report of one of the commission's investigations through Vecco, whom he wrongly identified as Tejada's press secretary. Vecco has subsequently denied the allegations, pointing out that she left the congressional commission three months before the leak and had never worked as part of Tejada's press team. A few days later, El Diario de Hoy reportedly accused Vecco of having an inflated salary and of being romantically linked to one of the commission's members. On 20 October, in a 'Panorama' programme broadcast on Canal 5TV, a key witness in the megacomisión's investigation – former drugs trafficker Carlos Butrón Do Santos – reportedly retracted all statements he made to the commission and alleged that Tejada had offered him money in exchange for his testimony; the witness also alleged that Vecco was Tejada's "right-hand man". During the programme, Congressman Mulder reportedly indicated that Vecco had been involved in helping the witness flee the country. The programme is reported to have supplied as evidence edited versions of private emails between Vecco and the witness. Vecco contends that her emails were illegally hacked and "used maliciously to incriminate" her. She says that Butrón Do Santos contacted her via Facebook in September 2013; since by then she was no longer working for the Commission and was therefore free to practice journalism again, she began corresponding with him as a potential source. Following the programme, on 21 October, Jorge del Castillo filed a criminal complaint against Tejada and Vecco for "criminal conspiracy", amongst other accusations, reportedly submitting the 'Panorama' programme as evidence. On 12 December 2013, Vecco's lawyer applied for a postponement of a hearing into the case filed against her set for 27 December. According to

the application, Vecco had yet to be formerly notified of the charges laid against her and as such could not prepare an adequate defence.

**UPDATE:** Vecco was reportedly summoned by the 10<sup>th</sup> Prosecutor to be interviewed regarding the complaint filed against her and Congressman Tejada on 11 January 2014. According to Vecco, the case complaint against the congressman was dropped on 6 January, however, the same has not been done in Vecco's case. Vecco was interviewed again on 13 February. No further news as of 31 December 2014.

**OTHER INFORMATION:** After the show was aired, Vecco reports being followed by vehicles and motorcycles near her home and work. She reported that a well-groomed man approached her, mentioned the Panorama story and said "this time you're not getting away, we're following you... take care of yourself" on 20 October 2013. Vecco interpreted this as a death threat against her and her family. In response, she requested 24-hour police protection for her and her 10-year-old son and reportedly stated that she would hold Mulder and secretary general of APRA Jorge del Castillo responsible if there were an attempt on her life. On 24 October 2013, Vecco filed a criminal complaint with the the Dirección de Investigación Criminal de la Policía Nacional del Perú: División de delitos de Alta Tecnología (DIVINDAD) against Mauricio Mulder Bedoya; Jorge del Castillo; Fernando Viaña, director of Diario de Hoy; Rosana Cuevas, director of 'Panorama'; and megacomisión witness Carlos Butrón Do Santos. In her complaint, Vecco reportedly claims that the five individuals have committed computer crimes, crimes against privacy, crimes against personal freedom and defamation. The public prosecutor has reportedly taken up the case. On 29 October 2013 it was reported that Vecco intended to file an additional complaint against former President Alán García.

**BACKGROUND:** Vecco worked as an investigative journalist for the daily newspaper La República between 1990-1997 where she wrote about human rights violations, corruption and drug trafficking associated with the armed forces during former President Fujimori's leadership. Since 1997 she has worked for various television channels as an investigative reporter and as a university lecturer in investigative journalism. Due to her experience in investigative journalism, Vecco was invited to lead the megacomisión's fact-checking team, where she worked between January 2012 and May 2013. Among the illegal activities alleged to have been perpetrated by the Alán García Pérez administration is the commutation or pardon of jail sentences that benefitted 373 drug traffickers.

## ATTACKED

### \*Yofré LÓPEZ SIFUENTES:

**PROFESSION:** founder and editor of the bi-weekly newspaper and website Barranca, host of the "Toque de Queda" news programme on Radio Santana.

**DATE OF ATTACK:** 22 April 2014

**DETAILS OF ATTACK:** On 22 April 2014, a bomb reportedly detonated outside the journalist's home. While López was himself unharmed, his parents were reported to have been injured in the incident.

**BACKGROUND:** According to news reports, López often reported on the alleged contamination and tax evasion, among other violations, of a Barranca-based sugar company. In September 2012, a Barranca court cleared López of defamation charges filed against him by the sugar

company (see 'Threatened' in January-December 2013 Case List). He has also been critical of the local mayor. No further information as of 31 December 2014.

#### **\*Santos PORRAS:**

**PROFESSION:** director of the weekly newspaper Quién based in Huancayo

**DATE OF ATTACK:** 13 September 2014

**DETAILS OF ATTACK:** Porras was reportedly leaving a party when he was forced into a car by two unknown assailants and driven to a field. Porras managed to escape the vehicle, however he was recaptured and thrown into the Mantaro river, according to reports. On 17 September Porras was threatened with death by three men who approached him in a pharmacy. Porras is reported to believe that these incidents are connected to the publication of accusations against a local politician, who was standing for re-election in October 2014. Porras reported the incidents to the police and the Office of the Ombudsman, which has promised to investigate. No further information as of 31 December 2014.

**BACKGROUND:** Porras has previously worked for Primicia newspaper and Correo newspaper, where he was the target of harassment and complaints from civil servants and authorities who were investigated by the press.

#### **CONDITIONAL RELEASE**

#### **Asencio CANCHARI SULCA:**

**PROFESSION:** columnist for the Ayacucho daily newspaper La Calle

**SENTENCE:** two-year suspended prison sentence and 3,000 nuevos soles (US\$1,000) damages after being convicted of defamation on 21 October 2013. The charges relate to a series of columns published in 2012 in which Canchari alleged government corruption on the part of the current Ayacucho department president and that local journalists, including the former aide to the current Ayacucho department president, had attempted to cover up the incident. Canchari reportedly intended to appeal the ruling. No further information as of 31 December 2014.

**BACKGROUND:** On the same day, Esther Valenzuela Zorilla, editor of La Calle, was also handed down a two-year suspended sentence and fine in an unrelated defamation case (see below).

#### **Humberto ESPINOZA MAGUIÑA:**

**PROFESSION:** former editor of the Prensa Regional newspaper

**SENTENCE:** two-year suspended prison sentence, 120 days community service, and 5,000 nuevos soles (approx. US\$2,000) damages

**DETAILS OF TRIAL:** he was convicted of defamation on 18 September 2013. The following day, Espinoza was convicted of further defamation charges. In both cases Espinoza was accused of defaming the same regional politician in articles alleging corruption published in Prensa Regional in August and October 2012. Espinoza is reported to have appealed both sentences,

requesting an annulment of proceedings. No further information as of 31 December 2014.

**BACKGROUND:** According to reports, Espinoza and his family have been threatened with death if he does not stop reporting on accusations against the politician.

#### **Alcides PEÑARANDA OROPEZA:**

**PROFESSION:** editor of the newspaper and magazine Integración

**SENTENCE:** two-year suspended prison sentence and 10,000 Nuevo Soles (US\$3,700) in damages

**DETAILS OF TRIAL:** Peñaranda was convicted of defamation on 21 May 2013. The conviction relates to an article published in the magazine in February 2013, in which he reprinted phrases published in another magazine, Hildebrandt en sus trece, referring to the alleged protection provided to the regional president of the Ancash region by the local public prosecutor's office. Peñaranda appealed the verdict. The journalist reported being threatened by supporters of the politician in the days before and after the complaint. No further information as of 31 December 2014.

**BACKGROUND:** The magazine's manager Yolanda Quito Camones (f) reported being threatened and was physically attacked by a group of the politician's supporters at the end of the final court hearing. Quito was reportedly hit by the politician's official car and filed a complaint against the driver with the police station in Huaraz.

#### **Esther VALENZUELA ZORILLA (f):**

**PROFESSION:** editor of the Ayacucho daily newspaper La Calle

**SENTENCE:** two-year suspended prison sentence and a fine of 1,050 nuevo soles (approx. US\$380), as well as 25,000 nuevo soles (approx. US\$9,000) in damages

**DETAILS OF TRIAL:** Valenzuela was reportedly convicted on charges of defamation on 21 October 2013. The charges relate to a series of 2010 reports in which Valenzuela reportedly alleged that the president of the department of Ayacucho had mishandled contracts and public money budgeted for the construction of a new public hospital. She was reported to be appealing the conviction.

**UPDATE:** On 24 January 2014 Valenzuela's conviction and sentence was reportedly confirmed by the Superior Court.

**BACKGROUND:** Other lawsuits against the media outlet are reportedly pending.

#### **RELEASED**

#### **Cesar QUINO ESCUDERO:**

**PROFESSION:** editor of the bi-weekly magazine El Observador

**SENTENCE:** Quino was reportedly sentenced to a six-month suspended prison sentence, a fine of US\$8,400 in damages and 120 days community service for defaming the governor of the north-eastern state of Ancash.



**DATE OF SENTENCE:** 21 March 2014

**DETAILS OF TRIAL:** The state governor alleged that Quino had damaged his honour by writing an article, which appeared as a cover story of El Observador, in which he accused the governor of misusing public funds, abuse of authority and other acts of corruption. The governor's lawyer reportedly claimed that Quino had failed to provide any evidence to support the allegations.

**UPDATE:** According to 1 November 2014 reports, the state governor officially dropped his complaint against Quino on 27 October 2014, one day before the Court of Appeal was due to rule on the case. Quino criticised the withdrawal of the complaint, describing it as an attempt by the governor to appear sympathetic.

**BACKGROUND:** The governor has a history of filing defamation suits against critical journalists, including Humberto Espinoza Maguiña, convicted in two separate decisions in September 2013 of defaming the governor (for more information see 'conditional release' of January-December 2013 Case List).

## SURINAME

### CASE CLOSED

#### Jaap HOOGENDAM:

**PROFESSION:** publisher of the investigative monthly magazine Parbode

**DETAILS OF TRIAL:** Hoogendam is reportedly being sued by a former public works minister over a report about the latter's alleged corrupt practices prior to his dismissal. On 26 August 2013, Parbode received a letter from the former minister's lawyer announcing that he was seeking one million Surinamese dollars (approx. US\$305,000) in damages and a correction in the magazine's next issue. The former minister claimed that the report was not supported by evidence, a claim which the magazine's editor-in-chief denies. According to reports, the hearing commenced on 3 October 2013; the proceedings were expected to be conducted through written petitions by lawyers from both parties over a period of weeks rather than an open trial. No further information as of 31 December 2014, case closed.

## UNITED STATES OF AMERICA

### JUDICIAL CONCERN

#### Mumia ABU-JAMAL:

**PROFESSION:** journalist and author

**SENTENCE:** Life imprisonment without parole.

**DETAILS OF TRIAL:** Abu-Jamal was sentenced to death for the murder of Police Officer Daniel Faulkner in 1982. Amid serious concerns about the fairness of his trial which did not meet international fair trial standards or those guaranteed by the Constitution of the United States his death sentence was commuted to life imprisonment without parole in 2011. Abu-Jamal has consistently denied any involvement in this murder, and the evidence presented at trial was reportedly contradictory and incomplete. However, his lawyers have never been successful in their request for him to be granted a re-trial. Mumia Abu-Jamal continues to call for a fair trial, but since all options for appeal have been exhausted, any chance of a retrial is now unlikely.

**BACKGROUND:** Despite the difficult conditions of his detainment in a death row cell in Waynesburg, Pennsylvania, Abu-Jamal continues to work as a writer and journalist. He has written seven books in prison, making him an internationally renowned activist against death penalty.

**PEN POSITION:** PEN considers that life imprisonment without the possibility of parole may amount to torture or other ill-treatment. PEN is calling for the authorities to take the necessary steps to ensure that Mumia Abu Jamal is given the opportunity to have his sentence of life imprisonment without parole reviewed.

**PEN ACTIONS:** PEN International resolution 2014 (see also previous Case Lists)

### HARASSED

#### \*Angsar GRAW, Frank HERRMANN

**PROFESSION:** correspondent for Die Welt (German national)

**DATE OF HARASSMENT:** 18 August 2014

**DETAILS OF HARASSMENT:** Graw and Herman were reportedly detained for three hours by police in Ferguson, Missouri, as they attempted to cover the demonstrations that were taking place in response to the fatal shooting of a black teenager at the hands of a police officer. They were released without any charges. **[STOP PRESS:** According to 2 April 2015 reports, Graw and Herrman are suing Ferguson police department for battery, false arrest and unreasonable search and seizure, seeking unspecified punitive damages]

#### Lukas HERMSMEIER

**PROFESSION:** reporter for Bild newspaper (German national)

#### Ryan DEVEREAUX

**PROFESSION:** reporter for online newspaper The Intercept

**DATE OF HARASSMENT:** 19 August 2014

**DETAILS OF HARASSMENT:** the two journalists were reportedly detained in the early hours of 19 August 2014, while they attempted to cover the clearing of demonstrators in Ferguson, Missouri. They were released without charge several hours later. **[STOP PRESS:** According to 2 April 2015 reports, Hermsmeier and Devereaux are suing Ferguson police department for

battery, false arrest and unreasonable search and seizure, seeking unspecified punitive damages]

### \*Robert KLEMKO

**PROFESSION:** reporter for Sports Illustrated

### Neil MUNSHI

**PROFESSION:** reporter for Financial Times

### Rob CRILLY

**PROFESSION:** foreign correspondent for the Telegraph

**DATE OF HARASSMENT:** 17 August 2014

**DETAILS OF HARASSMENT:** The three journalists were reportedly arrested and briefly detained by police officers as they attempted to gather more information surrounding the unrest that took place in Ferguson, Missouri, following the murder of a black teenager at the hands of a police officer. The journalists were released shortly after their arrests.

### \*Kerry PICKET (f):

**PROFESSION:** reporter for Breitbart News

**DATE OF HARASSMENT:** 18 August 2014

**DETAILS OF HARASSMENT:** Picket was reportedly arrested by a Missouri State Trooper on 18 August 2014 while covering unrest that took place in Ferguson following the murder of a black teenager at the hands of a police officer. She was arrested after she failed to follow the instructions of the trooper in how to reach the press staging area. She was released several hours later with a full apology.

### \*Ryan REILLY

**PROFESSION:** reporter with the Huffington Post

### Wesley LOWERY

**PROFESSION:** reporter with The Washington Post

**DATE OF HARASSMENT:** 11 August 2014

**DETAILS OF HARASSMENT:** the journalists were reportedly arrested by police officers attempting to clear a McDonalds in Ferguson, Missouri. According to reports, police reportedly slammed Lowery into a drinks machine after giving him conflicting instructions as to where to exit the McDonalds. The pair were released 45 minutes later without being charged.

### James RISEN:

**PROFESSION:** New York Times reporter and author of the book State of War: The Secret History of the CIA and the Bush Administration.

**DETAILS OF HARASSMENT:** On 19 July 2013, an appeals court in Virginia ruled that Risen must give evidence at the criminal trial of a former Central Intelligence Agency (CIA) agent who is being prosecuted for leaking state secrets. The former CIA agent is charged with violating the Espionage Act for leaking classified information to Risen which was subsequently included in his book State of War. The court ruled that the journalist could not claim a reporter's privilege; if Risen refuses to cooperate he could face imprisonment. On 15 October 2013 a federal appeals court declined to hear Risen's appeal.

**UPDATE:** On 2 June 2014, the United States Supreme Court rejected Risen's appeal, deciding not to intervene in the case. Risen is reported to have said that he will not comply with the subpoena. The decision could result in a prison sentence or heavy fine for Risen if the subpoena is not dropped and he fails to testify. Risen has now exhausted his legal avenues to challenge the subpoena. On 27 May 2014, Attorney General Eric H Holder Jr is quoted as saying "As long as I'm attorney general, no reporter who is doing his job is going to go to jail." No further information as of 31 December 2014.

**BACKGROUND:** The case is reported to stem from Risen's description of a botched, top-secret CIA operation to sabotage Iran's alleged nuclear programme in State of War (2006). Risen has been fighting subpoenas to testify against the former CIA agent accused of disclosing the information since 2008 by invoking his First Amendment rights. In 2013 a court of appeal overturned the 2011 ruling of the Federal District Court that while Risen must testify as to the accuracy of his reporting, he could not be compelled by the government to reveal his source.

**AWARDS:** Risen was awarded the 2006 Pulitzer Prize for national reporting alongside his The New York Times colleague, Eric Lichtblau. [**STOP PRESS:** On 12 January 2015, the United States Department of Justice took the decision to withdraw its subpoena following a 5 January hearing in which Risen made it abundantly clear that he would never reveal his source.]

### James ROSEN:

**PROFESSION:** Chief Washington correspondent for Fox News

**DETAILS OF HARASSMENT:** Rosen is reportedly under investigation by the Federal Bureau of Investigation (FBI) for his newsgathering activities. Rosen is the author of a Fox News online story disclosing the government's analysis of North Korea's intentions. According to reports, Rosen has been labelled by an FBI agent as an "aider, abettor and/or co-conspirator" in the government's 2010 investigation into a leak of classified information regarding North Korea. In May 2013 it was reported that investigators had seized two days of Rosen's personal emails and phone records along with records of his security badge in order to ascertain his comings and goings within the state department. A federal judge reportedly signed off on the search warrant. No further information as of 31 December 2014; PEN is seeking an update.

**BACKGROUND:** Stephen Jin-Woo Kim, a state department arms expert, is accused of leaking intelligence suggesting North Korea would conduct a nuclear test.

## \*Gerald Try YINGST:

**PROFESSION:** journalist with website, News2Share

**DATE OF HARASSMENT:** 22 November 2014

**DETAILS OF HARASSMENT:** Yingst was reportedly arrested in Ferguson, Missouri, as he attempted to cover a demonstration being held during the wait for the grand jury decision on whether to indict a policeman who had shot dead an unarmed black teenager. Police held Yingst for four hours, initially charging him with 'failure to disperse' and later with 'unlawful assembly.' Video evidence proved that he had not been where the police claimed he had and Yingst was therefore released. Yingst had been wearing his media credentials and a camera at the time of the incident.

## RELEASED

## Joe HOSEY:

**PROFESSION:** editor of the Illinois-based news website Joilet Patch

**DETAILS OF TRIAL:** Hosey was found in contempt of court on 20 September 2013 after refusing to name a source for which he faced a fine of US\$1,000 for contempt and US\$300 per day and a possible prison sentence if he did not reveal the source of the leak. On 31 August 2013, Hosey had been given 21 days by a judge to name the person who had given him police and autopsy reports in the investigation of a double murder. Hosey's lawyer is reported to have filed an appeal immediately. On 14 March 2014, a coalition of media organisations filed an amicus curiae brief in support of Hosey.

**UPDATE:** On 15 December 2014, an appellate court ruled that Hosey would not be required to reveal his sources, reversing the lower court ruling.

# VENEZUELA

## KILLED – MOTIVE UNKNOWN

## \*Álvaro CAÑIZALES GODOY:

**PROFESSION:** director of the north-western offices of Communication and Institutional Relations of the Great mission of Full Life Venezuela, the official programme designated to combat security problems in the country, director of La Fe and La Columna newspapers, deputy editor of Coquivacoa TV.

**DATE OF DEATH:** 15 August 2014

**DETAILS OF DEATH:** Cañizales was reportedly found dead, bound and gagged, in a ravine in the municipality of Tanaquillo, Cojedes state on 16 August 2014.

**DETAILS OF INVESTIGATION:** Three soldiers were arrested in connection with Cañizales' murder, according to 24 August 2014 reports. The three, each aged 19, were charged with murder

carried out during an attempted robbery, aggravated robbery, aggravated robbery of a motor vehicle. According to reports, the soldiers stopped Cañizales with the intention of robbing him. The soldiers were reportedly convicted and sentenced to 17 years and three months in prison for his murder after they pled guilty.

## KILLED – IMPUNITY

## Jhonny GONZÁLEZ:

**PROFESSION:** journalist for the sports newspaper Líder de Deportes

**DATE OF DEATH:** 3 May 2013

**DETAILS OF DEATH:** González was shot dead as he was leaving the paper's offices in the early hours. It is thought that the assailants, who intercepted González on two motorcycles and in a car, were attempting to steal his car; when the journalist resisted, he was shot three times and died instantly. González (33) worked the night shift at Líder, covering boxing.

**UPDATE:** According to reports, one year on from González' murder the investigation is at a standstill. The authorities have failed to identify any suspects. No further information as of 31 December 2014.

## DETAINED: INVESTIGATION

## Victor Manuel GARCÍA HIDALGO:

**PROFESSION:** director and editor of the news portal Informe Cifras, and former politician

**DATE OF ARREST:** 5 March 2013

**DETAILS OF TRIAL:** Accused of participating in the 2002 coup, he faces charges of "civil rebellion". If convicted, he could face between 14 and 24 years in prison. The government is reportedly using as evidence García's documented opinions of the incident – broadcast on 12 April 2012 on the programme '24 horas de Venevisión' – and a photograph of García with a known opponent of Chávez taken inside the Army General's Command Headquarters. García's defence has reportedly argued that García was there in his capacity as a journalist.

**CURRENT PLACE OF DETENTION:** Previously held in Yare 3 prison, he was granted house arrest after nine months in prison. He is reported to be subject to a gag order, which prohibits him from writing or speaking to the public. No further information as of 31 December 2014.

**BACKGROUND:** On 11 April 2002 a military coup d'état succeeded in ousting the then President Hugo Chávez for almost 48 hours.



### \*Inés Margarita GONZÁLEZ ÁRRAGA (f):

**PROFESSION:** chemistry specialist at Ohio University

**DATE OF ARREST:** 6 October 2014

**DETAILS OF ARREST:** González was reportedly arrested after presenting herself to the public prosecutor's office following a subpoena in connection with comments she made on the death of Congressman Robert Serra on her Twitter account (@inesitaterrible). The district attorney reportedly charged her with crimes of public instigation, violent offense and offense towards a public official. She remained held at the end of 2014 despite a release order from a court, which the Bolivarian National Intelligence Service (SEBIN) did not comply with.

**CURRENT PLACE OF DETENTION:** Helicoide, the Caracas headquarters of SEBIN.

### BRIEF DETENTION

### \*Ángel MATUTE, Ariana BUENO (f) and Domingo DÍAZ:

**PROFESSION:** producer for national radio station Union radio and author of the blog 'El Matutino' (Matute), and independent journalists and professor of journalism (Díaz)

**DATE OF ARREST:** 12 February 2014

**DATE OF RELEASE:** 14 February 2014.

**DETAILS OF ARREST:** The journalists were reportedly arrested by employees of the Dispositivo Bolivariano de Seguridad (Dibise) near the Palace of Justice when they attended student demonstrations. They were reportedly beaten with sticks and taken to the headquarters of the Body for Scientific, Penal and Criminal investigations (Cuerpo de Investigaciones Científicas, Penales y Criminalísticas - CICPC). They have reportedly been forbidden from attending any further protests. No further information as of 31 December 2014.

**BACKGROUND:** In February 2014, what started as student demonstrations calling for greater security escalated into wider public demonstrations against insecurity, inflation and lack of goods following the authorities' heavy-handed repression of the students' protest. By March 2014, 20 people had been killed, 2,382 injured and an estimated 1,250 protestors and activists arrested, including opposition politician Leopoldo López. The government ordered all state-owned media not to cover protests in order to prevent their spread. Colombian news outlet NTN24 was taken off air on 12 February following its coverage of events. According to a 14 April report, the Venezuelan National Union of Press Workers registered 181 attacks on journalists of various kinds of media since the start of the violence.

### ATTACKED

### \*Mildred MANRIQUE (f):

**PROFESSION:** journalist for Diario 2001 newspaper

**DETAILS OF ATTACK:** Manrique was reportedly fired upon by members of the Bolivarian National Guard while covering a student demonstration in the Caracas district of Palos Grandes on 14 May 2014. She was shot in the foot. Two colleagues, freelancer Gabriela González and

reporter for Mexico's Cadena 3 TV channel were also fired upon. The journalists had reportedly identified themselves as members of the press before the incident. No further information as of 31 December 2014.

**BACKGROUND:** According to news reports, it is the fourth time that Manrique has been threatened or attacked in the last three months. On 18 February 2014, members of the Bolivarian National Police threatened her as she covered a demonstration. Two days later she was reportedly hit and tear-gassed. In March she was reportedly detained for a night on suspicion of terrorism on the basis of the bullet-proof vests, teargas masks and computers that were found in a search of her apartment.

### THREATENED

### \*Jonathan MANZANO:

**PROFESSION:** reporter for the newspaper Correo del Caroní

**DETAILS OF THREAT:** Manzano was reportedly threatened by masked individuals who mistook him for a journalist with state-owned VTV, according to 16 May 2014 reports. No further information as of 31 December 2014.

### HARASSED

### Giafranco di GIACOMANTONIO: (Italian national)

**PROFESSION:** journalist for Abruzzo

**DETAILS OF HARASSMENT:** Giacomantonio was reportedly arrested, stripped of his equipment and held for 12 hours as he tried to cover a demonstration in Aragua province on 24 February 2014. Italian diplomats reportedly helped to secure his release. No further information as of 31 December 2014.

### \*Fernando PRIETO FIGUEROA and Alejandro HERNÁNDEZ:

**PROFESSION:** reporters for El Nacional newspaper

**DATE AND DETAILS OF HARASSMENT:** Both were reportedly briefly detained on 12 February 2014 by the national police as they attempted to cover public protests in Caracas. According to reports, Prieto identified himself as a journalist at the time of their arrest, however, the authorities confiscated his identity card. He was then reportedly beaten twice in the ribs. Transferred to the headquarters of the Body of Scientific, Penal and Criminal Investigations (Cuerpo de Investigaciones Científicas Penales y Criminalísticas - CICPC), they were later released once the authorities were able to verify their credentials. No further information as of 31 December 2014.

**\*Maisdulín YOUNIIS (f) and María RAMÍREZ CABELLO (f):**

**PROFESSION:** reporters for Correo del Caroní newspaper

**DATE AND DETAILS OF HARASSMENT:** The journalists reportedly faced harassment while they covered protests in Ciudad Guayana, Bolívar state, at the hand of militias on 16 February 2014. According to reports, a gun was pointed at one of them, while others threatened to break her colleague's mobile telephone. The journalists had to show their journalist's passes in order to be allowed to leave. No further information as of 31 December 2014.

**RELEASED**

**Leocenis GARCÍA:**

**PROFESSION:** editor and director of Sexto Poder

**DATE OF ARREST:** 30 July 2013

**DATE OF RELEASE:** 28 November 2013

**DETAILS OF RELEASE:** released after almost four months in detention in a Caracas military base, due to health concerns thought to be related to his hunger strike, according to news reports.

**DETAILS OF TRIAL:** García was charged with money laundering, tax evasion and financing terrorist acts on 1 August 2013, a charge which carries a maximum penalty of 10 years in prison. According to reports, a member of parliament brought the charges against García, stating that the journalist had placed US\$5 million in a Swiss bank account, while reporting a lower sum in financial statements. Prior to his arrest, García had reportedly accused the government of carrying out a campaign against him. On 24 July, the Sexto Poder media group reported that its bank accounts had been frozen, which led to the suspension of operations. As of the end of November he was reportedly awaiting a preliminary hearing of the case.

**UPDATE:** On 19 May 2014 a Court of Appeal reportedly threw out financial evidence as it was filed too late. With this act the court effectively dismissed the case against García. No further information as of 31 December 2014.

**CONDITIONS IN DETENTION:** According to reports, García spent 50 days on hunger strike, which he began on 6 August 2013.

**BACKGROUND:** García was previously detained without trial for two years and two months between 3 May 2008 and 6 July 2010 for allegedly causing damage to property, carrying a gun without a permit and resisting arrest. In 2011, he was charged with 'inciting hatred, insulting officials and offending women', a criminal offence under Venezuela's penal code, after the publication of a satirical photomontage on 20 August 2011 (see previous case lists). On 24 November 2011 it was reported that he had been conditionally released after being detained for three months. **[STOP PRESS:** according to 22 March 2015 reports, García was arrested by the police for failing to appear in court]

**CASE CLOSED**

**Luz Mely REYES (f), Omar Luis COLMENARES and Juan Ernesto PAEZ-PUMAR:**

**PROFESSION:** respectively director, assistant director and head of information at Diario 2001 newspaper

**DETAILS OF HARASSMENT:** Reyes, Colmenares and Paez-Pumar were reportedly summoned to appear at the District Attorney's office on 17 October 2013 to serve as witnesses as part of a legal enquiry. Their summons relates to the publication of an article in the newspaper on 10 October entitled 'Gasoline sold drop by drop', which was reportedly based on citizen reports of the lack of 91 octane petrol. The newspaper is reportedly being investigated for spreading "doom and gloom". According to reports, the attorney general of the republic began an investigation the day the article was published, while President Nicolás Maduro has called for "stringent punishment". Both have publically denounced the article and its contents. By so doing, both the attorney general and the president have breached the principle of the presumption of innocence. The investigation was on-going in late December 2013, according to news reports. No further information as of 31 December 2014.

**BACKGROUND:** two journalists and a photographer from Diario 2001 were reportedly briefly detained in 2013 (see case of Dayana Escarlona (f) and Eliscartt Ramos above).

# ASIA and PACIFIC

## AFGHANISTAN

**KILLED: MOTIVE UNKNOWN**

**\*Palwasha Tokhi MERANZAI (f):**

**PROFESSION:** Journalist

**DATE OF DEATH:** 16 September 2014

**DETAILS OF THE DEATH:** Meranzai was reportedly found stabbed to death at her home in Mazar-e-Sharif city. She worked for the Bayan Media Centre until 2012, and left to pursue her masters' degree in Thailand, from where she returned in July 2014. It has been reported that Meranzai received a death threat a month before her death, which she communicated to the Bayan Media Centre. The police arrested a man in October 2014 and attributed the motive to robbery; Meranzai's father asked the police to investigate other possible reasons for the killing.

## KILLED: IMPUNITY

### Sushmita BANERJEE (f):

**PROFESSION:** author of the best-selling memoir A Kabuliwala's Bengali Wife

**DATE OF DEATH:** 5 September 2013

**DETAILS OF DEATH:** According to reports, armed men broke into her home and tied up her husband before kidnapping and shooting her at least 20 times. Banerjee's body was left outside a madrasa (religious school) on the outskirts of Sharan City, Paktika province.

**DETAILS OF INVESTIGATION:** On 9 September 2013, local police officials reportedly arrested two men – initially said to be armed militants connected to the Haqqani Network, an affiliate of the Taliban which has connections to Pakistan – in connection with her murder. According to press reports, the suspects confessed to Banerjee's murder. Local villagers reportedly led the police to the men, who were said to have been found with weapons, including explosives. Four men arrested on 11 September reportedly indicated that the plan was orchestrated in Pakistan by three Pakistan Taliban militants working with a local commander of the Afghan Taliban in Paktika. According to the BBC, the Afghan Taliban has denied responsibility for the attack. Banerjee was reportedly targeted by the group because of her critical writings of the Taliban in her memoir and for installing an Internet connection in her house. Banerjee had recently returned to Afghanistan to live with her husband and run a midwifery clinic. She had reportedly been filming the lives of local women as part of her work prior to her death, and was writing a second book. Despite the recent arrests, on 15 September 2013 news reports indicated that a splinter Taliban group – known as the Suicide Group of the Islamic Movement of Afghanistan – had admitted responsibility for Banerjee's murder via a Western news website, claiming they had killed her because she was an Indian spy. No further information as of 31 December 2014. **PEN ACTION:** RAN 30/13

## BRIEF DETENTION

### Khaled HADI:

**PROFESSION:** editor-in-chief of Benawa news website.

**DATE OF ARREST:** 17 June 2014

**DATE OF RELEASE:** 19 June 2014

**DETAILS OF ARREST:** Hadi was arrested at Kandahar International Airport by National Directorate of Security personnel as he attempted to board a flight to Kabul. Hadi, a US resident, had recently arrived in Kandahar to visit relatives. A spokesman for the governor reportedly linked Hadi's arrest to articles posted on the website that were critical of the Governor Torkyalai Weesa and other officials claiming that the articles violated journalistic principles. During his detention initially in a facility of the Kandahar National Directorate of Security, he said he was brought before the provincial governor who pressured him to denounce his articles and to commit not to write similar articles in the future, which he refused to do.

**BACKGROUND:** In April 2011 Hadi had published a blog that implicated the provincial government in corruption

# AUSTRALIA

## DETAINED: INVESTIGATION

### \*Behrouz BOOCHANI:

**PROFESSION:** journalist and human rights advocate

**DATE OF DETENTION:** 27 August 2013 Reason for detention: Boochani, an Iranian national, was reportedly rescued at sea by the Australian navy, whom he asked for asylum. Due to Australia's offshore processing policies, Boochani was reportedly taken to Manus Island Regional Processing Centre at Lombrum, Papua New Guinea. Treatment while in detention: According to PEN's information, Boochani has faced harassment for reporting to the Australian media and other organisations on conditions inside the detention centre and human rights abuses alleged to be taking place there. He reports being the target of beatings as a direct result of his reporting.

**CURRENT PLACE OF DETENTION:** Boochani is reportedly being held in an immigration detention centre, Manus Island, Papua New Guinea

**BACKGROUND:** According to PEN's information, in his native Iran, Boochani worked as a journalist for several newspapers, including national dailies Qanoon, Kasbokar and Etemad, and the Kurdish-language monthly magazine Varia. Due to his focus on business and politics, Boochani was subject to constant surveillance by the Iranian authorities. In 2013, he was reportedly arrested, interrogated and threatened by the Iranian Intelligence Services. Fearing that he would be imprisoned, he fled Iran on 13 May 2013. Since his detention, Boochani has been documenting human rights violations, which he passes on to the Humanitarian Research Partners (HRP), who in turn pass the information on to the United Nations and its relevant agencies. [**STOP PRESS:** Boochani was transferred to Loregau jail. He was reportedly transferred to the maximum security section of the detention centre. There are indications that he has been beaten.]

# BANGLADESH

## KILLED: IMPUNITY

### Ahmed Rajib HAIDER (aka Thaba Baba):

**PROFESSION:** Prominent blogger critical of Islamic fundamentalism

**DATE OF DEATH:** 15 February 2013



**DETAILS OF DEATH:** killed by assailants outside his home in the Pallabi neighbourhood, Dhaka. According to his brother, the blogger had been targeted by the Islami Chhatra Shibir (the student wing of the Jamaat-e-Islami party) for his 'online activities'. Members of the Jamaat-e-Islami party reportedly denied the accusation.

**DETAILS OF INVESTIGATION:** The authorities reportedly arrested five individuals who have confessed to carrying out the murder as they regarded it was their religious obligation to do so.

**UPDATE:** According to January 2014 reports, eight people believed to be connected to the Ansarullah Bangla Team militant organisation, including its alleged chief Jasim Uddin Rahmania, have been charged with Hairder's murder. Rahmania, Imam of Bashila mosque in Dhaka, is accused of instigating the murder by delivering sermons against atheist bloggers, inciting his audience to kill them. The seven other co-accused, aged between 19 and 28, are reportedly students from North South University. Of the seven, only one has been identified as the person who carried out the killing. He remains at large, while the other seven have been arrested. No further information as of 31 December 2014.

**PEN ACTION:** RAN 16/13 – 5 April 2013

## IMPRISONED – MAIN CASE

### Salah Uddin Shoaib CHOUDHURY:

**PROFESSION:** editor of the tabloid Weekly Blitz

**SENTENCE:** seven years in prison with hard labour

**DATE OF ARREST:** 9 January 2014

**DETAILS OF TRIAL:** Choudhury had written articles about alleged anti-Israeli attitudes in Muslim countries and the spread of Islamist militancy in Bangladesh. He was initially arrested in November 2003 after he tried to travel to Israel to participate in a conference with the Hebrew Writers Association. Bangladesh has no diplomatic relations with Israel, and it is illegal for Bangladeshi citizens to travel there. Choudhury was released on bail in 2005 after spending 17 months in solitary confinement (see Case Lists of 2004 and 2005). First charged with passport violations, charges which were dropped in 2004, he was later charged with sedition and other charges in connection with his articles. Choudhury was eventually convicted of harming the country's interests under section 505(A) of the Bangladeshi Penal Code for 'intentionally writing distorting and damaging materials' on 9 January 2014 and immediately imprisoned. He was acquitted of the sedition charge. Choudhury's family said they would appeal the decision in the High Court. No further information as of 31 December 2014.

**PEN ACTION:** RAN 23/04 and updates;

**HONORARY MEMBER:** English PEN, PEN USA

## DETAINED – INVESTIGATION

### \*Rabiullah ROBI:

**PROFESSION:** Editor for the Daily Inqilab

**DATE OF ARREST:** 19 August 2014

**DETAILS OF ARREST:** Robi was arrested after the newspaper's office in Dhaka was raided by the police, under the Informational and Communication Technology Act as a result of an article published on 18 August in the daily. The article reportedly 'hurt religious sentiment' and created disorder within the administration. The case against Robi was filed by the Assistant Inspector General who was mentioned in the article and who allegedly abused his authority by using the Prime Minister's name. On 24 September 2014, Robi's defence petitioned for the editor to be released on bail, but a court in Dhaka rejected the request. His trial had not begun by the end of the year.

## ON TRIAL

### Asif MOHIUDDIN:

**PROFESSION:** Prominent blogger, his Bengali-language blog Almighty only in name, but impotent in reality, is said to be one of the most popular blogs in Bangladesh. He writes about religious issues, freedom of expression, human rights and he also comments on news items.

**DATE OF ARREST:** 3 April 2013 and 29 July 2013

**DATE OF RELEASE:** 27 June 2013 and 7 August 2013

**DETAILS OF ARREST:** Mohiuddin was arrested for writing an openly atheist blog, which has been suspended under order by the Bangladesh Telecommunication Regulatory Commission since 21 March 2013.

**DETAILS OF TRIAL:** He was accused of 'hurting religious sentiments', under Article 57(2) of the 2006 Information and Communication Technology Act, and could face up to 14 years in prison. On 27 June 2013, the court heard and accepted a petition for Mohiuddin's conditional release for one month on health grounds, but he returned to jail on 29 July when his application for permanent bail was refused. He was again released on 7 August 2013 when a further one month bail order was issued. He was charged on 8 September 2013 and his trial began on 6 November 2013

**UPDATE:** On February 16, 2014, the High Court of Bangladesh put the case on hold for three months and asked the government to explain why it should not be scrapped. He remains free and arrived in Germany on a one-year scholarship in April 2014.

**BACKGROUND:** Mohiuddin was stabbed while leaving his office in the Uttara district, Dhaka, on 14 January 2012. On the day of the attack, three unidentified men stabbed him several times before they fled. The authorities are said to be investigating the attack. PEN has no further information on the outcome of the investigation as of 31 December 2014.

**PEN ACTION:** RAN 16/13 – 5 April 2013

## Subrata Adhikari SHUVO, Mashiur Rahman BIPOB, and Rasel PARVEZ:

**PROFESSION:** Bloggers

**DATE OF ARREST:** 1 April 2013

**DATE OF RELEASE:** Shuvo and Parvez were released on bail on 12 May 2013, while Biplob was similarly released on 2 June 2013.

**DETAILS OF TRIAL:** They were charged on 8 September 2013 with 'hurting religious sentiments' under Article 57(2) of the Information and Communication Technology Act, for posting derogatory material about Islam and the Prophet Muhammad online and could face up to 14 years' imprisonment under Bangladesh cyber-crime laws. The bloggers have reportedly criticized the authorities and the press for being partial towards Islamist views in an alleged secular country. Soon after their arrest, their blogs were shut down. Their trial started in November 2013.

**UPDATE:** On February 16, 2014, the High Court of Bangladesh put the case on hold for three months and asked the government to explain why it should not be scrapped.

**PEN ACTION:** RAN 16/13 – 5 April 2013

## DEATH THREAT

### Amzad Hossain SHIMUL:

**PROFESSION:** staff reporter at the Daily Amader Shomoy

**DETAILS OF THREAT:** On 28 June 2014, Shimul was reportedly threatened by the general secretary of the Bangladesh Chhatra League of Rajshahi University after he failed to recognise him over the telephone. The student leader reportedly threatened to kill him and warned him against making the threats public.

## ATTACKED

### \*Shishir MOROL:

**PROFESSION:** health correspondent for the Bengali-language daily newspaper Prothom Alo **DATE OF ATTACK:** 13 May 2014

**DETAILS OF ATTACK:** Morol was reportedly held for over two hours and beaten by at least three doctors at a hospital in the capital, Dhaka on 13 May 2014. Morol was reportedly investigating the use of false credentials by one of the hospital's doctors at the time of the attack. He had arrived at the hospital to interview the doctor in question when he was forced into a separate room and beaten. His assailants reportedly confiscated his mobile telephone and wallet, refusing to return it until he signed an affidavit that stated he had engaged in "an unauthorized interference". He was treated for minor injuries. He has reportedly filed a complaint with the police.

## SENTENCED

### David BERGMAN: (British national)

**PROFESSION:** editor of the English-language Dhaka-based daily newspaper New Age, owner of the blog Bangladesh Politico and Bangladesh War Crimes, which reports on the proceedings of the Bangladesh International Crimes Tribunal's (ICT) for war crimes committed during the Liberation War of 1971.

**SENTENCE:** Fine of 5,000 taka (\$65 USD)

**DETAILS OF TRIAL:** In April 2014, Bangladesh's International Crimes Tribunal reportedly launched contempt of court proceedings under section 11(4) of the ICT Act (1973) against Berman for his blog posts on the court. On 17 April 2014, Bergman appeared before the domestic tribunal and was ordered to provide written explanation within 15 days as to why he should not face punitive measures such as a jail term, fine, or both. Bergman reportedly filed the explanation in May. An oral hearing was expected on 8 July 2014. On 2 December 2014 Bergman was found guilty of contempt. He paid the fine of 5,000 Taka to avoid seven days' imprisonment. He had no right of appeal.

**BACKGROUND:** In February 2014, a lawyer filed a case against him relating to three articles he published between November 2011 and January 2013 on his personal blog that criticised the tribunal. In 2012, the tribunal had accused Bergman of contempt but let him off with a warning.

**PEN ACTION:** PEN International issued a statement calling for his conviction and sentence to be overturned.

## CONDITIONAL RELEASE

### Nasiruddin ELAN and Adilur Rahman KHAN:

**PROFESSION:** director and secretary of leading Bangladeshi human rights group Odhikar

**DATE OF ARREST:** Khan was arrested on 10 August 2013; Elan was arrested on 6 November 2013.

**DATE OF RELEASE:** Khan was released on bail on 30 October 2013; Elan was released on bail on 1 December 2013

**DETAILS OF ARREST:** A day after his arrest, Khan was remanded for five days for interrogation. On 12 August 2013, the High Court of Bangladesh ordered him to be sent to jail. Police reportedly raided the Odhikar offices and confiscated computers and other materials. Elan was arrested on 6 November 2013 when a judge refused him bail.

**DETAILS OF TRIAL:** The case is linked to a fact-finding report issued by Odhikar on the killing of 61 people during an operation carried out by security forces against Hefazat-e Islam activists during mass demonstrations in Dhaka in May 2013. Both were charged on 4 September 2013 with distorting information, presenting false evidence and manipulating photographs under section 54 of the Code of Criminal Procedure, section 57 of the Information and Communication Technology Act (which criminalizes publishing or transmitting material that is 'fake and obscene', tends to deprave and corrupt persons' or causes to 'prejudice the image

of the State’) and sections 505 and 505(A) of the Bangladesh Penal Code. The court applied September amendments to the ICT Act retroactively in their case, raising unfair trial concerns. The pair reportedly face a minimum of seven years and maximum of 14 years in prison.

**UPDATE:** On 8 January 2014, a cyber-crimes tribunal reportedly rejected their plea to dismiss the charges and ordered that their trial commence on 22 January 2014. The High Court stayed proceedings for three months on 21 January 2014. The case was still pending at the end of the year.

**OTHER INFORMATION:** The UN Working Group on Arbitrary Detentions (WGAD) ruled in December 2013 ruled that Khan’s detention resulted “directly from his peaceful exercise of the right to freedom of expression” and therefore in contradiction to the UDHR and ICCPR provisions protecting liberty and freedom of expression. The WGAD requested that Bangladesh immediately release Mr. Khan and “discontinue the criminal proceedings against him.” Khan was reportedly followed by two men on motorcycles in February 2014. He and his family are reported to face continued harassment.

**AWARDS:** Khan received the 2014 Robert F. Kennedy Human Rights Award and the 2014 International Bar Association (IBA) Human Rights Award.

### **Rabiullah ROBI, Rafiq MOHAMMAD, and Ahmed ATIK:**

**PROFESSION:** news editor, deputy chief correspondent, and diplomatic correspondent of the Daily Inqilab newspaper.

**DATE OF ARREST:** 16 January 2014

**DETAILS OF ARREST:** The three journalists were reportedly arrested during a raid on the newspaper’s Dhaka offices. Police reportedly seized printing equipment and computers, sealing off access to the paper’s printing press. They were arrested after a police officer filed a complaint under Section 57(1), 57 (2) of the Information and Communication Technology Act 2006 and Section 505 of the Penal Code, accusing the newspaper of publishing ‘false and fabricated’ news in a front-page report on 16 January 2014 that claimed that forces from neighbouring India had assisted the Bangladeshi army in quelling violence in Bangladesh’s Satkhira district ahead of the January elections, according to news reports. The article reportedly cited social networking websites as well as a communique between New Delhi and Dhaka. The complaint claimed that the article had damaged the image of the country and law enforcement agencies.

**UPDATE:** In late August 2014 it was reported that the editor and both journalists had been released on bail.

**OTHER INFORMATION:** Rabiullah Robi was rearrested on a fresh charge in August 2014 (see above under Detained – investigation)

## **CAMBODIA**

### **KILLED**

#### **\*Taing TRY:**

**PROFESSION:** Investigative journalist for the Vealntri newspaper.

**DATE OF DEATH:** 12 October 2014

**DETAILS OF DEATH:** Try, aged 48, was gathering evidence of the smuggling of illegal luxury wood in the Tuol Punley hill in Pum Ksem Kang Krow village, Kratie region in Northeast Cambodia. Try was reportedly shot to death outside his car.

**INVESTIGATION:** On 15 October 2014 three people were arrested by the police and charged with Try’s death. Two of them, the former chief of police in Mondolkiri’s Sre Chhouk commune, and a military police officer were released in December just before witnesses to the killing were to be questioned, after police said that the third man arrested, a former soldier, had confessed to killing Try on his own. A local human rights group expressed concern at the releases.

#### **Suon CHAN:**

**PROFESSION:** reporter for Meakea Kampuchea newspaper

**DATE OF DEATH:** 1 February 2014

**DETAILS OF DEATH:** Chan, aged 44, was reportedly beaten to death outside his home in Peam Chhkork commune, Cholkiri district of central Kampong Chhnang province by a group of fishermen. The assailants reportedly beat him repeatedly with sticks and stones, and attacked two relatives who came to his aid. Chan died on his way to hospital.

**INVESTIGATION:** The police chief of Peam Chhkork commune told the Phnom Penh Post that preliminary investigations indicated that those involved in illegal fishing were likely related to the murder, however, Cholkiri district’s police chief reportedly told Radio Free Asia that initial investigations indicated that Chan’s murder was not related to his work as a journalist, stating that investigations had identified three suspects, but that no arrests had been made by June 2014.

**BACKGROUND:** Chan had recently reported on illegal fishing in Peam Chhkork commune, which had led to a police crackdown on activities.

**UPDATE:** On 7 October the trial in absentia of six men charged with Chan’s murder opened at Kampong Chang provincial court. One of them was arrested on 14 October. On 23 October, seven journalists reportedly submitted a report to the police claiming that Chan’s real murderers were four men not wanted by the police and that the six on trial had been framed by police. The police denied the journalists’ allegations.



## ON TRIAL

### Yorm BOPHA (f):

**PROFESSION:** Activist and protest song writer

**DATE OF ARREST:** 4 September 2012

**SENTENCE:** Three years in prison, reduced to two years on appeal.

**DETAILS OF ARREST:** Yorm Bopha has been actively involved in her community's struggle against forced evictions related to a land conflict at Boeng Kak Lake in Phnom Penh.

**DATE OF RELEASE:** On 22 November 2013 a Supreme Court ruled to release Bopha on bail pending a re-hearing of her case by the Court of Appeal.

**DETAILS OF TRIAL:** On 27 December 2012, the Municipal Court in Cambodia's capital Phnom Penh convicted Yorm Bopha, 31, of "intentional violence with aggravating circumstances", sentencing her to three years' imprisonment. She was accused of planning an assault on two men in August 2012. But during the trial witness testimonies were inconsistent, sometimes conflicting with each other and some witnesses admitted to being intoxicated when the alleged crime occurred. She is widely believed to be targeted for peacefully protesting forced evictions related to a land conflict in the Boeng Kak community. Her conviction was upheld on appeal in late June 2013, and the sentence reduced to two years. Yorm Bopha was in jail between 4 September 2012 and 22 November 2013, leaving behind her young son and husband who is in ill health. Yorm Bopha writes protest lyrics to popular song tunes which are then chanted at demonstrations. While in prison, she was reportedly chronicling her experiences in prison in a prison diary. No further information as of 31 December 2014.

**PEN ACTION:** Call to Action 14 October 2014. Bopha was unable to attend a side event organised by PEN and ARTICLE 19 during the 18<sup>th</sup> Session of the Universal Periodic Review under which Cambodia was to be examined as she was unable to obtain a passport in time. She gave her testimony via video link.

**AWARDS:** 2014 James Lawson Award

## HARASSED

### Dam SITH:

**PROFESSION:** publisher of the pro-opposition newspaper Moneakseka Khmer.

**DETAILS OF HARASSMENT:** According to reports, the Ministry of Defence is pursuing a complaint against Sith after the newspaper stood by a 13 November 2013 article, in which it accused the Prime Minister of using the military to illegally gain votes in recent national poles. The article first prompted a call from the Council of Ministers for the paper to run a clarification about the electoral fraud accusation. After the newspaper declined to do so, the Council said it had referred the case to the Ministry of Defence. On 4 December 2013, military court officials denied having received any complaint from the Council. No further information as of 31 December 2014.

**BACKGROUND:** Sith is a lawmaker-elect of the opposition Cambodia National Rescue Party, which challenged official results of the July 2014 national elections and accused the ruling party of electoral fraud.

# CHINA

## DEATH IN CUSTODY

### CAO Shunli (f):

**PROFESSION:** activist

**DATE OF DEATH:** 14 March 2014

**DETAILS OF ARREST:** Cao was intercepted at Beijing airport on 14 September 2013 while attempting to board a flight to Geneva to attend to take part in a human rights training on UN mechanisms organised by an international human rights organisation. On 30 October 2013, human rights lawyer, Ms Wang Yu, was finally permitted access to the Chaoyang Detention Centre in Beijing where Cao was being held on charges of 'picking quarrels and provoking trouble.' There were reports that she was tortured while in police custody.

**BACKGROUND:** Cao had been an active participant in sit-ins in front of the Ministry of foreign Affairs from mid-June until her arrest and had been campaigning since 2008 for greater civil society involvement in China's drafting of its reports for the Universal Periodic Review (UPR) and of its National Human Rights Action Plans. China's UPR review took place on 22 October 2013; Cao Shunli was previously sent to a prison camp for Re-education Through Labour for one year in April 2010, and for one year and three months in April 2011 because of her peaceful activism and human rights work. Cao went into detention in ill health, and told her lawyer in October that she was not receiving medical treatment. Cao's lawyer made several requests for medical parole. The authorities did not respond to those requests until 20 February 2014 when she was critically ill and was transferred to a military hospital in Beijing. Cao died in 309 military hospital on 14 March 2014. Cao's lawyer reported that the hospital initially refused to allow her family members to view Cao's body, but later allowed only the family to do so.

## IMPRISONED: MAIN CASE

### CHEN Wei:

**PROFESSION:** Freelance writer and activist.

**DATE OF BIRTH:** 21 February 1969

**SENTENCE:** Nine years in prison and two years deprivation of political rights.

**DATE OF ARREST:** 21 February 2011

**EXPIRES:** 2020

**DETAILS OF ARREST:** Reportedly arrested on 21 February 2011 as part of a crackdown on human rights defenders and activists across the country, apparently in response to anonymous calls for ‘Jasmine Revolution’ protests.

**DETAILS OF TRIAL:** Formally charged on 28 March 2011, by the Public Security Bureau of Suining City, Sichuan Province, with “suspicion of inciting subversion of state power” for several essays published online on overseas websites calling for freedom of speech and political reform. Convicted of ‘inciting subversion of state power’ at a closed two-hour trial on 23 December 2011 in relation to seven passages in four essays criticizing the Chinese political system and praising the development of civil society.

**CURRENT PLACE OF DETENTION:** Jialing Prison, Nanchong City, Sichuan Province.

**TREATMENT IN PRISON:** Chen was granted his first family visit in January 2012 after being held for 11 months in prison.

**BACKGROUND:** Chen Wei was a first year student at Beijing University of Technology in 1989 and was dismissed from the university for his involvement in the pro-democracy movement. In 1999, he was sentenced to five years’ imprisonment on “counter-revolutionary” offences for his involvement in the China Liberal Democracy Party. He is a signatory of Charter 08, a manifesto for democratic reform. (RAN 66/11 – 26 December 2011)

**AWARD:** Recipient of Independent Chinese PEN Centre 2011 Liu Xiaobo Courage to Write Award.

**HONORARY MEMBER OF:** Independent Chinese PEN Centre (ICPC).

### **CHEN XI (aka CHEN Youcai):**

**PROFESSION:** Freelance writer and prominent human rights activist.

**DATE OF BIRTH:** 2 April 1954

**SENTENCE:** 10 years in prison and three years deprivation of political rights.

**EXPIRES:** 2021

**DATE OF ARREST:** 29 November 2011

**DETAILS OF ARREST:** Chen is a member of the Guizhou Human Rights Forum, which was declared an ‘illegal organisation’ by the Guizhou authorities on 5 December 2011, prior to the UN Human Rights Day (10 December). At least 10 other members of the group were arrested since 28 November but all have since been released without charge.

**DETAILS OF TRIAL:** Sentenced by a Guiyang court for ‘inciting subversion of state power’ at a trial on 26 December 2011 which lasted less than three hours. The speed of the legal process of Chen’s case is unprecedented. According to the court verdict, his conviction is based on several quotations from over 30 of his articles published on overseas Chinese-language websites. He has decided not to appeal the verdict.

**CURRENT PLACE OF DETENTION:** On 17 January 2012 Chen Xi was transferred to the Xingyi Prison, Guizhou province, to serve his sentence.

**TREATMENT IN PRISON:** In early February 2012, Chen’s wife reported that she was allowed to visit him in prison and that he had serious frostbite in his fingers. Prison officers refused to accept the extra pieces of clothing she had brought for Chen. In late December 2014, after visiting Gen, his wife reported that his health remains of concern and that his application for

medical parole had been rejected. There are also reports that Chen has been ill-treated and held in solitary confinement on several occasions.

**BACKGROUND:** Chen Xi has already served a total of 13 years in prison on “counter-revolutionary” offences for his peaceful activism, three years from 1989-1992 and 10 years from 1995-2005.

**AWARDS:** Recipient of the 2014 Hellman/Hammett award.

**HONORARY MEMBER OF:** Independent Chinese PEN Centre

**PEN ACTION:** RAN 1/12 – 6 January 2012.

### **GUO Quan:**

**PROFESSION:** Internet writer and activist

**DATE OF BIRTH:** 8 May 1968

**SENTENCE:** 10 years in prison and three years deprivation of political rights.

**EXPIRES:** 2018

**DATE OF ARREST:** 13 November 2008.

**DETAILS OF ARREST:** Reportedly arrested at his home in Nanjing, capital of Jiangsu province for suspicion of ‘subversion of state power’. At the time of his arrest, the police confiscated Guo Quan’s articles and his computer. He was held incommunicado at Nanjing City Public Security Bureau.

**DETAILS OF THE TRIAL:** Guo Quan was formally charged with ‘subversion of state power’ on 19 December 2008. On 16 October 2009 a court in Jiangsu province sentenced Guo Quan to 10 years in prison and three years of deprivation of political rights for his pro-democracy activities and critical writings. Guo was charged for a series of articles entitled ‘Herald of Democracy’ posted online between mid-2007 and November 2008, and for founding the opposition China New Democracy Party (CNDP). His sentence was upheld on appeal on 25 December 2009.

**CURRENT PLACE OF DETENTION:** Pukou Prison, Nanjing, Jiangsu Province.

**BACKGROUND:** Guo is a former criminal-court judge and literature professor at Nanjing Normal University; however, due to his political activities he has been banned from teaching. He wrote several open letters to Chinese leaders and was frequently briefly detained by police, most recently in May 2008 when he spent 10 days in prison after criticising the government’s response to the 12 May 2008 Sichuan earthquake.

**AWARDS:** Recipient of the 2011 Hellman/Hammett award.

**HONORARY MEMBER OF:** Independent Chinese PEN, Uyghur PEN and Guatemalan PEN.

**PEN ACTION:** RAN 63/08 – 2 December 2008; Update #1 – 2 November 2009.

### **LI Bifeng:**

**PROFESSION:** Chinese activist, novelist and poet.

**DATE OF BIRTH:** 3 March 1964

**SENTENCE:** 10 years in prison

**EXPIRES:** 7 September 2021

**DATE OF ARREST:** 8 September 2011

**DETAILS OF ARREST:** According to PEN's information, leading Sichuan activist Li Bifeng, aged 48, was arrested on 8 September 2011 after being summoned for questioning by police in Mianyang city, Sichuan province, for alleged "economic crimes".

**DETAILS OF TRIAL:** Li Bifeng was convicted of alleged 'contract fraud' by the Shehong County People's Court, Sichuan province, on 19 November 2012 and handed down a 12-year prison sentence, which was reduced to 10 year on appeal, on 25 June 2013. He is believed to be targeted for his peaceful political activism, in particular his links with exiled Chinese writer Liao Yiwu, who is a close friend of Li's and who fled China two months before Li's arrest.

**CURRENT PLACE OF DETENTION:** Jintang Prison, Qingjiang Town, Jintang County, Sishuan Province 610409.

**BACKGROUND:** Li Bifeng is a prolific poet and novelist as well as a well-known dissident, who has spent a total of over 12 years in prison since 1990 for his activism and critical writings. He served a five-year sentence for taking part in the 1989 pro-democracy movement, followed by a seven-year jail term from 1998-2005 for reporting on a workers' protest in the Sichuan city of Mianyang in 1998. While in prison, Li produced poetry and kept a diary. Some of his work can be found here <http://www.literaturfestival.com/intern/lost-and-found/TextevonLiBifengengl.pdf>. Vaguely worded economic crimes are increasingly used to suppress political dissent in China, and those targeted include prominent Chinese artist and social critic Ai Weiwei.

**AWARDS:** Recipient of the 2014 Hellman/Hammett award.

**HONORARY MEMBER OF:** German PEN and Independent Chinese PEN Centre.

**PEN ACTION:** RAN 31/12 and update

### LI Huaping (aka Norwegian Woods):

**PROFESSION:** writer and ICPC member.

**DATE OF BIRTH:** 6 September 1966

**SENTENCE:** Two years in prison.

**EXPIRES:** 2015

**DATE OF ARREST:** 10 August 2013

**DETAILS OF ARREST:** was reportedly arrested in Changsha City for "gathering a crowd to disrupt order of a public place." However, according to human rights lawyer Liu Xiaoyuan the notice indicating Li's detention did not provide the reason and date of detention. The Chinese Human Rights Defenders Organisation has suggested that the detention was 'in apparent retaliation for Li's strong protest against authorities' preventing Annie Zhang, the 10-year-old daughter of dissident Zhang Lin, from attending school in Hefei, a deprivation of education rights that attracted a groundswell of public activism'. Li had also reportedly initiated a "watch project" calling for support and financial assistance for individuals swept up in the crackdown.

**DETAILS OF THE TRIAL:** On 12 December 2014, the Shushan District People's Court in Anhui province sentenced Li to two years in prison, for "gathering a crowd to disrupt order of a public place" under Article 290 of the Criminal Law.

**CURRENT PLACE OF DETENTION:** No. 1 Detention Center of Heifei City, Anhui Province

**BACKGROUND:** Li has written online about democracy and freedom and been involved with the

New Citizens' Movement, a loose grouping of activists who for the past couple of years have advocated for democratic and rule-of-law reforms, constitutionalism, and social justice.

### LI Tie:

**PROFESSION:** Human rights activist and dissident writer

**DATE OF BIRTH:** March 1962

**SENTENCE:** 10 years in prison and three years deprivation of political rights.

**EXPIRY:** 2020

**DATE OF ARREST:** 15 September 2010

**DETAILS OF ARREST:** Arrested by the Wuhan City Public Security Bureau.

**DETAILS OF TRIAL:** Li was initially arrested on suspicion of 'inciting subversion of state power' for his critical articles. The charge was changed to the more serious 'subversion of state power' on 22 October 2010. He was sentenced to 10 years in prison by the Wuhan Intermediate People's Court on 18 January 2012. The evidence against him included membership of the banned political group, the China Social Democracy Party, and a series of critical online essays and writings, in particular an article entitled "Human Beings' Heaven Is Human Dignity." His trial has not been conducted in accordance with due process or international standards of fairness, and Li has been prevented from appealing the verdict. At a hearing on 18 April 2011 his lawyer was rejected by the court and two court-appointed lawyers were assigned.

**CURRENT PLACE OF DETENTION:** In February 2012 Li was transferred to Huangzhou Prison, Tuanfeng County, Hubei Province.

**HEALTH CONCERNS:** His health is said to be deteriorating in prison.

**OTHER INFORMATION:** During the past decade, Li has written many online articles promoting democracy, constitutional government, and direct local elections. He has also organized activities to honour the memory of Lin Zhao, the well-known Beijing University student jailed in the 1950s and executed by the government in 1968 for her views and writings. He is also a signatory of Charter 08.

**HONORARY MEMBER OF:** Independent Chinese PEN Centre (ICPC).

**PEN ACTION:** RAN 07/12 – 1 February 2012

### LU Jianhua:

**PROFESSION:** Research Professor at the Chinese Academy of Social Sciences, Deputy Director of Public Policy Research and Executive Director of the China Development Strategy.

**DATE OF BIRTH:** 3 July 1960.

**SENTENCE:** 20 years in prison.

**EXPIRES:** April 2025

**DATE OF ARREST:** April 2005.

**DETAILS OF TRIAL:** First arrested in April 2005 on charges of 'leaking state secrets'. Sentenced on 18 December 2006 to 20 years in prison leaking state secrets to a Hong Kong reporter Ching Cheong. The latter was sentenced to five years in prison for spying and was a main



case of PEN International. Human rights groups have questioned the evidence in the reporter's case, but Lu's trial was held in secret and reportedly only lasted for 90 minutes.

**CURRENT PLACE OF DETENTION:** Beijing City jail.

**TREATMENT IN PRISON:** Reportedly held incommunicado. His wife is not allowed access to him.

**HONORARY MEMBER:** Independent Chinese PEN Centre (ICPC).

## LÜ Jiaping and JIN Andi:

**PROFESSION:** Writer on military history and a retired soldier, and freelance writer.

**DATE OF BIRTH:** 14 June 1941 and 23 May 1953

**SENTENCE:** 10 years in prison and two years deprivation of political rights; and eight year in prison and one year deprivation of political rights.

**EXPIRES:** January 2021 and 2019 respectively.

**DATE OF ARREST:** 17 September 2010

**DETAILS OF ARREST:** Reportedly held under residential surveillance from 4 September 2010, and 19 September 2010 respectively; arrested on 17 January 2011 and charged with 'inciting subversion of state power' in articles critical of former Chairman of the Chinese Communist Party, Jiang Zemin, published from 2000-2010.

**DETAILS OF TRIAL:** Reportedly sentenced to 10 and eight years in prison, respectively, on charges of 'subversion of state power' by the Beijing First Intermediate Court on 13 May 2011. Three articles were used as evidence to convict them, in particular an article published in 2009, 'Two Traitors Two Fakes', discussing Jiang's historical background. Lü's wife was arrested and tried in the same court case. Details of their case emerged in February 2012 when Lü's wife was released from prison.

**CURRENT PLACE OF DETENTION:** Shaoyang prison, Hunan.

**HEALTH CONCERNS:** Lü Jiaping is reported to suffer from heart disease and femoral necrosis. According to reports, his health has deteriorated while imprisoned leading to a call for his release by his son in December 2013. He is reported to suffer from gallstones and diabetes.

**BACKGROUND:** Lü Jiaping, a Beijing scholar, is known for revealing scandals about high-ranking Chinese officials over the Internet. In February 2004 he was placed under house arrest for an article he wrote exposing an affair between former Chairman of the Chinese Communist Party, Jiang Zemin, and Song Zuying, a famous Chinese singer.

## LIU Xianbin:

**PROFESSION:** Dissident writer and activist.

**DATE OF BIRTH:** 25 August 1968

**SENTENCE:** 10 years in prison and four months deprivation of political rights.

**EXPIRES:** 7 June 2020

**DATE OF ARREST:** 28 June 2010

**DETAILS OF ARREST:** Arrested after police interrogated him and searched his home. Fourteen police officers from the Suining City Public Security Bureau confiscated hard drives, USB devices, his bank card, and six notices from his editors regarding remuneration for several articles he published on overseas web sites.

**DETAILS OF TRIAL:** Charged on 5 July 2010 with 'inciting subversion of state power' in a series of articles calling for political reform published in overseas Chinese-language websites from August 2009 to June 2010. Sentenced on 25 March 2011 by the Suining Intermediate People's Court at a trial which reportedly did not comply with international standards for fair trial.

**CURRENT PLACE OF DETENTION:** Chuanzhong Prison, Nanchong City, Sichuan Province.

**TREATMENT IN PRISON:** It is reported that he has been forced to labour for 13 hours daily.

**BACKGROUND:** Liu previously served nine years of a 13-year jail sentence from 1999 to 2008 for his part in organising the Sichuan branch of the outlawed China Democratic Party. After his release, he was one of the first signatories of Charter 08.

**AWARD:** Recipient of the 2011 Hellman/Hammett award and ICPC 2010 Liu Xiaobo Courage to Write award.

**HONORARY MEMBER:** Independent Chinese PEN Centre (ICPC).

## LIU Xiaobo:

**PROFESSION:** Prominent dissident writer, former President and Board member of the Independent Chinese PEN Centre and 2010 Nobel Peace Laureate.

**DATE OF BIRTH:** 28 December 1955

**SENTENCE:** 11 years in prison and two years' deprivation of political rights.

**EXPIRES:** 21 June 2020.

**DATE OF ARREST:** 8 December 2008

**DETAILS OF ARREST:** Arrested for signing Charter 08, a declaration calling for political reforms and human rights. Held under Residential Surveillance, a form of pre-trial detention, at an undisclosed location in Beijing, until he was formally charged with 'inciting subversion of state power' on 23 June 2009. The charge is said to be based on his endorsement of Charter 08 and over twenty articles published between 2001-2008.

**DETAILS OF TRIAL:** On 25 December 2009 Liu was sentenced to 11 years in prison and two years' deprivation of political rights on charges of "incitement to subversion of state power." On 11 February 2010 a Beijing Court rejected his appeal. According to reports, Liu and his legal team filed an extraordinary appeal against his conviction in November 2013. The extraordinary appeal seeks a retrial based on flaws in the original trial procedure, or now evidence which has come to light. Liu's legal team had reportedly yet to receive a response by 25 December 2013. Liu has been refused permission to receive visits from his legal team, according to news reports. As of 30 June 2014, prison authorities continue to deny Liu access to his legal team.

**CURRENT PLACE OF DETENTION:** Jinzhou Prison, Nanshan Road 86, Taihe District, 121013 Jinzhou City, Liaoning Province.

**OTHER INFORMATION:** Liu Xiaobo is among a large number of dissidents to have been detained or harassed after issuing an open letter calling on the National People's Congress Standing Committee to ratify the International Covenant on Civil and Political Rights (ICCPR), and launching Charter 08, a declaration calling for political reforms and human rights. These activities formed part of campaigns across China to commemorate the 60th Anniversary of the Universal Declaration of Human Rights (10 December), and the Charter was signed by more than 8000 scholars, journalists, freelance writers and activists.

**UPDATE:** Liu was reportedly granted a visit with his wife during the 2014 Chinese New Year period, according to 6 February 2014 reports.

**AWARDS:** The 1990 and 1999 Hellman-Hammett Grant, People in Need (Czech) 2009 Homo Homini Award, Recipient of American PEN 2009 Freedom to Write award, 2010 Giuseppe Motta Medal, German PEN 2010 Hermann Kesten Medal, HRW 2010 Alison Des Forges Award, 2010 Nobel Peace Prize, PEN Canada 2012 One Humanity Award, and NED 2014 Democracy Award. His wife, Liu Xia (see below), was unable to travel to Norway to receive the Nobel Prize on his behalf and has been placed under house arrest. Many of his supporters have been arrested or harassed since the prize was announced.

**BACKGROUND:** Liu Xiaobo first received support from PEN in 1989, when he was one of a group of writers and intellectuals given the label the “Black Hands of Beijing” by the government, and arrested for their part in the Tiananmen Square protests. Liu has since spent a total of five years in prison, including a three year sentence passed in 1996, and has suffered frequent short arrests, harassment and censorship.

**HONORARY MEMBER:** Honorary President of Independent Chinese PEN Centre (ICPC), and Honorary Member of Scottish, German, American, Czech, Sydney, Iceland, English, Canadian and Portuguese PEN Centres.

### LU Zengqi and YAN Qiuyan:

**PROFESSION:** Falun Gong members and Internet writers/publishers.

**DATE OF ARREST:** Not known.

**SENTENCE:** 10 years in prison respectively.

**EXPIRES:** 2014

**DETAILS OF TRIAL:** Sentenced by Court No.1 in Chongqing, western China, on 19 February 2004 to 10 years in prison each for writing and publishing an online publication which according to the court verdict “tarnished the image of the government by broadcasting fabricated stories of persecution suffered by cult members”. The newsletter alleged the ill treatment in prison of a fellow Falun Gong member.

**CURRENT PLACE OF DETENTION:** unknown. No further information since their sentence.

### QI Chonghuai:

**PROFESSION:** Journalist.

**DATE OF BIRTH:** 7 February 1965.

**SENTENCE:** Four years in prison, with an additional eight years added on 9 June 2011.

**EXPIRES:** 2019.

**DATE OF ARREST:** 25 June 2007

**DETAILS OF ARREST:** Reportedly arrested from his home in Jinan, the capital province of Shandong, eastern China, on 25 June 2007 following the publication of an article alleging corruption in the Tengzhou Communist Party, which was published in June 2007 on the Xinhuanet website. Qi was charged with blackmail and extortion on 2 August 2007 for allegedly accepting bribes from local officials whilst researching the article. Qi was held incommunicado for the first two months of his detention, and claims to have been repeatedly

assaulted and threatened by security guards throughout his eleven-month pre-trial detention. The case returned to the police in mid-February 2008 for lack of evidence. Before being brought to trial in May 2008.

**DETAILS OF TRIAL:** The trial on 13 May 2008 at the People’s Court of Tengzhou City, Shandong Province, reportedly did not comply with international standards of fairness. The appeal was rejected without any hearing by the Intermediate People’s Court of Zaozhuang City on 24 July 2008. On 9 June 2011 Qi was sentenced to a further eight years in prison, two weeks before the end of his four-year sentence in connection with further charges of extortion and blackmail. It was widely believed that he has been additionally sentenced for letters smuggled out of prison in 2009 alleging ill-treatment in prison.

**CURRENT PLACE OF DETENTION:** Tengzhou Prison, Tengzhou City, Shandong Province.

**TREATMENT IN PRISON:** Qi has reportedly been subject to repeated severe beatings and ill-treatment by prison guards and fellow in-mates throughout his detention, including one attack in May 2009 which he claims left him unconscious for three days. This particularly harsh treatment at the hands of prison guards appears to be a response to Qi’s attempts to report on the appalling prison conditions at Tengzhou. Letters smuggled out of prison document that he has been forced to work over 10 hours a day in a coal mine, without adequate food, water or rest, and his health has seriously deteriorated.

**HEALTH CONCERNS:** Qi reportedly suffers from a number of ailments resulting from forced labour and poor treatment in prison, including pneumoconiosis, a lung infection caused by inhaling coal dust. He also claims to have suffered permanent injuries to his left thumb, knees and waist, and has difficulties walking. He has also been denied access to his family, leading to heightened concerns for his well-being.

**BACKGROUND:** Qi Chonghuai worked as a journalist for 13 years before his arrest. Between 2004 and 2006, he worked for various publications, including the Shangdong Zhoukan (Shandong Weekly), the Renmin Gong’an Bao (People’s Public Security News), and the Zhongguo Anquan Shengchan Bao. In June 2006, he started work as director of the newspaper Fazhi Zaobao (Legal System Morning News), which ceased publishing in December 2006 and was reformed with its existing staff as the Fazhi Ribao (Weekend edition of the Legal System Daily). He has also worked as special correspondent with the Fazhi Zhoubao (Legality Weekly) and the Jizhe Guancha (Journalist Observer), and is known for his reporting on corruption and social injustice in Shandong province. He is said to have been repeatedly warned by the authorities to cease such reporting prior to his arrest.

**AWARDS:** Recipient of the 2012 Hellman/Hammett award.

**HONORARY MEMBER:** Independent Chinese PEN Centre.

### XU Zhiyong:

**PROFESSION:** blogger and essayist, and leader of the New Citizens’ Movement – a grassroots network of activists in China

**DATE OF BIRTH:** 3 March 1973

**SENTENCE:** four years’ imprisonment

**EXPIRES:** 15 July 2017

**DATE OF ARREST:** 16 July 2013 after spending a number of months under house arrest



**DETAILS OF ARREST:** Charged with “gathering crowds to disrupt public order”, in connection with a series of peaceful demonstrations held by the New Citizens’ Movement.

**DETAILS OF TRIAL:** Xu was reportedly sentenced on 26 January 2014 to four years’ imprisonment after a four day trial. On 11 April 2014 a court rejected Xu’s appeal and upheld his sentence.

**OTHER INFORMATION:** Xu is known for campaigning against official corruption and in support of children’s rights. PEN believes he has been targeted because of his growing presence on Chinese social media platforms. During his trial, foreign reporters outside the courtroom were reportedly prevented from covering the trial.

**AWARD:** Recipient of ICPC’s 2013 Lin Zhao Memorial award, and the NED 2014 Democracy award.

**HONORARY MEMBER:** Independent Chinese PEN Centre (ICPC).

### **YANG Tongyan (aka Yang Tianshui):**

**PROFESSION:** Dissident writer and member of Independent Chinese PEN Centre (ICPC)

**DATE OF BIRTH:** 12 April 1961

**SENTENCE:** 12 years in prison and four years deprivation of political rights

**EXPIRES:** 2017

**DATE OF ARREST:** 23 December 2005

**DETAILS OF ARREST:** Reportedly detained without a warrant on 23 December 2005 in Nanjing. Yang was held incommunicado at Dantu Detention Centre in Zhenjiang, Jiangsu Province, without access to his family until his trial.

**DETAILS OF TRIAL:** Convicted of “subversion” for posting anti-government articles on the Internet, organizing branches of the (outlawed) China Democracy Party, participating in China’s Velvet Action Movement and being elected as a member of its “Interim Government of Democratic China,” and accepting illegal funds from overseas to transfer to jailed political dissidents and their families. Sentenced by the Zhenjiang intermediate court in eastern China’s Jiangsu province at a three-hour trial on 16 May 2006.

**HEALTH CONCERNS:** Yang suffers from a number of illnesses including intestinal tuberculosis, diabetes, kidney inflammation and high blood pressure. He was hospitalized for at least 50 days in early 2010 with a fever and his appeal for medical parole was rejected in 2010.

**CURRENT PLACE OF DETENTION:** Nanjing Prison, Ningshuang Road 9, Box 1215-12, Nanjing City, Jiangsu Province.

**BACKGROUND:** Yang Tongyan is known for his critical writings published on dissident news websites such as Boxun.com and Epoch Times. He spent a decade in prison from 1990 to 2000 on “counter-revolution” charges for his involvement in the 1989 pro-democracy protests. He was also previously held incommunicado from 24 December 2004 - 25 January 2005.

**AWARDS:** Recipient of Independent Chinese PEN Centre’s 2006 Writer in Prison Award, and the 2008 PEN/Barbara Goldsmith Freedom to Write Award.

**HONORARY MEMBER:** PEN Canada, Italian PEN, and PEN American Center

### **YAO Wentian (also known as Yiy Mantin):**

**PROFESSION:** Publisher and former chief editor of the Hong Kong-based Morning Bell Press.

**DATE OF BIRTH:** 11 July 1941

**SENTENCE:** 10 years’ imprisonment

**EXPIRES:** 2023

**DATE OF ARREST:** 27 October 2013

**DETAILS OF ARREST:** Yao was reportedly arrested at a friend’s house in Shenzhen whilst he was delivering industrial paint. Initially accused of “carrying prohibited items” he was later charged with the more serious offence of “smuggling ordinary items” for 70 alleged deliveries of paint since 2010. While the paint itself is legal, there is an import duty required for industrial usage of which Yao was reportedly unaware. Friends and associates believe he was set up.

**DETAILS OF TRIAL:** Yao was convicted of ‘smuggling prohibited items’ on 7 May 2014 and sentenced to 10 years in prison by the Shenzhen Intermediate People’s Court.

**UPDATE:** On 18 July 2014, his appeal was rejected.

**HEALTH CONCERNS:** Yao suffers from asthma and a heart complaint. Applications for medical parole were rejected.

**CURRENT PLACE OF DETENTION:** Dowan Prison, 523299 Dongwan, Guangdong Province.

**BACKGROUND:** According to Yao’s son, Yao had previously been harassed for his collaboration with dissident writer Yu Jie and his publication of Hu Jintao: Harmony King, a critique of the former president’s concept of “harmonious society”. He reported that his Gmail account was hacked while he was preparing to print the book. Since 2007, Yao has worked closely with dissident writers, including many members of the Independent Chinese PEN Centre (ICPC), to publish books which have been banned in mainland China. His publications include an ICPC Membership Literature Series, of which more than a dozen volumes have been published. More of his publications can be found at <http://morningbellpress.blogspot.se/>. His current arrest is thought to be connected to his latest collaboration with Yu Jie, as he was preparing to publish the book Chinese Godfather Xi Jinping.

**HONORARY MEMBER:** Independent Chinese PEN and Danish Centers.

**PEN ACTION:** RAN 02/14 and updates

### **ZHAO Changqing:**

**PROFESSION:** freelance writer and political essayist. Member of Independent Chinese PEN Centre (ICPC).

**DATE OF BIRTH:** 6 April 1969

**SENTENCE:** Two years and six months in prison.

**EXPIRES:** 2015

**DATE OF ARREST:** 17 April 2013

**DATE OF SENTENCE:** 18 April 2014

**DETAILS OF ARREST:** Arrested at his home by police who confiscated his computer, notebooks, books and other items.

**DETAILS OF TRIAL:** Charged with disrupting social order in connection with his activities with the New Citizens’ Movement, a grassroots network of activists in China (see Xu Zhiyong above),



his trial commenced on 23 January 2014. Zhao was reportedly convicted of disrupting social order on 18 April 2014. On 27 June 2014 his appeal was rejected.

**CURRENT PLACE OF DETENTION:** Beijing's No.3 Detention Centre until 22 July 2014, and then transferred to Beijing Deportation Centre of Prisoner, pending further transfer to a prison in Shaanxi, his home province.

**BACKGROUND:** Zhao has previously been detained twice for his dissident activities and writings. He has served a total of eight years in prison for "inciting subversion of state power" since 1998.

**PEN ACTION:** Mentioned in Update #1 to RAN 02/14

## ZHU Yufu:

**PROFESSION:** Dissident poet and member of Independent Chinese PEN Centre (ICPC).

**DATE OF BIRTH:** 13 April 1953

**SENTENCE:** Seven years in prison and three years deprivation of political rights.

**EXPIRY:** 2018

**DATE OF ARREST:** 5 March 2011

**DETAILS OF ARREST:** Reportedly arrested on 5 March 2011 and charged on 10 April 2011 by the Public Security Bureau of Hangzhou City, Zhejiang Province, on suspicion of "inciting subversion of state power" for his critical writings, in particular his poem 'It's time'. The poem appears to have drawn the authorities' attention for its timing around the Jasmine Revolution controversy.

**DETAILS OF TRIAL:** On 10 February 2012 a court in Hangzhou sentenced Zhu to seven years in prison for 'inciting subversion of state power'. Zhu's wife and son were present at the hearing. He announced he would appeal the verdict.

**CURRENT PLACE OF DETENTION:** Transferred to Zhejiang Provincial No.4 Prison, Zhejiang Province, on 10 May 2012.

**HEALTH CONCERNS:** Reported in November 2012 to be in very poor health and to be denied adequate health care, food and medication. In October 2013, prison authorities refused to allow a US doctor to visit him.

**TREATMENT IN PRISON:** Denied access to books and letters from his family.

**BACKGROUND:** Zhu Yufu, previously spent seven years in prison for subversion after being convicted in 1999 for helping to found the banned opposition group, the China Democracy Party. In 2007, a year after his release, he was detained and sentenced to a further two years in prison after allegedly pushing a police officer while being arrested.

**AWARDS:** Recipient of the 2011 Hellman/Hammett award.

**PEN ACTION:** RAN 05 – 25 January 2012; Update #1 – 14 February 2012]

## IMPRISONED - INVESTIGATION

### \*DONG Rubin (also known as Bianmin):

**PROFESSION:** Writer, blogger and businessman

**DATE OF BIRTH:** 1962

**SENTENCE:** Six and a half years in prison

**EXPIRES:** 9 March 2020

**DATE OF ARREST:** 10 September 2013

**DETAILS OF THE ARREST:** Initially arrested for allegedly posting false information on line for profit and disrupting public order, by officers of the Public Security Bureau of Wuhua District, Kunming City. Dong had previously posted critical comments against the Chinese authorities on issues including alleged corruption. More recently Dong, as others members of the public, had reportedly referred to a statute of an amphibian being installed in Beijing park, who according to other critics, resembled a former president.

**DETAILS OF THE TRIAL:** On 23 July 2014 Dong was convicted of 'illegal business operations' and 'fabricating and spreading online rumours for economic gain' and sentenced to six and a half years in prison. On 4 December 2014, the Intermediate People's Court of Kunming City, Yunnan province, confirmed the verdict and rejected his appeal.

**CURRENT PLACE OF DETENTION:** Detention Centre of Wuhua District.

**TREATMENT IN PRISON:** Reportedly ill-treated for refusing to confess.

## DETAINED – MAIN CASE

### GAO Yu (f):

**PROFESSION:** former chief editor of Economics Weekly before being barred from publishing and contributor to German newspaper Deutsche Welle. Member of ICPC.

**DATE OF BIRTH:** 23 April 1944

**DATE OF ARREST:** 24 April 2014

**DETAILS OF ARREST:** Gao went missing on 23 April, her whereabouts were unknown until 8 May when the authorities confirmed that she was being detained by Beijing police on suspicion of 'leaking state secrets abroad.' At the time of her disappearance she was writing a column titled "Party Nature vs. Human Nature", which is said to focus on the new leadership of the Chinese Communist Party and its internal conflicts. The article was never submitted, and when Gao did not attend as scheduled a 26 April event in Beijing to commemorate the 4 June 1989 anti-government protests which were brutally suppressed, friends reported her disappearance. According to Gao's lawyer, the charges are believed to be based on a document known as "Document Number 9", which Ms Gao had written about in August 2013. The document is said to detail the government's vision of pushing economic reforms while maintaining ideological controls concerning issues such as democracy, civil society and freedom of press. On 8 May 2014 Gao appeared in a televised 'confession' shown on China's national broadcaster CCTV. Gao said 'I admit that what I've done touched on legal issues and threatened national interests.' She said she was 'deeply remorseful' of her actions and 'willing to accept legal punishment'. She later stated in a pre-trial hearing that her 'confession' had been extracted under duress after the authorities threatened to arrest her son. The trial started on 24 November 2014 but had not concluded by the end of the year.

**CURRENT PLACE OF DETENTION:** No.1 Detention Centre, Beijing.

**AWARDS:** The WAN 1995 Golden Pen of Freedom award, the IWMF 1995/2006 Courage in Journalism Awards, and the UNESCO/Guillermo Cano 1997 World Press Freedom prize.

**HONORARY MEMBER OF:** Honorary Director of Independent Chinese PEN Centre (ICPC), Czech PEN, Swedish PEN and Danish PEN.

**PEN ACTION:** Press statements 7 May 2014; 2 June 2014 and 21 November 2014 ; RAN 09/14 and updates; Day of the Imprisoned Writer case 2014; International Women's Day case 2015  
**[STOP PRESS:** Gao Yu was sentenced to seven years in prison on 17 April 2015]

### \*HE Zhengjun, GUO Yushan and HUANG Kaiping:

**PROFESSION:** All writers, as well as Administrative Director, former and current President of the Transition Institute, respectively.

**DATE OF BIRTH:** He in 1981, Guo on 2 August 1977 and Huang 29 September 1982.

**DATE OF ARREST:** He was arrested on 26 November 2014. Guo on 9 and Huang on 10 October 2014.

**OTHER INFORMATION:** The Transition Institute is a renowned civil society independent think tank which has now been shut down by the Beijing authorities. Writers Guo Yushan and Huang Kaiping, the Transition Institute's founder and ex-director, respectively, were arrested on charges of creating disturbances for publically supporting the protests in Hong Kong. The charge of creating disorder is commonly used to silence dissent. The Transition Institute, founded in 2007, has carried out investigations in the fields of fiscal reform, local elections, legal reforms, business regulations, citizen participation and education rights.

**CURRENT PLACE OF DETENTION:** He and Guo have held in No.1 Detention Centre, Beijing, while Huang's whereabouts has not been disclosed. Honorary members: Independent Chinese PEN Centre (ICPC).

**PEN ACTION:** Press statement 9 December 2014; RAN 17/14 and updates

### HUUCHINHUU Govruud (aka Gao Yulian) (f):

**PROFESSION:** Southern Mongolian dissident writer and activist who is a member of the banned Southern Mongolia Democratic Alliance She is said to have authored several books and a large number of essays on the ethnic problems in Southern Mongolia. Two of her works, Silent Stone and Stone-hearted Tree, have been banned in China.

**DATE OF BIRTH:** 1955

**DATE OF ARREST:** early November 2010

**DETAILS OF ARREST:** she was arrested for her internet activism on behalf of the Mongol people and placed under house arrest apparently for campaigning demanding the release of Hada, a prominent political prisoner (see above); her phone and Internet lines were cut off and she had about 20 policemen guarding her every day. A month later, she was transferred to hospital due to a serious health condition. She went reportedly missing whilst under police guard in hospital on 27 January 2011 and appears to have been subjected to an enforced disappearance for several months. In September 2011 the Southern Mongolian Human Rights Information Centre (SMHRIC) reports having received photos dated July 2011 in which Huuchinhuu appeared to have been severely beaten. On 28 November 2012, Huuchinhuu was reportedly tried in secret

and found guilty by the Tongliao Municipality People's Court of "providing state secrets to a foreign organisation" and "leaking state secrets" for circulating some publicly available information through the Internet.

**CURRENT PLACE OF DETENTION:** She appears to have been placed under house arrest in one of her relatives' residencies in Southern Mongolia's Tongliao Municipality.

**AWARDS:** Recipient of the 2012 Hellman/Hammett award. **[STOP PRESS:** In January 2015, she called for her release from house arrest and said that the authorities had frozen her bank accounts after she received money from her son abroad on suspicion that the money was destined for Hada, a fellow activist (see below under Released)]

### \*KOU Yandin (f):

**PROFESSION:** Writer, poet, independent documentary film-maker and scriptwriter.

**DATE OF ARREST:** 10 October 2014

**DETAILS OF ARREST:** She was reportedly arrested and held on charges of creating disturbances for publically supporting the called 'Occupy Central' protests in Hong Kong.

**PEN ACTION:** Press statement 9 December 2014 RAN 17/14 and update, **[STOP PRESS:** released on 14 February 2015 and escorted home. No further details on her legal status]

### LIU Xia (f):

**PROFESSION:** poet and artist, founding member of the Independent Chinese PEN Centre

**DATE OF BIRTH:** 1 April 1959

**DATE OF ARREST:** October 2010

**DETAILS OF ARREST:** has been held under unofficial house arrest in her Beijing apartment since. Liu's house arrest is thought to be a form of punishment for the human rights work carried out by her husband imprisoned poet and Nobel Laureate Liu Xiaobo (see 'Imprisoned: main cases' above).

**UPDATE:** Liu was reportedly permitted to visit her husband in Jinzhou Prison during the 2014 Chinese New Year period. On 14 February 2014, supporters of Liu Xia and her husband gathered in a shopping district of Hong Kong to shave their heads.

**HEALTH CONCERNS:** Liu is said to be suffering from severe depression. Liu is not allowed to see the doctor of her choice and has refused a police-appointed doctor as she fears being interned in a psychiatric hospital. According to reports, Liu was briefly hospitalised for a heart attack in January 2014 and was later turned away from the hospital after she returned for a scheduled observation. Liu reportedly sought permission to leave China to seek medical help abroad following the incident, however, the request was denied. She has since been allowed back to the hospital.

**HONORARY MEMBER:** PEN America and ICPC

**PEN ACTIONS:** Mentioned in Creativity and Constraint in Today's China, Press statements 22 October 2013, 6 December 2013, 8 December 2014 World Poetry Day 2014 and 2015; International Women's Day 2014, Liu Xia Solidarity Campaign



## MI Chongbiao:

**PROFESSION:** activist and member of the Guizhou Human Rights Forum

**DATE OF BIRTH:** 1940

**DATE OF ARREST:** September 2013.

**DETAILS OF ARREST:** Mi and his wife were reportedly placed under house arrest at their home in Guiyang city after Mi wrote about a complaint he made to the United Nations. His post entitled, 'filing a complaint to the U.N. Human Rights Council for the second time,' which called for greater democracy and protection of human rights was published on 15 June 2013. Mi and his wife Li Kezhen reportedly had no contact with friends or family until January 2014 during which time they were held in conditions amounting to enforced disappearance. Mi was reportedly placed under surveillance before his arrest.

**CURRENT PLACE OF DETENTION:** According to Frontline Defenders, Mi Chongbiao and Li Kezhen are currently being held in an undisclosed location in Guiyang city by members of the Guiyang city police force, the Public Security Bureau and hired security guards. They are regularly moved to different locations to ensure that their whereabouts remain unknown. Their two sons are permitted to see them once every two weeks, where they are brought to meet them, under surveillance, for three hours at a restaurant designated by police. The couple are reportedly kept under watch by three teams of ten guards, who work eight hour shifts. In February 2014 it was reported that Mi had been spotted in hospital by a fellow activist. He is thought to have been visiting his wife in hospital after she fell ill in January 2014.

## \*WANG Jiamin, GUO Zhongxiao and Liu Haitao:

**PROFESSION:** journalists, publisher (Wang) and editors (Guo and Liu) for the Hong Kong-based Chinese-language magazines New-Way Monthly and Multiple Face

**DATE OF BIRTH:** 1953, 1975 and 1982 respectively.

**DATE OF ARREST:** Wang and Guo were arrested on 30 May 2014, and Liu on 17 June 2014.

**REASON FOR ARREST:** Wang and Guo were reportedly detained by police in the southern city of Shenzhen where they were residing, for "operating an illegal publication". Liu was also arrested at his home in Henan province by the police from Shenzhen 18 days later, as well as Wang's wife and father-in-law in Shenzhen, both of whom were released on bail later.

**BACKGROUND:** Both Guo and Wang are reportedly considered politically well-connected journalists, who had worked for Hong Kong based Yazhou Zhoukan (Asia Weekly) before they started their own magazines, which frequently report insider information and speculation on political affairs in China. They employed Liu as an editor working at home in Henan Province, printed their magazines in Hong Kong and partially distributed the copies in mainland China. Members of the Hong Kong Journalists Association have reportedly attributed their arrests to part of a wider attempt to suppress the publishing industry in Hong Kong. Also in May 2014, Hong Kong publisher Yao Wentian was sentenced to a 10-year prison term for "smuggling ordinary goods" to Shenzhen (see imprisoned main case).

**CURRENT PLACE OF DETENTION:** Detention Center of Shenzhen City, Guangdong Province

**HONORARY MEMBER OF:** Independent Chinese PEN Centre (ICPC).

## YANG Maodong (aka Guo Feixiong):

**PROFESSION:** dissident writer, independent publisher and civil rights activist.

**DATE OF BIRTH:** 2 August 1966

**DATE OF ARREST:** 8 August 2013

**DETAILS OF ARREST:** His arrest followed his involvement in anti-censorship and anti-corruption protests and he was held without charge for more than four months and was not permitted access to his lawyer until 14 November 2013. According to his lawyer, Yang was denied bail due to accusations that he had destroyed evidence and interfered with witnesses – a supposition which his lawyer denies. On 31 December 2013, it was reported that Yang had been formally charged with "incitement to disturb public order".

**UPDATE:** On 7 February 2014, the Tianhe district procuratorate reportedly sent Yang's case file back to the police, requesting more evidence, in what his lawyers suggest is a stalling tactic. The state procuratorate is bound under Chinese law to return a decision on cases transferred from police investigations within six weeks of receiving them. According to 24 June 2014 reports, Yang has been charged with gathering crowds to disrupt public order. His trial started on 28 November 2014.

**CURRENT PLACE OF DETENTION:** No. 1 Detention Center of Guangzhou City, Guangdong Province

**BACKGROUND:** Yang was released on 13 September 2011 on completion of a five-year prison sentence for 'illegal business activity' though is believed to be targeted for his critical writings and civil rights activism. He reported that he was tortured or otherwise ill-treated during that detention. He was a main case of PEN International during his imprisonment.

**HONORARY MEMBER OF:** Independent Chinese PEN Centre (ICPC).

## \*ZHANG Miao:

**PROFESSION:** Beijing-based arts reporter for the German weekly Die Zeit.

**DATE OF BIRTH:** 1 May 1874

**DATE OF ARREST:** 2 October 2014

**DETAILS OF ARREST:** She was reportedly arrested after reporting on the protests in Hong Kong for Die Zeit, and attending a poetry reading by artists in Songzhuang, eastern Beijing, to support the protests in Hong Kong. She was held incommunicado until 12 December 2014, when she was allowed to meet her lawyer, who confirmed that she is charged with 'creating disturbances'. Her lawyer reported that she is in good condition, although she was reportedly assaulted by police during her arrest.

**CURRENT PLACE OF DETENTION:** Zhang was initially sent to the Beijing No.1 Detention Centre of Beijing, before being moved a few days later to a hotel, possibly due to the concern about her arrest by the international media and the German government. She was held there for over a month until she was formally arrested on 6 November 2014 by the Tongzhou Branch of Beijing Public Security Bureau. She is now being held in the Tongzhou Detention Center, Beijing.

**HONORARY MEMBER OF:** Independent Chinese PEN Centre (ICPC).

**PEN ACTION:** RAN 17/14 and update



## DETAINED: INVESTIGATION

### \*CHEN Shuqing:

**PROFESSION:** Dissident writer and activist.

**DATE OF BIRTH:** 26 September 1965

**DATE OF ARREST:** 11 September 2014

**DETAILS OF ARREST:** Reportedly arrested by Domestic Security officers from the Hangzhou Public Security Bureau, at his home in Hangzhou, for his online writings and dissident articles. On 17 October 2014, Chen was formally arrested and charged with 'subverting state power'.

**BACKGROUND:** Chen served a four-year sentence for "inciting subversion of state power" in connection with the China Democracy Party (CDP) and articles he wrote calling for democratic reform. He was released in September 2010. Chen was a participant in the 1986 and 1989 student movements, and graduated from Hangzhou University with Master's Degree in Science in 1990.

**AWARD:** Chen was honoured with the 2014 Liu Xiaobo Courage to Write Award.

**HONORARY MEMBER OF:** Independent Chinese PEN Centre (ICPC).

### \*HUANG Zerong (pen name: Tie Liu)

**PROFESSION:** Publisher and writer

**DATE OF BIRTH:** 20 May 1933

**DATE OF ARREST:** 14 September 2014

**DETAILS OF THE ARREST:** He was reportedly arrested on charges of 'creating disturbances', after the police raided his home and took his laptop, mobile phone, iPad and plenty of his publications. Later that day he was put under criminal detention, which allows the authorities to hold him at least for 30 days.

**CURRENT PLACE OF DETENTION:** No. 1 Detention Centre of Beijing City, and since 24 November 2014, Detention Centre of Chengdu City.

**BACKGROUND:** Tie Liu, aged 81 at the time of his arrest, is said to be one of the oldest dissident writers in China. Reports say that he has published a number of memoirs of dissidents who suffered repression under Mao's rule. According to some press reports, Tie Liu's arrest is probably linked to one of his recent essays in which he criticised a member of the Communist Party who is the advisor on ideology and propaganda. Tie Liu is said to have also being charged with running an 'illegal business'. Tie served over 20 years in prison during the so called 'anti-rightist' campaign during the Mao regime.

**HONORARY MEMBER OF:** Independent Chinese PEN Centre (ICPC).

### \*LÜ Gengsong:

**PROFESSION:** Dissident writer and activist.

**DATE OF BIRTH:** 7 January 1956

**DATE OF ARREST:** 8 July 2014

**DETAILS OF ARREST:** Arrested from his home in Hangzhou, after approximately 20 policemen raided his house. He is held on suspicion of 'subversion of state power'. Recently, Lu has posted online comments about alleged corrupt officials, as well as cases of petitioners in Jiangsu province.

**BACKGROUND:** LÜ is said to be a member of the banned opposition China Democracy Party (CDP). In November 2013, he was briefly arrested under similar charges, but was released. Previously, he served a four-year prison sentence for 'incitement to subvert state power'. He was released in August 2011.

### PU Zhiqiang:

**PROFESSION:** writer and human rights lawyer

**DATE OF BIRTH:** 17 January 1965

**DATE OF ARREST:** 4 May 2014

**DETAILS OF ARREST:** A number of participants at a 3 May 2014 gathering were reportedly taken in for questioning by police. Most were released after interrogation, however Pu was criminally detained along with Hu Shigen, Hao Jian, Xu Youyu and Liu Di (see 'brief detention below) on suspicion of 'causing a disturbance.' On 13 June, he was formally charged with 'causing a disturbance' and 'illegal access to citizens' personal information' for allegedly providing media with materials of investigations about corruption. In November 2014, police extended the charges against Pu for inciting to split the country and inciting ethnic hatred, reportedly based on 28 pieces of his critical comments on Weibo, China's version of Twitter.

**CURRENT PLACE OF DETENTION:** Beijing No. 1 Detention Centre

**BACKGROUND:** On 3 May 2014 at least 15 people – writers, scholars and activists – gathered at a private residence in Beijing to commemorate the forthcoming 25<sup>th</sup> anniversary of the brutal crackdown on 4<sup>th</sup> June 1989 pro-democracy protests, which resulted in the deaths of an estimated 2,000 unarmed individuals at the hands of Chinese troops in cities across the country. The group released a statement after the meeting calling on the Chinese government to launch an official investigation into the events in 1989 and to compensate the victims. On 13 May 2014, Xin Jian (f), news assistant for Japanese financial newspaper Nihon Keizai Shimbun, was reportedly arrested and accused of picking quarrels and provoking trouble. Friends and colleagues believe that she was arrested in order to help with the authorities' investigation into Pu as she had recently interviewed him along with a newspaper reporter, according to CPJ. She was released on 7 June 2014. It is unclear if she has been formally charged.

**HONORARY MEMBER OF:** Independent Chinese PEN Centre (ICPC).

**PEN ACTION:** Press statement 7 May 2014

### \*SU Changlan (f):

**PROFESSION:** Activist and blogger.

**DATE OF BIRTH:** 18 July 1971

**DATE OF ARREST:** 27 October 2014

**DETAILS OF ARREST:** Arrested while at her home by officers from the Nanhai Branch of Foshan Public Security Bureau, for posting online comment in support of the pro-democracy protest in Hong Kong. She was initially held on suspicion of 'inciting subversion of state power', and formally arrested by police in the southern province of Guangdong on 3 December 2014. There are reports that her husband has not been able to visit her, and has concerns for her health, and that her lawyer has made requests for the disclosure of details about her case, but these have been refused.

**BACKGROUND:** It has been reported that this is the third time that Su has been arrested and questioned by the authorities. The other two occasions were 12 September and 5 October 2014. Su was a primary school teacher who lost her job allegedly for campaigning for land rights.

## ON TRIAL

### XIANG Nanfu (pen-name: Fei Xiang):

**PROFESSION:** freelance journalist and contributor to overseas-based Boxun news website.

**DATE OF ARREST:** 3 May 2014.

**DATE OF RELEASE:** 19 August 2014

**REASON FOR ARREST:** Xiang was reportedly detained on suspicion of "picking quarrels and stirring up trouble" after selling a number of stories to Boxun that the authorities claim are fabricated.

**DETAILS OF RELEASE:** Xiang was released on bail for one year, pending trial on 19 August 2014

**BACKGROUND:** Xiang had reportedly written a number of stories for Boxun including report that alleged that the Chinese government had harvested organs from living people and buried them alive, and another alleging that police had beaten a pregnant woman to death in a land dispute. Boxun, which typically focuses on news that would be censored within China, reportedly rejected the charges against Xiang.

## JUDICIAL CONCERN

### CHEN Yongzhou:

**PROFESSION:** journalist with New Express

**SENTENCE:** 22 months in prison and a fine

**DATE OF ARREST:** 18 October 2013

**DETAILS OF ARREST:** Chen was reportedly detained by police on following the publication of 15 articles between September 2012 and June 2013 that questioned a partly state-owned construction equipment company's revenue and profit figures. Chen alleged that the company had exaggerated profits and manipulated the market. New Express initially came out in full support of the journalist, until his televised "confession" to defaming the company on 26 October.

**DETAILS OF TRIAL:** He was officially charged with criminal defamation in late October 2013 following his public "confession". He was found guilty of accepting a bribe on 16 October

2013 by Changsha court. PEN International does not have sufficient information to determine whether he did accept a bribe or not, but is concerned that he did not receive a fair trial, as his TV 'confession' violates the right not to be forced to testify against oneself.

**HONORARY MEMBER OF:** Independent Chinese PEN Centre (ICPC).

## BRIEF DETENTION

### \*CHEN Kun:

**PROFESSION:** Executive director of Liren College and publisher

**DATE OF BIRTH:** 1987

**DATE OF ARREST:** 6 October 2014

**DATE OF RELEASE:** 26 December 2014 Detail of arrest: Chen was reportedly arrested for creating disturbances and for publically supporting the protests which begun in Hong Kong in September 2014.

**BACKGROUND:** Liren College was established under the umbrella of the China Rural Library (CRL), which over the last few years has had several library branches shut down by Chinese authorities.

**HONORARY MEMBER OF:** Independent Chinese PEN Centre (ICPC).

### HU Shigen

**PROFESSION:** writer, activist and ICPC member

### HAO Jian

**PROFESSION:** writer and academic

### XU Youyu

**PROFESSION:** Professor at the Beijing Film academy and scholar

### LIU Di (f)

**PROFESSION:** researcher at the Chinese academy of Social Sciences, blogger and ICPC board member

**DATE OF ARREST:** 4 and 5 May 2014

**DATE OF RELEASE:** Liu, Hu, Hao and Xu were reportedly released on bail on 5 June 2014.

**DETAILS OF ARREST:** a number of participants at a 3 May 2014 gathering were reportedly taken in for questioning by police. Most were released after interrogation, however Pu, Hu, Hao, Xu and Liu were each criminally detained on suspicion of 'causing a disturbance.'

**PLACE OF DETENTION:** Beijing No. 1 Detention Centre

**BACKGROUND:** On 3 May 2014 at least 15 people – writers, scholars and activists – gathered at a private residence in Beijing to commemorate the forthcoming 25<sup>th</sup> anniversary of the brutal crackdown on 4<sup>th</sup> June 1989 pro-democracy protests, which resulted in the deaths of an estimated 2,000 unarmed individuals at the hands of Chinese troops in cities across the country. The group released a statement after the meeting calling on the Chinese government to launch an official investigation into the events in 1989 and to compensate the victims. On 13 May 2014, Xin Jian (f), news assistant for Japanese financial newspaper Nihon Keizai Shimbun, was reportedly arrested and accused of picking quarrels and provoking trouble. Friends and colleagues believe that she was arrested in order to help with the authorities' investigation into Pu as she had recently interviewed him along with a newspaper reporter, according to CPJ. She was released on 7 June 2014. It is unclear if she has been formally charged.

**HONORARY MEMBER (HU):** PEN Canada and English PEN.

**PEN ACTION:** Press statement 7 May 2014

### **LIU Feiyue:**

**PROFESSION:** founder of the Hubei-based Civil Rights and Livelihood Watch group and member of ICPC.

**DATE OF ARREST:** 3 March 2014

**DATE OF RELEASE:** 13 March 2014.

**REASON FOR ARREST:** Liu was reportedly placed under administrative detention by police in his hometown of Suizhou after refusing police demands that he not post articles online.

### **\*LIU Jianshu:**

**PROFESSION:** Independent publisher and bookstore owner, and is also affiliated with Liren College.

**DATE OF BIRTH:** 3 July 1986

**DATE OF ARREST:** 26 November 2014

**DATE OF RELEASE:** released on bail on 24 December 2014.

**DETAILS OF THE ARREST:** He was reportedly held on suspicion of “illegal business practices”, possibly relating to alleged illegal publications or the selling of illegally published books.

**BACKGROUND:** Liu, who returned to the country after studying at Harvard and Oxford in 2011, since then had been the former deputy general-director of the China Rural Library (CRL) (which closed down in September 2014 under pressure from the authorities) and managing Liren libraries.

### **LIU Xuehong and XING Jian:**

**PROFESSION:** Citizen journalists who contribute reports to 64 Tianwang news website.

**DATE OF ARREST:** 8 March 2014

**DATE OF RELEASE:** reportedly released on bail on 7 April 2014

**DETAILS OF ARREST:** Liu and Xing were reportedly arrested after publishing reports on the actions of petitioners in Tiananmen Square on 5 March during the annual session of the National People's Congress during which a woman tried to set herself on fire. During their detention, interrogators reportedly tried to get Xing to name the website's editor as the instigator of their activities and to portray the website as a mouthpiece of foreign media and “enemy forces”.

**BACKGROUND:** 64 Tianwang focuses on publishing reporting on human rights issues in China and is run by approximately 1,000 volunteers.

### **\*SHI Genyuan:**

**PROFESSION:** Dissident blogger and activist

**DATE OF ARREST:** 3 June 2014

**DATE OF RELEASE:** 19 August 2014

**DETAILS OF ARREST:** Shi was reportedly taken from his home and taken to the mental health ward of the Quanzhou No. 3 Hospital. Previously, in August 2013, the authorities held him briefly on suspicion of ‘incitement to subvert state power’. During that time the police had reportedly carried out a ‘psychiatric evaluation’, which is said to be the basis for his hospitalisation.

### **SHI Ping (pen-name: Shi Yu):**

**PROFESSION:** Time Weekly journalist

**DATE OF ARREST:** 26 May 2014

**DATE OF RELEASE:** 3 July 2014.

**DETAILS OF ARREST:** Shi was reportedly arrested in connection with his alleged attendance at a small-scale Tiananmen memorial event. He was accused of ‘gathering a crowd to disturb social order’.

**DETAILS OF RELEASE:** He was released on bail pending investigation. It is unclear if he has been formally charged.

### **WANG Jing:**

**PROFESSION:** citizen journalist with 64 Tianwang website

**DATE OF ARREST:** 7 March 2014

**DATE OF RELEASE:** on bail on 7 April 2014.

**DETAILS OF ARREST:** Wang was reportedly arrested after publishing reports on the actions of petitioners in Tiananmen Square on 5 March during the annual session of the National People's Congress during which a woman tried to set herself on fire. Held in Jilin City Detention Centre.



## WU Wei:

**PROFESSION:** journalist, former reported for the South China Morning Post

**DATE OF ARREST:** early May 2014

**DATE OF RELEASE:** early June 2014

**DETAILS OF ARREST:** Unknown. It is thought that her arrest may have stemmed from her support for the release of Pu Zhiqiang (see above).

## \*XU Xiao (f):

**PROFESSION:** Prominent Beijing-based writer, editor-in-chief of “New Century” publications, and publisher.

**DATE OF BIRTH:** 1954

**DATE OF ARREST:** 26 November 2014.

**DATE OF RELEASE:** released on bail on 23 December 2014.

**DETAILS OF ARREST:** Xu was reported to have been included in a list of writers whose works were banned by China’s General Administration of Press and Publication (GAPP). She was held in Beijing’s No. 1 Detention Centre on suspicion of “endangering national security”. Xu is also a volunteer lecturer with Liren College, a non-governmental educational institution which runs private schools and libraries and was developed from Liren China Rural Library, shut down by the authorities in 2012.

## \*XUE Ye:

**PROFESSION:** Independent publisher and bookstore owner, affiliated with Liren College.

**DATE OF BIRTH:** 1954

**DATE OF ARREST:** 26 November 2014.

**DETAILS OF RELEASE:** released on bail on 26 December 2014.

**DETAILS OF ARREST:** Xue is reportedly being held on suspicion of “illegal business practices”, possibly relating to alleged illegal publications or the selling of illegally published books. Xue Ye is executive director in charge of libraries for Liren College and the former president of China Rural Library (which closed down under pressure from the authorities in September 2014).

## ATTACKED

## \*HU Jia:

**PROFESSION:** Dissident blogger and activist **DATE OF ATTACK:** 16 July 2014 **Details of the attack:** Hu was about to get into his car to return home, at about eight in the evening, when several men approached him and beat him on the head and stomach. The attackers left Hu on the side of his car, and drove off. Hu was not able to see their car’s number plate. He linked the

attack with the online campaign launched on the 25<sup>th</sup> anniversary of Tiananmen Square’s demonstrations. Hu reported the assault to the police.

**BACKGROUND:** Hu Jia was a Main Case for PEN International. He served a three and a half year prison sentence for his online writings, and was released on 26 June 2011. See here for more information.

## MAN Da:

**PROFESSION:** journalists with Chutian Metropolis Daily newspaper.

**DATE OF ATTACK:** 18 May 2014

**DETAILS OF ATTACK:** Man was reportedly beaten by six men who wanted him to disclose his sources relating to an investigation into a communist party official. He received multiple injuries after he was beaten, kicked and punched for an hour. Man had reportedly been investigating allegations against the head of the village committee in Hongshan district, Zhong Qibin. His assailants reportedly attempted to force him to reveal the source of information that led Man to investigate Qibin. Hongshan District police reportedly held the six men responsible under administrative detention for 10-15 days.

## Kevin LAU:

**PROFESSION:** Former editor-in-chief of the Hong Kong-based daily newspaper Ming Pao

**DATE OF ATTACK:** 25 February 2014

**DETAILS OF ATTACK:** Lau was reportedly badly injured after his was stabbed in the back and the leg while getting out of his car in Chai Wan. His assailant, reportedly a pillion passenger on a motorcycle, reportedly dismounted, stabbed him several times with a meat cleaver, and then fled with his accomplice on the motorcycle. Lau reportedly required extensive surgery to his lungs and legs following the incident but returned to work in August 2014.

**DETAILS OF INVESTIGATION:** two people were reportedly charged in connection with the attack on 19 March 2014. Eight men and one woman arrested in connection with the case are reportedly on bail and were scheduled to report to the police in April. In August 2014, two men appeared in court charged with malicious wounding with intent to do grievous bodily harm in connection to the attack.

**BACKGROUND:** Lau is known for his hard-hitting political reporting. On 7 January Lau was replaced as editor of Ming Pao. His removal has been widely blamed on the newspaper’s criticism of the Chinese government in Beijing. On 19 May two senior media executives with Hong Kong Media News, said to be preparing to launch a Chinese-language newspaper, were beaten with metal bars by four masked men.

## HARASSED

### HUANG Qi:

**PROFESSION:** editor of 64 Tianwang website

**DETAILS OF HARASSMENT:** Huang was reportedly detained for several hours on 13 March 2014.

**BACKGROUND:** Three citizen journalists with the website were arrested in early March 2014 after covering the actions of petitioners during the annual National People's Congress (see Liu Xuehong, Xing Jian and Wang Jing in 'brief detention').

### ZAN Aizong:

**PROFESSION:** writer and commentator

**DETAILS OF HARASSMENT:** Zan was summoned and questioned for several hours on suspicion of "picking quarrels and stirring up trouble" as part of an ongoing government crackdown on dissent ahead of the 25<sup>th</sup> anniversary of the Tiananmen Square massacre, according to 21 May 2014 news reports. The police reportedly searched his apartment and confiscated his computer, USB drives and hard drives.

## CONDITIONAL RELEASE

### LIU Futang:

**PROFESSION:** Citizen journalist specialising in the environment.

**SENTENCE:** three-year suspended prison sentence and a fine

**DATE OF ARREST:** 20 July 2012

**DETAILS OF ARREST:** He was reportedly detained by Haikou Public Security Bureau, on suspicion of illegal business activities. Hakou is the capital of the southern island province of Hainan.

**DATE OF RELEASE:** Belived to have been released in December 2012

**DETAILS OF TRIAL:** Futang was charged with 'illegal expression' and 'running an illegal business'; the charges are believed to be linked to Futang's self-published books and articles which, among other issues, deal with the environmental effects of businesses operating in Hainan. On 5 December 2012 Futang was given a suspended sentence and a fine.

### LIU Hu:

**PROFESSION:** reporter for the Guangzhou-based daily newspaper Xin Kuai Bao (News Express)

**DATE OF BIRTH:** 7 September 1975

**DATE OF ARREST:** 23 August 2013

**DATE OF RELEASE:** 3 August 2014

**DETAILS OF ARREST:** He was reportedly arrested by the Chongqing authorities and was formally charged with defamation on 30 September 2013 in connection with allegedly "spreading false rumours" on his Weibo account after accusing a senior government official of negligence and

calling for an investigation into the allegations. Beijing police reportedly interrogated him in his home, seized computer hard disks and laptops, before transferring him to the capital. The authorities have reportedly closed his Weibo account. His lawyer has reportedly rejected the defamation charges, insisting that there is evidence to support his allegations.

**DETAILS OF RELEASE:** Liu was released on bail, according to his lawyer, because the authorities "were unable to proceed with his case in the allotted time frame." Chinese media were instructed not to report on his release.

**HONORARY MEMBER OF:** Independent Chinese PEN Centre (ICPC).

### HADA:

**PROFESSION:** Owner of the Mongolian Academic bookstore and founder and editor-in-chief of The Voice of Southern Mongolia.

**DATE OF ARREST:** 10 December 1995

**DATE OF RELEASE:** 9 December 2014,

**DETAILS OF ARREST:** Hada completed a 15-year prison term for his dissident writings on 10 December 2010 but was not released, reportedly in order to serve the four years of deprivation of political rights as stated in his conviction.

**DETAILS OF RELEASE:** Hada was released by the Chinese authorities after serving his four years' deprivation of political rights. He is said to be in poor health after the years of ill-treatment in prison, which he has spoken about publicly. He will reportedly look for redress and compensation.

**BACKGROUND:** Hada was arrested on 10 December 1995 for his activities as founder and publisher of the underground journal The Voice of Southern Mongolia and for his leading role in the Southern Mongolian Democracy Alliance (SMDA), an organisation that peacefully promotes human rights and Mongolian culture. He was convicted in 1995 of inciting separatism and espionage and sentenced to 15 years in prison and four years' deprivation of political rights. His sentence expired on 10 December 2010, when he was reportedly transferred to an unofficial detention facility in Inner Mongolia.

**OTHER INFORMATION:** Hada received a degree in 1983 from the department of Mongolian language and Literature at the Inner Mongolian Teacher's College for Nationalities. In October 1989, he opened the Mongolian Academic Bookstore in Hohhot, the Inner Mongolia capital. The bookstore was closed down immediately after his arrest in 1995, and all the books, research papers and other properties were confiscated as criminal utilities and evidence. Hada, who co-founded the SMDA in 1992, published the organisation's underground journal, The Voice of Southern Mongolia. He also published a book, The Way Out for the Southern Mongols, which reported alleged ill-treatment of the Mongols of Inner Mongolia at the hands of the Chinese authorities, including mass killings, deprivation of social and political rights, and suppression of Mongol culture.

**AWARDS:** Recipient of the 2011 Hellman/Hammett award.

**HONORARY MEMBER:** PEN Canada, PEN America and Independent Chinese PEN Centre.

**PEN ACTION:** RAN 26/11

## RELEASED

### TAN Zuoren:

**PROFESSION:** Literary editor, freelance writer and environmentalist.

**DATE OF ARREST:** 28 March 2009

**DATE OF RELEASE:** 27 March 2014

**DETAILS OF ARREST:** Reportedly arrested by police in Chengdu City, province of Sichuan, on suspicion of “subversion” for his investigation into the deaths of school children when school buildings collapsed after the Sichuan earthquake in May 2008.

**DETAILS OF RELEASE:** Released on expiry of his prison sentence.

**DETAILS OF TRIAL:** He was sentenced on 9 February 2010 to five years in prison for ‘inciting subversion of state power’. The five-year conviction includes a further three-year suspension of Tan’s political rights. The sentence was upheld on appeal on 9 June 2010.

## CASE CLOSED

### WANG Rongqing:

**PROFESSION:** Magazine editor and dissident.

**DATE OF BIRTH:** 9 December 1943

**SENTENCE:** Six years in prison.

**DATE OF ARREST:** 25 June 2008

**DATE OF RELEASE:** 12 January 2010

**DETAILS OF ARREST:** Reportedly taken from home in June 2008, but not formally charged until 31 July 2008.

**DETAILS OF RELEASE:** He was released on six months’ medical parole on 12 January 2010, which was later extended indefinitely.

**DETAILS OF TRIAL:** Wang was sentenced to six years in prison on 8 January 2009 by the Hangzhou city Intermediate People’s Court in the eastern province of Zhejiang, for ‘subversion of state power’. Thought to have been tried for his membership of the banned China Democracy Party (CDP), for editing a publication called Opposition Party and posting articles on the Internet.

**HEALTH CONCERNS:** Wang suffers from renal failure and requires haemodialysis three times a week. He has been hospitalised since 10 February 2009, and was diagnosed with kidney failure in March 2009. In November 2009 he was reported to be critically ill. Following his release, his health has reportedly stabilized as the authorities have provided him with medical insurance as well as a minimum living allowance.

**HONORARY MEMBER OF:** Independent Chinese PEN Centre (ICPC). Case closed, sentence expired.

### ZHENG Qiuwu:

**PROFESSION:** freelance writer

**DATE OF ARREST:** 4 June 2013

**DATE OF RELEASE:** 1 October 2013

**DETAILS OF ARREST:** Zheng was reportedly detained on 5 July 2013 after publishing articles on the internet critical of the authorities. He was reportedly charged with the sale of toxic and harmful food. Zheng’s wife reportedly ran a small shop. Zheng was detained at the Wenchang detention centre.

**DETAILS OF RELEASE:** PEN has now learned Zheng was released on 1 October 2013. Case closed.

## TIBET AUTONOMOUS REGION (TAR)

### IMPRISONED: MAIN CASES

#### Kunchok Tsephe GOPEY TSANG:

**PROFESSION:** Internet writer and editor of the Tibetan language website Chomei <http://www.tibetcm.com> and also worked as an environmental officer for the Chinese government

**DATE OF BIRTH:** 1970

**SENTENCE:** 15 years in prison

**EXPIRES:** 2024

**DATE OF ARREST:** 26 February 2009

**DETAILS OF ARREST:** Arrested by Chinese security officials at his home in the town of Nyul-ra, Gannan Tibetan Autonomous Prefecture, Gansu Province. At the time of his arrest, Gopey Tsang’s house was searched and his computer confiscated.

**DETAILS OF TRIAL:** On 12 November 2009 he was sentenced for ‘disclosing state secrets’. His family was not told of his whereabouts until he was summoned to court to hear the verdict. The trial was held at the Intermediate People’s Court of Kanlho, in a closed hearing.

**CURRENT PLACE OF DETENTION:** Served four years of his sentence in Digxi prison in Lanzhou, Gansu province, before being transferred in August 2013 to another prison in the region where conditions are reported to be harsher.

**HEALTH CONCERNS:** There are fears for his health.

**BACKGROUND:** Chomei website, which promotes Tibetan culture and literature, was created by Gopey Tsang and Tibetan poet Kyab-chen De-drol in 2005 and since then has been closely monitored by the authorities. It is said that the site was shut down several times during 2007 and 2008. In 1995 Kunchok Tsephe Gopey Tsang was held for two months by Public Security Bureau officials on unknown charges, and was reportedly ill-treated in detention.

**HONORARY MEMBER OF:** Independent Chinese PEN Centre (ICPC).



**PEN ACTION:** RAN 16/09 – 17 March 2009; Update #1 – 23 November 2009; 2013 Day of the Imprisoned Writer case

### **Gartse JIGME:**

**PROFESSION:** Writer and monk

**DATE OF BIRTH:** 1977

**SENTENCE:** Five years in prison

**EXPIRES:** January 2018

**DATE OF ARREST:** 1 January 2013

**DETAILS OF ARREST:** A team of security officials reportedly raided his room at the Rebgong Gartse monastery in the Malho prefecture on 1 January 2013, before escorting him away. Arrested for political views expressed in his book Tsenpoi Nyingtop (Tsenpo's Valour), which he had finished writing in early December 2012 and was planning to publish. The book in question is the second volume of Tsenpoi Nyintop, which contains the writer's reflections and opinions on wide ranging subjects including self-immolation protests. Between February 2009 and June 2014, the total number of self-immolation protests in Tibet reached 131.

**CURRENT PLACE OF DETENTION:** After his arrest, Gartse Jigme was initially held in the provincial capital of Xining, followed by several months' detention in Rebkong County in Malho Prefecture.

**DETAILS OF TRIAL:** On 14 May 2013, Gartse Jigme was sentenced to five years in prison by Tsekhog County People's Court in Malho Tibetan Autonomous Prefecture, Qinghai Province.

**BACKGROUND:** Gartse Jigme has been writing since 1999 and had won several local literary prizes. His first book, Musings on My Reflections received favorable reviews from friends and others in the community. He was also a Buddhist scholar having studied and successfully passed major Buddhist courses at his monastery in 2003. The first volume of Tsenpoi Nyingtop was published in 2008. In April 2011, the local Public Security Bureau (PSB) officers briefly detained him for his views published in the book. The second volume could not be published in Tibet as planned by its author. However, the book was published soon after Gartse Jigme's sentencing by exiled Tibetans in India. An English translation of his essay on Tibetan self-immolation protests is available from the Tibetan Centre for Human Rights and Democracy (TCHRD).

**HONORARY MEMBER OF:** Independent Chinese PEN Centre (ICPC).

### **Dolma KYAB:**

**PROFESSION:** Writer and teacher.

**DATE OF ARREST:** 9 March 2005.

**SENTENCE:** Ten-and-a-half-years in prison.

**EXPIRES:** 2015

**DETAILS OF ARREST:** Dolma Kyab was reportedly arrested in the city of Lhasa for allegedly endangering state security in a book he authored. The charges against Dolma Kyab appear to be based on his unpublished book Sao dong de Ximalayasha (The Restless Himalayas). In

another book, Dolma Kyab reportedly gives sensitive information on issues such as the location and number of Chinese military camps in Tibet.

**DETAILS OF TRIAL:** Dolma Kyab was convicted of 'espionage' and 'illegal border crossing'. His trial was conducted in secrecy.

**CURRENT PLACE OF DETENTION:** Following his pre-trial detention at the Tibetan Autonomous Region Public Security Bureau Detention Centre, also known as the 'Seitru', Dolma Kyab reportedly contracted tuberculosis and was transferred to Chushul Prison in March 2006 after receiving medical treatment for his condition. Believed to have been transferred to Xi'ning Prison, Qinghai Province, north-western China on 19 July 2007.

**HEALTH CONCERNS:** Said to be in very poor health and has to do hard labour.

**AWARD:** Recipient of the ICPC 2012 Liu Xiaobo Courage to Write award.

**HONORARY MEMBER:** English PEN, PEN American Center and German PEN.

### **Paljor NORBU (aka Panjue Ruobu):**

**PROFESSION:** Printer.

**DATE OF BIRTH:** 1927

**DATE OF ARREST:** 31 October 2008

**SENTENCE:** Seven years in prison

**EXPIRES:** 30 October 2015

**DETAILS OF ARREST:** Reportedly arrested from his home in Lhasa for allegedly printing 'prohibited material', including the banned Tibetan flag. His family were not informed of his arrest.

**DETAILS OF TRIAL:** Reportedly tried in secret in November 2008, possibly on charges of 'inciting separatism', and sentenced to seven years in prison. His family were informed of the sentence in writing but have not been allowed to visit him. His whereabouts are unknown.

**OTHER INFORMATION:** According to Human Rights Watch, Norbu comes from a family with a long history of printing and publishing Buddhist texts for monasteries. He is said to be an internationally renowned master printer. He used both modern and traditional woodblock printing techniques in his workshop, which employed several dozen workers. In addition to religious texts, the shop also printed prayer flags, folk reproductions, books, leaflets and traditional literature. After his arrest the shop was closed down and books and woodblocks confiscated.

### **IMPRISONED: INVESTIGATION**

### **DROKRU Tsultrim:**

**PROFESSION:** Tibetan writer from Ngaba county

**DATE OF ARREST:** 24 May 2010

**SENTENCE:** Four and a half years in prison

**DETAILS OF ARREST:** he was reportedly arrested after police searched his room at the Gomang Monastery, eastern Tibet, and took documents and his laptop. There was allegedly no warrant

for the raid or Tsultrim's arrest. A relative in exile reported that Tsultrim was planning to publish a compilation of writings by young Tibetan writers prior to his arrest.

**DETAILS OF TRIAL:** Family members were told of his trial on 8 May 2011, but when they arrived, found it had taken place the day before. No details of charges available.

**CURRENT PLACE OF DETENTION:** Initially believed to be held at the detention centre in Barkham, in Ngaba, but sent after his trial to a prison in Chengdu.

**CONDITIONS OF DETENTION:** his family were not allowed to visit him until the day after his trial, when they were granted a 10-minute visit. Previous detention: Previously detained in early April 2009 while working as the magazine editor of Khawai Tsesok (Soul of the Snow). Held for a month for his alleged anti-government articles in support of 'separatist forces' of the Dalai Lama before being released. The authorities have suspended the publication of the magazine.

**HONORARY MEMBER OF:** Independent Chinese PEN Centre (ICPC). No further information as of 31 December 2014.

### **GANGKYE Drubpa Kyab:**

**PROFESSION:** said to be a well-known and popular writer, whose writings include "Call of Fate", "Pain of This Era" and "Today's Tear of Pain". He has worked as a teacher in Serthar for almost a decade.

**DATE OF BIRTH:** c 1979

**SENTENCE:** five and a half years in prison

**DATE OF ARREST:** 15 February 2012

**DETAILS OF ARREST:** Gangkyewas arrested without a warrant by a team of 20 police officers from his home in Serthar county, Sichuan Province, just before midnight on 15 February 2012. He was held incommunicado for 18 months after his arrest.

**DETAILS OF TRIAL:** he was reportedly sentenced on 1 August 2013 at the County People's Court in Nyagchu County after conviction of inciting a split in the country. The charges are thought to be in relation to his alleged membership of a secret political group the "Anti-Communist Party Association (Mashog Ngogol Tsogpa)". According to reports, Gangkye was sentenced along with four other Tibetan men.

**CURRENT PLACE OF DETENTION:** His present place and conditions of detention remain unknown.

**BACKGROUND:** His arrest came amidst escalating tensions in Tibetan areas following a series of self-immolations and protests against Chinese rule which were violently suppressed by the security forces. PEN International is seeking information about his whereabouts and wellbeing. (RAN 10/12 – 22 February 2012).

**HONORARY MEMBER OF:** Independent Chinese PEN Centre (ICPC).

### **Tsultrim GYALTSEN: (pen-name: Shokdil)**

**PROFESSION:** Writer

### **YUGYAL**

**PROFESSION:** Writer, former policeman.

**SENTENCE:** On 28 October 2013, the writers were sentenced by a People's Court in Tibet Autonomous Region, to 13 years and 10 years in prison, respectively.

**DETAILS OF ARREST:** Gyaltzen and Yugyal have reportedly been detained since 12 October 2013, in Tengkhar village in Shamchu town, in Driru county. PEN is seeking more information on the reasons for their imprisonment.

### **Lo LO:**

**PROFESSION:** Singer.

**DATE OF BIRTH:** 1983.

**SENTENCE:** Six years in prison

**DATE OF ARREST:** Briefly detained on 19 April 2012 and rearrested later.

**DETAILS OF ARREST:** Lo was reportedly arrested on 19 April 2012, a few months after the release of his album Raise the Flag of Tibet, Sons of the Snow. The lyrics call for independence for Tibet and for the return of the Dalai Lama. Lo is originally from Dhomda town in Yulshul county. He was released shortly afterwards but was later re-detained.

**DETAILS OF TRIAL:** On 23 February 2013 he was reportedly sentenced to six years' imprisonment in connection with his songs. PEN International is seeking information about the charges, his whereabouts and wellbeing. An English translation of one of his songs can be read here.

### **Gonpo TENZIN:**

**PROFESSION:** singer and song-writer

**DATE OF ARREST:** 30 November 2013.

**DETAILS OF ARREST:** He had reportedly been on a police wanted list prior to his being taken into custody in Lhasa. His CD entitled, "How Can We Have New Year's Celebrations in Tibet?" is thought to be the main reason for his detention.

**CURRENT PLACE OF DETENTION:** unknown.

**BACKGROUND:** Tenzin's recordings reportedly focussed on themes involving Tibetan unity and the promotion of the Tibetan language.No further information as of 30 June 2014.

### **TOBDEN:**

**PROFESSION:** nomad and writer

**SENTENCE:** was reportedly sentenced to five years in prison on 30 November 2013.

**DETAILS OF TRIAL:** The exact charges are unclear, but it is thought that he and eight others were convicted of maintaining contacts with "the Dalai clique" and "engaging in activities to split the nation".

**BACKGROUND:** according to reports, Tobden's writings on Tibetan national themes may have especially angered the Chinese authorities. No further information as of 30 June 2014.

### **TRITSUN (aka Tri Bhoe Trak):**

**PROFESSION:** Tibetan monk and writer

**DATE OF BIRTH:** 1987

**DATE OF ARREST:** 11 March 2013

**SENTENCE:** Unknown

**DETAILS OF THE ARREST:** Detained on unknown charges by the People's Armed Police in Grade (Gade) County, while he was visiting his mother. It is widely believed that Tritsun's arrest is linked to the book he authored and published on 8 March 2013 Denpai Khalang (Breath of Truth), at Tongkyap Monastery, which contains essays on self-immolations.

**DETAILS OF TRIAL:** In late April 2013 an officer from Grade county police is said to have visited Tritsun's mother with a notification that her son had been sentenced. She was not given information on the length of the sentence or the prison where Tritsun is currently held. PEN is seeking further information.

### **Trinley TSEKAR:**

**PROFESSION:** singer and song-writer

**DATE OF ARREST:** 20 November 2013

**SENTENCE:** nine years' imprisonment

**DETAILS OF ARREST:** He was reportedly arrested in Nagchu town following a public protest in May 2013. Tsekar had reportedly gone to Nagchu in order to apply for a driver's license.

**DETAILS OF TRIAL:** Tsekar was reportedly accused of "attacking the local public security organ, assaulting policemen, smashing offices, damaging properties and objects [and] gravely disturbing social order due to his participation in the protests." According to a 13 January 2014 report, Tsekar was convicted and sentenced to nine years in prison in late December 2013.

**BACKGROUND:** Tsekar has reportedly written many songs on Tibetan themes. His CD entitled, "Links of Unity" is especially well known. PEN International is seeking further details.

### **DETAINED: INVESTIGATION**

#### **\*Dawa TSOMO:**

**PROFESSION:** Blogger.

**DATE OF ARREST:** 23 August 2014

**DETAILS OF ARREST:** There are reports that her arrest could be linked to her postings on political issues such as the conditions in which Tibetans live in the areas affected by the April 2014 earthquake. Tsomo was arrested from her home, in Dzatoe County, eastern Tibet on unknown charges. Her whereabouts remained unknown at the end of the year.

### **KHELSANG (KALSANG) Jinpa (pen-name: Garmi):**

**PROFESSION:** poet and writer originally from Sangchu county, Amdo, Gansu province. Has reportedly published poetry and stories in the journal Panggyen Metok Pasture Adorning Flowers) and co-edited the Modern Self periodical and contributed to the Tibetan-language journal Shar Dungri.

**DATE OF ARREST:** early 2014. PEN is seeking to confirm if he remains in detention.

**BACKGROUND:** Khelsang was released from prison on expiry of his three year prison sentence for "incitement to split the nation" in July 2013 in connection with an article written under the pen name 'Garmi' ('the Blacksmith'), 'The case for lifeblood and life-force', published in Shar Dungri in 2008.

**HONORARY MEMBER:** Independent Chinese PEN Centre (ICPC) and Suisse Romand PEN Centre.

### **RELEASED**

### **DHONKHO Jangtse (aka Rongke, pen-name: Nyen), BHUDHA (pen-name: Buddha the Destitute):**

**PROFESSION:** Writers. Bhudha, aged 34, is a medical doctor by profession who works as an editor and writer in his spare time. He has published poems and short stories in the journal Panggyen Metok (Pasture Adorning Flowers) and edited the Tibetan-language journal Duerab Kyi Nga (Modern Self). Dhonkho is a prize-winning poet and writer, born in 1978. He is a member of the Sichuan Writers Guild and has published several collections of poetry including Lharson (Revitalisation) and Thablam (Means).

**SENTENCE:** Four years in prison respectively.

**DATE OF ARREST:** 21 June and 26 June 2010 respectively

**DATE OF RELEASE:** 20 June 2014 on expiry of their sentences

**DETAILS OF ARREST:** Reportedly detained in June and July 2010 along with Khelsang Jinpa, contributor to Shar Dungri, after they published essays about the 2008 crackdown in Tibet in the Tibetan-language journal Shar Dungri (Eastern Snow Mountain). This collection of writings was the first known material in Tibetan on the 2008 protests to have been published in the People's Republic of China. Budha is believed to be targeted for the essay 'Hindsight and reflection' published in Shar Dungri in 2008. Dhonko is believed to be targeted for the essay 'What human rights do we have over our bodies?' published in Shar Dungri under the pen name 'Nyen' (the 'Wild One') in 2008.

**DETAILS OF TRIAL:** Put on trial by the Ngaba Intermediate People's Court, Sichuan Province, on 21 October 2010 on charges of 'splittism'. On 30 December 2010 Dhonkho and Bhudha were sentenced to four years in prison and Kelsang Jinpa to three years for "incitement to split the nation".

**HONORARY MEMBERS:** Independent Chinese PEN Centre (ICPC) and Suisse Romand PEN Centre.



### Tashi RABTEN (pen-name Te'u rang):

**PROFESSION:** Writer and university student. Co-editor of the banned literary magazine Shar Dungri (Eastern Snow Mountain). Tashi Rabten edited the banned literary magazine Shar Dungri (Eastern Snow Mountain) on the 2008 protests in Tibet, and co-authored a collection of writings on democracy, freedom and equality called Written in Blood.

**SENTENCE:** Four years in prison

**DATE OF ARREST:** 6 April 2010

**DETAILS OF TRIAL:** Tried behind closed doors by the Ngaba Intermediate People's Court on 2 June 2011. Details of the charges against him have not been officially confirmed, although he is thought to be have been convicted of "inciting separatism" for a collection of political articles entitled Written in Blood on the suppression of the March 2008 protests in Lhasa and surrounding regions.

**DATE OF RELEASE:** Rabten was reportedly released on 29 March 2014 on expiry of his sentence.

**HONORARY MEMBER OF:** Independent Chinese PEN Centre ICPC.

**PEN ACTION:** RAN 33/09 and updates

### Kunga TSEYANG (aka Gangnyi 'Snow Sun'):

**PROFESSION:** Tibetan writer and environmentalist activist and photographer for Yutse Environment Department. He has written many articles about Buddhism and Tibetan art and culture, including the widely-read, "China must apologize to His Holiness the Dalai Lama".

**SENTENCE:** five years in prison

**DATE OF ARREST:** 17 March 2009

**DATE OF RELEASE:** reportedly released upon expiry of his sentence on 12 January 2014

**DETAILS OF TRIAL:** convicted of various charges including posting articles online.

**HONORARY MEMBER OF:** Independent Chinese PEN Centre ICPC.

### CASE CLOSED

### Lobsang NAMGYAL:

**PROFESSION:** poet. Writing under the pseudonym Sangmig (Secret Eye), Namgyal has authored a collection of poetry entitled Tsol (Search) in which he wrote about his life goals and the state of fellow Tibetans.

**DATE OF ARREST:** sometime around 15 May 2012

**DETAILS OF ARREST:** According to 25 September 2013 reports, Namgyal was reported to have been found in a detention centre in Chengdu. It is thought that Namgyal is being held for publishing speeches by exiled spiritual leader the Dalai Lama and writings on other Tibetan issues. He was reportedly detained outside his workplace, Buddha Cultural Centre, by Chinese police. His family members reportedly had not heard anything about his whereabouts until February 2013.

**UPDATE:** PEN has now learned that Namgyal was detained for about two weeks and then went into hiding. He is believed to have set fire to himself in February 2013 and died. Self-immolation has become a common form of protest by Tibetans protesting at the repression by the Chinese authorities. Case closed.

## XINJIANG UYGHUR AUTONOMOUS REGION (XUAR)

### IMPRISONED – MAIN CASE

#### Perhat HALMURAT

**PROFESSION:** editor of Uyghur Online

#### Shohret TURSUN, Abdukeyum ABLIMIT, Mutellip IMIN, and Atikem ROZI

**PROFESSION:** student of Ilham Tohti:

**DATE OF ARREST:** January 2014

**REASON FOR ARREST:** The five were reportedly arrested around the same time as Ilham Tohti (see 'detained: main case' above). Halmurat and Tursun were reportedly formally charged with 'splittism', while Ablimit was charged with 'revealing state secrets' on 24 February 2014. Charges against Imin and Rozi remain unknown.

**CURRENT PLACE OF DETENTION:** Halmurat, Tursun and Ablimit are thought to be held in a detention centre in Urumqi. The whereabouts of Imin and Rozi are unknown.

**BACKGROUND:** Halmurat and Imin were both subjected to harassment in 2013 when they were each prevented on separate occasions from boarding flights to Turkey. Imin was held without charge for 79 days, while Halmurat was held for 16 hours (for more information see January-December 2013 case list).

**PEN ACTION:** RAN 03/14 and updates

#### Tursunjan HEZIM:

**DATE OF BIRTH:** 1973.

**PROFESSION:** Former history teacher and founder of the now closed popular Uyghur history website Orkhun (www.orkhun.com).

**SENTENCE:** Seven years in prison

**EXPIRES:** July 2016

**DATE OF ARREST:** July 2009

**DETAILS OF ARREST:** Reportedly arrested shortly after the 5 July 2009 protests in Urumchi, which turned violent after police cracked down on peaceful protesters. Hezim's family was never informed of the charges against him and his whereabouts remain unknown. No official reason

has been given for his detention though he is believed to be targeted for his peaceful cultural activism and writings.

**DETAILS OF TRIAL:** Reported in March 2011 to have been sentenced in July 2010 to seven years in jail by the Aksu district court at a closed trial. According to Amnesty International, the Orkhun website mainly featured scholarly articles on Uyghur history and culture and was an important resource for Uyghur intellectuals and students.

### **Gulmire IMIN (f):**

**PROFESSION:** Uyghur poet and website moderator for the Uyghur language website Salkin.

**DATE OF ARREST:** 14 July 2009

**DETAILS OF ARREST:** arrested after protests which took place in Urumqi on 5 July 2009.

**DETAILS OF TRIAL:** She was handed down a life imprisonment sentence for ‘splittism, leaking state secrets and organising an illegal demonstration’ by the Urumqi Intermediate Court on 1 April 2010.

**TREATMENT IN DETENTION:** There are reports that Imin was tortured and ill-treated in detention.

**CURRENT PLACE OF DETENTION:** She is said to be held at the Xinjiang Women’s Prison in Urumqi. WiPC learned of the case in late 2012 and is seeking for further details.

**UN WORKING GROUP ON ARBITRARY DETENTION:** In 2012, the WGAD ruled that “the deprivation of liberty of Ms. Imin is...arbitrary and in contravention of articles 8, 9, 10 and 19 of the Universal Declaration of Human Rights.”

**AWARDS:** 2012 Hellman/Hammett award.

### **Hailaite NIYAZI (aka Hairat or Gheyret Niyaz):**

**PROFESSION:** Freelance journalist and former editor of the website Uyghur Online (www.uighurbiz.net).

**DATE OF BIRTH:** 14 June 1959

**DATE OF ARREST:** 1 October 2009

**SENTENCE:** 15 years in prison

**EXPIRES:** 2024

**DETAILS OF ARREST:** According to PEN’s information, Hailaite Niyazi was taken from his home in Tianshan District, Tacheng Prefecture, Xinjiang Uyghur Autonomous Region (XUAR), on 1 October 2009. It is believed that his arrest stems from critical interviews given to foreign media following the unrest which broke out in Urumqi, the capital of Xinjiang Uyghur Autonomous Region, on 5 July 2009 and which he had tried to warn the authorities about.

**DETAILS OF TRIAL:** The prosecution reportedly used as evidence essays written by Niyazi highlighting mounting ethnic tension in the region prior to the riots, and interviews he gave to Hong Kong media after the violence. Niyazi was convicted by the Urumqi Intermediate People’s Court on charges of ‘endangering national security’ on 23 July 2010. His appeal was rejected.

**CURRENT PLACE OF DETENTION:** Changji Prison, Changji Hui Autonomous Prefecture, XUAR, PR China.

**OTHER INFORMATION:** A week after his sentencing, a group of 51 Chinese lawyers and intellectuals, including Wang Lixiong, Mao Yushi, Cui Weiping, published an open letter expressing their concern about the “criminalization of free speech” that occurred in the case of Gheyret Niyaz. An English translation of the letter may be read [here](#).

**BACKGROUND:** Hailaite Niyazi is a former reporter and columnist for Xinjiang Economic Daily and Xinjiang Legal News. Until June 2009 he edited and managed uighurbiz.net, the website owned by the academic, writer and Uyghur PEN member Iham Tohti, himself arrested in July 2009 and held for six weeks for allegedly ‘promoting separatism’ and, most recently, in January 2014 (see below).

**HONORARY MEMBER:** Independent Chinese PEN Centre.

**PEN ACTION:** RAN 56/09 and updates

### **Dilishat PAERHAT (aka Dilixiati Paerhati):**

**PROFESSION:** Editor of the Uyghur-language website Diyarim.com

**SENTENCE:** Five years in prison

**EXPIRES:** 2014

**DATE OF ARREST:** 7 August 2009

**DETAILS OF ARREST:** Reportedly taken from his home in Urumqi, capital of the Xinjiang Uyghur Autonomous Region (XUAR), by unidentified men on 7 August 2009. Paerhati had been previously arrested on 24 July 2009 and interrogated for eight days about the 5 July 2009 unrest in Urumqi before being released without charge. According to relatives, the website Paerhati edits is a social networking site, which includes information on local amenities, and has a message board. Some of the organisers of the Urumqi protests reportedly used this message board to publicise their demonstration. Paerhati’s relatives said that when he saw these messages, he deleted them and reported the incident to the police.

**DETAILS OF TRIAL:** Reportedly tried by the Intermediate People’s Court of Urumqi and sentenced to five years in prison for ‘endangering state security’ on 21 July 2010. Two other men who ran Uyghur-language websites were tried and convicted in separate trials on the same day, also for ‘endangering national security’. Nureli, who administered the website Salkin, was sentenced to five years in prison and Nijat Azat who ran the website Shabnam received an eight-year prison sentence. Little more is known about these two cases.

**CONDITIONS OF DETENTION:** Held at an unknown location without access to family visits since his arrest. PEN International is seeking confirmation of Paerhat’s release on expiry of his sentence.

### **Iilham TOHTI:**

**PROFESSION:** writer, academic, member of Uyghur PEN and founder of the website Uyghur Online

**DATE OF BIRTH:** 25 October 1969

**SENTENCE:** Life imprisonment

**DATE OF ARREST:** 15 January 2014.

**DETAILS OF ARREST:** Tohti was arrested at his home on 15 January 2014 and held incommunicado, without access to his lawyer. He was formally arrested in February. A



statement released by the Bureau of Public Security at the time of Tohti's arrest alleged that Tohti was under investigation for the promotion of separatism and recruiting followers through his website. Reports indicate that his mother may also have been briefly detained.

**DETAILS OF TRIAL:** Formally charged with 'splittism' in July 2014, he was sentenced to life imprisonment and confiscation of all his property on 23 September 2014 after a two-day trial which began on 17 September 2014. Tohti denied the charges. There are reports that during the trial material were shown representing Tohti's views on the Uyghur minority and China's policies. Some of the material had been downloaded from his website and teaching papers. The prosecutor also reportedly added that Tohti had "internationalised" the Uyghur issue with the translations of articles and essays about the Xinjiang region for his website, and by providing interviews to international media.

**CONDITIONS IN DETENTION:** Tohti was allowed to see his lawyer for the first time in June 2014. He is reported to have been shackled, deprived of food and adequate water while in prison in March 2014 as a punishment for failing to cooperate with the authorities. During his initial days in detention, Tohti reportedly staged a 10-day hunger strike in protest against the food served to him, as it did not follow Islamic dietary laws. He was reportedly denied food for a further eight days after a deadly attack at a train station in Kunming, which the government blamed on separatist Uyghur militants.

**OTHER INFORMATION:** In May 2014, the university reportedly stopped paying his salary. In March 2014 it was reported that the authorities had frozen Tohti's bank accounts.

**BACKGROUND:** An economics professor at Beijing's Central University for Nationalities, Tohti is known as an outspoken critic of the government's ethnic policies in the Xinjiang Uyghur Autonomous Region (XUAR). In 2009, Tohti spent over six weeks in detention after he spoke out about the ethnic unrest which broke out in Urumqi, capital of Xinjiang, on 5 July 2009 (see under 'released' in July-December 2009 case list). A number of people associated with Uyghur Online, a website dedicated to the promotion of understanding between ethnic Uyghurs and Han Chinese, have faced similar harassment. Two students Perhat Halmurat and Mutellip Imin (see 'Brief detention') were prevented from taking up their studies abroad, while Hailaite Niyazi, also known as Gheyret Niyaz, is serving a 15-year prison sentence for "endangering national security" following his conviction on 23 July 2010 (see 'Imprisoned: main case' above). Tohti reportedly faced continued harassment on the part of the Chinese authorities over the course of 2013. For more information, please see January – December 2013 case list. Five of his students, Perhat Halmurat, Shohret Tursun, Abdukeyum Ablimit, Mutellip Imin and Atikem Rozi were arrested around the same time as Tohti (see above). Halmurat and Tursun were reportedly formally charged with 'splittism' while Ablimit was charged with 'revealing state secrets' on 24 February 2014. They are thought to be held in a detention centre in Urumqi, however their exact location and that of Imin and Rozi remains unknown.

**AWARDS:** 2014 PEN/Barbara Goldsmith Freedom to Write Award; and the Ismail Gaspirali Turkic World Freedom Award from the Bartın Province Journalist Association and International Journalism association For Turkic-Speaking Countries.

**HONORARY MEMBER:** PEN American Centre and Independent Chinese PEN Centre (ICPC).

**PEN ACTION:** Press statement 23 September 2014, open letter 28 February 2014, RAN 03/14 and updates, Empty Chair at PEN's 80<sup>th</sup> Congress in Bishkek, Kyrgyzstan, subject of PEN resolution adopted at the 80<sup>th</sup> Congress, 2015 International Mother Language Day case

## Nurmuhemmet YASIN:

**PROFESSION:** Freelance Uyghur writer.

**DATE OF BIRTH:** 6 March 1974.

**DATE OF ARREST:** 29 November 2004.

**SENTENCE:** 10 years in prison.

**EXPIRES:** 30 November 2014.

**DETAILS OF ARREST:** Nurmuhemmet Yasin was arrested in Kashgar on 29 November 2004 for the publication of his short story Wild Pigeon (Yawa Kepter), which was first published in the bi-monthly Uyghur-language Kashgar Literature Journal, issue No. 5, November 2004. Authorities also confiscated Yasin's personal computer containing an estimated 1,600 poems, commentaries, stories, and one unfinished novel. Yasin's story was widely circulated and recommended for one of the biggest Uyghur literary websites in the Uyghur Autonomous Region for outstanding literature award. It also attracted the attention of the Chinese authorities, who apparently consider the fable to be a tacit criticism of their government in the Xinjiang Uyghur Autonomous Region.

**DETAILS OF TRIAL:** After a closed trial in February 2005 at which he was not permitted a lawyer, Yasin was sentenced by the Maralbesh County court to 10 years in prison for "inciting Uyghur separatism" in his book Wild Pigeon (Yawa Kepter). The Kashgar Intermediate Court upheld his sentence on appeal and Yasin was transferred on 19 May 2005 to Urumqi No. 1 Jail.

**CURRENT PLACE OF DETENTION:** Urumqi No.1 Jail, Siping Road 5, Urumqi City 830013, Xinjiang Uyghur Autonomous Republic, P.R.China.

**TREATMENT IN PRISON:** According to PEN's information, unconfirmed reports that Nurmuhemmet Yasin had died in prison which have been circulating since 2010 were disputed by a family member, who claims to have visited him in Urumqi No.1 prison in July 2012 and found him in reasonably good health. She also reported having received a letter from him in October 2012 which she believes is genuine. Yasin has spent most of the past eight years detained incommunicado without access to family visits, fostering speculation about his condition and possible death. However, Yasin's wife and two children were reportedly been given permission to visit him at the prison on 16 January 2013 but PEN is awaiting information as to whether that visit took place. In spite of repeated requests for information about his condition, the Chinese government has remained silent on the issue.

**BACKGROUND:** Nurmuhemmet Yasin is an award-winning and prolific freelance Uyghur writer. He has published many highly acclaimed literary works and prose poems in recent years, including the poetry collections First Love, Crying from the Heart, and Come on Children. He is married with two young sons. An English translation of his story Wild Pigeon can be read in two parts here and here.

**HONORARY MEMBER:** American, English and Independent Chinese PEN Centre (ICPC).

**PEN ACTION:** RAN 01/13 – 9 January 2013; International Mother Language Day 2014 PEN International is seeking confirmation of Yasin's release on expiry of his sentence.



# INDIA

## KILLED – IMPUNITY

### Tarun Kumar ACHARYA:

**PROFESSION:** reported for the Oriya-language newspaper Sambad and stringer for Oriya-language television channel Kanak TV.

**DATE OF DEATH:** 27 May 2014

**DETAILS OF KILLING:** Acharya was reportedly found dead with his throat slit and injuries to his chest on 28 May 2014. According to news reports, assailants had stabbed him the night before as he made his way home from work in Khallikote town, Odisha.

**DETAILS OF INVESTIGATION:** Initial news reports reportedly indicate that Acharya's profession has been ruled out as a motive, with the authorities favouring a possible familial dispute. On 8 June 2014, police reportedly arrested two suspects in connection with Acharya's murder, including the alleged mastermind who is the owner of a cashew processing plant in Khallikote. Police are reportedly seeking two other suspects.

**BACKGROUND:** Shortly before his murder, Acharya had published a report exposing child labour practices at a cashew processing factory. It is thought that the owner of the plant hired the men to kill Acharya shortly after, paying the men 50,000 rupees (US\$850). No further information as of 31 December 2014.

### Narendra DABHOLKAR:

**PROFESSION:** editor of the weekly Marathi-language magazine Sadhana (Spiritual Devotion)

**DATE AND DETAILS OF KILLING:** He was reportedly shot dead by two unidentified gunmen on motorcycles on 20 August 2013. Dabholkar, aged 71, was reportedly shot in his neck and back. He had reportedly spent several years campaigning for legislation to ban fraudulent and exploitative superstitious practices. His murder came days after the Maharashtra state government said it would introduce an anti-superstition bill. Police are investigating the case; the Police Commissioner stated he believed it was a contract killing. On 2 September, the police stated that seven surveillance cameras had captured footage of the two assassins, and the footage had been sent to a London-based forensic lab for analysis.

**UPDATE:** On 9 May 2014, the Bombay High Court reportedly transferred the investigation into Dabholkar's murder to the Central Bureau of Investigation after no headway was made by Pune police. No further information as of 31 December 2014.

### Nemi Chand JAIN:

**PROFESSION:** Journalist for the Hindi dailies Hari Bhoomi, Nayi Duniya and Dainik Bhaskar

**DATE AND DETAILS OF DEATH:** Jain was found dead near Tongapal, Chhattisgarh, central India, on 13 February 2013. Jain, aged 43, was found with a note which said that he was a police

informer. Some colleagues believe that a local gang could be responsible for the journalist's murder, as days before his death, Jain exposed mineral smuggling. The authorities are investigating the case.

**UPDATE:** According to a 10 December 2013 report, 45 days after his murder, Maoist insurgents took responsibility for his attack. Three men accused of being Maoist insurgents have been arrested in connection with his killing, in December 2013 and July 2014.

### Sai REDDY:

**PROFESSION:** reporter for the daily Hindi-language newspaper Deshbandhu

**DATE AND DETAILS OF DEATH:** Reddy, aged 51, was beaten and stabbed to death in Basaguda, Chhattisgarh, on 6 December 2013. A group of Maoist rebels are suspected of carrying out the attack at a market near Reddy's home. He sustained severe head and neck injuries, and died on his way to hospital.

**DETAILS OF INVESTIGATION:** No one has been brought to justice for the murder as of 31 December 2014.

**BACKGROUND:** Reddy covered local issues such as health, education, water supply, food distribution and corruption, often criticising the government, Maoist insurgents and the security forces. According to reports, Reddy had been targeted in the past by both the authorities and Maoists in connection with his investigative reporting of the Naxalite (Maoist) insurrection. In March 2008 he was arrested for his supposed links with Maoists – he was later released on bail – while the Maoists reportedly accused him of having links with the security forces, set fire to his home and threatened to kill him. Reddy fled Chhattisgarh and only returned after he apologised to the Maoists.

### Rakesh SHARMA:

**PROFESSION:** senior reporter for the Hindi-language daily newspaper Dainik Aaj

**DATE AND DETAILS OF DEATH:** 23 August 2013. He was shot dead in Etawah, in the northern state of Uttar Pradesh, by five assailants on a motorcycle. According to reports, Sharma, aged 50, had left his home after receiving a call from an unknown number. He reportedly sustained several gunshot wounds. Local journalists suspect the involvement of a local gambling mafia in his murder, in response to an article published by Sharma critical of illegal gambling operations.

**DETAILS OF INVESTIGATION:** No one was known to have been brought to justice for his killing as of 31 December 2014.

### Jitendra SINGH:

**PROFESSION:** Reporter for the daily newspaper The Hindu

**DATE AND DETAILS OF DEATH:** he was killed in Khunti district, Jharkhand state, on 27 April 2013. There are reports that the groups People's Liberation Front of India (PLFI), claimed responsibility for his killing. Singh also ran a local construction business.

**DETAILS OF INVESTIGATION:** The authorities are investigating the case. No further information as of 31 December 2014.

## ON TRIAL

### Lingaram KODOPI:

**PROFESSION:** Journalist for the Tehelka magazine, based in New Delhi

**DATE OF ARREST:** 9 September 2011

**DATE OF RELEASE:** 14 November 2013

**DETAILS OF ARREST:** Kodopi was reportedly arrested by police from a weekly market at Palnar village in Dantewada district of Chhattisgarh

**DETAILS OF RELEASE:** He was reportedly granted interim bail on 12 November 2013 and released two days later. The Indian Supreme Court have forbidden Kodopi from entering Chhattisgarh state and ordered that he check in weekly with a local police station in Delhi.

**DETAILS OF TRIAL:** He has reportedly been charged with criminal conspiracy, sedition, and waging war against the state, according to the New Delhi-based Tehelka magazine. His next court hearing was scheduled for 3 December 2013. His colleagues believe his arrest is linked to his reporting on police violence, although other reports allege he is linked to an insurgent Maoist group in Chhattisgarh. A Supreme Court hearing on February 2014 upheld the bail order pending trial.

**OTHER INFORMATION:** He is the nephew of tribal activist Soni Sori who was also arrested and held for over two years, during which time she says she was tortured and pressured to say that Kodopi worked for Maoists. No further information as of 31 December 2014.

### S. Nagesh KUMAR:

**PROFESSION:** editor of the English-language newspaper The Hindu

**DETAILS OF TRIAL:** reportedly faces criminal proceedings following the 13 September 2013 publication of a report on a meeting between the Director-General of the Police in Andhra Pradesh and the head of a spiritual cult based in Hyderabad. The complaint alleges intent to bring the police force into disrepute. Kumar succeeded in securing bail, providing him with provisional immunity against arrest. No further information as of 31 December 2014.

## ATTACKED

### \*KARTHIKEYAN:

**PROFESSION:** reporter for the news magazine Puthiya Thalaimurai

**DATE AND DETAILS OF ATTACK:** Karthikeyan was reportedly beaten, along with a number of broadcast journalists, by members of the Dravida Munnetra Kazhagam (DMK) political party in Tamil Nadu while he attempted to cover the resignation of the leader of the party following its

loss in the Lok Sabha elections on 18 May 2014. The attack began after a journalist cited an opponent calling the leader's resignation a "drama".

**DETAILS OF INVESTIGATION:** The police are reported to be investigating the incident. Eleven party workers were reportedly arrested and placed in police custody for 14 days.

### \*Devinder PAL:

**PROFESSION:** investigative journalist for the English-language The Punjabi Tribune

**DATE AND DETAILS OF ATTACK:** On 29 April 2014, unidentified assailants reportedly threw a Molotov-type explosive at Pal's home in Chandigarh. Pal was able to put out the blaze.

**DETAILS OF INVESTIGATION:** Police are reported to be investigating the incident.

**BACKGROUND:** Pal had reportedly recently written a series of investigative reports about the business interests of extended family members of a high-level government official. The reports were published days before Punjab state began voting in India's parliamentary elections.

## RELEASED

### Sudhir DHAWLE:

**PROFESSION:** Activist and editor of the bi-monthly Marathi magazine Vidrohi.

**DATE OF ARREST:** 2 January 2011

**DATE OF RELEASE:** May 2014

**DETAILS OF ARREST:** Reportedly arrested in Wardha railway station, Maharashtra state, after participating in a literary conference.

**DETAILS OF TRIAL:** Charged with waging war against the state, sedition (Sections 121 and 124 of the Penal Code) and under Sections 17, 20 and 39 of the Unlawful Activities Prevention Act (UAPA). These sections relate to: raising funds for terrorist acts; being a member of a terrorist organisation and providing support to a terrorist organisation. Thought to be targeted for his alleged links to banned Maoist groups. Dhawale was reportedly acquitted by an Indian court on all charges on 15 May 2014. He was released a few days later.

# MALAYSIA

## ON TRIAL

### \*Dr Azmi SHAROM:

**PROFESSION:** Academic from the University of Malaya and columnist

**DETAILS OF TRIAL:** On 2 September 2014, Dr Sharom was charged under Section 4(1)(b) and Section 4(1)(c) of the Sedition Act, after the online publication of comments he allegedly made regarding the political crisis of the Perak state in 2009. Dr Sharom is challenging the

constitutionality of the Sedition Act, initially before the High Court, which has transferred his challenge to the Federal Court. If found guilty, he could face up to three years in prison.

## CONDITIONAL RELEASE

### \*Susan LOONE (f):

**PROFESSION:** Journalist for the news website Malaysiakini

**DATE OF ARREST:** 4 September 2014

**DETAILS OF THE ARREST:** Loone was arrested in George Town, Penang state's capital, under the Sedition Act, for allegedly defaming the police in one of her articles. She was questioned by the police for more than eight hours, before being released on bail. In her article, the journalist interviewed the leader of the Penang Voluntary Patrol Unit (PPS), who was arrested himself on 31 August, and who reportedly said he had been 'treated like a criminal'. Loone was released on bail.

# MALDIVES

## ABDUCTION

### \*Ahmed RILWAN ABDULLA (Twitter name: Moyameehaa):

**PROFESSION:** Investigative journalist for the independent news website Minivan News

**DATE OF ABDUCTION:** 8 August 2014

**DETAILS OF ABDUCTION:** Rilwan was last seen by his family on 7 August 2014. There are reports that the journalist was seen being forced into a car at knifepoint outside his flat at about 2 in the morning of 8 August. Previously, the journalist had published an article about a number of death threats against journalist in the region, and against himself, in which they were told not to report on local criminal gangs. On 25 September 2014, the alleged leader of one of Maldives' gangs attacked Minivan News by destroying the CCTV camera located at the entrance of the building and burying a machete in the front door.

**DETAILS OF INVESTIGATION:** Police are investigating Rilwan's disappearance; however, there have been suggestions that the authorities are doing enough to find him. His family, friends and supporters have also set up a campaign website to raise awareness of his case. It has been reported that the camera's footage captured the identity of the attacker. Three men were arrested in September but released later without charge. An independent investigation commissioned by the Maldives Democracy Network (MDN) released in September implicated radicalised gangs in the journalist's disappearance.

# MYANMAR (BURMA)

## KILLED

### \*Aung Kyaw NAING (aka Par Gyi):

**PROFESSION:** Freelance journalist

**DATE OF DEATH:** 4 October 2014

**DETAILS OF DEATH:** Naing was arrested on 30 September 2014, by the Burmese army while reporting on clashes between the government forces and the Democratic Buddhist Karen Army in Mon state, at the border with Thailand. Naing's family did not know about his arrest and they reported to the media that he had disappeared. It was almost a month later, on 25 October 2014, that the Burmese army confirmed that the journalist had died and had been buried three weeks earlier. On his family request, Naing's body was exhumed and sent for a post-mortem examination, as they had concerns for his death and his quick burial. Some accounts suggest that Naing was tortured and shot death while in military detention and that the army believed Naing was a member of the Karen group. On 5 November 2014 the Ministry of Defence confirmed that the journalist had been shot dead on 4 October while trying to escape from military custody. The Myanmar National Commission on Human Rights is investigating the case as instructed by the country's president.

**PEN ACTION:** Mentioned in March 2015 submission to the UPR review of Myanmar

## IMPRISONED: MAIN CASE

### Yazar Soe (also seen as Ya Zar Oo), Sithu Soe, Lu Maw Naing, Paing Thet Kyaw (aka Aung Thura):

**PROFESSION:** reporters and editors for the independent Yangon-based weekly news journal Unity

**SENTENCE:** 10 years in prison with hard labour

**DATE OF ARREST:** February 2014

**DETAILS OF ARREST:** The journalists were reportedly arrested along with the chief executive of the journal Tint San following the publication of a story that alleged that the Burmese military was operating a secret chemical weapons facility on 25 January 2014. The journal reportedly published denials by the government, but ceased publication shortly afterwards.

**DETAILS OF TRIAL:** Formal hearings reportedly began on 17 March 2014. The journalists were reportedly charged under Myanmar's 1923 State Secrets Act, which forbids anyone from entering a prohibited place for any reason "prejudicial to the safety or interests of the state." They were found guilty and sentenced to 10 years in prison with hard labour on 10 July 2014

**UPDATE:** On 2 October 2014 the Magway Region High Court reduced the sentence from 10 years imprisonment to seven. The journalists' defence lawyers announce they would appeal the verdict.



## **\*Kyaw Zaw HEIN, Ko Win TIN, Thura AUNG, Yin Min HTUN and Kyaw Min KHAING**

**PROFESSIONS:** Hein is a reporter, Tin and Aung are editors, Htun and Khaing are owners of the weekly journal Bi Midday Sun.

**DATE OF ARREST:** Between 7 and 16 July 2014

**DETAILS OF ARREST:** On 7 July 2014 the journal published erroneous news that NLC and opposition leader Aung San Suu Kyi had formed an interim government with the Movement for Democracy Current Force (MDCF).

**DETAILS OF TRIAL:** The journalist and owners of the journal were initially charged under Myanmar's Emergency Provision's Act. On 16 October 2014, the five defendants were sentenced by the Pebedan Township Court in Rangoon to two years in prison, under Article 505(b) of the Penal Code for spreading statements that alarm the public or offend the state. The newspaper was closed as soon as the news was published, on 7 July. The defence will appeal the verdict to the Supreme Court, amongst other reasons, because the new Press Law should have been used in this case.

**CURRENT PLACE OF DETENTION:** Insein Prison in Yangon.

### **DETAINED: MAIN CASE**

#### **HTIN Lin Oo:**

**PROFESSION:** Writer and former information officer of the National League for Democracy (NLD), Myanmar's main opposition party.

**DATE OF ARREST:** 17 December 2014

**DETAILS OF ARREST:** On 23 October 2014 he gave a speech at a literary event in Chaung-U Township, Sagaing Region in northern Myanmar, criticizing the use of Buddhism to promote discrimination and prejudice. The speech, which lasted around two hours, was heard by around 500 people. Soon after the event, a 10 minute edited video of the speech appeared on social media, causing outrage among some Buddhist groups. On 4 December Htin Lin Oo was charged by the Chaung-U Township Court, after a complaint was filed against him by township officials. He was charged with "insulting religion" under Section 295(a) of Myanmar's Penal Code and with "wounding religious feelings" under Section 298, which impose punishments of up to two years and one year of imprisonment respectively. Htin Lin Oo was detained at his first court hearing on 17 December after being denied bail. Further requests for bail were rejected. Place of detention: He is currently detained in Monywa prison, Sagaing Region. His trial is scheduled to start on 24 March 2015.

### **RELEASED**

#### **Naw Khine Khine Aye Cho (pen name: Ma Khine) (f):**

**PROFESSION:** Reporter, writing for Eleven Daily

**SENTENCE:** five months in prison

**DATE OF ARREST:** 17 December 2013

**DETAILS OF TRIAL:** On 27 October 2013 Ma Khine was investigating an alleged video piracy case. According to reports, Khine went to the house of a lawyer, who had agreed to be interviewed. The lawyer reportedly became angry and ordered Khine to leave after she enquired as to how much the lawyer charged for handling the case. She was charged and convicted under Articles 294, 451 and 500 of the penal code and sentenced to one month in prison for criminal defamation, three months in prison for trespassing and one month in prison for using abusive language on 17 December 2013. She served the terms simultaneously in Loikaw Prison, in eastern Kayah State.

## **NEPAL**

### **DEATH THREAT**

#### **KP DHUNGANA:**

**PROFESSION:** reporter with the Nagarik daily newspaper.

**DETAILS OF THREAT:** According to 4 March 2014 reports, Dhungana received nearly 200 telephone calls and messages threatening him with death following the publication of a news story about a protection centre on 27 February 2014. The article reportedly detailed the mistreatment of elderly women, unhygienic conditions of children and lack of transparency at the protection centre.

## **PAKISTAN**

### **KILLED: MOTIVE UNKNOWN**

#### **\*Yaqoob SHEHZAD AMAR:**

**PROFESSION:** Journalist for the newspapers Express News and Daily Express

**DATE OF DEATH:** 5 October 2014

**DETAILS OF DEATH:** Shehzad was at an office in Hafizabad, Punjab province, when four unknown men in a motorcycle approached him and opened indiscriminate fire. He was also the president of the Hafizabad Press Club.

**DETAILS OF INVESTIGATION:** The police opened an investigation but no one was known to have been brought to justice by the end of the year. Shehzad's house had been attacked some months earlier.

### **\*Nadeem HYDER:**

**PROFESSION:** Journalist for the daily Dunya

**DATE OF DEATH:** 3 October 2014

**DETAILS OF DEATH:** Hyder was shot by unidentified men in Hafizabad, Punjab region. The journalist was reportedly teaching at a school in Kaliki Mani area of Hafizabad, when two men barged into the school, shot Hyder and fled the scene.

**DETAILS OF INVESTIGATION:** The police are investigating the case.

### **\*Irshad MASTOI and Abdul Rasool KHATTAK:**

**PROFESSION:** Bureau chief of the news agency Online International News Network and trainee reporter, respectively.

**DATE OF DEATH:** 28 August 2014

**DETAILS OF DEATH:** Mastoi and Khattak were shot death by two unidentified men who broke into the news agency's office, based in Quetta city, capital of Baluchistan province. The assailants fled the scene.

**DETAILS OF INVESTIGATION:** The police are investigating the case.

**BACKGROUND:** Mastoi, aged 34, was the secretary general of the Baluchistan Union of Journalists (BUJ). He also contributed to other local and national publications, including The Express. Khattak was in his early 20s, and was a student in his final year at the Journalism faculty of the University of Baluchistan.

### **KILLED: IMPUNITY**

### **Mahmoud Ahmed AFRIDI:**

**PROFESSION:** Correspondent for the newspaper Intikhab

**DATE OF DEATH:** 1 March 2013

**DETAILS OF DEATH:** Afridi was reportedly killed in Baluchistan, southwestern Pakistan, on 1 March 2013. Two unknown men approached Afridi when he was in a shop, opened fire and the journalist died immediately. Afridi, aged 56, was also the president of the Kalat Press Club. There are reports that the Baluchistan Liberation Army (BLA) claimed responsibility for the killing.

**DETAILS OF INVESTIGATION:** The authorities are investigating this death. No further information as of 31 December 2014.

### **Ahmed Ali JOIYA (or Joya):**

**PROFESSION:** Journalist for various newspapers and magazines

**DATE OF DEATH:** 24 May 2013

**DETAILS OF DEATH:** Joiya was shot dead by an unknown man in Bahawalnagar district, Punjab province. Joiya, aged 25, had been investigating a crime story in coordination with the local

police. It is said that Joiya had already received death threats for investigating this particular case. The journalist had previously exposed local criminal activities.

**DETAILS OF INVESTIGATION:** Police said they believed the man responsible for the death threats may have been behind the killing. No further information as of 31 December 2014.

### **Ayub KHATTAK:**

**PROFESSION:** reporter for Karak Times newspaper

**DATE OF DEATH:** 11 October 2013

**DETAILS OF DEATH:** Khattak was shot dead by two men on a motorcycle outside his home in Karak district, Khyber Pakhtunkhwa province, on 11 October 2013. The journalist, aged 42, had received a number of threats previously related to his investigation into an alleged increase in drug dealing in the Wrana Mir Hassankhel neighbourhood. Khattak had recently published a story on the sale of illegal drugs and drug dealing.

**DETAILS OF INVESTIGATION:** According to reports, two men identified as brothers involved in drug dealing are being investigated by police and are said to be on the run. No further information as of 31 December 2014.

### **Malik MUMTAZ:**

**PROFESSION:** Journalist for the daily News International

**DATE OF DEATH:** 27 February 2013

**DETAILS OF DEATH:** was shot dead by unidentified men in a car, while driving to his home in Miran Shah, North Waziristan. Aged 48, Mumtaz, worked for over 20 years for media outlets in Urdu and English. Before his death, Mumtaz had written articles about violence in North Waziristan and on the polio vaccination programme, a controversial topic in Pakistan. He had recently been elected president of the regional press association.

**DETAILS OF INVESTIGATION:** No one known to have been brought to justice as of 31 December 2014.

### **Haji Abdul RAZZAK:**

**PROFESSION:** reporter for the Balochi-language daily newspaper Tawar

**DATE OF DEATH:** unknown

**DETAILS OF DEATH:** Found dead in Karachi on 21 August 2013. Missing since 24 March, Razzak was reportedly tortured to death. According to reports, his body was so badly mutilated that only his arms and legs were sufficiently intact to enable identification. Razzak was reportedly found alongside that of another, as of yet unidentified, mutilated body. Thirteen days after his disappearance, Tawar's single-room office was burned, and the computers taken away. The paper frequently reported on human rights abuses against the Baloch population and several other of its reporters have been killed in previous years such as Javed Naseer Rind in 2011.

**DETAILS OF INVESTIGATION:** No one known to have been brought to justice as of 31 December 2014.

## **Abrar TANOLI:**

**PROFESSION:** General Secretary of Mansehra Press Club, photographer for Reuters and reporter for Daily Mahsib and Daily Shamal newspapers.

**DATE OF DEATH:** 3 March 2014

**DETAILS OF DEATH:** Tanoli was reportedly shot in the neck by unidentified gunmen while travelling with his family at Mamsehra on 2 March 2014. He died the following day.

**DETAILS OF INVESTIGATION:** No one known to have been brought to justice as of 31 December 2014.

**BACKGROUND:** Tanoli had reportedly received threats for his reporting and had recently been provided with police protection for a two month period. In January 2013 Tanoli was reportedly arrested and released on bail in a case of murder of two students, whose family had publically threatened him with revenge.

## **DEATH THREAT**

### **\*Kamran SHAFI:**

**PROFESSION:** Freelance journalist and retired army officer Dates of threat: 23 and 26 August 2014

**DETAILS OF THREAT:** Shafi received two death threats via email. In the messages there was reference to his son using his family nickname, and to the journalist using the nickname he had while at the army.

**BACKGROUND:** Shafi contributes to a number of publications, including The Express Tribune and Dawn. He has reportedly written some critical pieces about current politics and about the former head of state. Shafi suffered previous threats in 2009, due to his work as a journalist.

## **ATTACKED**

### **Zafar AHEER:**

**PROFESSION:** editor of the Urdu-language newspaper Daily Jang

**DATE OF ATTACK:** 1 June 2014

**DETAILS OF ATTACK:** Aheer was reportedly attacked by six armed assailants on motorcycles as he returned home from work. The assailants reportedly surrounded his vehicle, beat him with the butts of their guns and confiscated his mobile telephone before firing shots around his car and fleeing the scene. Aheer was reportedly taken to hospital having sustained serious injuries to his head, shoulders and legs. Aheer told BBC Urdu that the assailants claimed that those who worked for Jang group were traitors, Jews and agents for India's intelligence agency. Aheer had reportedly received death threats in connection with his affiliation with Jang media group.

**DETAILS OF INVESTIGATION:** The police are reported to be investigating the incident.

**BACKGROUND:** Jang media group, of which Daily Jang forms part, has reportedly come under increasing pressure since Geo TV broadcast allegations that Pakistan's Inter-Services intelligence was responsible for the assassination attempt on one of its anchors.

## **Shahid Mahmood MIRZA:**

**PROFESSION:** editor of Urdu-language daily newspaper Chingari

**DATE OF ATTACK:** 7 March 2014

**DETAILS OF ATTACK:** According to reports, at least 20 assailants stormed Chingari's Mirpur offices, dragging out Mirza and beating him with sticks. Mirza was reportedly doused with oil; however, his assailants fled the scene before they would set him alight. Mirza reportedly fell unconscious after the attack and was taken to hospital. The assailants reportedly destroyed the outlet's equipment, broke windows, and shattered the office furniture. Mirza reportedly believes that the attack is a result of his recent report that alleged that the construction of a nearby plaza was illegal.

**DETAILS OF INVESTIGATION:** Police have reportedly filed a case against more than a dozen individuals in connection with the attack, although no arrests have been made.

## **Raza RUMI:**

**PROFESSION:** journalist with the liberal weekly newspaper The Friday Times and host of 'Khabar Se Agay' (Beyond the News) programme for Express News TV.

**DATE OF ATTACK:** 28 March 2014

**DETAILS OF ATTACK:** The car Rumi was travelling in was fired upon by unidentified gunmen near Raja market in Lahore as he returned home. Rumi was unharmed, however, his driver was killed and bodyguard injured.

**BACKGROUND:** Rumi had not received any direct threats prior to the attack, but reportedly knew that he was on a hit list of Express Media personnel.

## **HARRASSED**

### **\*Shoaib ADIL:**

**PROFESSION:** Magazine editor and publisher

**DATE OF HARASSMENT:** 11 June 2014

**DETAILS OF HARASSMENT:** There are reports that a number of religious clerics gathered outside Adil's office in protest against him, calling for his immediate arrest for publishing blasphemous material. In response, the police raided the magazine's headquarters and arrested Adil while at his office. Adil was held at the police station and release during the early hours of the day after, once the crowd that had gathered outside had cleared. In early July 2014 it was reported that Adil had gone into hiding with his wife and children, after the police allegedly advice not to return to his home or to his office.



**BACKGROUND:** Adil and his family had reported receiving threats to his life and that of his family since early June 2014, after his magazine published a report on the death of a human rights lawyer. In May 2000 Adil launched the Urdu-language magazine Nia Zamana, which publishes reports on various sensitive issues in Pakistan, including religious issues, forced conversion of Hindu girls, and the military, as well as matters that affect minority groups in the country. In 2007, the magazine's website was launched, making its content more accessible. That same year, Adil published a biography entitled My Journey to the High Court, written by a Pakistani judge who belongs to a minority group in the country. There are reports that Adil considers that the real reason for his arrest is the magazine's content, and that religious clerics have taken issue with the book that is almost out of print. A copy of this book has been sent by the police to the relevant religious authorities to review its content.

### Meena MENON (f) and Snehesh Alex PHILIP: (Indian nationals)

**PROFESSION:** correspondent for The Hindu and the Press Trust of India, respectively.

**DETAILS OF HARASSMENT:** On 8 June 2014, the Pakistani authorities informed Menon and Philip that their visas would not be renewed and that they would need to leave the country in one week, according to news reports. They are reported to be the only two Indian journalists working in the country.

**BACKGROUND:** In 2013, the former Indian correspondents were asked to leave Pakistan following the denial of an extension of their visas. The two outlets reportedly waited for more than a year for clearance to send replacements.

## PHILIPPINES

### KILLED: MOTIVE UNKNOWN

#### Rubylita GARCIA (f):

**PROFESSION:** reporter for the tabloid newspaper Remate in Bacoor City, Cavite province

**DATE OF DEATH:** 6 April 2014

**DETAILS OF DEATH:** Garcia, aged 52, was reportedly shot at least four times by two individuals who entered her home with no attempt at concealment. Her assailants fled the scene on a motorcycle. Garcia was reportedly taken to hospital, where she died of her injuries a few hours later. Shortly before she died she is reported to have told her son that she believed that a police chief in the nearby town of Tanza – who she had had an altercation with three days earlier – was behind the shooting.

**DETAILS OF INVESTIGATION:** According to news reports, a national police spokesman announced that the police chief had been suspended from duty so that he would not be able to influence the investigation. No further information as of 31 December 2014.

### KILLED: IMPUNITY

#### Vergel BICO:

**PROFESSION:** publisher and editor of the newspaper Kalahi

**DATE OF BIRTH:** 1972

**DATE OF DEATH:** 4 September 2013

**DETAILS OF DEATH:** he was reportedly shot dead on 4 September 2013 in Calapan City, Mindoro. The journalist, aged 41, was reportedly travelling on a motorcycle when he was shot twice in the head by two unidentified men also on a motorcycle.

**DETAILS OF INVESTIGATION:** Police are reported to suspect a personal grudge as a motive, although they have not ruled out the possibility that it was related to his work. No further information as of 31 December 2014.

**BACKGROUND:** Bico had reportedly previously received threats from the subjects of his columns in Bandera Pilipino, the last of which was published in December 2012, where he often wrote on illegal gambling.

#### Bonifacio LORETO Jr. and Richard KHO:

**PROFESSION:** respectively publisher and reporter for the tabloid Aksyon Ngayon

**DATE OF DEATH:** 30 July 2013

**DETAILS OF DEATH:** They were reportedly shot dead in Quezon City, Manila.

**DETAILS OF INVESTIGATION:** The police filed two counts of murder charges against Clemente Bersosa and Roel Manaog on 13 August 2013, according to news reports. The suspects were reportedly identified by witnesses who looked at photographs of people with criminal records. Family members believe that the killings are related to their work as journalists.

**UPDATE:** On 4 September 2014 there were reports that four people had been arrested on suspicion of the killing of the journalists. The suspects are said to be part of a 'gun-for-hire-gang, who might be responsible for the recent killing of a police inspector.

### THREATENED

#### Melvin GASCON:

**PROFESSION:** correspondent for the Philippine Daily Inquirer

**DATE OF THREAT:** 20 February 2014

**DETAILS OF THREAT:** Gascon reported receiving a threatening telephone call from Gonzaga town mayor. The threats are said to relate to Gascon's reportage of the persistence of illegal black sand mining in the area. The mayor reportedly claimed that Gascon was painting Gonzaga in a 'bad light'. The mayor denied threatening Gascon during an interview on 25 February 2014.

## JUDICIAL HARASSMENT

### Natashya GUTIERREZ (f) and Berteni CAUSING:

**PROFESSION:** reporter for the online news site Rappler.com and lawyer-blogger, respectively.

**DETAILS OF HARASSMENT:** On 6 August 2013, Janet Lim Napoles, a business woman connected to a current multi-billion peso corruption scandal (see case below), reportedly filed charges of criminal libel against both Gutierrez and Causing in connection with their coverage of the 'lavish lifestyle' of the businesswoman's daughter. If brought to trial and convicted, the pair face a maximum six-year jail sentence and/or fine. Napoles is reportedly seeking damages of P10 million (approx. US\$275,000) and attorney's fees from each of them. No further information as of 31 December 2014.

### Raul PANGALANGAN, Letty JIMENEZ-MAGSANOC (f), Jose Ma. D. NOLASCO and Gil C. CABACUNGAN:

**PROFESSION:** respectively, the publisher, editors and reporter for Manila broadsheet Philippine Daily Inquirer

**DETAILS OF HARASSMENT:** Janet Lim Napoles filed a complaint of criminal libel against them on 7 August 2013. In July 2013, the Inquirer published a series of reports on a recent corruption scandal relating to the misuse of pork barrel funds. The reports allege that fake NGOs misused at least P10 billion (approx. US\$200 million) of public funds. Whistleblowers reportedly identified Napoles as the head of several of the fake NGOs and as a major beneficiary of the scam. Napoles is reportedly seeking P10 million (approx. US\$275,000) and attorney's fees. If convicted the journalists could face a maximum six-year prison sentence. No further information as of 31 December 2014.

**BACKGROUND:** The charges filed against the journalists came a day after Napoles filed similar charges against Natashya Gutierrez and Berteni Causing (see above). A warrant for Napoles' arrest was reportedly issued on 14 August 2013 in relation to the illegal detention of one of the whistleblowers, her former assistant.

## SOUTH KOREA

### ON TRIAL

#### \*Tatsuya KATO (Japanese national)

**PROFESSION:** Journalist and Seoul bureau chief of the Japanese daily Sankershimbun

**DETAILS OF THE TRIAL:** An association of South Korean citizens filed a complaint against Kato on 18 August 2014 in connection with a report published on 3 August 2014. In his report, he mentioned a rumour regarding the South Korean president's absence for a few hours during the Sewol ferry disaster of April 2014, in which about 300 people died. The rumour concerned

the president being with a married aide during the tragedy, which the president has denied. On 8 October 2014 Kato was charged with criminal defamation, and the trial begun on 27 November and was continuing at the end of the year. If found guilty, he could face up to a seven-year prison sentence. **[STOP PRESS:** On 14 April 2015, a travel ban imposed during the trial was lifted to allow him to visit his ailing mother in Japan]

## SRI LANKA

### ENFORCED DISAPPEARANCE

#### Pregeeth EKANALIYAGODA:

**PROFESSION:** Political analyst, journalist and visual designer for the Lanka eNews Date of disappearance: he was reported missing on 24 January 2010, and his whereabouts remain unknown.

**DETAILS OF DISAPPEARANCE:** He was last seen leaving his office that evening, and his family believe that he was abducted by pro-government forces and subsequently killed. Government sources have denied the allegation and have suggested he fled abroad, but have been unable to provide any evidence of this. Ekanaliyagoda is a leading columnist, and reportedly published articles in favour of the defeated opposition candidate General Sarath Fonseka ahead of the Sri Lankan presidential elections that took place on 26 January. The Lanka eNews website was reportedly blocked during the elections, and its offices were searched by unidentified individuals on 28 January 2010. No further information as of 31 December 2014.

**BACKGROUND:** Previously, on 27 August 2009, Ekanaliyagoda had been abducted and held blindfolded overnight, and was released after being told that he was not the correct target. Family and colleagues have expressed increasing concern that the authorities have done very little to investigate Pregeeth Ekanaliyagoda's disappearance.

**PEN ACTION:** RAN 09/10 - 26 February 2010; 2012 Impunity campaign case; 2014 International Day to End Impunity case

## THAILAND

After nearly seven months of escalating political violence in Thailand, a military coup d'état led by General Prayuth Chan-ocha was declared on 22 May 2014. The coup imposed martial law and a curfew, dissolved the Senate – the only remaining national government body with elected members – and taken on wide-ranging executive and legislative powers. Political gatherings were banned and the National Council for Peace and Order (NCPO) imposed strict censorship of the internet and control of the media. Severe restrictions were placed on freedom of expression and political freedom, including ongoing formal and informal summons to report to the junta, extensive use of arbitrary detention, the activation of military courts to process dissidents, and the creation of a general climate of fear detrimental to human rights and the rule of law. Under the terms of martial law, which were put in place two days prior to



the coup and persisted for the rest of the year, soldiers were empowered to detain and interrogate anyone for up to seven days without having to provide evidence of wrongdoing or bring formal charges. People arrested could be held at irregular places of detention, including permanent or temporary military bases or other sites designated as places of detention. Detention in irregular places means that the possibility for rights violations, including torture, forced disappearance and extrajudicial execution is greatly increased. The penalties for not responding to the summons include processing within the military court system and a prison sentence of up to two years and/or a fine of up to 40,000 baht (US\$ 1300).

On 18 July 2014 a new edict, Announcement No. 97, came into force banning all media and social media users from disseminating the opinions of independent scholars, retired civil servants, and former court, judicial office, and independent organization employees in a manner that could "create conflicts, distort facts, confuse society or lead to violence," according to local reports.

In 2014, writers, academics and activists in Thailand risked attack and imprisonment solely for the peaceful expression of their opinions. The arrest of peaceful protestors, formal and informal summons of dissidents, arbitrary arrest and detention for "attitude adjustment," and widespread surveillance became a common feature of social and political life in Thailand after the coup, with the NCPO explicitly targeting dissident thinkers, academics, human rights defenders, journalists, and artists. For more information, see PEN's statement on Thailand.

## KILLED – MOTIVE UNKNOWN

### **Kamol DUANGPHASUK: (Pen-name: Mainueng K. Kunthee)**

**PROFESSION:** poet

**DATE OF DEATH:** 23 April 2014

**DETAILS OF DEATH:** Kunthee was reportedly shot several times by unknown assailants who had approached his car at a restaurant parking lot in northern Bangkok on 23 April 2014. The gunman escaped on a motorcycle. Kunthee, aged 45, died in hospital. The motive for Mainueng K. Kunthee's murder is not known, although it is thought that he may have been targeted for his political activism amidst the escalating political violence in the country at the time.

**DETAILS OF INVESTIGATION:** On 24 July 2014, police issued arrest warrants for two individuals suspected of his killing. No further information as of 31 December 2014.

**BACKGROUND:** He was widely known for his poetry since the late 1980s and was popular for his direct poetic style and for voicing strong political messages. His poems call for social justice, the rights of the rural poor and for challenging the forces of oppression. His poems were published in a number of magazines including the Matichon Weekly in the 1990s. Mainueng strongly opposed the 2006 military coup and the subsequent crackdown on critics of the monarchy. He took part in many rallies of the United Front for Democracy against Dictatorship (UDD), known as the "Red Shirts," and became known as a "Red Shirts poet." He was also very active in the campaign against Article 112 of the Penal Code, or lèse majesté law, which has been widely used to criminalise free expression and imprison writers, journalists and

publishers. His murder is one of a string of violent attacks on activists and academics known to be critical of the monarchy and the lèse majesté law.

**PEN ACTION:** RAN 10/14

## IMPRISONED – MAIN CASE

### **Somyot PRUKSAKASEMUSK:**

**PROFESSION:** Independent journalist, editor of the magazine Voice of Taksin, and prominent labour activist.

**DATE OF ARREST:** 30 April 2011

**SENTENCE:** 11 years in prison

**DETAILS OF ARREST:** Reportedly arrested by the Department of Special Investigation (DSI) on 30 April 2011 and charged with two counts of lèse-majesté under Article 112 of the Criminal Code which prohibits acts of insulting, defaming or threatening Thailand's king, heir apparent or Regent for publishing two articles written by an anonymous author in his magazine. Pruksakasemus, aged 50, was reportedly charged after refusing to reveal the identity of the writer of the articles, which are deemed to be defamatory to the King. Pruksakasemus may have been targeted for his campaign calling for the repeal of the lèse-majesté law.

**DETAILS OF TRIAL:** His trial started on 21 November 2011. On 23 January 2013, the Bangkok Criminal Court found Prueksakasemus guilty on both counts. He was sentenced to five years for each count. He received an additional year's imprisonment for a previous suspended sentence passed in a separate defamation case in 2009. He has been detained since his arrest and has been repeatedly denied bail, most recently in July 2013.

**UPDATE:** On 18 September 2014, Thailand's Court of Appeals upheld his conviction and sentence. Neither Prueksakasemus nor his lawyer were informed of the hearing in advance.

**CURRENT PLACE OF DETENTION:** Petchaboon Prison, 31 Praputabat Rd, Ni-Muaeng Sub-district, Muaeng District, Petchaboon 67000, Thailand.

**TREATMENT IN PRISON:** Reportedly ill-treated in detention.

**HEALTH CONCERNS:** Somyot suffers from hypertension and gout and there are concerns for his health, which is said to have deteriorated during his detention.

**OTHER INFORMATION:** During its 64<sup>th</sup> session from 27-31 August 2012 the UN Working Group on Arbitrary Detention (WGAD) examined his case and concluded that his detention is arbitrary and in violation of Article 19 of the UN Declaration on Human Rights and Article 19 (2) of the International Covenant on Civil and Political Rights, to which Thailand is a party. WGAD called for his release. On 25 May 2014, three days after the military coup, the Thai military reportedly carried out a search in Somyot Prueksakasemus's house and arrested his wife and son. They were held incommunicado without access to a lawyer and the authorities did not provide them with any reasons for their arrest. They were released without charges on the following day, but were warned not to give interviews, make political comments, or take part in any political activities.

**PEN ACTION:** RAN 04/13 – 24 January 2013



## \*Nut RUNGWONG (pen name: Somsak Pakdeedech)

**PROFESSION:** Website editor for the Thai E-News

**SENTENCE:** Four and a half years in prison

**DATE OF ARREST:** 24 November 2014

**DETAILS OF ARREST:** The editor was arrested due to an article posted on Thai E-News in 2009, written by an academic, which is allegedly defamatory to the Thai monarchy.

**DETAILS OF TRIAL:** He was charged under Article 112 of the Criminal Code (known as the lèse majesté law), which prohibits acts of insulting, defaming or threatening Thailand's king, heir apparent or regent. According to press reports, the military court cut nine-year prison sentence in half as he had pleaded guilty.

**CURRENT PLACE OF DETENTION:** Unknown

**BACKGROUND:** The article on which the trial was based was written by Giles Ji Ungpakorn, who was a political science professor at Chulalongkorn University, Bangkok. The professor was forced to leave Thailand in February 2009, after the publication of his book entitled A Coup for the Rich, in which he argues that the 2006 military coup in Thailand was illegitimate and had the support of the Thai monarchy.

## ON TRIAL

### Andy HALL: (UK national)

**PROFESSION:** Labour activist and researcher who blogs at <http://andyjhall.wordpress.com/>

**DETAILS OF TRIAL:** He is on trial for both criminal and civil defamation, as well as offences under the Computer Crimes Act after publishing a report on alleged abuses committed by the Natural Fruit Company Limited, a fruit processing company in Thailand. Hall's investigative report entitled Cheap has a high price: Responsibility problems relating to international private label products and food production in Thailand, was published in late 2012, by the Finnish NGO FinnWatch. The report focuses on production practices of juices and fruit sold in Finland, and was reportedly based on interviews of employees, many of them undocumented migrants from Myanmar, who suffered labour rights abuses, from poor working conditions to child labour. Andy Hall was the lead researcher of the report, while working as Associate Researcher at Mahidol University in Thailand. If found guilty, Hall faces up to two years in prison and civil damages of US\$10 million. The charges were filed on 14 February 2013, and his trial before the South Bangkok Criminal Court began on 2 September 2014 and was continuing at the end of the year.

### Alan MORISON and Chutima SIDASATHIAN (f):

**PROFESSION:** respectively editor and reporter for the news website Phuketwan.com

**DETAILS OF TRIAL:** They were charged with criminal defamation, as well as offences under the Computer Crimes Act, on 18 December 2013. The charges were reportedly brought against the journalists by a Thai naval officer, on behalf of the Royal Thai Navy, following the 17 July 2013 publication of a report, which detailed the treatment of Rohingya migrants fleeing Burma.

The article reportedly quoted extensively from a Reuters report which implicated the Thai Navy in human trafficking. Their trial had not begun by the end of the year. If convicted, they could face prison terms for up to two years for criminal defamation and five years if convicted under the Computer Crimes Act.

**UPDATE:** On 17 April 2014, a Thai court formally charged Morison and Sidasathian with criminal defamation and their trial is due to start on 14 July 2015.

**BACKGROUND:** Phuketwan has reported on the Rohingya people's exodus from Burma since 2008.

## BRIEF DETENTION

### Thanapol EAWSAKUL:

**PROFESSION:** writer, editor of the journal Fa Diew Kan, and human rights defender

**DATE OF ARREST:** 24 May 2014 and 5 July 2014

**DATE OF RELEASE:** 31 May 2014 and 9 July 2014

**DETAILS OF ARREST:** (1) Eawsakul was arrested during a peaceful protest one day after the coup d'état on 23 May 2014. Before being released he was compelled to sign a statement agreeing to a number of conditions, including that he would not exercise his fundamental right to freedom of expression or assembly, or leave the country without permission of the junta. (2) Eawsakul was reportedly re-arrested on 5 July and held for four days

**PEN ACTION:** RAN 10/14, 23 July 2014 press statement

### Pravit ROJANAPHRUK:

**PROFESSION:** journalist with the daily newspaper The Nation

**DATE OF ARREST:** 24 May 2014

**DATE OF RELEASE:** 31 May 2014

**DETAILS OF ARREST:** Rojanaphruk was reportedly summoned by the army on 23 May 2014, the day of the recent coup d'état. He appeared at the headquarters of the National Council for Peace and Order (NCPO), accompanied by a lawyer and UN representatives. He was reportedly questioned for five hours without his lawyer being present and was subsequently taken to an unidentified detention centre. He is known for his critical views on Thailand's lèse majesté law.

**PEN ACTION:** RAN 10/14

## HARASSED

Thirty-five prominent academics were summoned on 25 May 2014, including the following scholars who advocate democracy and amendments to the lèse majesté law: Thammasat lecturers Somsak Jeamteerasakul, Worachet Pakeerut and Sawatri Suksri (the latter two of the Nitirat or Enlightened Jurists group); Suda Rangupan, a former Chulalongkorn University lecturer, and Pavin Chachavalpongpun, a professor of Southeast Asian studies at Kyoto

University. Mr Pavin, a frequent contributor to the Bangkok Post and other media, said by telephone from Japan that he would not turn himself in. It is thought the others have also chosen not to report to the authorities. Refusal to respond to a summons is a crime carrying a maximum prison term of two years and/or a 40,000 baht (USD1,300) fine.

**PEN ACTION:** mentioned in RAN 10/14

## VIET NAM

### IMPRISONED: MAIN CASES

#### BUI Thi Minh Hang (f) and NGUYEN Thi Thy Quynh:

**PROFESSION:** bloggers

**SENTENCE:** Bui Thi Minh Hang was sentenced to three years in prison and Nguyen Thi Thy Quynh was sentenced to two years in prison.

**EXPIRY:** Bui's sentence

**EXPIRES** in February 2017, Nguyen's in February 2016.

**DATE OF ARREST:** 11 February 2014

**DETAILS OF ARREST:** The bloggers were reportedly arrested as they were travelling to the home of Nguyen Bac Truyen, a lawyer who had been arrested arbitrarily, along with a number of friends and activists, including netizen Luu Trong Kiet, in Dong Thap. They were reportedly taken to Lap Vo police station where they were beaten and had their electronic devices confiscated. While many of those with her were released the next day, Bui Thi Minh Hang and Nguyen Thi Thy Quynh remained detained. Bui and Nguyen, along with activist Nguyen Van Minh, faced charges of 'disturbing public order' and 'obstructing traffic.' Five activists reportedly refused to sign testimonies they gave to the police over the charges the bloggers face, claiming that their statements were fabricated.

**DETAILS OF TRIAL:** On 26 August 2014, the People's Court of Dong Thap, southern province, sentenced the bloggers in a summary trial, under paragraphs (a) and (b) of Article 245 of the Penal Code for 'causing public disorder'. There are reports that the trial did not comply with international standards of fair trial, including the fact that four defence witnesses were not allowed to attend the trial. On 12 December 2014, the Dong Thap Court of Appeal confirmed the sentence against the bloggers.

**PLACE OF DETENTION:** On 29 January 2015, Bui Thi Minh Hang was transferred to Camp Gia Trung, Ajun village, Mang Yang district, Gia Lai province, Viet Nam. There are unconfirmed reports that Nguyen Thi Thy Quynh is being held at the Public security camp in Saigon (Ho Chi Minh city).

**HEALTH CONCERNS:** Bui had embarked upon a hunger strike immediately following her arrest, but after 24 days her health was deteriorating, she stopped as advised by her lawyer.

**OTHER INFORMATION:** several UN Special Rapporteurs sent an urgent communication to Vietnam about their case on 26 March 2014; Vietnam responded on 30 May.

**PEN POSITION:** PEN believes their arrest on public order offences was a reprisal for their critical blogging, as they and Nguyen Van Minh were the only ones brought to trial of the 21 arrested.

All three are known for their peaceful human rights activities, calling in particular for religious freedom, the release of political prisoners, and for support to victims of land confiscation.

#### DINH Nguyen Kha:

**PROFESSION:** Blogger, human rights activist, student of the Long An University of Economics and Industry, and member of the banned human rights defenders' group Tuoi Tre Yeu Nuoc (Young Patriots).

**DATE OF BIRTH:** 1988

**SENTENCE:** Eight years in prison, reduced to four on appeal.

**EXPIRES:** 2016

**DATE OF ARREST:** 11 October 2012

**DETAILS OF ARREST:** Reportedly arrested after dropping 2000 anti-government leaflets at An Suong, Ho Chi Minh City which the prosecution claimed distorted "the party and the state's policies related to religion and land, and exhibit[ing] a twisted viewpoint regarding the Spratly and Paracel islands [whose sovereignty is disputed] and the border land between Viet Nam and China".

**DETAILS OF THE TRIAL:** Dinh was convicted on 16 May 2013 for "conducting propaganda against the Socialist Republic of Viet Nam", prohibited under Article 88-1(c) of the Criminal Code. On 16 August 2013, Dinh's sentence was reportedly halved, while that of his co-accused was over-turned.

**CURRENT PLACE OF DETENTION:** Camp K3 Xuyen Moc, Ba Ria - Vung Tau province, Viet Nam.

**OTHER INFORMATION:** According to a copy of the indictment, on 29 September 2012 the People's Court of Tan An city convicted and sentenced Dinh Nguyen Kha to two years in prison for "intentionally causing injuries to others". Dinh was tried with poet, activist and blogger Nguyen Phuong Uyen (see below). Dinh's brother, Dinh Nhat Uy, was given a suspended 15-month prison term in October 2013 after conviction of "having abused democratic freedoms against the interests of the state" for posting messages on Facebook that were critical of the treatment of Dinh Nguyen Kha.

#### DINH Van Nhuong:

**PROFESSION:** Human rights activists and dissident writers.

**DATE OF BIRTH:** 1958.

**SENTENCE:** Four years in prison and three years of probationary detention

**EXPIRY:** June 2015

**DATE OF ARREST:** 7 June 2011

**DETAILS OF TRIAL:** On 16 July 2012 Dinh was convicted after a one-day trial in Bac Giang province under article 88-1(c) of the Criminal Code for "conducting propaganda against the Socialist Republic of Viet Nam". He was tried for publishing critical articles online allegedly containing defamatory comments to the reputation of the Communist party and its leaders, illegal land expropriation and giving interviews to overseas Vietnamese-language media. Tried together with Do Van Hoa and Nguyen Kim Nhan (see below).

**CURRENT PLACE OF DETENTION:** Nam Hà Prison – Ba Sao, Huyện Kim Bang district, Hà Nam province, Việt Nam.

### **DO Van Hoa:**

**PROFESSION:** Human rights activists and dissident writer.

**DATE OF BIRTH:** 1966

**SENTENCE:** Four years in prison and three years of probationary detention.

**EXPIRY:** June 2015

**DATE OF ARREST:** 7 June 2011

**DETAILS OF TRIAL:** On 16 July 2012, Do was convicted after a one-day trial in Bac Giang province under article 88-1(c) of the Criminal Code for “conducting propaganda against the Socialist Republic of Viet Nam”. He was tried for publishing critical articles online allegedly containing defamatory comments to the reputation of the Communist party and its leaders, illegal land expropriation and giving interviews to overseas Vietnamese-language media.

**CURRENT PLACE OF DETENTION:** Nam Hà Prison – Ba Sao, Huyện Kim Bang district, Hà Nam province, Việt Nam.

### **HO Thi Bich Khuong (f):**

**PROFESSION:** Internet writer and human rights activist.

**DATE OF BIRTH:** 1967

**SENTENCE:** Five years in prison and three years’ probationary detention.

**EXPIRY:** 2016

**DATE OF ARREST:** 15 November 2011

**DETAILS OF ARREST:** Ho was arrested by the public security police after a search of her house, where agents confiscated many items, including books and computers.

**DETAILS OF TRIAL:** Ho was tried on 29 December 2011, at Nghe An People’s Court, for “conducting propaganda against the Socialist Republic of Viet Nam’ under Article 88-1(c) of the Criminal Code. The accusation alleged that Ho and Nguyen Trung Ton, a priest and activist who was present at her house at the time of Ho’s arrest (see ‘Nguyen Trung Ton - main case’ below), had been collecting documents and writing several online articles which tarnished the reputation of the Socialist Republic of Viet Nam. Ho Thi Bich Khuong was also accused of giving interviews to foreign radio stations criticizing the government’s abuse of power and belonging to illegal human rights organizations. During the trial, she openly criticized the Communist Party. On 30 May 2012 the Appeal Court in Hanoi confirmed the sentence against Ho and Nguyen. The trial, reportedly, did not comply with international fair trial standards.

**CURRENT PLACE OF DETENTION:** K4 Detention Camp No. 5 Yen Dinh district Thanh Hoa Province, Viet Nam

**HEALTH CONCERNS:** There are concerns that Ho’s health has deteriorated as a result of the conditions of her detention. According to her family, Ho is said to have been attacked on various occasions by other inmates, which they believe were orchestrated by prison authorities, most recently on 4 November 2012, when four other detainees beat Ho badly; she

is said to have suffered a broken arm as a result of the attack and adequate medical attention is not available at the detention camp.

**BACKGROUND:** Ho Thi Bich Khuong served two previous prison sentences, in 2005 and 2007, after conviction of offences under article 245 of the Criminal Code (Causing public disorder), and article 258 (Abusing democratic freedoms to infringe upon the interest of the State), respectively. She has also been attacked, threatened and subject to brief detentions.

**OTHER INFORMATION:** Ho’s writings urged the release of prisoners of conscience and political detainees, and promoting freedom of expression, religion and association. She wrote a memoir of her time in prison which was published in 2009 by Nguoi Viet Online, a Vietnamese-American newspaper in the United States. She has also written some satirical poems and was a member of the prodemocracy movement Bloc 8406.

**AWARDS:** Ho is the recipient of the 2011 Hellman/Hammett 2011 award.

### **LE Quoc Quan:**

**PROFESSION:** Human rights lawyer and prominent blogger

**DATE OF BIRTH:** 1971

**DATE OF ARREST:** 27 December 2013

**SENTENCE:** 30 months in prison and a fine of 1.2 billion dongs (approx. US\$ 59,000)

**EXPIRES:** 2016

**DETAILS OF ARREST:** Le was arrested on 27 December 2012 and held, reportedly incommunicado, at Temporary camp B14 (Public Security Police Ministry) Thanh Liet village, Thanh Tri district, Hanoi. His pre-trial detention exceeded the maximum four months stipulated by the Vietnamese Criminal Procedures Code, during which time he was reportedly prohibited from seeing his family and said not to have regular access to legal counsel. In his blog, Le regularly writes about issues such as human rights abuses, social injustice, and lack of political and religious freedoms, amongst others. Nine days before his arrest on 27 December 2012, Le Quoc Quan wrote a critical article on the re-drafting of Vietnam’s Constitution, in which he expressed concern that it should not be used as a political vehicle for the ruling party. In addition he called for its careful revision, arguing that it should provide the foundations for democracy.

**DETAILS OF TRIAL:** Le Quoc Quan was convicted of charges of tax evasion under Article 161 of the Criminal Code on 2 October 2013. The charges related to the alleged evasion of tax equivalent to approximately US\$30,000 in relation to a consultancy company which he owned, but are widely believed to be politically motivated. Le Quoc Quan denied the charges, arguing that he had been targeted for his human rights activism. On 18 February 2014 the Hanoi People’s Court of Appeals upheld Le Quoc Quan’s conviction, ruling that he had failed to prevent any new evidence. The court president is reported to have said that Le Quoc Quan “did not show regret and took a disrespectful attitude towards the court.” He has no further right to appeal his conviction. However, has the right to file a procedural complaint. Health: Le Quoc Quan is reported to be in ill-health following two hunger-strikes. Concerns for his well-being are heightened owing to the reported cramped and unsanitary conditions in the Hanoi detention camp where he is currently held. In February 2014 it was reported that Le Quoc Quan had embarked upon another hunger strike in response to the refusal of the prison authorities to provide him access to legal and religious books.



**CURRENT PLACE OF DETENTION:** Following his conviction, Le Quoc Quan was imprisoned in Hanoi detention camp No1, Tu Liem district, Hanoi. Labour Camp An Diêm, Dai Lôm district, Quang Nam province, Viet Nam.

**OTHER INFORMATION:** On 12 November 2013, the United Nations Working Group on Arbitrary Detention determined that Le's detention violated his right to freedom of expression and his right to fair trial. The working group found that Le had been targeted for his work as an activist and blogger and called for his immediate release or for his conviction to be reviewed by an independent court. On 18 February, the EU expressed concern at the Appeal court judgment and called for his release.

**BACKGROUND:** Le was detained in 2007 and held for four months without formal charges against him; later he was not allowed to exercise his profession. In April 2011, he was detained again while attempting to observe the trial of another human rights defender, released without charges three days later. In August 2012 Le was attacked by unknown individuals, and was hospitalised as a result.

**AWARDS:** Le Quoc Quan is the recipient of the 2013 Vietnam Human Rights Prize.

**PEN ACTION:** RAN 32/13 and updates, press statements 14 February 2014 and 19 February 2014

### LE Thanh Tung: (pen-name Le Ai Quoc)

**PROFESSION:** Independent reporter, member of the banned human rights defenders network Bloc 8406.

**DATE OF BIRTH:** 1968

**SENTENCE:** Four years in prison and four years in probationary detention.

**EXPIRY:** 2015

**DATE OF ARREST:** 1 December 2011

**DETAILS OF ARREST:** Reportedly arrested by public security police after searching his house, seizing his computers and camera, and confiscating underground publications of the Bloc 8406, letters and articles.

**DETAILS OF THE TRIAL:** Le was tried for "conducting propaganda against the Socialist Republic of Viet Nam" on 10 August 2012, and was sentenced after an hour-long hearing. No defence lawyer was present during the trial; Le defended himself and pleaded not guilty. On 28 November 2012 an appeal court reduced his sentence from five to four years imprisonment.

**CURRENT PLACE OF DETENTION:** Labour camp No. 5, Yen Dinh district, Thanh Hoa province, Viet Nam.

**BACKGROUND:** Under the pen-name Le Ai Quoc, he wrote several online articles denouncing violations of human rights, freedoms of opinion and religion, and defending farmers whose land has been confiscated by local authorities. In 2008, he was briefly arrested and denounced as a "traitor" at a so-called "people's tribunal" for writing and publishing online several articles on the situation of human rights and democracy, and an account of his life, entitled Memoir of a Former Volunteer Fighter in the Vietnamese People's Army'.

### NGO Hao:

**PROFESSION:** Internet writer and human rights activist.

**DATE OF BIRTH:** 1948

**SENTENCE:** 15 years in prison and 5 years in probationary detention on 11 September 2013, upheld on appeal on 23 December 2013.

**EXPIRY:** February 2028

**DATE OF ARREST:** 8 February 2013

**CURRENT PLACE OF DETENTION:** Labour Camp An Diêm, Dai Lôm district, Quang Nam province, Viet Nam.

**DETAILS OF TRIAL:** Accused of "carrying out activities" aimed at "overthrowing the people's administration" under article 79 of the Criminal Code.

**BACKGROUND:** He reportedly criticised social injustice and human rights violations committed by the administration of his country in online articles, in particular official corruption and religious persecution. He sent an appeal to foreign governments and international human rights organizations seeking support for victims of repression against freedom of expression and opinion and freedom of religion.

### NGUYEN Kim Nhan:

**PROFESSION:** Human rights defender. Known for dissident writings concerning illegal land expropriation and abuses of authority in Bac Giang province, and contributing to the underground review Tô Quốc (Fatherland).

**DATE OF BIRTH:** 1949

**SENTENCE:** Five-and-a-half years in prison and four years of probationary detention.

**EXPIRY:** December 2016

**DATE OF ARREST:** 7 June 2011

**DETAILS OF ARREST:** Nguyen Kim Nhan was arrested after public security policemen's searched his residence and confiscated a number of personal effects including a computer and several documents.

**DETAILS OF TRIAL:** On 16 July 2012 Nguyen was convicted after a one-day trial in Bac Giang province under Article 88-1(c) of the Criminal Code for "conducting propaganda against the Socialist Republic of Viet Nam". He was tried for publishing critical articles and letters online, allegedly containing defamatory comments damaging the reputation of the Communist party and its leaders, reporting human rights violations, illegal land expropriation and giving interviews to overseas Vietnamese-language media. Nguyen was tried together with Do Van Hoa and Dinh Van Nhung (see 'main cases' above).

**CURRENT PLACE OF DETENTION:** Trai giam số 6, Huyện Thanh Chuong district, Nghệ An, Việt Nam.  
**TREATMENT IN PRISON:** Since his arrest, he has had no direct access to his family.

**BACKGROUND:** Nguyen Kim Nhan has previously served two prison sentences for his dissident activities and writings, from 24 September 2008 to 22 January 2009 and from 8 May 2009 to 20 December 2010, also after convictions under article 88 of the Criminal Code.

## **NGUYEN Thanh Long: (religious name Nguyen Cong Chinh)**

**PROFESSION:** pastor, online writer, head of the Evangelical Lutheran Church of Viet Nam, member of the banned human rights defenders network Bloc 8406 and the Vietnamese Political and Religious Prisoners Friendship Association.

**DATE OF BIRTH:** 10 October 1969.

**SENTENCE:** 11 years in prison.

**EXPIRES:** 2022

**DATE OF ARREST:** 28 April 2011.

**DETAILS OF ARREST:** Arrested at his house where security police seized a dozen of his writings and documents.

**DETAILS OF TRIAL:** On 26 March 2012 Nguyen was sentenced by the People's Court of the Gia Lai province for 'undermining the unity policy' under article 87 of the Criminal Code. He was accused of writing and spreading online texts (about 19 titles) that "slandered Communist authorities" and "distorted the situation of freedom of opinion and religion" in Viet Nam. He was also accused of sending to NGOs, foreign media and international institutions his online critical writings and complaints about human rights violations and the persecution of ethnic minorities, and for giving interviews to foreign radio and newspapers. No defence lawyers, even court-appointed ones, were present at Nguyen Thanh Long's trial.

**CURRENT PLACE OF DETENTION:** Camp An Phuoc, Phu Giao district, Binh Duong province, Việt Nam.

**TREATMENT IN PRISON:** Reportedly attacked and ill-treated in prison. His family is seriously concerned for his well-being.

**OTHER INFORMATION:** Nguyen Thanh Long has long been subject to harassment, interrogations and arbitrary detention by public security police, and has also been attacked and beaten. His family has also faced harassment, intimidation and threat. His house is permanently kept under surveillance by the public security police.

## **NGUYEN Van Khuong: (pen name Hoang Khuong)**

**PROFESSION:** Journalist for the daily newspaper Tuoi Tre (<http://tuoitre.vn>).

**DATE OF BIRTH:** 1989

**SENTENCE:** Four years in prison upheld on appeal on 27 December 2012.

**EXPIRES:** 1 January 2016

**DATE OF ARREST:** 2 January 2012. Detail of the arrest: Nguyen was arrested in Ho Chi Minh City. His arrest was linked to an undercover investigation that concluded with the publication of an article on 10 July 2011, in the daily Tuoi Tre, exposing police corruption.

**DETAILS OF TRIAL:** Nguyen was tried on the charge of "taking bribes" under Article 289 of the Criminal Code for his alleged involvement in handing US\$720, to a traffic police officer, in return for the release of an impounded motorbike. At the end of the trial the prosecution asked for a seven-year prison sentence against Nguyen; however, the court imposed a lighter sentence due to his work as a journalist. The traffic police officer was given a five-year sentence for 'taking bribes'.

**CURRENT PLACE OF DETENTION:** Public Security Police Cong An detention camp, Phan Dang Luu Street, Ho Chi Minh City, Viet Nam.

**OTHER INFORMATION:** On 3 December 2011, Nguyen was suspended from the Tuoi Tre daily, allegedly after pressure from the authorities.

## **NGUYEN Van Ly:**

**PROFESSION:** Priest, scholar, essayist and co-editor of the underground online magazine Tu Do Ngon luan (Free Speech).

**DATE OF BIRTH:** 1946.

**SENTENCE:** Eight years in prison and five years of probationary detention (a form of house arrest).

**EXPIRES:** June 2016

**DATE OF ARREST:** 19 February 2007.

**DETAILS OF ARREST:** Reportedly arrested on 19 February 2007 during an "administrative check" at the archdiocesan building where he lives in the city of Hue. Two other editors of Tu Do Ngon luan, Father Chan Tin and Father Phan Van Loi, were reportedly also placed under house arrest.

**DETAILS OF TRIAL:** On 30 March 2007 a People's Court in Hue (Central Viet Nam) sentenced Father Nguyen Van Ly under Article 88 of the Criminal Code for "conducting propaganda against the Socialist Republic of Viet Nam". A video footage of his sentencing is available on the Internet: <http://www.youtube.com/watch?v=bUSJeAakoXI>.

**CURRENT PLACE OF DETENTION:** Labour camp Trai K1 Ba Sao Nam Ha, Kim Bang district, Ha Nam province, Viet Nam.

**HEALTH CONCERNS:** Nguyen Van Ly reportedly suffered a stroke in prison on 14 November 2009. He also suffers from a number of other health complaints. On 15 March 2010 Nguyen Van Ly was released provisionally on medical grounds. The decision was taken by the Supreme Judge of the People's Court on Ha Nam province, who ordered to temporarily defer Nguyen Van Ly's imprisonment for one year as he was in urgent need of medical treatment which is unavailable in prison. On 25 July 2011, Ly was returned to the labour camp to continue serving his sentence.

**OTHER INFORMATION:** In September 2010, the United Nations Working Group on Arbitrary Detention called for the immediate and unconditional release of Nguyen Van Ly, who it said had been arbitrarily and illegally detained and denied access to legal counsel by the Vietnamese authorities.

**BACKGROUND:** Ly is a leading member of the pro-democracy movement "Bloc 8406". He was previously detained from 1977-1978, and again from 1983-1992 for his activism in support of freedom of expression and religion. He was sentenced again in October 2001 to 15 years in prison for his online publication of an essay on human rights violations in Viet Nam, and was a main case of PEN International. The sentence was commuted several times and he was released under amnesty in February 2005.

**AWARDS:** In July 2008 Nguyen Van Ly received the Hellman/Hammett award in recognition of his work in the face of persecution. He was nominated for the Sakharov Prize for Freedom of Thought 2009 and 2010.



**HONORARY MEMBER:** Sydney PEN.

**PEN ACTIONS:** RAN 12/07 - 28 February 2007; update #1 - 7 March 2007; updates #2 – 3 April 2007; RAN 06/14

### **PHAN Ngoc Tuan:**

**PROFESSION:** Dissident poet, writer and human rights defender.

**DATE OF BIRTH:** 1959

**SENTENCE:** Five years in prison and three years in probationary detention.

**EXPIRES:** August 2016

**DATE OF ARREST:** 10 August 2011

**DETAILS OF ARREST:** Arrested by the public security police when he took refuge with one of his acquaintances in Ho Chi Minh city. He was then escorted back to his place of residence for interrogation.

**DETAILS OF TRIAL:** On 6 June 2012, Phan Ngoc Tuan was sentenced by the Ninh Thuan province's people court to five years in prison and three years in probationary detention after conviction of "conducting propaganda against the Socialist Republic of Viet Nam" under article 88-1(c) of the Criminal Code. The indictment alleged that Phan Ngoc Tuan's writings "slandered" the government and its leaders. No defence lawyers, even court-appointed ones, were present at Phan Ngoc Tuan's half-day trial. Phan Ngoc Tuan denied the charges.

**CURRENT PLACE OF DETENTION:** Camp T345 Xuyên Mộc district, Ba Ria – Vung Tau province, Việt Nam.

**BACKGROUND:** Phan is the author of several satirical texts, lampoons, pamphlets and documents criticizing the communist authorities for their human rights violations and denouncing corruption, social injustice and ideological discrimination in the regime's legal system.

### **TA Phong Tan (f): (Pen name : Cong Ly Va Su That)**

**PROFESSION:** Blogger for Conglysuthat (Justice & Truth), jurist and former police officer. Ta is a popular blogger among dissidents in Viet Nam. Her articles have been published in many mainstream media outlets in Viet Nam, including Tuoi Tre (Youth), Nguoi Lao Dong (Labourer), Viet Nam Net, and the Vietnamese Service of the BBC.

**DATE OF BIRTH:** 1969

**DATE OF ARREST:** 5 September 2011

**SENTENCE:** 10 years in prison and five years in probationary detention (a form of house arrest).

**EXPIRES:** 4 September 2021

**DETAILS OF THE TRIAL:** On 24 September 2012 the Court in Hi Chi Minh City tried and sentenced Ta for "conducting propaganda against the Socialist Republic of Viet Nam" under article 88-1(c) of the Criminal Code, for her online writings for the banned website Free Journalist Club (Cau Lac Bo Nha Bao Tu Do), which she co-founded, and on her own blog. She has written articles about corruption, abuse of power, confiscation of land, among other issues. Ta was tried together with bloggers Nguyen Van Hai (who was released in October 2014, see below 'Released'), and Phan Thanh Hai (released in 2013 on completion of his imprisonment

sentence). The trial against the three bloggers had been repeatedly postponed, and did not comply with international standards of fairness. Her conviction and sentence were upheld on appeal on 28 December 2012.

**CURRENT PLACE OF DETENTION:** She is currently been held at Camp No. 5, Thong Nhat, Yen Dinh district, Thanh Hoa province, Viet Nam. During the first half of 2013, Nguyen was transferred to two different detention camps, without her family being informed.

**OTHER INFORMATION:** On 30 July 2012 her mother died after self-immolating outside government buildings following months of harassment from Public Security officials.

**AWARDS:** Ta is a recipient of the 2011 Hellman/Hammett award, and the 2013 US Government 'International Women of Courage' honour.

**PEN ACTION:** RAN 66/12 – 24 September 2012

### **TRAN Huynh Duy Thuc (pen name: Tran Dong Chan):**

**PROFESSION:** Businessman, poet and prolific Internet writer. Tran is said to be the director general of the company One Connection Internet Inc., and Founder of the Studies Group for Improving and Promoting Viet Nam. He has various web blogs, the most prominent being 'Change we need', where he publishes his articles on the social and political situation in Viet Nam, as well as his poems. He is said to be the co-author of the clandestine book The Way for Viet Nam.

**DATE OF BIRTH:** 1966

**SENTENCE:** Sixteen years in prison and three years of probationary detention.

**EXPIRES:** 23 May 2025

**DATE OF ARREST:** 24 May 2009

**DETAILS OF ARREST:** Reportedly arrested at his home by the Security Agency and was originally charged with "conducting propaganda against the Socialist Republic of Viet Nam" under article 88-1(c) of the Criminal Code. There are reports that in August 2009, Tran was compelled to make a public "confession".

**DETAILS OF TRIAL:** Tried and convicted on 17 January 2010 for "carrying out activities aimed at overthrowing the people's administration" under article 79 of the Criminal Code. The trial lasted one day, and neither Tran's relatives or the press were allowed into the courtroom. Said to be convicted for his dissident activities and writings.

**CURRENT PLACE OF DETENTION:** Labour camp T345 Xuyên Mộc district, Ba Ria – Vung Tau province, Việt Nam.

**AWARDS:** Tran is the recipient of the 2013 Viet Nam Human Rights Network Prize.

### **TRAN Vu Anh Binh:**

**PROFESSION:** Songwriter and blogger. Tran has written songs which deal with social matters, advocating the respect of human rights, denouncing social injustice and abuse of power. His best-known songs include Father, You Gave Me (Your Child) the Future, and The Lullaby is Not Fully Sung Yet. He is also credited with writing the music for Courage in the Dark Prison, a song that reportedly expresses support for imprisoned blogger Nguyen Van Hai.

**DATE OF BIRTH:** 1974



**SENTENCE:** Six years in prison

**EXPIRY:** 2017

**DATE OF ARREST:** 19 September 2011

**DETAILS OF ARREST:** Arrested by a group of about 10 plain-clothed police, who confiscated his computers and audio-visual equipment.

**DETAILS OF TRIAL:** On 30 October 2012, Tran was convicted after a five-hour trial at Hi Chi Minh People's Court of "conducting propaganda against the Socialist Republic of Viet Nam" under article 88-1(c) of the Criminal Code. He was tried with songwriter and performer Vo Minh Tri (see 'main case' below).

**CURRENT PLACE OF DETENTION:** Detention Camp Z30A, District Xuan Loc, Province Dong Nai, Viet Nam.

**TREATMENT IN PRISON:** He is said to be held in solitary confinement.

**PEN ACTION:** RAN 70/12 – 31 October 2012

### **TRUONG Duy Nhat:**

**PROFESSION:** 1964 A well-known blogger who writes for his blog Another Viewpoint, in which he is said to have written critical comments against high government officials. Truong is a former journalist who worked for two state newspapers, and resigned in 2010 to focus on his blog.

**DATE OF BIRTH:** 1964

**SENTENCE:** Two years in prison

**EXPIRY:** 2015

**DATE OF ARREST:** 26 May 2013

**DETAILS OF ARREST:** He was arrested at his home in Danang city. The police reportedly carried a warrant issued by the Ministry of Public Security ordering an urgent arrest against Truong, who was escorted by plane to Hanoi for questioning and investigation.

**DETAILS OF TRIAL:** Truong was reportedly sentenced to two years in prison following a four-hour trial at Danang city's People's Court on 4 March 2014 for "abusing democratic freedoms to infringe upon the interests of the state" under article 258 of Vietnam's penal code. At the hearing, the blogger and his lawyer were reportedly denied the right to openly discuss details of the writings that had led to his conviction by the judge, precluding any opportunity to present a case in his defence. His conviction and sentence were reportedly upheld on appeal two-year sentence on 26 June 2014.

**CURRENT PLACE OF DETENTION:** He is reportedly held at Camp Hoa Son, 6 Ba Dinh, Hai Chau district, Da Nang province, Viet Nam.

### **VO Minh Tri (aka Minh Tri and Việt Khang):**

**PROFESSION:** Songwriter and performer.

**DATE OF BIRTH:** 19 January 1978

**SENTENCE:** Four years in prison and two-year probationary period.

**EXPIRES:** December 2015

**DATE OF ARREST:** 23 December 2011

**DETAILS OF ARREST:** Arrested on 16 September 2011 and held for a week. Re-arrested in December 2011 at his home by public security police. His computer and recording equipment were seized by the police.

**DETAILS OF THE TRIAL:** On 30 October 2012, Vo was sentenced after a five-hour trial at Ho Chi Minh People's Court for "conducting propaganda against the Socialist Republic of Viet Nam" under Article 88 of the Criminal Code. Vo was tried with songwriter and blogger Tran Vu Anh Binh (see above).

**OTHER INFORMATION:** In April 2011 Vo and other young professionals, students and activists founded the organisation Tuoi Tre Yeu Nuoc (Young Patriots), a human rights defenders' group. Vo's lyrics and writings have been published in the group's websites www.tuoi Treyeu nuoc.com and www.tuoi Treyeu nuoc.net. The group advocates for respect for issues including human rights and democratic reforms. With that spirit, Vo's songs Who are you?, Where is my Viet Nam? and The Mother in the Mekong Delta, among others, quickly spread on internet sites.

**CURRENT PLACE OF DETENTION:** On 28 January 2013, Vo was transferred to Detention Camp Z30A, Xuan Loc district, Dong Nai province, Viet Nam.

**TREATMENT IN PRISON:** Held in solitary confinement.

**PEN ACTION:** RAN 70/12 – 31 October 2012]

### **GROUP OF ACTIVISTS, BLOGGERS and CITIZEN JOURNALISTS**

Between August and December 2011, the following activists, bloggers and citizen journalists, most of them members of the Catholic organisation Congregation for the Holy Redeemer, were arrested by the Vietnamese authorities, after attending a training course in Bangkok held by the banned Viet Tan political party; which, according to Human Rights Watch, currently works for peaceful political reform, democracy and human rights in Viet Nam. The group of 13 were initially charged and later prosecuted in one of the biggest trials in Viet Nam under Article 79 of the Criminal Code for 'carrying out activities aimed at overthrowing the people's administration'. The criminal activities the group are said to have engaged in include writing commentaries that are critical of the Government and distributing them on the internet, as well as participating in and encouraging peaceful protest. On 9 January 2013, the People's Court of Nghe An province sentenced the activists to terms of up to 13 years in prison. On 23 May 2013, on appeal, some of their convictions were reduced and one of the bloggers was given a suspended sentence. There are reports that these activists have been facing difficult prison conditions, and that some of them have received limited water and food. The names and prison sentences are the following:

### **DANG Xuan Dieu:**

**PROFESSION:** Human rights activist, blogger contributing to Viet Nam Redemptorist News.

**DATE OF BIRTH:** 1979

**SENTENCE:** 13 years in prison and five years in probationary detention.

**EXPIRY:** July 2024

**DATE OF ARREST:** 30 July 2011

**DETAILS OF TRIAL:** Dang was unable to appeal, as he submitted a request for a new trial, which was rejected after the deadline for appeal had passed.

**BACKGROUND:** Dang is also an engineer, and was active in mobilising access to education for students from disadvantaged backgrounds.

**CURRENT PLACE OF DETENTION:** Labour Camp #5, Yen Dinh district, Thanh Hoa province, Việt Nam.

### **HO Duc Hoa:**

**PROFESSION:** Human rights activist, blogger and contributor to Viet Nam Redemptionist News.

**DATE OF BIRTH:** 1974

**SENTENCE:** 13 years in prison and five years in probationary detention (a form of house arrest); conviction upheld on appeal.

**EXPIRY:** July 2024

**DATE OF ARREST:** 30 July 2011

**CURRENT PLACE OF DETENTION:** Camp Nam Hà – Ba Sao, Kim Bang district, Hà Nam province, Việt Nam.

### **LE Van Son Paulus:**

**PROFESSION:** Blogger, writer and Christian activist.

**DATE OF BIRTH:** 1985

**SENTENCE:** 13 years in prison and five years in probationary detention, reduced on appeal to four years in prison and four of probationary detention.

**EXPIRY:** 2015

**DATE OF ARREST:** 3 August 2011

**OTHER INFORMATION:** Le Van Son writes for his blog paulusleson.worldpress.com/ and contributes to the collective blog Baokhungle and Viet Nam Redemptorist News. Previously, he signed a petition for the release of the dissident writer Cu Huy Ha Vu, (see above), and covered his trial in April 2011. He is also a community organizer on matters that include HIV and public education.

**CURRENT PLACE OF DETENTION:** Camp Nam Hà – Ba Sao, Kim Bang district, Hà Nam province, Việt Nam.

### **NGUYEN Dang Minh Man (f):**

**PROFESSION:** Human rights activist.

**DATE OF BIRTH:** 1985

**SENTENCE:** Nine years in prison and five years in probationary detention

**EXPIRY:** August 2010

**DATE OF ARREST:** 2 August 2011

**CURRENT PLACE OF DETENTION:** Camp Nam Hà – Ba Sao, Kim Bang district, Hà Nam province, Việt Nam.

**OTHER INFORMATION:** She is said to have drafted documents allegedly containing dissident opinion.

### **NGUYEN Dinh Cuong:**

**PROFESSION:** Human rights activist and businessman.

**DATE OF BIRTH:** 1981

**SENTENCE:** Four years in prison and three years in probationary detention, upheld on appeal.

**EXPIRY:** 2015

**DATE OF ARREST:** 24 December 2011

**OTHER INFORMATION:** Nguyen is said to have worked for the John Paul II Group for Pro-Life, and participated in peaceful protests against local authorities' arbitrary confiscation of church lands.

**HEALTH CONCERNS:** Nguyen's health is reported to have deteriorated following ill-treatment and repeated hunger strikes protesting his unfair trial.

**CURRENT PLACE OF DETENTION:** Camp Nam Hà – Ba Sao, Kim Bang district, Hà Nam province, Việt Nam.

### **THAI Van Dung:**

**PROFESSION:** Human rights activist and blogger.

**DATE OF BIRTH:** 1988

**SENTENCE:** Four years in prison and three years in probationary detention, confirmed on appeal.

**EXPIRY:** August 2015.

**DATE OF ARREST:** 19 August 2011

**CURRENT PLACE OF DETENTION:** Camp Nam Hà – Ba Sao, Kim Bang district, Hà Nam province, Việt Nam.

### **TRAN Minh Nhat:**

**PROFESSION:** Human rights activist, contributor to the Viet Nam Redemptorist News. Student of the Ho Chi Minh City University of Foreign Languages and Information Technology

**DATE OF BIRTH:** 1988

**SENTENCE:** Four years in prison and three years in probationary detention.

**DATE OF ARREST:** 27 August 2011

**CURRENT PLACE OF DETENTION:** Camp Nam Hà – Ba Sao, Kim Bang district, Hà Nam province, Việt Nam.

## DETAINED: MAIN CASE

### DANG Phuc Tue (religious name: Thich Quang Do):

**PROFESSION:** Buddhist monk, writer, scholar. Secretary General of the outlawed Institute for the Propagation of the Dharma, United Buddhist Church of Viet Nam (UBCV)

**DATE OF BIRTH:** 1928

**DATE OF ARREST:** 9 October 2003

**DETAILS OF ARREST:** Part of a delegation of nine UBCV leaders who were all arrested on 9 October 2003. The delegation had left Binh Dinh at 5.00 a.m. on 8 October 2003 en route for Ho Chi Minh City when security services blocked their departure. After a protest in which over two hundred monks formed a human shield around their vehicle, the delegation was allowed to continue its journey, only to meet another police barricade on the following day, when all nine UBCV leaders were arrested and taken away for interrogation. Thich Quang Do was placed under house arrest.

**CURRENT PLACE OF DETENTION:** Thanh Minh Zen Monastery in Ho Chi Minh City.

**BACKGROUND:** On 27 June 2003 he was released from a 27-month detention order. Has spent most of the last 20 years in detention or under residential surveillance because of his campaign for religious freedom and free expression. In August 2008, Thich Quang Do was appointed as the new Patriarch of the Unified Buddhist Church of Vietnam.

**OTHER INFORMATION:** The UN Working Group on Arbitrary Detention declared his imprisonment as 'arbitrary' in May 2005.

**AWARDS:** Laureate of 2001 Hellman-Hammet Award, 2002 Czech Human Rights Homo Homini Award for his "outstanding merits in promoting human rights, democracy, and the non-violent resolution of political conflicts". Also awarded the 2006 Norwegian Thorolf Rafto Human Rights Prize.

**HONORARY MEMBER OF:** French PEN, German PEN and PEN Sweden.

## DETAINED: INVESTIGATION

### \*LE Hong Tho:

**PROFESSION:** Blogger

**DATE OF ARREST:** 20 November 2014

**DETAILS OF ARREST:** Hong was reportedly arrested at his home in Ho Chi Minh City, due to the content of his post, Under Article 258 of the Criminal Code for 'abusing freedom and democracy to infringe upon the interest of the state'. Aged 65 at the time of his arrest, Hong blogs for Nguoi Lot Gach (a brick layer), where he is said to have posted comments regarding the Chinese claims over Vietnamese territory. If charged and found guilty, Hong could face up to seven years in prison.

**CURRENT PLACE OF DETENTION:** Public security detention camp, 4 Phan Dang Luu Street, Phuong 14, Binh Thanh district, Ho Chi Minh city, Viet Nam. [**STOP PRESS:** On 11 February 2015 Le was released on bail.]

### \*NGUYEN Dinh Ngoc (pen name: Nguyen Ngoc Gia):

**PROFESSION:** Blogger

**DATE OF ARREST:** 27 December 2014

**DETAILS OF THE ARREST:** Arrested at his home in Ho Chi Minh City. Some of the blogger's post are said to be critical to the government, particularly its reaction to dissident writers and bloggers. He is reportedly a contributor to the blogs Dan Lam Bao and Dan Luan (The people's Journal and The People's Opinion, respectively). The police had not charged Nguyen by the end of the year.

**CURRENT PLACE OF DETENTION:** Public security detention camp, 4 Phan Dang Luu Street, Phuong 14, Binh Thanh district, Ho Chi Minh city, Viet Nam.

### \*NGUYEN Huu Vinh (pen-name: Anh Ba Sam) and NGUYEN Thi Minh Thuy (f):

**PROFESSION:** bloggers and founders of www.Basam.info; contributor to banned websites www.diendanxahoidansu.wordpress.com and www.chepsuviet.com (Huu Vinh)

**DATE OF ARREST:** 5 May 2014

**REASON FOR ARREST:** The bloggers are reportedly held under pre-trial detention for investigation under Article 258 of Vietnam's Criminal Code for allegedly "abusing democratic freedoms to infringe upon the interests of the state, the legitimate rights and interests of organisations and/or citizens" after "publishing online articles with bad contents and misleading information to damage authorities' image and reputation, lower the prestige and create public distrust of government offices, social organisations, and citizens". If convicted, they could face prison terms of up to seven years.

**DETAILS OF ARREST:** They were reportedly arrested at their respective homes in Hanoi on 5 May 2014.

**DETAILS OF TRIAL:** On 30 October 2014 both bloggers were charged under Article 258 of the Criminal Code, reportedly on the basis that 24 of their blog posts contained false information liable to "tarnish the state apparatus' prestige".

**CURRENT PLACE OF DETENTION:** Camp B14 Public Security Department, Thanh Liêt village, Thanh Tri district, Ha Noi, Viet Nam.

**BACKGROUND:** Nguyen Huu Vinh is the founder of the political blog Basam, which has become a platform for activists to share blog posts and other content critical of the government. According to the managing editor for Basam, he has not been involved in the site's operation for a number of years.

### \*NGUYEN Quang Lap (aka: Bo Lap):

**PROFESSION:** Blogger, journalist and writer

**DATE OF ARREST:** 6 December 2014

**DETAILS OF ARREST:** Arrested at his home in Ho Chi Minh City, reportedly for 'abusing freedom and democracy to infringe upon the interest of the state' under Article 258 of the Criminal Code.



**HEALTH CONCERNS:** Nguyen's family has requested his release, due to the fact that he has a paralysed arm and a leg as a result of a stroke.

**BACKGROUND:** Nguyen is said to have been in the Army in the 1980s, for about five years. He then started his career as a journalist and became the deputy editor of the magazine Cua Viet, which was closed by the authorities allegedly for the magazine's pro-democracy line. He later wrote some plays, film scripts, a collection of stories and a novel. He is an award-winning writer and a member of the Vietnamese Writers' Association. In 2007 he started blogging in Que Choa (Dad's Homeland), which is said to be one of the most popular blogs inside and outside Viet Nam. In recent years, the blog has suffered cyber-attacks, but it continues to be active and popular.

**CURRENT PLACE OF DETENTION:** Public security detention camp, 4 Phan Dang Luu Street, Phuong 14, Binh Thanh district, Ho Chi Minh city, Viet Nam. [**STOP PRESS:** On 10 February 2015 Nguyen was released on bail].

## ATTACKED

### \*TRAN Thi Nga (f):

**PROFESSION:** blogger and human rights activist

**DETAILS OF ATTACK:** Tran was reportedly seriously injured following an attack by five unknown assailants on 25 May 2014. The five men – suspected to be undercover police members, according to the Electronic Frontiers Foundation – surrounded her motorbike, which she was riding with her two children. Tran sustained injuries to her knee, arm and back after being beaten with a metal pole.

## HARASSED

### \*PHAM Chi Dung:

**PROFESSION:** writer and civil society advocate.

**DETAILS OF HARASSMENT:** Pham's passport was reportedly confiscated in order to prevent him attending the examination of Vietnam's human rights record at the Universal Periodic Review in Geneva on 5 February 2014. The police reportedly prevented him from boarding his flight at the Tan Son Nhat airport. Pham had been due to speak at a side-event at the UPR session. According to news reports, his passport had not yet been returned to him in time for him to testify at a US congressional briefing in Washington due to take place to coincide with World Press Freedom Day. He spoke to a side event hosted by PEN International and others via a video-link

**PEN ACTION:** Press Statement 2 February 2014

### \*PHAM Minh Hoang:

**PROFESSION:** Dissident blogger

**DETAILS OF HARASSMENT:** On 5 November 2014, a group of people moved to the house next to that of Pham. Some of these men reportedly sit outside the blogger's front door and blocking the exit, insulting Pham and harassing him and his wife. Pham, who holds French citizenship, called onto the French consulate in Ho Chi Minh City for help. When one of the diplomats arrived to Pham's house, the diplomat was reportedly assaulted by the group of men. The blogger fears that among these men, there are plainclothes police officers.

**BACKGROUND:** Pham served a three-year term of house arrest after being released from prison in January 2012 on completion of his imprisonment sentence for 'activities aimed at overthrowing the people's government'. He was a PEN main case.

### \*NGUYEN Lan Thang:

**PROFESSION:** blogger

**DETAILS OF HARASSMENT:** Nguyen was reportedly stopped from boarding his flight at Hanoi Noi Bai Airport on 5 April 2014. It is thought that the authorities sought to prevent him from attending a US congressional briefing in Washington due to take place on 3 May to coincide with World Press Freedom Day.

### \*Anna Huyen Trang:

**PROFESSION:** citizen journalist for Vietnamese Redemptorists' News

**DETAILS OF HARASSMENT:** Anna was reportedly denied permission to travel to Washington after she was stopped at Ho Chi Minh City's Tan Son Nhat Airport on 13 April 2014. Anna was reportedly physically harassed by security officials. Anna was one of a number of bloggers and activists due to arrive in Washington to attend a congressional briefing and events ahead of World Press Freedom Day on 3 May 2014.

## RELEASED

### CU Huy Ha Vu:

**PROFESSION:** Dissident writer, artist and activist.

**DATE OF BIRTH:** 1957

**SENTENCE:** Seven years in prison and three years of probationary detention.

**DATE OF ARREST:** 5 November 2010

**DATE OF RELEASE:** 6 April 2014

**DETAILS OF ARREST:** Arrested after publishing critical articles online and giving interviews to foreign media.

**DETAILS OF RELEASE:** Cu was released following international pressure. He immediately flew to the United States with his wife. The application of his prison sentence was suspended, not cancelled.

**DETAILS OF TRIAL:** Sentenced by a court in Ha Noi city on 4 April 2011 to a seven-year prison sentence and three years' probationary detention for "conducting propaganda against the Socialist Republic of Viet Nam", under Article 88 of the Criminal Code. The sentence was upheld on appeal on 2 August 2011

**TREATMENT IN PRISON:** Cu reportedly embarked upon two hunger strikes in 2013 in response to his treatment while in prison.

**BACKGROUND:** Cu is the son of a celebrated poet and confidante to late president Ho Chi Minh. Cu is known for his environmental activism and had previously twice sued the Prime Minister in an attempt to stop controversial bauxite mining project which he believed would be harmful to the environment.

**AWARDS:** 2011 Hellman/Hammett award.

### **DANG Ngoc Minh (f):**

**PROFESSION:** Human rights activist, former secondary school teacher and housewife.

**DATE OF BIRTH:** 1957

**SENTENCE:** Three years in prison and two years in probationary detention.

**DATE OF ARREST:** 2 August 2011

**DATE OF RELEASE:** 10 June 2014

**OTHER INFORMATION:** Dang is said to have participated in workshops about citizen journalism. She is the mother of Nguyen Dang Minh Man and Nguyen Dang Vinh Phuc (see Imprisoned – Main Case above).

**RELEASE:** Dang was reportedly released on, having served out her sentence. She is required to serve a two-year probation period.

### **DINH Dang Dinh (pen-name: Van Nguyen):**

**PROFESSION:** Blogger and chemistry teacher.

**DATE OF BIRTH:** 1963

**SENTENCE:** Six years in prison.

**DATE OF ARREST:** 21 October 2011

**DATE OF RELEASE:** 21 March 2014 (died on 3 April 2014)

**DETAILS OF ARREST:** Arrested at his house by public security police agents, who searched his home and seized his computer, writings and documents.

**DETAILS OF TRIAL:** On 9 August 2012, Dinh Dang Dinh was sentenced by the Dak Nong province's People court to six years in prison under Article 88-1 (c) of the Criminal Code for "conducting propaganda against the Socialist Republic of Viet Nam". No defence lawyer was present at his half-day closed trial. Dinh defended himself and he pleaded not guilty. In a 45-minute appeal hearing, on 21 November 2012, Dinh's sentence was confirmed.

**CURRENT PLACE OF DETENTION:** Public Security Police Cong An detention camp, Dak Nong province, Viet Nam.

**HEALTH CONCERNS:** Dinh is reported to have undergone an operation for liver and stomach cancer in November 2013. His health is said to have declined rapidly while in detention owing in part to poor detention conditions, and ill-treatment.

**OTHER INFORMATION:** Before Dinh Dan Dinh was brought to trial, the official newspaper disclosed that he would be charged with writing and posting anti-government documents on the internet between 2007 and 2012.

**DETAILS OF RELEASE:** On 15 February 2014 Dinh was granted a one-year "temporary suspension" of his prison sentence to seek medical treatment. Dinh was granted an amnesty on 21 March 2014 and went home where he died on 3 April 2014.

**BACKGROUND:** Dinh was author of several online articles, in which amongst other issues, he called for democracy, denounced repression against dissident writers and human rights defenders, and protested against controversial Chinese-run bauxite mines in Viet Nam's highland.

**PEN ACTIONS:** RAN 06/14 and updates; statement dated 4 April 2014]

### **HO Van Oanh:**

**PROFESSION:** Human rights activist, catholic student and contributor to Viet Nam Redemptorist News.

**DATE OF BIRTH:** 1985

**DATE OF ARREST:** 16 August 2011

**DATE OF RELEASE:** August 2014

**DETAILS OF ARREST:** Ho was arrested with the group of activists, bloggers and citizen journalists after attending a training course in Thailand, held by a banned political group and was sentenced to three years in prison, reduced to two and a half years on appeal (see above under Imprisoned – Main Case for more background information).

**DETAILS OF RELEASE:** Ho was released on completion of his sentence.

**PEN ACTION:** Mentioned in 2013 resolution on Viet Nam

### **LU Van Bay:**

**PROFESSION:** pro-democracy activist and internet writer. He has contributed to a number of websites such as Dan Chim Viet (Vietnamese Birds), Doi Thoai (Dialogue) and To Quoc (Fatherland).

**DATE OF BIRTH:** 1952

**SENTENCE:** Four years in prison and three years of probationary detention.

**EXPIRY:** 2015

**DATE OF ARREST:** 26 March 2011

**DATE OF RELEASE:** 26 June 2014

**DETAILS OF THE ARREST:** Arrested at his home by security police officers, who also seized his computer and several of his articles.

**DETAILS OF RELEASE:** Lu was reportedly released nine months prior to the expiry of his sentence on 26 June 2014. He is required to serve three years' probation.

**DETAILS OF TRIAL:** After a half-day trial, on 22 August 2011, Lu was convicted under article 88-1(c) of the Vietnamese Criminal Code for 'conducting propaganda against the Socialist Republic of Viet Nam' in relation to 10 articles he posted on various overseas internet sites, calling for the end of one-party rule in the country and the introduction of a multiparty system.

**OTHER INFORMATION:** Lu is known for his writings on social and political issues including freedom of expression and freedom of the press. For security reasons, he has written under various pseudonyms, including Tran Bao Viet, a pen-name he has used since 2010.

**HONORARY MEMBER:** Suisse Romand PEN Centre.

### NGUYEN Dang Vinh Phuc:

**PROFESSION:** Human rights activist and worker from Tra Vinh city

**DATE OF BIRTH:** 1980

**SENTENCE:** Three-year suspended sentence and three years of probationary detention.

**DATE OF ARREST:** 2 August 2011

**DATE OF RELEASE:** August 2014

**DETAILS OF ARREST:** He was arrested for participating in citizen journalism's training workshops, with other activists, bloggers and citizen journalists. The workshop was in Thailand, reportedly held by a banned political group (see above under Imprisoned – Main case for more background information).

**DETAILS OF TRIAL:** He was sentenced to a three year suspended sentence and three years of probationary detention, which have now expired.

### NGUYEN Huu Cau:

**PROFESSION:** poet, songwriter, human rights defender and anti-corruption activist.

**DATE OF BIRTH:** 1945

**SENTENCE:** Death sentence, commuted to life imprisonment.

**DATE OF ARREST:** 9 October 1982

**DATE OF RELEASE:** 21 March 2014

**DETAILS OF ARREST:** Reportedly arrested at his residence by public security police of Kien Giang province for being the author of an "incriminating" manuscript of songs and poems. He was accused of committing "destructive acts" that were supposedly "damaging" to the government's image. On 23 May 1983, he was sentenced to death. He pleaded not guilty and his mother submitted an appeal on his behalf. On 24 May 1985, the Court of Appeals commuted his death sentence to life imprisonment.

**DETAILS OF RELEASE:** Nguyen was released under an amnesty on 21 March 2014.

**CONDITIONS IN DETENTION:** During most of all of his imprisonment, Nguyen Huu Cau was held in solitary confinement, with letters and visits closely monitored by security agents

**HEALTH CONCERNS:** By the time of his release, Nguyen had lost vision in his left eye, and has little vision left in the right one. He is almost completely deaf and was in very poor health,

leading to serious concerns about his well-being. His heart condition was reported to have worsened owing to prison conditions.

### NGUYEN Tien Trung:

**PROFESSION:** Dissident writer and poet.

**DATE OF BIRTH:** 1983.

**SENTENCE:** Seven years in prison and three years' probationary detention.

**DATE OF ARREST:** 7 July 2009.

**DATE OF RELEASE:** 12 April 2014

**DETAILS OF ARREST:** Reportedly arrested by the security police in Ho Chi Minh City and charged with "plotting to overthrow the government of Viet Nam" and "conducting propaganda against the Socialist Republic of Viet Nam" under article 88 of the Criminal Code.

**DETAILS OF RELEASE:** Nguyen was released on 12 April 2014 after serving more than four years in prison. He is required to serve three years' probation.

**DETAILS OF TRIAL:** Sentenced on 20 January 2010 for "endangering national security" and "organizing campaigns in collusion with foreign-based reactionary groups aimed at overthrowing the people's government via the internet".

**BACKGROUND:** Believed to be charged for his online writings on the issues of freedom of opinion, religion and media, and alleged official corruption. He is known for several open letters and petitions to Communist Party leaders and government. His letters, essays and poems have been published online and relayed by many forums in and outside Viet Nam. He has also given many interviews to overseas media including BBC, RFA, New Horizon Radio, Paltalk.

**HONORARY MEMBER:** Suisse Romand PEN Centre. Case closed.

**PEN ACTION:** RAN 49/09 - 15 September 2009

### NGUYEN Van Duyet:

**PROFESSION:** Human rights activist and citizen journalist writing for the media network and contributing to Viet Nam Redemptorist News.

**DATE OF BIRTH:** 1980

**SENTENCE:** Six years in prison and four years in probationary detention (a form of house arrest); prison term reduced on appeal to three-and-a-half years.

**DATE OF ARREST:** 7 August 2011

**DATE OF RELEASE:** 30 January 2015

**DETAILS OF RELEASE:** a week before completion of his sentence, Nguyen was released from prison due to the loss of his father.

**OTHER INFORMATION:** Nguyen is President of the Association of Catholic Workers of Vinh city in Hanoi. He is said to have covered the trial of dissident writer Cu Huy Ha Vu (see above).



## NGUYEN Van Oai:

**PROFESSION:** Human rights activist, citizen journalist contributor to Viet Nam Redemptorist News.

**DATE OF BIRTH:** 1981

**SENTENCE:** Three years in prison and two years in probationary detention.

**DATE OF ARREST:** 30 July 2011

**DATE OF RELEASE:** July 2014

**DETAILS OF RELEASE:** Nguyen was released from prison on completion of his sentence.

## NONG Hung Anh:

**PROFESSION:** Human rights activist, fourth year student at Hanoi University, blogger for boxitvn.net and baokhongle.wordpress.com.

**DATE OF BIRTH:** 1983

**SENTENCE:** Five years in prison and three years in probationary detention

**DATE OF ARREST:** 5 August 2011

**DATE OF RELEASE:** 10 June 2014

**DETAILS OF RELEASE:** Nong was reportedly released two years prior to the expiry of his sentence. He is required to serve a three-year probation period.

## NGUYEN Van Hai: (pen-name Hoang Hai, aka blogger Dieu Cay):

**PROFESSION:** Independent journalist and blogger

**DATE OF BIRTH:** 1952

**SENTENCE:** 12 years in prison and five years of probationary detention.

**DATE OF ARREST:** 19 April 2008

**DATE OF RELEASE:** 21 October 2014

**DETAILS OF ARREST:** Initially arrested on tax fraud charges, but not released at the end of his two and a half year sentence. On the day of the expiry of his first conviction, he was transferred to a Public Security detention camp in Ho Chi Minh City, and held there on different charges. During his pre-trial detention, he was held incommunicado, without access to family visits, letters or medical and food supplies.

**DETAILS OF RELEASE:** Nguyen Van Hai was unexpectedly released from prison and taken directly to Tan Son Nhat airport in Ho Chi Minh City, where he was put on an plain bound for the United States. His family were only informed of his release from prison once his plane had departed.

**DETAILS OF TRIAL:** On 24 September 2012 Nguyen was convicted of “conducting propaganda against the Socialist Republic of Viet Nam, under Article 88-1(c) of the Criminal Code. He pleaded not guilty. Nguyen Van Hai was tried for his online writings for the banned website Free Journalist Club (Cau Lac Bo Nha Bao Tu Do), which he co-founded, and on his own blog. These writings were published prior to his arrest in 2008. His family and his supporters were prevented from entering the court on the day he was sentenced. Nguyen was tried together

with bloggers Phan Thanh Hai (released in 2013 on completion of his sentence), and Ta Phong Tan (see ‘main case’ above). The trial against the three bloggers had been repeatedly postponed, and did not comply with international fair trial standards.

**CONDITIONS IN DETENTION:** On 27 July 2013 Nguyen ended a five-week hunger strike after judicial authorities agreed to investigate his complaint over abusive treatment in prison.

Nguyen reportedly started his hunger strike in response to the prison authorities’ attempt to force him to sign documents confessing guilt to the charges for which he was convicted.

**BACKGROUND:** Nguyen Van Hai was previously charged with alleged tax fraud and sentenced on 10 September 2008 to two-and-a-half years’ imprisonment. He is widely believed to have been targeted for his criticism of Vietnamese government policy. He was due for release on 20 October 2010 on completion of this sentence but was served with fresh charges.

**OTHER INFORMATION:** Nguyen Van Hai is known for his critical internet postings calling for greater democracy and human rights in Viet Nam and his participation in protests against Chinese foreign policy.

**AWARDS:** He is recipient of the 2009 Hellman/Hammett award; the 2013 International Press Freedom award (CPJ) and PEN Canada’s 2013 One Humanity Award.

**PEN ACTION:** RAN 47/08 Update #1 – 9 April 2009; RAN 66/12 – 24 September 2012; RAN 27/13 24 July 2013; and update #1 24 October 2014; open letter from WiPC Chair to President Obama asking him to raise Nguyen Van Hai’s case during a visit, press statement 24 October 2014

## NGUYEN Xuan Nghia:

**PROFESSION:** Poet, journalist and novelist, member of the Hai Phong Association of writers and founding member of the banned democracy movement known as Block 8406, author of several online poems and articles.

**DATE OF BIRTH:** 1949

**SENTENCE:** Six years in prison and three years’ probationary detention.

**DATE OF ARREST:** 11 September 2008

**DATE OF RELEASE:** 11 September 2014

**DETAILS OF ARREST:** Nguyen Xuan Nghia was arrested and charged with “conducting propaganda against the Socialist Republic of Viet Nam” under article 88-1(c) of the Criminal Code for his pro-democracy writings and activities, in particular for being a leading member of the banned pro-democracy group Block 8406. Other members of the group were also arrested and sentenced. The indictment dated 3 July 2009 cited 57 pieces written by Nguyen Xuan Nghia from 2007 until his arrest in 2008, including poetry, literature, short stories and articles, which allegedly sought to "insult the Communist Party of Viet Nam, distort the situation of the country, slander and disgrace the country's leaders, demand a pluralistic and multiparty system ... and incite and attract other people into the opposition movement."

**DETAILS OF RELEASE:** On Nguyen Xuan Nghia was released from prison on completion of his imprisonment sentence. He is required to serve three years of probationary detention.

**DETAILS OF TRIAL:** Tried and convicted by the Hanoi People’s Court on 9 October 2009. His conviction was upheld on 21 January 2010.

**HEALTH CONCERNS:** His health is said to have deteriorated as a result of ill-treatment in prison.

**HONORARY MEMBER:** PEN American Center.

**AWARDS:** Recipient of the 2008 and 2011 Hellman/Hammett awards and the Liu Xiaobo Courage to Write Award (ICPC).

**PEN ACTION:** RAN 47/08 - 23 September 2008, update 1 – 9 April 2009

### **PHAM Viet Dao (pen-name Phuoc Loc Tho):**

**PROFESSION:** Writer, journalist, blogger, and member of the Association of Viet Nam Writers and Association of Vietnamese Journalists

**DATE OF BIRTH:** 1952

**SENTENCE:** 15 months in prison

**DATE OF ARREST:** 13 June 2013

**DATE OF RELEASE:** 13 September 2014

**DETAILS OF RELEASE:** Pham Viet Dao was released from prison after serving his sentence.

**DETAILS OF ARREST:** arrested for his online writings; he had reportedly posted many articles criticizing the government and calling for a multi-party democratic system on his blog <http://phamvietdao.blogspot.com/>.

**DETAILS OF TRIAL:** On 19 March 2014, the Hanoi People's Court reportedly sentenced Pham to 15 months in prison after he was convicted under article 258 of the Criminal Code which prohibits 'Abusing democratic freedoms to infringe upon the interests of the State, the legitimate rights and interests of organizations and/or citizens'. Pham was held at the Public Security Ministry's detention camp in Ha Noi, Viet Nam.

**BACKGROUND:** Pham studied in Romania, where he obtained a literature degree in 1974, and was a high cadre of the Ministry of Culture's cinema department, then head of the Press and Publications Inspection Bureau of the Ministry of Culture (1992-2007). He had been summoned for questioning by the public security police several times in the past. His blog had been the target of three cyber-attacks.

### **TRAN Anh Kim:**

**PROFESSION:** Internet writer and dissident. Former army officer. Author of more than 60 articles and essays focusing in human rights and social injustice, secretary of the banned Vietnamese Democratic Party and member of banned democracy movement known as Bloc 8406.

**DATE OF BIRTH:** 1949

**SENTENCE:** Five-and-a-half years in prison and three years' probationary detention.

**DATE OF ARREST:** 7 July 2009.

**DATE OF RELEASE:** 7 January 2015

**DETAILS OF RELEASE:** Tran was released on completion of his sentence.

**DETAILS OF ARREST:** Among five activists who were arrested in June 2009. Reportedly arrested and charged with "conducting propaganda against the Socialist Republic of Viet Nam" under article 88-1(c) of the Criminal Code.

**DETAILS OF TRIAL:** Later convicted of the more serious charge of "carrying out activities aimed at overthrowing the people's administration" under article 79 of the Criminal Code for his pro-democracy activities on 29 April 2010. Prosecutors asked for a lighter sentence in view of the military background of Mr. Kim, a wounded veteran.

**BACKGROUND:** Tran Anh Kim was known for drafting and circulating petitions protesting injustice and corruption in the Vietnamese Communist Party. In 1991, he was briefly detained and accused of "abuse of power to steal public wealth." He was arrested again in 1994 and sentenced to two years in prison. He was released after one year. He was a member of the editorial board of the underground journal Fatherland. **AWARDS:** Recipient of the 2009 Hellman/Hammett Award. PEN Action RAN 49/09 - 15 September 2009]

### **Vi Duc HOI:**

**PROFESSION:** Former high-ranking Communist party member, democracy activist and online commentator.

**DATE OF BIRTH:** 1956

**DATE OF ARREST:** 27 October 2010

**SENTENCE:** Five years in prison and three years of probationary detention.

**DATE OF RELEASE:** 11 April 2014

**DETAILS OF ARREST:** Arrested over his writings and his activities for the banned human rights defenders organisation Bloc 8406.

**DETAILS OF RELEASE:** Hoi was reportedly released nearly 18 months' earlier than expected. He is required to serve three years' probation.

**DETAILS OF TRIAL:** Hoi was sentenced to eight years in prison and five years of probationary detention in January 2011 on charges of "conducting propaganda against the Socialist Republic of Viet Nam" under article 88-1(c) of the Criminal Code for commentaries he posted on the internet. An appeals court in Lang Son province reduced his sentence on 26 April 2011 to five years in prison and three years of probationary detention.

**OTHER INFORMATION:** In 2006 he started publishing articles online calling for democratic reforms and criticising alleged government corruption.

**AWARDS:** Recipient of the Hellman/Hammett awards 2009 and 2011.

# EUROPE and CENTRAL ASIA

## AZERBAIJAN

President Aliyev's government has engaged in a deliberate strategy to limit dissent. The situation has worsened considerably over the last two years, and the presidential elections of October 2013 triggered a new wave of repression which continues today. In the last 30 months, the Azerbaijani authorities have jailed (often on trumped up charges relating to drugs or firearms offences), blackmailed or otherwise harassed, scores of independent journalists, political activists and employees of non-governmental organizations (NGOs). They have also violently broken up peaceful political rallies and imposed legislation restricting the rights to free expression and free assembly. At PEN International's World Congress in Bishkek, Kyrgyzstan, 2014, a resolution on Azerbaijan reflecting concern at the worsening freedom of expression situation was passed by the Assembly of Delegates.

### KILLED: IMPUNITY

#### Rafiq TAGI

**PROFESSION:** journalist

**DATE OF DEATH:** 23 November 2011

**DETAILS OF DEATH:** Died in hospital after he had been attacked while returning home from work on 19 November 2011. Although the motive for the attack remains unknown, it is reported that it may have been related to an article Tagi published on 10 November 2011, entitled 'Iran and the Inevitability of Globalisation,' in which he criticised the Iranian government and described threats made against Azerbaijan by Iran as "ridiculous".

**DETAILS OF INVESTIGATION:** A criminal investigation into the crime was launched by the Khatai District Prosecutor's Office in November 2011. In February 2012, media reports stated that the authorities ruled out medical negligence as a contributory factor, which was criticised by Tagi's family members. The investigation was reportedly suspended on 8 January 2014, owing to the "non-establishment of the person subject to prosecution."

**BACKGROUND:** Tagi, a former PEN main case, was previously arrested in November 2006 for an article entitled 'Europe and Us,' published in Sanat newspaper, and for which he was accused of insulting the Prophet Mohammad. Following the publication of the article the Grand Ayatollah Fazil Lankarani of Iran issued a fatwa calling for Tagi's death. He was sentenced to three years in prison for the article under Article 283 of the Azerbaijani Criminal Code for

"inciting national, racial and religious enmity". Following significant international pressure, Tagi was granted amnesty on 28 December 2007. **[STOP PRESS:** on 8 January 2015, Tagi's lawyer announced on Facebook that the Prosecutor-General's Office had informed him in writing that the probe into Tagi's death has ended. No further information was given.]

### IMPRISONED: MAIN CASE

#### Parviz HASHIMLI:

**PROFESSION:** journalist

**SENTENCE:** eight year prison sentence.

**DATE OF ARREST:** 17 September 2013

**CURRENT PLACE OF DETENTION:** Held in No 1 Prison as of August 2014

**DETAILS OF ARREST:** Arrested by Ministry of National Security officials. News reports said that agents also raided Hashimli's home in Baku, where they claimed to have found a pistol and several hand grenades. The agents conducted the search without presenting Hashimli's wife with a court order, and in the absence of the journalist's lawyer. He was issued with a two-month pre-trial detention order on 18 September 2013 by the Sabail District Court. His detention term was extended for another three months on 7 November 2013. On 26 September 2013, the Baku Appellate Court denied his appeal against his pre-trial detention. On 23 December 2013, the Baku Appellate Court denied the Hashimli's appeal against the denial of his request for transfer from the Ministry of National Security remand centre to a pre-trial detention facility.

**DETAILS OF TRIAL:** Charged under two articles of the Azerbaijani Criminal Code: Article 206.3.2 ("pre-arranged smuggling of firearms by an organised group") and 228.2.1 ("pre-arranged illegal procurement, storage, and transport of firearms and their spare parts by an organised group") and of repeatedly committing the same acts (Article 228.2.2). Sentenced to eight years in prison on 15 May 2014.

**UPDATE:** His appeal against his conviction and sentence was rejected on 24 December 2014

**CONDITIONS OF DETENTION:** Hashimli was allegedly subjected to torture and other ill-treatment during his detention at the Ministry of National Security remand centre. His lawyer reports that the journalist was placed in a 'punishment cell'. Hashimli has reportedly alleged that he was stripped naked and that he refused the food served to him by guards; he said that he was denied contact with his family and lawyer. The ministry is reported to have refuted the claim, and the prosecutor's office did not investigate his allegations.

**BACKGROUND:** The agents also raided the newsrooms of his places of work, the Moderator and Bizim Yol, and confiscated their equipment, according to reports. Both outlets are known for their coverage of corruption and human rights abuses as well as for their critical reporting on the government of Azerbaijan's authoritarian president Ilham Aliyev.

**OTHER INFORMATION:** Hashimli is also the Chairman of the Centre for Protection of Political and Civil Rights.



## Hilal MAMEDOV

**PROFESSION:** editor-in-chief of independent newspaper Talyshi Sado (Voice of the Talysh) and human rights activist

**DATE OF BIRTH:** 1959

**SENTENCE:** five years in prison

**DATE OF ARREST:** 21 June 2012

**CURRENT PLACE OF DETENTION:** Penal colony No. 17

**DETAILS OF TRIAL:** In a press release, Azerbaijan's Interior Ministry stated that Mamedov had undermined the country's security in his article for Talyshi Sado, in his interviews with the Iranian broadcaster Sahar-2, and also in unnamed books he had allegedly translated and distributed. The statement also denounced domestic and international protests against Mamedov's imprisonment and said the journalist had used his office to spy for Iran. Mamedov was convicted on 28 September 2013 of illegal selling of drugs (Article 234.4.3 of the Criminal Code), treason (Article 274 of the Criminal Code), and incitement to national, racial, social and religious hatred and hostility (Article 283 of the Criminal Code) by the Baku Court of Grave Crimes. According to reports, a preliminary hearing took place in Baku during the first week in January 2013. Mamedov's family claim that the drugs that police claimed to find in his apartment were planted, and have stated their belief that the arrest was politically motivated. Another hearing of his case took place on 29 May 2013 at the Baku Grave Crimes Court. The trial started with the presentation of a written 'objection to the composition of the jury' by the defence, which was not accepted by the judge. During the hearing Mamedov said that the prosecution was a reprisal for his social activism and critical opinions. Further hearings took place on 5 June and 10 July 2013. Lawyers for Mamedov petitioned the court to be allowed to question the investigators who searched Mamedov's house during his arrest. The court rejected the petition. Human rights observers inside and outside Azerbaijan believe that that he is being punished for his journalism and activism for national minorities' rights. There are concerns over the fairness of his trial, including reports of coercion of witnesses and lack of substantive evidence against him. Mamedov's conviction was upheld by a higher court on 25 December 2013 and by Azerbaijan's Supreme Court on 26 June 2014. Mamedov complained that the Interior Ministry and the Prosecutor General's office had violated his right to the presumption of innocence in a joint statement of July 4, 2013 by presenting him as a guilty person, although his guilt had not proved by the court. His complaint was thrown out by the Baku Court of Appeal on 21 January 2014, but was reportedly upheld on 12 June 2014 by the Board for Administrative and Economic Affairs of the Supreme Court which ordered a retrial in the Baku Court of Appeal.

**UPDATE:** His lawyers submitted an appeal to the European Court of Human Rights which, in November 2014, began communications with the Azerbaijani authorities in the case over Mamedov's complaint regarding violations of the prohibition on torture and the right to liberty.

**HEALTH CONCERNS:** Mamedov was reportedly attacked and injured by his cellmate on 29 November 2012. He was saved from serious injury by the intervention of prison guards.

**BACKGROUND:** Mamedov's newspaper is printed in the Talysh language, which is related to Persian. The Talysh minority's leader in Azerbaijan, Novruzali Mamedov, who edited the newspaper before Mamedov, died in prison in 2009 after he was found guilty of spying for Iran and was sentenced to 10 years in prison.

On the basis of the available evidence, there is a clear pattern of the Azerbaijani authorities using drugs, firearms or 'hooliganism' charges to arrest and imprison writers and journalists who criticise the authorities. The following cases all follow this pattern, and until PEN receives information to the contrary, we will regard them as Main Cases.

## \*Abdul ABILOV:

**PROFESSION:** a social media activist and blogger; administrator of the critical Facebook pages "Yaltaqlara dur deyək!" ("Stop those flattering the regime!") and "Seçki saxtakarlığı" ("Election Fraud").

**SENTENCE:** five and a half years in prison.

**DATE OF ARREST:** 22 November 2013.

**DETAILS OF ARREST:** arrested in Baku. Police claimed that drugs were found both in Abilov's pocket and at his home. Both Facebook pages were shut down shortly after police seized his computer during a search of his home.

**CURRENT PLACE OF DETENTION:** Penal Colony 13

**DETAILS OF TRIAL:** charged with possession of drugs. Abilov reportedly says that the drugs were planted and that during his interrogation police asked him questions only about his critical posts, political activism, and relationship to the opposition Popular Front Party. He alleges that he was denied access to a lawyer of his own choosing during initial police interrogation and at his pre-trial detention hearing. On 27 May 2014, the Grave Crimes Court sentenced Abilov to five and a half years in prison.

**UPDATE:** His appeal was rejected in November 2014; according to reports, he is planning to appeal to the Supreme Court

## Nijat ALIYEV:

**PROFESSION:** editor-in-chief of <http://azadxeber.net/> website

**DATE OF ARREST:** 20 May 2012, near Memar Ajami metro station. Taken to Yasamal District police office.

**SENTENCE:** Ten years in prison

**CURRENT PLACE OF DETENTION:** Prison No. 2

**DETAILS OF ARREST:** arrested near a metro station in downtown Baku while he was distributing CDs about house demolitions in the run-up to the Eurovision Song Contest and given two months pre-trial detention; extended by a month at a 16 October 2012 hearing. At a 29 October 2012 hearing, Aliyev's appeal against his continued pre-trial detention was rejected. His pre-trial detention term was extended for two months by Nasimi District Court on 15 February 2013. Aliyev's lawyer has said that Aliyev was beaten by officers whilst in custody, and that they had also tried to coerce him into making a "confession". The police allegedly told Aliyev that if he did not admit to the drug-related charges, they would sentence him to more than five years in prison, under more serious charges.

**DETAILS OF TRIAL:** initially charged with possession of illegal drugs (Article 234.1 of the Criminal Code of Azerbaijan), three other charges were brought against him some nine months later: "distributing or selling religious literature, goods or any other religious informational content as

a person or as part of a group without special dispensation (article 167.2.2.1 of the Criminal Code); and publicly calling for the overthrow of the government, the constitution and the territorial integrity of the Republic of Azerbaijan by force (Article 281.2). He was also charged with incitement to ethnic hatred by using mass media as part of an organised group (Article 283.2.3). Aliyev denied the charges and claimed the drugs had been planted in his house. A hearing took place on 30 May 2013 at the Baku Grave Crimes Court. Due to the alleged beating of the journalist whilst in detention, his lawyer filed a petition requesting the court to arrange a forensic medical examination for the journalist; it was granted. However, at another hearing of the case at the Baku Grave Crimes Court on 27 June 2013, Aliyev's lawyer stated that the examination of his client had taken place without the presence of legal representation, and that because of this, his client had refused to comply fully. The lawyer alleged that irregularities such as these were delay tactics to allow the signs of torture to fade. He was sentenced to 10 years in prison on 9 December 2013. His appeal against his conviction was dismissed by a Baku court on 27 June 2014.

**BACKGROUND:** Some international and local human rights groups believe that Nijat Aliyev was arrested for criticising Azerbaijan's hosting of the Eurovision Song Contest, including the high expenditure involved. He also allegedly wrote articles criticising a proposed gay pride parade in Azerbaijan.

#### \*Khalid GARAYEV:

**PROFESSION:** journalist for opposition newspaper Azadlig; also a producer of a satellite TV show, 'Azerbaijan Saati'

**SENTENCE:** 25 days in prison

**DATE OF ARREST:** 29 October 2014

**DATE OF RELEASE:** 24 November 2014

**DETAILS OF TRIAL:** charged under articles 296 and 310.1 of the Code of Administrative Offences with hooliganism and disobeying the police; the indictment said he was heard using vulgar language outside a supermarket in the centre of Binagadi and that he refused to comply with instructions from the police. It was reported by rights organisations that one of the prosecution witnesses is systematically used by the police in similar cases. The court rejected the defence's request to view surveillance camera footage. He was sentenced to 25 days in prison on 30 October 2014

**BACKGROUND:** Azadlig and "Azerbaijan Saati" have long been subjected to harassment. The newspaper has had to suspend its print edition on several occasions and is now reportedly near to closure. Its editor, Genimat Zahid, spent two and a half years in prison, from November 2007 to March 2010, on similar charges.

#### Araz GULIYEV:

**PROFESSION:** editor in chief of the Islamic news website, xeber44.com

**SENTENCE:** Eight years in prison

**DATE OF ARREST:** 8 September 2012

**DETAILS OF ARREST:** the journalist was arrested while reporting on a protest in the city of Massally, where residents were allegedly angry at the dress code of festival dancers.

**CURRENT PLACE OF DETENTION:** Prison No. 14, outside Baku

**DETAILS OF TRIAL:** Originally arrested on hooliganism charges. Guliyev was convicted and sentenced on 5 April 2013 by the Lankaran Court of Grave Crimes. He was convicted of illegal possession of firearms (Article 228.1 of the Criminal Code), organising and participating in a public order disturbance (Article 233), inciting national, racial or religious hatred (Article 283.1), resisting the authorities in a manner dangerous to life or health (Article 315.2) and insulting the republic's flag and insignia (Article 324). Guliyev's lawyer claimed that the police planted a grenade on the journalist when he was arrested and that he was beaten and denied access to legal advice. Guliyev is the brother of Nazim Guliyev (see below). Guliyev rejected all of the charges, claiming that he was arrested for his journalistic and religious activities. On 30 May 2013 the Shirvan City Appellate Court held a preliminary appeal hearing. The hearing was held in absentia. The journalist's lawyer Fariz Namazli filed a petition for partial reconsideration, indicating that Araz Guliyev had not seen the persons alleged to be victims of his alleged actions during his trial; Guliyev said he did not know persons involved.

**UPDATE:** On 5 July 2014, the Supreme Court rejected his appeal against his conviction and sentence.

#### \*Omar MAMEDOV

**PROFESSION:** blogger

**SENTENCE:** five years in prison

**DATE OF ARREST:** 24 January 2014

**DETAILS OF ARREST:** Mamedov was arrested shortly after returning to Azerbaijan from Northern Cyprus, where he is a student at Cyprus International University. Upon Mamedov's return to Azerbaijan he was invited along with his father to have a "talk" with the police, during which they confiscated his laptop and demanded that he close an anti-government Facebook page. The following day he was charged with possession of drugs and remanded in custody.

**DETAILS OF TRIAL:** Mamedov was convicted of "possession of drugs" under Article 234.4.3 of the Penal Code 11 July 2014 and sentenced to five years in prison. His lawyers said that they would file an appeal.

**UPDATE:** His appeal against his conviction and sentence was rejected by the Baku Appeal Court in December 2014

**BACKGROUND:** Mamedov was an active blogger who often reported human rights abuses and used to manage the anti-government "Selections from AzTV" and "Named after Heydar Aliyev" Facebook pages. While he was studying abroad his father was reportedly summoned to the interior ministry's organised crime directorate where he was told to get his son to stop "slandering" the government. He is a member of several youth opposition movements including NIDA (Nida Civic Movement, which works for political and social reform). Eight other NIDA activists were sentenced to between six and eight years in prison in May 2014.



## \*Elsever MURSELLI

**PROFESSION:** a Facebook activist

**SENTENCE:** two years in prison

**DATE OF ARREST:** 3 October 2013, one week before the presidential election

**DETAILS OF TRIAL:** charged with “possession of drugs”. Police warned Murselli’s family that he could get a lengthy prison sentence if the family publicized the arrest to the media or retained a lawyer of their choosing; he was instead defended by a state-appointed lawyer. In April 2014 he was sentenced to five years in prison.

**UPDATE:** On 23 June 2014, Murselli wrote a letter of apology to the president. A month later in July, his sentence was reduced to two years by an appeal court.

**BACKGROUND:** Murselli was active on social media during the lead-up to the presidential election, when he posted on Facebook about social problems in Khachmaz, northern Azerbaijan. He alleged corruption and nepotism and called on people to vote for a political opposition candidate, Jamil Hasanly. Murselli had also participated in pre-election opposition demonstrations and posted video footage of the rallies online.

## Rashad RAMAZANOV (Rashad Hagigat Agaaddin):

**PROFESSION:** blogger

**SENTENCE:** nine years in prison

**DATE OF ARREST:** 9 May 2013

**DETAILS OF ARREST:** arrested near the ‘20 January’ metro station and taken to the Department for Combating Organised Crime. The police reportedly found nine grams of heroin on his person.

**DETAILS OF TRIAL:** He was charged with “illegal possession and sale of a large scale of drugs” (Article 234.4.3 of the Criminal Code). On 7 August 2013, his case was referred to the Baku Court of Grave Crimes and he was convicted and sentenced to nine years in prison on 13 November 2013. Ramazanov rejects the charges and has claimed that he was tortured during interrogation. On 14 May 2014, Ramazanov’s appeal against his conviction was dismissed.

**BACKGROUND:** Ramazanov is well-known for his anti-government postings.

## Tofig YAGUBLU:

**PROFESSION:** columnist for Yeni Musavat newspaper and Deputy Leader of the opposition Musavat Party

**SENTENCE:** Five years in prison

**DATE OF ARREST:** 4 February 2013

**DETAILS OF ARREST:** Yagublu was arrested with co-leader of the REAL movement, Ilgar Mammadov. Yagublu was accused along with Ilgar Mammadov of organising a mass protest which led to violence and the breakdown of order in the province of Ismailli on 23-24 January 2013. The protest took place after a traffic incident involving a government minister’s son and local residents led to an altercation. This incident led to a series of violent reprisals by local residents including the burning of cars and a hotel alleged to belong to Nizami Alakbarov. On

the second day, a group of protesters attempted to walk on the Governor’s home, demanding his resignation and throwing stones. This then led to confrontation with security forces who responded with force. In a statement afterwards, Tofig Yagublu and Ilgar Mammadov both stated that they went to the region and protest as observers and played no role in stirring up unrest among the local population. The founder of Yeni Musavat newspaper and the head of the Musavat Party executive board have both confirmed that Yagublu was on a reporting assignment in Ismayilli and that he was carrying a press card at the time of his arrest. Yagublu was reportedly initially arrested on 24 January 2013, when he arrived at the town to interview local residents about the causes of the unrest. In August 2013, the Nasimi District Court of Baku ruled to extend his detention until 4 December 2013.

**CURRENT PLACE OF DETENTION:** He was being held at Prison No. 13 in late 2014, according to Kavkazsky Uzel.

**DETAILS OF TRIAL:** Initially charged with organising public disorder (Article 233 of the Criminal Code), Yagublu was charged in May 2013 under Article 220.1 of the Criminal Code of Azerbaijan (“organising mass acts of violence”), and Article 315.2 (“resisting the authorities in an manner dangerous to life or health”). His trial began on 18 November 2013 in the Sheki Court of Grave Crimes. Yagublu was found guilty of “organizing mass acts of violence” and sentenced to five years in prison on 17 March 2014.

**UPDATE:** Yagublu’s appeal was denied by an appeal court in September 2014; his appeal to the Supreme Court is due to begin in January 2015. **[STOP PRESS:** The Supreme Court postponed consideration of the appeal on 13 January 2015]

## DETAINED – MAIN CASE

### \*Khadija ISMAYILOVA (f):

**PROFESSION:** Investigative journalist and radio host for Radio Free Europe

**DATE OF ARREST:** 4 December 2014.

**DETAILS OF ARREST:** served with a two-month pre-trial detention order by the Sabail District Court of Baku on 5 December 2014.

**DETAILS OF TRIAL:** She has been charged under Article 125 of the Penal Code with having allegedly provoked the attempted suicide of Tural Mustafayev, the former contributor to Radio Azadlyg and another opposition media platform, Meydan TV (he had allegedly tried to kill himself two months previously). Background 1) Ismayilova was called in for questioning by the state prosecutor’s office on 18, 19 and 20 February 2014 in relation to a Facebook post that included a photo of a scanned document reportedly issued by the Azerbaijani security service, the MNB. The document alleges the recruitment of an Azerbaijani opposition activist as an MNB informant. Ismayilova, who redacted the name of the purported recruit before publishing the document, said on Facebook that she had been given the document by a former MNB employee. If convicted of publishing state secrets, Ismayilova could face up to seven years in prison. 2) She is currently being sued for libel, as part of a legal proceeding that began on 9 October 2014, by Elman Gassanov, a former member of the Popular Front party. He accuses her of having defamed him in an article in which she pointed to his work in subverting opposition organizations on behalf of intelligence services. 3) In March 2012, Ismayilova was subjected to a campaign intended to intimidate her into stopping a very public investigation



into President Aliyev's family's alleged interests in lucrative construction projects in Baku ahead of the Eurovision Song Contest. She received anonymous threats, warning her to stop her work or face consequences. When she did not, a video of a personal nature, purportedly depicting her, was posted online, and the pro-government media published articles calling her "immoral" and "corrupt." 4) Another wave of harassment started in April 2013 and continued through the year, with videos secretly recorded in the journalist's apartment being posted online.

**PEN ACTION:** On 12 August 2013 PEN signed a joint letter to President Aliyev protesting the harassment of Ismayilova and calling for a thorough investigation into the threats made against her. PEN was a signatory to a joint statement in October 2014 protesting a travel ban imposed on her and calling for all legal proceedings against her to be lifted.

### \*Faraj KARIMOV:

**PROFESSION:** blogger

**DATE OF ARREST:** 23 July 2014

**DETAILS OF ARREST:** On the morning of the day of his arrest, Karimov called his father and stated that people wearing civilian clothes were following him. Shortly after, Karimov was no longer contactable by phone. His father alerted Ministry of Internal Affairs' officials, but they failed to provide information about the whereabouts of his son. Later that day, it was announced that Karimov had been detained on drugs charges and it later emerged he was held at the Organized Crime Unit of the Ministry of Internal Affairs.

**CURRENT PLACE OF DETENTION:** transferred to the Baku Detention Facility on 30 July

**CONDITIONS OF DETENTION:** According to Amnesty International, Karimov was visited by his lawyer on 2 August after being held incommunicado for 10 days, Karimov told his lawyer that he had been beaten by police to make him admit to drug-related charges. He was threatened that unless he signed a "confession", police would "cause problems to his parents" by planting weapons at their house. Although held on drug-related charges, Karimov was questioned about his political and social activities. Police asked him about the Facebook groups and pages he manages, which are well-known for their criticism of the Azerbaijani government. He was also asked for information about his fellow activists at the opposition political party Musavat.

**DETAILS OF TRIAL:** charged with possession of drugs. His trial before the Baku Grave Crimes Court had not begun by the end of the year.

**BACKGROUND:** Karimov is a well-known blogger and administrator of the highly popular "Basta!" ("Enough!") and "Istefa" ("Resign") Facebook pages. The Facebook pages, with thousands of followers, served as platforms for criticism against human rights violations, social problems, and corruption. He is also a member of the opposition political party Musavat and manager of Musavat Party's official website, [www.musavat.org.az](http://www.musavat.org.az). Karimov's brother, Siraj Karimov, who was arrested six days earlier claimed that he was pressured to sign a 'confession' to drug-related charges and was asked questions by police about his brother's activities. His family believes that he was targeted for his brother's activism.

### \*Seymur KHAZIYEV (also known as Seymur Hezi):

**PROFESSION:** reporter with the opposition daily Azadlig, presenter of the programme "Azerbaijan Saati" broadcast via the Internet and by satellite.

**SENTENCE:** Five years in prison

**DATE OF ARREST:** 29 August 2014.

**DETAILS OF ARREST:** arrested near his home in the village of Jeyranbatan, on the outskirts of Baku, after an altercation with an unidentified man. Khaziyev was assaulted by the other man, and defended himself using a bottle he was holding. His attacker, Maherram Hasanov, was in turn arrested on 3 September and charged with hooliganism. Khaziyev's lawyer and colleagues argued that he had been provoked and Hasanov was arrested merely to give the impression that the investigation was fair. He was placed in pre-trial detention for two months on 30 August 2014.

**DETAILS OF TRIAL:** charged under article 221.3 of the criminal code with 'aggravated hooliganism'. [STOP PRESS: sentenced to five years in prison on 29 January 2015.]

**BACKGROUND:** In March 2011, Khaziyev was abducted and tortured for several hours by unidentified men who advised him to be as "intelligent and quiet as the others."

**PEN ACTION:** RAN 14/11; mentioned in PEN's joint submission on Azerbaijan to the UN Universal Periodic Review issued in October 2012

### \*Rauf MIRKADYROV (or MIRGADIROV)

**PROFESSION:** Turkey correspondent for Azerbaijani newspaper Zerkalo

**DATE OF ARREST:** 19 April 2014

**DETAILS OF ARREST:** Mirkadyrov was detained in Ankara, Turkey on 18 April 2014 in connection with his travel documents allegedly having expired. He was deported to Azerbaijan the following day. He was arrested upon his arrival in Baku and placed in pre-trial detention following a hearing on 21 April 2014. He was remanded for an additional four months at a 15 July 2014 hearing.

**UPDATE:** In July his detention was extended for four months and in November 2014 for another five months

**DETAILS OF TRIAL:** Initially charged with treason, this was reduced to espionage after being brought before the Nasimi District Court in Baku on 21 April 2014, where the prosecutor-general accused him of being an Armenian spy, citing his past trips to Armenia and Georgia as well as his time in Turkey. Mirkadyrov is accused of meeting Armenian security services and handing them political and military information as well as Azerbaijani state secrets during his stay in Turkey. Mirkadyrov denies the accusations as politically motivated and claims that they are in retaliation for his work. He faces a life sentence if found guilty.

**BACKGROUND:** At the time of his arrest Mirkadyrov had been a reporter in Turkey for three years, often criticising both Turkish and Azeri authorities for human rights abuses. He has also been involved in non-governmental projects focused on improving dialogue between Armenia and Azerbaijan. His arrest and deportation followed a visit to Baku by Turkish Prime Minister Erdoğan. Mirkadyrov's family were reportedly granted asylum in Switzerland in December 2014.

## IMPRISONED – INVESTIGATION

### Nazim GULIYEV:

**PROFESSION:** founder and editor-in-chief of the newspaper Ideal, currently shut down

**SENTENCE:** (1) six months in prison. (2) He was further sentenced to 13 years and three months in prison and confiscation of his property

**DATE OF ARREST:** April 2009

**DETAILS OF ARREST:** Guliyev was issued with a pre-trial detention order after a hearing in the Nasimi District Court on 30 October 2008; however, by then he had gone into hiding. He was arrested in late April 2009.

**DETAILS OF TRIAL:** (1) Guliyev was arrested in late April 2009 and sentenced to six months in prison. He was convicted in a criminal case filed in September 2008 by a Nagorno-Karabakh war veteran, who alleged that two articles published in Ideal in August 2008 harmed her dignity. On 26 May 2009 he was sentenced to six months in prison on defamation charges (see Case List of January to June 2009). (2) The anti-corruption department of the Chief Prosecutor's Office later brought a case against him in the Grave Crimes Court in which he was charged with extortion (Article 182 of the Criminal Code); hooliganism (Article 221); and the illegal manufacturing, purchase, storage, transportation, transfer or selling of drugs/psychotropic substances (under Article 234). He was convicted and sentenced to 13 years and three months in prison on 15 January 2010. Guliyev is serving his sentence in a special penitentiary. PEN is seeking clarification of the current criminal charges so as to ascertain whether he is in fact detained for his writings.

## DETAINED - INVESTIGATION

### \*Arshad (or Ershad) Ibrahimov

**PROFESSION:** freelance journalist and former journalist for Azadliq

**DATE OF ARREST:** 18 June 2014

**DETAILS OF ARREST:** reportedly placed under pre-trial detention by the Ganja City Nizami district Court of Grave Crimes on 18 June 2014. Reportedly arrested at the request of the former head of the education department in Kalbajar region, Mahammad Bagirov, against whom a criminal case was launched in April 2014 by the Corruption Department of the General Prosecutor's Office. Ibrahimov's articles reportedly allege that corruption took place in the education department while Bagirov headed it. These articles reportedly provoked the current case against Bagirov.

**DETAILS OF TRIAL:** charged under article 182 of the Criminal Code (extortion by threats). The Prosecutor General's Office said that Ibrahimov demanded AZN 30 0000 from Bagirov in 2012-2013 and that when Bagirov did not pay him, on 13 April 2013 Ibrahimov posted a Youtube video entitled "Former head of Kalbajar Region Department of Education Mamed Baghirov raped a 17-year-old girl".

## ON TRIAL

### Genimet ZAKHIDOV:

**PROFESSION:** editor of the opposition daily Azadlyg

**DETAILS OF TRIAL:** Criminal defamation charges were reportedly filed against him by two public officials in connection with an article published in March 2013, which alleged that the ministers supported two opposing factions within the administration and were therefore in conflict with each other.

**BACKGROUND:** Zakhidov has been targeted for his journalism in the past. In 2008, he was sentenced to four years in prison and served more than half his term before being issued a presidential pardon. PEN is seeking an update.

## ATTACKED

### \*Ilgar NASIBOV:

**PROFESSION:** journalist and human rights defender, reporting for Radio Free Europe and the independent news agency Turan.

**DETAILS OF ATTACK:** He was beaten unconscious on 21 August 2014 in Nakhchivan, suffering concussion, multiple fractures to the nose, cheekbone and ribs.

**DETAILS OF INVESTIGATION:** On 20 September 2014 he was reportedly charged with assaulting one of the men who attacked him and placed under police supervision. His wife and fellow journalist Malahat Nasibova suspected the authorities were responsible.

**BACKGROUND:** the couple are often the targets of threats and the lock of their home was forced open shortly before the attack, on 6 August 2014.

## THREATENED

### \*Arzu GEYBULLAYEVA (f):

**PROFESSION:** journalist and political analyst working for the Armenian newspaper Agos.

**DETAILS OF THREATS:** Was the recipient of threats of violence sent via social media in October 2014. The threats increased following an interview with the Azerbaijani news site modern.az. The interview has prompted a series of hostile articles in the Azerbaijani media targeting Geybullayeva for working with Armenians and accusing her of treason.

**BACKGROUND:** Geybullayeva has worked with a number of non-profit organisations aimed at promoting dialogue and reconciliation between the Azeri and Armenian peoples.

**PEN ACTION:** RAN 16/14

## HARASSED

### \*Natiq ADILOV:

**PROFESSION:** reporter for Azadliq and presenter of the programme “Azerbaycan Saati”.

**DETAILS OF HARASSMENT:** he was prevented by Azerbaijani border guards from crossing into Georgia on 8 September 2014. The guards told him his passport was “no longer valid”, although it does not expire until 2020. In November 2014 it was reported that Adilov had fled the country, though the exact date was not specified. PEN is seeking further information.

### \*Turkhan KARIMOV:

**PROFESSION:** reporter for Radio Azadliq, Radio Free Europe/Radio Liberty’s Azerbaijani service. He is also an active blogger who provides satirical coverage of political developments on his Facebook page.

**DETAILS OF HARASSMENT:** Karimov was detained by two plain clothes police officers outside his Baku apartment on 28 November 2014 and taken to a police station in the Baku district of Nariman for a “discussion” with the local police chief. He was held for two hours and then released. Karimov says that he was questioned about his journalistic work for Radio Azadliq, the station’s links with foreign countries, the well-known investigative journalist Khadija Ismailova, and related subjects. He says that he was released after being advised not to criticise the government.

## RELEASED

### Sardar ALIBEILI:

**PROFESSION:** chief editor of the independent newspaper P.S. Nota

**SENTENCE:** Four years in prison

**DATE OF ARREST:** 2 August 2013

**DATE OF RELEASE:** received presidential pardon on 29 December 2014 and was then released.

**DETAILS OF ARREST:** a district court in Baku ordered Alibeili to be held in pre-trial detention for two months pending investigation of a charge of criminal hooliganism charge. The charges against him apparently arose from an alleged complaint by a member of the public that the journalist had assaulted him by hitting him in the face with a stone. Alibeili denied the allegation and stated that he believed that he was being persecuted for his criticism of President Ilham Aliyev via social media.

**DETAILS OF TRIAL:** Convicted of “hooliganism using a weapon” under Article 221.3 of the Criminal Code on 13 November 2013. A preliminary hearing was held on the 3 October 2013 at the Khatai District Court. The judge denied a petition requesting the journalist’s pre-trial detention order to be changed to house arrest (Alibeili wanted to care for his child who has learning difficulties) and the return of his case to the preliminary investigation agency due to alleged serious procedural violations. Addressing the court, Alibeili said that he was targeted for his criticisms of the government and that he had been held as a hostage for two months.

**BACKGROUND:** P.S. Nota has published articles by exiled politicians and army officers who accuse the president of corruption, human rights abuses, and authoritarianism. Alibeili also edits the independent newspaper Nota Bene, and has previously been imprisoned in retaliation for his work. In April 2007, the editor was convicted and sentenced for defaming Interior Minister Ramil Usubov and served 18 months in prison with hard labour. In July 2009, a court in Baku convicted Alibeili on criminal defamation charges, and sentenced him to three months’ imprisonment. He was imprisoned in late 2009 after the Supreme Court upheld his conviction and was released in February 2010.

### Faramaz NOVRUZOGLU (also known as Faramaz ALLAHVERDIYEV):

**PROFESSION:** freelance investigative journalist, contributor to the independent newspapers Milletim and Nota

**SENTENCE:** four and a half years in prison

**DATE OF ARREST:** April 2012

**DATE OF RELEASE:** pardoned on 26 May 2014.

**DETAILS OF TRIAL:** convicted on 23 August 2012 of “incitement to mass disorder and violence against citizens” (Articles 220.2 of the Criminal Code) and “crossing protected borders of the Azerbaijan Republic without established documents or outside of border checkpoints” (Article 318.1 of the Criminal Code) via social media. Novruzoglu denied the charges, pointing to the conflict between the alleged date of his ‘border crossing’ (November 2010) and stamps in his passport which show travel elsewhere at the time. Furthermore, he claims that there is no evidence that he is the owner of the Facebook page that is the alleged source of the “incitement to mass disorder”. Human rights observers criticised the judicial process, pointing to the lack of any credible evidence against Novruzoglu and the ineffectiveness of the state-appointed defence attorney.

**CONDITIONS OF DETENTION:** In November 2013, it was reported that the journalist was on hunger strike to protest the conditions in which he is being detained.

**BACKGROUND:** Novruzoglu was previously imprisoned in 2007 for allegedly defaming the interior minister, and in 2009 for allegedly insulting the chairman of the pro-government Azadlyg Harakatchilari.

### Avaz ZEYNALLI:

**PROFESSION:** editor-in-chief of the Khural newspaper

**SENTENCE:** Nine years in prison

**DATE OF ARREST:** 28 October 2011

**DATE OF RELEASE:** received a presidential pardon on 29 December 2014 and was released.

**DETAILS OF ARREST:** Arrested by members of the Anti-Corruption Office, and placed under pre-trial detention by the Nasimi District Court; he was transferred to the Kurdakhani Investigation Prison the following day.

**DETAILS OF TRIAL:** Zeynali was charged under Article 311.3.4 of the Azerbaijani Criminal Code with extortion and under Article 311.3.3 with bribery. These two charges related to a video that reportedly showed MP Gular Ahmadova demanding a \$1million bribe in exchange for a



parliamentary seat; Ahmadova claims that Zeynalli extorted a bribe out of her not to release this video (although the video has, reportedly, been released). He was also charged under Article 213.1 with tax evasion (though he claims the investigation into his tax payments was conducted illegally), and under Article 306.2 with contempt of court (reported to be the result of his non-adherence to a court decision which ordered Khural to pay US\$18,000 to two men who had accused the paper of “insulting their honour and dignity”; the newspaper had reportedly appealed for the termination of the fines due to lack of funds). At his trial, Zeynalli said that the evidence collected against him was obtained illegally. He was convicted and sentenced to nine years in prison on 12 March 2013, upheld by Baku Appeals Court on 13 May 2013.

**HEALTH CONCERNS:** there are serious concerns about Zeynalli’s health. According to a reported prison infirmary report, Zeynalli has been diagnosed with “hepatocholecystitis, hepatomegaly, kidney stones, spinal osteochondrosis, neuralgia radiculitis and chronic subatrophic rhinitis” during his imprisonment. Other Details: On 7 April 2014, the MP and Chairman of the Adalat (Justice) Party, Ilyas Ismayilov, reportedly wrote to President Aliyev pleading for Zeynalli’s release.

**BACKGROUND:** Zeynalli previously reported receiving a threatening phone call on 26 June 2011 from someone claiming to be Binagadi District Police Department Chief Agalar Maharramov. The caller insulted Zeynalli and threatened to kill him. The call followed an article Zeynalli had published which claimed that Maharramov had taken bribes from business institutions run by high-ranking officials in the district. Maharramov has denied that the call came from him.

## CASE CLOSED

### Ogtay GULALIYEV:

**PROFESSION:** editor-in-chief for Transparency magazine and the coordinator of the Kur Civil Society, which works to alleviate the damage caused by the 2010 Kur River floods

**DATE OF ARREST:** He was detained on 8 April 2012 at a meeting with Minbashi village residents

**DATE OF RELEASE:** 13 June 2012

**DETAILS OF RELEASE:** Released pending investigation; has to report to police weekly.

**DETAILS OF TRIAL:** On 9 April 2012, Sabirabad Regional Court detained him under Article 296 (minor hooliganism) based on a lawsuit brought by the head of Minbashi village municipality, Ruffulla Gojayev. Shortly before the expiry of the 12-day detention, on 19 April, Ogtay Gulaliyev was further charged under Article 220.2 of the Criminal Code of Azerbaijan for “active resistance to orders from the authority” and “incitement of mass riots and violence towards citizens”. These charges may result in three years imprisonment.

**HEALTH CONCERNS:** On 2 May 2012, Ogtay Gulaliyev was examined by Dr. Bayali Mammadov of the Ministry of Justice's Medical Department, who found serious problems with his intestines and recommended surgery. When Ogtay Gulaliyev requested that the surgery be carried out only in the presence of his personal doctor, this was refused by the investigation body, who are required to give their permission. According to some sources he was subject to ill-treatment and abuses by officials of the Sabirabad Region Police Department. No further information about trial: Case closed.

# BELARUS

## HARASSED

### \*Aliaksandr BURAKOW:

**PROFESSION:** journalist.

**DATE OF HARASSMENT:** 16 September 2014,

**DETAILS OF HARASSMENT:** Officers of the Lenin district police department reportedly searched the journalist’s flat, as well as his parents' flat. The searches were sanctioned by the prosecutor's office of Mahilow city. They seized computer equipment belonging to the whole family. The reported reason for the searches was the publication of three articles by Burakow on the website www.dw.de. The police reportedly assured him that there were no claims against the contents of the articles, but that by publishing them on the Deutsche Welle website they had grounds for administrative prosecution. By publishing the article, the journalist, in their view, violated the legislation on mass media as he had not got accreditation from the Foreign Affairs Ministry of Belarus. The journalist had another summons to the police department for 30 September 2014. Burakow complained to the authorities about the search.

### \*Natalia VALAKAIDA (f), Ales BARASENKA and Siarhei SATSIUK

**PROFESSION:** freelance journalist, freelance journalist and correspondent for the Belarusian Private News Agency (BelaPAN) respectively.

**DATE OF HARASSMENT:** 16 September 2014

**DETAILS OF HARASSMENT:** the three journalists were detained for three hours after conducting an interview with Homel activist Yury Rubtsow, before his administrative trial over allegedly insulting a judge. According to the journalists, they were held by plain-clothed police who wanted to verify their journalistic accreditation. The three were freed shortly afterwards

## SENTENCED

### \*Maryna MALCHANAVA (f):

**PROFESSION:** journalist of the non-state newspaper Bobruyskij Courie,

**SENTENCE:** fine of 4,800,000 rubles

**DETAILS OF TRIAL:** was convicted and fined on 25 September 2014. She was found guilty of violating Article 22.9.2 of the Code of Administrative Violations, for "illegal production and distribution of mass media products". According to the police report the journalist allegedly "interviewed a citizen...without the appropriate accreditation to perform professional activities for journalists of foreign mass media". The case stemmed from articles written by Malchanava about Belsat TV channel.

## CONDITIONAL RELEASE

### \*Alyaksandr ALESIN:

**PROFESSION:** journalist for the Minsk-based independent newspaper Belorusy i rynok (Belarusians and the Market)

**DATE OF ARREST:** 25 November 2014

**DATE OF RELEASE:** 10 December 2014

**DETAILS OF RELEASE:** Alesin was released on bail after a state-appointed lawyer requested his release on health grounds. However he was banned from traveling outside Belarus pending investigation.

**DETAILS OF TRIAL:** Alesin was reportedly initially charged under articles 356 and 356-1 of the Belarus penal code with “high treason” and “collaborating with the special security services or intelligence services of a foreign government,” charges which carry a sentence of five to 15 years in prison. According to Belorusy i rynok, the authorities also amended their initial charges to “cooperation with a foreign secret service,” which can be punished by up to two years in jail. Following his release, Alesin allegedly signed a pledge not to reveal information about the investigation into his activities. The main suspect in the case is said to be a foreign diplomat with whom Alesin was having a drink in a Minsk café when they were both reportedly detained.

## GREECE

### KILLED – IMPUNITY

### \*Pavlos FYSSAS (aka Killah P):

**PROFESSION:** hip hop artist

**DATE OF BIRTH:** aged 34 when killed

**DATE OF DEATH:** 18 September 2013 Fyssas was stabbed twice outside a cafe in the Keratsini area west of Athens. The police arrested the suspected murderer, a supporter of far right political party Golden Dawn. The trial of some 72 Golden Dawn members on charges including the murder of Fyssas had not begun by the end of the year.

## ICELAND

### JUDICIAL HARASSMENT

### \*Jón Bjarki MAGNUSSON and Jóhann Páll JOHANNSSON:

**PROFESSION:** journalists for DV newspaper

**DETAILS OF HARASSMENT:** the two have been charged with insult and criminal defamation following an article published in 26 June 2014, in which the journalists incorrectly identified Pórey Vilhjálmsson, a political assistant to Iceland's interior minister, as “employee B”, who the investigation appeared to suggest had leaked documents last year containing sensitive information related to a Nigerian asylum seeker. The publication of the documents, which were later found to have been partially doctored, occurred shortly before the man's deportation from Iceland. The journalists' newspaper, DV, issued a correction and apology on the same day the report was published and, according to reports, promptly informed other Icelandic media houses of the mistake. The police investigation had, in fact, identified a different Interior Ministry official as “employee B”. Despite the apology, in October 2014 Vilhjálmsson opted to press charges under Articles 234 (insult) and 235 (defamation) of the Icelandic Penal Code. Her lawyers have announced they will seek the “maximum punishment”, which is one year in prison for each offence (two years in total). Vilhjálmsson is also requesting damages in the amount of 3 million krona (approx. €20,000), in addition to 900,000 krona (approx. €5,500) in legal costs. In December 2014, the owners of DV newspapers decided to settle the case and agreed to pay Pórey Vilhjálmsson 330,000 krona (approximately US\$2,600), against the wishes of the journalists.

## ITALY

### ON TRIAL

### Riccardo ARENA, Andrea MARCENARO and Giorgio MULE:

**PROFESSION:** journalists for the weekly news magazine Panorama

**SENTENCE:** One year and eight-month prison sentences respectively

**DETAILS OF TRIAL:** convicted of defaming a Palermo magistrate in an article published in 2010. On 22 May 2013, Marcenaro and Mulè received prison sentences, and were ordered to pay €20,000 in compensation to the defendant. Arena was judged only to have contributed to the text, and so received a 12-month suspended sentence. Both Marcenaro and Mule are reportedly appealing their convictions.

**BACKGROUND:** The article in question, which alleged that the magistrate had connections to organised crime, was written by Marcenaro. Mulè, the editor of Panorama, was accused of failing to check the article. PEN is seeking further information.

**PEN ACTION:** RAN 24/13

## \*Erri DE LUCA

**PROFESSION:** Novelist

**DETAILS OF TRIAL:** De Luca was charged with “incitement to violence” by Italian magistrates on 24 January 2014 for comments made in an interview with the Italian version of the Huffington Post website. In the interview, De Luca stated that construction of a 35-mile tunnel connecting France and Italy ought to be “sabotaged”. He was charged following official complaints from the Lyon Turin Rail Company. [**STOP PRESS:** De Luca’s trial began on 28 January 2015].

# KAZAKHSTAN

## IMPRISONED – MAIN CASE

### Vladimir KOZLOV:

**PROFESSION:** journalist and leading member of Alga! (Forward!), a popular, unregistered opposition party in Kazakhstan. In addition to his work in print media, he has worked as an editor for the AKTiVi TV channel, and was also one of the founders of the Kazakhstan’s first private television channel, Aktau-Lada.

**DATE OF BIRTH:** 10 August 1960.

**SENTENCE:** Seven and a half years prison sentence.

**DATE OF ARREST:** 23 January 2012

**DETAILS OF ARREST:** Following a police massacre of striking oil approximately 15 striking oil workers in Zhanaozen (December 2011), Kozlov travelled to Europe and met with Members of the European Parliament and the European Commission, calling for an international investigation into the killing. He was arrested on his return to Kazakhstan on 23 of January 2012 by the staff of the National Security Committee.

**CURRENT PLACE OF DETENTION:** In mid-March 2014, following international appeals from human rights organizations, Kozlov was transferred from the penal colony in Petropavlovsk (164/3) to Zarechnoe (155/14) in Almaty. In Petropavlovsk, Kozlov had been 1800 km away from his family in Almaty.

**DETAILS OF TRIAL:** On 16 of August 2012, he was charged under the following articles of the Criminal Code of the Republic of Kazakhstan: Article 164.3 ('inciting social hatred'), Article 170.2 ('calling to the overthrow of the constitutional order of the state'), Article 235.1 ('creating and managing an organised criminal group with a view to committing one or more crimes'). He denied all charges. On 8 October 2012 he was convicted and sentenced to seven and a half years in prison, which was upheld by the Appellate Court on 19 November 2012. Kazakhstan's Supreme Court refused to review Kozlov’s case on 5 August 2013, saying there were ‘no grounds for doing so.’

**OTHER INFORMATION:** On 11 June 2014, Isabel Santos, the Chair of the OSCE Parliamentary Assembly's Committee on Democracy, Human Rights and Humanitarian Questions, visited Kozlov in prison and raised his ‘and other politically-motivated cases’ with the Kazakh government.

**PEN ACTION:** Kozlov was one of PEN’s Empty Chairs at the PEN International World Congress in Bishkek, Kyrgyzstan in September 2014. Before the Congress began, a small PEN delegation travelled to Kazakhstan where they visited Kozlov in jail, expressing solidarity. He passed on a message to the delegation to be shared with PEN members at the congress. The PEN delegation also protested Kozlov’s imprisonment at a meeting with the Head of the Executive Office of the President of the Republic of Kazakhstan, the Chairman of The Committee of Criminal and the Executive System.

## IMPRISONED: INVESTIGATION

### Aron ATABEK:

**PROFESSION:** poet, writer, newspaper publisher and political activist

**DATE OF BIRTH:** 31 January 1953

**SENTENCE:** 18 years in prison.

**DATE OF ARREST:** 17 July 2006

**DETAILS OF ARREST:** Arrested following a July 2006 riot that broke out in the Shanyrak shantytown of Almaty after local residents and activist groups clashed with security forces that had been brought in to clear the area for demolition.

**CURRENT PLACE OF DETENTION:** AP 162/1 in Pavlodar

**DETAILS OF TRIAL:** charged and convicted in 2007 of organising mass disorder. PEN is currently investigating reports that he was also convicted on other charges. Atabek denied the charges. His appeal against the ruling was dismissed in August 2008. Some observers said that the trial was unfair; the prosecution’s two key witnesses said – after the guilty verdict – that they had been tortured by the police into giving false evidence against Atabek.

**CONDITIONS IN DETENTION:** Atabek was held in a high security jail in Arkalyk, over 1,600km away from his family, until October 2013. He was placed in solitary as punishment for writing a book that criticised the president (the book, Heart of Eurasia, was written in prison, smuggled out, and published on the internet in 2012). He was reportedly denied access to natural light, communication with other prisoners, and writing materials. This was his second period in solitary confinement: he previously spent two years (2010-2012) there for refusing to wear a prison uniform. He was denied family visits from 2010 until the end of 2013. In September 2013, the Karaganda regional court said that it would hear an appeal against Atabek’s solitary confinement sentence. In early October 2013, Atabek’s family received an anonymous telephone call informing them that the poet was to be transferred to Karazhal Prison in the Kargandy region. The family say that they did not receive any communication from Atabek or from the prison authorities regarding this move. Atabek’s son made several attempts to discover the whereabouts of his father. He contacted the prison administration numerous times, asking for confirmation that Atabek was now being held in Karazhal Prison. However, on each occasion, the prison authorities refused to give him this information. According to Atabek’s son, a local Kazakh human rights organisation was able to confirm with the prison



authorities that Atabek left Arkalyk Prison on 5 October 2013. In early December 2013, Askar Aidarkhan (Atabek's son) was able to visit his father in prison. In July 2014 Atabek's son revealed that his father has been subjected to beatings to his head and neck during his incarceration in this new prison facility. On 5 December 2013, it was reported that Atabek would be transferred to a minimum-security penal colony near Almaty, closer to his family. On 7 April 2014 Atabek was transferred to another prison, AP 162/1 in Pavlodar. In July 2014 Atabek's son revealed that his father has suffered regular beatings to his head and neck during his incarceration in this new prison facility. In November 2014, Atabek alleged that prison guards were deliberately splashing water containing high concentrations of chlorine into his cell, causing him respiratory problems and skin irritation.

**BACKGROUND:** Atabek has written several books of poetry and prose inspired by Tengriist spirituality, as well as a book about the relationship between the Alash and the Kazakhs. In February 1992, he founded and organised the publication of the monthly newspaper Khak (The Truth). He was awarded the literary 'Almas Kylysh' prize in 2004, as well as the Freedom to Create 'Imprisoned' prize in 2010. On 28 May 2014, Catherine Ashton, the High Representative for Foreign Affairs and Security Policy for the European Union responded on behalf of the European Commission to a question in the European parliamentary about Aron Atabek. She said: "No evidence linking him explicitly to the death of the police officer or to violence was presented in court...The EU is and will continue to follow the developments in this case very closely and to encourage the Kazakh authorities to ensure that Mr Aron's right to a fair trial has been respected, and that his treatment is in line with Kazakhstan's international commitments and obligations."

**PEN ACTION:** Calls to action 5 August 2013; Updates on 24, 29 October, 12 November 2013 and 6 January 2014, 17 March 2014, 20 June 2014. Shortly before PEN International's World Congress in Bishkek, Kyrgyzstan (September 2014), a small PEN delegation travelled to Kazakhstan where they protested Atabek's ill treatment at a meeting with Head of the Executive Office of the President of the Republic of Kazakhstan, the Chairman of The Committee of Criminal and the Executive System.

## ON TRIAL

### \*Natalya SADYKOVA (f):

**PROFESSION:** regional correspondent for independent Kazakh newspaper Assandi Times

**DETAILS OF TRIAL:** In March 2014 Sadykova was accused of defamation by former Kazakh parliamentarian and businessman Maral Itegulov, who is seeking 10 million tenge (\$55,000) in damages. An arrest warrant was issued on March 17 2014 by a regional court in the western Kazakh city of Aktobe. The charges relate to an article published on the banned Respublika website, which alleges that Itegulov engaged in corrupt practices in order to win government contract. Itegulov claims that Sadykova is the author of the article, which was posted under the penname Bakhyt Ilyasova. Sadykova evaded arrest by fleeing Kazakhstan for Ukraine after a tipoff from a police source on 9 March 2014. The Assandi Times was suspended indefinitely in April 2014. PEN is seeking further information.

## CONDITIONAL RELEASE

### Aleksandr KHARLAMOV:

**PROFESSION:** journalist

**DATE OF ARREST:** 14 March 2013

**DETAILS OF ARREST:** Police reportedly searched his home and the office of the Ridderskiye Vesti ('The Ridder News') newspaper on 6 February, 2013, seizing his personal computer as well as seven newspapers containing his articles. When Kharlamov appeared at the police station demanding the return of his computer, he was arrested.

**DATE OF RELEASE:** On 3 September 2013, he was released from jail on bail, pending investigation. Details of detention: Kharlamov spent six months in detention, including seven weeks enforced residency in a psychiatric clinic in Almaty, where his family were denied access to him.

**DETAILS OF TRIAL:** An investigation began in September 2012. He was charged after his arrest with 'inciting religious hatred' under Article 164.1 of the Kazakhstan Criminal Code in a number of his blog posts (the journalist is an atheist). His trial began on 19 July 2013, with the prosecution seeking a four year jail term; in August, the prosecution requested an adjournment for further investigation. The investigation is ongoing, though the religious freedom watchdog Forum18 reported that the Deputy Head of East Kazakhstan Police told them that "Kharlamov should not worry; we are not intending to put him in prison." He faces up to seven years in prison if convicted.

**OTHER INFORMATION:** According to the journalist's wife, local authorities in Ridder launched an investigation against him after an article he wrote criticising the local police. He attributes his release to international pressure. In August 2013, several UN Human Rights mechanisms wrote to the Kazakh authorities expressing concern about his case. PEN is seeking further information.

## KYRGYZSTAN

The freedom of expression situation in Kyrgyzstan saw some worrying developments during 2014. These included the continued imprisonment of the journalist Azimjon Askarov, reports of the closure of minority language newspapers and two legislative developments that curtail free speech. In April 2014, the Kyrgyz parliament passed an amendment to Article 329 of the Criminal Code which effectively negated Kyrgyzstan's decriminalisation of defamation in 2010; the Kyrgyz parliament also began considering a draft law that would criminalise the so-called "propaganda" of "non-traditional" relationships. PEN believes that this law would likely lead to censorship relating to LGBTQI issues, and that similar censorship would be felt in the fields of education and health care provision. At PEN International's World Congress in Bishkek, Kyrgyzstan in 2014, a resolution on Kyrgyzstan was passed by the Assembly of Delegates.

## IMPRISONED: MAIN CASE

### Azimjon ASKAROV:

**PROFESSION:** journalist and head of the human rights group Vozdukh, and member of the Uzbek minority

**DATE OF BIRTH:** 1951

**SENTENCE:** sentenced to life imprisonment

**DATE OF ARREST:** 15 June 2010

**DETAILS OF ARREST:** He was arrested in the village of Bazar-Korgon, where, on 12 June 2010, a police officer was killed and several others wounded in violent, inter-ethnic disturbances that took place in Kyrgyzstan in May and June 2010. Askarov's lawyer claims that his client was not present at the riot. Place of detention: Prison No. 47 in Bishkek

**DETAILS OF TRIAL:** He was arrested on charges of inciting ethnic violence. Prosecutors subsequently extended the charges and he was convicted on 15 September 2010 of hostage-taking, inciting ethnic hatred, participation and organisation of mass disorder, possession of ten rounds of ammunition and complicity in murder. On 20 December 2011, it was reported by the news website Fergana News that Askarov's sentence had been upheld on appeal by Kyrgyzstan's Supreme Court. The Oktyabrsky District Court in Bishkek ruled to renew the investigation into Askarov on 30 April 2014. The decision came in response to Askarov's defence team's appeal against the Prosecutor General Office's February 2014 verdict that there were no grounds to renew the investigation. However, the decision to renew the investigation was overturned on 12 June 2014 when the Bishkek City Court rejected the lower court's ruling. Askarov's lawyer appealed this ruling to the Supreme Court, which, on 3 September 2014, confirmed the Bishkek City Court's decision.

**HEALTH CONCERNS:** Askarov's lawyer and witnesses say that Askarov was beaten repeatedly whilst in custody. According to an October 2012 report by the international NGO Physicians for Human Rights (PHR), Askarov's medical condition had markedly deteriorated during his imprisonment. It said that his eyesight, nervous system and breathing had weakened, but that he had not received the necessary medical care. Following an examination in January 2012, PHR experts concluded that Askarov showed clinical evidence of traumatic brain injury consistent with his allegations of torture. In November 2012, his lawyer submitted a complaint to the UN Human Rights Committee. PEN International believes Askarov has been targeted for revenge by Jalal-Abad law enforcement because of his documentation of human rights violations, including by local police, in southern Kyrgyzstan.

**PEN ACTION:** Askarov was one of PEN's Empty Chairs at PEN International's 2014 World Congress, held in Bishkek. Askarov's wife attended and made a personal plea to PEN members to continue working for her husband's release; Askarov's artwork was placed prominently on display. PEN delegations also met separately with the President of Kyrgyzstan and the General Prosecutor. At both meetings, the delegations protested the conviction and imprisonment of Azimjon Askarov, raising our concerns that he did not receive a fair trial. He was also featured in the 2015 Day of the Imprisoned Writer campaign.

**AWARDS:** Homini Award (2011), CPJ International Press Freedom Award (2012)

## JUDICIAL HARASSMENT

### \*Shohrukh SAIPOV:

**PROFESSION:** journalist for Ferghana.ru and Uzbek language correspondent for the BBC

**DETAILS OF TRIAL:** Saipov published an article on 31 May 2014 on the news website Ferghana.ru, about the recruitment of Kyrgyzstan nationals to fight in Syria. Saipov quoted an unnamed person describing how "security services" detain religious men in Osh and extort up to US\$500 from them in exchange for their release. The National Security Committee sued Saipov for defamation, claiming US\$20,000 and denying that they had taken any money and claiming that the article "discredited the honour, dignity and professional reputation of the Kyrgyz Republic's national security bodies." On 26 August 2014, the editor-in-chief of Ferghana.ru sent the head of the Osh section of the National Security Committee a letter expressing regret that the article had caused offence, offered to publish a response from the security agency, and did. The security agency then filed a motion to dismiss the case. The court dismissed the case on 27 August.

**BACKGROUND:** Saipov, an independent reporter who has been threatened and beaten numerous times over the years; his brother, Alisher, also a journalist, was shot dead in 2007.

## ATTACKED

### \*Davron NASIPKHANOV:

**PROFESSION:** journalist, poet and presenter of an Uzbek language TV programme in Osh.

**DETAILS OF ATTACK:** He was attacked outside his home in early August by unidentified individuals people who called him 'sart' (a derogatory term for Uzbek). A formal investigation was launched on 17 August 2014 but was not known to have concluded by the end of the year.

# KOSOVO

## DEATH THREAT:

### \*Visar DURIQI:

**PROFESSION:** journalist specialising in political Islam.

**DETAILS OF THREAT:** He received a number of death threats during August and September 2014, including threats of beheading, following accusations of apostasy made about him by the Muslim Youth Forum - a radical group - on their website on 15 August 2014. The threats were been made via social media.

# LATVIA

## ON TRIAL

### \*Leonids JAKOBSONS

**PROFESSION:** Investigative journalist

**DATE OF ARREST:** 15 December 2011

**DATE OF RELEASE:** 17 December 2011

**DETAILS OF TRIAL:** Jakobsons is being prosecuted for revealing in November 2011 emails allegedly exposing wrong-doing by Riga's mayor. His trial is being pursued behind closed doors at the Riga Central District Court by a judge whose media and freedom of information expertise has been questioned by human rights defenders. The trial is considered highly unusual for Latvia as only trials involving minors, people who are ill, family matters and classified information are permitted to be kept from the public. The case was still ongoing at the end of 2014. PEN is seeking more information.

**BACKGROUND:** In March 2012, Jakobsons was attacked in the stairwell of his apartment building in Riga by two assailants. He was physically beaten and suffered burns to the skin when his attackers fired pistols close to him. The UN Human Rights Committee, which reviews states' compliance with the International Covenant on Civil and Political Rights, expressed concern in April 2014 about the delay in concluding the investigation into the attack.

# MACEDONIA

## DETAINED: MAIN CASE

### Tomislav KEZAROVSKI:

**PROFESSION:** journalist for the Nova Makedonija newspaper

**SENTENCE:** four and a half years in prison

**DATE OF ARREST:** 28 May 2013

**DATE OF RELEASE:** 8 November 2013 Details of arrest and detention: reportedly arrested by special forces soldiers and given a 30-day temporary detention order Kezarovski's 30-day temporary detention order was extended every 30 days until his trial concluded.

**DETAILS OF RELEASE:** he was released on 8 November 2013 to house arrest pending the outcome of his appeal.

**DETAILS OF TRIAL:** On 24 October 2013, he was convicted of revealing a protected witness' identity under the Law on Witness Protection and sentenced to four and a half years in prison. He was sentenced in relation to allegedly having revealed a protected witness's identity in a 2008 article he wrote for the Reporter 92 newspaper about a murder in Orese. The witness confessed in court in February 2013 that he gave false evidence against the accused killers.

He also testified that he did not have protected witness status until 2010. Kezarovski's appeal was heard on 24 October 2014. **[STOP PRESS:** Kezarovski was released on 20 January 2015 on 'conditional freedom', reportedly for a month. An appeal earlier in the month had reduced his sentence to two years, but he had been arrested again on 16 January. His future still remains unclear as 4 and a half months remain of his sentence.]

**PEN ACTION:** PEN International wrote to the Macedonian Minister of Justice in 2013 calling for his release. PEN International's president attended a mass rally in Macedonia, calling for Kezarovski's release and met Kezarovski in a show of solidarity following his release.

## SENTENCED

### \*Jadranka KOSTOVA, Vlado APOSTOLOV:

**PROFESSION:** editor in chief and journalist respectively for Fokus, a critical weekly publication.

**SENTENCE:** Fines of 5,000 Euros and 1,000 Euros respectively

**DETAILS OF TRIAL:** In January 2014, a Skopje court ordered the two journalists to pay to the Director of the Security and Counter-Intelligence Directorate, Sasho Mijalkov, plus costs of 3,300 Euros, for defaming the official. The civil defamation case came about as a result of a statement which Fokus published in which the former Macedonian ambassador to Prague, Igor Ilievski, accused Mijalkov last year of masterminding his ousting from the post in order to protect his shady businesses in the Czech Republic. The sentence was confirmed by the Skopje Court of Appeals in September 2014. Although defamation was decriminalised in Macedonia in November 2012, a parallel change to the civil defamation law allows large fines to be imposed.

# RUSSIA

The free expression environment in the Russian Federation worsened considerably during 2014, with the authorities taking ever more extreme measures to consolidate their control over the flow of information. The increasing legislative chokehold on free expression was accompanied by a general growth in pressure placed on journalists and other writers to stay in line with official opinion, and by the blocking of websites carrying opposition views. Much of this crackdown has been fuelled by Russia's role in the conflict in neighbouring Ukraine. On 1 February 2014, an amendment to the Law on Information empowering the prosecutor general's office to block websites and blogs 'containing calls for unsanctioned acts of protest' within 24 hours, and without any court approval. In April 2014, the Russian Parliament passed an amendment to an anti-terror law that imposes strict rules on blogs and websites attracting more than 3,000 visitors per day. PEN believes that this law is likely to lead to greater self-censorship amongst bloggers. On 1 July 2014, an obscenity law came into force banning the use of profanity in books, theatre, film and other cultural events. These new free speech-stifling laws add to Russia's already burgeoning legislation limiting freedom of expression, including the so-called "religious insult" and anti-gay "propaganda" laws, and criminal



defamation. At PEN International's World Congress in Bishkek, Kyrgyzstan in 2014, a resolution on Russia was passed by the Assembly of Delegates.

#### **KILLED:**

##### **\*Timur KUASHEV:**

**PROFESSION:** freelance journalist, correspondent for Dosh, a prominent independent magazine focused on the North Caucasus, and also for the Caucasian Knot and Caucasus Politics.

**DATE OF DEATH:** 1 August 2014.

**DETAILS OF DEATH:** was found dead in the outskirts of Nalchik, the capital of Kabardino-Balkaria, on 1 August 2014. Late in the evening of 31 July, Kuashev's mother returned to the apartment they shared to discover that her son was gone, though his wallet, ID, and cell phone were left behind. She assumed that Kuashev had gone out, but contacted other relatives and the police when he had not shown up several hours later. The next morning, police called Kuashev's parents and said Emergencies Ministry personnel had found the body of a young man in a wooded area, asking them to come in for identification. The parents identified their son.

**DETAILS OF INVESTIGATION:** A representative of local investigation authorities made a public statement that Kuashev's body bore no traces of violence and that the authorities had no grounds to suspect that his death was the result of a crime. However, Rustam Matsev, a local human rights lawyer who had worked closely with Kuashev, allegedly told Human Rights Watch that the forensic doctor who performed Kuashev's autopsy noted a trace of a needle prick, likely an injection, under Kuashev's arm. Matsev told Human Rights Watch that forensic experts took samples of Kuashev's blood and bodily fluids to test for toxins and other abnormalities. In September 2014 it was reported in the press that the republican division of the Investigative Committee had opened a murder investigation on the assumption that Kuashev was killed because of his professional activities.

**BACKGROUND:** Kuashev's articles dealt mostly with the persecution of religious Muslims, including allegations of police abuse and fair trial violations. He was covering, among other things, the trial of over 50 people charged with terrorism offenses in connection with an armed uprising in Nalchik in 2005. Kuashev often received threats online, mostly through social media from people writing under aliases. Kuashev also reportedly received calls during 2014 from police and security officials, 'inviting' him for "conversations", warning him to "be careful" and suggesting that his activism and his publications could get him in trouble. In June 2014, security officials reportedly contacted Kuashev's father and told him to "rein in his son before something bad happens to him." They reportedly wanted Kuashev's father to try to convince his son to stay away from public activism and journalism. Kuashev was also a prominent rights activist and worked closely with local representatives of Memorial Human Rights Center, particularly on cases of police abuse. Kuashev was very active on social media, including Live Journal and VKontakte. He also planned to run for Kabardino-Balkaria's legislative assembly in the September 2014 election as a candidate for the opposition Yabloko party.

#### **KILLED: IMPUNITY**

##### **Akhmednabi AKHMEDNABIEV:**

**PROFESSION:** deputy chief editor of a leading independent weekly in Dagestan, Novoe Delo (New Action), and regular contributor to the Caucasian Knot online

**DETAILS OF DEATH:** Akhmednabiev was murdered on 9 July 2013. He was known for reporting on corruption and human rights abuses in Dagestan. He was shot to death outside his home in the village of Semender near the Dagestani capital, Makhachkala. Akhmednabiev had just started the engine of his car when the unidentified assailants opened fire. He died instantly.

**DETAILS OF INVESTIGATION:** A criminal investigation was launched. The Russian authorities have stated that they believe the journalist's murder is related to his reporting. On 5 September 2013, Abdurashid Sheikhov, Akhmednabiev's legal representative, asked for the investigation to be transferred to the Chief Investigating Department (CID) of the North-Caucasian Federal District (NCFD). No-one had been arrested and no suspects had been named by the end of 2014.

**BACKGROUND:** The journalist survived a previous attempt on his life on 11 January 2013, when unidentified assailants shot at him three times but missed. He had received death threats in May 2012 and immediately reported them to police. Reportedly, law enforcement authorities did not effectively investigate either the threats or the subsequent shooting.

**PEN ACTION:** In November 2014, PEN joined 30 other organisations in an action calling for the investigation into the murder of the journalist to be transferred to the Central Investigative Department of the Russian Federation's Investigative Committee.

##### **Natalia ESTEMIROVA (f):**

**PROFESSION:** journalist and human rights defender

**DATE OF BIRTH:** 28 February 1958 Details and

**DATE OF DEATH:** Estemirova was abducted on 15 July 2009 as she left her home for her office in Grozny, and was later murdered. Her body was found in woodland in neighbouring Ingushetia. She had been shot in the head and chest.

**DETAILS OF INVESTIGATION:** The then Russian President Dmitry Medvedev condemned the murder and ordered an inquiry. The Chechen President Ramzan Kadyrov also called for those responsible to be brought to justice. Memorial has since closed its Grozny office, fearing for the safety of its staff. In late February 2010, the agency investigating Estemirova's death confirmed that it had identified the murder suspect, who was said to be in hiding. Estemirova's supervisor at Memorial told new agency Interfax that, after gaining access to some of the case's investigative materials, it was discovered that the suspected murderer had already been killed. Russian investigators denied this. On 12 July 2010, the Moscow newspaper, Novaya Gazeta, published an article criticising the investigation for a series of flaws. These included a failure to interview key witnesses, a failure to thoroughly analyse DNA material collected from Estemirova's body, and a failure to place at-risk witnesses under protection. The article also criticised the investigation for allegedly focusing on a single suspect who was already dead. In September 2010, Russian investigators, following a meeting with a delegation from the Committee to Protect Journalists (CPJ), pledged to pursue 19 cases or murdered

journalists, of whom Estemirova is one. The investigators provided the delegation with the following update: authorities said they are trying to locate and arrest a Chechen guerrilla fighter who they allege murdered Estemirova. Investigators maintained that the suspect is alive and in Russia. They told CPJ that they have questioned Kadyrov, but found no evidence of his involvement. Independent investigation by Novaya Gazeta: an investigation carried out by Novaya Gazeta, the Russian human rights organisation Memorial, and the International Federation for Human Rights, published on 15 July 2011, reiterated that the official investigation into Estemirova's death had been mistaken in focusing its suspicion exclusively on the rebel Chechen leader Alkazar Bashayev. It reported that that the time of her murder Estemirova was working on a more sensitive case investigating the possible involvement of Chechen police officers in the public execution of local resident Rizvan Albekov. Estemirova was the first person to report on the killing. The report claimed that investigators inexplicably stopped pursuing the possible link between this case and the journalist's murder in early 2010. Human Rights Watch claimed that "there were very strong circumstances around Estemirova's murder that suggest that there could have been some official involvement."

**OTHER INFORMATION:** The Chairman of the Memorial Centre, Oleg Orlov, is on trial on charge of slander against the Chechen president. He reportedly suggested that the Chechen president was responsible for Estemirova's death. If convicted, Orlov could face up to three years in prison. On 5 September 2013, Abdurashid Sheikhov, Akhmednabiev's legal representative, asked for the investigation to be transferred to the Chief Investigating Department (CID) of the North-Caucasian Federal District (NCFD). As of 31 December 2014, no-one had been arrested and no suspects had been named.

**OTHER INFORMATION:** Estemirova, of Russian-Chechen descent, worked at the Grozny office of Memorial, Russia's best known non-governmental organisation. She investigated torture, killings and other abuses in Chechnya, and was the first recipient of the annual Anna Politkovskaya Award given by the Reach All Women in War campaigning group. Estemirova was also awarded for her courage by the Swedish and European parliaments. She worked with Politkovskaya from 2001 until 2006, exposing abuses carried out by Russian armed forces in Chechnya and by Moscow-backed Chechen officials.

**PEN ACTION:** RAN 28/09 – 16 July 2009; Update #1 – 23 July 2009, Day of the Imprisoned Writer Case 2009

### **Khadzhimurad KAMALOV:**

**PROFESSION:** journalist and founder of the independent Dagestan-based weekly newspaper Chernovik

**DATE OF BIRTH:** 11 February 1965

**DATE AND DETAILS OF DEATH:** Shot dead by a masked assailant shortly before midnight on 15 December 2011. Kamalov was reportedly shot up to 14 times by the unidentified person as he was leaving the offices of Chernovik in Makhachkala, the capital of the southern republic of Dagestan. The gunman reportedly fled the scene in a car.

**DETAILS OF INVESTIGATION:** The Investigative Committee of the Russian Prosecutor-General's Office decided to take over the reportedly stalled investigation into the death of Khadzhimurad Kamalov on 28 May 2012. Investigative Committee spokesman Vladimir Markin told journalists that the decision was made in response to a request by about 100 deputies in the Russian

parliament's lower chamber, the State Duma, that federal investigators take charge of the probe. No further information as of 31 December 2014

**OTHER INFORMATION:** There is a long history of harassment of the staff at Chernovik, with five of its journalists being arrested on reportedly trumped-up charges of "extremism" between 2008 and 2011. The newspaper has frequently addressed highly sensitive topics in the southern republic of Dagestan, in particular reports of police abuses in neighbouring Chechnya.

### **Anna POLITKOVSKAYA (f):**

**PROFESSION:** journalist and author

**DATE OF BIRTH:** 30 August 1958

**DATE AND DETAILS OF DEATH:** Shot dead in the elevator of her apartment on 7 October 2006

Work and death threats: She covered the war in Chechnya and had been receiving threats since 1999 after she wrote articles claiming that the Russian armed forces had committed human rights abuses in Chechnya. Despite these threats she continued to write and in 2003 published *A Dirty War: A Russian Reporter in Chechnya*. She was also a co-contributor to *A Small Corner of Hell: Dispatches from Chechnya*, published in 2003. Her last book, published in 2006, was *Putin's War: Life in A Failing Democracy*. In 2002 Politkovskaya was one of the few outsiders allowed into a Moscow theatre in an attempt to negotiate with Chechen rebels the release of hundreds of hostages held there. In 2004, she fell seriously ill as she attempted to fly to Beslan to cover the hostage crisis there, leading to speculation that she had been deliberately poisoned to stop her from reporting on the crisis.

**DETAILS OF INVESTIGATION:** On 27 August 2007, the Prosecutor General announced that ten suspects had been arrested in connection with the murder including Chechen criminals, and former and serving members of the Russian Federal Security Services and police forces. On 18 June 2008, the Investigative Committee announced that it had charged three men, a former police officer and two ethnic Chechen brothers. Trial of perpetrators: On 17 November 2008, the trial of Politkovskaya's alleged murderers began, at first open to the public, but then behind closed doors. On 19 February 2009, the men accused of assisting Politkovskaya's murder were acquitted by a twelve-member jury for lack of evidence. After prosecutors appealed the not-guilty verdict, the Supreme Court overturned this decision and ordered a retrial. On 24 August 2011, Russian authorities arrested Lt. Col. Dmitry Pavlyuchenkov in connection with the case and named convicted criminal Lom Ali Gaitukayev as the organiser of the murder. In December 2012, Pavlyuchenkov was found guilty and sentenced to 11 years in a high security penal colony. Five other suspects, including three Chechen brothers - two of whom were acquitted by a jury back in 2009 - were subsequently tried in separate proceedings. The three Makhmudov brothers, Rustam, Ibragim, and Dzhabrail Makhmudov, the criminal Lom-Ali Gaitukayev and Sergei Khadzhikurbanov, a former police officer were all convicted of Politkovskaya's murder on 20 May 2014. On 9 June 2014, Lom-Ali Gaitukayev and Rustam Makhmudov were handed life sentences; Sergei Khadzhikurbanov, Dzhabrail and Ibragim Makhmudov were handed sentences of 20, 14 and 12 years in prison respectively.

**OTHER INFORMATION:** Politkovskaya was the winner of numerous international awards for her courage, including the 2004 Olaf Palme Award that was set up by the family of the murdered Swedish prime minister. The prize was given to Politkovskaya to honour her work for the "long battle for human rights in Russia".



**HONORARY MEMBER:** PEN Canada

**PEN ACTIONS:** RAN 8/11, 2 March 2011; PEN 50th anniversary campaign (case for 2006); statement 7 October 2011; RAN 78/12 21 December 2012; PEN World Cup Campaign 2014; statement 22 May 2014)

## IMPRISONED- INVESTIGATION

### Sergei REZNIK

**PROFESSION:** blogger at Livejournal. He also contributed reporting to regional news outlets, including the website Yuzhnyi Federalnyi and Novaya Gazeta. His articles for the website criticised municipal and regional authorities and alleged widespread corruption and abuses

**SENTENCE:** 18 months in prison

**DATE OF ARREST:** 26 November 2013 after his conviction

**CURRENT PLACE OF DETENTION:** held in the city of Rostov-on-Don, reportedly in solitary confinement.

**DETAILS OF TRIAL:** (1) Convicted of insulting a public official, bribery, and deliberately misleading authorities. According to news reports, authorities filed charges against Reznik in November 2012. His trial opened in June 2013. The charges of insult reportedly stemmed from a series of articles posted on his blog in which Reznik accused the chairwoman of the Regional Arbitration Court of corruption and nepotism. The other two charges stemmed from Reznik's reporting of threats against him to the police and allegedly bribing a car shop mechanic. On 27 November 2013, Reznik's lawyer filed an appeal against the verdict. (2) On 24 July 2014, a new insult case was opened against him, under Article 319 of the Penal Code. Roman Klimov, former regional deputy prosecutor; Dmitry Ishtshenko, head of the General Directorate for Combating Extremism; and Andrei Glinkin, a Rostov police officer, accuse the journalist of having libelled them in articles on his blog. The police officer is also suing him for alleged perjury concerning a serious crime (under Article 206-2 of the Penal Code). The trial began on 20 August 2014 and has been taking place partly behind closed doors. A defence request to replace the judge and the prosecutor (who held the same positions in Reznik's first trial) was rejected. The defence reportedly contends that the judge has falsified a number of official documents. **[STOP PRESS:** on 22 January 2015 Reznik was convicted of insult and misleading authorities, and was sentenced by the Leninsky District Court in Rostov-on-Don, southern Russia, to three years in a prison colony. He was also banned from practising journalism for two years. Reznik's lawyers said they would appeal.]

**OTHER THREATS/ATTACKS:** According to the regional press, in February 2012 Reznik reported receiving threats by phone from anonymous people who demanded that he stop publishing his articles. On 22 October 2012, Reznik was attacked by two unidentified men outside his apartment building, beaten with baseball bats, then shot at with a pistol, according to news reports. Although not hit by gunfire, he suffered head and neck injuries from the beating and fell unconscious.

### Aleksandr TOLMACHEV:

**PROFESSION:** editor of the magazine Upolnomochen Zayavit and the newspaper Pro Rostov.

**DATE OF BIRTH:** approx. 1956.

**SENTENCE:** Nine years hard labour

**DATE OF ARREST:** 20 December 2011.

**DETAILS OF ARREST:** ordered to be placed in pre-trial detention by a court in the southern city of Rostov-on-Don on 20 December 2011. This has included time spent in solitary confinement.

**CURRENT PLACE OF DETENTION:** SIZO (pre-trial prison) No. 2 of the city of Armavir.

**DETAILS OF TRIAL:** Tolmachev had just been acquitted in a libel case when he was arrested on 20 December 2011 under articles 91 and 159 of the federal penal code for allegedly extorting 1 million roubles from a businessman in nearby Novochoerkassk by threatening to publish compromising information about him. Arguing that his journalistic activities could influence the course of the case, judges ordered him placed not only in pre-trial detention but also solitary confinement. He spent almost three years in detention, with hearings of his case repeatedly being postponed, until his conviction on 29 October 2014. There are concerns about the fairness of the trial: according to reports, of the 50 witnesses listed in the indictment, only seven testified in court; it is also reported that two young women alleged that they had been forced to sign pre-written affidavits against Tolmachev.

**CONDITIONS OF DETENTION:** According to Caucasian Knot website, on 2 December 2014, he was beaten, handcuffed and kicked by prison staff who also refused to call an ambulance and notify the supervising prosecutor. He submitted a complaint on 8 December 2014 to the prison authorities.

**HEALTH CONCERNS:** His health has reportedly deteriorated dramatically in prison. Tolmachev reportedly suffers from high blood pressure.

## ON TRIAL

### Nikolai ALEXEYEV:

**PROFESSION:** journalist and LGBTIQ rights activist

**DETAILS OF TRIAL:** facing a criminal libel case. According to reports, in August 2013, two members of the Russian Duma - Yelena Mizulina and Olga Batalina – asked for criminal libel proceedings to be brought against Alexyev following remarks made on the journalist's Twitter account criticising Mizulina and Batalina for their support of a ban on disseminating "propaganda of non-traditional sexual relations" to minors. Alexyev reportedly faces a substantial fine on the grounds of insulting a representative of authority. He has reportedly been harassed by police since the politicians' request. PEN is seeking further information.

**BACKGROUND:** In May 2012, Alexyev was the first person to be convicted of disseminating "gay propaganda" to minors in Russia. He was convicted under a new 'anti-gay propaganda' law that prohibits the "propaganda of homosexuality among minors" that was first introduced in St Petersburg. He was fined 5000 roubles.



## CONDITIONAL RELEASE

### \*Alexei NAVALNY:

**PROFESSION:** lawyer, political activist, blogger and runner-up in the 2013 Moscow mayoral elections

**DATE OF BIRTH:** 4 June 1976

**SENTENCE:** three and a half years prison sentence, suspended.

**DATE OF ARREST:** 28 February 2014.

**DETAILS OF ARREST:** Navalny was placed under house arrest on 28 February 2014 following a request by investigators. The terms of his house arrest stipulated that he may not access the internet, send or receive letters, talk to the press or leave his house without prior permission from investigators. The term of his house arrest was extended by six months on 24 April 2014.

**DETAILS OF TRIAL:** charged with fraud and money laundering. In late October 2013, investigators charged Alexei and his brother Oleg of defrauding a Russian subsidiary of the French cosmetics company Yves Rocher out of approximately US \$811,000, and a Russian company, MPK, out of 4m roubles (approx. US \$125,000). They also charged the brothers with laundering US \$656,000. On 30 December 2014 he was convicted and given a three and a half year suspended prison sentence. His brother was sentenced to three and a half years' actual prison.

**BACKGROUND:** He was convicted of embezzling US\$500,000 from a state-owned timber company while he was an advisor to the governor of the Kirov Oblast, and was handed a five year prison sentence by a local court in Kirov on 18 July 2013. Unusually, the Prosecutor's Office requested his release and Navalny was freed the following day, pending the appeal of his sentence. The sentence was later suspended (on 16 October 2013) and Navalny is not allowed to run for political office for the foreseeable future.

**BACKGROUND:** Navalny is a long-time critic of Vladimir Putin's ruling United Russia Party; his criticisms often appear in his popular blog which he has used to organise large-scale demonstrations against corruption in Russia. He has also written articles in several Russian publications, such as Forbes Russia. In a 2011 interview with Reuters, he claimed that Putin's political system is so weakened by corruption that Russia could face an Arab Spring-style revolt within five years. On 10 July, he registered as a candidate for the Moscow mayoral elections scheduled for 8 September 2013, and earlier had voiced his ambition to one day run for president. Throughout 2012 there were various investigations into Navalny's financial affairs. Article 19 and Amnesty International have said that Navalny did not receive a fair trial and that the charges against him were politically-motivated. In 2014 Navalny's blog was banned under an amendment to the Law on Information, Information Technology, and Information Protection which empowers the prosecutor general's office to block websites and blogs "containing calls for unsanctioned acts of protest" within 24 hours and without any court approval.

**PEN ACTION:** the ban on Navalny's blog was mentioned in PEN's 2014 resolution on the Russian Federation. [**STOP PRESS:** Navalny was detained briefly in January 2015 after breaking the terms of his house arrest by trying to attend an anti-Putin demonstration in Moscow. His suspended sentence was upheld by an appeals court in February 2015; the court also lifted his house arrest order]

## RELEASED

### Yekaterina SAMUTSEVICH (f):

**PROFESSION:** member of Pussy Riot (see below).

**DATE OF BIRTH:** 9 August 1982.

**SENTENCE:** Suspended two-year prison sentence, expired in March 2014

**DATE OF ARREST:** 16 March 2012.

**DATE OF RELEASE:** 10 October 2012.

**DETAILS OF TRIAL:** charged with hooliganism motivated by religious hatred following a protest performance of the band's 'Punk Prayer' on the altar of the Christ the Saviour Cathedral on 21 February 2012. Trial proceedings opened on 20 July 2012. Convicted of hooliganism motivated by religious hatred on 17 August 2012 and sentenced to two years' imprisonment, which was commuted to a suspended sentence on appeal in October 2012. On 25 June 2013, Moscow City Court denied an appeal lodged against Samutsevich's suspended prison sentence. Although the Court of Appeal accepted Samutsevich's argument that she had not participated in the performance, Moscow City Court refused to quash her probation sentence. The court stated that it saw no grounds for mitigating or overturning the decision. At an appeal hearing on 15 October 2013, a court upheld the verdict against Samutsevich.

### \*Dmitry SHIPILOV:

**PROFESSION:** reporter for Novy Kuzbass newspaper, covering the Kemerovo region.

**SENTENCE:** Three months in prison.

**DATE OF ARREST:** 10 September 2014.

**DATE OF RELEASE:** released after serving his sentence

**DETAILS OF ARREST:** arrested near Moscow just hours after a newspaper published his interview with a promoter of Siberian autonomy. Shipilov was arrested to serve a jail sentence from a 2012 case, where he was found guilty under article 319 of the Russian Criminal Code of 'insulting a public official in the course of his work'. The case stemmed from two 2011 blog posts about the governor of Kemerova, Aman Tuleyev. The initial sentence, passed in April 2012, was 11 months retention of salary but a judge in Yurga, in the Kemerova region, changed it to a prison sentence in February 2013 after discovering that Shipilov had left Kemerova before the sentence could be enforced. The governor filed an additional complaint accusing him of "apologising" ironically after his conviction, using the same insulting terms.

[**STOP PRESS:** Shipilov left the country in February 2015 and sought asylum in Ukraine following his release]

When the Russian Federation annexed Crimea in March 2014, it became responsible – under the law of occupation – to maintain order, safety and ensure that the fundamental rights of the occupied population were protected. However, under the law of occupation (which Russia does not accept applies in Ukraine), the Russian authorities are obliged to imprison arrested persons in the occupied territory.

## DETAINED – JUDICIAL CONCERN

### \*Oleg SENTSOV:

**PROFESSION:** filmmaker, best known for his 2011 film, ‘Gaamer.’

**DATE OF ARREST:** 11 May 2014

**DETAILS OF ARREST:** Sentsov alleges that FSB officers held him at his apartment in Crimea on 10 May where they not only beat him up, but also suffocated him with a plastic bag to the point where he lost consciousness. Along with blows to his back and head, Sentsov’s trousers and underpants were removed and he was threatened with rape with a police baton. This treatment continued for over three hours during which Oleg Sentsov refused to confess. These allegations are not known to have been investigated. He was then arrested, and his official arrest was recorded on 11 May on ‘suspicion of plotting terrorist acts’ and membership of Right Sector, a far-right Ukrainian group (this charge has reportedly since been dropped). The charge against Sentsov carries a potential punishment of up to 20 years in prison. Russian prosecutors have stated that Sentsov had confessed to plotting terrorist attacks. On 26 June 2014, Russia’s presidential council for human rights appealed to the deputy prosecutor to review the circumstances surrounding the arrests of Sentsov and a fellow Ukrainian activist. A reply, posted on the council’s website, said that prosecutors found ‘no grounds for altering the detention of either suspect. On 7 July 2014 Sentsov’s arrest was extended until 11 October 2014; in October 2014 his arrest was extended to 11 January 2015. In September 2014, his lawyer appealed to the European Court of Human Rights regarding Sentsov’s arrest, pre-trial detention and ill treatment. He also requested an interim measure requesting access to the case file. Also in September, at a pre-trial hearing, Sentsov reportedly claimed that he has never been a member of Right Sector or any other extremist group and denied all charges, stating that he had been tortured. Sentsov also indicated that he feared being killed in prison. The Ukrainian authorities are banned by their Russian counterparts from contacting Sentsov.

**CURRENT PLACE OF DETENTION:** Moscow’s Lefortovo pre-trial detention centre

**BACKGROUND:** Sentsov was also an activist in the Maidan movement which toppled former Ukrainian President Viktor Yanukovich

**PEN ACTION:** Mentioned in the 2014 resolution on Russia passed at PEN’s annual congress.

**PEN POSITION:** PEN believes on the basis of the available evidence that Oleg Sentsov is most likely held on account of his political activities. As he is not held for his screen-writing, PEN’s concern relates to the shortcomings in the judicial procedure followed, including the failure to investigate his allegations of torture and his lengthy pre-trial detention.

# SPAIN

## IMPRISONED- INVESTIGATION

### Javier SALUTREGI:

**PROFESSION:** sub-editor for Egin, a Basque daily newspaper that was forcibly closed in 1998 by a court order (the ban was subsequently lifted in 1999)

**SENTENCE:** Seven years and six months in prison

**DATE OF ARREST:** 22 July 1998

**DETAILS OF TRIAL:** Egin was accused of printing coded messages for ETA and thus supporting “terrorism”. Salutregi was charged alongside Teresa Toda (see previous Case Lists) and 15 administrative staff of the newspaper. He received a 12-year prison sentence on 19 December 2007 on charges of membership of an armed organisation (ETA), reduced on appeal to seven years and six months. Salutregi was freed on €150,000 bail on 20 November 1998, reduced to €6000 in December 1999, until detained to serve his prison sentence. On 3 July 2008 he was released on bail from the Picassent prison, reportedly on health grounds. However he was re-arrested in April 2009 and remains in prison.

# TAJIKISTAN

## CONDITIONAL RELEASE

### \*Alexander SODIQOV

**PROFESSION:** academic and blogger Charges: reportedly charged under Article 305 with treason

**DATE OF ARREST:** 16 June 2014

**DATE OF RELEASE:** 24 July 2014

**DETAILS OF ARREST:** Sodiqov was arrested in Khorog, the capital of the autonomous province of Gorno-Badakhshan, by secret police after interviewing local opposition leader Alim Sherzamonov as part of his PhD field research. On 19 June 2014 the State Committee for National Security announced that Sodiqov had been arrested and transferred to the capital Dushanbe. Tajik media reported that Sodiqov was under investigation on suspicion of espionage for an unnamed foreign country. According to reports he was denied access to a lawyer of his choice during the first two weeks of his detention. If found guilty, Sodiqov faces 12-20 years in prison.

**DETAILS OF RELEASE:** Released on bail, he was initially told to remain in the country. He was allowed to leave Tajikistan and return to Canada on 10 September 2014, but the investigation against him remains open.

**BACKGROUND:** Sodiqov is a PhD student in political science at the University of Toronto and has worked for UNICEF and the OSCE in the past. He is also a contributor to the citizen journalism

and blogging portal Global Voices. He was in Tajikistan as part of a research project on conflict management in Central Asia.

**PEN ACTION:** RAN 10/14 and updates Sodiqov wrote a note of thanks to PEN for our support while he was detained, which was read to members at the PEN International World Congress in Bishkek, September 2014.

# TURKEY

## KILLED: IMPUNITY

### Hrant DINK

(NOTE: The direct perpetrators of his murder have been convicted and imprisoned although the organised conspiracy behind his murder is still being investigated):

**PROFESSION:** editor of the Armenian language Agos magazine

**DATE OF DEATH:** 19 January 2007

**DETAILS OF KILLING:** Killed outside his office in Istanbul by an assassin on 19 January 2007. Dink had been convicted under Article 301 of the Penal Code, for “insulting Turkishness” for his writings on an Armenian genocide. In October 2005, he was given a six month suspended sentence for a 2004 article entitled “The Armenian Identity”. Dink’s murder sparked debate on revision or repeal of Article 301, which many believe marked Dink out as a target for ultranationalists.

**DETAILS OF INVESTIGATION:** Ogün Samast was sentenced to 22 years and 10 months in prison on 25 July 2011, the heaviest sentence that can be passed against a minor. He was 17 at the time of the murder. He confessed to the killing and his sentence was upheld by the Supreme Court. Yasin Hayal, a criminal with a previous conviction for a bomb attack on a McDonald’s restaurant, was sentenced to life in prison in solitary confinement and with no possibility of parole, for “soliciting another person to wilfully commit a murder”; he earlier admitted to arming Samast and instructing him to murder Dink. Separately, Hayal was sentenced to three months in prison for threatening Nobel Laureate Orhan Pamuk and a year in prison for “unauthorised possession of arms”. Two others, Ersin Yolcu and Ahmet İskender, were sentenced to 12 years and six months in prison each, for “assisting in a felonious murder”. İskender was also sentenced to a year in prison for “unauthorised possession of arms.” In May 2013, the Supreme Court of Appeal accepted Hrant Dink’s lawyers’ call for the case to be considered as an organised crime, overturning a January 2012 court ruling that this was not the case. This has opened the way for a new trial to be opened, which started on 17 September 2013. This will mean that: Yasin Hayal, whose sentence has already been upheld by the Supreme Court, will now also be tried for leading the criminal gang behind the murder. Osman Hayal, (brother of Yasin Hayal) who was earlier tried and acquitted of involvement, will have his acquittal reviewed. He was allegedly caught on security cameras as being with Samast at the time of the murder. Erhan Tuncel, another suspect acquitted of the murder, will now be retried as being a member of a criminal organisation as will three other defendants

also acquitted when an earlier court ruled that no such organisation existed. Dink’s lawyers were, however, disappointed that the retrial decision did not go further in defining the organisation as a “terrorist organisation,” which would have given investigators greater powers. On 21 May 2014, the court lifted a non-prosecution order protecting Istanbul Deputy Governor Ergün Güngör, Istanbul Police Chief Celalettin Cerrah and seven other security officials from being prosecuted in relation to the Dink murder. The trial is currently in deadlock as the court has stated that the trial cannot proceed unless defendant at large Ahmet İskender, who was acquitted during the first trial, is brought in.

**HONORARY MEMBER:** PEN Vlaanderen, English PEN and Norwegian PEN.

**PEN ACTION:** He was one of the 50 writers chosen to represent the struggle for freedom of expression since 1960 for the Writers in Prison Committee’s 50th Anniversary Campaign – Because Writers Speak Their Minds, representing 2007.

### NOTE ON KCK (KURDISTAN COMMUNITIES UNION) AND ERGENEKON TRIALS:

The majority of cases brought against writers and journalists in Turkey fall under the scope of one of two Anti-Terror investigations.

The KCK (Kurdistan Communities Union), is the alleged ‘urban wing’ of the outlawed PKK (Kurdistan Workers Party), which has been engaged in armed conflict with the Turkish army since 1984. The various waves of this investigation have targeted Kurdish and Turkish civilians with pro-Kurdish sympathies, including politicians, lawyers, human rights defenders, academics, translators, researchers, publishers, journalists and writers. Each investigation is aimed at targeting a separate alleged ‘wing’ of the organisation, such as the ‘committee of leadership’ (46 of the 50 under trial in this wave are lawyers), the ‘political wing’ (including publishers, academics and translators alongside politicians) and the ‘press wing’ (which implicates 46 journalists).

The Ergenekon investigation attempts to uncover an alleged, clandestine, ultranationalist organisation engaged in the plotting of a military-backed overthrow of the government. The early waves of this investigation largely targeted members of security and intelligence forces, as well as investigative journalists with alleged relationships to them. One of the latter waves of the investigation implicated online news outlet ODATV in the conspiracy, as well as a number of investigative journalists writing about the alleged infiltration of the police and judiciary by members of the liberal Islamic ‘Gülen Movement’

This list indicates those persons whose cases are linked to either the Ergenekon or KCK investigations. Where there is no reference to either, these are cases which are not known to be linked to either investigation.



## IMPRISONED: INVESTIGATION

PEN is seeking further information as to whether the writers below used or advocated violence.

### Seyithan AKYÜZ:

**PROFESSION:** journalist for Azadiya Welat, a Kurdish language daily newspaper

**SENTENCE:** 12 years in prison

**DATE OF ARREST:** 7 December 2009

**DETAILS OF TRIAL:** He was sentenced in October 2012 after conviction of offences under Article 314/2 of the Turkish Penal Code (membership of a terrorist organisation), Article 5/1 of the Anti-Terror Law (membership of a terrorist organisation) and Article 7/2 of the Anti-Terror Law (making propaganda for a terrorist organisation). The indictment against him refers to banned pro-Kurdish calendars and newspapers, some of which he distributed during May Day celebrations in 2006. No further information as of December 2014.

### Sevcan ATAK (f):

**PROFESSION:** Özgür Halk editor

**DATE OF ARREST:** 18 June 2010

**SENTENCE:** Seven years and six months

**CURRENT PLACE OF DETENTION:** Held in Karataş Women's Prison as of December 2014. Details of trial She was convicted on 26 May 2011 of offences under Article 314/2 of the Turkish Penal Code (membership of an armed organisation), and Article 5 of the Anti Terror Law (membership of a terrorist organisation) in Diyarbakir.

### Mikail BARUT:

**PROFESSION:** Özgür Halk editor

**SENTENCE:** Seven years and six months

**DATE OF ARREST:** 20 December 2011

**DETAILS OF TRIAL:** an alleged member of the KCK "Press Wing", he is facing trial for "leadership of an illegal organisation" under Article 5 of the Anti-Terror Law and Article 314/1 of the Turkish Penal Code ("leadership of an armed organisation"). There is no detention order against him under these charges but he remains imprisoned under a separate case for involvement in the KCK. PEN is seeking further details on this other case. He remained imprisoned as of December 2014.

### \*Gurbet ÇAKAR (f):

**PROFESSION:** Editor in chief of Kurdish language magazine Heviya Jine

**DATE OF ARREST:** March 2010

**SENTENCE:** Seven years and six months in prison

**DETAILS OF TRIAL:** Sentenced on 30 December 2010 for "committing a crime on behalf of a terrorist organisation without being a member" and "making terrorist propaganda" under Article 7/2 of the Anti-Terror Law. The charges relate to articles published in Kurdish language magazine Heviya Jine. Still in prison as of December 2014.

### Ersan ÇELİK:

**PROFESSION:** journalist for the Dicle News Agency (DİHA)

**SENTENCE:** (1) Six years in prison (2) Ten months in prison

**DATE OF ARREST:** 22 March 2008

**DETAILS OF TRIAL:** (1) Sentenced in January 2010 by the Malatya Third High Criminal Court with 26 other people on charges of "membership of a terrorist organisation" under Article 314/2 of the Turkish Penal Code and Article 5 of the Anti-Terror Law. He was arrested in March 2008 along with some 100 people for their alleged involvement in the Patriotic Democratic Youth Assembly (YDGM) linked by prosecutors to KCK and the PKK. 30 were detained of which 26 were freed after two months. They were accused on the testimony of one witness who claims to have recognised them as members. PEN is seeking clarification of whether he has appealed his sentence. (2) On 13 May 2011, Çelik was sentenced to 10 months in prison by the Diyarbakır 6<sup>th</sup> High Criminal Court on another charge of having "disclosed the identity of a police officer on anti-terror duties" in an article on the death of a student killed during a demonstration in 2009. Çelik cited the names of the officers accused of the shooting in his article. He was unable to attend the hearing because of his detention. An appeal has been lodged. PEN is seeking further details.

### Ferhat ÇİFTÇİ:

**PROFESSION:** journalist for Azadiya Welat; Gaziantep representative

**SENTENCE:** 22 years and 6 months in prison

**DATE OF ARREST:** 16 February 2011

**DETAILS OF TRIAL:** Convicted in early 2013 on charges of leadership of an armed organisation under Article 314/1 of the Turkish Penal Code, leadership of a terrorist organisation under Article 5 of the Anti-Terror Law and making propaganda for a terrorist organisation under Article 7/2 of the Anti-Terror Law. Still imprisoned as of December 2014.

### Şahabettin DEMİR:

**PROFESSION:** journalist for Dicle News Agency (DİHA) in Van, south eastern Turkey

**SENTENCE:** four years

**DATE OF ARREST:** 9 May 2010

**DETAILS OF TRIAL:** Convicted of making propaganda for a terrorist organisation under Article 7/2 of the Anti-Terror Law and subsequently sentenced to four years in prison, upheld by the Supreme Court. Held in Bitlis E-Type Prison. Still imprisoned as of December 2014.

## Hamit DİLBAHAR:

**PROFESSION:** poet, politician and journalist for Azadiya Welat

**SENTENCE:** 16 years

**DATE OF ARREST:** 13 February 2010, as part of the KCK operation.

**CURRENT PLACE OF DETENTION:** Erzurum E-type prison

**DETAILS OF TRIAL:** Convicted of leadership of an armed organisation under Article 314/1 of the Turkish Penal Code and leadership of a terrorist organisation under Article 5 of the Anti-Terror Law in early 2013 and sentenced to 16 years in prison. Still held as of December 2014.

## Hatice DUMAN (f):

**PROFESSION:** Atılım (Leap) magazine owner and editor

**SENTENCE:** Life imprisonment

**DATE OF ARREST:** 1 April 2003

**DETAILS OF ARREST:** Arrested as part of an investigation into the Marxist Leninist Communist Party (MKLP)

**CURRENT PLACE OF DETENTION:** Gebze Prison.

**DETAILS OF TRIAL:** Her life sentence imposed in May 2011 was upheld on 16 October 2012 by the Supreme Court of Appeals. She was convicted of leadership of an armed organisation under Article 314/1 of the Turkish Penal Code and leadership of a terrorist organisation under Article 5 of the Anti-Terror Law. Believed to have other convictions and charges against her.

## Ali KONAR and Nuri YEŞİL:

**PROFESSION:** both journalists for Azadiya Welat

**SENTENCE:** Seven years and five months, and 12 years and 6 months respectively

**DATE OF ARREST:** 27 May 2010

**DETAILS OF TRIAL:** They were charged in relation to the Yurtsever Demokratik Gençlik Meclisi (YDGM) (Patriotic Democratic Youth Assembly) linked to the KCK. Konar was sentenced in December 2010 to 7 years and five months in prison under Articles 220 and 314/2 of the Turkish Penal Code for membership of an armed organisation and Article 5 of the Anti-Terror Law for membership of a terrorist organisation. Yeşil was sentenced to 12 years and 6 months in prison under Article 314/2 of the Turkish Penal Code and Articles 5 and 7/2 of the Anti-Terror Law for membership of and propaganda for a terrorist organisation. He had previously been sentenced for propaganda, serving 10 months in prison from November 2008 to August 2009, and later receiving a one year, seven month sentence (unclear if detained for this) for propaganda. Both still imprisoned as of 31 December 2014.

## Sevan NİŞANYAN:

**PROFESSION:** Turkish language historian, writer and Agos columnist.

**SENTENCE:** (1) Thirteen and a half months (postponed until the outcome of an appeal) (2) 11 years (currently being served)

**DATE OF ARREST:** January 2014

**DETAILS OF TRIAL (1):** He was found guilty of religious defamation under Article 216/3 of the Turkish Penal Code on 24 May 2013 for comments he made regarding Muhammad in his personal blog. He was handed a thirteen and a half month prison sentence, with the court deciding not to suspend his sentence or commute it to a fine as a result of his prior convictions. This sentence has been postponed until the outcome of an appeal, which is currently ongoing. (2): Nişanyan is currently serving an 11-year prison sentence as a result of a longstanding legal battle with the state over planning permission. Nişanyan began this prison sentence in early January 2014.

## Erdal SÜSEM:

**PROFESSION:** Eylül Hapishane (September Prison) magazine editor

**DATE OF ARREST:** 1 February 2010

**SENTENCE:** life imprisonment (date not known)

**CURRENT PLACE OF DETENTION:** Edirne F-type Prison

**DETAILS OF TRIAL:** Convicted of “attempting to overthrow the constitutional order by force” and membership of the outlawed Marxist Leninist Communist Party (MKLP) under article 314 of the Penal Code and Article 5 of the Anti-Terror Law. Sentence upheld in February 2011. A second trial against him, related to “propaganda” for terrorism is under way for which he could be sentenced to an additional 15 years in prison. Still held as of December 2014.

## \*Erol ZAVAR:

**PROFESSION:** Poet and former editor in chief of Odak and Direniş magazines

**DATE OF ARREST:** January 2000

**SENTENCE:** life imprisonment

**DETAILS OF TRIAL:** Convicted of “attempting to overthrow the constitutional order” in January 2001. Imprisoned ever since despite numerous campaigns for his release and several battles with cancer. Zavar was editor in chief at Odak and Direniş in 1997 and 1998 and has had two books of poetry published during his time in prison. He remained imprisoned as of December 2014.

## DETAINED: INVESTIGATION

### \*Hidayet KARACA:

**PROFESSION:** former Zaman reporter and chairman of the Samanyolu Broadcasting Group

**DATE OF ARREST:** 14 December 2014

**DETAILS OF TRIAL:** Karaca was one of 31 people arrested on 14 December 2014 “on suspicion of membership of an illegal organisation”. Among those arrested were high-ranking members of the Istanbul police force as well as journalists, screenwriters, producers and directors who have worked for newspapers and TV stations said to be affiliated with the Gülen movement. The arrests came against a backdrop of escalating political tensions between the ruling party in Turkey and the followers of Islamic cleric Fethullah Gülen. Karaca remained detained as of 31 December 2014.

**PEN ACTIONS:** Statement 15 December 2014

## ON TRIAL – MAIN CASES

### Mustafa BALBAY (Ergenekon):

**PROFESSION:** writer and columnist for Cumhuriyet and MP

**SENTENCE:** 34 years and eight months in prison

**DATE OF ARREST:** early July 2008

**DETAILS OF ARREST:** Arrested as part of a series of arrests of members of the nationalist group Ergenekon. Released to stand trial but was rearrested on 7 March 2009.

**DATE OF RELEASE:** 9 December 2013

**DETAILS OF RELEASE:** Balbay was released on 9 December 2013 after the Constitutional Court ruled that his lengthy pre-trial detention violated his rights as an MP.

**DETAILS OF TRIAL:** Trial opened on 21 July 2009. He was accused of membership of a terrorist organisation; attempting to overthrow the government; attempting to provoke an armed uprising; unlawfully obtaining, using and destroying documents concerning state security; disseminating classified information. Specifically he is accused of taking part in secret meetings where leading figures, including generals, discussed plans for a coup. Evidence against Balbay are notes that he says he took as part of his journalistic activities during meetings with various figures who were subsequently also arrested in the Ergenekon trial. At a hearing on 19 November 2009, Balbay made a statement in which he denied charges of inciting an armed uprising. He told the court that random notes had been rearranged by the prosecution in way that they had not been written down, given dates (he says he does not date his notes), and to form a diary that would then incriminate him and serve to strengthen the claim that a coup was being staged. He stated that he does not believe that the government can be overthrown in a coup, and that he was acting only as a journalist “witness of the era he or she is living in”. He was sentenced on 5 August 2013 to 34 years and eight months in prison after conviction of “attempting to overthrow the government by force and violence” and “unlawfully obtaining documents concerning government security”. Following the release of a reasoned verdict in April 2014, Balbay’s release is up for review by the

Supreme Court of Appeals, meaning that he could go to prison again if the Constitutional Court’s decision is rejected.

**HONORARY MEMBER:** PEN Turkey.

**PEN ACTIONS:** RAN 65/11; raised in meeting with President of Turkey in November 2012, press releases 8 August 2013 and 10 December 2013.

### Ayşe BERKTAY (f) (KCK – academic):

**PROFESSION:** scholar, author, translator and woman’s activist

**DATE OF ARREST:** 3 October 2011

**DATE OF RELEASE:** 20 December 2013

**DETAILS OF TRIAL:** Berktaý had been working with the Peace and Democracy Party (BDP) of which she is a member. She is being tried on charges of “membership of an illegal organisation”, with reference to her allegedly “planning to stage demonstrations aimed at destabilising the state” and “attending academic and human rights conferences outside Turkey on behalf of KCK.” Her trial at the Silivri Court in İstanbul is ongoing as of mid-2014.at the end of the year Professional details: Publications include: History and Society: New Perspectives, 2008; The Ottoman Empire and the World Around – with Suraiya Faroqhi, 2007. Editor of Women and Men in the 75<sup>th</sup> Year of the Turkish Republic 1998. Translations include: The Imperial Harem: Gender and Power in the Ottoman Empire, 1520-1656 by Leslie Penn Pierce, Princeton University, 1988; The Ottoman Empire, 1700-1922 (New Approaches to European History), by Donald Quataert, Cambridge University Press, 2005. Also writes numerous articles on feminism in Turkey.

**HONORARY MEMBER:** PEN Turkey, PEN American Center, PEN Canada

**PEN ACTIONS:** RAN 22/13 07/05/13 & RAN 23/13 23/05/13, Update 12/06/13, International Women’s Day Action 2014, Interview with Ayse Berktaý 8 March 2014

### \*Can DÜNDAR

**PROFESSION:** writer, journalist and documentary filmmaker

**DATE OF BIRTH:** 16 June

**DETAILS OF TRIAL:** Dündar is on trial for criminal defamation under Article 125 of the Turkish Penal Code. He was charged following an official complaint by Turkish President Recep Tayyip Erdoğan and his son Bilal Erdoğan on 7 August 2014. The charge relates to two articles he wrote in July 2014, in which he criticised the handling of a major investigation into alleged government corruption in Turkey and discussed the ramifications of then Prime Minister Recep Tayyip Erdoğan’s presidential candidacy. Dündar faces up to four and a half years in prison if found guilty. His next hearing is scheduled for 26 February 2015. Erdoğan has previously attempted to have Dündar charged with defamation for an article he wrote in April 2014. The public prosecutor questioned Dündar on 6 May 2014 following Erdoğan’s complaint, but decided against pursuing charges against him.

**PEN ACTIONS:** RAN 08/14; 04/15 and updates



## **Muharrem ERBEY (KCK – political [Diyarbakır]):**

**DATE OF BIRTH:** 1970

**PROFESSION:** human rights lawyer and writer

**DATE OF ARREST:** 24 December 2009.

**DATE OF RELEASE:** Released pending trial on 12 April 2014

**DETAILS OF ARREST:** In the early hours of 24 December 2009, Muharrem Erbey was arrested from his home in Diyarbakir, south-eastern Turkey, by members of the Anti-Terror Unit of the Diyarbakir Security Directorate. He was among 80 people arrested accused of having links with an organisation said to be affiliated to the banned Kurdistan Workers Party (PKK).

Muharrem Erbey is a human rights lawyer, and Vice President of the Human Rights Association (IHD) who has conducted research into disappearances and extra-judicial killings in and around the Diyarbakir region. He has represented a number of individuals whose cases have come to the European Court on Human Rights. In 2008 he became Vice President of the Human Rights Association (IHD), one of Turkey's most reputable human rights associations. He is also President of the Diyarbakir Branch of the IHD.

**DETAILS OF RELEASE:** After more than four years in pre-trial detention, Erbey was released pending trial by the Diyarbakır 2<sup>nd</sup> High Criminal Court on 12 April 2014; the court cited a lack of evidence in its decision to release him. Charges remain pending against him.

**DETAILS OF TRIAL:** Erbey is charged with “membership of an armed organisation” under Article 314/2 of the Turkish Penal Code and with “membership of a terrorist organisation” under the Anti-Terror Law. Both charges relate to his alleged membership of the Kurdistan Communities Union (KCK), said to be affiliated to the banned Kurdistan Workers’ Party (PKK). The indictment against Erbey refers to visits to various European parliaments, including in Sweden, Belgium and the UK, where he spoke on Kurdish rights; various pro-Kurdish demonstrations that he attended as an observer; his articles advocating the active involvement of the PKK in a peace and reconciliation process; interviews that he gave to the pro-PKK broadcaster Roj TV; his notes for the IHD on the conflict between the Turkish Army and the PKK; and his attendance both as an observer and as legal counsel in various trials related to the pro-Kurdish movement. At the time of his arrest, the offices of the IHD were searched and documentation seized, including archives on serious human rights violations over the past two decades, such as extra judicial killings and disappearances.

**BACKGROUND:** Erbey is the author of a collection of short stories, My Father, Aharon Usta published since his imprisonment. In 2007 he was a co-editor of a collection of Turkish and Kurdish language stories by 35 authors, distributed by the Diyarbakir Metropolitan Municipality free to local people. The Mayor who organised the publication was subsequently brought to trial under a law that prohibited the use of the Kurdish alphabet (since annulled). Erbey defended the Mayor who was subsequently acquitted, and after Erbey had gathered 300 writers' signatures against the court hearing. Another short story collection, Missing Pedigree was published in 2004. He has written many articles on culture, children's and human rights that have appeared in arts and culture magazines, newspapers and websites.

**AWARDS:** Muharrem Erbey was awarded the Ludovic-Trarieux International Human Rights Prize in 2012, the Norwegian PEN Freedom of Thought and Expression Prize in March 2014 and Swedish PEN's Tucholsky Prize in November 2014.

**HONORARY MEMBER:** Danish PEN, PEN Turkey, Swiss Italian PEN.

**PEN ACTIONS:** Call to Action 8 January 2014; press release 31 January 2014, 14 April 2014

## **Professor Büşra ERSANLI (f) (KCK – academic):**

**PROFESSION:** academic, expert on political science and author

**DATE OF ARREST:** 29 October 2011.

**DATE OF RELEASE:** 13 July 2012

**DETAILS OF RELEASE:** Ersanlı was released pending trial on 13 July 2012 along with 15 other KCK defendants in the first hearing of her case.

**DETAILS OF TRIAL:** She was charged under an indictment issued on 19 March 2012 with “leading an illegal organisation” under Article 314/1 of the Turkish Penal Code, “leading a terrorist organisation” under the Anti-Terror Law in connection with her participation in the Political Academy of the pro-Kurdish Peace and Democracy Party (BDP), a legitimate political party, including advising on lessons to be held within the Academy, proposals for a new constitution for Turkey and her participation in peaceful demonstrations. If convicted, she faces between 15 and 22.5 years in prison. Hundreds of supporters protested outside the court at an appeal hearing against the arrest on 31 October 2011. Her trial at the Silivri Court, İstanbul was still ongoing as of 30 June 2014.

**BACKGROUND:** Professor Busra Ersanlı is an academic based at İstanbul's Marmara University's Faculty of Political Science and International Relations. She is an expert on political science and at the time of her arrest was working with the BDP's Constitutional Commission. She is also the author of Peace and History and Bulut Falı (Nephomancy) in which she narrates her nine months-long experience in prison. She is primarily known for her work towards finding non-violent resolutions to conflict.

**HONORARY MEMBER:** PEN Turkey

**PEN ACTIONS:** RAN 23/13 23/05/13, Update 12/06/13] International Women's Day Action 2014

## **Mülazım ÖZCAN (aka Mirza RONI) (KCK – academic):**

**PROFESSION:** Kurdish poet, linguist and member of Kurdish PEN. He is also a Kurdish consultant at Ragıp Zarakolu's Belge International Publishing.

**DATE OF ARREST:** 4 October 2011 in İstanbul

**DATE OF RELEASE:** 7 June 2013

**DETAILS OF RELEASE:** Released pending trial

**DETAILS OF TRIAL:** He was charged with “membership of an illegal organisation”, believed to be linked to a lecture he gave on Kurdish language and literature at the BDP Political Academy. Tried alongside Büşra Ersanlı, Ayşe Berktaş, Deniz Zarakolu (see above) and Ragıp Zarakolu (see below). His trial at İstanbul's Silivri Court was ongoing as of mid-2014.

**BACKGROUND:** Özcan has published poetry in Kurdish under the pen name Mirza Roni. His books: include Di Siya Dara Xaçê de Serhildan (Poetry), 1999; Pratik Kurtce Konuşma Klavuzu (Practical Handbook for Kurdish Speaking), Turkish and Kurdish, 2002; Kurtce Cep Klavuzu (Practical Pocketbook for Kurdish), Turkish and Kurdish, 2003.

**AWARDS:** In 2012 he was given the Feqi Huseyn Saginc Linguistics Award for his contribution to education in the Kurdish language and his articles on Kurdology.

**PEN ACTION:** RAN 23/13 and update 12/06/13

### **Fazıl SAY:**

**PROFESSION:** popular and internationally acclaimed pianist, composer, writer and EU Culture Ambassador

**SENTENCE:** 10 months in prison, suspended for two years

**DETAILS OF TRIAL:** Accused of religious defamation. In April 2012, Istanbul's Prosecutor's Office launched an investigation regarding messages he posted on Twitter declaring himself as an atheist and referring to an Omar Khayyam poem that suggests that the Islamic representation of Heaven, replete with wine and 'huris' (virgins), is reminiscent of a pub or brothel. Say is accused of contravening sections one and two of Article 216 of the Turkish Penal Code (TCK), by allegedly "instigating religious hatred and hostility" and "insulting religious values". The trial was initiated following a complaint from a private individual, not uncommon in such cases. His trial opened on 18 October 2012 at the 19<sup>th</sup> Criminal Court in Istanbul. On 15 April 2013, Say was sentenced to 10 months in prison, suspended for five years, during which time he is required not to commit a similar offence. On 26 April 2013, the 29<sup>th</sup> Criminal Court accepted his lawyers' request to have the suspended sentence annulled, and that the case should return to court for reconsideration. The lawyer had argued that the conditions of the suspension were unclear and therefore did not enable his client to know what actions would constitute a breach of the suspension. On 20 September 2013, the Istanbul 19<sup>th</sup> Magistrates Court upheld his 10-month prison sentence, suspending it for two years. On 9 November 2013, Say's lawyers applied to Turkey's Supreme Court of Appeals to appeal the ruling. Say faced a criminal complaint that he had unfairly attempted to influence the outcome of his trial through his media statements. The public prosecutor rejected this complaint after a criminal investigation into the matter, concluding that Say's statements were well within the scope of his right to defend himself and that he had made no attempt to pressure or coerce authorities.

**UPDATE:** On 27 November 2014, the Chief Prosecutor of the Supreme Court of Appeals submitted an official request for Say to be acquitted of religious defamation charges. In his submission, the chief prosecutor disputed the conclusions reached by the lower court in its conviction of Say. The Supreme Court of Appeals has yet to make a decision in response to the chief prosecutor's submission as of the end of 2014.

**PEN ACTIONS:** Day of the Imprisoned Writer Action 2013

### **Nedim ŞENER (Ergenekon – ODA TV):**

**PROFESSION:** journalist and writer

**DATE OF BIRTH:** 1966

**DATE OF ARREST:** 7 March 2011

**DETAILS OF ARREST:** arrested alongside Ahmet Şık (below)

**DATE OF RELEASE:** 12 March 2012

**DETAILS OF RELEASE:** Şener and Şık were freed pending trial along with Coşkun Musluk and Sait Çakır (see below). The presiding Judge Mehmet Ekinci cited that the time spent in pre-trial

detention was a consideration for his release and also that there had been some changes to the charges.

**DETAILS OF TRIAL:** Formally charged on 11 March 2011 with 13 others on charges related to the Ergenekon investigation. ODA TV, a news website, is described as its media wing. Charged with "membership of an armed organisation" under Penal Code Article 314/2. His trial began on 14 April 2011 and was still ongoing at the end of the year. He is being tried jointly with journalist Ahmet Şık (see below). On 26 August 2011, it was announced that 14 people had been indicted in the case, including writer Hüseyin Soner Yalçın, and journalists Coşkun Musluk and Sait Çakır. (Also see below). Among the evidence produced at the trial are documents relating to state security, said to have been found on the ODA TV computers when they were seized. The defendants claim that they did not open or request these files. The evidence was sent to the government Scientific and Technological Research Council of Turkey (TÜBİTAK) that is responsible for research on information technology, among other issues. TÜBİTAK concluded that the files had been placed in the computers by a virus, and that there was no clear evidence that they had been opened or read by the recipients. This was confirmed by an independent report from a US data company. Defence lawyers refer to the publication of a book in August 2010 by Hanefi Avcı, a former police chief also implicated in ODA TV in which he claimed that members of the Gülen movement were involved in police activities. Şener and Şık had also written on similar issues, leading the defendants to claim to that the trial was initiated because of these revelations.

**BACKGROUND:** Şener was tried and subsequently acquitted in 2010 for his book that implicates the Turkish security forces in the 2007 murder of the Turkish Armenian newspaper editor, Hrant Dink (see above). Şener has published over 12 books between 1994 and 2012. Since his 2010 acquittal, he has since written two other books on related issues: Red Friday - Who Broke Dink's Pen? And Fetullah Gülen and the Gülen Community in Ergenekon Documents. The Gülen movement is an Islamic organisation that promotes inter-faith dialogue. It is thought that Şener's arrest is linked to his research into suggestions that the movement holds undue influence in the Ergenekon investigation

**AWARDS:** Şener was awarded the 2011 Oxfam/Novib PEN Freedom of Expression award and also named World Press Freedom Hero by the International Press Institute in 2011. He has also won numerous awards for his journalism in Turkey.

**HONORARY MEMBER:** PEN Turkey and Danish PEN.

**PEN ACTIONS:** RAN 10/11 Update # 2 – 13/03/2012

### **Ahmet ŞİK (Ergenekon – ODA TV):**

**PROFESSION:** journalist and writer

**DATE OF BIRTH:** 1970

**DATE OF ARREST:** Arrested 7 March 2011 alongside Nedim Şener (see above)

**DATE OF RELEASE:** 12 March 2012

**DETAILS OF RELEASE:** On 12 March 2012 Şener, Şık, Musluk and Çakır (Also see below.) were freed pending trial. Yalçın was released in December 2012 and also continues on to be trial. The presiding Judge Mehmet Ekinci cited that the time spent in pre-trial detention was a consideration for their release and also that there had been some changes to the charges.

**DETAILS OF TRIAL:** (1) Formally charged on 11 March 2011 on charges related to the Ergenekon



investigation. ODA TV is a news website described as its media wing. He is charged with “membership of an armed organisation” under Penal Code Article 314/2. His trial began on 14 April 2011 and was still ongoing at the end of the year. He is being tried jointly with journalist Nedim Şener (see above). On 26 August 2011, it was announced that 14 people had been indicted in the case, including writer Hüseyin Soner Yalçın and journalists Coşkun Musluk and Sait Çakır. Among the evidence produced at the trial are documents relating to state security, said to have been found on the ODA TV computers when they were seized. The defendants claim that they did not open or request these files. The evidence was sent to the government Scientific and Technological Research Council of Turkey (TÜBİTAK) that is responsible for research on information technology, among other issues. TÜBİTAK concluded that the files had been placed in the computers by a virus, and that there was no clear evidence that they had been opened or read by the recipients. This was confirmed by an independent report from a US data company. Defence lawyers refer to the publication of a book in August 2010 by Hanefi Avcı, a former police chief also implicated in ODA TV in which he claimed that members of the Gülen movement were involved in police activities. Şener and Şık had also written on similar issues, leading the defendants to claim to that the trial was initiated because of these revelations. (2) On 12 March 2012, charges were brought by prosecutors alleging that comments made by Şık on 12 March 2012 as he left Silivri prison were “threatening” to judges and prosecutors and depicted them as “targets for terrorist organisations”. Şık was indicted under Articles 106/2-d, 43/1, 53, 125/1, 125/3-a and 125/4 of the Turkish Penal Code (Law No. 5237) on 3 July 2012, with the prosecutor seeking between 3 and 7 years in prison. The charges are said to be linked to the comment “The police, prosecutors and judges who plotted and executed this conspiracy will enter this prison.”

**BACKGROUND:** Şık is a graduate of the Communications Faculty Department of Journalists, Istanbul University. Reporter for Milliyet, Cumhuriyet, Evrensel, Yeni Yüzyıl, and Radikal over the period 1991 – 2005. Police are said to have seized the draft manuscript of İmamın Ordusu (İmam’s Army) by Ahmet Şık, an investigation into the alleged affiliation of police to the Gülen movement. The book was subsequently published in November 2011 as an anti-censorship defiance with 125 writers, journalists and academics acting as co-authors and editors under the title ÖOO Kitap (ÖOO Book). Previously, in March 2011 he was acquitted of charges of breaching the confidentiality surrounding the Ergenekon trial in a two volume book published in 2010, before his own arrest, entitled *Kırk katır, kırk satır* (40 mules, 40 cleavers). The first volume is entitled *Ergenekon’da Kim Kimdir?* (Who’s who in Ergenekon), and the second *Kontrgerilla ve Ergenekon’u Anlama Kılavuzu* (Guide to understanding contra-guerrilla and Ergenekon). His co-defendant Ertugrul Maviolu was also acquitted.

**AWARDS:** Awarded a number of prizes for his journalism in Turkey, including UNESCO’s 2014 Guillermo Cano World Press Freedom Prize.

**HONORARY MEMBER:** PEN Turkey and Danish PEN.

**PEN ACTIONS:** RAN 10/11 Update # 2 – 13/03/2012, Update #3 28/03/12]

### **Deniz ZARAKOLU (KCK – academic):**

**DATE OF BIRTH:** 15 July 1975

**PROFESSION:** author and translator. Son of leading freedom of expression activist, also detained and now freed, Ragıp Zarakolu (see below).

**DATE OF ARREST:** 7 October

**DATE OF RELEASE:** Freed pending trial on 27 March 2014

**DETAILS OF ARREST:** Arrested at his home in Tarlabasi, Istanbul.

**DETAILS OF RELEASE:** Deniz Zarakolu was released pending trial on 27 March 2014. The charges against him remain and his trial is ongoing.

**DETAILS OF TRIAL:** Charged with “membership of an illegal organisation”. He faces 6-12 years in prison if found guilty. The indictment against him references a series of lectures that he gave at a pro-Kurdish Peace and Democracy Party (BDP) event. The lectures concerned political philosophy and the Kurdish movement in Turkey. First held in a prison in Edirne, and then transferred to Kocaeli Prison to be with his father, Ragıp Zarakolu who was released later. Professional details: Civil Engineer and PhD student at Bilgi University, Istanbul. Author of a book on Thomas Hobbes, and translated Hobbes *De Cive* among others. Also translated a book on the Turkish justice system in 1999 (*The Independence of Judges and Lawyers in the Republic of Turkey: Report of a Mission 1999*, published by the Centre for the Independence of Judges and Lawyer, Geneva.) He also acted as interpreter for European human rights. See KCK above.

**HONORARY MEMBER:** German PEN, Danish PEN, Swiss Italian PEN.

**PEN ACTION:** RAN 23/13 23/05/13, Update 12/06/13

### **Ragıp ZARAKOLU (KCK – academic):**

**PROFESSION:** publisher, freedom of expression and minority rights activist, member of PEN Turkey

**DATE OF ARREST:** 29 October 2011

**DATE OF RELEASE:** 10 April 2012

**DETAILS OF RELEASE:** Zarakolu was released pending trial. The İstanbul 15th High Criminal Court cited the length of time he had already been imprisoned, “the nature of the crime” and “the state of the evidence” as reasons for his release. He has since left the country.

**DETAILS OF TRIAL:** An indictment was issued on 19 March 2012, charging Zarakolu with “aiding and abetting an illegal organisation” under Penal Code Article 220/7 and demanding between 7.5 and 15 years in prison reportedly in connection with a speech he made at an event by the pro-Kurdish Peace and Democracy (BDP) party, and articles published in the newspaper *Özgür Gündem* (Free Agenda). His trial at İstanbul’s Silivri Court was ongoing as of July 2014.

**BACKGROUND:** In the days running up to his arrest, he had been campaigning for the release of his son, Deniz Zarakolu, (see above) who had been arrested three weeks earlier on 7 October 2011. Ragıp Zarakolu is a well-known political activist who has been fighting for freedom of expression in Turkey for over 30 years, publishing books on issues such as minority and human rights.

**HONORARY MEMBER OF:** PEN Turkey, German PEN, Netherlands PEN, San Miguel Allende PEN.

**PEN ACTIONS:** RAN 54/11 Update #5 10/04/12&RAN 23/13 23/05/13, Update 12/06/13. He was one of the 50 writers chosen to represent the struggle for freedom of expression since 1960 for the Writers in Prison Committee’s 50th Anniversary Campaign – Because Writers Speak Their Minds, representing 1991.



## ON TRIAL

### KCK- Press Wing

More than 40 journalists, mainly working for the pro-Kurdish media, have been on trial for forming the 'media committee' of the Kurdistan Communities Union (KCK) and taking orders from the outlawed Kurdistan Workers Party (PKK). All arrested in December 2011, many served more than two years in prison. Following the abolition of Special Authority Courts in the 4<sup>th</sup> Judicial Reform Package in February 2014, all suspected members of the KCK "Press Wing" were freed pending trial with the sole exception of Mikhail Barut (see above under Imprisoned: Investigation), who is detained on charges relating to a separate investigation. The next hearing of the trial will be held on 11 September 2015, when the court will consider a ruling from the Constitutional Court on whether the case has been conducted on lawful grounds under the Turkish Constitution.

**Semiha ALANKUŞ (f), Ertuğ BOZKURT, Nevin ERDEMİR (F), Nurettin FIRAT, Şeyhmus FİDAN, Yüksel GENÇ, İsmet KAYHAN, Kenan KIRIKKAYA, Turabi KİŞİN, Mazlum ÖZDEMİR, Ramazan PEKGÖZ and Davut UÇAR:**

**PROFESSION:** All are journalists.

**DATE OF ARREST:** Arrested in December 2011 and kept under pretrial detain for some two years. Now released, they are all facing trial for "leadership of an illegal organisation" under Article 5 of the Anti-Terror Law and Article 314/1 of the Turkish Penal Code ("leadership of an armed organisation").

**Çiğdem ASLAN (f), Oktay CANDEMİR, Dilek DEMİRAL (f), Nahide ERMIŞ (f), Sibel GÜLER (f), Ayşe OYMAN(f), Haydar TEKİN and Mehmet Emin YILDIRIM:**

**PROFESSION:** All are journalists.

**DATE OF ARREST:** Arrested in December 2011 and kept under pretrial detain for some two years. Now released, they are facing trial for "membership of a terrorist organisation" under Article 5 of the Anti-Terror Law and "membership of an armed organisation" under article 314/2 of the Turkish Penal Code.

**Cihan ALBAY, Selahattin ASLAN, Pervin Yerlikaya BABİR (f), İrfan BİLGİÇ, Ömer ÇELİK, Ömer ÇİFTÇİ, Arzu DEMİR (f), Murat EROĞLU, Sultan GÜNEŞ (f), Çağdaş KAPLAN, Evrim KEPENEK, Eylem Fatma KOÇAK (f), Eylem SÜRME Lİ (f), Hamza SÜRME Lİ, Şerafettin SÜRME Lİ, Zuhai TEKİNER (f), Sadık TOPALOĞLU, Çağdaş ULUS, İsmail YILDIZ and Nilgün YILDIZ (f):**

**PROFESSION:** All are journalists.

**DATE OF ARREST:** December 2011

**DETAILS OF TRIAL:** Charged with "membership of a terrorist organisation" under Article 5 of the Anti-Terror Law and "membership of an armed organisation" under Article 314/2 of the Turkish Penal Code. All currently free pending completion of their trial which was ongoing as of the first half of 2014.

### Hüseyin DENİZ:

**PROFESSION:** journalist

**DATE OF ARREST:** December 2011

**DETAILS OF TRIAL:** Charged with "leadership of an illegal organisation" under Article 5 of the Anti-Terror Law and Article 314/1 of the Turkish Penal Code ("leadership of an armed organisation") and freed pending trial as part of the KCK Press Wing Trial.

### Zeynep KURAY (f):

**PROFESSION:** columnist for Turkish newspaper BirGün

**DATE OF ARREST:** December 2011.

**DATE OF RELEASE:** 26 April 2013

**DETAILS OF TRIAL:** Charged with "membership of an armed organisation" (Article 314/2 of the Turkish Penal Code) and "membership of a terrorist organisation" (Article 5 of the Anti-Terror Law) as part of the KCK Press Wing Trial. Among the evidence delivered in her May 2012 indictment was a news story written by her and 11 pages of her step-father Ali Berktaş's draft translation of French Historian Jean-François Solnon's 2009 book, *Le Turban et la Stambouline*, which documents anti-Turkish/Ottoman sentiment in Europe between the 16<sup>th</sup> and 20<sup>th</sup> centuries. The 11 pages are from a chapter titled, "Are they any better than dogs or are they good people?" and includes disparaging quotations about Turks from Erasmus and Martin Luther. It is thought that charges are being sought under Article 301 of the Turkish Penal Code (insulting the Turkish people). Kuray was released pending trial on 26 April 2013. She is said to have been among the journalists injured by police while covering the Occupy Gezi demonstrations in June 2013.

**PEN ACTIONS:** International Women's Day Action 2014.

## ON TRIAL: KCK – OTHER

### \*Özlem AĞUŞ (f):

**PROFESSION:** investigative journalist for Dicle News Agency.

**DATE OF ARREST:** arrested in March 2012 on charges of belonging to the KCK.

**DETAILS OF TRIAL:** She was charged under Article 314/2 of the Turkish Penal Code ("membership of an armed organisation") and Article 5 of the Anti-Terror Law ("membership of a terrorist organisation"). She was released pending trial on 26 February 2013. Ağuş gained prominence with her coverage of the 2011 Pozanti Prison child abuse scandal and her

reporting on the 28 December 2011 Uludere/Roboski Massacre. Her trial was ongoing at the end of the year. PEN is seeking further information.

### **Murat AYDIN:**

**PROFESSION:** DiHA reporter

**DATE OF ARREST:** 20 October 2011

**SENTENCE:** six years and three months

**DATE OF RELEASE:** 18 September 2012

**DETAILS OF ARREST:** Arrested during KCK raids in Muş Province. He was detained thereafter in an F-Type maximum security prison in the eastern province of Van. Was released pending trial 11 months later.

**DETAILS OF TRIAL:** Found guilty of “membership of a terrorist organisation” under Article 5 of the Anti-Terror Law and “membership of an armed organisation” under Article 314/2 of the Turkish Penal Code on 13 March 2013. Sentenced to six years 3 months in prison. Currently free on appeal. PEN is seeking further information.

### **Abdullah ÇETİN:**

**PROFESSION:** journalist for the DIHA news agency

**DATE OF ARREST:** 16 December 2011

**DATE OF RELEASE:** He was released pending trial after a 25 June 2014 hearing.

**DETAILS OF TRIAL:** Arrested in Diyarbakır and still held awaiting trial. He is among 27 people linked to the Peace and Democracy Party (BDP) arrested as part of the KCK investigation. Nine were formally charged, including Çetin and the mayor of Kurtalan, south east Turkey. The trial opened before a court in Diyarbakır on 9 September 2012. Çetin is accused of being a leader of an illegal organisation. DIHA reports that he is accused of participation in 8 March International Women’s Day events, press releases organised by BDP Kuratalan branch, press releases organised on the anniversary of the 1988 poison gas attack in Iraqi Kurdish town of Halabj, Newroz (Kurdish New Year) celebrations and other actions. It is claimed that the only evidence against him are press statements, and his own wedding videos. He remained on trial as of December 2014.

### **Ziya ÇİÇEKÇİ:**

**PROFESSION:** editor of the pro-Kurdish Günlük newspaper

**DATE OF ARREST:** December 2011

**DATE OF RELEASE:** February 2013

**DETAILS OF ARREST:** Arrested as part of the KCK investigations for “membership of a terrorist organisation”. Freed pending trial in February 2013. See below for references to other cases against him.

### **Hamdiye ÇİFTÇİ (f)**

**PROFESSION:** reporter for the DIHA news agency

**SENTENCE:** one year in prison, suspended for five years.

**DATE OF ARREST:** 6 June 2010

**DATE OF RELEASE:** 10 February 2012

**DETAILS OF TRIAL:** (1) Among a number of people detained on raids carried out in connection with arrests of alleged members of the Kurdistan Communities Union (KCK). She is facing charges of leadership of an armed organisation under Article 314/2 of the Turkish Penal Code and leadership of a terrorist organisation under Article 5 of the Anti-Terror Law. She appealed against her continued detention without charge three times and was released on 10 February 2012 after having been detained for two years. On 21 May 2012, the prosecutor demanded six years three months in prison for her. The trial against her was ongoing at as of December 2014. (2) A separate set of charges was brought against Çiftçi on 28 December 2012 for a newspaper report from 2008 in which she allegedly revealed the identities of a number of Anti-Terror investigators. The report in question concerned allegations made by the then 14-year-old Cüneyt Ertuş, who claimed that he was exposed to police brutality while in custody. The Van Public Prosecutor claims that the newspaper report constituted “propaganda for a terrorist organisation” under Article 7/2 of the Anti-Terror Law, pointing to four medical reports which found that Ertuş had not experienced the injuries claimed in the article (including a fractured arm). Çiftçi was sentenced to one year in prison on 9 July 2013. The Court suspended the sentence for five years.

### **Hüseyin DENİZ:**

**PROFESSION:** Günlük Evrensel daily Berlin reporter and former Ankara reporter for DIHA

**DATE OF ARREST:** 20 December 2011 under the KCK investigations.

**DATE OF RELEASE:** 27 March 2014

**DETAILS OF TRIAL:** He is accused of being a member of the Media Committee of an organisation linked to the PKK and that he worked for the KCK during visits to the Kurdish regions of Northern Iraq in 2003 and 2005. His lawyers have pointed out that the KCK did not exist in early 2000s. Charged under Article 314/1 of the Turkish Penal Code with leadership of an armed organisation and Article 5 of the Anti-Terror Law with leadership of a terrorist organisation. Detained at Kocaeli Kandira F Type prison till his release by a court order.

**BACKGROUND:** Reportedly worked for Özgür Gündem until 2006, on an oral history project from 2006-2008, and then for Evrensel as from 2008, based in Berlin.

### **Şadiye ESER (f):**

**PROFESSION:** reporter for Evrensel

**DATE OF ARREST:** 12 December 2012

**DATE OF RELEASE:** 11 September 2013

**DETAILS OF TRIAL:** Charged under Article 314/2 of the Turkish Penal Code (membership of an armed organisation) and Article 5 of the Anti-Terror Law (membership of a terrorist



organisation) as part of the KCK investigation. According to the Journalists' Union of Turkey, she was asked about political rallies that she had covered as a journalist, as well as notes she had taken as a reporter. Her lawyer, Devrim Avci, has stated that material seized during her arrest includes photographs she had taken at demonstrations and a banned book from her home. She was released from Bakırköy Women's Prison on 11 September 2013 pending completion of her trial which was ongoing as of December 2014.

### Osman İŞÇİ:

**PROFESSION:** researcher, translator and former president of the Human Rights Association (IHD)

**DATE OF ARREST:** 25 June 2012

**DATE OF RELEASE:** 10 April 2013

**DETAILS OF TRIAL:** İşçi and 27 others were arrested under the scope of KCK operations targeting trade union members affiliated with the Confederation of Public Workers (KESK). He was placed under pre-trial detention. He has been charged with "membership of an armed organisation" under Article 314/2 of the Turkish Penal Code and "membership of a terrorist organisation" under Article 5/1 of the Anti-Terror Law. The first hearing of İşçi's trial was held on 10 April, 2013 in the Ankara Special Court. Following ten months of pre-trial detention in prison, he was released together with other 21 trade unionists and human rights activists pending trial. Still on trial as of December 2014.

### Cengiz KAPMAZ:

**PROFESSION:** journalist and author of Öcalan's Days on Imralı

**DATE OF ARREST:** 22 November 2011

**DATE OF RELEASE:** March 2014:

**DETAILS OF TRIAL:** Arrested in Istanbul as part of a mass arrest of 50 people, mainly lawyers, related to the KCK investigation. On 10 December 2011, around 50 journalists and intellectuals gathered in Istanbul's Taksim Square calling for an end to attacks on Özgür Gündem, for which Kapmaz also wrote, and specifically for his release. He was formally indicted on 18 April 2012 under Article 314 of the Penal Code. The trial opened on 16 July 2012 at Penal Court No.6 within the Justice Palace in The evidence relates to contacts lawyers had with detained PKK leader Abdullah Öcalan in the course of their legal work. Subsequent hearings have been held at the court in Silivri, outside Istanbul. They were detained in prison till March 2014 when they were released upon the order of the High Criminal Court No.1 in İstanbul, citing the lengthy of time already spent in pre-trial detention. His trial remained ongoing as of 31 December 2014.

### Turabi KİŞİN:

**PROFESSION:** former editor of Ozgur Gundem (Free Agenda)

**DATE OF ARREST:** 3 January 2012

**DATE OF RELEASE:** 12 May 2014

**DETAILS OF TRIAL:** Arrested with 15 others Held on charges of "membership of an armed organisation" under Article 314/2 of the Turkish Penal Code and "membership of a terrorist organisation" under Article 5 of the Anti-Terror Law. Released in May 2014 by the order of 3rd High Criminal Court in Istanbul. Still on trial as of 31 December 2014.

### Hasan ÖZGÜNEŞ:

**PROFESSION:** journalist for Azadiya Welat

**DATE OF ARREST:** 28 October 2011

**DETAILS OF ARREST:** Originally arrested briefly on 17 September 2011 in Nusaybin, he was rearrested on 28 October 2011 and placed under pre-trial detention.

**DATE OF RELEASE:** Özgüneş was released on 24 April 2014 together with the rest of the defendants within the same case.

**DETAILS OF TRIAL:** Özgüneş is charged under article 314/1 of the Turkish Penal Code; Articles 7/2 and 5 of the Anti-Terror Law; and Law 2911 on Meetings and Demonstrations. He is accused of being a member of the KCK, making propaganda for the organisation, being involved in demonstrations organised by the group and teaching at the Peace and Democracy Party (BDP) political academies. He was transferred to the Third High Criminal Court in Istanbul subsequent to the abolition of the Special Authority Courts. He remained on trial as of 31 December 2014.

### Kazım ŞEKER:

**PROFESSION:** editor of Özgür Gündem, a Kurdish publication

**DATE OF ARREST:** 4 October 2011

**DATE OF RELEASE:** 13 July 2012

**DETAILS OF ARREST:** Arrested in Istanbul as part of a mass arrest of around 60 members of the pro-Kurdish Peace and Democracy Party. Believed to be detained under anti-terror legislation. Was released pending trial along with 15 other KCK suspects on 13 July 2012. PEN is seeking further information as to whether he remains on trial.

### Aziz TUNÇ:

**PROFESSION:** historian and human rights activist

**DATE OF ARREST:** 4 October 2011

**DATE OF RELEASE:** Reportedly released from Silivri prison in March 2013.

**DETAILS OF ARREST:** arrested as part of the second wave of arrests in the KCK investigation.

**DETAILS OF TRIAL:** He is charged with "membership of an illegal organisation".

**OTHER INFORMATION:** Tunç has written a book on the Marash Massacre of Alevis by ultranationalist militants in 1978 in his book, Maraş Kıyımı Tarihsel Arka Planı ve Anatomisi (Anatomy and Background of the Marash Massacre). He has written for magazines Zulfikar and Ak-El, and has worked in the past for the Human Rights Association (IHD). He is waiting to



publish two new books, one on the history of Marash and the other on the political impact that the Alevi minority has had in Turkey. He remained on trial as of December 2014.

### **Müge TUZCUOĞLU (f):**

**PROFESSION:** anthropologist and writer

**DATE OF ARREST:** 8 March 2012

**DATE OF RELEASE:** 28 September 2012, pending trial

**DETAILS OF ARREST:** arrested as part of the KCK investigation in Diyarbakır and subsequently detained in Diyarbakır Prison.

**DETAILS OF TRIAL:** charged with membership of an illegal organization. The trial against her is continuing.

**BACKGROUND:** She claims that the charges relate to a seminar on the history of civilisation that she gave at a BDP Politics Academy conference. Tuzcuoğlu's 2011 book, I am a Stone, centres on a group of Kurdish children who throw stones at police officers during protests in Southeast Turkey. She remained on trial as of December 2014.

### **A. Dursun YILDIZ:**

**PROFESSION:** author and lecturer at the Free University in Istanbul. Leading member of Party for Peace and Democracy (BDP). BDP MP for Istanbul. Author of A Pedagogic View on Freedom, 2003 and A Pedagogic View on Migration, 2011.

**DATE OF ARREST:** 4 October 2011

**DATE OF RELEASE:** He was released pending trial on 24 April 2014.

**DETAILS OF TRIAL:** Arrested under a crackdown against the Party for Peace and Democracy (BDP) as part of the KCK operations. He remained on trial as of December 2014.

### **ON TRIAL: ERGENEKON – ODA TV**

(see also PEN main cases listed above Ahmet Şık and Nedim Şener)

### **Coşkun MUSLUK, Cahit ÇAKIR and Hüseyin Soner YALÇIN:**

**PROFESSION:** The first two are contributors to the ODA TV news website; Hüseyin Soner YALÇIN is the owner of ODA TV news website and journalist for the Hürriyet newspaper, author of 12 books.

**DATE OF ARREST:** early 2011

**DATE OF RELEASE:** Musluk and Çakır were freed on 12 March 2012; Yalçın was freed on 27 December 2012 pending trial.

**DETAILS OF ARREST:** arrested in connection with the Ergenekon investigation.

**DETAILS OF RELEASE:** On 12 March 2012 Şener, Şık, Musluk and Çakır were freed pending trial. Avcı's Oda TV-related pre-trial detention order was lifted in December 2013, although he continued to be detained as a result of two other cases that he is facing. He was eventually

released on 20 June 2014 following a Constitutional Court ruling that his excessive pre-trial detention constituted a violation of the Turkish statute of limitations (amended as part of a series of Turkish reform packages). Yalçın was released on 27 December 2012 and also continues to be on trial. The presiding Judge Mehmet Ekinci cited that the time spent in pre-trial detention was a consideration for their release and also that there had been some changes to the charges.

**DETAILS OF TRIAL:** Musluk and Çakır were charged with "membership of an armed organisation" and "holding classified information". Yalçın was formally charged on 11 March 2011 on charges including "aiding an armed terrorist organisation," "inciting hatred and hostility," and "obtaining confidential state security documents". First trial hearing held on 14 April 2011 and was still ongoing as of 2014. Among the evidence produced at the trial are documents relating to state security, said to have been found on the ODA TV computers when they were seized. The defendants claim that they did not open or request these files. The evidence was sent to the government Scientific and Technological Research Council of Turkey (TÜBİTAK) that is responsible for research on information technology, among others. TÜBİTAK concluded that the files had been placed in the computers by a virus, and that there was no evidence that they had been opened or read by the recipients. This was confirmed by an independent report from a US data company. Other evidence against ODA TV journalists relate to wiretapped telephone and internet correspondence, and articles published on the ODA TV website. Defence lawyers refer to the publication of a book by Hanefi Avcı, a former police chief, in August 2010 in which he claimed that members of the Gülen movement were involved in police activities. Charged with assisting four different armed terrorist groups, Avci was arrested 38 days after the publication of his book and is involved in three different cases including ODA TV. Şener and Şık had also written on similar issues, leading the defendants to claim to that the trial was initiated because of these revelations.

**BACKGROUND:** Yalçın has written extensively about criminal and extremist religions in Turkey. Claims to have received death threats as a result, and spent some time in hiding as a result.

The entries below relate to individuals sentenced under the scope of the Ergenekon trial but freed on 5 August 2013 and who remained free as of 31 December 2015 pending the verdict of the Supreme Court of Appeals.

**Muhammed Murat AVAR:** journalist for the Millet Sesi daily. He has been sentenced to five years and four months in prison; currently free pending appeal.

**Serhan BOLLUK:** journalist and chief editor of the Aydınlık daily. Othetailers report that he is former CEO of TV channel Ulusal Kanal. Sentenced to seven years and six months in prison; currently free pending appeal.

**Mehmet BOZKURT:** former editor in chief of the Aydınlık daily. Sentenced to nine years and three months in prison; currently free pending appeal.

**Ufuk Mehmet BÜYÜKÇELEBİ:** journalist for the Tercüman daily. Sentenced to seven years and six months in prison; currently free pending appeal.

**Behiç GÜRCİHAN:** Açık İstihbarat news website journalist. Sentenced to eight years and nine months in prison; currently free pending appeal.

**Fatma Sibel GÜRCİHAN (f):** Açık İstihbarat news website journalist Sentenced to six years and three months in prison; currently free pending appeal.

**Ünal İNANÇ:** Journalist for Aydınlık magazine and Avrasya TV and president of the Security Reporters' Association. Also said to be linked to Aykiri Haber website. A defendant in the third round of indictments following arrests made in January to April 2009. Trial opened on 7 September 2009. Sentenced to 19 years and one month in prison; released on parole due to his age and issues relating to his health.

**Güler KÖMÜRCÜ (f):** journalist for the Akşam daily. Sentenced to seven years and six months in prison; currently free pending appeal.

**Hayati ÖZCAN:** Reporter for the Aydınlık daily. Also said to be with TV station Ulusal Kanal. Sentenced to ten years and eleven months in prison; currently free pending appeal.

**Ruhsar ŞENOĞLU:** Former editor in chief of the Aydınlık daily. Sentenced to eight years and one month in prison; currently free pending appeal.

**Caner TAŞPINAR:** Editor of the nationalist daily Yurt. Sentenced to six years and three months in prison; currently free pending appeal.

**Özlem Konur USTA:** Social issues editor for Aydınlık magazine. Sentenced to six years and three months in prison; currently free pending appeal.

**Merdan YANARDAĞ:** former publisher of the nationalist daily Yurt magazine. Sentenced to ten years and six months in prison and ordered to be detained immediately. Having been imprisoned on 13 September 2013, he was released pending appeal in March 2014 by order of the 20<sup>th</sup> High Criminal Court of Istanbul.

**Vedat YENERER:** independent journalist and war reporter arrested 22 January 2008. Sentenced to seven years and six months in prison; currently free pending appeal.

## ON TRIAL: OTHER

### \*Aytuğ AKDOĞAN

**PROFESSION:** novelist

**DETAILS:** He was officially charged with breaking the Law on Meetings and Demonstrations, damaging public property and obstructing law enforcement agents from performing their duties on 18 December 2013. The charges relate to his participation in the Occupy Gezi movement. The third hearing of his trial was held in May 2014. PEN is seeking further details.

**BACKGROUND:** He has written a number of novels in Turkish, including Ben, Hiçbir Şey (I, Nothing); Ağladı ve Gözyaşlarını Öptüm (She cried and I kissed her tears); and Ben Hep 17 Yaşındayım (I am forever seventeen).

### \*Doğan AKHANLI

**PROFESSION:** Writer and human rights activist.

**DATE OF ARREST:** 10 August 2010

**DATE OF RELEASE:** 8 December 2010

**DETAILS OF TRIAL:** Acquitted on charges of “robbery” and “membership of armed organisation” by the domestic court in 2011, yet the Supreme Court reversed this decision in February 2013. Akhanlı, who permanently lives in Germany as a German citizen was arrested in 2010 when he was visiting Turkey. Reportedly, Akhanlı was among the group who robbed an exchange office in 1989. When fleeing, the robbers left a bag in the office, in which some photos and documents were found. In 1992, the owner of the documents was identified and he told police that Hamza Kopan had organised the robbery. Hamza Kopan was claimed to have been leading a left-wing organisation of which Akhanlı was a member. As Kopan knew that Akhanlı was in Germany and would not therefore be arrested, he gave his name to the police. Hoping to clear his name, Akhanlı took a risk and came to Turkey to see his family, but was arrested. Akhanlı was acquitted on 12 October 2011 by the 11<sup>th</sup> High Criminal Court of Istanbul.

However, the Supreme Court overturned this verdict and demanded life imprisonment, stating that “the suspect’s membership of a left-wing organisation at the time of the crime” and “the Article 146/1 of Turkish Penal Code” [attempting to overthrow the constitutional order by force] were to be argued. Following the abolition of Special Courts, the case was delegated to the 3<sup>th</sup> High Criminal Court of Istanbul. The next hearing is due to be held on 2 October 2014.

**BACKGROUND:** He had to flee to Germany in 1991 because of his political past as a member of TDKP (Revolutionary Communist Party of Turkey) when he was a student at University. He was held in a military prison between 1985 and 1987. Turkey deprived him of Turkish citizenship in 1998. Akhanlı greatly contributes to projects and campaigns dealing with violence in history and human rights. His novel Madonna'nın Son Hayali (Last Fantasy of Madonna) was acclaimed by critics among the 10 best novels in Turkish in 2005. Akhanlı is also known for his efforts to clarify the circumstances of the murder of Hrant Dink (see above: killed - Impunity) and to keep his memory alive.



## Fatih Özgür AYDIN and Gamze KEŞKEK (f)

**PROFESSION:** Editor for Artı İvme and Tavr magazine respectively.

**DATE OF ARREST:** Arrested between 17 and 21 January 2013

**DETAILS OF ARREST:** Aydın and Keşkek were arrested alongside Yürüyüş and Tavr journalists Doğan Karataşın, Yeliz Kılıç and Veysel Şahin as part of an investigation into the Revolutionary People's Liberation Party – Armed Front (DHKP-C).

**DETAILS OF TRIAL:** On 5 November 2013, Aydın was charged with membership of an armed organisation (Article 314/2 of the Turkish Penal Code); praising offences or offenders (Article 215 of the Turkish Penal Code); obstructing a public official from carrying out their duty (Article 265 of the Turkish Penal Code); and violating the Law on Meetings and Demonstrations (Law 2911). He faces over 50 years in prison if found guilty. Keşkek is also being tried, although the charges against her are unclear.

**DATE AND DETAILS OF RELEASE:** Fatih Özgür Aydın was released along with Doğan Karataşın, Veysel Şahin and Yeliz Kılıç in January 2014. The latter three were released without charge. Gamze Keşkek was released on 11 June 2014.

## Utku AYKAR, Necla CAN (f), Halit GÜDENOĞLU, Ali Ekber KALENDAR, and Tuncer GÜMÜŞ:

**PROFESSION:** journalists for Yürüyüş

**DATE AND DETAILS OF ARREST:** Between 17 and 21 January 2013 at the same time as **Fatih Özgür AYDIN, Doğan KARATAŞTAN, Gamze KEŞKEK (f), Yeliz KILIÇ (f), Sami**

**MENTEŞ and Veysel ŞAHİN** (see above), under the scope of the DHKP-C investigation.

**DATE OF RELEASE:** The five journalists were released after posting bail of 10,000 TL each shortly after their arrest. The reason for their release has not been disclosed. The charges against them are unknown.

## Mehmet BARANSU and Murat Sevki ÇOBAN

**PROFESSION:** Journalist and managing editor respectively, both for the daily Taraf

**DETAILS OF TRIAL:** The Istanbul Chief Public Prosecutor's Office launched an investigation against Baransu and Çoban in November 2013 on the grounds that they "revealed confidential documents regarding Turkey's national security interests" in the article "Gülen'i Bitirme Kararı 2004'te MGK'de Alındı" (The Decision to Ruin the Gülen Movement Made at the National Security Council Meeting in 2004), which was written by Baransu and published by Taraf on 28 November 2013. Baransu and Çoban were officially charged on 22 May 2014 following a six month investigation. They remained free pending trial as of 31 December 2014.

## İsmail BEŞİKÇİ:

**PROFESSION:** sociologist and author

**SENTENCE:** one year and three months.

**DETAILS OF TRIAL:** Accused in June 2010 of "making propaganda for the PKK" under anti-terror legislation for an article published in the Contemporary Lawyer's Association periodical. Zeycan Balcı Şimşek, editor of the periodical, was accused alongside Beşikçi. The article's title is 'Right to Self Determination and the Kurds'. Both first appeared at the Istanbul High Criminal Court on 28 July 2010 at a trial attended by hundreds of supporters. Sentences of up to 7.5 years each were suggested. In the court Beşikçi stated that if Turkey wished to gain influence in the Balkans and Caucasus, it would first have to deal with the Kurdish problem, which should not be tackled by prosecutors and business people, but by academics, journalists and philosophers. Şimşek argued that the aim of the articles was to promote debate and that at the time the article was published, there were no armed conflicts in the region. On 4 March 2011, Beşikçi was sentenced by a court in Istanbul to one year and three months. Şimşek was sentenced to a fine.

**BACKGROUND:** Beşikçi spent many years in prison in the 1990s during which time he was a main case for PEN International.

**AWARDS:** In 2012, he was the recipient of the prestigious Hrant Dink Foundation Award. Beşikçi is free while his appeal is ongoing.

## Gökhan BULUT:

**PROFESSION:** Editorial Coordinator at Aram Publishing House

**DETAILS OF TRIAL:** Bulut edited and published three books written in Kurdish by Hayrettin Ekinci, Rodi Zinar and Hasan Hüseyin Deniz respectively. He was charged with "making propaganda for a terrorist organisation", specified as PKK/KCK in the indictment. The books, written by Kurdish fighters, are described as being "guerrilla memoirs". The public prosecutor has stated that he will drop the case if Aram Publishing House pays a fine of 20,000 Turkish Liras for each book. Following the abolition of Special Authority Courts, the case has been delegated to the 3<sup>rd</sup> High Criminal Court of Diyarbakir. The last hearing of the trial was held on 25 September 2014. He remained free at the end of 2014 pending the outcome of his trial.

**BACKGROUND:** Aram Publishing House has faced a number of high profile court cases over the years for its focus on publishing content related to the Kurdish issue. Noam Chomsky's Interventions and and Thomas Benedikter's The World's Regional Authorities are amongst the books that have prompted court cases against Aram Publishing House.

## Reyhan ÇAPAN (f):

**PROFESSION:** editor-in-chief at Özgür Gündem

**SENTENCE:** one year and three months in prison

**DETAILS OF TRIAL:** (1) Çapan was sentenced on 24 October 2012 for making "propaganda for a terrorist organisation" under article 7 of the Anti-Terror Law. She was first charged in May 2012, in relation to a headline 'Revolt Speaks', which appeared in the March 2012 issue of



Özgür Gündem. The court sentenced her to one year and 3 months in prison, opting not to suspend her sentence on grounds that she had not expressed any regret during the trial, thus leading to a lack of personal conviction on the part of the court that she would not commit the same crime again. Çapan has appealed the court's decision. (2): Çapan is facing criminal defamation charges under Article 125 of the Turkish Penal Code. The complainant is a retired colonel from the Turkish Army, whom Çapan has accused of being responsible for a number of unsolved political murders committed at the height of the Turkish-Kurdish conflict. The first hearing of the criminal defamation trial was heard on 19 November 2013. Çapan is free pending appeal with regard to the first case and has not been ordered to be arrested in connection with the second one.

### **İbrahim ÇİÇEK and Bayram NAMAZ:**

**PROFESSION:** editor in chief and journalist respectively for the newspaper Atılım

**DATE OF ARREST:** 10 September 2006

**SENTENCE:** Life imprisonment (currently under appeal)

**DETAILS OF TRIAL:** The two journalists have been detained since their arrest and were convicted of "membership of an armed organisation" (Article 314/2 of the Anti-Terror Law) and "membership of a terrorist organisation" (Article 5 of the Anti-Terror Law) in November 2013. The organisation in question is the Marxist-Leninist Liberation Party (MLKP). Both were denied access to their case files until 13 April 2007 on grounds that the content was classified, with their first defence hearing being held exactly two years after their arrest in September 2008. According to the indictment, they were arrested in September 2006 in the western village of Ocaklı, where they were allegedly preparing the MLKP's fourth congress and where guns were allegedly found. The first trial was marked by clashes between supporters and police, during which tear gas was used. At a hearing held on 26 October 2007 at the Istanbul 10<sup>th</sup> Heavy Penal Court, there were protests when it was announced that all the defendants in this case would continue to be held in pre-trial detention. Around 24 May 2011 lawyers questioned the veracity of a document said to have been seized during "Operation Gaye" during which the defendants were arrested. They requested a review of the evidence. They also pointed out that the defendants had been held for over six years without conclusion of their trial, flouting the European Convention on Human Rights. Scuffles broke out at this hearing after one of the defendants attempted to make a speech commemorating a person who had been killed by the military in 1995. In May 2011, İbrahim Çiçek was freed pending trial after five years behind bars. However, on 24 June 2012, he was re-detained. Both were sentenced on 5 November 2013, along with journalists Sedat Şenoğlu and Füsun Erdoğan. Namaz, Çiçek and Erdoğan were released pending the outcome of their appeal in May 2014. PEN remains concerned that their trial was unfair and that they face life in prison if the court rejects their appeals.

### **Ziya ÇİÇEKÇİ:**

**PROFESSION:** editor of the pro-Kurdish Günlük newspaper

**SENTENCE:** (1)18 months in prison (2)10 months in prison, suspended

**DETAILS OF TRIAL:** (1) Sentenced in 2010 to under Article 7/2 of the Anti-Terror Laws for "making propaganda for a terrorist organisation" for articles on the PKK. Amnesty International in its 2013 report states that these articles were analyses of the PKK and could not be construed to be promoting violence. The case is currently pending appeal. (2): In December 2011 he was convicted under Article 6/2 of the Anti-Terror Law for "printing or publishing declarations or statements of terrorist organisations" which related to an article which contained extracts of an interview with a leading PKK member regarding the conditions of imprisonment of PKK leader Abdullah Öcalan. He was subsequently sentenced to 10 months' imprisonment in September 2012 which was suspended under the provisions of the Third Judicial Package. (3): Among those arrested in December 2011 under the KCK investigations. See above. Remained free pending trial at the end of 2014.

### **\*Ekrem DUMANLI, Fahri SARRAFOĞLU, Hüseyin GÜLERCE, Nuh GÖNÜLTAŞ (f), Ali Samim NOYAN, Ali KARA, Elif YILMAZ (f), Radiye Ebru ŞENVARDAR (f), Hikmet TOMBULCA, Makbule Çam ELMADAĞ (f)**

**PROFESSION:** Zaman editor in chief, Zaman journalist, former Zaman columnist, Bugün journalist and screenwriters respectively

**DATE OF ARREST:** 14 December 2014

**DETAILS OF ARREST:** The ten people named above were arrested alongside journalist Hidayet Karaca (see above) on 14 December 2014 "on suspicion of membership of an illegal organisation". Among those arrested were high-ranking members of the Istanbul police force as well as journalists, screenwriters, producers and directors who have worked for newspapers and TV stations said to be affiliated with the Gülen movement. The arrests came against a backdrop of escalating political tensions between the ruling party in Turkey and the followers of Islamic cleric Fethullah Gülen. An indictment has not been delivered as of 31 December 2014 although all of the above remain under investigation. All were released after questioning with the exception of Karaca.

**PEN ACTIONS:** Press release 15 December 2014

### **Uğur DÜNDAR:**

**PROFESSION:** Journalist, anchorman and writer. He has produced and presented various television programs dealing with politics and social issues. He writes a regular column for the Sözcü daily.

**DETAILS OF TRIAL:** DüNDAR was charged with defaming Binali Yıldırım, the former Ministry of Transportation, Maritime Affairs and Communication, in his column and via his Twitter posts. His trial began in July 2014 in the 2<sup>nd</sup> Criminal Court of First Instance in Istanbul. DüNDAR faces a sentence of up to 4 years 8 months in prison if convicted. Still on trial as of December 2014.

## İhsan ELİAÇIK:

**PROFESSION:** writer, theologian and publisher; owner of İnşa Publishing House

**DETAILS OF TRIAL:** On 21 June 2013, a petition was filed against Eliaçık in an Ankara court by Prime Minister Erdoğan's legal representatives. The court accepted a defamation suit against Eliaçık for 12 tweets, nine of which concern Erdoğan directly, posted at the time of the Gezi Park protests. Charged with criminal defamation under Article 125 of the Turkish Penal Code, Eliaçık faces both a criminal trial and a civil suit. The civil suit was settled on 20 January 2014 by the 23th Court of First Instance in Ankara, awarding Erdoğan 2,000 Turkish Liras in damages

**BACKGROUND:** İhsan Eliaçık has written over 20 books since the early 1990s, including a series on revolutionary Islamic intellectuals and a number of books outlining a socialist interpretation of Islam. He is the ideological leader of "the Anti-Capitalist Muslims", a group that strongly opposes the synthesis of capitalism and Islam on moral grounds. An outspoken critic of the incumbent AKP administration and Turkey's Directorate of Religious Affairs, Eliaçık and his group were present throughout the Gezi Park protests, and garnered significant attention for their condemnation of the heavy handed government response. Remained on trial in criminal defamation case at the end of 2014.

**PEN ACTIONS:** Featured in PEN's 2014 report The Gezi Park Protest: The Impact on Freedom of Expression in Turkey

## Füsun ERDOĞAN:

**PROFESSION:** a radio journalist and a writer at Bianet.

**DATE OF ARREST:** 12 September 2006.

**SENTENCE:** Life sentence.

**DATE OF RELEASE:** 8 May 2014

**DETAILS OF RELEASE:** Erdoğan was released from prison together with other 8 journalists including Bayram Namaz. Erdoğan had been kept under detention for 8 years when the release order was issued. It was reported that the order was issued subsequent to the reduction in the usual period of detention from 10 to 5 years.

**DETAILS OF TRIAL:** Convicted of "membership of an armed organisation" (Article 314/2 of the Anti-Terror Law) and "membership of a terrorist organisation" (Article 5 of the Anti-Terror Law) in November 2013. The organisation in question is the Marxist-Leninist Liberation Party (MLKP). Tried in the same case together with Bayram Namaz and İbrahim Çiçek-see above. His appeal to the Supreme Court was still pending at the end of 2014.

## Halit GÜDENOĞLU, Kaan ÜNSAL, Cihan GÜN, Musa KURT, Naciye YAVUZ (f):

**PROFESSION:** reporters for Yürüyüş

**DATE OF ARREST:** in or around December 2010

**DETAILS OF TRIAL:** The first hearing was held on 10 January 2012, after 13 months of pre-trial detention. Charges are apparently terror-related. The Yuruyus magazine office in Istanbul was raided on 24 December 2010. The raid also included the publishing company Ozan Publishing.

The five were released pending trial on 20 July 2012. It was reported in July 2013 that Ünsal had been re-arrested on 14 March 2013. It was also suggested that Kurt was similarly re-arrested on 18 September 2012. The two are reportedly no longer detained. PEN is seeking further information.

## Ali Fikri IŞIK:

**PROFESSION:** writer and columnist for the Taraf daily

**SENTENCE:** 380 days for "draft dodging".

**DATE OF ARREST:** (1) June 2012 (2) 27 February 2013

**DETAILS OF ARREST:** (1) Arrested for alleged "draft dodging". (2) Arrested to serve his sentence

**DATE AND DETAILS OF RELEASE:** (1) Released in October 2012 on grounds that he would complete his compulsory military service at the age of 56. (2) 13 March 2013 after going on hunger strike

**DETAILS OF TRIAL:** On 19 December 2012 Işık was presented with military hospital reports that he was a "good candidate" for the draft. Işık refused to accept the validity of these medical reports given his advanced age and has also announced his conscientious objection to military service. He was convicted and sentenced on 27 February 2013 and reportedly went on hunger strike in protest in March 2013. His sentence was later upheld on appeal. He has been briefly detained a number of times since for being a "draft dodger." He was last detained briefly on 23 January 2014. He continues to face trial on three counts of "desertion. The most recent session of his trial on 28 October 2014 was postponed.

## Hasan KABAKULAK:

**PROFESSION:** journalist

**DATE OF ARREST:** 10 April 2013

**DETAILS OF ARREST:** arrested in Hatay, near the Syrian border.

**DETAILS OF TRIAL:** Arrested on suspicion of being an agent for the Syrian government, Kabakulak was charged with "obtaining classified information from the state with the intention of political or military espionage" under Article 328/1 of the Turkish Penal Code. He was detained in Adana Kürkçüler Prison from 10 April 2013 until 8 October 2014. He is currently free pending the outcome of his trial.

## DOĞAN KARATAŞTAN:

**PROFESSION:** Journalist at Yuruyus Newspaper

**DATE OF ARREST:** 18 January 2014.

**DATE OF RELEASE:** 21 January 2014.

**DETAILS OF TRIAL:** Karataştan was charged with "leading an illegal organisation" and detained on 18 January 2014. He was charged after three days in police custody before being released pending trial as a result of a medical report showing that he suffered from Wernicke-Korsakoff syndrome. His trial was believed to be ongoing as of 31 December 2014.



## Deniz KISMETLİ:

**PROFESSION:** journalist for Halkın Gunlugu (People's Daily) newspaper

**DATE OF ARREST:** 22 or 23 February 2011

**DETAILS OF ARREST:** Kismetli is among 23 people (two of whom are journalists) arrested in raids in several cities across Turkey in February 2011 as part of an investigation into DHKP-C (the Revolutionary People's Salvation Army – Military Wing).

**DATE AND DETAILS OF RELEASE:** He was released pending trial on 26 February 2014.

**DETAILS OF TRIAL:** Kismetli is accused of membership of an armed organisation and membership of a terrorist organisation under Article 314/2 of the Turkish Penal Code and Article 5 of the Anti-Terror Law respectively. His trial was ongoing at the end of 2014.

## Ozan KILINÇ:

**PROFESSION:** former editor-in-chief of the Diyarbakir-based Kurdish language newspaper Azadiya Welat

**SENTENCE:** Six years and nine months suspended for three years

**DATE OF ARREST:** 22 July 2010

**DETAILS OF ARREST:** Arrested during a police raid on his home in Diyarbakir five months after his conviction on 11 February 2010.

**DATE AND DETAILS OF RELEASE:** Kılınç was released in August 2012 in response to the Third Judicial Reform Package which suspended his sentence for three years.

**DETAILS OF TRIAL:** (1) Sentenced under anti-terror legislation for membership of the Kurdish Workers Party (PKK) apparently in connection with his publication of 12 editions of his newspaper containing references to the PKK. Each edition attracted a 15-month sentence, making the total 21 years. He got a six year and three month additional sentence for "committing a crime for an illegal organisation without himself being a member of the illegal organisation". His defence said that the newspaper had only referred to the PKK leader Abdullah Ocalan (now imprisoned) as the "leader of the Kurdish people" and failed to call Turkish soldiers killed in battle as "martyrs". Kılınç was not present at the trial and an arrest warrant was issued. In February 2011 his previous 21 year sentence was overturned as being too high. On 11 April 2011 he was sentenced to six years and nine months in prison. His request for his trial to be held in Kurdish was refused. (2) Kılınç is facing up to half a dozen other cases in front of the Supreme Court of Appeals, all of them pertaining to the charge of "making propaganda for a terrorist organisation".

## Sami MENTEŞ:

**PROFESSION:** reporter for Yurt newspaper

**DATE OF ARREST:** Arrested as part of the DHKP-C investigation on 21 January 2013

**DATE OF RELEASE:** Released pending trial on 11 October 2013.

**DETAILS OF TRIAL:** Charged with "membership of an armed organisation" under Article 314/2 of the Turkish Penal Code and "membership of a terrorist organisation" under Article 5 of the

Anti-Terror Law. The case against him was ongoing as of 31 December 2014. PEN is seeking further information.

## Erol ÖZKORAY:

**PROFESSION:** founder and editor-in-chief of left-leaning social democrat magazine Idea Politika (1998-2002), publisher and writer for Idea Politika Publications (founded in May 2012), columnist for online magazine Jiyan.

**SENTENCE:** 11 months and 20 days in prison, suspended for a period of five years

**DETAILS OF TRIAL:** On 24 September 2013, Özkoray was accused of defaming then Prime Minister Recep Tayyip Erdoğan in his newly published book about the Gezi Park protests, Gezi Fenomeni (The Gezi Phenomenon). The book featured pictures of anti-Erdoğan graffiti and quoted slogans and banners directed at Erdoğan by the Gezi Park protesters. In its indictment, the public prosecutor's office accused Özkoray of engaging in criminal defamation by reproducing these slogans, banners and graffiti in print. Özkoray was found guilty of criminal defamation on 1 October 2014 and was handed an increased sentence for having committed the offence via publication. He will have to serve an 11 month, 20 day prison sentence if he is found guilty of defamation again before 1 October 2019. Özkoray's lawyers have launched an appeal.

**PEN ACTIONS:** RAN 15/14

## Sultan ŞAMAN: (f)

**PROFESSION:** editor of Kurdish women's magazine Heviye Jine

**DATE OF ARREST:** 7 February 2012

**DETAILS OF ARREST:** Reportedly arrested in Nusaybin, Mardin province, for membership of the PKK, and sent to Batman Prison.

**DATE OF RELEASE:** February 2014.

**DETAILS OF RELEASE:** Released pending trial

**DETAILS OF TRIAL:** Charged under Article 314 of the Penal Code and Article 5 of the Anti-Terror Law. Trial ongoing as of December 2014.

## Sedat ŞENOĞLU:

**PROFESSION:** journalist for the newspaper Atılım

**DATE OF ARREST:** 10 September 2006

**SENTENCE:** seven-and-a-half years (under appeal)

**DATE AND DETAILS OF RELEASE:** September 2012 pending completion of the trial

**DETAILS OF TRIAL:** Trial proceedings against him and others (see Judicial concern – other, İbrahim Çiçek and Bayram NAMAZ) opened on 13 April 2007 under Article 6 of the Anti-Terror Law. Accused of being a member of the Marxist Leninist Communist Party (MKLP,) deemed by the authorities to be a terrorist organisation. There are concerns around the fairness of the trial based on the non-disclosure by the authorities of the reasons for his arrest. The first trial



was marked by clashes between supporters and police, during which tear gas was used. At a hearing held on 26 October 2007 at the Istanbul 10<sup>th</sup> High Criminal Court, there were protests when it was announced that all the defendants in this case would continue to be held in pre-trial detention. Around 24 May 2011 lawyers questioned the veracity of a document said to have been seized during “Operation Gaye” during which the defendants were arrested. They requested a review of the evidence. They also pointed out that the defendants had been held for over six years without conclusion of their trial, flouting the European Convention on Human Rights. Scuffles broke out at this hearing after one of the defendants attempted to make a speech commemorating a person who had been killed by the military in 1995. In September 2012, Şenoğlu was released pending trial due to a change in the nature and classification of the crime and the term spent behind bars already. He was sentenced on 5 November 2013 to seven and a half years in prison. The sentence remained under appeal at the end of 2014.

**BACKGROUND:** Senoglu was also briefly detained in June 2013 (see 2013 Case List)

### Tayyip TEMEL:

**PROFESSION:** former editor-in-chief of daily Kurdish language newspaper Azadiya Welat

**DATE OF ARREST:** 3 October 2011

**DATE OF RELEASE:** 1 July 2014

**DETAILS OF ARREST:** Arrested in Diyarbakir as part of the KCK investigation.

**DETAILS OF RELEASE:** Temel was freed pending trial on 1 July 2014, although the conditions of his release mean that he effectively cannot leave the province of Hakkari.

**DETAILS OF TRIAL:** Accused of leadership of an armed organisation under Article 314/1 of the Turkish Penal Code and leadership of a terrorist organisation under Article 5/1 of the Anti-Terror Law, he faces up to 22 years in prison. In a letter to the Turkish free expression monitor, Bianet, he said that he was being targeted for his journalism and that the evidence against him consists of wiretaps of his phone calls to the pro-Kurdish Peace and Democracy Party (BDP) and the Democratic Society Party (DTP). He added that trips he made to Iraq in the course of his journalism are being interpreted as being carried out for meetings with the PKK. His trial was ongoing at the end of 2014.

### JUDICIAL CONCERN (ERGENEKON)

The following cases are of writers and journalists indicted in the Ergenekon case, see above. There are concerns regarding lack of fair trial and in some cases extremely lengthy pre-trial detentions. PEN is not in a position to comment on the charges against them. It urges that further judicial hearings are carried out in accordance to international standards of fairness.

### Hikmet ÇİÇEK:

**PROFESSION:** columnist for Aydınlık.

**SENTENCE:** 21 years 9 months.

**DATE OF ARREST:** 25 March 2008

**DATE OF RELEASE:** 10 March 2014

**DETAILS OF ARREST:** Arrested as part of the Ergenekon investigation.

**DETAILS OF TRIAL:** Charged under several articles of the Penal Code, and Article 5 of the Anti-Terror Law. Accused of obtaining classified documents and illegal data collection. His trial opened in July 2008 at Silivri, Istanbul. His lawyers point out that although he was arrested for possession of classified documents, his indictment makes no reference to this claim. The president of the court hearing the case has recommended on several occasions that Çiçek be freed, but he remained detained in Silivri prison until his release subsequent to a reform package abolishing the special authority courts and reducing the reasonable period of pre-trial detention to five years. He remained free on appeal as of 31 December 2014.

### Dr Yalçın KÜÇÜK:

**PROFESSION:** writer, economist, historian and socialist. Outspoken critic of the ruling AKP.

Author of numerous books on socio-economics.

**SENTENCE:** 22 years and six months.

**DATE OF ARREST:** early 2011.

**DETAILS OF ARREST:** Arrested for investigation into the ODA TV news website case.

**DATE OF RELEASE:** 10 March 2014

**DETAILS OF TRIAL:** Sentenced to 22 years and six months in prison. The court decided that he would be released on 10 March 2014 subsequent to a reform package abolishing the special authority courts and reducing the reasonable period of pre-trial detention to five years. He remained free on appeal as of 31 December 2014.

**BACKGROUND:** Accused of sympathies with the PKK and sentenced to two years in prison in the late 1990s for interview with its leader, Abdullah Öcalan.

### Tuncay ÖZKAN:

**PROFESSION:** writer and journalist. A journalist since the mid-1990s, working for print and broadcast media, he reportedly specialises in covering corruption, drug crime, and terrorism, specifically that linked to religious extremism, and on international relations. His many articles appeared in newspapers including Milliyet, Radikal and Akşam. Detained in Silivri Prison, 50km outside Istanbul for nearly six years.

**DATE OF ARREST:** 27 September 2008

**SENTENCE:** Aggravated life imprisonment

**DATE OF RELEASE:** 10 March 2014

**DETAILS OF TRIAL:** Sentenced in August 2013 to life imprisonment. Özkan had an appeal for release from pre-trial detention turned down by the European Court of Human Rights on 14 February 2012. He was released on 10 March 2014 subsequent to a reform package abolishing the special authority courts and reducing the reasonable period of pre-trial detention to five years. He remained free on appeal as of December 2014.

## Ergün POYRAZ:

**PROFESSION:** author of controversial books on the now banned Islamic Refah and Fazilet Parties, as well as on the key members of the ruling AKP. Evidence in his books is said to have led to the closure of Refah and Fazilet in the late 1990s/early 2000s.

**SENTENCE:** 29 years and 4 months in prison

**DATE OF ARREST:** 2007

**DATE OF RELEASE:** 10 March 2014

**DETAILS OF TRIAL:** Among the accusations against him is that he allowed books written by Ergenekon members to be published under his name, claims said to be unsubstantiated, and that his books deliberately contributed towards the Ergenekon's policy of spreading chaos, including through unfounded suggestions that certain leaders were of Jewish or Armenian backgrounds, considered defamatory. One such book could be Poyraz's *Musa'nin cocuklari – Tayyip ve Emine* (The Children of Moses – Tayyip and Emine) which claims that Prime Minister Recep Tayyip Erdoğan is part of a "Zionist conspiracy" concocted by JITEM, a clandestine organisation said to be the military wing of Ergenekon accused of being responsible for bombings and assassinations. Some news reports suggest that material seized from his home suggested Poyraz was collecting information on senior military and other officers. On 5 August 2013, he was sentenced to 29 years and 4 months in prison. He was released on 10 March 2014 subsequent to a reform package abolishing the special authority courts and reducing the reasonable period of pre-trial detention to five years. He remained free on appeal as of December 2014.

## Deniz YILDIRIM:

**PROFESSION:** former executive director of *Aydınlık* newspaper

**DATE OF ARREST:** 9 November 2009, held in Silivri Prison

**SENTENCE:** 16 years and 10 months

**DATE OF RELEASE:** 10 March 2014

**DETAILS OF TRIAL:** Accused of membership of an illegal organisation under the Turkish Penal Code. Accusations against him include disclosure of audio and visual files. Early reports suggest that evidence against him include that he secretly wiretapped the prime minister's telephone. Trial opened on 28 June 2010. Yıldırım was sentenced in August 2013 to 16 years and 10 months on charges of "acquiring confidential documents concerning the security of the State," "obtaining and distributing personal data illegally," and "membership of an armed terrorist organisation". He was released on 10 March 2014 subsequent to a reform package abolishing the special authority courts and reducing the reasonable period of pre-trial detention to five years. He remained free pending appeal as of 31 December 2014.

## ATTACKED

### \*Fatih YAĞMUR

**PROFESSION:** Reporter for the *Radikal* daily.

**DETAILS OF ATTACK:** Yağmur was attacked by bodyguards as he was trying to take pictures of Iranian businessman Reza Zarrab's villa on 1 June 2014. Zarrab was implicated in the 17 December 2013 corruption investigation which targeted a number of Turkish ministers and their families. His villa has been the subject of numerous planning complaints from neighbours. Zarrab made a criminal complaint against Yağmur on 24 June 2014, claiming that Yağmur had trespassed on his property and that he had committed libel. He had not been charged as of December 2014.

## JUDICIAL HARASSMENT

### \*Sedef KABAŞ (f):

**PROFESSION:** journalist, writer and TV anchor

**DETAILS OF ARREST:** Kabaş was arrested by the Turkish police on 30 December 2014 on suspicion of having "targeted" a government official through a social media post she made on micro-blogging site Twitter. She was released after being questioned by the public prosecutor. Kabaş's home was searched by the police on the same day and her laptop, iPad and telephone were seized as evidence. She has not been charged as of 31 December 2014 although she remains the subject of an ongoing official investigation.

## SENTENCED

### Eren ERDEM:

**PROFESSION:** Journalist for daily *Aydınlık*

**SENTENCE:** 25.000 (approx. 12000 USD) fine

**DETAILS OF TRIAL:** Prime Minister Recep Tayyip Erdoğan" brought a defamation suit against Erdem for his article 'Is the Prime Minister a betrayer and a thief?' published in the *Daily Aydınlik* on 8 November 2012. On 5 June 2014, an Ankara court ruled that Erdem had to pay Erdoğan 25.000 TL in damages and ensure that the court judgment was printed in a news publication with a daily circulation of over 100,000 copies.

## CONDITIONAL RELEASE

### Erdoğan ALTAN and Kadri KAYA:

**PROFESSION:** Batman reporter, and Diyarbakır reporter respectively for *Dicle News Agency* (DiHA)

**DATE OF ARREST:** 17 April 2011

**DATE OF RELEASE:** 28 March 2012

**SENTENCE:** 2 years and one month in prison (suspended)

**DETAILS OF TRIAL:** Among a number of people arrested for their alleged involvement in a terrorist organisation (the PKK) in a case known as the "Roj TV case". Altan and Kaya were charged

under Articles 220/7 and 314/4 of the Turkish Penal Code (willingly and knowingly aiding and abetting an illegal organisation and armed organisation, respectively), Article 314/2 of the Turkish Penal Code (membership of an armed organisation), Article 5 of the Anti-Terror Law (membership of a terrorist organisation) and Article 7/2 of the Anti-Terror Law (making propaganda for a terrorist organisation). At a hearing on 28 March 2012, the court took into consideration the time they had spent under detention and ruled that the reporters should be released pending trial. They were reportedly sentenced to 25 months in prison in November 2012 after conviction of the charge of “willingly and knowingly aiding and abetting an illegal organisation an illegal organisation even if he is not a member” under Article 220/7 of Penal Code. The trial proceedings were suspended in response to the Third Judicial Reform Package.

### **İrfan BABAĞLU:**

**PROFESSION:** author who has spent over 20 years in prison. Member of Kurdish PEN.

**SENTENCE:** 1 year 3 months in prison suspended for three years.

**DETAILS OF TRIAL:** Babaoğlu was sentenced on 1 June 2012 for a line in his prison memoirs, Auschwitz'den Diyarbakır'a 5 nolu Cezaevi (From Auschwitz to Diyarbakir Prison Number 5), which commemorated those who lost their lives in the prison. The line was considered 'propaganda' for the PKK. He was given a suspended sentence under the Third Judicial Reform Act in July 2012 on condition that he does not commit a similar offence within three years.

### **Hasan Basri ÇIPLAK and Funda UNCU:**

**PROFESSION:** publisher and translator for Ayrıntı Publishing, respectively.

**DETAILS OF HARASSMENT:** The pair were indicted on charges of “interceding the publication of obscene publications”, after the Board for the Protection of Minors from Obscene Publications issued a complaint that against US author Chuck Palahniuk's Snuff. If convicted, the parties face imprisonment between six months and three years each under Article 266 of the Penal Code. Çıplak had previously requested an expert to investigate assess the literary quality of the work. On 5 July 2012, the judge set aside the expert opinion that the works were of literary merit and not “pornographic” and instead suspended the trial for three years under the terms of a Judicial Reform package passed two days earlier that requires suspension of “media” trials. The defendants were told that if they are to repeat the “crime” between then and July 2015, this could be added to the charges against them, which affects their ability to carry out their professions without hindrance.

### **Ayşegül DEVECİOĞLU (f):**

**PROFESSION:** Kurdish writer

**SENTENCE:** 23 months in prison; suspended for five years.

**DETAILS OF TRIAL:** Charged with Articles 7/2 (“making propaganda for a terrorist organisation”) and 5 (“membership of a terrorist organisation”) of the Anti-Terror Law as well as Article 28/1

(“illegal demonstrations”) of the Law on Meetings and Demonstrations. The indictment against her was delivered in March 2012 following Devicioğlu's arrest along with 20 other BDP members for chanting slogans in support of imprisoned PKK leader Abdullah Öcalan at an illegal demonstration in Yalova, Western Turkey. At her last hearing held on 30 December 2013 she was sentenced to 23 months in prison, with the sentence suspended for a period of five years.

**BACKGROUND:** Devicioğlu has received critical acclaim for two novels and two books of short stories.

**AWARDS:** In 2008 she was awarded the Orhan Kemal Prize for one of her novels.

### **Ali DURSUN and Yüksel ÖZBEK:**

**PROFESSION:** publisher of online news website Haber Rüzgarı and owner of online news website Görele Sol respectively.

**SENTENCE:** 11 months and 20 days in prison suspended for five years

**DETAILS OF TRIAL:** On 12 February 2013 they were convicted of insulting Prime Minister Recep Tayyip Erdoğan (under Article 125 of the Turkish Penal Code). Both have been placed under 'judicial control' for five years, meaning that if they commit “another crime of the same nature” within that timeframe, they will have to serve their suspended sentence.

### **İrfan SANCI and Süha SERTABİBOĞLU:**

**PROFESSION:** publisher (Sel Publishing house) and translator, respectively

**DETAILS OF HARASSMENT:** Brought to trial in July 2011 on charges of obscenity under Article 226 of the Turkish Penal Code for publishing in Turkish the US author, William Burroughs' Soft Machine first published in English in 1961. The Board for the Protection of Minors from Obscene Publications pronounced the book as “not compatible with the morals of society and the people's honour”, “injurious to sexuality” and “generally repugnant”. The first hearing was held on 6 July 2011. After several hearings, in March 2012 it was announced that the book had been sent to two experts at the Istanbul University Department of Comparative Literature and Western Languages as well as a criminal law expert. On 5 July 2012, the judge set aside the expert opinion that the works were of literary merit and not “pornographic” and instead suspended the trial for three years under the terms of a Judicial Reform package passed two days earlier that requires suspension of “media” trials. The defendants were told that if they are to repeat the “crime” between then and July 2015, this could be added to the charges against them, which affects their ability to carry out their professions without hindrance.

**BACKGROUND:** In 2010, Sel publishing house was similarly tried for obscenity for publishing several books in translation including Guillaume Apollinaire's Adventures of the Young Don Juan.

**AWARDS:** Sancı was the winner of the 2010 International Publishers' Association Freedom Prize.



## Semih SÖKMEN and Müge SÖKMEN (f):

**PROFESSION:** directors of the Metis Publishing House. Müge Sökmen formerly headed PEN Turkey's Writers in Prison Committee.

**DETAILS OF HARASSMENT:** Brought to trial on 25 November 2010 for publishing in a calendar *İlallah* (I've had enough). The calendar was published by Metis Publishing and printed in 2009. When it was introduced to the market, it touched upon the subject of protection of the right to believe from organised religions, state budgets and police or military force. In its introduction it read, "We, as the ones who prepared this calendar, respect the right to believe. Yet we have to mention that we have a slightly deeper respect for the right not to believe". The document is said to include quotations from world famous writers and thinkers including George Bernard Shaw, Einstein, Joyce and others. The case was brought under Article 216 – incitement to religious hatred - by an individual complainant, Ali Emre Bukağlı, known for having taken similar cases against other publishing houses, such as that which published Stephen Hawkin's *God Delusion* and Nedim Güzel's *Daughters of God* which were not successful in securing sentences. In October 2012, the trial was suspended for three years under the terms of a Judicial Reform package passed in July 2012 that requires suspension of "media" trials. If the defendants are to repeat the "crime" between the sentence in October 2012 and October 2015, this could be added to the charges against them, in effect acting as a deterrent to future publications.

## RELEASED

## Goncagül TELEK (f):

**PROFESSION:** ETHA agency editor-in-chief

**DETAILS OF TRIAL:** Charged with defamation under Article 125 of the Turkish Penal Code in February 2013. The charge relates to an article regarding Sedat Selim Ay, deputy police chief of Istanbul, who is currently involved in separate defamation cases with Taraf and Bianet. Ay brought the suit against ETHA after the agency published the official statements of victims who claim to have been subjected to torture under police custody. The 48<sup>th</sup> Criminal Court of First Instance in Istanbul ruled to suspend the trial under the terms of the 3<sup>rd</sup> Judicial Reform Package for three years. ETHA lawyers appealed to the 9<sup>th</sup> High Criminal Court in Istanbul, demanding an acquittal instead of a suspended trial, with Ay's lawyers also objecting to the postponement. At a hearing on 30 December 2014, she was acquitted of "slander" and "insult" by Istanbul 48th Criminal Court of First Instance.

## Pinar SELEK (f):

**PROFESSION:** writer, academic and women's rights activist. Also a member of PEN Turkey.

**SENTENCE:** life imprisonment

**DETAILS OF TRIAL:** At the trial on 7 March 2012, the new prosecutor Mehmet Ali Uysal reiterated the pleas made seven years earlier and demanded aggravated life sentence (life sentence with

no parole) for Selek, in relation to her involvement in the Mısır Çarşısı (Spice Bazaar) blast in 1998.

**FIRST ACQUITTAL:** In December 2001, an expert investigation concluded that there was not enough information to confirm that the explosion was a bomb, the suggestion being that it had been a tragic accident caused by a leak from a gas canister. Selek and the other defendants were freed after serving two and a half years in prison.

**SECOND ACQUITTAL:** In December 2005 a new trial was opened, which in June 2006 was again dismissed due to lack of evidence that the explosion was a bomb. However in March 2009 the Appeal Court requested a review of the case and reversed the acquittal.

**THIRD ACQUITTAL:** In May 2009, and Selek was once again acquitted. The appeal court once again objected and sent the case to the Istanbul High Criminal Court for review once again on 9 February 2010

**THIRD ACQUITTAL OVERTURNED – LIFE SENTENCE UPHELD:** An arrest warrant was requested in June 2011, and delivered to Selek on 22 November 2012, after the lower court 'rescinded' its acquittal after the case was sent back by the Supreme Court of Appeals. The prosecutor said he was 'shocked' by the decision to completely reopen the trial against Selek. On 24 January 2013 the sentence against her was upheld amid widespread condemnation both inside and outside Turkey. She now lives in France. Selek is appealing to the European Court on Human Rights. On 12 June 2014, the Criminal Chamber No.9 of the Supreme Court overturned the life sentence upheld by the lower court. The Supreme Court indicated that Istanbul Special High Criminal Court No. 12 had not taken procedural rules into account, by revoking the Supreme Court's verdict of acquittal. Fourth acquittal: Selek was acquitted for a fourth time on 19 December 2014 after the court found "irreconcilable contradictions" between the prosecution's claims and the expert reports over the cause of the explosion. In its closing statements the court ruled that in the absence of clear evidence, the case against Selek could not continue.

**BACKGROUND:** In 1998, an explosion at a crowded marketplace in Istanbul led to the deaths of seven people and injured 127 others. Selek was among a number of people arrested and imprisoned in July 1998 on accusation of causing the explosion.

**HONORARY MEMBER:** Swiss German PEN Centre

**PEN ACTIONS:** RAN 75/12 – 23/11/2012, Update # 1 – 12/12/2012, Update #2 – 25/01/13, Update #3 – 09/06/2014, Update #4 29 September 2014.

## Faysal TUNÇ:

**PROFESSION:** DIHA journalist

**DATE OF ARREST:** 5 April 2007

**SENTENCE:** (1) Six years and three months (2) 12 and a half years

**DETAILS OF TRIAL:** Convicted on 30 April 2008 of "voluntarily and knowingly helping an illegal organisation" the PKK and sentenced to six years and three months. He finished serving this sentence in 2012 (presumably with a reduction of his sentence on appeal), but remained in prison serving a second sentence of 12 and a half years on charges of membership of an armed organisation under Article 314/2 of the Turkish Penal Code and Article 5 of the Anti-Terror Law.

**DETAILS OF RELEASE:** Granted an early release from Cizre Prison on 19 December 2014 having spent seven years and eight months behind bars.

## CASE CLOSED

### Rober KOPTAŞ and Ümit KIVANÇ:

**PROFESSION:** editor-in-chief and sub-editor for Agos respectively

**DETAILS OF TRIAL:** The two journalists are being considered for possible investigation under Article 301 of the Turkish Penal Code (“insulting the Turkish people, state, parliament, government, judiciary, military or any of its security forces”). The investigation is said to relate to statements made by Koptaş and Kivanç on 19 January 2013 regarding the trial surrounding the assassination of Armenian journalist Hrant Dink. An investigation was launched on 6 April 2013 and Koptaş and Kivanç were questioned by the public prosecutor. No further information; case closed.

**PEN TURKEY BOARD:** poet, critic and PEN Turkey member **Nihat ATEŞ**; short story writer and PEN Turkey Treasurer **Tülin DURSUN (f)**; poet, essayist, translator, playwright, theatre director and PEN Turkey President **Tarık GÜNERSEL**; poet, novelist, journalist and PEN Turkey General Secretary **Sabri KUŞKONMAZ**; novelist and PEN Turkey member **Mario LEVI**; short story writer, essayist, playwright, columnist, theatre critic and PEN Turkey International Secretary **Zeynep ORAL (f)**; and poet, lyricist and PEN Turkey Vice-President **Halil İbrahim ÖZCAN**.

**DETAILS OF HARASSMENT:** All seven were called in for questioning in January 2013 as part of an investigation as to whether they have committed an offence under Article 301 of the Turkish Penal Code (“insulting the Turkish people, state, parliament, government, judiciary, military or any of its security forces”). The investigation relates to an official statement by the PEN Turkey board regarding musician Fazıl Say’s trial (see above). No charges had been brought as of December 2014; case closed.

### Necati ABAY:

**PROFESSION:** journalist and spokesperson for the Solidarity Platform for Imprisoned journalists

**SENTENCE:** 11 years and three months in prison.

**DETAILS OF TRIAL:** Sentenced on 4 May 2011 by the 12<sup>th</sup> High Criminal Court of Istanbul to 18 years and 9 months in prison after conviction of being the leader of a “terrorist organisation”, the Marxist Leninist Communist Party (MLKP). This sentence was commuted to 10-15 years in prison on 15 October 2012. Abay was in Germany when the verdict was delivered, and is now seeking political asylum there. On 23 May 2013, his sentence was upheld by the Supreme Court, although the sentence was reduced to 11 years and three months in prison.

**BACKGROUND:** Abay was arrested by anti-terrorist police on 13 April 2003 while he was a

columnist and editor of Atılım, on the grounds that he orchestrated a bombing that he had reported on as a journalist (he claims to have been warned against running the story by police prior to his arrest). His arrest was based on the testimony of a suspect who later denied ever having met Abay and who claimed to have signed his statement under torture by police officers. The investigating judge agreed that the statement was not feasible and released Abay after four days. However he was re-arrested only to be freed pending trial on 3 October 2003. He has been free since then.

**CURRENT STATUS:** Abay fled to Germany on 25 November 2012. He has been living there in exile ever since and is unable to return to Turkey due to threat of imprisonment. Not currently at risk of persecution; case closed.

## UKRAINE

The ousting of the Ukrainian President Viktor Yanukovich in February 2014 was followed in March by the Russian Federation’s unrecognised annexation of Crimea, which triggered an international crisis. This crisis worsened in May when the local pro-Russian groups seized control of Donetsk and Luhansk and declared independence from Ukraine. During 2014 there was a rapid escalation in violence in eastern Ukraine. Pro-Russian separatist groups, Russian volunteers, Russian armed forces, the Ukrainian security services and pro-Kiev forces committed very serious violations of human rights. In the course of the crisis, dozens of journalists were detained, kidnapped, tortured or otherwise harassed solely for carrying out their work. PEN is not able to document all of these attacks. Although both pro-Kiev and separatist groups carried out these attacks, separatists were reportedly responsible for the majority of them. At PEN International’s World Congress in Bishkek, Kyrgyzstan in 2014, a resolution on Ukraine was passed by the assembly of delegates.

## KILLED - IMPUNITY

### Georgy GONGADZE:

**PROFESSION:** editor of the independent Internet newspaper Ukrainska Pravda (which often criticised the policies of then President Leonid Kuchma)

**DATE OF BIRTH:** 21 May 1969

**DATE AND DETAILS OF DEATH:** Gongadze was kidnapped around 16 September 2000 and murdered. His headless body was discovered in November 2000 in a forest outside the town of Tarashcha.

**DETAILS OF INVESTIGATION:** an investigation, reportedly plagued by irregularities, began soon after the journalist’s death, and in 2008 three police officers were convicted of his murder. In 2009, a key suspect, Interior Minister General Aleksei Pukach, was arrested and also accused of the murder. In November 2010, prosecutors changed the status of the case from contract killing to “killing on verbal order”. The new status of the case pegs the responsibility for commissioning the crime on a single culprit (a dead interior minister) and technically precludes investigation into a larger circle of suspected masterminds. Prosecutors have failed to



investigate former and current high-ranking officials, including former President Leonid Kuchma and the then-head of presidential administration and current Parliament Speaker Vladimir Litvin, who have long been suspected of being involved in Gongadze's killing. Ukrainian prosecutors indicted former President Leonid Kuchma on 24 March 2011, on abuse-of-office charges in connection with the murder.

**TRIAL OF PERPETRATORS:** The trial of Alexsei Pukach began on 7 July 2011 and was conducted entirely in private. On 15 August 2011, a request by Valentina Telychenko, a lawyer for Gongadze's widow, to have the trial opened to the public was denied. It was reported that Pukach allegedly testified on 30 August 2011 that he had carried out the killing in a plot orchestrated by President Kuchma. The defendant claimed that the direct order to carry out the murder was issued by the now deceased Interior Minister Yuri Kravchenko. It was further reported that several other senior officials had been implicated in the murder, including the current Parliament speaker Vladimir Litvin, and two of Kravchenko's deputies, Nikolai Dzhiga and Eduard Free. However, Kuchma and Dzhiga have denied involvement, claiming that Pukach fabricated the account to avoid a potential life sentence. On 14 December 2011 the Kiev court dropped all charges against Kuchma. On the same day a judge ruled that secret tape recordings by Kuchma's former bodyguard, in which he allegedly talks about his annoyance with Gongadze and desire to "silence him", could not be used as evidence as they had been acquired by illegal means. On 20 February 2013, the First Deputy Prosecutor General of Ukraine Renat Kuzmin claimed that his office had collected enough evidence confirming Kuchma's responsibility for ordering Gongadze's assassination. On 29 January 2013, Pukach was sentenced to a life imprisonment by the Pechersk District Courty of Kiev. Gongadze's wife appealed against the decision to dismiss the charges against Kuchma but later dropped her appeal, as it might have led to Pukach's release.

**UPDATE:** On 9 July 2014 the General Prosecutor of Ukraine Vitaliy Yarema stated that his Office would revisit investigations into high-profile cases "that were dropped unlawfully", including the cases dealing with the murder of Gongadze.

## ENFORCED DISAPPEARANCE

### \*Sergei DOLGOV:

**PROFESSION:** editor of Vestnik Pryazovya and Khochu v SSSR ("I want to go to the USSR")

**DATE OF ABDUCTION:** 18 June 2014

**DETAILS OF ABDUCTION:** Dolgov was abducted from his office in the south-eastern city of Mariupol on by six masked men in civilian dress bearing automatic weapons. They took all the computers in the office and beat Dolgov before taking him away with his hands tied. His whereabouts and the identity of and motive of his abductors remained unknown for five days. The head of the Security Service of Ukraine in Mariupol announced on 23 June 2014 that Dolgov had been arrested by the Ukranian National Guard and that he was "alive and in good health" and being held at an anti-terrorism centre in Zaporozhye. However, in December 2014 Amnesty International said that Ukraine's Security Services had told them that they had no record of Dolgov's detention. Dolgov's wife has said that she has been contacted by a source who wishes to remain anonymous who said he was held with Dolgov in military base A1978 in Zaporozhye until the former's release in October 2014.

**BACKGROUND:** Dolgov's colleagues think his abduction was linked to his editing of Khochu v SSSR, which mainly publishes historical articles about the Soviet era and which other newspapers in the region recently labelled as a "rebel" publication.

# UZBEKISTAN

## IMPRISONED: MAIN CASE

### Salidzhon (Salijon) ABDURAKHMANOV:

**PROFESSION:** journalist for the independent German-based Uzbek agency Uznews.net which is blocked in Uzbekistan, reporter for Radio Free Europe Radio Liberty, Voice of America, the Institute of War and Peace Reporting and chairperson of the Committee for the Defense of the Rights of the Individual. Abdurakhmanov is well known for his reporting and monitoring of human rights, and economic and social issues in the region.

**DATE OF BIRTH:** 1950

**SENTENCE:** Ten-year prison sentence

**DATE OF ARREST:** 7 June 2008

**DETAILS OF ARREST:** Arrested by traffic police in Nukus, on the Turkmen border, who stopped and searched his car and then claimed to have found packages, allegedly containing marijuana and cocaine. He was not questioned about where they came from, which would be normal procedure in such cases. On the same day police searched his home and his workplace and confiscated a laptop, books, and notes, amongst other items. Later, Abdurakhmanov was questioned about a biography of the exile leader of the banned opposition party Erk, found by police amongst his belongings.

**CURRENT PLACE OF DETENTION:** Karshi prison.

**DETAILS OF TRIAL:** Initially charged with drug possession for personal use under Article 276, paragraph 2(a) of the Criminal Code, this was changed to drug possession with intent to sell under Articles 25 and 273.5 of the Criminal Code. The trial started on 12 September 2008, and only Abdurakhmanov's relatives were allowed to be present. On 10 October 2008, he was given a 10-year prison sentence, which was upheld on 19 November 2008, when his appeal was overturned by the Supreme Court. On 25 March 2009, the Supreme Court for the second time upheld the ten-year prison sentence against Abdurakhmanov, without explaining the basis of its decision. A report on 1 April 2011 stated that Abdurakhmanov was prohibited by the colony administration from filing a complaint - in which he gave details of his arrest and reportedly unfair conviction - with the Uzbekistan Supreme Court. The colony officials seized the letter of complaint from his lawyers and said the document would be mailed to him, but it was not.

**CONDITIONS OF DETENTION:** A relative was been able to visit who reported in late March 2009, that although he has been held in isolation, he was not being ill-treated. In late April 2009 Abdurakhmanov was visited by his father and wife, and they said he was in good spirits and maintained his innocence. Abdurakhmanov has been accused twice, between June and August 2011, of breaking the rules of the prison in which he is incarcerated. His relatives have



claimed the prison authorities have also accused the journalist of another offence in order to reduce his chances of being released under a prisoner amnesty that was expected to accompany the celebrations marking the 20<sup>th</sup> anniversary of Uzbek independence on 1 September 2014.

**HEALTH CONCERNS:** In June 2013, it was reported that Abdurakhmanov's health had dramatically declined. He was moved for a second time in 2013 from the Qashqadaryo labour to a prison hospital in Tashkent. In October 2013, the journalist was reportedly placed in solitary confinement until 1 November 2013. It was suggested in news reports that this might have been in retaliation for his relatives giving an interview to the press about his deteriorating health in prison.

**BACKGROUND:** Prior to his arrest Abdurakhmanov had expressed concerns that he may suffer reprisals for his writings. He had apparently written an article that criticised local traffic police shortly before his arrest.

**OTHER INFORMATION:** In May 2009, the Special Rapporteur on Freedom of Expression and Opinion of the United Nations (UN) published his annual report, including communications with the Uzbek government regarding Abdurakhmanov's case. In these communications, the Uzbek government claimed that Abdurakhmanov's car had been stopped, and that he had been found to be driving without a licence. It also said that officers had searched his car, had found marijuana and opium, and that Abdurakhmanov had been indicted firstly under Article 276, part 2, paragraph (a), of the Criminal Code, subsequently changed to Articles 25 and 273 part 5 of the Criminal Code. The Ministry of Internal Affairs claimed not to have received any complaint regarding the use of unauthorised methods during the investigation, and that the criminal proceedings were "not connected with his human rights activities".

**PEN POSITION:** PEN believes that Abdurakhmanov is being held in reprisal for his human rights monitoring.

**PEN ACTIONS:** RAN 40/08 – 14 August 2008; Update #1 – 14 October 2008; Update #2 – 20 January 2009

## Muhammad BEKZHON (BEKJANOV)

**PROFESSION:** former journalist, former contributor to Erk

**DATE OF BIRTH:** 1955 Sentence 15 years, reduced to 12 years (expired January 2012)

**SECOND SENTENCE:** Five years

**EXPIRES:** January 2017 (see below).

**DATE OF ARREST:** 15 March 1999

**DETAILS OF ARREST:** Deported from Ukraine in March 1999 on accusation of involvement in a series of explosions in Tashkent. Several others were also arrested in connection with these events (see Makhmudov, below).

**CURRENT PLACE OF DETENTION:** Kasan prison, southwestern Uzbekistan

**DETAILS OF TRIAL:** It is thought that his arrest is linked to his association with the exiled opposition leader Muhammed Salih and that the charges are linked to his work on Erk, the opposition party's newspaper, although it has been banned since 1994. Some of the defendants have testified to having been tortured under interrogation including beatings, electric shock and threat of rape of female family members. In August 1999, Bekjanov was

sentenced to 15 years in prison, convicted of "publishing and distributing a banned newspaper containing slanderous criticism of President Islam Karimov"; "participating in a banned political protest"; and "attempting to overthrow the regime". In addition, the court found them guilty of "illegally leaving the country and damaging their Uzbek passports". He is serving an additional five-year term. After weeks of uncertainty over what had happened to Bekjanov, his lawyer eventually informed relatives on 23 January 2012 that a mobile court had held hearings at the labour camp over the weekend of 21-22 January and found Bekjanov guilty of beating three other inmates. He was sentenced to an additional five years in jail as a result.

**HEALTH CONCERNS:** Reports of torture; concerns for his well-being. The UN Special Rapporteur on Torture in his 2003 report referred to allegations of torture resulting in Bekjanov's leg being broken. It referred to Bekjanov contracting TB, for which he received treatment. The Uzbek government had responded to the Rapporteur informing him that the sentence had been reduced by a fifth, and giving details of the TB treatment being given. It denied that "moral or physical pressure" had been applied. In October 2006, his wife was able to visit him in prison and reports that he was still suffering beatings, and that he had lost most of his teeth. Concerns for his health remained acute.

**OTHER INFORMATION:** Wife resident in the USA. Brother of exiled opposition leader, Muhammad Salih.

**HONORARY MEMBER:** English PEN, PEN American Center, PEN USA, PEN Canada.

## Bobomurad RAZZAKOV:

**PROFESSION:** human rights defender and sometime local correspondent for foreign press. He is chairman of the Bukhara region branch of Ezgulik (Compassion), Uzbekistan's only legally registered independent human rights group. He is also a member of the unregistered political opposition party Erk (Freedom)

**DATE OF BIRTH:** c. 1953

**SENTENCE:** Four years in prison

**DATE OF ARREST:** 10 July 2013

**DETAILS OF TRIAL:** Convicted of human trafficking (under Article 135 of the Uzbek Criminal Code) on 24 September 2013. The charge against Razzakov was allegedly based on the complaint of a local woman who accused him of forcing her into the custody of a person who pressed her into prostitution. According to Razzakov, the alleged victim approached him several days before his arrest asking his help in finding a relative in Russia who was missing. Razzakov's state-appointed lawyer believes the woman was pressured by Uzbek security services to testify falsely against him. His trial began on 26 August 2013 in the Bukhara region criminal court. Rights groups, including Human Rights Watch, consider the charges against him to be fabricated in retaliation for his human rights work.

**CURRENT PLACE OF DETENTION:** Prison No. 64/3 in Tavaksay, Tashkent region

**BACKGROUND:** Razzakov has worked as a local correspondent for foreign media and is known for taking on local corruption and appealing to the regional administration, the prosecutor's office, and the president on behalf of local farmers and others. According to Human Rights Watch, prior to his arrest Razzakov told the media and local human rights groups that he had come under increased pressure from the local security services over his human rights

activities. On 10 June 2013, he was reportedly summoned for a two-hour interrogation by the head of Bukhara's counterterrorism criminal investigation unit in the Department of Internal Affairs, who ordered him to resign from Ezgulik and cease all contact with foreign media organisations. Razzakov said that he was told that harm would come to him and his family if he did not stop his human rights work.

### **Dilmurod SAIDOV (pen name SAYYID):**

**PROFESSION:** journalist for a number of independent websites and member of the human rights organisation Ezgulik. Saidov's reports have been published in various local newspapers and news websites in Central Asia, including Voice of Freedom. Saidov is also an activist of the Tashkent regional branch of the human rights organisation Ezgulik.

**DATE OF BIRTH:** 26 April 1962

**SENTENCE:** 12.5 years

**DATE OF ARREST:** 22 February 2009

**CURRENT PLACE OF DETENTION:** According to Freedom Now, which is acting as his defence, he is currently being held in a special facility for tuberculosis inmates, called TB Zone #36.

**DETAILS OF TRIAL:** Charged with extortion (along with two farmers) and forgery. The trial was heard at the Taylak District Court, where the sentence was announced in a closed session, in the absence of his defence and family, as they had not been informed of the date of the trial. There are reports that the trial was riddled with procedural violations, and that various witnesses withdrew their testimonies. There is an account, for instance, that a witness testified against Saidov saying that she was forced by the journalist to extort money from a local businessman. However, afterwards the witness retracted in full her statement, but the trial continued. The two farmers were sentenced to 11 years in prison and the other to 12 years. According to his brother Obid, by August 2011 Saidov had been found to have broken prison rules five times. According to him, this meant that the amnesty announced in Uzbekistan in December 2011, to mark the 19<sup>th</sup> anniversary of Uzbekistan's constitution, could not be applied to Saidov. His conviction has been upheld twice on appeal and the Supreme Court has rejected his petition for a review of his case.

**CONDITIONS OF DETENTION:** Saidov was reportedly put in a penal colony in Navoi from 26 to 29 April 2011 for allegedly breaking prison rules, although details of the alleged violation remain unknown.

**HEALTH CONCERNS:** He suffers from tuberculosis and requires regular medical treatment.

**BACKGROUND:** There are reports that Saidov's conviction is linked to his reports on abuse of power and corruption in some local government offices, such as his articles on alleged illegal confiscations of farmers' land by local authorities.

**OTHER INFORMATION:** In early November 2009, Saidov's wife and daughter, aged six, were killed in a car accident while on their way to visit him in prison.

**HONORARY MEMBER:** PEN Canada.

**PEN ACTIONS:** RAN 32/10 – 10 August 2009; RAN 12/12 9 March 2012

### **IMPRISONED: INVESTIGATION**

### **Botirbek ESHKUZIYEV, Bahrom IBRAGIMOV, Davron KABILOV and Ravshanbek VAFOYEV:**

**PROFESSION:** Members of Nur, a religious group who publish the religious magazine Vesna (Spring).

**SENTENCE:** Ibragimov and Kabilov were sentenced to 12 years in prison, Vafojev to ten years, and Eshkuziyev to eight years.

**DATE OF ARREST:** 2009

**DETAILS OF ARREST:** arrested by the NSS secret police in 2008 on "suspicion of being sponsored by a Turkish radical religious movement Nursi". A fifth man, Abdulaziz Dadahonov was arrested with them and sentenced to eight years in prison, but was released in 2012 (see 'Released' below)

**CURRENT PLACE OF DETENTION:** a high-security prison in Tashkent. (See also Shavkat Ismoilov and Davron Tajiyev below.)

**DETAILS OF TRIAL:** Sentenced on 16 February 2009 under Article 244.2 ("preparing and distributing literature posing a threat to public security and order") and Article 244.1 ("participating in a banned religious organisation"). On April 2009, the Tashkent City Criminal Court rejected the defendants' appeal.

**PEN POSITION:** PEN considers this case to be an investigation pending further information as to whether the literature they distributed advocated violence.

**BACKGROUND:** Nur was founded by Kurdish cleric Said Nursi and is associated with the religious teachings of Turkish scholar Fethullah Gullen. Nur has been listed as a banned religious organisation by the Uzbek Religious Affairs Committee since 2000 and the Uzbek Security Service has reportedly alleged that Nur received funds from Turkey to create a pan-Turkic state. Although socially conservative, Nur is not known to have advocated violence.

### **Hayrulla HAMIDOV (Khayrullo Kamidov)**

**PROFESSION:** football commentator and radio-host, poet and deputy editor of the newspaper Chempion (Champion)

**DATE OF BIRTH:** 1975

**SENTENCE:** Six years in prison

**DATE OF ARREST:** 21 January 2010

**DETAILS OF ARREST:** Officers of the Tashkent Region police department entered Hamidov's home, seized his books, computer, a copy of the Koran, and audio and video material, and detained Hamidov.

**DETAILS OF TRIAL:** Tried under Article 216 of the Criminal Code concerning "the organisation or active participation in a proscribed social or religious movement" and Article 244.1 concerning "dissemination of prohibited material" alongside 18 other people who were found to be members of the Islamic group Jihadchilar (Jihadists). In a closed hearing held on 11 May 2010, the prosecutor demanded that Hamidov be sentenced to seven years in prison. The criminal



court in Guibakhor, near Tashkent, postponed the sentencing until 28 May then sentenced Hamidov to six years' imprisonment.

**OTHER INFORMATION:** Hamidov is reportedly a prolific poet. He was also a popular radio-host of the show 'Kolislik Sari' (Voice of Impartiality), broadcast by the Tashkent-based Navruz FM.

**BACKGROUND:** Hamidov's newspaper Odamlar Orasida (Among the People), which dealt with issues including infant mortality, corruption, and homosexuality, was closed down by the authorities in 2007.

**PEN POSITION:** PEN considers this case to be an investigation pending information that Hamidov has not advocated violence. **[STOP PRESS:** Hayrulla Hamidov was freed from prison on 11 February 2015 after writing four letters of apology acknowledging his guilt]

### **Shavkat (Farhod) ISMAILOV and Davron TAJIYEV:**

**PROFESSION:** director and editor respectively of the magazine Yetti Iklim (Seven Dimensions)

**SENTENCE:** Eight years in prison

**DATE OF ARREST:** 6 November 2008

**DETAILS OF TRIAL:** On 6 April 2009 Ismailov and Tajiyev were convicted of allegedly "creating, leading or participating in religious extremist, separatist, or other banned organisations", according to Article 244 (2) of the Criminal Code. It is said that the charges against both were related to their links to the religious organisation Nur (see Abdulaziz Dadahonov, Botirbek Eshkuziyev, Bahrom Ibragimov, Davron Kabilov and Ravshanbek Vafoyev above). Reported to still be detained as of June 2012.

**PEN POSITION:** PEN considers this case to be an investigation pending information that both men have not advocated violence.

### **REPORTED MISSING**

### **Dzhamshid (Jamshid) KARIMOV:**

**PROFESSION:** journalist for the London-based Institute of War and Peace Reporting (IWPR) until May 2005 and subsequently for a number of other publications

**DATE OF BIRTH:** 1967 Date of disappearance: According to uznews.net, Karimov disappeared on 18 January 2012. Details of disappearance: He was still in touch with his friends and colleagues the week before his arrest, but suddenly stopped responding to their e-mails and his phone was disconnected. According to his colleague there are three possible explanations: he might have been taken back to the psychiatric hospital, he might be under house arrest or he might have gone to ordinary hospital due to the psychotropic drugs he was forced to take. Previous disappearance/detention: Karimov disappeared on 12 September 2006. Two weeks later, his friends were able to ascertain that Karimov was held in a psychiatric hospital in Samarkand, where he was kept until his release on 6 November 2011. Karimov was released just before the Muslim festival of Eid al-Adha. It was alleged that his release was a consequence of pledges given by the Uzbek authorities to U.S. Secretary of State Hilary Clinton when she visited Uzbekistan on 22 October 2011. Karimov is reported to have suffered serious damage to his health due to the forced administration of psychotropic drugs. Personal

details: Karimov is a nephew of President Islam Karimov and, according to CPJ, is said to have been openly critical of his uncle and to be living in poverty.

**HONORARY MEMBER:** English PEN. No further information as of 31 December 2014.

**PEN ACTION:** RAN 61/11 – 30 November 2011. PEN is seeking further information.

### **RELEASED**

### **Abdulaziz DADAHONOV (DADAHANOV)**

**PROFESSION:** Member of Nur, a religious group who publish the religious magazine Vesna (Spring).

**SENTENCE:** ten years in prison

**DATE OF ARREST:** 2009

**DETAILS OF ARREST:** arrested by the NSS secret police in 2008 on "suspicion of being sponsored by a Turkish radical religious movement Nursi" along with Botirbek ESHKUZIYEV, Bahrom IBRAGIMOV, Davron KABILOV and Ravshanbek VAFOYEV (see above)

**DATE OF RELEASE:** April 2012

**DETAILS OF RELEASE:** According to Forum 18, after his appeal against his eight-year sentence was rejected, Dadahonov was transferred to serve his term in a labour camp in Navoi. However, in what turned out to be a prelude to his early release, he was transferred in late 2011 to a prison near Tashkent, from which he was eventually freed.

**DETAILS OF TRIAL:** Sentenced on 16 February 2009 under Article 244.2 ("preparing and distributing literature posing a threat to public security and order") and Article 244.1 ("participating in a banned religious organisation"). On April 2009, the Tashkent City Criminal Court rejected the defendants' appeal.

**BACKGROUND:** Nur was founded by Kurdish cleric Said Nursi and is associated with the religious teachings of Turkish scholar Fethullah Gullen. Nur has been listed as a banned religious organisation by the Uzbek Religious Affairs Committee since 2000 and the Uzbek Security Service has reportedly alleged that Nur received funds from Turkey to create a pan-Turkic state. Although socially conservative, Nur is not known to have advocated violence.



# MIDDLE EAST AND NORTH AFRICA

## ALGERIA

### DETAINED – INVESTIGATION

#### \*Abdelhai ABDESSAMIA

**PROFESSION:** Previously journalist for the now closed daily Mon Journal and Jaridati, journalist for Radio Tebessa

**DATE OF ARREST:** 18 August 2013

**DETAILS OF ARREST:** He has been under investigation in administrative detention for reportedly participating in the illegal departure of the daily's former editor from Algeria. The editor, Hicham ABoud, was said to be on probation when Abdessamia allegedly facilitated his escape to Tunisian border. Hicham Aboud has denied leaving illegally and says he has exit stamps in his passport to prove it. The journalist has been reportedly charged with 'failure to report a person wanted by the justice', and could face up to three years in prison. Abdessamia's family were warned not to publicise his detention and news of his detention came to light at the end of October 2014.

**CONDITIONS IN DETENTION:** Abdessamia reportedly began a hunger strike on 5 November 2014 after judges rejected his fourth petition for release.

**CURRENT PLACE OF DETENTION:** Tebessa prison

## BAHRAIN

### IMPRISONED - MAIN CASE

#### Abdulhadi Al-KHAWAJA:

**PROFESSION:** Leading human rights defender

**SENTENCE:** Life imprisonment

**DATE OF ARREST:** 9 April 2011

**DETAILS OF ARREST:** He was arrested from his home and charged under national security and counter-terrorism legislation for his role in the pro-democracy protests that begun in February 2011. He was badly beaten during his arrest.

**DETAILS OF TRIAL:** He was among 21 opposition activists to be convicted by a special security court on 22 June 2011 of 'plotting to overthrow the government' following a wave of protests which swept the country in February and March that year (see below Abdul Jalil Al Singace). On 28 September 2011 the military-run National Safety Court of Appeal confirmed the conviction of Abdulhadi Al-Khawaja, and his sentence of life imprisonment. The trial did not meet with international standards of fairness, and there has been no independent investigation into his allegations of torture in pre-trial detention. On 30 April 2012 the Court of Cassation ordered a retrial in the case. After the retrial, Abdulhadi Al-Khawaja was sentenced to life imprisonment, a decision confirmed by the High Court of Appeals in Bahrain Court on 4 September 2012.

**CONDITIONS OF DETENTION:** There were allegations of torture during pre-trial detention, while Al-Khawaja and the other detainees were held incommunicado. In one of the earlier hearings at court, prior to the sentence, when Al-Khawaja and others tried to speak out about having been tortured in detention, they were removed from court, taken outside and beaten resulting in Al-Khawaja having to be taken to the military hospital. On 26 August 2014 he went on hunger strike in protest at his arbitrary imprisonment and detention conditions, which he ended a month later on 23 September 2014.

**HEALTH CONCERNS:** Abdulhadi Al-Khawaja is still suffering the effects of the repeated beatings to his face with problems with his jaw and teeth and is expecting to have further medical treatment to assess the extent of the long term damage.

**OTHER INFORMATION:** The United Nations Working Group on Arbitrary Detention (UNWGAD) in an opinion dated June 2012 has considered Abdulhadi Al-Khawaja's detention to be arbitrary and has called on the Government of Bahrain to release him.

**BACKGROUND:** Abdulhadi Al-Khawaja has a long history of political persecution. After 12 years in exile he returned to Bahrain in 1999 following wide-ranging political reforms that allowed independent human rights groups to operate in the country. In 2002 he co-founded the Bahrain Centre for Human Rights (BCHR), a member of the International Freedom of Expression Exchange (IFEX), and has since worked in numerous roles for various regional and international human rights organisations. Most recently, he was the Middle East and North Africa regional campaigner with Front Line Defenders. In 2004 he was held for two months for his political activism, and has been subject to regular threats, travel restrictions and harassment.

**PEN ACTION:** RAN 46/10 and updates, trial observation September 2011, PEN 2011 UPR Submission on Bahrain, Joint appeal 7 March 2012, Open letter to Hilary Clinton 14 August 2012, joint open letters/statements 9 April 2012, 18 May 2012, 9 April 2014, 24 October 2014, [STOP PRESS: On 20 April 2015, 72 days in his latest hunger strike, Al-Khawaja sent this message through his wife: "If I die, in the next 24 hours, I ask the people to continue in the path of peaceful resistance... I don't want anybody to be hurt in my name."]

## Dr Abdul Jalil Al SINGACE:

**PROFESSION:** Activist and internet writer. He taught engineering at the University of Bahrain and authored his own blog (<http://alsingace.blogspot.com/>). He is head of the human rights office of the Haq Movement for Liberty and Democracy.

**SENTENCE:** Life imprisonment

**DATE OF ARRESTS:** (1) 13 August 2010 and (2) 16 March 2011

**DETAILS OF ARREST:** Dr Al-Singace was arrested at Bahrain International Airport on his return from London on 13 August 2010, where he had been attending a conference at the House of Lords during which he had criticised Bahrain's human rights practices. He was initially accused of 'inciting violence and terrorist acts', before being formally charged under national security and counter-terrorism legislation. He and 21 other opposition activists on trial with him were freed in February 2011 following widespread calls by anti-government protestors for political reform and the release of political prisoners. He was re-arrested on 16 March 2011 after publicizing the deteriorating human rights situation in the country following a wave of protests which swept the country in February and March that year, and was later placed under house arrest.

**CURRENT PLACE OF DETENTION:** Gurayn Military Prison, Manama, Bahrain.

**DETAILS OF TRIAL:** Dr Al-Singace was among 21 opposition activists to be convicted by a special security court on 22 June 2011. . According to a government response of 12 October 2010 to an urgent appeal of several human rights mechanisms on 15 September 2010, he was charged with (1) Founding, organizing and managing an outlawed organization with the aim of violating the law and disrupting provisions of the constitution and to prevent public authorities from exercising their duties using terrorism; (2) Inciting to acts of sabotage, destruction, and arson; (3) Disseminating hatred and mockery of the political regime; (4) Publicly instigating sectarian hatred which disturbs civil peace; (5) Spreading provocative propaganda, news, and false statements to destabilize public security and cause damages to public interests; (6) Raising funds for an organisation that is involved in terrorist acts inside the country, willingly and knowingly. Eight of those convicted received life sentences, including Dr Al Singace. A further ten were sentenced to 15 years in prison, two received five-year terms and one a two-year prison sentence. The trial did not meet with international standards of fairness, and there has been no independent investigation into his allegations of torture in pre-trial detention. On 28 September 2011 the military-run National Safety Court of Appeal confirmed the conviction. On 30 April 2012 the Court of Cassation ordered a retrial in the case. After the retrial, Dr. Abduljalil Al-Singace was sentenced to life imprisonment, a decision confirmed by the High Court of Appeals in Bahrain Court on 4 September 2012. The Court of Cassation upheld his conviction and sentence on 7 January 2013.

**CONDITIONS OF DETENTION:** Dr Al Singace was held incommunicado and in solitary confinement for six months, during which he alleges he was tortured including through beatings, prolonged solitary confinement in a cell 2m x 3m, threats of rape and threats of rape of his daughter.

**HEALTH CONCERNS:** Dr Al-Singace is disabled, and relies on a wheel-chair for his mobility. In October 2013 his family and lawyer reported that he had not received any medical attention since March 2013, and that his health was seriously deteriorating. At least 14 different appointments had been repeatedly cancelled. These appointments have been with the skin disease clinic, the heart disease clinic, and the optician's clinic at the Bahrain Defense Force

Hospital, as well as the Prison clinic. Abduljalil Al Singace requires care as a matter of urgency for a damaged ear drum for which he saw a doctor in early September 2014. He also requires an operation to treat a nasal sinus inflammation, as confirmed by an ENT Consultant at Salmaniya Hospital in the presence of the prison doctor. Abduljalil Al Singace also suffers from an enlarged prostate and a shoulder injury. Furthermore, he requires a new examination for medical glasses as his vision has also deteriorated. Although he reportedly received some limited medical care in early 2014, his health condition was still reportedly poor at the end of the year.

**AWARDS:** Recipient of the 2012 Hellman/Hammett award.

**PEN ACTIONS:** RAN 46/10 and updates, trial observation September 2011, PEN 2011 UPR Submission, Day of the Imprisoned Writer case 2011, Joint Open Letters/statements 9 May 2012, 28 October 2014, Press statement 25 October 2012

## ON TRIAL

### Mohamad HASSAN (also spelt Mohamed Hasan):

**PROFESSION:** Blogger.

**DATE OF ARREST:** 31 July 2013

**DETAILS OF ARREST:** arrested at his parents' house in Sitra by plainclothes security officers, without a warrant, for his alleged involvement in organizing anti-government protests.

**DATE OF RELEASE:** 3 October 2013

**DETAILS OF RELEASE:** Hassan was released on bail from Dry Dock prison in the capital, Manama. He fled to the United Kingdom upon his release on bail, where he sought asylum.

**DETAILS OF TRIAL:** He has been charged with "inciting hatred against the regime", "inciting people to ignore the law", "calling for illegal gatherings" and "being a member of the 14 February media group". His trial was believed to be ongoing at the end of the year.

**PEN ACTIONS:** RAN 28/13; On 9 June 2014 PEN International was among ten human rights groups to sign a joint letter requesting the UN Special Rapporteurs on freedom of expression and on torture as well as the UN Working Group on Arbitrary Detention to raise Hassan's case with the Bahraini authorities.

### \*Gadha JAMSHEER (f)

**PROFESSION:** Writer, human rights defender and head of the Head of the Women's Petition Committee, an organisation which campaigns for the rights and dignity of women in the Shari'ah family courts.

**DATE OF ARREST:** (1) 14 September 2014 (2) 28 November 2014

**DATE OF RELEASE:** (1) 27 November 2014 (2) 15 December 2014.

**DETAILS OF ARREST:** (1) Jamsheer was arrested in connection with 12 complaints regarding Jamsheer's tweets filed by five individuals which they found 'insulting' and 'defamatory'. In some of her post in her Tweeter account, Jamsheer had reportedly been critical to the management of King Hamad University Hospital in Bahrain and referred to alleged corruption cases there. (2) Her second arrest reportedly relates to a charge of assaulting a police officer in



September 2014, a charge which she was unaware of at the time of her release earlier that day

**DETAILS OF RELEASE:** (1) Released on bail but rearrested 12 hours later. (2) Released in December 2015, from the Issa Town Detention Centre for Women, in Manama, Bahrain's capital city.

**DETAILS OF TRIAL:** According to Frontline Defenders, on 29 October 2014, Jamsheer appeared before the Third Lower Criminal Court in three court hearings on charges relating to defamation. She was fined 100 Bahraini Dinar in one of the cases, acquitted in another and granted bail upon the payment of 50 Dinar in the third case. She is facing a new charge of assaulting a police officer. Her trial was ongoing at the end of the year.

**BACKGROUND:** Author of "The Killer and the Victim in the Shari'a Courts" in which she examined the committee's movement and the cases of women who were aggrieved by Shari'a verdicts. Jamsheer has been persecuted for her activism and writings for over a decade. In 2005, she faced three separate criminal charges for allegedly criticizing a number of family court judges. These charges were dropped on 19 June 2005, but she has been under permanent surveillance since 2006. Her blog <http://bahrain-eve.blogspot.co.uk/> has reportedly been blocked in Bahrain since 2009 and is reportedly prevented from appearing on public media.

**[STOP PRESS:** Ghada Jamsheer was prevented travelling abroad for medical treatment on 14 March 2015 and was told that she was subject to a travel ban, despite no written notification of the ban having been sent to her. She appeared before the High Criminal Court in the case of the alleged assault on 12 April 2015; the hearing was postponed till 5 May 2015. A trial hearing before the Third Lower Criminal Court in relation to her tweets took place on 14 April 2015; the next hearing is set for 9 June 2015]

## BRIEF DETENTION

### Nabeel RAJAB:

**PROFESSION:** Leading human rights defender. President of Bahrain Centre for Human Rights (BCHR) and Gulf Centre for Human Rights (GCHR).

**SENTENCE:** Two years in prison.

**DATE OF ARREST:** (1) 6 June 2012 (2) 9 July 2012 (3) 1 October 2014

**DATE OF RELEASE:** (1) 27 June 2012 (2) Released on expiry of sentence on 24 May 2014. (3) Released on bail on 2 November 2014 under travel ban

**DETAILS OF ARREST:** (1) Rajab was initially arrested on 6 June 2012 following a complaint made against him by the people of al-Muharraq area, north of Bahrain, for "publicly vilifying the al-Muharraq people and questioning their patriotism with disgraceful expressions posted via social networking websites". The charges against Rajab relate to a 2 June 2012 tweet addressing the Prime Minister, Shaikh Khalifa Bin Salman Al Khalifa, following his visit to the area. Rajab wrote: "Khalifa: Leave the al-Muharraq alley ways, their sheikhs and their elderly, everyone knows that you have no popularity there; and if it was not for their need for money they would not have come out to welcome you - when will you bow out?". (2) He was arrested on 9 July 2012 to serve his sentence (3) Nabeel Rajab was rearrested on 1 October 2014 after his return to Bahrain from a months-long advocacy tour, which included appearances at the 27th Session of the UN Human Rights Council in Geneva and the European Parliament in

Brussels, as well as meetings with foreign ministries throughout Europe where he talked about his experience in prison.

**DETAILS OF TRIAL:** (1) He was charged with libel on 14 June 2012 and released on bail on 27 June. He was sentenced (in absentia) on 9 July 2012 by a court in Manama and arrested and taken to prison to serve out the remainder of his three-month sentence which was eventually overturned on appeal after he had served the sentence. Rajab faced two further court cases, (2) relating to charges of taking part in an "illegal gathering" and "disturbing public order" during an anti-government protest in Manama on 6 February 2012, as well as (3) a charge of "illegal gathering" brought against him on 6 June. On 16 August 2012 he was sentenced to three years in prison, after conviction of "gathering with the intention of disrupting security", "calling for marches or protests without a permit" and "participating in a protest without permit" in connection with demonstrations on 12 January, in February and on 31 March 2012. This sentence was reduced by an appeal court in Manama to two years in prison on 11 December 2012. (4) Following his arrest on 1 October 2014, he was charged with 'insulting a state body' (the ministries of interior and defence) under article 216 of Bahrain's penal code in relation to a tweet he had posted in which he called Bahrain's security institutions "the first ideological incubator" for radicalized citizens joining the armed group known as Islamic State in Iraq and Syria (ISIS). His trial on this charge was ongoing at the end of the year.

**BACKGROUND:** Rajab has been harassed and briefly detained on many occasions for his human rights activism and reporting.

**AWARDS:** Rajab has received many prestigious awards for his activism, including the 2011 Ion Ratiu Democracy Award, the 2011 Silbury Prize and the 2012 Index on Censorship Freedom of Expression Advocacy Award.

**PEN ACTION:** Open letter to Hilary Clinton 14 August 2012, Joint statements: 9 October 2014 28 October 2014, PEN statements: 25 October 2012, 20 January 2015 - 8 April 2015. **[STOP**

**PRESS:** On 20 January 2015 he was sentenced by the Third Lower Criminal Court to six months' imprisonment on charges of insulting public institutions via Twitter. Nabeel Rajab paid 200 Bahraini Dinars to remain on bail pending his appeal trial, however the court maintained the travel ban against him during this time. An appeal hearing due on 5 April was postponed to 4 May 2015. On 26 February 2015, Nabeel Rajab was summoned to appear at a police station on charges of "incitement of hatred against the regime". Nabeel Rajab's appeal hearing was held on 4 March 2015 in the Criminal Court of Appeal. The Court decided to adjourn the case to March 15, 2015, to issue its judgement while maintaining the travel ban in place. On 2 April 2015 he was rearrested at his home. He was presented with a warrant charging him with spreading false news. Rajab's arrest is linked to a recent piece Into Bahrain's Jaws of Hell, published by the Huffington Post, about the conflict in Yemen and torture allegations in Jaw Prison. He is believed to be held in the 'Issa Town detention centre.]



# EGYPT

## IMPRISONED: MAIN CASE

### Alaa Abd El FATTAH:

**PROFESSION:** Blogger and activist. Writes a popular blog Manalaa established with his wife, Manal.

**SENTENCE:** Five years in prison

**DATE OF ARREST:** 28 November 2013

**DATE OF ARREST:** (1) 28 November 2013 (2) June 2014 (3) 28 October 2014

**DATE OF RELEASE:** (1) 23 March 2014 (2) 15 September 2014

**DETAILS OF ARREST:** On the night of 28 November 2013, security forces raided Abd El Fattah's home. His wife, Manal, posted a picture on social media showing blood stains in their bedroom where he was beaten by security forces, who raided the home without presenting an arrest warrant. She also reported being slapped. Mobile phones and computers found at their home were confiscated. He was initially taken, blindfolded and handcuffed, to a Central Security Forces camp on the highway road between Cairo and Alexandria, known as "kilo 10.5", which is not an official place of detention. On 29 November, prosecutors ordered Alaa Abdel Fattah's detention for four days, pending investigations in connection to the peaceful protest in front of the Shura Council which took place on 26 November 2013 which the authorities held were in violation of a repressive new law governing public protests.

**DETAILS OF RELEASE:** Released on bail pending trial on 23 March 2014 but rearrested in June 2014 after he was sentenced. Released on bail on 15 September 2014, but rearrested at the start of his retrial on 28 October 2014.

**DETAILS OF TRIAL:** Among 25 defendants to be sentenced to 15 years in prison in absentia on 11 June 2014 by the Cairo Criminal Court for violating the controversial Protest Law. The Protest Law was issued by former president Adly Mansour on 24 November 2013 to regulate the right to peaceful assembly. The court also fined the defendants with EGP 100,000 each and ordered they be placed under police observation for five years after serving their time in prison. Abdel Fattah was not called in to the court in time to hear the verdict, and was arrested shortly afterwards. In August 2014 he was granted a re-trial.

**CURRENT PLACE OF DETENTION:** Tora Prison, Egypt's notorious maximum security detention centre.

**BACKGROUND:** Following the uprising of 25 January 2011, Alaa continued to promote free expression through online platforms. He started a nation-wide people's initiative enabling citizen collaboration in the drafting of the Egyptian Constitution. He initiated and hosted Tweet-Nadwas ("Tweet-Symposiums"), that brought activists and bloggers from across the world into Tahrir Square, to participate in open format dialogue about issues ranging from Islamism to economic reform. Alaa has been jailed or charged under successive governments in Egypt. In 2006, when he was only 22, he was jailed by the Mubarak government. Under the Supreme Council of the Armed Forces (SCAF) he was detained by the military prosecution for allegedly participating in the Maspero clashes in October 2011, when mostly Christian

protesters clashed with the military leaving scores dead. Former President Morsi brought a case against him in 2013 and he is now detained by the current military government headed by General Abd El Fattah al-Sisi. The current government has already handed Abd El Fattah (together with his sister Mona Seif) a one year suspended sentence in a similar, but separate, trial.

**PEN ACTIONS:** Joint call for release, 23 January 2014; Statement welcoming release 24 March 2014, statement 23 February 2015 [**STOP PRESS:** He was sentenced to a five-year prison term on 23 February 2015. He was also ordered to pay 100,000 Egyptian pounds to the court. Abd El Fattah was on a 100-day hunger strike before being sentenced, which ended on 11 February 2015].

### Peter GRESTE, Mohammed FAHMY and Baher MOHAMMED

**PROFESSION:** Correspondent and producers respectively for the Qatar-based TV channel Al Jazeera.

**SENTENCE:** Seven, seven and ten years respectively.

**DATE OF ARREST:** 29 December 2013

**DETAILS OF ARREST:** Al Jazeera correspondent Peter Greste, an Australian national, Mohammed Fahmy, who has dual Canadian and Egyptian nationality, and Egyptian national Baher Mohamed were arrested on 29 December 2013 following Interior Ministry accusations of illegally broadcasting from a hotel suite. Peter Greste, who has worked for the BBC, is accused of collaborating with "terrorists" by talking to Muslim Brotherhood members. Al-Jazeera Cairo bureau chief Mohammed Fahmy and producer Baher Mohamed are accused of the more serious offence of membership of the Brotherhood. Al-Jazeera has said the men were merely reporting the situation in Egypt. Since 25 December 2013 the Egyptian authorities have labelled the Muslim Brotherhood – the political group that the Al-Jazeera journalists are accused of supporting - as a terrorist group.

**DETAILS OF TRIAL:** Sentenced on 23 June 2014 to seven, seven and ten years respectively, on charges of having links to a "terrorist organisation" and "spreading false news". According to diplomats and rights campaigners who observed the trial, no credible evidence was put forward to support the verdict. [**STOP PRESS:** The Court of Cassation ordered a retrial following an appeal hearing on 1 January 2015 but denied the three men bail. On 1 February 2015, Peter Greste was released and immediately deported to Australia, in accordance with Presidential Decree No. 104, which allows foreign detainees to be deported for retrial in their own countries. On 3 February Mohammad Fahmy renounced his Egyptian citizenship so that he can be included in the same Decree and be deported to Canada, where he is also a citizen. On 12 February 2015, both Mohammad Fahmy and Baher Mohammad were granted bail of \$33,000 and released a day later.]

### Omar HAZEK:

**PROFESSION:** Poet. Omar el Hazek is a writer of international acclaim and was formerly employed by the Library of Alexandria in Alexandria Egypt. His publications include a collection of poetry in Arabic and English entitled Nota - Skies of Freedom (Egypt 2011), which he co-published with Syrian poet Abdelwahhab Azzawi and two other poets from Italy and

Portugal. Omar Hazek won the title of “Poet of Romance” in the TV classical poetry competition “Prince of Poets” in 2007, organized by the Abu Dhabi Organization for Culture and Heritage.

**SENTENCE:** Two years in prison

**DATE OF ARREST:** 4 December 2013

**DETAILS OF ARREST:** Omar Hazek was arrested on 4 December 2013 along with a number of other activists for ‘protesting without permission’ in front of the Alexandria Criminal Court in solidarity with the family of Khalid Said during a re-trial of his alleged killers. Khalid Said was beaten to death in police custody in 2010, and his death sparked anti-government protests. Omar Hazek was initially charged with beating a policeman, destroying a police vehicle and carrying weapons, among other things, though these charges were subsequently dropped. PEN International is unaware of any other information suggesting that Omar Hazek used or advocated violence.

**CURRENT PLACE OF DETENTION:** Held in Hadra prison in Alexandria until 21 February 2014 when he was moved to Burj Al-Arab prison also in Alexandria, where he remains held.

**DETAILS OF TRIAL:** In January 2014, Omar Hazek and three other activists were sentenced by the lower court to two years’ imprisonment and a 50,000 EGP (equivalent to US\$7000) fine for violating a new law for the regulation of demonstrations which prohibits demonstrations without written permission from the Ministry of Interior. On 16 February 2014 the Alexandria Appeal Court upheld their sentences. The only remaining course of legal redress is to bring a case in the Court of Cassation challenging the constitutionality of the protest law.

**BACKGROUND:** Since the overthrow of President Mubarak in February 2011, Omar Hazek has been outspoken in his allegations of corruption in the Library of Alexandria, whose official head of the board of trustees was former first lady, Suzanne Mubarak. Her close associate, Dr. Ismail Serageldin remains the Director of the Library despite multiple calls for his resignation over alleged abuse of funds and power, and an ongoing investigation into allegations of misappropriation of state funds. During 2011, Omar produced some 15 articles alleging corruption at the Library, but in spite of an investigation by the District Attorney’s office which recommended that Serageldin should be prosecuted, no action was taken and Serageldin remains in post.

**HONORARY MEMBER:** Danish PEN.

**PEN ACTIONS:** RAN 07/14 19 March 2014; featured writer May 2014, International Poetry Day case 2014 and 2015.

### \*Yara SALLAM (f)

**PROFESSION:** Blogger and human rights activist.

**SENTENCE:** Two years in prison and two years of police probation.

**DATE OF ARREST:** 21 June 2014

**DETAILS OF ARREST:** Sallam was arrested, with many other individuals, on the date when a peaceful protest against the Protest and Public Assembly Law, in Cairo, was taking place. The police responded to the protest with violence and tear gas and other to stop them. At the time of her arrest, Sallam is said to have been buying water from a kiosk, and not even participating in the protest.

**DETAILS OF THE TRIAL:** Soon after their arrest, the 22 protesters were charged with ‘use of force and violence to terrorise an intimidate citizens’, ‘intentional destruction of property’, and ‘taking part in a gathering of more than five people with the aim of threatening “public peace” and committing crimes’, prohibited under the restrictive 2013 Protest law. Human rights organisations have pointed to a lack of clear evidence and inconsistencies in police reports of the protest. On 26 October 2014 Sallam and 22 other protesters were sentenced to three years in prison and three years of probation by the court of first instance. This was reduced on appeal by the Heliopolis Appeal Misdemeanour Court to two years in prison and two years of probation.

**CURRENT PLACE OF DETENTION:** Sallam is held at Qanater prison, in Cairo.

**OTHER INFORMATION:** Sallam is an internationally recognized activist, who worked in her home country and The Gambia. She works for a human rights organization The Egyptian Initiative for Personal Rights.

**AWARDS:** In 2013 Sallam was awarded the North Africa Shield, a human rights defender prize, for her work in Egypt.

**PEN ACTION:** Joint statement: 9 October 2014

### SENTENCED

### Magdy EL-GALAD and Mohamed SANHOURI:

**PROFESSION:** Former editor-in-chief of Al-Masry Al-Youm newspaper and one of the paper’s editors respectively.

**SENTENCE:** 15,000 Egyptian pounds (approximately US\$2,000)

**DETAILS OF TRIAL:** Referred for trial by Cairo Criminal Court in November 2013 over charges of slandering the head and the members of Judges’ Club. Galad was accused of not having done anything in his capacity as the then-editor-in-chief of Al Masry Al-Youm to omit the offending words made by Central Auditing Organisation Head Hesham Genena in an interview with the paper. He was quoted as describing the Judges Club election as a “farce” and accusing the head of the club, Ahmed Al-Zend, of “distorting the image of the independent judges’ movement”. Both were convicted in October 2014 and ordered to pay fines. (See also Magdy El-Galad in Case Closed below)

### \*Karam SABER:

**PROFESSION:** Director of the Land Centre for Human Rights, which provides human rights assistance to farmers and author. Wrote a book of short stories in 2010 entitled ‘Where is God’.

**SENTENCE:** Five years in prison and a fine of 50,000 Egyptian pounds

**DETAILS OF TRIAL:** On 12 April 2011 a group of individuals in Beni Suef governorate filed complaint No. 600/2011 accusing Saber of insulting religion in his book ‘Where is God?’ Under Article 98 of Egypt’s penal code, anyone convicted of contempt of religion in any form can face up to five years in prison. The prosecution launched an investigation which included consulting the Coptic and Muslim authorities in Egypt. The case was referred to the



Misdemeanour Court which issued a sentence of five years' imprisonment on 7 May 2013. The sentence was issued in absentia, and Karam Saber was unaware of the hearing before the sentence was passed. He presented himself to the authorities after the sentence and was briefly detained, but was released on bail pending his appeal. According to press reports, Saber's defence team suggested the testimonies against the writer are a result of personal feuds between Saber and police and Ministry of Endowments representatives because of Saber's work defending farmers' rights. The sentence was upheld by the Summary Court of Beba, Beni Suef, on 13 March 2014 and by the Court of Appeal on 5 June 2014, but he was believed to remain free at the end of the year pending a further appeal to the Court of Cassation.

### **Emad (or Imad) Abu ZEID:**

**PROFESSION:** reporter in Bani Suef for the Ahram Gate Arabic news website.

**SENTENCE:** Three years in prison

**DATE OF ARREST:** 12 September 2013.

**DATE OF RELEASE:** 13 October 2013.

**DETAILS OF ARREST:** Detained in the Beni Suef governorate after the prosecution accused him of disturbing public order through publishing false news and articles on the site because of an article he wrote in which he criticized the Egyptian authorities.

**DETAILS OF RELEASE:** Released on bail after three months in detention

**DETAILS OF TRIAL:** Sentenced to three years' imprisonment in September 2014 after conviction of membership of the outlawed Muslim Brotherhood. PEN is seeking further details as to whether he has appealed and whether he remains free on bail.

### **CASE CLOSED**

### **Magdy EL-GALAD and Alaa EL-GHATRIFY:**

**PROFESSION:** Editor-in-chief and managing editor of el-Watan.

**DETAILS OF TRIAL:** Reportedly charged with 'defamation of government figures' on 8 May 2013 for allegedly "publishing false news aimed to disturb public peace and stir panic". The charges were brought after the newspaper published a list of one hundred public figures believed to be under threat of assassination by Islamic militants, including critical journalists. The newspaper has been subject to other legal complaints in recent months. Case closed for lack of further information.

### **Ahmed Abu DERRA:**

**PROFESSION:** Reporter for the Egyptian daily newspaper Al-Masry Al-Youm and television channel ONTV

**DATE OF ARREST:** 4 September 2013

**DATE OF RELEASE:** 5 October 2013

**DETAILS OF ARREST:** arrested at a military base, when checking on a relative who was injured and arrested during military forces' shelling of the Sinai village of Muqat'a. He was referred to the military prosecution in Ismailia where he was accused of 'intentionally spreading false information' about the Egyptian army and trespassing on a military zone without a permit. He was detained for one month in preventative detention, all of it in solitary confinement.

**DETAILS OF TRIAL:** On 5 October 2013 he was handed down a suspended sentence of six months in prison and an EGP 200 fine (\$US 28) by a military court in Ismailia, and released. The sentence could be implemented if he is convicted of similar offences in the future.

**AWARDS:** won the "Investigative Report" category of the 2013 Samir Kassir Award for Freedom of the Press for his article "African Smuggling Gangs Turn Sinai into Torture Land" published on 11 July 2012. Suspended sentence assumed to have expired; case closed.

## **IRAN**

### **IMPRISONED: MAIN CASE**

### **Abolfazl ABEDINI-NASR:**

**PROFESSION:** Freelance journalist and human rights activist; former Public Relations Head of the Human Rights Association of Iran (HRA), an unregistered human rights group.

**SENTENCE:** 12 years in prison

**EXPIRES:** 2022

**DATE OF ARREST:** 3 March 2010

**DETAILS OF ARREST:** Arrested in Ahvaz on 3 March 2010 amid a wave of arrests of HRA activists and transferred to Evin Prison in Tehran.

**PLACE OF DETENTION:** Reportedly transferred from Evin prison to Karoon prison in Ahvaz on 28 July 2013.

**DETAILS OF TRIAL:** In April 2011 an Ahvaz court reportedly sentenced Abedini-Nasr to 11 years in prison after conviction of "membership of an illegal organization [HRA]", "spreading propaganda against the system" for talking to foreign media and "contacts with enemy states" which may relate to the authorities' contention that HRA was set up by the CIA as part of alleged attempts to orchestrate a "soft revolution" in Iran. Abedini-Nasr was not represented by a lawyer at trial. When Abedini-Nasr appealed, a Khuzestan provincial appellate court would not allow his defence lawyer to present arguments. The appeals court upheld the verdict. On 4 May 2011, a Revolutionary Court judge sentenced Abedini-Nasr to an additional year in prison on the charge of 'spreading propaganda against the system' for media interviews he had given in relation to his role in the HRA. The sentence was upheld on appeal in November 2011.

**CONDITIONS IN DETENTION:** In September 2010, it was reported that Abedini had been beaten at Ahvaz Prison. He was transferred to Tehran's Evin Prison later that same month. Started a hunger strike on 28 July 2013 in protest at his transfer back to Karoon prison. He was granted two short periods of temporary release in March and May 2014.



**OTHER INFORMATION:** Reporter for the provincial weekly Bahar Ahvaz. Known for his articles about labour issues.

### **Massoud BASTANI:**

**PROFESSION:** Journalist for the reformist newspaper Farhikhtegan and Jomhouriyat, a news website affiliated with the unsuccessful presidential candidate Mir-Hossein Mousavi.

**DATE OF ARREST:** 5 July 2009

**SENTENCE:** Six years in prison

**EXPIRES:** 2015

**DETAILS OF ARREST:** Arrested when he went to a Tehran court seeking information about his wife, journalist Mahsa Amrabadi, who had been arrested on 15 June 2009. (She was released on 25 August 2009 and served a one-year sentence in Evin Prison from 8 May 2012).

**CURRENT PLACE OF DETENTION:** Rajaieshahr Prison, near Karaj city.

**DETAILS OF TRIAL:** Bastani was among 140 opposition figures and journalists who faced a mass, televised trial on 1 August 2009 on vague national security charges (see Kian Tajbakhsh below). Sentenced on 20 October 2009 to six years in prison for “spreading propaganda against the system” and “gathering and colluding with intent to harm state security” for his alleged role in the post-election unrest.

**CONDITIONS IN DETENTION:** Said to have been hospitalised after being severely beaten by a prison guard on 2 June 2011. Reported to have been transferred to a prison hospital on several occasions in late 2011 due to severe headaches, and to be in urgent need of tests and CT scans not available in prison. Granted occasional temporary furloughs.

**OTHER INFORMATION:** Bastani had been editor-in-chief of the now-banned Neda-ye Eslahat (Voice of Reform) weekly. **[STOP PRESS:** Bastani was hospitalised in February 2015 after suffering a heart attack.]

### **\*Arzhang DAVOODI:**

**PROFESSION:** Writer and poet; Director of the Parto-e Hekmat Cultural Education Centre in Tehran.

**SENTENCE:** Death.

**DATE OF ARREST:** October 2003

**DETAILS OF ARREST:** Arzhang Davoodi was arrested for participating in a documentary Forbidden Iran in which he spoke out about human rights violations in Iran.

**CURRENT PLACE OF DETENTION:** On 13 August 2014, Arzhang Davoodi was transferred from the central prison of Bandar Abbas to section 12 ward 4 in Gohardasht prison where political prisoners are held.

**DETAILS OF TRIAL:** He was sentenced, in March 2005, to 25 years’ imprisonment, reduced to 10 years on appeal, on charges of “spreading propaganda against the system” and “establishing and directing an organization opposed to the government.” Following a trial in 2005 he was sentenced to 15 years’ imprisonment and 75 lashes by Branch 26 of the Revolutionary Court on charges of “spreading propaganda against the system”, “establishing and directing an organization [the Parto-e Hekmat Cultural Education Centre] opposed to the government”; as

well as for participating in the making of the documentary; and because of his writings on a secular system of governance in Iran. In 2012, a fresh charge of “enmity against God” was brought against Arzhang Davoodi. Branch 15 of the Revolutionary Court in Tehran ruled in November 2012 that the case fell outside the court’s jurisdiction, apparently due to lack of credible evidence. However, it is understood that the Ministry of Intelligence later arranged for the case to be sent to Branch One of the Revolutionary Court in Karaj, which in turn delegated the conduct of Arzhang Davoodi’s trial to Branch three of the Revolutionary Court in Bandar Abbas. Following a court session held on 3 June 2014, the Revolutionary Court in Bandar Abbas relayed Arzhang Davoodi’s defence statement to Branch One of the Revolutionary Court in Karaj. Arzhang Davoodi was not allowed to tell his lawyer to attend this session in Bandar Abbas until a few days before its scheduled date, and met his lawyer in person for the first time only at the courtroom, leaving only an hour to prepare a defence. The Revolutionary Court in Karaj eventually sentenced him to death without him or his lawyer being present. Davoodi learned from his lawyer on 20 July 2014 that he had been sentenced to death for his alleged membership and support of banned group People’s Mojahedin Organization of Iran (PMOI). Arzhang Davoodi was also sentenced, on 14 May 2014 to a further two years’ imprisonment, on a charge of “insulting the Supreme Leader”, by a Revolutionary Court in Tehran. The charge was imposed, apparently in relation to a phrase he wrote on the walls of the prison’s bathroom, implying that rampant injustice and inequality prevails in Iran under the rule of Supreme Leader Ayatollah Ali Khamenei. He has appealed against the sentence. Amnesty International considers him to be a prisoner of conscience, with no links with the PMOI or any armed groups. He is believed to have been accused of having ties with the PMOI merely because in prison he insisted on calling PMOI by its official name, Mojahedin, rather than by the term used by the Iranian authorities, Monafeghin (hypocrites).

**CONDITIONS OF DETENTION:** Following his arrest, he was held in solitary confinement for prolonged periods during which he said he was tortured and otherwise ill-treated and denied access to a lawyer and his family. During his subsequent years of imprisonment, Arzhang Davoodi has frequently been subjected to torture and other ill-treatment, which has apparently left him with broken teeth, injuries to his eye, eardrum, shoulder and knee. He has been repeatedly shuffled between numerous prisons in Tehran and the Central Prison of Bandar Abbas, which is far from his family, and subjected to prolonged periods of solitary confinement.

**BACKGROUND:** The TV documentary Forbidden Iran was filmed secretly. It was widely broadcast in northern Europe in December 2003 and in North America in January 2004. Arzhang Davoodi had assisted in the making of the documentary and was interviewed in the film. During his interview he spoke about political prisoners and the death in custody of Canadian-Iranian photojournalist Zahra Kazemi

### **Adnan HASSANPOUR:**

**PROFESSION:** Iranian Kurdish journalist, writer and human rights activist.

**SENTENCE:** 15 years in prison

**DATE OF ARREST:** 25 January 2007

**DETAILS OF ARREST:** Reportedly detained on 25 January 2007 in Marivan, a small city in the northwestern province of Kordestan. He was reportedly held incommunicado without charge

in a Ministry of Intelligence facility in Marivan, and transferred to Marivan prison on 26 March 2007. In April 2007, the Mehr News Agency, which is said to have close links with Iran's judiciary, apparently alleged that Adnan Hassanpour had been in contact with Kurdish opposition groups and had helped two people from Khuzestan province, who were wanted by the authorities, to flee from Iran.

**CURRENT PLACE OF DETENTION:** Transferred from Sanandaj Central Prison to Zahedan prison, Sistan and Baluchestan province, on 13 March 2014.

**DETAILS OF TRIAL:** He appeared before the Islamic Revolutionary Court in Sanandaj on 12 June 2007, in the presence of his lawyer. On 16 July 2007 he was told that he had been sentenced to death on charges of espionage and moharebeh ('waging war against God'). The sentence was confirmed on 22 October 2007, but was overturned by the Supreme Court in Tehran in August 2008 on procedural grounds. The case was returned to Sanandaj for a re-trial and heard on 7 September 2008 and 31 January 2009. He was sentenced to 15 years in prison on 1 July 2009.

**CONDITIONS IN DETENTION:** Reported to have been threatened by Intelligence Agency members with the withdrawal of his visiting rights and the right to temporary leave from prison for writing a letter to Hassan Rouhani in October 2013 calling for Kurdish and minority rights.

**BACKGROUND:** Adnan Hassanpour is a former member of the editorial board of the Kurdish-Persian weekly journal, Aso (Horizon), which was closed by the Iranian authorities in August 2005, following widespread unrest in Kurdish areas. He had previously been tried in connection with articles published in the journal.

**OTHER INFORMATION:** He is a member of the Kurdish Writer's Association.

**HONORARY MEMBER OF:** Swedish, American and Basque PEN.

**PEN ACTIONS:** RAN 11/07 and updates

### Ali Asghar HONARMAND:

**PROFESSION:** Blogger and activist. Founder of the technology website Narenji, which specialises in gadget news.

**SENTENCE:** 11 years in prison.

**DATE OF ARREST:** December 2013

**DETAILS OF ARREST:** Among at least 16 people to be arrested in in the southern province of Kerman as part of a crackdown by the intelligence forces of the Revolutionary Guards. Others detained include the following Narenji staff members: Abbas Vahedi, Hossein Nozari, Reza Nozari, Amir Sadeghpour, Mehdi Faryabi, Ehsan Paknejad and Malihe Nakhaei. Half of those arrested have since been released on bail, although the rest, including Narenji's staff, are thought to remain in detention. The head of Kerman's justice department, Ali Tavakoli, alleged that those arrested had participated in projects run by the BBC and received funds deriving from London.

**CURRENT PLACE OF DETENTION:** Unknown

**DETAILS OF TRIAL:** Sentenced along with 10 others (five received suspended sentences) in June 2014 in connection with "designing sites, websites, and creating content for media hostile to the system" apparently under the Cyber-Crimes Law. He is believed to have appealed against

his conviction and sentence but the appeal was not known to have taken place by the end of 2014.

### Arash HONARVAR SHOJAEI:

**PROFESSION:** Blogger, writer and cleric and author of the book, Madar-e-Shari'at, about the dissident cleric, Ayatollah Mohammad Kazem Shariatmadari, who had opposed the principle of velayat-e faqih, or "the rule of the learned cleric", which is the basis of the political system in Iran.

**SENTENCE:** Five years and three months in prison, 50 lashes, a fine, and a ban on wearing the clothes of a cleric

**EXPIRES:** 2015

**DATE OF ARREST:** 28 October 2010

**DETAILS OF TRIAL:** On 2 October 2011 a special clerical court convicted him on multiple charges of "acting against national security," "espionage," and "cooperation with foreign Embassies" and sentenced him to four years in prison, 50 lashes and a ban on wearing the clothes of a cleric. He reported in October 2013 during a prison furlough that he had been further charged with "insulting Imam Khomeini" against him after he expressed his personal opinions in an interview and sentenced to a further year in prison, as well as three months in prison for wearing the clothes of a cleric during a furlough. Place of detention: Special Clerics ward of Evin Prison (Section 325).

**CONDITIONS IN DETENTION:** Reportedly held for several months in solitary confinement, and tortured.

**HEALTH CONCERNS:** Reportedly suffering from a number of ailments including epilepsy. Granted medical leave in November 2011, but returned to prison on 9 January 2012 before being able to complete his medical treatment. Released for further treatment in July 2012, and returned to prison in January 2013. Hospitalized briefly in February 2013. Has been granted several furloughs.

### Mohammad Sadiq KABUDVAND:

**PROFESSION:** Editor of the journal Payam-e Mardom-e Kurdistan and Kurdish rights activist.

**DATE OF ARREST:** 1 July 2007.

**SENTENCE:** 11 years in prison, reduced to 10 years on appeal. He is also serving a six-month sentence from another case dating back to 2005.

**EXPIRES:** 30 June 2018

**DETAILS OF ARREST:** Reportedly arrested at his place of work in Tehran by plain-clothed security officers. Following his arrest, he was first taken to his house where three computers, books, photographs, family films and personal documents were confiscated. He spent the first five months of his detention in solitary confinement. His family was unable to raise the bail that could have enabled him to be freed pending trial.

**CURRENT PLACE OF DETENTION:** Intelligence Ministry's Section 209 of Evin Prison.

**DETAILS OF TRIAL:** Kabudvand's trial began on 25 May 2008, and he was sentenced at a closed court on 22 June 2008 to 11 years in prison by the Tehran Revolutionary Court, 10 years for



establishing the Kurdistan Human Rights Organisation and one year for propaganda against the regime. The sentence was upheld on 23 October 2008 by the Tehran Appeal Court, and reduced to 10 years.

**CONDITIONS IN DETENTION:** Held incommunicado and said to be ill-treated.

**HEALTH CONCERNS:** Suffers from high blood pressure, skin and kidney conditions and to have lost considerable weight since his arrest. On 19 May 2008 Kabudvand reportedly suffered a stroke in Evin prison and was denied access to adequate medical care. Said to have suffered another stroke in December 2008. In December 2010 he was said to be in a critical condition and to be denied the specialist medical treatment he needed. In June 2011 Mohammad Sadiq Kabudvand was seen by an independent doctor who reportedly stated that he needed to undergo two operations for hardening of the heart arteries and an enlarged prostate. In May 2012 he started a hunger strike in protest at being denied permission to visit his sick son, who suffers from a rare blood condition. On 27 July 2012 he ended his hunger strike after 59 days when he was granted leave to visit his son.

**BACKGROUND:** Among several prominent Kurdish human rights defenders and journalists to be detained on 2 August 2005 following protests in the city of Sanandaj, capital of Kurdistan. Kabudvand was reportedly sentenced to 10 months in prison on 18 August 2005 for "separatist propaganda". Reportedly held in solitary confinement for 66 days before being freed on bail. For reasons unclear to PEN, Kabudvand was summoned by the Office for the Execution of Sentences on 22 September 2006, and ordered to serve out the remainder of his sentence. Released in April 2007.

**OTHER INFORMATION:** Mohammad Sadiq Kabudvand was Chair of the Kurdish Human Rights Organization (RMMK) based in Tehran, and former editor of Payam-e Mardom-e Kurdistan (Kurdistan People's Message) a weekly published in Kurdish and Persian, which was banned on 27 June 2004 after only 13 issues for 'disseminating separatist ideas and publishing false reports'. Although the ban was subsequently lifted by the Supreme Court, the paper has not appeared again. He has also reportedly written two books on democracy and a third on the women's movement in Iran, which were not given publishing licences. The UN Working Group on Arbitrary Detention found his detention to be arbitrary in opinion 48/2012 and called for him to be released and afforded an enforceable right to compensation

**AWARDS:** Recipient of the 2009 Hellmann/Hammett prize and the 2009 International Journalists award.

**HONORARY MEMBER OF:** Swedish PEN.

**PEN ACTION:** RAN 30/07 – 18 July 2007; Update #2 – 4 June 2008; Update #3 – 2 July 2008; Update #4 – 4 November 2008).

### Saeed MADANI:

**PROFESSION:** Sociologist and former editorial board member of the banned magazine Iran-e Farda and former editor-in-chief of the quarterly Refah-e Ejtemaee (Journal of Social Welfare).

**DATE OF BIRTH:** 1960

**SENTENCE:** Six years in prison

**DATE OF ARREST:** 7 January 2012

**CURRENT PLACE OF DETENTION:** initially held in Section 209 of Tehran's Evin prison, where he spent two-and-a-half months in solitary confinement. Transferred to Section 350 on 15

December 2012. Moved to solitary confinement in April 2013 after taking part in a protest in prison.

**DETAILS OF TRIAL:** Tried in January 2013 and sentenced to six years' imprisonment to be spent in exile in prison in Bandar Abbas, and 10 years of enforced residency in Bandar Abbas city after conviction of "spreading propaganda against the system" and "gathering and colluding with intent to harm national security". These accusations are believed to relate to his activities in the National Religious Alliance and in the opposition Green Movement.

**OTHER INFORMATION:** He is a well-known researcher and sociologist and member of the National Religious Alliance (Melli-Mazhabi). On the occasion of World Human Rights Day 20 he and four other prisoners issued a statement from prison about the situation of human rights in Iran.

### Said MATINPOUR:

**PROFESSION:** Journalist with the Azeri-language weekly Yarpagh.

**DATE OF ARREST:** 28 May 2007

**SENTENCE:** Eight years in prison.

**EXPIRES:** September 2016

**DETAILS OF ARREST:** Arrested on 28 May 2007 at his home in the northwestern city of Zanjan. Held incommunicado in pre-trial detention in Section 209 of Evin prison, without access to family visits, until 26 February 2008 because his family was unable to raise the bail sum. Released on bail, but rearrested on 11 July 2009 to serve the remainder of his sentence.

**DETAILS OF TRIAL:** Convicted by a Tehran Revolutionary Court branch behind closed doors on 11 June 2008 on charges of 'espionage' and 'spreading propaganda against the system' Believed to be held for his activities on behalf of the rights of the Azerbaijani community in Iran. His lawyer was not present at the hearing. His sentence was upheld on appeal in June 2008.

**CURRENT PLACE OF DETENTION:** Moved from Evin Prison to Zanjan Central Prison in September 2014

**HEALTH CONCERNS:** Said to suffer from digestive and back problems as a result of ill-treatment in prison. Calls for him to be granted temporary leave to seek medical care have been denied. Reportedly granted a three-day furlough from prison on 28 July 2014

### Hamid Reza MORADI SARVESTANI, Reza ENTESSARI, Omid BEHROOZI, Mostafa DANESHJOO, Amir ESLAMI, Afshin KARAMPOUR, Farshid YADOLLAHI, and Mostafa ABDI:

**PROFESSION:** managing editors and journalists respectively of the website Majzooban-e-Noor.

**SENTENCE:** Moradi was given 10 years and six months in prison, and Entessari was given eight years and six months. Daneshjoo, Yadollahi, Eslami, Behrouzi, and Karampour were sentenced to seven and a half years in prison. Abdi was given three years in prison. The journalists were also banned for five years from "membership in groups, parties, sects, and activities in publications, media, and virtual space."



**DATE OF ARREST:** 5 September 2011

**DETAILS OF ARREST:** Reportedly amongst at least 30 members of the religious minority Gonabadi dervishes arrested following a confrontation with plainclothes agents in the town of Kavar in Fars province. The journalists are all affiliated with Majzooban-e-Noor, a website that reports news about the Gonabadi dervish community. The journalists are also lawyers who have represented Gonabadi dervishes in recent years.

**CURRENT PLACE OF DETENTION:** Evin Prison, Tehran

**DETAILS OF TRIAL:** They were charged with "publishing falsehoods," "creating public anxiety," "propaganda against the state," and "acting against national security." Majzooban-e-Noor said agents had targeted the journalists in an effort to silence news coverage about the group. On 15 January 2013, the journalists refused to attend their trial, saying the Revolutionary Court was not qualified to hear their case. In July 2013, the Tehran Revolutionary Court sentenced the journalists to between three and 10 years each in prison on charges of "forming the illegal Majzooban-e-Noor group with the intent to disrupt national security," "propaganda against the system," "insulting the Supreme Leader," and "participation in disrupting public order". The journalists had refused to appear in court in protest against what they said was the court's bias.

**HEALTH CONCERNS:** Hamid-Reza Moradi and Mostafa Daneshjoo were reportedly transferred to hospital on 6 November 2013. Hamid-Reza Moradi has heart problems and is suffering from blocked arteries which could lead to his legs being amputated. Mostafa Daneshjoo suffers from severe asthma and acute pulmonary heart disease.

#### \*Marzieh RASOULI (f):

**PROFESSION:** Journalist for Shargh, where she edited the newspaper's music pages, Etemaad and Roozegar and blogger who blogs at 3rouzpush (Three Days Ago).

**SENTENCE:** Two years in prison

**DATE OF ARREST:** (1) January 2012 (2) January 2013 (3) 8 July 2014

**DATE OF RELEASE:** (1) late February 2012

**DETAILS OF ARREST:** Journalist and blogger Marzieh Rasouli was first arrested in January 2012 along with two other prominent women journalists - Parastoo Dokouhaki and Sahamoldin Borghani – and held for six weeks in solitary confinement on national security charges. They were thought to have been accused of collaborating with the BBC's Persian service, broadcast by satellite, which is banned in the country. All three were released on bail in late February 2012. The day before their release, a statement posted on the Gerdab website, run by the Revolutionary Guards' Cyber-Crimes unit accused them of "collaborating with the BBC, British intelligence and the foreign-based opposition." The Revolutionary Guards had announced that an operation code-named "Eye of the Fox" had led to the breakup of an information-gathering network that produced content for the BBC in Iran. On 5 March, 2012, 'confessions' of those arrested – for the most part excerpts from their interrogations – were broadcast on national TV channels and relayed by Press TV, the Islamic Republic's English-language station. Rasouli was also briefly detained in January 2013, together with 18 other journalists working for reformist media outlets.

**DETAILS OF TRIAL:** In February 2014 Marzieh Rasouli and Parastoo Dokouhaki were both tried and convicted of "spreading propaganda against the system" and "disruption of public order,"

as a result of their participation in peaceful assemblies and protests Dokouhaki reportedly received a suspended sentence, and Rasouli was sentenced to 50 lashes and two years in prison. She remained free on bail pending appeal, and the Court of Appeal upheld the sentence on 2 July 2014. She reported to prison on 8 July 2014 to serve out her sentence.

**OTHER INFORMATION:** In May 2014 Marzieh Rasouli contributed an article to a special Issue of The Dissident Blog, published by Swedish PEN devoted to digital freedom.

**PEN ACTIONS:** RAN 11/14 and updates; press statement 30 July 2014

#### Hossein RONAGHI-MALEKI:

**PROFESSION:** Blogger.

**DATE OF BIRTH:** 1985

**DATE OF ARREST:** 13 December 2009

**DATE OF RELEASE:** 3 September 2014

**SENTENCE:** 15 years in prison

**DETAILS OF ARREST:** Arrested for discussing politics in a series of critical blogs which were blocked by the government. Founder of an anti-censorship group known as 'Iran Proxy', launched in 2003. Held in pre-trial detention in solitary confinement for 10 months after his arrest.

**DETAILS OF RELEASE:** unclear whether on medical furlough or if his prison sentence has been suspended.

**CURRENT PLACE OF DETENTION:** Evin prison, Tehran.

**DETAILS OF TRIAL:** Convicted of "membership of the Internet group 'Iran Proxy' and spreading propaganda against the system", "insulting the Supreme Leader" and "insulting the President" and sentenced to 15 years in prison. An appeals court upheld his sentence. Tried separately in two other cases in 2013. Sentenced to two years for giving aid to earthquake victims and five months for disobeying the orders of police. The two year sentence was overturned on appeal in September 2013.

**HEALTH CONCERNS:** Has developed kidney disease whilst in prison, possibly as a result of torture, and has been suffering from related complications since April 2010. He was hospitalised in March 2011 and underwent a kidney transplant in May 2011. Said to have been transferred again to hospital in June 2012, and was given leave in July 2012. Reportedly arrested again while on leave for participation in helping earthquake victims near his home town in East-Azerbaijan province in Sept 2012; given leave in November 2012 for medical treatment. Was recalled to prison before the presidential election of 2013. Started a hunger strike on 9 August 2013 in protest at being denied medical leave. He ended the hunger strike on 5 September 2013 after becoming critically ill. Released temporarily for medical treatment on 3 September 2014 [STOP PRESS: Ronaghi Maleki was summoned to the Office of the prosecutor on 28 February 2015, where he was arrested and returned to prison. He undertook a week long hunger strike between 1 and 7 March 2015]

## Mahvash SABET (f):

**PROFESSION:** Teacher and poet.

**DATE OF BIRTH:** 1953

**DATE OF ARREST:** 5 March 2008

**SENTENCE:** 20 years in prison

**DETAILS OF ARREST:** One of seven Baha'i leaders known as the "Yaran-i-Iran" – or "Friends in Iran" – the now-disbanded group which worked to support the spiritual and social needs of Iran's 300,000-member Baha'i community. The other six are Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naeimi, Saeid Rezaie, Behrouz Tavakkoli, and Vahid Tizfahm. The Baha'i faith has been the focus of a systematic, state-sponsored persecution in Iran since the 1979 revolution, when all Baha'i elected and appointed institutions were banned. The "Friends in Iran" was then formed with the full knowledge of the government and served as an informal council for the Baha'i in Iran until its entire membership was arrested in 2008. Mahvash Sabet was arrested on 5 March 2008 while on a trip to Mashhad. The other six were arrested on 14 May 2008 at their homes in Tehran. All were imprisoned without charge for 20 months, during which they were held incommunicado for weeks and were not allowed access to legal counsel. All suffered appalling treatment and deprivations during pre-trial detention.

**CURRENT PLACE OF DETENTION:** Evin prison, Tehran.

**DETAILS OF TRIAL:** Their trial began on 12 January 2010. The charges against the seven were as follows: espionage, propaganda against the Islamic republic, the establishment of an illegal administration, cooperation with Israel, sending secret documents outside the country, acting against the security of the country, and corruption on earth. Some of the charges, including the last one which carries a death sentence, were later dropped. All the defendants categorically denied the charges against them. The trial ended on 14 June 2010 after six brief sessions, characterized by their lack of due legal process. Each of the defendants was initially sentenced to 20 years imprisonment. One month later, the appeal court revoked three of the charges and reduced their sentences to 10-year jail terms. In March 2011, the prisoners were informed that their original 20-year sentences were reinstated. In spite of repeated requests, neither the prisoners nor their attorneys have ever received official copies of the original verdict or the ruling on appeal.

**OTHER INFORMATION:** Mahvash Sabet began her professional career as a teacher and also worked as a principal at several schools. In her professional role, she also collaborated with the National Literacy Committee of Iran. After the Islamic revolution, like thousands of other Iranian Baha'i educators, she was fired from her job and blocked from working in public education. Before her arrest, she served for 15 years as director of the Baha'i Institute for Higher Education, which provides alternative higher education for Baha'i youth. She is married and has two grown children. Mahvash began writing poetry in prison and a collection of her prison poems was published in English translation on 1 April 2013. In 2008, the UN Working Group on Arbitrary Detention, in opinion 34/2008 found the imprisonment of the seven Baha'i leaders to be arbitrary and requested their immediate and unconditional release.

**HONORARY MEMBER OF:** Danish PEN.

**PEN ACTION:** Day of the Imprisoned Writer case 2015, Open letter from Alberto Manguel

## Keyvan SAMIMI-BEHBAHANI:

**PROFESSION:** Editor of the banned Nameh magazine and human rights defender.

**DATE OF BIRTH:** 1945

**DATE OF ARREST:** 14 June 2009

**SENTENCE:** Six years' imprisonment and 15 years' ban on all political, social and cultural activities.

**EXPIRES:** 2015

**DETAILS OF ARREST:** Reportedly arrested at his home in the unrest following the disputed presidential election of 2009.

**CURRENT PLACE OF DETENTION:** Rajaie Shahr prison

**DETAILS OF TRIAL:** Sentenced to six years' imprisonment and 15 years of ban on participation in political activities on 2 February 2010 after conviction of "spreading propaganda against the system", and "gathering and colluding with intent to harm national security".

**CONDITIONS IN DETENTION:** Said to have been tortured or otherwise ill-treated in detention.

**HEALTH CONCERNS:** Said to be suffering from a liver ailment and has been denied access at times to adequate medical treatment.

**OTHER INFORMATION:** He is a member of the National Council for Peace and the Committee for the Defence of Freedom of the Press, member of the Committee for Investigation of Arbitrary Detentions and member of the Committee for the Defence of the Right to Education.

**AWARDS:** Recipient of the 2012 Hellman/Hammett award.

## Mehrdad SARJOU:

**PROFESSION:** International news reporter for the English-language daily Iran News and Tehran Times.

**DATE OF ARREST:** July 2011

**SENTENCE:** Three years in prison, plus seven years' suspended sentence.

**DETAILS OF ARREST:** Reportedly arrested at his home in July 2011 and transferred to the Intelligence Ministry's Section 209 at Evin Prison. Sarjoui had previously worked in the international relations department of the government's Strategic Research Centre, according to the U.S. government-funded Radio Free Europe/Radio Liberty. Staff members for the research agency have access to politically sensitive material, which has placed them under intense scrutiny by government security agents.

**CURRENT PLACE OF DETENTION:** Section 350 of Evin Prison.

**DETAILS OF TRIAL:** Initially faced charges of espionage. Released on bail in April 2012. Sentenced to 10 years in prison on charge of "cooperation with hostile states by publishing articles, interviews and analyses in favour of hostile states". Conviction confirmed on appeal but his sentence was reduced to three years' actual and seven years' suspended imprisonment; he started serving his sentence on 28 November 2012. **[STOP PRESS:** He was released on 13 January 2015 after completing his sentence.]



## Ahmad ZAID-ABADI:

**PROFESSION:** Journalist who wrote for many newspapers and later a weekly column for Rooz Online, a Farsi- and English-language reformist news Web site.

**DATE OF BIRTH:** 1967

**SENTENCE:** Six years in prison

**EXPIRES:** 2015

**DATE OF ARREST:** 21 June 2009

**DETAILS OF ARREST:** Reportedly arrested in Tehran during the crackdown on protests following the disputed June 2009 presidential elections.

**CURRENT PLACE OF DETENTION:** Rajaie Shahr prison.

**DETAILS OF TRIAL:** Zaid-Abadi was among more than 100 opposition figures and journalists who faced a mass, televised trial in August 2009 on vague anti-state accusations. In November, he was sentenced to six years in prison, five years of exile in Gonabad, Razavi Khorasan province, and a lifetime ban on participation in social and political activities. Sentence upheld on appeal in early January 2010.

**CONDITIONS IN DETENTION:** His wife reports that he is being held in harsh conditions, alongside common criminals.

**HEALTH CONCERNS:** His wife reported in July 2011 that he had lost a lot of weight and that she was seriously concerned for his health. On leave from prison between January and May 2013.

**AWARDS:** Golden Pen of Freedom Award 2010 and UNESCO/Guillermo Cano World Press Freedom Prize 2011

## DETAINED - MAIN CASE:

### \*Hossein EBLIS:

**PROFESSION:** Rapper.

**DATE OF ARREST:** 15 December 2014

**DETAILS OF ARREST:** Arrested in Mashhad, north-east Iran six days after the Ministry of Culture and Islamic Guidance issued a ban on rap concerts. According to Khorasan newspaper, security forces and the Morality Police of Khorasan-e-Razavi province had kept the rapper under surveillance for some time and, after discovering that he had set up a fully equipped studio in Mashhad, conducted a joint raid. Eblis was arrested on the basis of an arrest warrant from Branch 904 of Mashhad's Revolutionary Court. Several musical instruments and sound equipment were reportedly found and confiscated. Eblis' lyrics are said to have frequently mocked the authorities and to have contained obscenities.

### Zahra RAHNAVAR (f):

**PROFESSION:** Academic, writer and politician.

**DATE OF ARREST:** February 2011

**DETAILS OF ARREST:** Has been held under unofficial house arrest in Tehran for her and her husband's political activism. Zahra Rahnavard and opposition leaders, Mir Hossein Mousavi and Mehdi Karroubi, have been held under house arrest since February of 2011 after they called for popular demonstrations on social media in support of the people of Tunisia and Egypt. There have not been any official legal proceedings against them. Both men had alleged vote fraud in the disputed 2009 presidential election which was followed by a widespread crackdown on protests against the result. In the wake of the protests, and Karroubi and Mousavi's criticism both of the election and of alleged human rights violations by state agents, the authorities tightly monitored and controlled their and their wives' movements, and suspended the presidential candidates' newspapers Etemad-e Melli and Kalame-ye Sabz.

**OTHER INFORMATION:** Dr Rahnavard is a leading Iranian academic, writer, artist and politician. She served as the Chancellor of Alzahra University from 1998–2006, becoming the first female chancellor of a university since the Islamic Revolution in 1979. During this time she also served as political advisor to President Khatami. She is a member of the reformist opposition group, the Green Path of Hope headed by her husband, Mir-Hossein Mousavi. Dr Rahnavard is also the author of 15 books. Born in 1945, and a mother of three daughters, Zahra Rahnavard is a committed women's rights activist. She broke convention by campaigning on her husband Mir-Hossein Mousavi's 2009 presidential campaign, becoming the first woman to do so in Iran. Her mantra on the campaign trail – that 'getting rid of discrimination and demanding equal rights with men is the number one priority for women in Tehran' – is credited with galvanising young women to vote. She is also a devout Muslim and vocal supporter of the hijab, arguing that it liberates women, though she has said it should be a woman's choice to wear it. On 30 March 2012, in its opinion 30/2012 the UN Working Group on Arbitrary Detention found the house arrest of the three to be arbitrary and requested that they be released and afforded an enforceable right to compensation

**PEN ACTIONS:** Day of the Imprisoned Writer case 2013

### \*Jason REZAIAN (US-Iranian national):

**PROFESSION:** Correspondent with the Washington Post and Iran correspondent for the UAE newspaper The National respectively

**DATE OF ARREST:** 22 July 2014

**DETAILS OF ARREST:** Arrested after Iranian security forces raided his home in Tehran in July 2014 along with his wife, Yeganeh Salehi (see under Brief detention below). Rezaian spent about five months in solitary confinement.

**CURRENT PLACE OF DETENTION:** Evin Prison, Tehran

**DETAILS OF TRIAL:** Rezaian was charged in December 2014, most likely with national security offences; however, the charges against him have not been made public. His trial is due to be heard by Branch 15 of the Iranian Revolutionary Court, which deals with national security crimes and has in the past tried many cases of foreign nationals and Iranians with connections outside the country accused of national security offences, including espionage. An MP has suggested that Rezaian is facing espionage charges. The Iranian authorities did not allow the first defence lawyer hired by the Rezaian family to represent him. Iran does not recognize dual nationality and so Rezaian has not been granted any consular assistance.



**OTHER INFORMATION:** The family has set up an online petition, where further updates to Jason Rezaian's case can be read and the petition signed.

**PEN ACTION:** Press statement 30 July 2014, RAN 06/2015 [**STOP PRESS:** On 1 March 2015 a second lawyer, Leila Ahsan, was approved to represent him and is believed to have met him for the first time on 20 April 2015. Afterwards she said that he is facing four charges including espionage, 'collaborating with hostile governments' and 'spreading propaganda against the system'. Ahsan said that the case file presents no evidence to justify the accusations against Rezaian and that the charges are related to his journalistic pursuit of stories about Iran.]

## BRIEF DETENTION

### \*Saba Azarpeik (f):

**PROFESSION:** Saba Azarpeik is a leading independent journalist and political correspondent for the newspaper Etemaad, and the Tehran-based weekly Tejarat-e Farda

**DATE OF ARREST:** 28 May 2014

**DATE OF RELEASE:** 20 August 2014

**DETAILS OF ARREST:** She was arrested during a raid on the office of Tejarat-e Farda. The hardline website Kheybar Online had recently accused her of spying on the country's hardline media. Prior to her arrest, Azarpeik had reportedly written a series of articles accusing the hardline movement of trying to undermine the government of President Hassan Rouhani. Kheybar Online also alleged that she had close ties with the Britain-based journalist Masih Alinejad, who ran a "Stealthy Freedoms" Facebook campaign calling on women across Iran to post photos of themselves without Islamic head-covering. Azarpeik was particularly outspoken on her Facebook page, which was taken offline after she was detained. During her detention she was allowed to contact her family on only one occasion. On 21 and 22 July 2014 she appeared in Branch 26 of the Revolutionary Court and was said to be in a poor physical and psychological condition, having lost a lot of weight. At the time, there were reports that she had needed treatment for severe back pain.

**DETAILS OF RELEASE:** Saba Azarpeik was released on bail of two billion rials (approximately US\$74,000)

**BACKGROUND:** Azarpeik was previously arrested in early 2013 when security forces detained a number of reformist journalists. She spent some weeks in Evin prison. Azarpeik has also written several reports about the situation of political prisoners and conditions of detention, as well as about the death in custody of blogger Sattar Beheshti in 2012 (see 2012 case list)

### \*Mehdi KHAZALI:

**PROFESSION:** Blogger, Editor of website Baran (www.drkhazali.com). Political activist and government critic.

**SENTENCE:** 14 years in prison.

**DATE OF ARREST:** 20 June 2014

**DATE OF RELEASE:** 14 July 2014

**DETAILS OF ARREST:** Reportedly arrested while on a trip to the north of Iran and transferred to Evin prison. Initial reports said the arrest could be in connection with a critical blog post Khazali wrote that accused Ayatollah Mahdavi Kani of corruption and embezzlement. Mahdavi Kani is the head of the Assembly of Experts, the clerical body charged with electing the Supreme Leader.

**DETAILS OF RELEASE:** Reported on to have been hospitalised after going on hunger strike, and subsequently freed on health grounds after the authorities had decided he was too ill to return to jail.

**BACKGROUND:** Khazali has been arrested seven times since 2009 for his writing. On 9 January 2012 he was sentenced to 14 years in prison, 10 years' enforced residency and 90 lashes, of which he served several months before being released on health grounds. Khazali has undertaken repeated, lengthy hunger strikes in protest at his arrests which have seriously affected his health.

### \*Yeganeh SALEHI (f):

**PROFESSION:** Iran correspondent for the UAE newspaper The National

**DATE OF ARREST:** 22 July 2014

**DATE OF RELEASE:** Early October 2014

**DETAILS OF ARREST:** Arrested with her husband Jason Rezaian (see Detained – Main case above) after Iranian security forces raided their home in Tehran in July 2014.

**DETAILS OF RELEASE:** She was released on bail and warned not to work as a journalist again.

## ON TRIAL

### Fatemeh EKHTESARI (f) and Mehdi MOOSAVI:

**PROFESSION:** Poets and activists.

**DATE OF ARREST:** 6 December 2013

**DATE OF RELEASE:** 14 January 2014

**DETAILS OF ARREST:** Poets and activists Fatemeh Ekhtesari and Mehdi Moosavi were due to travel to Turkey for a literary workshop. At the airport they were both informed that they had been placed under travel bans and were summoned for interrogation. They chose not to appear at the interrogation. Within a few hours they had disappeared. There was no further news of them until 24 December 2014, when it was confirmed that they were being held in Section 2A of Evin prison, which is under the administration of the Intelligence Division of the Islamic Revolution Guards Corps and where torture and other ill-treatment of detainees is common. The reason for their detention is not known, although some reports suggest that they could have been held because of their lyrics, which have been performed by the Iranian singer in exile, Shahin Najafi. The two had previously made statements critical of the government and in support of pro-democracy movements, and were under escalating pressure in Iran at the time of their arrest.

**DETAILS OF RELEASE:** Released on bail

**DETAILS OF TRIAL:** Ekhtesari's lawyer was not granted access to her case file. She was also prevented from attending an appointment with her lawyer after she received a telephone call from her interrogators warning her that she would be killed if she went to Tehran for the appointment. The first session of Ekhtesari and Moosavi's trial took place at Branch 28 of the Tehran Revolutionary Court on 17 May 2014. The pair faced charges of cooperation with foreign media and artists and harming national security. During the hearing, in which the judge made Ekhtesari the focus after throwing Moosavi out of court, neither the defendant nor their counsel were allowed to speak. The court heard testimony, which Ekhtesari contends was falsified, from her interrogation sessions while she was detained in Evin Prison. At the end of the hearing, the judge reportedly ruled that a second hearing would need to take place owing to the seriousness of the case. Two additional charges of "insulting the Supreme Leader" and "preparation to carry out terrorism" have been laid against Ekhtesari and Moosavi. A court hearing reportedly took place in December 2014 but the trial had not concluded at the end of the year.

**OTHER INFORMATION:** Even after their release, Ekhtesari reports suffering continued harassment at the hands of the security forces. Pressure from the authorities led to Ekhtesari being fired from her job as a midwife in a local clinic. She reports receiving regular harassing telephone calls from her interrogators, while news agencies allied with the authorities publish articles about her. Ekhtesari's computer was returned to her with the hard drive wiped, effectively destroying her entire catalogue of works. They were reportedly briefly detained on 3 July 2014 in the city of Khoy, in northern Iran, but were released the following day.

#### **\*Mashallah SHAMSOLVAEZIN:**

**PROFESSION:** Prominent journalist. Former editor, and in some cases founder, of four reformist dailies: Kayhan, Jame'eh (later Tous), Neshat and Asr-e Azadegan, which were all successively shut down by Iran's authorities.

**DATE OF ARREST:** 28 June 2014

**DETAILS OF ARREST:** On 21 June, received a summons on to report for interrogation at Evin Prison which he complied with on 28 June

**DATE OF RELEASE:** 28 June 2014

**DETAILS OF RELEASE:** He said he was released on bail of 2 billion riyals (approximately US\$80,000).

**DETAILS OF TRIAL:** On 28 June 2014, he wrote on his Facebook page that he had been charged with "propaganda against the system" related to his interviews with media and speeches he gave at two regional and international journalism conferences. A trial hearing took place on 30 November 2014.

**BACKGROUND:** Shamsolvaezin has been jailed three times since 1998 on vaguely worded national security charges for his criticism of government policies. The longest period being the 17 months he spent in Iran's notorious Evin Prison in 2000 to 2001 in connection with an article criticising capital punishment that was deemed insulting to Islamic principles. He was most recently released in 2010.

#### **Reyhaneh TABATABAEI: (f)**

**PROFESSION:** journalist for Shargh and Bahar.

**SENTENCE:** (1) Six months in prison, plus six months' suspended sentence (2) One year in prison

**DATE OF ARREST:** (1) December 2010 (2) 31 January 2013 (3) 21 June 2014

**DATE OF RELEASE:** (1) January 2011 (2) February 2013 (3) 11 November 2014

**DETAILS OF ARREST:** (1) Tabatabaie was arrested in December 2010 for reporting on the arrest of political prisoners after the 2009 presidential election. She was released on bail a month later. (2) She was also arrested on 31 January 2013 and held for a month as part of a widespread clampdown on journalists. (3) She was arrested on 21 June 2014 after she responded to a summons by the Office of the Prosecutor in Evin Prison to be informed of new charges stemming from a separate case against her. She was reportedly released on bail after being informed of the new charges, but was then arrested the same day to serve her prison sentence in relation to her December 2010 arrest.

**DETAILS OF RELEASE:** (1) Released on bail (2) Released on bail (3) Released on expiry of sentence

**DETAILS OF TRIAL:** (1) A Tehran Revolutionary Court sentenced her to a one-year prison term on 2 April 2012 for alleged "propaganda against the system". The opposition Kalame news site said it related to her 'campaigning for free elections through [promoting] the elimination of the Council of the Guardians' vetting powers, [advocating for] reforms in the Council of the Guardians, free press, free political parties" and "publishing the news of political prisoners". Her sentence was later reduced on appeal to six months' actual and six months' suspended imprisonment. (2) On 28 December 2014 she was sentenced to one year in prison and a two-year ban on membership in political parties, groups, political associations and on activities in the media and cyberspace for 'spreading propaganda against the system'. This conviction reportedly relates to a number of her Facebook posts and her participation in the Reformists Youth Conference in the city of Shahr-e Kord, central Iran. This sentence was believed to be under appeal at the end of the year.

#### **CONDITIONAL RELEASE**

#### **Maryam BAHREMAN (f):**

**PROFESSION:** Womens' rights activist and blogger. Member of the Campaign for 'One Million Signatures' calling for greater respect for women's rights in Iran.

**SENTENCE:** eight months in prison, suspended for three years

**DATE OF ARREST:** 11 May 2011

**DETAILS OF ARREST:** arrested on at her home in Shiraz on suspicion of vaguely worded "national security" offences, some weeks after she had attended the 55th session of the UN Commission on the Status of Women. Her home was searched and her computer, mobile phone, books and documents seized.

**DATE OF RELEASE:** On 15 September 2011 Maryam Bahreman was released on bail.

**DETAILS OF TRIAL:** Reported on 7 December 2012 to have been handed down an eight-month prison sentence suspended for three years, after conviction of “spreading propaganda against the system”.

### **Ahmad GHOLAMI:**

**PROFESSION:** Writer, translator, and Editor-in-Chief of the daily newspaper Shargh.

**SENTENCE:** One year in prison, suspended for five years

**DATE OF ARREST:** 7 December 2010

**DETAILS OF ARREST:** arrested with several other journalists from the newspaper in connection with reports on the crackdown in the aftermath of the 2009 disputed presidential elections.

**DATE OF RELEASE:** Released on bail on 29 December 2010.

**DETAILS OF TRIAL:** His trial started on 8 March 2012 and he was sentenced to one year in prison, suspended for five years.

### **Davood KHODAKARAMI:**

**PROFESSION:** Journalist for the Azeri-language newspaper Bayram Monthly.

**SENTENCE:** four months in prison, suspended for four years

**DATE OF ARREST:** 18 November 2011.

**DATE OF RELEASE:** 5 Dec 2011

**DETAILS OF ARREST:** Reportedly detained in the northwestern province of Zanjan. He had gone to a Zanjan bus terminal to ship copies of his publication to the city of Tabriz. Bayram Monthly is the only publication in the city of Zanjan that covers cultural and social issues. Security forces had reportedly gone to Khodakarami's home several times since August 2011, threatening his family and searching the premises and confiscating his computer and personal items. Held in Rajaieshahr Prison

**DETAILS OF RELEASE:** released on bail.

**DETAILS OF TRIAL:** Reported on 7 September 2012 to have received a suspended sentence after conviction of “spreading propaganda against the system” by the Revolutionary Court in Tabriz. His sentence was upheld on appeal the same month.

### **Shiva NAZAR-AHARI (f):**

**PROFESSION:** Reporter for the Committee of Human Rights Reporters.

**DATE OF BIRTH:** 1985

**SENTENCE:** Four years in prison

**DATE OF ARREST:** 8 September 2012

**DATE OF RELEASE:** Released temporarily on bail in September 2013; could be returned to prison at any time.

**DETAILS OF ARREST:** Arrested on 14 June 2009 in her office following the disputed presidential election. Charged with ‘moharebeh’ (‘waging war against God’), ‘spreading propaganda against the system’ and ‘gathering and colluding against national security’ for her alleged

participation in political gatherings in 2009. She was released on 13 October 2009 on bail equivalent to US\$200,000 but was re-arrested on 19 December 2009 on her way to Qom to attend the funeral of Grand Ayatollah Montazeri. According to her mother, in April 2010, Shiva Nazar-Ahari was charged with "causing unease in the public mind through writing on the CHRR's website and other sites" and "acting against national security by participating in [anti-government] demonstrations on 4 November 2009 and 7 December 2009." Shiva Nazar-Ahari denied attending the demonstrations, saying that she had been at work on those days. Released on bail on 12 September 2010.

**DETAILS OF TRIAL:** In a lower court hearing on 4 September 2010, she was sentenced to six years in prison, exile to township of Izeh, and 74 lashes. In January 2011, it was reported that Branch 36 of the Tehran Appeals Courts had acquitted Shiva Nazar-Ahari of the charges of “gathering and colluding against national security,” reducing her sentence to four years in prison and also changed her exile location from the township of Izeh to one of the prisons in Karaj. Remained free on bail until she was summoned to serve her four-year sentence on 8 September 2012. Temporarily released on a three-day furlough on 12 March 2013 and in September 2013 and remains free on bail.

### **Alireza ROSHAN:**

**PROFESSION:** Poet, writer and head of the book section of the Shargh newspaper. Also an administrator for the Gonabadi Dervish website Majzooban-e Noor.

**DATE OF ARREST:** 17 November 2012

**SENTENCE:** One year actual imprisonment, plus four further years suspended.

**DATE OF RELEASE:** 16 October 2013

**DETAILS OF ARREST:** Reportedly arrested at his home on 4 September 2011 after security forces raided the office of Majzooban Noor website. One of 11 Majzooban Noor website administrators to be detained in early September 2011 following a violent incident on 2 September in the city of Kavar in which security forces allegedly opened fire on dervishes, injuring many. He was released on bail on 3 October 2011.

**DETAILS OF RELEASE:** Released on expiry of his one year sentence.

**DETAILS OF TRIAL:** Sentenced to five years in prison, four of which were suspended by Branch 26 of Revolutionary Court on charges of “gathering and colluding with intent to harm national security”. The ruling was upheld by an appeal court on 16 October 2012. Place of detention: Evin prison, Tehran.

**OTHER INFORMATION:** Roshan is a poet who has published a collection of poems entitled There is no Book and his poetry has been translated into French

**AWARDS:** He received the Prix André Verdet du Poète Résistant in June 2013.

### **Hengameh SHAHIDI (f):**

**PROFESSION:** Journalist and opposition activist. Worked for Mehdi Karroubi’s 2009 presidential campaign and has written about Iranian and international politics, human rights, and specifically women’s rights. She was known as a reformist journalist who had written many articles condemning the practice of stoning.



**SENTENCE:** Six years in prison

**EXPIRES:** July 2015

**DATE OF ARREST:** (1) early July 2009 (2) 25 February 2010

**DATE OF RELEASE:** (1) 1 November 2009 (2) June 2011

**DETAILS OF ARREST:** Reportedly arrested in early July 2009 and held for 50 days in solitary confinement at Section 209 of Evin prison, which is controlled by the Ministry of Intelligence, where she was reportedly subjected to torture and ill-treatment. Her lawyer said she had been facing pressure to admit to “immoral relations” with men. Reportedly charged with several national security offences, including “spreading propaganda against the system”.

**DETAILS OF RELEASE:** (1) Released on bail (2) Released for medical treatment

**DETAILS OF TRIAL:** In November 2009, a Revolutionary Court sentenced her to six years and three months in prison. On appeal, on 24 February 2010, the sentence was reduced to six years’ imprisonment and a fine of 500,000 rials (approx. 46,000 US\$). Shahidi was taken into custody the next day. Place of detention: Evin prison, Tehran.

**HEALTH CONCERNS:** In May 2010 Shahidi reportedly spent several days at Evin Prison’s infirmary after a fellow prisoner beat her as prison authorities stood by. Shahidi was briefly released on bail so she could have medical care, but she was taken back into custody in mid-November 2010 before her treatment was completed. Has reportedly been on leave from prison since June 2011 for further medical treatment.

## RELEASED

### Bahman AHMADI-AMOUEE:

**PROFESSION:** Journalist. Contributor to several reformist newspapers including Mihan, Hamshahri, Jame’e, Khordad, Norooz, and Sharq. Former editor of the now banned leading economic newspaper Sarmayeh.

**DATE OF ARREST:** 19 June 2009

**SENTENCE:** Seven years and four months, reduced to five years on appeal.

**DETAILS OF ARREST:** Arrested with his wife, Zhila (Jila) Bani Yaghoub, editor-in-chief of the Focus on Iranian Women website, which focuses on women’s rights, on 19 June 2009 in Tehran. She was released on bail on 19 August 2009 but later served a prison term.

**DETAILS OF TRIAL:** On 5 January 2010, Ahmadi-Amouee was sentenced to seven years and four months in jail, and 34 lashes, on vaguely worded national security charges. This included five years for “gathering and colluding with intent to harm national security”, one year for “spreading propaganda against the system”, one year and 32 lashes for “disrupting public security” and four months for “insulting the president.” In early March 2010, the sentence was reduced to five years in prison.

**PLACE OF DETENTION:** Rajaieshahr prison.

**OTHER INFORMATION:** On 27 January 2014, the United Nations (UN) Working Group on Arbitrary Detention issued an opinion no 55/2013, requesting the Iranian government release Amouee and provide reparations.

**AWARDS:** Recipient of the 2011 Hellman/Hammett award.

**RELEASE:** Released on expiry of his sentence on 4 October 2014.

### Mohammad DAVARI:

**PROFESSION:** Editor-in-chief of Saham News, a website affiliated with 2009 unsuccessful presidential candidate Mehdi Karroubi.

**SENTENCE:** Five years in prison

**DATE OF ARREST:** 5 September 2009

**DATE OF RELEASE:** 8 September 2014

**DETAILS OF ARREST:** Arrested on 5 September 2009 and charged with several alleged national security offences, including “spreading propaganda against the system”. The charges stemmed from Davari’s reporting on widespread complaints of abuse and rape of inmates at Kahrizak Detention Centre in the aftermath of the disputed presidential election. The detention centre was closed in July 2009 after Saham News and others documented the pervasive abuse.

**DETAILS OF TRIAL:** Sentenced in May 2010 to five years in prison

**CONDITIONS IN DETENTION:** Reportedly tortured and coerced into making false statements retracting his Kahrizak Detention Centre reports. Placed in solitary confinement and denied family visits after he complained about poor prison conditions. In July 2011 Davari’s sentence was reportedly increased by one more year for taking part in demonstrations held by teachers in 2006, for which he had been sentenced to a fine which he was unable to pay; however this does not appear to have been implemented. Release: Released temporarily for two months in February 2013.

**AWARDS:** Recipient of the 2010 International Press Freedom Award by the Committee to Protect Journalists (CPJ).

### Hossein DERAKHSHAN:

**DATE OF BIRTH:** c.1975

**PROFESSION:** Internet writer.

**SENTENCE:** 19 and a half years in prison, reduced to seventeen years in October 2013.

**DATE OF ARREST:** 1 November 2008.

**DATE OF RELEASE:** November 2014.

**DETAILS OF ARREST:** According to PEN’s information, Hossein Derakhshan was arrested from his family home in Tehran on 1 November 2008 shortly after returning to Iran from several years living in Canada and the United Kingdom. The authorities did not officially acknowledge his detention until 30 December 2008. He is thought to be accused of ‘spying for Israel’, apparently for a highly publicised trip he made to Israel – with whom Iran has no diplomatic relations – in 2006, travelling on a Canadian passport. He declared that this trip was to show his “20,000 daily Iranian readers what Israel really looks like and how people live there”. He also wanted to “humanise” Iranians for Israelis.

**DETAILS OF RELEASE:** Released after a pardon

**DETAILS OF TRIAL:** His trial reportedly began on 23 June 2010 on charges of ‘conspiracy’ and ‘acting against national security’. No verdict was made known till late September when it was reported on the Farsi news website Mashreq that he had been convicted on charges of ‘spreading propaganda against the system’, ‘promoting counter-revolutionary groups’,

'insulting Islamic thought and religious figures' and 'managing an obscene website'. He was sentenced to 19-and-a-half years in prison. In June 2011 an appeals court upheld his sentence. His sentence was reduced to 17 years in October 2013. Conditions in prison: Hossein Derakhshan was held incommunicado in Evin prison, with very limited access to his family. He was said to have been ill-treated and under pressure to make a 'confession'. Derakhshan has been granted leave from prison on several occasions.

**OTHER INFORMATION:** Nicknamed 'the Blogfather', Hossein Derakhshan is known for pioneering 'blogging' in Iran with his internet diaries, in both English and Persian, which had been critical of the Iranian authorities though before his arrest had become more sympathetic to President Ahmadinejad.

**PEN ACTIONS:** RAN 02/09

### **Mehdi MAHMOUDIAN:**

**PROFESSION:** Freelance journalist and blogger

**SENTENCE:** Five years in prison.

**DATE OF ARREST:** 16 September 2009.

**DATE OF RELEASE:** 3 September 2014

**DETAILS OF ARREST:** Arrested on 16 September 2009 after he had made statements to foreign media about the disputed 2009 presidential election results.

**DETAILS OF RELEASE:** Released from prison on expiry of his sentence

**DETAILS OF TRIAL:** Convicted in 2010 of 'gathering and colluding with intent to harm national security' for his role in documenting the alleged rape and abuse of detainees at the Kahrizak Detention Centre in 2009.

**CONDITIONS IN DETENTION:** In September 2010 Mahmoudian reportedly sent a letter to Iran's Supreme Leader Ayatollah Khamenei, detailing alleged torture and ill-treatment at the prison and highlighting drug abuse and sexual abuse amongst prison inmates and other forms of degrading treatment. After the letter's publication, Mahmoudian was reportedly sent to solitary confinement and banned from having visitors for three months.

**HEALTH CONCERNS:** Since 2010 his health sharply deteriorated and he developed epilepsy and suffered collapsed lungs and heart disease. His health worsened in late May 2011, following a dry hunger strike to protest his treatment in prison.

**OTHER INFORMATION:** Member of the Committee for the Defence of Freedom of the Press and of the 'Association for the Defence of Prisoners' Rights in Iran'.

### **Mohammad Reza POURSHAJARI (aka Siamak Mehr):**

**PROFESSION:** Freelance journalistic blogger who wrote under the penname Siamak Mehr.

**DATE OF BIRTH:** 1960

**SENTENCE:** Four years in prison

**DATE OF ARREST:** 12 September 2010

**DATE OF RELEASE:** 23 August 2014

**DETAILS OF ARREST:** Arrested at his home in Karaj, outside Tehran, in connection with articles he published on his blog Gozaresh be Khaak-e-Iran (Reports to the Soil of Iran), which were critical of Iran's theological state. Intelligence agents reportedly confiscated a computer hard drive, satellite receiver, and numerous documents. Pourshajari was taken to Rajaieshahr Prison, where he was held in solitary confinement for eight months. He claims that interrogators tortured him including by subjecting him to a mock execution. He was not allowed visitors, phone calls, or access to a lawyer.

**DETAILS OF RELEASE:** released on expiry of his sentence.

**DETAILS OF TRIAL:** In December 2010, Pourshajari was sentenced to three years in prison on charges of "spreading propaganda against the system" and "insulting the Supreme Leader". On 21 December 2011 he was tried on an additional count of "insulting the holy sanctities," and sentenced to an additional year in prison. The basis for the new charge was not disclosed.

**HEALTH CONCERNS:** Suffered two heart attacks in prison, in September 2012 and again in February 2013, after which the authorities moved him to a hospital outside the prison for five days. The Iranian authorities denied him medical leave to receive the medical treatment he needs, including treatment for blockage in his arteries, against the advice of prison doctors. Also reportedly denied medication for high blood sugar.

### **CASE CLOSED**

### **Ramin ABDALIAN-IRANSHAHI:**

**PROFESSION:** Writer and novelist.

**DATE OF ARREST:** 16 December 2013

**DETAILS OF ARREST:** Reportedly arrested in connection with his book Posht-e Hichestan-e Zendegi (Behind Nothingness of Life) in which he openly discusses sensitive political topics, including the eight-year Iran-Iraq war and the events during the presidency of Banisadr, the first President of the Islamic Republic who was deposed in 1981. His other books include Asseman-e anja aabi nist (The sky is not blue there), Yek Panjereh Barayam Kafist (One window is enough for me), and Sarbazan-e Tanhaiyee (Soldiers of Lonliness). He is also said to be a doctor of psychology and an officer of the airborne division in Tehran. Case closed for lack of further information.

### **Dr Mohammad MALEKI:**

**PROFESSION:** Founding member of the Iranian Association for the Defence of Liberty and Human Rights (IADLHR).

**DATE OF ARREST:** 22 August 2009

**DATE OF RELEASE:** He was released on bail in March 2010 after six months of solitary confinement.

**DETAILS OF TRIAL:** Summoned to Evin prison on 23 January 2012 to serve out a one-year prison term in a case which dates back to, his arrest following the contested 2009 presidential election, though he is not known to have complied.

**HEALTH CONCERNS:** While in prison, the 78-year-old was hospitalised several times owing to a heart attack and other health problems. During his trial in July 2011, he declined to defend himself and said he would not appeal the court ruling because he considered the whole procedure to be illegal. He was sentenced to one year in jail on the charge of “spreading propaganda against the system”.

**BACKGROUND:** Maleki previously spent five years in prison from July 1981 to August 1986. He was arrested again in March 2001 and spent more than six months in solitary confinement without trial. Remained free at the end of 2014 but at risk of arrest.

### **Morteza MORADPOUR:**

**PROFESSION:** Contributor to Yazligh, a children’s magazine.

**DATE OF ARREST:** 26 August 2011

**SENTENCE:** Three years in prison

**EXPIRES:** 2014

**DETAILS OF ARREST:** Moradpour was first arrested in 2009 along with several family members during a protest over Azeri-language rights in Tabriz in northwestern Azerbaijan province. Two issues of Yazligh were reportedly used as evidence in the trial against him. Released on bail in late 2010, Moradpour was re-arrested based on the original conviction on 26 August 2011, after taking part in protests related to the environmental degradation of Lake Orumiyeh in northwestern Iran.

**DETAILS OF TRIAL:** On 10 November 2009, Moradpour was sentenced to three years in prison on charges including “spreading propaganda against the system,” and “gathering and colluding with intent to harm national security”.

### **Dr. Kian TAJBAKHSH (US-Iranian national)**

**DATE OF BIRTH:** c.1962

**PROFESSION:** Scholar, sociologist and urban planner.

**SENTENCE:** 15 years in prison, reduced to five years on appeal.

**EXPIRES:** 2014

**DATE OF ARREST:** 9 July 2009

**DATE OF RELEASE:** 14 March 2010

**DETAILS OF ARREST:** According to PEN’s information, Dr Tajbakhsh was arrested on charges of “espionage” for alleged activities including his subscription to Gulf/2000, a cultural and academic internet network sponsored by Colombia University’s School of International and Public Affairs. The organization reportedly aimed to increase the availability of information about countries in the Gulf region, and is run by Gary Sick, who the prosecution claims to be a CIA agent. The indictment also cited Dr Tajbakhsh’s previous position as a consultant for the Soros Foundation’s Open Society Institute (OSI), which was formerly approved by the Iranian authorities but which he discontinued following his 2007 arrest.

**DETAILS OF TRIAL:** Among over 140 defendants including prominent politicians, writers, academics and journalists were tried for allegedly “fomenting a velvet revolution” in a widely-condemned mass-trial which began on 1 August 2009. All the defendants had been detained

in a mass crackdown following the disputed 2009 presidential elections. On 20 October 2009, Tajbakhsh was sentenced to 15 years in prison on charges of “espionage” by “contacting foreign elements”. Initially denied a request to file an appeal. On 10 February 2010 his lawyer reported that his sentence had been reduced to five years on appeal. He was released on bail on 14 March 2010 and remains free on ‘temporary release’ from prison, but is prohibited from leaving Iran.

**OTHER INFORMATION:** Tajbakhsh's academic research reportedly examines Iranian state institutions and the policy-making process in Iran. In 2006, he completed a three-year study of the local government sector in Iran. He is the author of two books, The Promise of the City: Space, Identity and Politics in Contemporary Social Thought (Berkeley and Los Angeles: University of California Press 2001), and Social Capital: Trust, Democracy and Development (Tehran: Shiraze Publishers 2005, in Farsi). He has also published numerous scholarly articles, as well as non-academic writings on cinema and culture.

**BACKGROUND:** Previously arrested at his home in Tehran on 11 May 2007, one of four Iranian-American scholars to be detained in that year. Believed to be targeted for his work as an advisor to the Open Society Institute (OSI). He was held without charge in Evin Prison for more than four months before being freed on 19 September 2007.

## **IRAQ**

Since mid-2014 the group calling itself Islamic State (IS) has taken control of large areas of northern Iraq. Journalists, writers and human rights activists are amongst those to be targeted by IS, and the media landscape in areas of IS control is now desolate. Information is suppressed or inaccessible in the cities that Islamic State has seized or is besieging, and all independent media outlets have been closed down. Journalists are now forced to cover events from a distance and indirectly in order to protect themselves. There is a climate of censorship and terror in which journalists cannot function normally. Islamic State is believed to be holding at least 20 journalists in Mosul, the largest city it controls. In October 2014 it was reported that the group has also issued a new list of names of 50 journalists and media workers who are personally threatened. An estimated 70% of journalists in Mosul have fled the city, and most of those who remain are in hiding and unable to work. Many journalists are reported missing or killed, though reports are difficult to verify.

### **KILLED**

#### **\*Mohanad AL-AQIDI:**

**PROFESSION:** the Sada news agency's Mosul correspondent and a former presenter on now closed Al-Mowseliya TV.

**DETAILS OF KILLING:** Kidnapped in July on his way to Dohuk province, he was shot several times.



### \*Samira Saleh AL-NAIMI:

**PROFESSION:** Lawyer and human rights advocate.

**DETAILS OF KILLING:** Reportedly executed by armed men linked to the group known as Islamic State (IS) on 22 August 2014, in a plaza in the city of Mosul. Al-Naimi had been abducted from her home a week earlier, after she had written about the damages inflicted to the city of Mosul's landmarks describing them as barbaric.

**OTHER INFORMATION:** Al-Naimi was one of Iraq's most prominent activists, particularly in defending detainees and supporting deprived families in Mosul.

## ISRAEL

### RELEASED

#### Anat KAMM (f):

**PROFESSION:** Journalist with the Israeli news portal Walla.

**DATE OF BIRTH:** 1988

**SENTENCE:** Three-and-a-half years in prison.

**DATE OF ARREST:** 23 November 2011

**DATE OF RELEASE:** 26 January 2014.

**DETAILS OF ARREST:** Reportedly charged in December 2009 with espionage after she allegedly leaked classified evidence of illegal assassination orders by the Israeli army to journalist Uri Blau of the newspaper Haaretz. The charges against Kamm included two counts of aggravated espionage, including passing classified information with the intent to harm state security, which is punishable by a life sentence, and collecting and holding classified material with the intent to harm state security, for which she could have received up to 15 years in prison. The charges derive from Kamm's military service, when she allegedly copied over 2,000 classified military documents and leaked them to Haaretz reporter Uri Blau. Blau used the documents to publish a report in October 2008 that found that the army had carried out targeted killings against three wanted terrorists in the West Bank, in violation of a 2006 Supreme Court ruling that said wanted men must be taken into custody if there were a possibility of doing so. Although the article was apparently cleared for publication by the army censor, Kamm was arrested by the Shin Bet (secret police) and placed under house arrest. On 6 July 2012 it was reported that an agreement had been reached between the Tel Aviv attorney and Uri Blau, in which Blau pleaded guilty to 'possession of secret information without intending to harm state security' in exchange for four months' community service.

**DETAILS OF RELEASE:** Released after serving two-thirds of her sentence

**DETAILS OF TRIAL:** Kamm's trial started on 20 July 2010. After a plea bargain, the initial charges against Anat Kamm were changed to 'leaking classified materials', and on 6 February 2011, she was sentenced to four-and-a-half years in prison and 18 months' probation. Kamm started serving her sentence on 23 November 2011. On 31 December 2012, the Supreme

Court shortened her sentence to three and a half years in prison, and another year and a half suspended sentence.

## JORDAN

### DETAINED – INVESTIGATION

#### \*Zaki Bani IRSHAD

**PROFESSION:** Senior leader for the Muslim Brotherhood

**DATE OF ARREST:** 20 November 2014

**DETAILS OF THE ARREST:** Irshaid is said to have been arrested in relation to a comment he posted on Facebook and other social media, critical of the United Arab Emirates. He was at a meeting at his party's headquarters in Amman at the time of his arrest.

**CURRENT PLACE OF DETENTION:** Marka prison, east Amman. Irshaid requested release on bail on 24 November 2014, but it was denied.

**DETAILS OF THE TRIAL:** It has been reported that in a comment Irshaid accused the UAE of allegedly sponsoring terrorism, as well as questioning the legitimacy of its leaders. He was charged on 8 December 2014 with committing acts not sanctioned by the government and harming relations with a friendly country. He is due to stand for trial before the State Security Court. Irshaid's defence team issued a public statement defending his comments as exercising his freedom of expression. **[STOP PRESS:** On 15 February 2015, it was reported that Bani Irshaid was sentenced to 18 months in prison (reduced from three years).]

## KUWAIT

### IMPRISONED - MAIN CASE

#### Hamad AL-NAQI:

**PROFESSION:** Blogger

**SENTENCE:** 10 years in prison

**DATE OF ARREST:** 27 March 2012

**EXPIRES:** 26 March 2022

**DETAILS OF ARREST:** Arrested on 27 March 2012 on charges of insulting the Prophet Muhammad, his wives and companions, and harming the interests of the country by allegedly mocking the rulers of two countries of the Gulf Cooperation Council (GCC) and "publishing false news abroad" through his mobile phone via Twitter. Al Naqi denied all charges and stated that his twitter account had been hacked. His mobile records were searched and it was confirmed that he did not use Twitter from the mobile. However, security forces claimed that

he has another mobile in his possession which he had used to access a Twitter account.

**DETAILS OF TRIAL:** A criminal court in the capital, Kuwait City, sentenced Hamad Al Naqi to 10 years in prison on 4 June 2012. He was convicted for tweets criticizing the neighbouring rulers on the basis of article 15 of the National Security Law, which sets a minimum three-year sentence for "intentionally broadcasting news, statements, or false or malicious rumors...that harm the national interests of the state." The court also convicted al-Naqi for a tweet allegedly insulting the Prophet Mohammed and his wife Aisha under article 111 of the Penal Code, which prohibits mocking religion and carries a maximum one-year sentence. On 28 October 2013 the Kuwaiti Court of Appeals upheld his conviction and confirmed his sentence.

**UPDATE:** On 21 July 2014, the Court of Cassation upheld his conviction and sentence.

**CONDITIONS IN DETENTION:** On 18 April 2012, Al-Naqi was stabbed in his neck by another prisoner who had apparently objected to what Al-Naqi had written. According to Al-Naqi's lawyer, the incident took place after the prison's administration spread the news that Al-Naqi had insulted the Prophet.

**PEN ACTION:** RAN 31/12 – 26 June 2012

## BRIEF DETENTION

### \*Mohammed AL-AJMI (pen name: Abo Asam):

**PROFESSION:** Blogger, human rights activist and member of the National Committee for Monitoring Violations.

**DATE OF ARREST:** (1) April 2014 (2) 27 August 2014

**DATE OF RELEASE:** (1) April 2014 (2) 2 September 2014

**DETAILS OF ARREST:** (1) Al-Ajmi was briefly arrested earlier in April, for tweets which reportedly made fun of the Emir Sheikh Sabah al-Sabah and the royal family. (2) on 27 August 2014, Al-Ajmi was summoned by the Department of Criminal Investigation, and was arrested on his arrival. His second arrest was linked to a comments posted on his Twitter account regarding the group Jamiya, from the Islam Salafi sect. This comment was seen as offensive by the authorities.

**DETAILS OF RELEASE:** Al-Ajmi was charged with 'blasphemy', and was released on bail on 4 September 2014, pending trial.

**BACKGROUND:** Abo Asam is a well-known activist with over 115,000 followers in his Twitter account. On 31 August 2014, some of his followers and fellow activists demonstrated outside the National Assembly demanding al-Ajmi's release.

## SENTENCED

### \*Sagar AI-HASHASH:

**PROFESSION:** Online activist.

**SENTENCE:** 20 months in prison.

**DATE OF ARREST:** March 2013

**DETAILS OF ARREST:** Al-Ashash was arrested for posting comments in his blog and via his Twitter account, in October 2012, which supposedly insulted Sheikh Jaber al-Ahmad al-Jaber al-Sabah, the country's emir, as well as calling for a coup in Kuwait.

**DETAILS OF THE TRIAL:** On 7 March 2013, a criminal court sentenced him to two years in prison. On 30 September 2013, he was acquitted by a first instance court, and he was released. In late 2014, Kuwait's Supreme Court was due to take a final decision. [**STOP PRESS:** On 5 January 2015 Sagar Al-Hashash was sentenced by the Supreme Court to 20 months in prison. PEN is seeking information as to whether he has started serving his sentence.]

## RELEASED

### Lawrence AL-RASHIDI

**PROFESSION:** Blogger

**SENTENCE:** 10 years in prison

**DATE OF ARREST:** June 2011

**DATE OF RELEASE:** August 2013

**DETAILS OF ARREST:** The case began in June 2011, when the general prosecution accused al-Rashidi of "spreading false news and rumors about the situation in the country", "uploading visual and audio recordings prepared by him on YouTube", "calling for the demolition of values and ethics", and "calling on tribes to appoint an Amir of the country, demonstrate, confront the ruling regime, and bring down its transgressions". Al-Rashidi was also accused of "insulting the identity of the Amir" through his posts on Twitter.

**DETAILS OF RELEASE:** Released following a blanket pardon by the Amir of all those convicted of insulting him in August 2013.

**DETAILS OF TRIAL:** Convicted of "insulting the Amir" and "spreading false news" in October 2011 and sentenced to 10 years in prison. His conviction and sentence were reportedly upheld by the Court of Appeal in May 2012 and by the Supreme Court in February 2013.

## CASE CLOSED

### Huda AL-AJAMY (f):

**PROFESSION:** School teacher.

**DATE OF BIRTH:** 1976

**SENTENCE:** Five years in prison.

**DETAILS OF TRIAL:** Sentenced to 11 years in prison by the Kuwait Criminal Court on 10 May 2013 for "insulting the Amir" and calling for regime change on Twitter. She was sentenced to five years for "inciting to overthrow the government", five years for "challenging the rights of the emir", and one year for "insulting and undermining a religious doctrine". In December 2013, the Court of Appeals reduced her sentence to five years' imprisonment. She can further appeal to the Court of Cassation. She is believed to remain free pending her appeal. No further information as of 31 December 2014, case closed

## Abdul Hussein AL SULTAN:

**PROFESSION:** Editor of the pro-Shi'ite daily Al-Dar.

**SENTENCE:** One year prison suspended after payment of a fine of KD1,000

**DETAILS OF TRIAL:** Reportedly sentenced on 12 March 2012 to a six-month prison term for two articles allegedly inciting violations of public order and expressing hatred toward certain religious and social groups. The newspaper was also suspended from publication for three months. Al-Sultan remained free on bail pending an appeal. In May 2012, the Court of Appeals overturned the lower court's verdict and increased his prison term to one year, although the implementation of the sentence was suspended after he paid KD1,000. He was also instructed to sign a pledge of good conduct. The appeal court suspended the newspaper's distribution for two months, and ordered the confiscation of two published editions and destruction of original templates for violating the Print and Publication Law. He is believed to be awaiting the decision of the Court of Cassation. No further information as of 31 December 2014, case closed.

# LEBANON

## CASE CLOSED

## Rami AYSHA:

**PROFESSION:** Freelancer for various media outlets including Time magazine, GlobalPost and Spiegel online

**DATE OF ARREST:** 30 August 2012

**DETAILS OF ARREST:** he was arrested while investigating arms smuggling in Beirut city. Aysha is a Palestinian citizen journalist working in Lebanon. He was reportedly in a car near the Hizbollah-controlled area in Beirut, when about 12 armed men handcuffed and blindfolded him, and forced him at gunpoint into another car which drove him to an undisclosed location where he was held for three hours and tortured before being handed over to military intelligence.

**DATE OF RELEASE:** released on bail on 27 September 2012.

**DETAILS OF TRIAL:** He was charged with the illegal purchase of a firearm, in connection with the issues he was investigating when detained. On 25 November 2013, he was sentenced in absentia to six months imprisonment by a military court. He later attended another hearing on 9 December 2013, where the sentence was reduced to two weeks' imprisonment, which he was deemed to have served during his initial detention. He appealed this sentence at the Court of Cassation on 12 December 2013 because the conviction would result in the loss of his press credentials under Lebanese law. His appeal was due in January 2014.

**UPDATE:** Rami Aysha was kidnapped, along with a Danish journalist, by an Islamist group in the Lebanese town of Aarsal in February 2014 and released one month later on 6 March 2014. No further information about the charges against him, case closed

# LIBYA

## SENTENCED

## Amara Hassan AL-KHITABI:

**PROFESSION:** Editor of the newspaper Al-Umma.

**SENTENCE:** five years in prison

**DATE OF ARREST:** 19 December 2012

**DETAILS OF ARREST:** Reportedly arrested in connection with an article he published on 21 November 2012 alleging corruption within the judiciary. Held incommunicado in Hudba prison, Tripoli, until his release.

**DATE OF RELEASE:** released on bail on 23 April 2013.

**DETAILS OF TRIAL:** His trial on charges of 'insulting the judiciary' under article 195 of the criminal code began on 18 February 2013. The charge carries a penalty of three to 15 years in jail. On 17 August 2014, the Court of Appeals in Tripoli sentenced Al-Khitabi to five years in prison in absentia along with a five-year suspension of his civil rights and a five-year ban on practising as a journalist. He was charged with Articles 195, 245 and 251- that respectively criminalise insults to judicial, legislative and executive bodies; insults to public officials and members of the judiciary; and exercising a profession without the required permission. The five-year prison sentence was notified to Al-Khitabi on 17 November 2014. He announced he would appeal and remained free at the end of the year.

**HEALTH CONCERNS:** He suffers from hypertension, diabetes and a prostate condition and his health deteriorated sharply in prison. His lawyer requested that a travel ban imposed on Al-Khitabi be lifted to allow him to travel abroad for medical treatment. On 21 August 2013, the travel ban was lifted by a judge at the Tripoli Appeals Court, who ordered the return of his passports. He was then able to travel to Jordan for medical treatment, but later returned to Libya.

# MOROCCO

## IMPRISONED –MAIN CASE

## Mustafa El-HASNAOUI (EL-HESNAWI):

**PROFESSION:** Journalist for the Moroccan newspaper Al Sabeel, blogger, and a member of Al Karama Forum for Human Rights. He has been a vocal opponent of the anti-terrorism legislation and its use against individuals not involved in terrorist activities.

**SENTENCE:** Three years in prison

**DATE OF ARREST:** 16 May 2013



**DETAILS OF ARREST:** Summoned to appear for interrogation by the National Brigade of the Judicial Police and arrested.

**DETAILS OF TRIAL:** Convicted on 11 July 2013 and sentenced to four years in prison for “creating a terrorist organisation that threatens national security and stability”. The sentence was reduced to three years’ imprisonment on appeal on 28 October 2013. PEN International fears that his imprisonment may be related to his human rights activities defending the rights of Islamist detainees and the public positions he took on the matter. During the trial, he was questioned repeatedly about 'the nature of his relationship' with leaders of Islamist groups. Among the specific activities on which the sentencing was based are meetings with detainees. No further information as of 31 December 2014.

**HEALTH CONCERNS:** In July 2014, he was hospitalised two weeks after beginning a hunger strike in protest against his continued imprisonment

**BACKGROUND:** He is known for defending the rights of detainees from the Islamic movement. Shortly before his arrest he published an article about veiled female students who had been banned from school because of the length of their veil.

**OTHER INFORMATION:** The UN Working Group on Arbitrary Detention, in its opinion No 53/2013, found his imprisonment to be arbitrary and called for his immediate and unconditional release and for him to receive compensation. WGAD considered that the accusations against El-Hasnaoui make no mention of any violent, let alone terrorist, activity; that he was not charged with any act of terrorism; that his activities as a human rights defender, an intellectual and a journalist appear to be entirely legitimate and that neither the examining magistrate nor the trial court found that any act that could be construed as a criminal offence had been committed.

## IMPRISONED - INVESTIGATION

### \*Mouad BELGHOUAT (“El Haqed”):

**PROFESSION:** rapper

**SENTENCE:** Four months in prison and a fine of 500 dirhams (\$60) as well as compensation of 10,000 Moroccan dirhams (US\$1,200) and 5,000 dirhams (\$600) respectively to two alleged victims

**DATE OF ARREST:** 18 May 2014

**DATE OF RELEASE:** 18 September 2014

**REASON FOR ARREST:** According to PEN’s information, Belghouat was charged by a lower Casablanca court with public drunkenness and the assault of a police officer. However, supporters claim that these are trumped up charges and point to lyrics critical of the regime in his latest album ‘Walou’ as the real reason for his arrest.

**DETAILS OF TRIAL:** The trial began on 24 June 2014. The trial judge reportedly refused all of the defence’s requests to summon witnesses, the alleged victims, or the doctor who signed the medical report upon examining them. Evidence presented included an alleged statement from Belghouat taken after his arrest; the rapper denied having answered questions or signed the statement. The defence team walked out of the trial at the June 24 session, protesting what they considered violations of the defendant’s right to a fair trial. On 1 July 2014, Belghouat was sentenced to four months in prison and a fine, as well as compensation to two policemen. He

appealed against the conviction and sentence but the hearing was delayed several times and he served his full sentence. The four month sentence was confirmed on appeal in December 2014.

**BACKGROUND:** According to Human Rights Watch, on February 13, 2014, police prevented a Casablanca bookstore from hosting a news conference at which Belghouat was to have presented his new album, “Waloo” (Moroccan dialect for “Nothing”). Authorities informed the al-Karama bookstore that it needed to notify them in advance of the event, even though the shop had hosted numerous book events in the past without first notifying the authorities. Belghouat has served two previous prison sentences. He was first arrested in September 2011 and charged him with assaulting a pro-government protester. Many supporters claimed that the case was a set-up and he was targeted for his music. The defence team contended that there were many inconsistencies in the account provided by Belghouat’s alleged victim. In January 2012 he was convicted and sentenced to four months’ imprisonment and he was released. Three months later he was rearrested in connection with a YouTube video of one of his rap songs about the police, “Kilab ed-Dowla” (Dogs of the State). He was sentenced to one year in prison, after he was convicted of insulting the police. He was released on 29 March 2013.

### \*Abdul Mou’men Al-Shuaibi

**PROFESSION:** Rapper

**SENTENCE:** Eight months in prison

**DATE OF ARREST:** 27 October 2014

**DETAILS OF ARREST:** According to press reports quoting Al-Shuaibi’s mother, Al-Shuaibi was arrested at his parents’ house in El Araich when a group of police officers conducted a violent arrest and searched the house without a warrant, destroying furniture, according to. The police report stated that an individual arrested for suspected drug use informed the investigator that Al-Shuaibi provided him with drugs. No drugs were found during the search.

**DETAILS OF TRIAL:** In November 2014 he was sentenced to eight months in prison for selling drugs. The Association Marocaine des Droits Humains (AMDH), who provided pro-bono legal support, said they believe the drug charges were orchestrated by the authorities and that Al-Shuaibi was targeted for his song criticising the police. They said no actual proof of drug trading was presented in court and the judge did not take into account the police’s violations of search and arrest procedures

**BACKGROUND:** In 2013, Al Shuaibi had released a rap song, entitled zan9a lkahla 2013 Chorta Fe Lara which criticised alleged violent police treatment of local citizens, as well as the lack of transparency and corruption in the police force. The song had received increased attention in 2014 after local media and human rights organisations referred to the song at events about the police’s behaviour, according to topresse.com, a local news website. [**STOP PRESS:** Al-Shuaibi was released on 27 February 2015 after six months in prison.]

## ON TRIAL

### Ali ANOUZLA:

**PROFESSION:** Editor of the Arabic-language version of the news website Lakome.info.

**DATE OF ARREST:** 17 September 2013

**DETAILS OF ARREST:** Arrested on for posting an article that contained a link to a video posted by Al-Qaeda in the Islamic Maghreb (AQIM). Access to both Arabic and French-language versions of the website have been blocked in Morocco since 17 October.

**DATE OF RELEASE:** Released on bail on 25 October 2013

**DETAILS OF TRIAL:** Charged with advocating terrorism and aiding terrorists. Facing charges of providing “material assistance” to a terrorist group, “defending terrorism” and “inciting the execution of terrorist acts.” The charges carry a possible sentence of 10 to 30 years in prison. At a trial hearing on 30 October 2013, the case was adjourned till 23 December 2013, at which it was further postponed till 20 May 2014. On 21 May 2014, the judge further delayed the hearing indefinitely. No further information as of 31 December 2014.

**PEN ACTIONS:** PEN International joined some 60 NGOs in September 2013 in a joint statement calling for his release.

## RELEASED

### \*Othman ATIQ (“Mr Crazy”)

**PROFESSION:** rapper

**SENTENCE:** three months

**DATE OF ARREST:** 8 August 2014

**DATE OF RELEASE:** 12 November 2014

**DETAILS OF ARREST:** Atiq (17) was reportedly arrested after responding to a summons from the Casablanca prosecutor. He was transferred to a juvenile detention centre before being convicted of “offending a state institution” [the police], “incitement to consume drugs” under the narcotics law of November 15, 1958, and “harming public morality” on account of some of his lyrics on 17 October 2014. The court discounted Atiq’s assertion that he did not insult the police force – but was rather criticizing individual police agents who were corrupt.

**DETAILS OF RELEASE:** Released on expiry of his sentence.

# OMAN

## BRIEF DETENTION

### \*Mohammed AL-FAZARI:

**PROFESSION:** human rights defender and blogger, founder and editor of the online magazine Citizen

**DATE OF ARREST:** (1) 30 August 2014 (2) 22 December 2014

**DATE OF RELEASE:** (1) 4 September 2014 (2) 22 December 2014.

**DETAILS OF ARREST:** (1) On 30 August 2014 Fazari was reportedly summoned by the General Directorate of Inquiries of the Oman Police and detained incommunicado until 4 September when he was released without charge. (2) According to PEN’s information Fazari was reportedly stopped at Muscat international airport by security authorities who informed him that a travel ban had been issued against him. He was informed that he must appear immediately before the Special Division of the Omani Police. He was arrested when he complied without being informed of any charges laid against him. He was held incommunicado during detention.

**BACKGROUND:** Citizen has been known to publish articles on corruption in government departments, including the Public Prosecution Offices.

### \*Muawiyah AL-RAWAHI:

**PROFESSION:** blogger

**DATE OF ARREST:** 12 July 2014

**DATE OF RELEASE:** 11 August 2014

**DETAILS OF ARREST:** Al-Rawahi was reportedly arrested in connection with a post criticising the Omani authorities for detaining several teachers and activists entitled, "Ahmed Al-Bahri/Strike's Scapegoat," on his blog "Bo2 Bo2 Was3." Al-Rawahi was reportedly summoned to appear before Omani intelligence officials for questioning about the post, and did not return home. According to the Committee to Protect Journalists, he spent four days in an Internal Security Service prison before being transferred to Al-Masarra psychiatric hospital. Then, a week later, he was reportedly transferred to the psychiatric department of Sultan Qaboos University Hospital.

### \*Noah SAAD:

**PROFESSION:** blogger

**DATE OF ARREST:** 12 July 2014

**DATE OF RELEASE:** 7 August 2014

**DETAILS OF ARREST:** Saad reportedly received a summons on 12 July to report the next day to the Special Section of the Omani Police in Muscat, however, he was reportedly arrested at his home that same day without being given a reason.

**DETAILS OF RELEASE:** He was released without charge almost four weeks later.

## JUDICIAL HARASSMENT

### \*Badria Al-ISMAILI (f):

**PROFESSION:** Writer.

**DETAILS OF HARASSMENT:** Her first collection of short-stories Salt was reportedly banned by an Omani court on 28 May 2014 for allegedly being against the values and traditions of Oman. Her book was published by the Lebanese publisher Dar Al Entishar Al Arabi on 5 March 2014. The book consists of 17 short stories. The case was brought by a group of Islamists who protested the allegedly 'sexual prose' used in the writing style, leading to the court taking up the case. PEN is seeking further information about whether she is at risk as a result of the banning. No further information as of 31 December 2014.

**BACKGROUND:** Previously, she was sponsored by Oman Cultural Club and Oman Scientific Research Council.

# PALESTINE

## DEATH THREATS

### Samah Abu KHATTAB (f):

**PROFESSION:** Published short-story writer, childrens' writer and poet. Her publications include Red Damage (Gaza), The Possible Form (short stories 2007), and Forest of Stories: Allegories for the Adult & the Child (a short story collection with her husband Ali Abu Khattab, 2007). Her work has been included in a number of anthologies, including Out of the Context of River (2005) and Qissat (a collection of short stories by Palestinian women, edited by Jo Glanville, Telegram, London, 2006). She also writes a weekly column in the Palestinian magazine Sawt Enisaa (Women's Voice). Her books have been translated into English and Spanish. Samah Abu Khattab is also said to be a distinguished actress, and from 2003-2010 acted and directed a number of plays about women's rights. She is also a founding member of the cultural group Utopia.

**DETAILS OF HARASSMENT:** According to PEN International's information, Samah Abu Khattab and her husband Ali Abu Khattab have been under mounting pressure in Gaza since 2007. Samah Abu Khattab and her husband Ali Abu Khattab have been summoned for interrogation by the Hamas authorities on a number of occasions for their writings and cultural activities, and claim to have received dozens of threatening emails in which they are accused of being against Islam, some of which threaten to attack them. Since 14 February 2013 Samah Abu Khattab has been on trial for her theatre work and her articles published in Women's Voice in which she criticises the situation of women's rights in Gaza under Hamas rule. The couple fled Gaza on 18 June 2013 but she is still facing charges. In December 2014, the Gaza branch of the armed group calling itself Islamic State issued a statement in which they called 18 writers, including Samah and Ali Abu Khattab, 'apostates' and threatening them with death if they did not repent.

**BACKGROUND:** Samah Abu Khattab and her Ali Abu Khattab were due to appear at a literary festival in London in June 2013 but were denied a visa.

# QATAR

## IMPRISONED: MAIN CASE

### Mohammed Ibn al-DHEEB al-AJAMI:

**PROFESSION:** Poet

**DATE OF BIRTH:** 1975

**SENTENCE:** 15 years' imprisonment, reduced from life imprisonment on appeal.

**DATE OF ARREST:** 16 November 2011

**DETAILS OF ARREST:** Al-Ajami was summoned on 16 November 2011 to the Qatari state security to be interrogated about a poem entitled 'Tunisian Jasmine', which he wrote in January 2011 and in which he criticized governments across the Gulf, stating that "We are all Tunisia in the face of the repressive elite". He previously recited a poem that criticised Qatar's Emir, which was posted online in August 2010. Held incommunicado for four months before being allowed family visits. Current place of detention: Doha's Central Prison

**DETAILS OF TRIAL:** Sentenced to life imprisonment on 29 November 2012 on charges of "inciting the overthrow of the ruling regime" and "criticising the ruler". According to his lawyer, he was subjected to an unfair trial, held behind closed doors in the capital Doha. Al-Ajami was not himself allowed in court and the defence was barred from making oral arguments. The sentence was reduced on 25 February 2013 to 15 years' imprisonment, and upheld on appeal on 21 October 2013.

**HONORARY MEMBER OF:** German PEN and PEN American Center.

**PEN ACTIONS:** RAN 72/12 and Update #1. Delegates from PEN International and PEN American Center attempted to visit him in October 2013, but were denied access. International Poetry Day case 2014 and 2015

# SAUDI ARABIA

## IMPRISONED: MAIN CASE

### Raif BADAWI:

**PROFESSION:** Editor of the website Free Saudi Liberals.

**DATE OF BIRTH:** 1987.

**SENTENCE:** 10 years in prison, 1,000 lashes and a fine of 1 million Saudi riyals (approx. US\$266,631) Date of arrest 17 June 2012



**DETAILS OF TRIAL:** Raef Badawi was arrested on 17 June 2012 in Jeddah after organising a conference to mark a “day of liberalism”. The conference, which was to have taken place in Jeddah on 7 May, was banned by the authorities. On 29 July 2013, a court in Jeddah sentenced Badawi to seven years and three months in prison and 600 lashes after he was convicted under the information technology law of “founding a liberal website,” “adopting liberal thought” and for insulting Islam. The online forum, Liberal Saudi Network - created to foster political and social debate in Saudi Arabia - was ordered closed by the judge. According to reports, the appeal, submitted by Badawi’s lawyer, Walid Abu al-Khair, cited procedural and evidential reasons why the conviction should be overturned and Badawi should be freed. In December 2013, it was reported that the Court of Appeal had reversed the ruling of the District Court in Jeddah, dropped a charge of apostasy, and ordered that Badawi’s case be sent for review by another court. However, on 25 December 2013 the newly-appointed judge reportedly remanded Badawi to the General Court on charges of “apostasy”, stating that the lower court was not qualified to deal with the case. On 7 May 2014, Jeddah’s Criminal Court sentenced Badawi to 10 years in prison, 1,000 lashes and a fine of 1 million Saudi riyals (approx. US\$266,631) on charges of ‘insulting Islam’ and ‘founding a liberal website.’ According to PEN’s information, when Badawi appeared in court to collect a written account of the verdict on 28 May 2014 he discovered the insertion of two additional penalties: a 10-year travel ban and 10-year ban from participating in visual, electronic and written media, both to be applied following his release. According to the Centre For Inquiry (CFI), in a post-dated 17 September 2014, the Saudi appeals court in Mecca confirmed the sentence against Badawi, and states that the lashes will be administered 50 at the time, in public, every week after Friday Prayers.

**HEALTH CONCERNS:** Badawi, who suffers from diabetes, is reported to be in poor health.

**OTHER INFORMATION:** His lawyer Waleed Abu al-Khair was sentenced to 15 years in prison on 6 July 2014 (see ‘main case’ below).

**AWARDS:** Reporters Without Borders -TV5Monde Prize for Press Freedom 2014, PEN Canada 2014 One Humanity Award, 2015 Brussels University Alliance (VUB and ULB) Honorary Title for Freedom of Expression, Deutsche Welle Freedom of Speech Award 2015, Geneva Summit for Human Rights and Democracy Courage Award 2015, Scottish Secular Society Aikenhead Award 2015

**HONORARY MEMBER:** PEN Canada, Danish PEN, German PEN

**PEN ACTION:** RAN 02/13 and updates. Interview with his wife Ensaf Haidar here. **[STOP PRESS:** On 9 January 2015, the Saudi authorities administered the first 50 lashes in a public flogging in Jeddeh. The flogging reportedly lasted around 15 minutes, during which Badawi’s hands and feet were bound. Further rounds of flogging were postponed for medical reasons, as his wounds had not healed sufficiently for more lashes to be given without jeopardising his health. New reports emerged on 1 March that he might undergo a re-trial for apostasy, which could lead to the imposition of the death penalty.]

## Waleed ABU al-KHAIR

**PROFESSION:** Lawyer, human rights activist and founding member of the Monitor of Human Rights in Saudi Arabia (MHRSA) who has also written over 300 newspaper articles.

**SENTENCE:** (1) Three months in prison (2) 15 years in prison

**DATE OF ARREST:** 15 April 2014

**DETAILS OF ARREST:** According to PEN’s information, Abu Al-Khair was arrested at the Specialised Criminal Court in Riyadh to serve a three month sentence while he attended a trial hearing on other charges

**CURRENT PLACE OF DETENTION:** Initially held in Al Hair prison, where there were concerns that he may have been subjected to ill-treatment, Abu al-Khair was transferred on 27 May 2014 to Briman prison in Jeddah. On 11 August 2014 he was moved again to al-Malaz prison in Riyadh, over 960 kilometers from his family in Jeddah.

**DETAILS OF TRIAL:** On 4 February 2014, the Court of Appeal confirmed a three-month sentence against Abu Al-Khair imposed after he had been convicted of contempt of the judiciary. According to PEN’s information, Abu Al-Khair was arrested to serve this sentence at the Specialised Criminal Court in Riyadh while he attended the fifth session of his trial for other charges made against him in 2013, which include: “breaking allegiance to and disobeying the ruler and disrespecting the authorities”, “offending the judiciary”, “inciting international organisations against the Kingdom” and “founding an unlicensed organization” (Monitor of Human Rights in Saudi Arabia), and supervising it and contributing to the establishment of another (the Saudi Civil and Political Rights Association - ACPRA); and “preparing, storing and sending material harmful to public order”. On 6 July 2014, the Specialized Criminal Court, Saudi Arabia’s terrorism tribunal, sentenced him to 15 years in prison, a 15-year ban on travel abroad, and a fine of 200,000 Saudi Riyals (equivalent to approximately US\$53,000) on a number of broad and vaguely worded charges that are believed to stem solely from his peaceful activism, including comments to news outlets and on Twitter criticizing Saudi human rights violations. According to MHRSA, Abu al-Khair refused to recognize the legitimacy of the court or defend himself against the charges. He also refused to sign a copy of the trial judgment or to appeal the conviction or his sentence. MHRSA stated on 12 August 2014 that it believes his prison transfers are a punitive measure for Abu al-Khair’s refusal to recognize the court.

**OTHER INFORMATION:** On 3 December 2014, Abd al-Khair’s wife was prevented from leaving the country to advocate for his release abroad and was told by officials at the King Abdulaziz International Airport in Jeddeh that the ministry of interior had issued a travel ban. She was on her way to attend the European Union (EU) NGOs Forum on Human Rights.

**AWARDS:** Abu Al-Khair is the recipient of the 2012 Olof Palme Prize. **[STOP PRESS:** The Public Prosecutor appealed the sentence at the Court of Appeal in Riyadh, which on 15 January 2015 ruled that he should serve the entire 15-year sentence in prison, on the grounds that he had not shown any contrition for his “offence”. On 15 February 2015, the Specialized Criminal Court of Appeal in Riyadh once again confirmed the sentence. On 4 February 2015, he was moved again from al-Malaz prison to al-Ha’ir rehabilitation prison in Riyadh.]

## Fadel AL-MANASEF

**PROFESSION:** Human rights defender, blogger and founding member of Al Adalah Center for Human Rights.

**SENTENCE:** 14 years in prison and a fine of SAR100,000 (approx. €19,300).

**DATE OF ARREST:** 2 October 2011

**DETAILS OF TRIAL:** Fadel Al-Manasef was originally sentenced on 17 April 2014 by the Specialized Criminal Court in Riyadh to 15 years in prison, a 15 year travel ban to commence on his release and a fine of SAR100,000 (approx. €19,300). The charges against him relate to incitement and participation in protests, writing articles against state security and publishing them online, signing an anti-government petition and contacting foreign media outlets without authorization and taking reporters to protests and giving them harmful information on the Kingdom. He has been in detention since his arrest on 2 October 2011. On 9 September 2014, the Specialized Criminal Court in Riyadh reduced the prison sentence and travel ban by one year following reconsideration of the sentence by the Specialized Criminal Court of Appeal. The prison term and travel ban have now both been reduced to 14 years but the fine remains the same. The reduction in sentence was based on two main observations received from the Specialized Criminal Court of Appeal. Firstly, that there was no evidence for the accusation that the human rights defender was involved in the establishment of a prohibited human rights organisation. The Judge agreed with this observation and dismissed the accusation. Secondly, it was argued that the sentence was too harsh. As a result the judge decided to reduce the sentence. The sentence is therefore now based on four charges namely, attempting to compromise the authority of the King and working against national security and stability; producing, storing and disseminating information prejudicial to public order and mores in contravention of the Anti-Cyber Crime Law; communicating with foreign media in an attempt to exaggerate news of abuse by the government and to disrupt the citizens of Saudi Arabia; and signing a memorandum containing falsities directed at the government.

**UPDATE:** In an appeal hearing on 22 December 2014, the Specialized Criminal Court of Appeal in Riyadh upheld the sentence.

## Mukhlif AL-SHAMMARI

**PROFESSION:** Well-known writer and activist.

**SENTENCE:** (1) Five years in prison (2) Two years in prison and 200 lashes

**DETAILS OF TRIAL:** Charged for articles he has written and, in particular, for a video he posted on YouTube in which two girls described being mistreated. He was sentenced on 17 June 2013 by a Jeddah court that specializes in national security and terrorism cases. His sentence was upheld by a Riyadh criminal court on 4 March 2014. Shammari has said he will appeal against the latest decision. Shammari stands convicted of trying to discredit the reputation of kingdom in the eyes of domestic and international public opinion, insulting the clergy and inciting divisions within the people. As well as five years in prison, the sentence includes a ban on writing for newspapers or websites or appearing in the media, and a ten-year ban on travelling abroad.

**UPDATE:** Shammari was reportedly sentenced by a special criminal court in Al-Khobar to two years in prison and 200 lashes on 3 November 2014. Shammari was convicted and sentenced two weeks after being ordered to close his twitter account in connection with a separate complaint. He was reportedly convicted for organising an unauthorised dinner with dissidents following his release from prison in 2012, associating with Shiite clerics, agitating public opinion and reminding the public of the importance of coexistence between Sunnis and Shiites. In a letter to Saudi Arabia's human rights commission, he confirmed having sent a

tweet calling for coexistence between Sunnis and Shiites. He had 30 days to appeal. No further information as of 31 December 2014.

**BACKGROUND:** Shammari has been the target of previous prosecutions and was arrested on 15 June 2010 for articles posted on the Saudiyoon and Rasid news websites criticizing political and religious leaders.

## DETAINED – MAIN CASE

### \*Suad AL-SHAMMARI (f):

**PROFESSION:** lawyer and co-founder of Liberal Saudi Network with Raif Badawi (see above)

**DATE OF ARREST:** 28 October 2014

**DETAILS OF ARREST:** Shammari was reportedly arrested after being questioned in relation to some of her tweets, which were deemed to have insulted Islam and endangered public order. The tweets in question reportedly include one from 2013 in which she criticised the tenet that Muslim men should grow beards to distinguish themselves from infidels and another that combined a photograph of a man kissing a cleric's hand and criticism of clerical arrogance and pride.

**PLACE OF DETENTION:** Jeddah Prison [**STOP PRESS:** Shammari was reportedly released on 1 February 2015 after spending three months in prison.]

## SENTENCED

### Dr. Abdulrahman AL-SUBAIHI, Bander AL-NOGAIHAN, Abdulrahman AL-RUMIAH

**PROFESSION:** lawyer

**SENTENCE:** eight years in prison followed by a 10-year travel ban (Subaihi), five years in prison followed by a seven-year travel ban (Nogaithan and Rumiah)

**DETAILS OF TRIAL:** The three lawyers were sentenced by the Specialised Criminal Court in Riyadh on 27 October 2014 after they were found guilty of violating Article 6 of the cyber-crime law by "impinging on public order" in their tweets. They were reportedly convicted on a list of offences including, "criticising the ruler's decisions," "criticising the judiciary and describing some judicial decisions as unjust," "accusing a court in Riyadh of losing files," "blaming the Ministry of Justice for lying and violating the law," "interfering in the independence of the judiciary by criticising a trial and accusing the Minister of Justice of being behind it," and "accusing the Supreme Judicial Council of prosecuting upright judges and exonerating corrupted ones." Prior to their convictions, on 1 June 2014, they were reportedly fined a combined total of 1,250,000 riyals (approx. US\$333,000) and banned from using social media. Their licences to practice have also been revoked, according to reports. According to Amnesty International, the tweets for which Nogaithan was sentenced included: "Lawyers are monitoring the catastrophic performance of the Ministry of Justice, wrapped in lies and fraudulent media reports unique in the history of Saudi Arabian ministries."



## Wajeha AL-HUWAIDER (f):

**PROFESSION:** Leading journalist, novelist and women's rights activist.

**SENTENCE:** 10 months in prison and two-year travel ban

**DETAILS OF ARREST:** The case dates back to 6 June 2011, when the pair were contacted by a Canadian woman, Nathalie Morin, who had been locked in her home in the city of Dammam with her three young children by her Saudi husband without sufficient provisions. Wajeha al-Huwaider and fellow activist Fawzia al-Oyouni arrived with food and water to help her, and were immediately arrested. They were initially charged with kidnapping because Morin's husband alleged they intended to take Morin and the children to the Canadian Embassy in Riyadh. Al-Huwaider and Al-Oyouni were released on 7 June 2011, and believed the charges had been dropped.

**DETAILS OF TRIAL:** Over a year later, in July 2012, they were called in for questioning about the Women2Drive campaign, a campaign for Saudi women to be allowed to drive which both Al-Huwaider and al-Oyouni have pioneered. Following their summons they were informed that charges against them in the Morin case would be referred to court. The trial began in December 2012, and on 15 June 2013 they were found not guilty of kidnapping, but convicted of 'takhbib' – inciting a woman against her husband. Al-Huwaider and al-Oyouni submitted an appeal on 12 July 2013 and on 24 September; the Court of Appeal in Dammam upheld the sentence. They remained free at the end of the year.

**BACKGROUND:** Leading writer and journalist Wajeha Al-Huwaider has been subjected to harassment since May 2003, when she was first banned from publishing. She continues to publish on-line and overseas, and also writes poetry and short stories.

**AWARDS:** 2004 PEN/Oxfam Novib Free Expression award.

**HONORARY MEMBER:** English PEN and Melbourne PEN.

**PEN ACTIONS:** 2004 International Women's Day case, RAN 25/13 and updates.

## SYRIA

The country continues to be embroiled in an internal armed conflict which developed after widespread protests which erupted in February 2011, calling for an end to the regime of President Bashar al-Assad, were brutally repressed. The human rights situation in Syria remains appalling with widespread violations including war crimes being committed by all sides, some amounting to crimes against humanity. Tens of thousands of individuals in Syria have been arrested, often arbitrarily, in conditions amounting to enforced disappearance. They include writers and journalists. Some have been referred to the Anti-Terrorism Court in Damascus, which began work in September 2012. Torture and other ill-treatment in prison are believed to have caused or contributed to the deaths of thousands individuals reported to have died in custody since March 2011. Armed groups, including the group calling itself Islamic State, have taken control of parts of the country and are also carrying out unlawful killings, arbitrary detentions as well as torture and other ill-treatment.

At the beginning of the uprising, the Syrian authorities imposed a media blackout in an effort to hinder the reporting of impartial news from the ground. This blackout paved the way for the

emergence of a citizen journalism movement, as an alternative media, with individuals reporting what is actually happening on a daily basis. This new media is being operated mainly by young men and women. Syrian citizen journalists have been particularly targeted for attack by the government's forces. Since March 2011, hundreds of citizen journalists have been killed either by snipers from the security forces or under torture. Hundreds who have done nothing more than to witness, report, film, and photograph acts of violence have been arrested and many have been subjected to enforced disappearance. Writers and journalists are also amongst those at risk of political and sectarian violence from government forces, pro-government militias and armed opposition groups, both in Syria and neighbouring countries.

### KILLED

#### \*James FOLEY (US national):

**PROFESSION:** Freelance war correspondent.

**DETAILS OF KILLING:** Abducted on 22 November 2012 in northwestern Syria whilst covering the Syrian conflict by the group calling itself Islamic State (IS). Reported on 21 August 2014 to have been executed by IS in response to US air-strikes in Iraq.

#### \*Steven SOTLOFF (US-Israeli national):

**PROFESSION:** Freelance journalist. Had written for outlets including Time and Foreign Policy.

**DETAILS OF KILLING:** Abducted in August 2013 in Aleppo, Syria, by the group calling itself Islamic State (IS). His case was not publicized until August 2014 at the request of his family. On 2 September 2014, IS released a video showing his execution.

### ENFORCED DISAPPEARANCE

#### Zaki CORDILLO

**PROFESSION:** Cordillo is a playwright and a leading figure of Puppet Theatre (known in Arabic as Masrah Azil).

**DATE OF ARREST:** 13 August 2012

**DETAILS OF ARREST:** Reportedly arrested in Damascus on 13 August 2012 along with his son Mihyar, an actor. He is believed to be targeted for his writings about the current events taking place in Syria.

**OTHER INFORMATION:** Cordillo has written more than eight plays including Shade and Light, Captain Caracoz and Alma'ar and has directed and acted in his works. He has also written dramas for children such as Watery Dreams, The Active Girl and The Kingdom of Ants. Cordillo remains detained incommunicado at an unknown location as of December 2014, and is considered to be at serious risk of torture and other ill-treatment.

**PEN ACTIONS:** RAN 03/13



## Hussein 'ESSOU:

**PROFESSION:** Well-known writer from al-Hasakah, north-eastern Syria.

**DATE OF ARREST:** 3 September 2011  
**DETAILS OF DISAPPEARANCE:** Reportedly arrested from his home by Air Force Intelligence agents. Thought to be detained for actively participating in anti-government protests and advocating reform in his writings. Previously detained prior to the 2011 uprising for his dissident activities. Reports from released detainees who had been held with him suggest he may have been transferred to an Air Force Intelligence branch in Damascus. They say his health condition is very poor. His family has not been allowed access to him, and has not been informed of his whereabouts or the reason for his arrest. Still believed to be detained incommunicado as of December 2014.

## Khalil MA'TOUQ:

**PROFESSION:** 54-year-old director of the Syrian Centre for Legal Studies and Research.

**DATE OF DISAPPEARANCE:** 2 October 2012

**DETAILS OF DISAPPEARANCE:** Reportedly arrested along with his friend and assistant, 48-year-old Mohammed Thatha, at a government security checkpoint on their way to work in the capital Damascus. Despite repeated requests from family and lawyers, the Syrian authorities continue to deny they are in custody. Such conditions increase the risk of their being subjected to torture or other ill-treatment, which is rife in Syrian prisons. In May 2013 people close to the two men received a tip-off suggesting that Khalil Ma'touq was indeed in detention and that he was in extremely bad health.

**HEALTH CONCERN:** His health is seriously at risk as he suffers from advanced lung disease and has severe breathing difficulties. He takes regular medication and must be under constant medical supervision. Because of his human rights work as executive director of the Syrian Centre for Legal Studies, Khalil Ma'touq was banned from travelling between 2005 and 2011. He wrote and published articles and legal studies in several newspapers and websites such as Al-Hiwar Al-Mutamiden. This included a research paper in which he analysed the connections between the International Criminal Court constitution and Syria's Penal Codes. Family members and colleagues of Khalil Ma'touq and Mohammed Thatha have suggested that their current detention may be related to this human rights work. Shortly before his arrest, Khalil Ma'touq had returned from a trip to France to obtain medical treatment, which may also have raised the authorities' suspicions about him. In February 2013, in response to a request for information from a group of lawyers, a public prosecutor in Damascus denied that Khalil Ma'touq was being detained. However, detainees released at that time from the State Security branch 285 in Kafr Soussa in Damascus reported seeing him held there during that month. In April, Khalil Ma'touq's lawyer reported that a State Security officer had informed him of his client's transfer to an Air Force Intelligence branch in late March. Still detained incommunicado as of December 2014.

**BACKGROUND:** Khalil Ma'touq, a prominent human rights lawyer has provided legal assistance to many victims of human rights abuses in Syria for many years. He has defended hundreds of political prisoners, journalists, and prisoners of conscience, including those tried by the Supreme State Security Court which fell far short of international standards of fair trial and was abolished in 2011. In 2012, he was involved in the trial of human rights defender Mazen

Darwish and his colleagues (see above) after they were arrested during a raid on the Syrian Centre for Media and Freedom of Expression (SCM) in February of that year. The last reported sighting of Khalil was September 2013 and that there were signs he had been tortured.

**PEN ACTIONS:** joint statement 4 June 2013, 6 May 2014

## Muheeb Al-NAWATHY:

**PROFESSION:** a Palestinian journalist, used to work as a correspondent to Al-Arabiya.net, a Dubai-based news website

**DATE OF ARREST:** 5 January 2011

**DETAILS OF ARREST:** arrested in Syria nine days after arriving in Damascus to do research for a book he is writing about Hamas (the Palestinian Islamic group). On 9 January 2011 Al-Nawathy had been due to return to Norway, where he has resided as a political refugee since 2007. He is a former Gaza resident and is said to be a supporter of Fatah (a rival Palestinian group). Thought to remain detained incommunicado as of December 2014, his whereabouts are unknown.

## Abd al-Akram al-SAKKA:

**PROFESSION:** Islamic scholar.

**DATE OF ARREST:** 15 July 2011

**DETAILS OF ARREST:** On 15 July 2011, Air Force Intelligence arrested Abd al-Akram al-Sakka from his home without a warrant. His family has received no information about his fate or whereabouts, and official sources have never confirmed his detention. The only indication regarding his possible place of detention was received through a released detainee, who said he had seen Abd al-Akram al-Sakka at a military court in September 2012. This could indicate that he may be held at Sadnaya Prison, where detainees in military court cases are often held. No further information as of 31 December 2014.

**BACKGROUND:** Abd al-Akram al-Sakka, an imam from Daraya, a town on the outskirts of Damascus, has published several books and essays on a variety of topics, including feminism. He has a history of participating in awareness raising campaigns and community work framed by a group called Shabab Daraya (Youth of Daraya). As a result, security forces arrested him several times even before anti-government protests began in March 2011.

## Ali Al-SHIHABI

**PROFESSION:** Syrian Palestinian political analyst and blogger.

**DATE OF ARREST:** 17 December 2012

**DETAILS OF ARREST:** Reportedly arrested on 17 December 2012 by the Palestine Branch of the Syrian Military Intelligence at a checkpoint between Al-Zahra district and Al-Yarmouk Refugee Camp. He is said to be among dozens of writers, poets and playwrights to have been arrested since the start of the conflict for peacefully expressing their views about the current events taking place in Syria.

**OTHER INFORMATION:** Al-Shihabi is a leading writer and has published several books including *The World New Structure and Syria, Where to?*. He previously spent nine years in prison for his peaceful opposition activities. Remains detained in an unknown location as of 31 December 2014; there are unconfirmed reports that he may have been killed under torture. On 15 March 2013 Al-Karama submitted his case to the UN Working Group on Enforced and Involuntary Disappearances (WGEID) and other UN Special Procedures and asked for their urgent intervention. In December 2013, the Syrian authorities responded to the inquiry by WGEID, stating "he was arrested on the base of suspicions about his activities, and he still under investigation by the competent judicial authorities." No further information about his fate or whereabouts have been revealed since then.

## REPORTED MISSING

### Razan ZAITOUNEH (f):

**PROFESSION:** human rights defender and writer

**DATE AND DETAILS OF ABDUCTION:** Razan Zaitouneh, along with her husband, Wa'el Hamada, and two colleagues, Nazem Hamadi and Samira Khalil, were abducted by unknown individuals on 9 December 2013 from a joint office for the Violations Documentation Center (VDC) and the Local Development and Small Projects Support (LDSPS) in the Damascus suburb of Douma, part of Eastern Ghouta, an area under the control of a number of armed opposition groups that is being besieged by government forces. Zaitouneh was forced into hiding in 2011 after receiving threats from the Syrian authorities. In the last few months before her abduction, she received threats from at least one armed opposition group in the Eastern Ghouta area. No further information as of 31 December 2014.

**AWARDS:** Zeitouneh has received the 2013 International Women of Courage Award. She also has received the Anna Politkovskaya Prize and, in 2011, the European Parliament's Sakhorov Prize for Freedom of Thought.

**PEN ACTION:** In December 2013 PEN International signed a joint statement calling for her release

## DETAINED: MAIN CASE

### Mazen DARWISH, Hussein GHREER, and Hani ZETANI

**PROFESSION:** Mazen Darwish is a journalist and the head of the Damascus Centre for Freedom of Expression (SCM); the other four men are bloggers and members of the SCM.

**DATE OF ARREST:** 16 February 2012.

**DETAILS OF ARREST:** Arrested on 16 February 2012 after the office of SCM was raided by Air Force Intelligence. The detainees are facing trial before the Anti-Terrorism Court for "propagating terrorists acts" for his human rights and media activities in response to the on-going conflict in Syria. Despite several hearings, none of the detainees have been brought before the court and there has been no explanation by the Air Force secret services which is holding them. There are mounting concerns for their welfare. The detainees were moved in

November 2012 to Adra prison outside of Damascus. Darwish, who has been held incommunicado without access to visits until recently, has now seen lawyers and his wife. He is reported to have lost a lot of weight. Two others arrested and charged in the case, Abdelrahman HAMADA and Mansour AL-OMRI, were reportedly released on 5 February 2013; Mansour Al-Omri has since left the country. The trial started in February 2013 and has been repeatedly postponed and was ongoing at the end of the year. PEN International has joined several joint statements with other NGOs campaigning for their release. Awards (Darwish): The winner of the 2014 PEN Pinter Prize Sir Salman Rushdie chose to share the prize with imprisoned Syrian journalist and human rights defender Mazen Darwish; 2015 IPI World Press Freedom Hero Award recipient; 2015 UNESCO/Guillermo Cano World Press Freedom Prize winner. **[STOP PRESS:** According to PEN's information, following repeated delays a trial hearing was expected to take place on 15 April 2015, however it was further adjourned to 14 May 2015. This is the ninth time that the hearing has been postponed.]

### Tal AL-MALLOUHI (f):

**PROFESSION:** student, poet and blogger.

**DATE OF BIRTH:** 1991

**DATE OF ARREST:** 27 December 2009 4

**DETAILS OF ARREST:** Al-Mallouhi was detained on 27 December 2009 after being summoned for questioning.

**CURRENT PLACE OF DETENTION:** Branch 258 of the State Security Department, Damascus.

**DETAILS OF TRIAL:** On 5 October 2010 it was reported that Al-Mallouhi had been charged with spying for a foreign country. Appeared before the State Security Court on 10 November 2010. Al-Mallouhi was sentenced to five years in prison by the State Security Court in Damascus on 14 February 2011 after conviction of "revealing information to a foreign country". The verdict is final and there is no possibility for appeal. The court session was closed, and Al-Mallouhi's family were banned from attending. The judge reportedly did not provide any evidence against her. On 19 October 2013 her name was included in a prisoner exchange agreement between the government and armed groups, and it was reported that she had been released. However she was taken from Douma prison to the State Security Department in Damascus, where she is still believed to be held incommunicado as of December 2014. Despite the expiry of her sentence, she has not been released.

**OTHER INFORMATION:** For the first nine months of her arrest, Al-Mallouhi's family sought her release through diplomatic negotiations and therefore did not want any publicity on the case. However on 2 September 2010 her mother published an open letter to the Syrian president seeking information about her daughter's welfare and calling for her release. Al-Mallouhi has no known political affiliations, and sources close to the family are baffled by the charges.

**UPDATE:** PEN has now learned that in its opinion No 38/2011, the UN Working Group on Arbitrary Detention found that Mallouhi was arbitrarily held and called for her immediate release and adequate reparation.

**HONORARY MEMBER OF:** PEN Canada and Danish PEN.



## Adnan ZARRA'AI:

**PROFESSION:** playwright and a script-writer.

**DATE OF ARREST:** 26 February 2012

**DETAILS OF ARREST:** Reportedly arrested on 26 February 2012 and detained incommunicado in the State Security detention centre in Damascus. He has reportedly suffered a broken rib as a result of torture during his detention. Remains detained incommunicado without charge or trial as of 31 December 2014, and reports suggest he may have been moved to Saydnaya prison.

**BACKGROUND:** On 19 April 2013, it was reported that Zarra'ai's wife was arrested by security forces from in Damascus and later released on 14 May 2013.

## DETAINED: INVESTIGATION

### Jihad JAMAL (AKA Milan):

**PROFESSION:** a freelance journalist and blogger.

**DATE OF ARREST:** 7 March 2012

**DETAILS OF ARREST:** Reportedly arrested whilst having dinner at a restaurant in the Bab Sharqi district of Damascus with Sean McAllister, a reporter for Channel 4, a UK TV station who was released six days later after being tortured and otherwise ill-treated in detention. Unconfirmed reports suggest that Jamal may have been transferred for interrogation at the Ministry Intelligence's Branch 248 before being brought before a military court in mid-May 2012, despite being a civilian and without access to legal counsel. This is his fourth arrest since the Syrian protests started in March 2011. Previously detained without charge from 14 October-30 December 2011, and on 4 August 2011 when he spent 60 days in detention. He was also arrested in March 2011 and held for one month in a solitary confinement at the Military Intelligence security centre in Damascus. Jamal has actively engaged in online dissent and helped foreign journalists to gather information about the conflict in Syria, which is believed to have led to his numerous arrests since March 2011. He was transferred to Saydnaya prison on 21 December 2012 to await trial before a Field Court - a military court which can impose the death penalty. Sentences imposed by the court are final and not subject to appeal or review. Still believed detained as of December 2014, PEN International is seeking further information.

## ON TRIAL

### Dia'a AL-ABDULLAH:

**PROFESSION:** Poet and blogger.

**DATE OF ARREST:** 13 February 2012

**DETAILS OF ARREST:** He was arrested from his home in Asswaida by the Air Forces Intelligence after writing an open letter entitled As A Syrian Citizen I Announce in which he demanded that the Syrian President step down in order to prevent further bloodshed. He was released on 19 April 2012 but faces charges. Dia'a is waiting to appear before a Military Court after being charged with "insulting the President". The date of the trial has not been set yet. According to

Dia'a, he was subjected to torture in detention and all his front teeth were broken.

**BACKGROUND:** Al-Abdullah was previously detained for his writing on 29 June 2011, and held incommunicado until his release on 13 January 2012.

**UPDATE:** Dia'a reportedly went into hiding in 2014 as he was sought for arrest by the authorities.

### Yara BADR (f), Razan GHAZZAWI (f), Mayada KHALIL(f), Thannaa AL-ZITANI (f), Jwan SAID Ahmad (aka Jwan Farso), Bassam Ahmed AL-AHMAD:

**PROFESSION:** Bloggers and members of the Damascus Centre for Freedom of Expression (SCM).

**DATE OF ARREST:** 16 February 2012

**DETAILS OF ARREST:** Arrested after the office of SCM was raided by the Air Force Intelligence. Charged by a Military Court with "processing recorded materials" which call for protests. Released on bail after one week and the trial continues. Five others were arrested and charged in the case, three of whom remain detained at an unknown location (see Mazen DARWISH, Hussein GHREER, and Hani ZETANI, 'main case' above). Bassam AL-AHMAD, Yara BADR (f) and Razan GHAZZAWI (f) are reported to have left the country.

# TUNISIA

## IMPRISONED – MAIN CASE

### \*Yassine AYARI:

**PROFESSION:** blogger

**SENTENCE:** three years in prison

**DATE OF ARREST:** 24 December 2014

**DETAILS OF ARREST:** Ayari was reportedly arrested upon arrival at Tunisia-Carthage airport and immediately incarcerated.

**DETAILS OF TRIAL:** According to PEN's information, Ayari was sentenced in absentia to three years in prison for defamation and for harming the dignity, reputation and morale of the army. The charges are said to relate to posts he made on social media in August and September 2014 in which he accused senior military officers of financial and administrative abuse, and criticised the defence minister for having left military posts unfilled. International law applicable in Tunisia prohibits the trial of civilians before military courts. Ayari's lawyer, Malek Ben Ammar, requested a retrial, which the court scheduled for January 6, 2015. Place of detention: Mornaguia Prison [**STOP PRESS:** According to 22 January 2015 reports, Ayari was interrogated on 12 January 2015 and sentenced to one year in prison on 20 January, reduced to six months by the Military Appeal Court. He was released on 16 April 2015 after serving more than half his sentence with good behaviour.]



## RELEASED

### Jabeur Ben Abdallah MEJRI

**PROFESSION:** writer.

**SENTENCE:** (1) Seven years' imprisonment (2) Eight months' imprisonment

**DATE OF ARREST:** 5 March 2012 and April 2014.

**DATE OF RELEASE:** (1) 5 March 2014 (2) October 2014

**DETAILS OF ARREST:** The case relates to an essay published in July 2011 by Ghazi Ben Mohamed Beji entitled, "The Illusion of Islam," published on www.scribd.com. The essay satirizes aspects of the Prophet Muhammad's biography, including his sexual life. Mejrri published photos on his Facebook page drawn from Beji's work, along with other writings satirizing Islam and the Prophet Muhammad.

**DETAILS OF RELEASE:** (1) He was freed in March 2014 following a presidential pardon in February. (2) He was released in October 2014 after another presidential pardon.

**DETAILS OF TRIAL:** (1) Mejrri was convicted on 28 March 2012 of publishing material "liable to cause harm to public order or public morals," under article 121(3) of the penal code and was sentenced to seven years in prison and a fine of 1,200 Tunisian dinars (US\$ 790) for publishing writings perceived as offensive to Islam. Mejrri's sentence was confirmed on appeal on 28 May 2012, and confirmed by the Court of Cassation on 25 April 2013. (2) He was jailed again in April 2014 for eight months for insulting a court clerk during an argument about the date of a summons.

**OTHER INFORMATION:** Ghazi Ben Mohamed BEJI was also sentenced in the first case, but was tried in absentia (having left for Europe). In its opinion 29/2013 the UN Working Group on Arbitrary Detention concluded that Mejrri's first imprisonment was arbitrary. It called for his release and for him to be granted reparation.

**PEN ACTIONS:** RAN 21/13 22 November 2013 and updates, part of Euro-Maghreb writers appeal to President Marzouki in November 2013.

## UNITED ARAB EMIRATES

### IMPRISONED – MAIN CASE

#### Mohammed Salem Al-ZUMER:

**PROFESSION:** Blogger

**SENTENCE:** three years in prison and a fine of 500,000 Emirati Dirham (equivalent to US\$136,000).

**DATE OF ARREST:** 5 December 2012

**DETAILS OF ARREST:** At approximately 9pm Mohammed Salim Al-Zumer and a friend were arrested on the street by plain-clothes security officials who took their personal belongings including mobile phones and iPads. He was taken to an undisclosed location.

**DETAILS OF TRIAL:** On 25 December 2013, the Federal Court in Abu Dhabi convicted him of insulting both the head of state and the Crown Prince of Abu Dhabi in critical comments published online regarding their relationship with the private security firm Blackwater. His allegations of torture and ill-treatment during his detention were never investigated by the court.

#### Waleed AL-SHEHHI:

**PROFESSION:** Netizen who had been active before his arrest in publicising information on Twitter about the trial of the "UAE 94" - the trial of 94 individuals in the UAE who were on trial charged with endangering national security.

**SENTENCE:** two years in prison and a fine equivalent to US\$137,000

**DATE OF ARREST:** 11 May 2013

**DETAILS OF ARREST:** Al-Shehhi was held for 10 days at an unknown location, believed to be the state security detention centre in Abu Dhabi, before being transferred to Al-Wathba central prison.

**DETAILS OF TRIAL:** He was accused of using Twitter to instigate incitement of the public against state security and was convicted on 18 November 2013 under Articles 28 and 29 of the Cybercrime law No. 5/2012.

#### \*Osama AL-NAJJAR:

**PROFESSION:** online human rights activist

**DATE OF ARREST:** 17 March 2014

**SENTENCE:** three years in prison and 500,000 dirhams fine (approx. US\$ 136,000)

**DETAILS OF ARREST:** Najjar was reportedly arrested at his home by 10 state security officers. No reason was given for his arrest.

**DETAILS OF TRIAL:** Najjar was reportedly convicted on charges stemming from his defence of his father on Twitter. He first allowed access to his lawyer at the first hearing of his case on 23 September 2014. He was reportedly convicted on 25 November 2014 on charges of insulting the state, inciting hatred and violence, spreading false information and being a member of Al-Islah (a party affiliated with the Muslim Brotherhood). He does not have the right to appeal.

**BACKGROUND:** Najjar's father, Hussain Ali al-Najjar al-Hammadi, was one of those convicted in the "UAE 94" trial, a mass trial of 94 government critics and advocates of reform charged with endangering national security in 2013.

#### \*Mohammed AL-ROKEN:

**PROFESSION:** lawyer who has written a number of books and journal articles on human rights, freedom of expression, and counterterrorism laws

**DATE OF BIRTH:** 26 September 1962

**SENTENCE:** Ten years in prison followed by three years of probation

**DATE OF ARREST:** 17 July 2012

**CURRENT PLACE OF DETENTION:** Al-Razin prison

**DETAILS OF TRIAL:** Tried as part of the “UAE 94” trial. Ninety-four defendants, including eight tried in absentia were charged with (a) Creating a secret organizational structure “whose initial aim was to turn public opinion against the Government and the leadership of the State”; (b) Communicating with “individuals and international and foreign entities and establishments based outside the State in order to distort the image of the State”; (c) Communicating with the international Muslim Brotherhood organization and other similar organizations based outside the State, and seeking from such organizations “help, expertise and financial support to serve [the group’s] undeclared goal of seizing power”; (d) Investing “the funds raised from ... subscriptions, alms money, Zakat and contributions in the establishment of commercial and real estate companies, the selling and buying of residential and industrial property and agricultural land and shares registered in [the] names [of group members], with the aim of hiding the same from the authorities of the State”. The trial before the State Security Chamber of the Federal Supreme Court began on 4 March 2013. Mohamed al-Roken was convicted on 2 July 2013 and sentenced to ten years in prison. The trial failed to meet international fair trial standards, including the acceptance of evidence alleged to have been extracted as a result of torture and was widely condemned by human rights organizations. There is no right of appeal.

**BACKGROUND:** Mohamed Abdullah al-Roken is a well-known human rights lawyer. He was the lawyer for some members of the “UAE 5”, five individuals sentenced to two to three years’ imprisonment in 2012 for having expressed criticism of government policies. He also represented the “UAE 7”, a group of seven individuals whose United Arab Emirates citizenship the authorities attempted to revoke in 2011, owing to their membership in the Reform and Social Guidance Association (Al-Islah).

**OTHER INFORMATION:** The UN Working Group on Arbitrary Detention found al-Roken’s detention and that of 60 other of the UAE 94 to be arbitrary of 61 of the UAE 94, in its opinion 60/2013.

#### **\*Khalifa Hilal Khalifa AL-NUAIMI:**

**PROFESSION:** student and blogger

**SENTENCE:** Ten years in prison followed by three years of probation

**DATE OF ARREST:** July 2012

**CURRENT PLACE OF DETENTION:** Al-Razin Prison

**DETAILS OF TRIAL:** Convicted as part of the “UAE 94” trial on 2 July 2013 (see Mohamed al-Roken above for details).

**CONDITIONS OF DETENTION:** According to the Gulf Centre for Human Rights, Khalifa al-Nuaimi was subjected to torture or other ill-treatment when first detained.

**BACKGROUND:** Before his arrest, he had kept an active blog which he used to express criticism of the human rights situation in the UAE and the heavy-handed approach of the State Security apparatus. A few days before his arrest in July 2012, al-Nuaimi had written about the wave of mass arrests by the UAE’s State Security apparatus: “You do not have the right to take a son from his father...a father from his son...a teacher from his students...a preacher from his audience...and imprison them unlawfully.”

**OTHER INFORMATION:** The UN Working Group on Arbitrary Detention found al-Nuaimi’s detention and that of 60 other of the “UAE 94” to be arbitrary of 61 of the UAE 94, in its opinion 60/2013.

## YEMEN

### DEATH THREATS

#### **\*Jameel AL-JA'DABI:**

**PROFESSION:** editorial manager of Al-Motamer Net website.

**DATE OF THREATS:** 10 August 2014

**DETAILS OF THREAT:** Al-Ja’dabi reported receiving death threats over the telephone in relation to his work on 10 August 2014. Al-Jadabi said that the threat came after a report was published claiming officials had wasted money while traveling. He did not specify which report but on 5 August he published an article for Almotamar claiming Prime Minister Mohammed Salem Basindwa had spent about \$25,000 of public funds on leisure travel, citing unnamed government sources, according to CPJ.

#### **\*Hamdan AL-RAHABI:**

**PROFESSION:** Asharq Alawsat newspaper's Yemen reporter Date and details of threats: Al-Rahabi was reportedly threatened with death and accused of lying and deception on social media sites according to August 2014 reports.

### HARASSED

#### **\*Badr AL-QUBATY:**

**PROFESSION:** editor of the Aleshteraki, an online newspaper affiliated with the Socialist Party

**DATE OF HARASSMENT:** 17 October 2014

**DETAILS OF HARASSMENT:** Al-Qubaty was reportedly kidnapped by five individuals claiming to be affiliated with the Houthi movement after they stormed the news website’s offices in Sanaa. They reportedly held him for several hours before releasing him. Houthi leaders are reported to have denied any involvement.

### CONDITIONAL RELEASE

#### **Majed KAROUT:**

**PROFESSION:** Journalist for the news website Masdar Online

**SENTENCE:** one year in prison, suspended

**DETAILS OF TRIAL:** he was convicted by a court in Al-Bayda on 4 June 2012 of “posting lies in Facebook”. The lawsuit was filed by the financial director of the official communication agency in Al-Bayda, after a photo and a letter were published on the internet. The letter, signed by

employees of the agency denouncing alleged corruption at their workplace, was posted on Facebook by another person in February 2011. Karout was tagged in the accompanying photo, despite not being its author. The journalist was not notified by the court about the charges against him or the hearings in this trial. An appeal was filed against the imprisonment sentence, the third session of which was heard in February 2013. There are fears that the reason for this trial and conviction is an attempt to stop Karout from continuing investigating and reporting on issues of local corruption. On 10 March 2014 an appeals court in Al-Baydha upheld his one-year suspended jail sentence and 100,000 rial (\$465).

#### List of Centres with Honorary Members

##### PEN American Centre

Cameroon	Dieudonné Enoh MEYOMESSE
China	LIU Xia LIU Xiaobo SHI Tao YANG Tongyan
China/Tibet	WOESER Dolma KYAB
China/XUAR	Nurmuhemmet YASIN Ilham TOHTI
Ethiopia	Eskinder NEGA
Eritrea	Emanuel ASRAT Temesken GHEBREYESUS Mattewos HABTEAB Dawit HABTEMICHAEL Dawit ISAAC Seyoum TSEHAYE
Iran	Nasrin SOTOUDEH
Myanmar/Burma	AUNG Than ZEYA Aung
Qatar	Mohammed al-AJAMI
Turkey	Ayşe BERKTAY Ragıp ZARAKOLU
Uzbekistan	Mohammed BEKJANOV Mamadali MAHMUDOV
Vietnam	NGUYEN Xuan Nghia
Austrian PEN	
Cameroon	Dieudonné Enoh MEYOMESSE
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Iran	Adnan HASSANPOUR
PEN Canada	
China	HADA YANG Tongyan (aka Yang Tianshui)
Eritrea	Emanuel ASRAT Yusuf Mohamed Ali Said Abdelkader Temesken GHEBREYESUS Mattewos HABTEAB Dawit HABTEMICHAEL Dawit ISAAC Seyoum TSEHAYE Fesshaye Yohannes
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Mexico	José Armando Rodríguez Carreón		Ragıp ZARAKOLU
	Marco Antonio López Ortiz		Pinar SELEK
Russia	Anna POLITKOVSKAYA		DANG Phuc Tue (religious name: THICH
Saudi Arabia	Raef BADAWI	Vietnam	Quang Do)
Syria	Tal Al-MALLOUHI	USA	Mumia Abu Jamal
Turkey	Ayşe BERKTAY	Guatemalan PEN	
Ukraine	Muhammad BEKZHON (BEKJANOV)	China	GUO Quan
Uzbekistan	Dilmurod SAIDOV (pen-name: SAYYID)	Iceland PEN	
Catalan PEN		China	LIU Xiaobo
China/Tibet	Kunchok Tsephel Gopey Tsang	Independent Chinese PEN Centre (ICPC)	
Honduras	Dina Meza	China	CHEN Wei
Iran	Mohammad Sadiq Kabudvand		GUO Quan
Syria	Dia'a Al-Abdullah		HADA
Czech PEN			LI Tie
China	LIU Xiaobo		LIU Xianbin
	GAO Yu		LIU Xiaobo (Honorary President)
Cuba	Jorge Olivera		LU Jianhua
Danish PEN			QI Chonghuai
Syria	Tal Al-MALLOUHI		XU Zhiyong
Turkey	Muharrem ERBEY		BHUDHA (pen-name: Buddha the
	Nedim ŞENER	China/Tibet	Destitute)
	Ahmet ŞIK		DHONKHO Jangtse (aka Rongke, pen-
	Deniz ZARAKOLU		name: Nyen)
China/XUAR	Ilham TOHTI		DROKRU Tsultrim
English PEN			KHELKANG (KALSANG) Jinpa (pen-name:
Angola	Rafael Marques de Morais		Garmi)
China	LIU Xiaobo		Hailaite NIYAZI (aka Hairat or Gheyret
China/Tibet	Dolma KYAB	China/XUAR	Niyaz)
China/XUAR	Nurmuhemmet YASIN		Nurmuhemmet YASIN
Cuba	Jorge Olivera	Italian PEN	
Cuba	Bernardo Arevalo Padron	China	YANG Tongyan (aka Yang Tianshui)
Maldives	Mohamed Nasheed	Japan PEN	
Turkey	Hrant DINK	China (XUAR)	Ilham TOHTI
Finnish PEN		Melbourne PEN	
Eritrea	Dawit ISAAC	Belarus	Irina KHALIP
French PEN		Netherlands PEN	
	DANG Phuc Tue (religious name: Thich	Turkey	Ragıp ZARAKOLU
	Quang Do)	New Zealand PEN	
German PEN		Belarus	Irina KHALIP
China	LI Bifeng	Norwegian PEN	
	LIU Xiaobo	Turkey	Hrant DINK
	SHI Tao	PEN USA West	
China/Tibet	Dolma KYAB	Angola	Rafael Marques de Morais
Qatar	Mohammed Ibn al-DHEEB al-AJAMI	Portuguese PEN	
Saudi Arabia	Raef Badawi	China	LIU Xiaobo
Turkey	Deniz ZARAKOLU	San Miguel de Allende PEN	

Turkey	Ragıp ZARAKOLU		Ayşe BERKTAY
Swedish PEN			Muharrem ERBEY
China	GAO Yu		Professor Büşra ERSANLI
Eritrea	Dawit ISAAC		Nedim ŞENER
Iran	Adnan HASSANPOUR Mohammad Sadiq KABUDVAND		Ahmet ŞIK
Saudi Arabia	Raef BADAWI	Uyghur PEN	Ragıp ZARAKOLU
Vietnam	DANG Phuc Tue (religious name: Thich Quang Do)	China	GUO Quan
Swiss German PEN		PEN USA	
Turkey	Erol ÖZKORAY Pinar SELEK	Ethiopia	Eskinder Nega
Swiss Italian PEN		Ukraine	Muhammad BEKZHON (BEKJANOV)
China	LIU Xiaobo LIU Xia	PEN Vlaanderen	
Turkey	Muharrem ERBEY Deniz ZARAKOLU	Turkey	Hrant DINK
Suisse Romand PEN Centre			
China/Tibet	BHUDHA (pen-name: Buddha the Destitute) DHONKHO Jangtse (aka Rongke, pen-name: Nyen) KHELSANG (KALSANG) Jinpa (pen-name: Garmi)		
Vietnam	LU Van Bay NGUYEN Tien Trung		
Sydney PEN			
China	LIU Xiaobo SHI Tao Du Daobin		
China/Tibet	Ngawang Oeser Jampel Changchup Ven Ngawang Phulchung Ngawang Gyalsten		
Cuba	Blas Giraldo Reyes Rodriguez Léster Luis González Pentón Miguel Galván Gutiérrez		
Iran	Mohammad Sadiq Kabudvand		
Myanmar/Burma	Zargana Aung Myint		
Vietnam	NGUYEN Van Ly Nguyen Vu Binh Pham Hong Son Thích Huyền Quang		
Turkish PEN			
Turkey	Mustafa BALBAY		

## Full-Year Figures

The following table represents the full-year's (January-December 2014) figures. Please refer to the explanatory note on page 6 for clarification of categorisation. [\*indicate an ongoing crime that was first reported on a previous case list.]

Category	Total
Killed	8
Killed: motive unknown	19
Killed: impunity	58
Executed	0
Death in custody	1
Enforced disappearance	1
Enforced disappearance: impunity (ongoing)*	9
Abduction	3
Abduction: impunity (ongoing)*	1
Reported missing	0
Reported missing: impunity (ongoing)*	6
Imprisoned: main case	147
Imprisoned: investigation	40
Detained: main case	68
Detained: investigation	30
On trial	192
Judicial concern	10
Brief detention	40
Death threat	24
Attacked/ill treated	51
Threatened	14
Harassed	99
Judicial harassment	22
Sentenced	23
Conditional release	38
Total	904
Released	64



The Day of the Imprisoned Writer is an annual, international day intended to recognise and support writers who resist repression of the basic human right to freedom of expression and who stand up to attacks made against their right to impart information.

Every year, on November 15, PEN Centres around the world stage events, commemorating friends and colleagues who resist repression of the basic human right to freedom of expression.

Each year the focus is on a number of specific cases from that represent the type of threats and attacks faced by writers across the globe. For more information for to [www.pen-international.org](http://www.pen-international.org)

PEN International promotes literature and freedom of expression and is governed by the PEN Charter and the principles it embodies: unhampered transmission of thought within each nation and between all nations. Founded in 1921, PEN International connects an international community of writers from its Secretariat in London. It is a forum where writers meet freely to discuss their work; it is also a voice speaking out for writers silenced in their own countries. Through Centres in over 100 countries, PEN operates on five continents. PEN International is a non-political organisation which holds Special Consultative Status at the UN and Associate Status at UNESCO.

International PEN is a registered charity in England and Wales with registration number 1117088.



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