

**PEN INTERNATIONAL**  
**Writers in Prison Committee**

**HALF-YEARLY CASELIST**  
**To 31 December 2011**

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## PEN INTERNATIONAL Writers in Prison Committee

**PEN International** is the leading voice of literature worldwide, bringing together poets, novelists, essayists, historians, critics, translators, editors, journalists and screenwriters. Its members are united in a common concern for the craft and art of writing and a commitment to freedom of expression through the written word. Through its Centres, PEN operates on all five continents with 144 centres in 102 countries.

Founded in London in 1921, PEN 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.

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 at the United Nations and with UNESCO.

For more visit [www.pen-international.org](http://www.pen-international.org)

## PEN INTERNATIONAL CHARTER

The PEN Charter is based on resolutions passed at its international congresses and may be summarised as follows:

### PEN 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.

## 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 works with international NGOs, such as Amnesty International and Human Rights Watch. It is a founder member of IFEX – the International Freedom of Expression Exchange. IFEX is a collaborative, on-line service in which several groups involved in the campaign for free expression pool information. Other members include Article 19, the Committee to Protect Journalists, Index on Censorship, the International Federation of Journalists and Reporters sans Frontieres, as well as regional and national groups. For further details see the IFEX website [www.IFEX.org](http://www.IFEX.org)

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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 Writers in Prison Committee headquarters in London.

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Anyone wishing to take action on any individual mentioned in this Caselist should contact the Writers in Prison Committee headquarters for any update there may be on the case and for advice on appeals.

## Explanation of Terms Used

### Important: Please Read

#### Main Cases

Those cases listed as 'main cases' are those where the Writers in Prison Committee is confident that:

- i. the person is a writer or journalist or is persecuted because of their writings;
- ii. the person has not used violence towards his or her aims or advocated racial hatred.

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.

#### 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.

#### Investigation case

An investigation case is one where the Writers in Prison Committee:

- i. needs more information to ascertain whether a person is a writer or is persecuted for their writings;
- ii. is not clear as to whether or not he or she has used violence or advocated racial hatred;
- iii. has insufficient information to confirm that the event has taken place;
- iv. is seeking confirmation that the person is still detained.

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 dropped as appropriate.

\* by a name indicates that the case is new to the Committee's list since the last Writers in Prison Committee report. The last report was dated June 2011.

## CaseList July to December 2011

PEN International *Writers in Prison Committee*

Details current up to 31 DEcember 2012

# AFRICA

## ANGOLA

### On trial

Armando José CHICOCA: freelance reporter for various private Angolan newspapers including *Folha 8*, *Agora* and *O Apostolado* as well as for the U.S. government-funded broadcaster Voice of America (VOA). On 4 March 2011, Chicoca was sentenced to one year in prison and a US\$2,100 fine on libel and defamation charges for reporting on sexual harassment allegations against the presiding judge of the Provincial Court of the coastal city of Namibe in 2007. The lawsuit was filed by the judge in question. The plaintiff also accused Chicoca of being the author of an anonymous comment accusing him of corruption posted below a story on the scandal on the popular Portugal-based Angolan critical news website *Club-K*. Chicoca was transferred to Comarca Prison in Namibe following sentencing. His defence lawyer was not present during his trial; it is not clear whether or not he was barred from attending. Chicoca intended to appeal the ruling. He was released on bail of US\$2,400 on 6 April 2011. As of 30 June 2011 his appeal had not been heard. No news further news at 31 December 2011. Background: Chicoca spent a month in prison in 2007 after police arrested him while he was reporting on protests against the demolition of a street market. [RAN 11/11 and updates]

### Suspended Sentence

\* **William TONET**: editor of the private weekly *Folha 8*, was sentenced on 12 October 2011 to one year in prison, suspended for 2 years, and fined 10 million kwanza (US\$105,000). Tonet was found guilty of criminal libel for stories that alleged corruption and abuse of power by five senior officials close to President José Eduardo Dos Santos. According to reports, in a highly unusual move, the public prosecutor withdrew the charges in court and demanded the acquittal of the journalist. The judge ignored the request. Tonet's trial, which began in 2008, was based on a complaint filed jointly by Gen. Manuel Helder Vieira Dias Júnior Kopelipa, state minister and military adviser to the president; Gen. Antonio José Maria, head of military intelligence; Hélder Fernando Pitta Gróz, attorney-general of the armed forces; Francisco Pereira Furtado, former chief of staff of the Angolan armed forces; and Sílvio Burity, national director of customs. *Folha 8* had reported that the five men gained control of diamond mines in Lunda Norte province without public, competitive bidding, according to news reports. During Monday's court hearing in the capital, Luanda, Judge da Silva reportedly threatened to prosecute journalists covering the trial if they recorded the proceedings. Tonet immediately said he would appeal the sentence to the Supreme Court, but the judge imposed payment of the fine within five days, threatening to imprison the journalist if he did not pay, news reports said.

## CAMEROON

### Died in custody: investigation ongoing

**Germain S. ("Bibi") NGOTA NGOTA**: founder and editor of the private bimonthly newspaper *Cameroon Express*, died in Kondengui prison in the capital Yaoundé on 22 April 2010. His health had deteriorated since he was imprisoned in February 2010 and according to his death certificate he died from a lack of medical attention. Details of arrest: Ngota (38) was arrested on 15 February 2010 along with editors **Robert Mintya** of *Le Devoir* and **Serge Sabouang** of *La Nation*, in connection with a criminal complaint from presidential aide Laurent Esso in response to their investigation of allegations of corruption involving Esso and the state-run oil company, National Hydrocarbons Company (SNH) (see entry for Mintya and Sabouang below). The journalists were transferred to Kondengui prison in March pending trial. Three weeks before his arrest, Ngota had been picked up by Cameroon intelligence agency (DGRE) agents while being treated for high blood pressure at a hospital in Yaoundé and was held incommunicado without charge with Mintya, Sabouang and reporter Simon Hervé Nko'o of *Bebela*. **Conditions/ treatment in custody**: Ngota was reportedly held in a part of Kondengui prison where hardened criminals are housed and where the conditions are extremely harsh. Shortly before his death he had complained of fatigue, gout and joint pain. He had reportedly also suffered from high blood pressure, a hernia and asthma. However, according to Ngota's mother, the authorities rejected a plea for Ngota to be released on medical grounds, despite it being endorsed by the prison doctor. The Cameroonian government has not responded to allegations that security agents used psychological and physical torture to force Ngota and the other journalists to reveal their sources for the document on which the allegations against Esso were based. **Government response**: A 26 April 2010 statement issued by the President's office stated that the judicial authorities would carry out an impartial investigation but denied that the case was "a matter of restriction of freedom of the press" or that Ngota had died because of a lack of medical care. On 28 April, a minister publically disclosed that Ngota had tested positive for HIV while in prison and had died of infections arising from this condition, a claim refuted by Ngota's widow. A letter to PEN from the Minister of State dated 17 May stated that Ngota had been receiving treatment for his health complaints in prison prior to his death. It also said that Ngota had sent an "apology letter" to the Minister regarding the forgery matter prior to his arrest. On 14 September 2010 the Justice Minister released the official post-mortem into the death of Ngota saying that there was no sign of cuts, bruises or any other marks of torture. An internal report by the chief doctor at the Kondengui prison repeated that Ngota died "as a result of opportunistic infections linked to HIV". Ngota's widow denied that Ngota had the HIV virus, while Ngota's brother said that the journalist had been tortured in February when he was arrested and taken to the DGRE. **Update**: No further information at 31 December 2011. **Background**: Ngota, who had worked as a journalist for 15 years, launched *Cameroon Express* in 2002-2003 and worked for several other publications on a freelance basis. He was reportedly well-known locally for his investigations on public corruption in the oil sector. He was survived by his wife and two children. **Awards**: Canadian Journalists for Free Expression (CJFE) awarded Ngota one of its 2010 International Press Freedom Awards for his courage. [RAN 32/10]

### Detained: Investigation

\***François Fogno FOTSO**: editor of the private bimonthly *Génération Libre* was detained on 5 September 2011 and interrogated for at least four days without the presence of a lawyer. He was pressured to identify the sources for an August 2010 story by reporter Boris Nembop that raised questions about a series of financial transactions by then public tax collector in the western city of Nkongsamba. Officers have also pressed the editor to disclose the whereabouts of Nembop. Fotsso was taken to court on 9 September 2011, but was not charged, and was returned to the custody of the military police in the capital, Yaoundé, where he was also questioned, local journalists told CPJ. No further information as of 31 December 2011. **Background**: In a story headlined "Embezzlement of funds at the Treasury of Nkongsamba," *Génération Libre* claimed that it had received documents detailing a series of transfer of funds by Tabouli to his private accounts in amounts much larger than his salary as a government employee. The story challenged the tax collector to write a response to the allegations, but the latter filed a complaint instead. Military police have summoned Fotsso at least four times since October 2010 over the article, but the editor has refused to comply with their demands.

### On trial

Robert MINTYA and Serge SABOUANG: editors of the newspapers *Le Devoir* and *La Nation* respectively, were conditionally released on 24 November 2010 on orders of the President pending a trial for allegedly forging the signature of a presidential aide. The trial date or place had not yet been announced. The editors reportedly faced up to 20 years in prison if convicted. Details of arrests and imprisonment: Mintya and Sabouang were arrested and briefly detained in early February 2010, alongside Germain "Bibi" Ngota Ngota of the *Cameroon Express* and journalist Simon Hervé Nko'o of the weekly newspaper *Bebela*. The arrest was in response to the journalists' investigation of allegations of corruption involving Laurent Esso, Secretary General of the President's Office, and the state-run oil company, National Hydrocarbons Company (SNH), of which Esso is also board chairman. Nko'o was reportedly tortured while in custody and went into hiding following his release. Mintya, Sabouang and Ngota were re-arrested on 26 February and charged with forging Esso's signature in a document and using it in an attempt to discredit him. They were transferred to Kondengui prison in the capital Yaoundé on 10 March. Ngota died in prison on 22 April after being denied medical care (see above). The whereabouts of Nko'o, who was said to have forged the document in question, were not known. Health concerns in prison: On 8 August 2010, Mintya was reportedly beaten around the head by another prison inmate, causing him to lose consciousness. He was admitted to the prison infirmary and on 25 August was transferred to Yaoundé central hospital but reportedly had no access to free medical care. It is thought that the attack may have been reprisal for Mintya's implication of other people in the forgery case. Mintya was reportedly told that he would be freed if he signed a statement saying that he had been led astray and wrote a number of letters to Esso apologizing for the forgery, some of which were published in *L'Anecdote*, a newspaper that supports Esso. When he failed to secure his release, Mintya reportedly then wrote more letters accusing other leading Cameroonian personalities of being behind the forgery. Mintya reportedly spent a few days in hospital in late August before being returned to his prison cell. On 28 September 2010 he was reportedly transferred to a psychiatric hospital. Update: No news on trial as of 31 December 2011; PEN is seeking an update. Award: Canadian Journalists for Free Expression (CJFE) awarded Sabouang one of its 2010 International Press Freedom Awards for his courage. [RAN 45/10]

**Raphaël NKAMTCHUEN**: editor of the periodical *La Boussole*, was charged with "unauthorized communication with a detainee" and "possession of administrative documents labeled confidential by a public prosecutor in Yaoundé on 24 February 2011. The charges are based on a 27 October 2009 letter that was allegedly leaked from the office of top presidential adviser Laurent Esso. Guards found the letter on Nkamtchuen as he left Yaoundé's Kodengui Prison following an interview with a jailed former Finance Minister on 17 February 2011. Nkamtchuen was detained for six days by military police before being charged. He was freed pending trial on 24 March but reportedly went into hiding after receiving threatening phone calls. No further news as of 31 December 2011.

### Judicial Concern

\* **Enoh MEYOMESSE**: writer, historian and president of the National Association of Cameroonian Writers. He was arrested 29 November 2011, on his return from a trip to Singapore, and charged with robbery (of gold) and organizing a coup. He was held in solitary confinement and denied access to a lawyer for the first 30 days of his detention, and afterwards was moved into the general prison population in Yaoundé's main prison. He alleges that he was tortured and denies the charges. No date has been set for a trial, which will take place in a military court. PEN has no position on the charges of gold trafficking or of organising a coup, but the evidence against him does seem dubious. Meyomesse was a candidate for the presidential election on 9 October 2011, under the banner of the United National Front (UNF).

## CENTRAL AFRICAN REPUBLIC

### Conditional Release

Faustin BAMBOU: director of the independent weekly *The Hills of Bangui*, was arrested by military policemen at his office on 27 May 2011 and detained at their Research and Investigations Department for 10 days. On 7 June he was charged with inciting hatred and disorder among the military forces and insulting the government and sent to Ngaragba Prison in the capital Bangui. The charges stem from four articles Bambou wrote between April and May alleging that the Minister of Defence had embezzled funds from the European Union intended to cover the pensions of retired military and police personnel. On 17 May, a government spokesman criticized *The Hills of Bangui* and two other independent publications on national radio, accusing them of conducting a "smear campaign" against the Defence Minister. Bambou was released on 11 July 2011 after a judge dismissed criminal charges of "inciting violence and hatred". However, the judge fined Bambou 458 Euros on a lesser charge of libeling the Minister of Defence. Background: In January 2008, Bambou was sentenced to six months in prison for inciting, revolt, abuse and for defamation for supposedly defaming the Central African Republic's Minister of Mining (now Minister of Foreign Affairs) by writing about his alleged embezzlement. The President pardoned Bambou the following month.

## COMOROS

### On trial

Ali MOINDJIE and Hadji HASSAMALI: respectively editor of the private daily newspaper *Albalad* and editor of bimonthly *La Tribune des Comores*, were charged with "publishing false news" in the capital Moroni on 14 March 2011 in relation to their coverage of the handover of power between outgoing President Ahmed Abdallah Mohamed Sambi

and President-Elect (now President) Ikililou Dhoinine. The charges are based on a news item, published in the 3 March 2011 edition of *Albalad* and in the 20 February 2011 edition of *La Tribune des Comores*, stating that the official swearing-in ceremony of the President-Elect could be delayed beyond the scheduled date of 26 May. The Presidential Chief of Staff denied the claim and the public prosecutor deemed the reports “of a nature to trouble public order.” The journalists reportedly face up to six months in prison if convicted. No further news as of 31 December 2011.

## DEMOCRATIC REPUBLIC OF CONGO

### *Brief Detention*

\*Odon MWAMBA: journalist for *La Grogne*, a private newspaper distributed in Lubumbashi, was arrested on 23 October 2011 and detained for 72 hours by the national Congolese police. He was arrested on charges of criminal defamation against the abbot Twité, rector of the grand seminary in Lubumbashi. According to information obtained by Journalists in Danger, Mwama was arrested for attempting to verify information regarding an alleged affair between the abbot Twité and a young woman from Lubumbashi.

### *Death Threats*

\* **Donat M’Baya TSHIMANGA, Tshivis TSHIVUADI: respectively president and** secretary-general, of Journalists in Danger received death threats by email on 26 August 2011. The email said: ‘We are aware that you are paid to smear our country in the eyes of our partners. You will soon pay for this. You and your families. You are also destroying the careers of politicians in the government. We know you get money from the opposition in order to combat the government. You were paid 50,000 dollars to combat the young parliamentarian Kisombe.’ (Kisombe is a ruling party politician.)

### *Case Closed*

**Achille Kadima MULAMBA:** managing editor for the newspaper *Africa News*, was sentenced in absentia to eight months in prison and a US\$10,000 fine by a lower court in the capital Kinshasa on 2 November 2010. The conviction stemmed from a defamation complaint brought by the local administrator of a European development fund on the basis of a 26 October 2010 article which accused the administrator of embezzlement. The court also accused Mulamba of “bad faith” for refusing to publish the plaintiff’s right to reply. It is not clear whether Mulamba has lodged an appeal. Case closed due to lack of information

Pascal MULUNDA and Jeff SAILLE: respectively journalist and editor of weekly newspaper *Le Monitor* and editor of *Le Barometre*, are on trial for allegedly defaming a government official. Mulunda was arrested on 26 July 2010 on criminal defamation charges and taken to Kinshasa’s Penitentiary and Re-education Centre. The arrest was based on a 26 June complaint filed by an official with the Mining Ministry agency Saesscam against *Le Monitor* and the weekly *Le Barometre* after the two newspapers published a story on 23 June 2010 implicating the official in over-billing in the agency’s purchase of four vehicles. Mulunda was released on bail on 19 August. His lawyer stated that he must present himself to the court twice a week and was banned from leaving Kinshasa before the case comes to a close. It was also reported that Saile had gone into hiding after receiving anonymous phone threats. Case closed due to lack of information.

## ERITREA

### *Imprisoned: main cases*

#### *Detained in September 2001:*

**Emanuel ASRAT** (editor-in-chief of *Zemen* – ‘*Time*’), **Temesken GHE-BREYESUS** (sports reporter of *Keste Debena* - ‘*Rainbow*’ - *born c. 1967*), **Mattewos HABTEAB** (chief editor of *Meqaleh* - ‘*Echo*’ - *born c. 1973*), **Dawit HABTEMICHAEL** (assistant chief editor of *Meqaleh* - *born c. 1973*), **Dawit ISAAC** (co-owner of *Setit*, playwright and writer – *born 1964*), **Date of arrest:** in the days following 23 September 2001.

**Sentence:** it is thought that none have been 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*). Since then, only state-owned newspapers have been published. According to news reports, presidential adviser Yemane Gebremeskel stated that these journalists (and the four others who are thought to have subsequently died in custody – see below) may have been arrested for avoiding national service. **Official position:** 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 effected 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. In a TV interview in June 2009, the President said that he did not know what crime Dawit 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”. **Health concerns/prison conditions:** 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, poor health and lack of access to medical care, as highlighted by the reported deaths of four journalists in custody (see below). 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. **Reported deaths in custody:** In 2007, it emerged that four of the journalists who were arrested in September 2001 had reportedly died in custody between 2005 and early 2007: **Said Abdelkader** (*Admas*), **Medhanie Haile** (*Keste Debena*), **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 indicate that that Yohannes had been tortured prior to his death, including having his fingernails ripped out. **ACPHR ruling:** 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. **Information on Dawit Isaac:** 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. In November 2001, the Swedish local consul held a brief meeting with Isaac in jail. In April 2002, it was reported that Isaac had been hospitalized suffering from injuries sustained through his torture. 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. 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. The most recent reports indicate that Isaac is being held at Eiraeiro prison camp, 10 miles north of the capital Asmara, along with a number of the other detained journalists. 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. Many are in a very poor psychological state. As of 27 October 2010, when Isaac turned 46, he had still not been formally charged with any crime, and his whereabouts remained unclear. A new collection of his writings, entitled *Hope- the Tale of Moses and Manna’s Love*, was unveiled at Sweden’s Goteborg book fair in late September 2010. **Update on Isaac** On 18 May 2011, during the 21<sup>st</sup> Session of the African, Caribbean, Pacific – European Union (ACP-EU) Joint Parliamentary Assembly held in Budapest, EU and African countries decided that the Assembly’s next report on human rights would focus on Isaac. This came about as a result of efforts by Swedish MEP Olle Schmidt, who has taken a special interest in Isaac’s case. According to a 3 August 2011 report by the Committee to Protect Journalists, the whereabouts and health status of Isaac and the other detained journalists remain unknown. 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. **Health Concerns:** Isaac reportedly suffers from a diabetic condition that requires medical supervision. : In its 2011 report, Amnesty International reported that Isaac remained in detention, allegedly in Eiraeiro prison camp. He was reportedly in poor mental and physical health.. **Recent information on other journalists:** On 18 February 2010, Reporters Without Borders reported that Emanuel Asrat and Dawit Habtemichael, like Isaac, were being held at Eiraeiro prison camp (cells 25 and 12 respectively). However, an April 2010 article by the Committee to Protect Journalists cited a report by Radio Wegehta, an opposition station based in Ethiopia, in which an alleged former prison guard at Eiraeiro stated that Habtemichael had died in custody, in addition to the four journalists named above; this death is unconfirmed. The former guard reportedly also said that Yusuf Mohamed Ali had died in June 2003 as a result of extreme heat, Medhanie Haile had died due to lack of medical treatment while Fesshaye Yohannes “Joshua” and Said Abdelkader had committed suicide. These reports are likewise unconfirmed. No further news as of 30 June 2011. **Update:** According to Reporters Without Borders, the journalists are still detained as of 16 September 2011. In September 2011, the European Par-

liament 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.” **Honorary Members:** American PEN, PEN Canada. Dawit Isaac is an Honorary Member of Finnish PEN and Swedish PEN. **Awards:** Isaac was awarded the 2009 Tucholsky Award by Swedish PEN and the 2011 Golden Pen of Freedom, the annual press freedom prize of the World Association of Newspapers and News Publishers (WAN-IFRA).

**Mahmud AHMED SHERIFFO, Haile WOLDETESNAE, Petros SOLOMON, Saleh Idris KEKIA, General Oge ABRAHA, Astier FESHATSION (f), Berhane GHEBRE EGHZABIHER, Hamid HIMID, Estifanos SEYOUM, Germano NATI and Beraki GHEBRE SELASSIE:** former Minister of Local Government, former Minister of Trade and Industry, former Minister of Fisheries, former Minister of Transportation and Communication, and former Chief of Staff of the Defence Force and Minister of Trade and Industry respectively (the final six were also former members of government), have been detained since 18 or 19 September 2001 after 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 eleven currently held will receive a fair trial. They have been held incommunicado ever since 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 reported that at least one of the G-15 members, General Oge Abraha, had reportedly died in custody due to the harsh conditions and lack of access to medical treatment. Astier Feshatsion was said to be suffering from stomach ulcers. **Most recent information:** 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. In its 2011 report, Amnesty reported that the Eritrean government had failed to respond to these allegations in 2010.

### *Detained after 2001:*

**Yirgalem ASFHA (f)** (essayist and journalist - staff member at Radio Bana, former art critic for the independent weekly newspaper *Zemen*; Yirgalem FISSEHA MEBRAHTU (f) (poet and journalist for Radio Bana); Meles Negusse KIFLU: (writer, poet and journalist - Radio Zara and Radio Bana, formerly worked for *Tsigenay*); Bereket MISGHINA (“Wedi Misghina”) (playwright and actor and staff member at Radio Bana). Date of arrest: 22 February 2009, during a raid on Radio Bana, based in Addis Ababa, during which at least 50 employees were arrested by the security forces. By April 2009, most had been released but a number remain in detention. Reasons for 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: May Srwa prison (Fisseha, Kiflu and Misghina); unknown (Asfha). Other information: 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. 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 was thought to be aged 30 at the time of her arrest, is from Adi Keyih in the south of the country. Kiflu is married with two children. Most recent information: On 18 February 2010, Reporters Without Borders reported that Fisseha, Kiflu and Misghina were being held in May Srwa prison, to the north of the capital Asmara. On 23 May 2010, Reporters Without Borders said that Fisseha had been kept in solitary confinement for a number of weeks for unknown reasons. No further information as of 30 June 2011. Update: Fisseha, Kiflu and Misghina were still detained as of 16 September 2011, according to Reporters Without Borders. No mention of Asfha.

**Mulubrhan HABTEGEBRIEL**: 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. **Reason for arrest**: Not known. **Place of detention**: Adi Abeito military prison. **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. No further news as of 30 June 2011. **Update**: Still detained as of 16 September 2011, according to Reporters Without Borders.

**Wedi ITAY**: freelance journalist, former journalist for *Keste Debona*; writer and essayist. Date of arrest: Unknown (reported by Reporters Without Borders in September 2009). Place of detention: A hospital in Asmara. Other information: Itay was in his 40s at the time of his arrest and is now said to be seriously ill. He is reportedly a former member of the Eritrean People’s Liberation Front (EPLF). Update: Still detained as of 16 September 2011, according to Reporters Without Borders.

## ETHIOPIA

*Imprisoned: main case*

**Martin SCHIBBYE**: reporter for the Sweden-based news agency *Kontinet*, was arrested by Ethiopian security forces on 30 June or 1 July 2011 while reporting on the activities of the Ogaden National Liberation Front (ONLF), armed separatists operating in the oil-rich province of Ogaden in eastern Ethiopia, and on alleged human rights abuses carried out by the Ethiopian security forces. Schibbye (30) was arrested along with a photojournalist for the same agency, **Johan Persson** (29). They were arrested following a battle between the ONLF and the Ethiopian army. Both men suffered light wounds. **Charges**: On 6 September 2011, Schibbye and Persson appeared before a court in the capital Addis Ababa and were charged with “terrorism and entering the country illegally.” Their lawyers were reportedly not present at the hearing. The government claimed that the journalists were working with the ONLF, which it designates a terrorist group. On 10 October 2011, Ethiopian Prime Minister Meles Zenawi made public accusations that the two journalists were accomplices to ter-

rorism. Schibbye and Persson were found guilty of ‘supporting terrorism’ on 21 December 2011, and sentenced to 11 years in prison. [RAN 64/11 and updates]

**Woubshet TAYE and Reeyot ALEMU (f)**: respectively deputy editor of the independent weekly *Awramba Times* and contributor to the independent weekly newspaper *Feteh*, have been imprisoned pending trial on charges of terrorism since June 2011. Details of arrest and detention: Taye 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. Alemu was arrested two days later, on 21 June, at a secondary school where she teaches English in Addis Ababa; her home was also searched by police. Both were initially detained incommunicado without charge. Reasons for arrests: The authorities did not disclose the reason for the arrests, but it was suspected that both were detained under Ethiopia’s 2009 anti-terrorism law. It was thought that Taye’s detention could be due to his alleged sympathy for the banned political party Ginbot 7, which the Ethiopian government recently designated as a terrorist organisation. Alemu’s arrest was thought to be related to her articles criticising the ruling EPRDF party. Her 17 June 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 Libyan leader Muammar Gaddafi. Charges: On 6 September 2011, Taye and Alemu appeared before Ethiopia’s High Court and were charged under the antiterrorism law. 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 antigovernment website Ethiopian Review; Kifle lives in exile in the USA. The journalists reportedly face life imprisonment if convicted. Update: according to reports, the defendants were due to present their defence on 21 December 2011, and a verdict was expected on 19 January 2012. Place of detention: Both are being held at the federal investigation centre at Maekelawi Prison in the capital Addis Ababa. Treatment in prison/ health concerns: During a court hearing in August, Taye said that he had been tortured by state officials while he was being interrogated in prison. As of early September he was reportedly suffering from pain in his ear and stomach as a result of beatings, but had not been given any medical treatment. Alemu’s physical and psychological state of health was said to have seriously deteriorated in prison and as of early September 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. Both journalists said they had been denied access to a lawyer during their interrogation. Background: The managing editor of *Awramba Times*, Dawit Kebede (see below), is reportedly the target of ongoing harassment by the authorities and by the pro-government media. [RAN 34/11 and updates]

*Imprisoned: investigation*

Akram EZEDIN: acting editor of the privately owned Islamic weekly newspaper *Al-Quds*, based in the capital Addis Ababa, has reportedly been detained without charge since 11 September 2010. Ezedin (17 at the time of his arrest) took over the running of the newspaper in January when his father, Ezedin Mohamed, editor of *Al-Quds*, was sentenced to one year in prison for a 2008 column criticizing statements made by Prime Minister Meles Zenawi during an interview with the British newspaper *The Guardian* (see previous case list). On 11 September 2010, Ezedin Mohamed was released and Akram Ezedin was arrested, reportedly on the basis of articles critical of the performance of Afar’s local

Islamic Council or Mejlis, published by *Al-Quds* in July. Akram Ezedin was reportedly being held in a prison in Asaita, the regional capital of Afar and had reportedly appeared in Afar’s court four times but was yet to be charged. Pre-trial detention is illegal under Ethiopia’s Mass Media and Freedom of Information Proclamation. Moreover, as *Al-Quds* is a national newspaper, any case against it should be heard in a federal not a state court. As of October 2010, Akram Ezedin was still in detention. No further news as of 31 December 2011; PEN is seeking confirmation that he is still imprisoned. [Update #1 to RAN 07/10]

*On trial*

**Temesgen DESALEGNE**: editor of Amharic-language weekly *Fitih*, has reportedly had more than 30 charges brought against him by the state prosecutor. He was summoned by police on 22 January 2011 to hear the charges, which included “tarnishing the image of the ruling coalition”, and was released after posting bail of US\$500. *Fitih* also recently faced a libel suit by a parliamentarian, and in 2010 was prosecuted by the Ethiopian Broadcast Agency, a state body in charge of issuing licenses. No further news on the charges as of 31 December 2011.

**Dawit KEBEDE and Wesenseged GEBREKIDAN**: editors of *Awramba Times* and *Harambe* respectively, are on trial for “incitement.” **Arrest**: On 7 August 2008, Kebede and Gebrekidan were arrested and released on bail. **Charges**: The police were reportedly acting on orders from the Ministry of Justice, which had requested a criminal investigation into the two papers. *Awramba Times* was charged for an editorial, interview and opinion piece that had appeared in five different issues, while *Harambe* was charged for an editorial and opinion piece that had appeared in three separate issues. **Background**: At the beginning of August 2008, *Awramba Times* had been warned by police that they would block the distribution of the newspaper if it persisted in covering the political opposition movement, Ginbot 7. Ginbot 7, which is named after the day on which the disputed 2005 elections were held, is led by Berhanu Nega, a formerly imprisoned academic now in exile (see previous case lists). Kebede and Gebrekidan were jailed alongside Nega in 2005 and spent 21 months in jail before being released on a conditional pardon in August 2007. **Trial**: In late February 2009, it was reported that the public prosecutor had filed criminal charges against both Kebede and Gebrekidan at the federal court. Both were granted bail. Gebrekidan was unable to pay post bail and was imprisoned for a few weeks until local journalists raised the money. If convicted, the journalists face a possible prison sentence. **UPDATE**: Kebede went into exile in mid November 2011. He said that he was forced to leave the country after he received a tip about alleged government plans to re-imprison him. Kebede also said that the paper was unlikely to continue publishing. No further news on the trial as of 31 December 2011; PEN seeking an update. Awards: On 23 November 2010, Kebede was given the Committee to Protect Journalists’ International Press Freedom Award for “risking his freedom and security to report the truth as he sees it in his country.”

*On Trial*

\*Eskinder NEGA, Sileshi HAGOS: respectively journalist and former managing director of now-defunct political magazine, *Change*, were arrested on 9 and 14 September 2011 under Ethiopia’s sweeping anti-terrorist legislation. They were accused of involvement with the banned political party Ginbot 7 and appeared before a court on 15 September where they were remanded in custody for 28 days. There are concerns that Nega has been ill-treated in detention. Local journalists suspect that some of Nega’s latest writings criticizing the government’s arrest of the

famed Ethiopian actor Debebe Eshetu on terrorism charges, triggered his arrest. Hagos is the fiancé of journalist Reeyot Alemu, who has been imprisoned under terrorism charges since July 2011 (see above). Hagos and Nega will be in police custody until October 12, in order to allow the police to carry out their investigations. Police forbade visitors in the courtroom when Nega was in court. Shortly after Hagos and Nega were arrested, the ruling Ethiopian People’s Revolutionary Democratic Front-controlled state television portrayed them as “spies for foreign forces” and accused them of harboring links with Ginbot 7. Update: Eskinder was charged under terrorism legislation on 11 November 2011. He is accused of having a relationship with the leaders of Ginbot 7, plotting terrorist acts and inciting the public to overthrow the government, passing such information to Ginbot 7 and the enemy state of Eritrean, and calling/organizing and leading meeting that summoned for the purpose of terrorist goals. 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.

\*Mesfin NEGASH and Abiye TEKELEMARIAM: journalists for Addisnegeronline.com and based in Sweden and the UK respectively, were charged in absentia on 11 November 2011, with supporting terrorist organizations through allegedly giving them a platform via their website.

*Threatened – Gone into Exile*

\***Argaw ASHINE**: reporter for the Kenyan newspaper, *Daily Nation*, and chairman of the Ethiopian Environment Journalists Association, fled Ethiopia in September 2011 after being threatened and is now residing in an unknown location. He was cited in a US diplomatic Wikileaks cable and, as a result, was interrogated by officials seeking the identity of his government source referred to in a 2009 cable about press harassment. He said he fled after he was summoned for intensive questioning by officials from the Government Communication Affairs Office (GCAO) on two occasions and a third time by the police.”I was summoned by the police and they clearly told me that I have two choices, disclose my source, otherwise face any possible consequences. We have this anti-terrorism bill and according to that law I [could] face 20 years in prison with a single charge.” he said.

\***Abebe TOLLA**: newspaper satirist for the Amharic newspapers *Feteh* and *Awramba Times* went into exile in *mid-November 2011 after receiving a series of threats from government agents*. Tolla’s satires were generally political. Tolla, also known as Abé Tokichaw, has been particularly critical of Ethiopia’s ruling party, accusing them of confusing ordinary people in attempts to explain policies to constituents. He fled Ethiopia fearing imprisonment in retaliation for his critical news commentaries. Tolla’s persecution started in May 2011, when a state security agent began trying to force Tolla to become a police informer. Tolla refused, and he was threatened with imprisonment. Tolla was also ordered to stop writing satires; again, he refused. On 9 November 2011, Tolla was told that he would be charged under Ethiopia’s anti-terrorism legislation and was accused of having contact with an outlawed opposition group, Ginbot 7. Tolla maintains that he is apolitical and that he has no contact with Ginbot 7.

## GAMBIA

*Imprisoned: main case*

“**Chief**” **Ebrimah MANNEH**: reporter and sub-editor with the pro-government *Daily Observer*, was reportedly arrested by two National Intelligence Agency (NIA) officers on 7 July 2006 and has held been 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). Last sighting: 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. ECOWAS ruling: 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 and has yet to comply with the ruling. Official position: 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 ECOWAS ruling. UN ruling: 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. Reported death in custody: On 15 April 2009 a report by Agence France-Presse quoted an unnamed police source as saying that Manneh had been removed from Mile Two prison in the middle of the night some time in 2008, and speculating that the journalist was dead. However, on 27 April 2009 it was reported that credible sources had said that Manneh was still alive. New information: 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 have no information about Manneh. **Update:** Manneh’s

whereabouts remain unknown, though 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.

## GHANA

*Death threat*

\*Fred Tettey ALARTI-AMOAKO: the Brong Ahafo regional correspondent for the Accra-based privately-owned *Daily Guide* newspaper, said he received death threats following an article he wrote on 11 October 2011, which carried the headline: “Chief beats Queen Mother in Public.” The newspaper alleged that Chief Nana Bosomprah had been found guilty and fined by an investigating committee for denigrating his crown by fighting in public. The journalist said that he received death threats from the chief’s men afterwards. In an email to the Media Foundation for West Africa (MFWA) on October 14, 2011, the journalist said: ‘The Chief and his aides called me after the publication and threatened to kill me. Although I have lodged an official complaint with the police, I am still living in a state of fear because I do not know when they will strike.’ On an Accra-based radio station, Nana Bosomprah said it was his followers who attacked the queen mother and that he was accepting responsibility for their actions.

*Attacked*

\*Ameenu SHARDOW: sports journalist with *GHANAsoccernet* website was violently assaulted on 24 July 2011 by police officers for demanding an explanation from the police as to why journalists were being denied access to a football stadium in which a cup final was to be held (journalists had reportedly been accredited to enter any part of the stadium.) Shardow told the Media Foundation for West Africa that he was dragged, punched and electrocuted. He said that he was saved after the intervention of the Vice-president of the Ghana Football Association.

## GUINEA

*Detained*

\*Albassirou DIALLO (aka El Bechir Diallo): journalist, was abducted and held incommunicado and without charge at a military camp in Conakry on 11 August 2011. He was released on August 13, 2011. The journalist said that his arrest was in connection with his cousin, Commander Alpha Oumar, who was among forty civilians and soldiers who were arrested and held over their alleged role in the assassination attempt on President Condé on July 19. Diallo had reportedly received a telephone call from an unknown person who asked him to come and pick up a bag of rice and money for Ramadan; he was met by CID officers who then arrested him.

## IVORY COAST

*Killed: official investigation ongoing*

Guy-André KIEFFER: writer and independent reporter with joint French and Canadian nationality, disappeared on 16 April 2004 and is assumed to have been killed. 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”. Background: Kieffer was the Abidjan correspondent for the French publication *La Lettre du Continent* and had written for French business publication *La Tribune* and other publications. He also reportedly wrote for the Ivorian press under a pseudonym and was

collaborating on a book with Louis-André Dacoury-Tabley, foreign affairs coordinator for the Patriotic Movement of the Cote d’Ivoire (*Mouvement patriotique de Cote d’Ivoire* – MPC). In addition to his work as a journalist and writer, Kieffer has also worked as a cocoa and coffee trade expert for a firm of consultants and had conducted numerous investigations into the coffee and cocoa sectors, some of which have exposed corruption. Investigation: The investigation into Kieffer’s disappearance, led by French judge Patrick Ramaël, has dragged on since 2004 with no conclusion. Key suspects have included Michel Legré, the brother-in-law of former President Gbagbo’s wife, Simone Gbagbo. Legré was charged with ‘accessory to kidnapping’, ‘unlawful confinement’ and murder and held in an Abidjan detention centre for a year and a half 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. Judge Ramaël has reportedly faced constant obstruction by the Ivorian authorities, although they have denied this. 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 Ivorian state prosecutor Raymond Tchिमou stated that Kieffer had been taken out of the country and is still alive. Tchिमou offered no other explanations or details on the journalist’s purported whereabouts. New information: 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 since from the time the journalist disappeared. No further information as of 31 December 2011.

*Acquitted*

\***César ETOU, Boga SIVORI, Didier DÉPRY**: publisher, political desk chief, administrator for *Notre Voie* were arrested on 24 November 2011 for allegedly publishing false information about President Alassane Ouattara. A 21 November article claimed that President Ouattara had acquired luxury Mercedes Benz cars for himself and members of his cabinet. The article said: “Whilst Ivoirians are dying of hunger and disease, Ouattara has offered himself 40 Mercedes at a cost of 1.4 billion CFA francs (1.6 million Euros).” Dépry, was held over remarks he allegedly made in the same edition of the paper that the country’s currency would be devalued, despite denials by the Central Banks for West and Central Africa. **Acquitted:** On 6 December 2011 the case dismissed by judge due to lack of evidence; all freed.

*Case Closed*

**Traore MEDANDJE**: reporter for the daily newspaper *L’Intelligent d’Abidjan*, was sentenced to a one-year jail sentence and a fine of 5 million CFA (approx 7,600 Euros) by the Abidjan Criminal court on 26 July 2010 on charges of defamation and attempted blackmail of a former health ministry official. The case was prompted by a 4 September 2009 article in which Medandje accused the then departmental director of health of getting rich by setting up unauthorised private clinics in the Vavoua region.

Medandje remained free pending the outcome of his appeal. A hearing was set for October 2010. Case closed due to lack of information.

**Patrice POHE**: journalist and communications advisor to the state prosecutor, was arrested and detained on the orders of his employer on 21 July 2010 for allegedly leaking a report about embezzlement in the cocoa and coffee sector to the privately-owned newspaper *Le Nouveau*. It was reported that his arrest followed the interrogation of **Allan Alliali**, managing editor of privately-owned newspaper *Le Quotidien*. Both journalists were interrogated separately before being interrogated face-to-face in the presence of the secretary of the state prosecutor. At a hearing on 23 July, Pohe’s case was adjourned to 26 July 2010; no reason was given. Case Closed due to lack of information.

## KENYA

*Killed: official investigation ongoing*

**Francis NYARURI**: journalist for the independent newspaper *Weekly Citizen* (under the pen name Mong’are Mokuua), disappeared on 15 January 2009 and was subsequently found murdered. Nyaruri left his residence in Nyamira, western Kenya, on the morning of 15 January and travelled 30km to Kisii to purchase construction materials. His wife spoke to him later that morning; that was the last time he was heard from. His family reported his disappearance to the Nyamira police but it is understood that no missing person’s report was circulated to other police stations or to the provincial headquarters. Nyaruri was found decapitated two weeks later, on 29 January 2009, with his hands bound and with marks on his body in Kodere Forest near Nyamira. Prior to his disappearance, Nyaruri had written a series of articles exposing financial and other malpractice by the local police department. The last article he wrote, which appeared two days before he disappeared, implicated local police in a public transport racket. He had reportedly received threats from police officers in the area as a result of the articles and had reportedly told friends and colleagues that he feared for his life. A team of senior police officers was reportedly sent to Nyamira to investigate the murder. Investigation: On 8 June 2009 it was reported that two key witnesses, Nyaruri’s family lawyer and a policeman, had had gone into hiding after receiving death threats. The lawyer had been pushing for the arrest of Nyaruri’s suspected killers; the policeman had been providing protection to the lawyer and had been instrumental in the arrest of two key suspects. The threats warned them to drop the case. It is suspected that senior policemen from Nyamira may have masterminded the murder and be responsible for attempting to stall the investigation. The police officers in charge of investigating the murder had also received repeated threats; one of them reportedly filed a complaint to the police commissioner but this apparently caused the threats to intensify. As of 21 September 2009, one suspect, a member of a local gang, was reportedly facing murder charges, but the other, a taxi driver, had been released without explanation and had not been seen since. On 24 February 2010, it was reported that a suspect had been arrested in Kisii and transferred to Kisumu, where the case is being handled. Police said the suspect, a member of the Sungu Sungu group which is suspected to have been hired to kill the journalist, had been identified shortly after the killing but had gone into hiding. Recent information: The murder trial was reportedly postponed again on 4 November 2010. The judge investigating the case disqualified himself from the trial of the two suspects, stating that it was his last day hearing criminal cases and he could not initiate a new case despite the presence of five witnesses in court, including a key former police investigator into the murder, Robert Natwoli, who arrested the suspects. Despite being a crucial witness, Natwoli has not been

given an opportunity to testify. He said he had left the police force that year after harassment and intimidation from fellow officers. The hearing is to continue on 1 March 2012.

#### *Threatened/In Hiding*

\*Robert WANYONYI: journalist with the *East African Standard* received death threats in early December 2011. He had been reporting on a series of extra-judicial killings in Bungoma County. These killings involve the local Provincial Administration and the local police who clashed with villagers over a theft at a coffee shop. Seven people were killed in the violence that followed, and Wanyoni escaped the scene in his car. He told PEN International that he has evidence showing police murdering civilians.

#### *Case Closed*

Fwamba N C FWAMBA: contributor to various print media and a member of Kenyan PEN, was charged in 2009 alongside Philo Ikonya, President of Kenyan PEN, with “taking part in an unlawful assembly” and released on bail. (See previous case list.) Case was judged defective in 2011 and reportedly thrown out (exact date not known). Case closed.

## LIBERIA

#### *Death threat*

\*Rodney SIEH: editor-in-chief of the daily and online newspaper *FrontPage Africa* reportedly received a telephoned death on 12 July 2011 from a senior Liberian official that he would ‘eliminate’ him. The editor was preparing the next-day edition of the newspaper when a staffer entered his office and notified him of the phone call and the threat to his life. A *FrontPage Africa* investigative story had revealed how the official had returned to political circles as a key operative in the ruling Unity Party. The official resigned in from his post in 2007 as a Minister of State for Presidential Affairs after he was involved in a sex scandal.

#### *Attacked*

\***Welemongai CIAPHA**: journalist for the newspaper *FrontPage Africa* newspaper was allegedly beaten up along with a photographer for the paper on 14 December 2011 by Pastor Bethel Onyeneken of the Solution Temple Church and his bodyguards. The incident took place in the precinct of the Temple of Justice, where Pastor Onyeneken was on trial for allegedly stealing a gold chain. After the assault, various newspapers reportedly quoted the assistant county attorney for Montserrado, Dedeh Jomah Wilson, justifying the beating of the journalists and the seizure of the camera.

## MALAWI

#### *Brief detention*

\*Collins MTIKA: reporter for the *Nyasatimes.com website* was released unconditionally on 25 July 2011 **after the Police failed to charge him with any offence**. He was arrested on 21 July 2011 while he was covering protests which took place in different cities. The two days of protests were organised by civil society groups to protest against fuel shortages, rising prices and a general decline of the economy. According to Malawi’s laws a person is supposed to be charged within 48 hours of arrest and to be given an opportunity to apply for bail.

#### *Death Threat*

\*Joseph MWALE: journalist, received death threats in September 2011 after allegedly publishing on the internet a recording of a private conversation between Foreign Affairs and International Cooperation Minister Peter Mutharika and former Deputy Minister of Sports and Culture Charles Mchacha. Mwale was recently fired by one of the country’s broadcaster and journalism training institutions, the Malawi Institute of Journalism (MIJ), for allegedly publicising the recording. Mwale said that he had received death threats via text messages. According to Mwale, one of the text messages said, “How dare you shame our next president? You thought you were a hero? We will make you a villain because you will soon die. Mind you, we monitor you and we control everything. We threatened them and they sacked you. Now they are quiet. This is operation 2011. You will soon go to HHI.” HHI stands for the Henry Henderson Institute, where there is a cemetery in the commercial city of Blantyre.

#### *Attacked*

\*Amos GUMULIRA (*Nation Publication*), Kondwani MUNTALI (*Nation Publication*), Leonard SHARRA (*Blantyre* newspaper) and Jacob NANKHONYA (*Blantyre* newspaper) (*Blantyre* newspaper): journalists were beaten on 20 July 2011 by police while they were covering protests which took place in different cities. The two days of protests were organised by civil society groups to protest against fuel shortages, rising prices and a general decline of the economy.

\***Emmanuel SIMPOKOLWE, Elijah PHIMBI**: journalists for Guardian Publications, and online news site *Malawi Voice* were attacked by police during the political unrest that swept the country during mid-July 2011.

## MAURITANIA

#### *Expelled*

\***Abdelhafiz AL-BAQALI**: the Moroccan Press Agency’s bureau chief, was expelled from the Mauritania on 23 December 2011. Al-Baqali is a Moroccan citizen who has been working in Nouakchott, the Mauritanian capital, for two years. The circumstances surrounding his expulsion are unclear.

## MAURITIUS

#### *Imprisoned: maincase*

\***Dharmanand DOOHARIKA**: editor-in-chief of the private weekly *Samedi Plus* was sentenced to three months in prison on 20 October 2011, owing to stories he ran in the newspaper reporting corruption allegations made about the judiciary. Dooharika is in the main prison in the town of Beau-Bassin. 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 an August 14, 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 Monday, Dooharika fainted at the courthouse and was hospitalized under police guard for high blood pressure.

## NIGER

#### *Brief detention*

\* Zakari ALZOUMA and Ayouba KARIMOU: publisher and managing editor respectively of *Opinion*, a privately-owned Niamey-based newspaper, were on 7 October 2011 arrested and detained for about six hours at the headquarters of the Criminal Investigative Department (CID) of the Nigerien Police Service in Niamey. The arrest and subsequent detention of the two followed a complaint filed against them by the country’s state prosecutor at the Niamey High Court. On 13 October Alzouma and Karimou appeared before the state prosecutor to answer further questions regarding a September article in which their newspaper allegedly accused the magistrates’ body, the Independent Union of Magistrates of Niger (SAMAN), of corruption. The article in question, entitled “Corporatism or Stupidity?” appeared in the September 28 issue of the newspaper and supported the Minister of Justice, Marou Amadou, who had said that judges and magistrate in the country were corrupt.

\*Modibo OUMAROU: managing editor of the privately-owned newspaper *Le Canard Dechanine* was arrested on 21 July 2011 and detained overnight at the civilian prison in Niamey. He was charged with dissemination of false information because he had repeatedly published “false theft” allegations against the former press secretary of General Djibou Salou, Chairman of the transitional military government of Niger. No further news at 31 December 2011.

## NIGERIA

#### *Detained*

\*Lawal OGIENAGBON, Dapo OLUFADÉ, Yusuf ALLI, Yomi ODUNUGA: deputy editor of *The Nation*, news editor of the newspaper, managing editor in charge of northern operations, and the Abuja bureau chief respectively were arrested by police on 11 October 2011. Ogienagbon and Olufade were arrested in Lagos and Alli and Odunuga were arrested in Abuja. All were detained at the Nigerian Police Headquarters. Ogienagbon was reportedly later flown to Abuja after writing a statement. Dupe Olaoye-Oshinkolu (f), the newspaper’s labour correspondent, and Jide Adegbenjo, its chief security officer, who volunteered to go with them, were also detained. The raid and arrests are believed to be over the 4 October 2011 cover story entitled “Obasanjo’s ‘secret’ letter to Jonathan stirs anger; Ex-President seeks sack of PTFDF chief, four others”. Ogienagbon, Odunuga and Olufade were released on the 11 October 2011. Alli was released on the 13 October 2011.

#### *Judicial Harassment*

\***Olajide FASHIKUN**: editor of the *National Accord* newspaper in the capital Abuja, was arrested on 14 November 2011 and is being sued for libel over and article he wrote revealing alleged corruption in the Nigerian Football Federation. He wrote a series of articles about a letter bearing the allegedly forged signature of Sepp Blatter, president of

world football governing body FIFA, to the Nigerian Football Federation (NFF). Although Fashikun has since been released, the offices of the newspaper were ransacked and his laptop and hard drive were seized. Fashikun is being sued because the NFF has claimed that the integrity of its committee members has been damaged by his articles.

## RWANDA

#### *Killed: official investigation ongoing*

**Jean Leonard RUGAMBAGE**: deputy editor of the banned newspaper *Umuvugizi*, was shot in the chest as he drove through the gate of his home in the capital Kigali on 24 June 2010. Police arrived at the scene soon afterwards but Rugambage was already dead. Police investigations were opened. Prior to his death, Rugambage (34) had reportedly told friends and colleagues that he was being followed and had received phone threats. **Jean-Bosco Gasasira**, the exiled editor of *Umuvugizi*, said he believed the murder was reprisal for a recent story alleging government involvement in the attempted assassination of a former Rwandan army commander in South Africa. Gasasira suspected that Rwandan security operatives were behind the killing. The government has denied the accusations as “baseless”. On 28 June 2010, the police announced that two, unnamed people had been arrested in connection with the shooting. They said that one of the suspects, who had already pleaded guilty, is related to a person allegedly killed by Rugambage during the 1994 genocide. Rugambage was acquitted of genocide charges by a local *gacaca* court in 2007. **Background:** *Umuvugizi*, considered to be one of the few critical voices in Rwanda, was suspended for six months by the Media High Council in April 2010, and when the newspaper moved online soon after, its website was blocked within Rwanda. These developments occurred in the run-up to the presidential elections scheduled for August 2010. Before joining *Umuvugizi*, Rugambage was a reporter for the now-defunct independent tabloid newspaper *Umuco*. He was imprisoned for 11 months in 2005-06 after writing an article alleging mismanagement and witness tampering in Rwanda’s traditional courts for suspects of the 1994 genocide. He is survived by a wife and a two-year-old daughter, according to local journalists. **Trial of alleged killers:** At the end of June 2010 it was reported that two suspects had been arrested and that one had pleaded guilty to the murder. Didace Nduguyangu and Antoine Karemera were arrested the day after the killing, on 25 June. Nduguyangu reportedly pleaded guilty to shooting Rugambage, saying that Karemera had advised him to do so to avenge Rugambage’s alleged murder of members of his family in the 1994 genocide. Karemera denied any responsibility. There was scepticism among journalists about the arrest as the government did disclose details of the investigation. Both suspects were reportedly sentenced to life imprisonment for the crime on 29 October 2010. New information: On 23 June 2011, a year after Rugambage’s murder, Amnesty International stated that there is no evidence that the police explored leads that indicated that the killing was politically motivated. It called on the Rwandan government to re-open the investigation by establishing an independent commission of enquiry. [RAN 37-10] UPDATE: 15 September, Nduguyangu received a ten-year sentence; Karemera was acquitted.

#### *Imprisoned: main cases*

**Agnes UWIMANA (f) and Saidati MUKAKIBIBI (f)**: respectively editor and assistant editor/ reporter of the now-defunct independent weekly tabloid newspaper *Umurabyo*, are serving long prison sentences on charges of sedition, inciting public disorder, ethnic “divisionism” and

promoting genocide ideology. The charges were based on a series of articles that were critical of President Paul Kagame. **Details of arrests:** Uwimana was arrested on 8 July 2010 while Mukakibibi was detained the following week, allegedly for comparing the President with Adolf Hitler. The authorities denied that the journalists’ arrest was linked to elections scheduled for August 2010. *Umurabyo*, which rose to prominence in April 2010 following the government’s closure of leading private newspapers *Umuseso* and *Umugizi*, had in its recent editions raised questions about a number of sensitive topics, including the murder of journalist **Jean-Léonard Rugambage** (see above), the fallout between Kagame and two now-exiled military leaders, as well as reports alleging extravagant government spending on luxury aeroplanes. **Sentence:** On 4 February 2011, Uwimana was sentenced to 17 years in prison and Mukakibibi to seven years. According to Amnesty International, Uwimana acknowledged that some of her articles may have lacked professionalism. However Amnesty also said that the government had failed to adequately demonstrate how the articles could be interpreted as a threat to national security or were intended or were likely to incite violence Both journalists are detained in a prison in Kigali. No further information at 31 December 2011. **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. In 2007-08, she served a one-year prison sentence on charges of ethnic divisionism and libel after she published an opinion piece on ethnic violence in Rwanda. [RAN 06/11]

*Brief Detention*

\*Joseph BIDERI: the editor of the *New Times*, a privately-owned daily that supports the ruling party. He was arrested by the Kigali police on 14 November 2011 and was freed 15 November 2011. A recent series of articles in the newspaper described a case of embezzlement in the construction of the Rukarara hydro-electric dam in the west of the country. \*Jean Gualbert BURASA: the editor of the independent bimonthly *Rushyashya*, was arrested by the Kigali police on 11 November 2011. According to the police, he was arrested for driving under the influence of alcohol. However, there is a concern that his arrest may have been prompted by the publication of an article about the desecration of former social affairs minister Christine Nyatanyi’s grave. The journalist was freed on 15 November 2011.

*Threatened*

\* **Fidèle GAKIRE:** publisher of the bimonthly *Ishema* decided jointly with the newspaper’s board to suspend publication for a month on 28 August as a result of the serious threats he has reportedly been receiving. The newspaper has had problems ever since it ran an opinion piece in mid-July that called President Paul Kagame a “sociopath.” According the Reporters Without Borders, “*Ishema*’s decision reflects the unease that independent publications often feel in Rwanda After being taken to task by the pro-government High Media Council, the newspaper apologized and its publisher was sanctioned. He has nonetheless continued to be the target of threats and a smear campaign and this has prompted him to temporarily suspend operations.” The High Media Council ruled that the reference to the president as a “sociopath” was libelous. PEN is seeking further information on the nature of the threats received.

*Case Closed*

**Charles KABONERO**, Didas GASANA and Richard KAYIGAMBA: respectively former editor, acting editor-in-chief and reporter of the Kinyarwanda-language private weekly newspaper *Umuseso*, were given prison sentences on 22 February 2010 after being convicted in absentia of invading the privacy of the Cabinet Affairs Minister and the Mayor of Kigali. Kabonero was sentenced to one year in prison and Gasana and Kayigamba to six-month prison terms under the 1977 penal code and 2009 Media Law. (See previous case list.) At the time of the conviction, Kabonero and Gasana were already appealing a suspended two-year prison term from a 2008 conviction for defamation over a story about tax evasion charges against a businessman in South Africa. Recent information: As of 20 October 2010 the three journalists had reportedly fled the country and were working from exile. According to Kabonero they were facing up to 25 years in prison. Closed due to lack of information.

## SENEGAL

*Brief Detention*

\* **Félix ZALE, Ahmet BACHIR:** managing editor and reporter for the daily newspaper, *La Tribune*, were detained overnight on the 24 September 2011 at the headquarters of the Criminal Investigations Department of the Senegalese police. They were accused of discrediting the police over a September 23 front-page story and its accompanying photographs that accused the police of using heavy-handed measures in quelling a demonstration.

*Case Closed*

**Abdourahmane DIALLO:** editor of the daily newspaper *Express News*, was sentenced in absentia on 26 August 2010 to six months in jail for defaming President Wade’s chief of staff in articles published on 23-24 June 2010. A warrant was issued for Diallo’s arrest but as of 30 August 2010, he had not been detained. Diallo was also given a suspended sentence of 18 months, while the newspaper was ordered to pay the chief of staff 20 million CFA francs (30,000 Euros) in damages. Some local journalists claimed that Diallo had never received any summons to appear in court. The newspaper’s lawyer said that he would appeal the sentence. Case closed due to lack of information.

Abdou Latif COULIBALY: author and journalist, including director of the fortnightly newspaper *La Gazette*, faces continuous lawsuits for his criticism of the government and state-owned companies in his newspaper and books. Most recently, on 14 April 2011 he was given a three-month suspended jail sentence and a 10 million CFA francs (15,267 euro) fine for criminal defamation in connection with 2010 articles alleging fraudulent transactions between an agricultural business and the government. He was expected to appeal the ruling. On 16 November 2010, Coulibaly and two other *Gazette* reporters, Aliou Niane and Alioune Badara Coulibaly, were given a one-month suspended jail sentence and a 30,000 Euro fine for defamation after accusing the government of corruption in a 2007 telecom deal with Sudan. No further news on these appeals as of 31 December 2011. Coulibaly is also being repeatedly sued by the state-owned national lottery, Lonase (see previous case list for details). Case closed due to lack of information.

# SIERRA LEONE

*Death threats*

\*Ibrahim KALOKOH: investigative journalist of the privately-owned *For DI People* daily newspaper received a death threat on 2 July 2011 from two staff members of the Sierra Leone Port Authority (SLPA) following reports of corruption levelled against the SLPA’s General Manager. The two men from SLPA approached Kalokoh on his way home from work. They warned him to stop publishing negative stories about their boss or he would be killed. The men told him that he would be the second journalist to die and they would beat him to death.

*Attacked*

\* Mohamed Fajah BARRIE, Kemoh SESAY: president of the Sports Writers’ Association of Sierra Leone (SWASAL), and sports journalist for the *Exclusive* newspaper respectively, were violently assaulted on 3 September 2011 by two members of the presidential guards at the National Stadium in Freetown. Barrie was knocked unconscious and hospitalized. Sesay was attacked when he tried to help Barrie. The incident occurred after an African Cup qualifying match between the country’s senior national team and their Egyptian counterpart. Barrie had gone to conduct a post-match interview.

\* Abdul Karim Fonti KABIA: executive editor of the Freetown-based privately-owned *Sierra Leone News Hunters* newspaper, was violently assaulted on 30 November 2011 by two pastors of the Baptist Convention Church. The attack was allegedly instigated by Reverend Darlington Morrison, the leader of the church, whom the newspaper had accused of conning a businesswoman.

## SOMALIA

*Brief detention*

\* **Ahmed Muse MOHAMMED** (aka Sagaro): reporter for *Waheen* newspaper, was arrested on 5 September 2011 and taken to the central jail in Bur’o, in the Togdheer region of Somaliland, where he was detained for a week without charge.

*Attacked*

\* **Saleban Abdi ALI:** journalist for *Waheen* newspaper, was beaten up on 11 September by the Somaliland Police’s Special Protection Unit (SPU). The incident took place on 10 September 2011 in Hargeisa, Somaliland. The journalist had been trying to attend a ceremony in Hargeisa where a new interior minister, Mohamed Nur Aralle, was being sworn in to the ministry by the acting interior minister, but the SPU soldiers stopped the journalist from entering. Two men wearing police uniforms beat the journalist before detaining him for 10 hours in the Hargeisa detention center. One of the SPU officers who watched while Ali was beaten allegedly told him, “You want to be famous? We’ll make you famous.” The officer told the other journalists who witnessed the assault that Ali is “an example”, adding that when *Waheen* publishes “disparaging reports” about “government officials” its reporters should be treated like this.

*Released*

\***Faysal Mohamed HASSAN:** correspondent for the news website *Hiiran Online* (HOL), was released on 31 July 2011 under a presidential amnesty. It is not known whether the charges against him were dropped. Hassan had been arrested in Bossasso, Puntland, on 29 June 2011 and

accused of publishing false news. According to the Puntland police chief, Hassan’s arrest was ordered by “top leaders.” Local journalists said they suspected that Hassan was arrested for an online article published on 26 June that claimed that two men whose bodies were found near a roadside in Bossasso belonged to the Puntland security forces. The police denied the men were security personnel. It was not immediately clear how they were killed.

## SOUTH AFRICA

*Attacked*

\***Michel BEGA, Boxer NGWENYA, Jennifer BRUCE:** journalist for the newspaper *The Citizen*, and journalists for *The Star* respectively, were attacked during an ANC protest at the end of August 2011. The attack was allegedly carried out by supporters of Julius Malema, youth leader of the ANC. Malema apparently called for restraint. Bega said he was hit by a rock; Bruce and Ngwenya said they were hit by thrown debris.

## SOUTH SUDAN

*Briefly Detained*

\***Peter NGOR, Dengdit AYOK:** respectively editor and deputy editor of Juba-based daily *Destiny*, were arrested on 2 November and on 5 November 2011. The paper was suspended by the government and the journalists were detained for two weeks. Ngor, who is also a reporter for *Sudan Tribune*, was arrested the day after being summoned for questioning by the national security department in Juba on 1 November. Ayok’s detention and the suspension of the paper were allegedly due to articles published by the newspaper. Some reports say that an October article criticizing President Salva Kiir Mayardit provoked the anger of the authorities; others say that it was an article on the marriage of the president’s daughter to an Ethiopian which was deemed “unethical journalism.” Ayok also received a death threat via email in December 2011 for publishing an article critical of the country’s president, Salva Kiir.

## SUDAN

*Imprisoned: Investigation*

\***Ali Zain AL ABIDEEN:** rights activist known for his critical opinions of the Sudanese regime. He was arrested on 23 December 2011 by the Sudanese authorities at Abou-Janzeer square in downtown Khartoum. In several articles published on the website *Sudanese Online*, al-Abideen called for the overthrow of the totalitarian repressive regime in Sudan and for the establishment of a democratic country that respects human rights. Those articles are the alleged reason for his detention. His whereabouts remain undisclosed. Al-Abideen is reportedly in bad health and suffers from kidney failure.

\* **Jamal Osman HAMAD:** Eritrean journalist and editorial writer for the opposition website www.adoulis.com, was detained by Sudanese security forces in Khartoum on 24 October 2011. He is being held at an unknown location in the capital and since his arrest friends and family have not been able to obtain any news of him. Hamad has worked in Sudan for a number of years and is known for his criticism of President Afeworki and for his articles on the political situation in the Horn of Africa. Press freedom organizations fear that he might be deported.

\*Fathia TINGA (f): journalist with *Al-Midan* newspaper, was arrested along with six other *Al-Midan* reporters during a raid on the newspaper offices by security forces on 3 February 2011 (see below). The arrests

followed the paper’s coverage of street protests on 30 January 2011. The six other journalists have since been released; PEN is seeking to determine whether or not Tinga is still detained. Her whereabouts were unknown as of March; no further news as of 31 December 2011; [RAN 05/11]

#### On trial

**Abuzar AL-AMIN:** deputy editor of the opposition daily newspaper *Rai al-Shaab*. **Date of arrest:** 16 May 2010. **Sentence:** one year. **Expires:** 3 July 2011 – remains detained for further investigation. **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. **Charges:** On 25 May 2010, Al-Amin was charged with “undermining the constitution,” “terrorism and espionage,” “publishing false news,” “undermining the prestige of the State” and “inciting sedition”, crimes that can carry the death penalty. **Trial/ sentences:** The trial of the three journalists began on 11 June 2010. On 15 July 2010 they were convicted of “undermining the constitutional system” and “publishing false information”. 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 (see below). **Allegations of torture and ill treatment:** During his initial detention, **Al-Amin** was reportedly tortured and otherwise ill treated by NISS agents, including being given electric shocks. When his family was allowed to visit him five days after his arrest, he was injured and complained of back pain, blood in his urine and insomnia. Ibrahim was also reportedly tortured and ill treated. **Further charges:** In May 2011, Al-Amin’s prison sentence was reduced from five years to one year, meaning he should have been released on 3 July 2011. However, in late June prison officials informed him that he would instead be transferred to the custody of State Security Prosecution for further investigation. Two new complaints have been brought against him by the NISS. The first relates to articles written for *Rai al-Shaab* before his imprisonment, for which he faces the same charges on which he has already been convicted: criminal conspiracy (article 21 and 24 of the criminal code), criminal offences (article 26), attacks on the state aimed at undermining the constitutional system (article 50) and publishing false information (article 66). He is also reportedly facing charges under article 24 of the press law (on the responsibilities of editors) and article 26 (on the duties of journalists). The charge under article 50 of the criminal code carries a possible death sentence. 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. The torture allegations were denied by the security forces and were reportedly never investigated. Al-Amin is being held in Kober Prison in Khartoum, which is notorious for its abusive treatment of detainees. **Background:** The raid on *Rai al-Shaab* was apparently triggered by a 14 May 2010 article alleging that Iran had built a weapons factory in Sudan to supply insurgents in Africa and the Middle East. The

ruling National Congress Party dismissed the report as false and a scheme by the opposition Popular Congress Party (PCP) - which publishes *Rai al-Shaab* - to damage relations between Sudan and the United States. The day before the raid on *Rai al-Shaab*, the authorities had arrested the PCP leader Hassan al-Turabi, who is a vocal critic of President Omar Hassan al-Bashir, accusing al-Turabi of “stirring up hatred, disseminating malicious lies and abuse of Sudan’s foreign relations”; he was released without charge on 1 July 2010. There were further raids on several other newspapers on 19 May, including on another opposition newspaper, *Ajras Alhurria*, which was ordered to remove an article on the journalists’ arrests, among others. Sudanese President Omar al-Bashir, accused of war crimes and crimes against humanity in Darfur, was re-elected in national elections in April 2010. According to rights groups, the election process was seriously flawed and marred by widespread repression and human rights violations. *Rai al-Shaab* was suspended for one year on 6 February 2011 following the hearing at which the sentences against Abdelaziz and Ibrahim were reduced. **Other details:** Amnesty International considered Al-Amin, Abdelaziz and Ibrahim to be prisoners of conscience, detained solely for expressing their opinion without advocating violence. [RAN 36/10 and updates] **Released:** Al-Amin was released on bail on 22 August 2011; however the new charges brought against him have not been dropped. As a result, he still faces the death penalty if found guilty.

**Omar AL-GERRAI and Abdullah SHAIKH:** journalist and editor with the pro-opposition daily newspaper *Ajras al-Huriya*, were put on trial on 8 March 2011 for writing an article titled “Rape...under Sharia Law”. The article also looked critically at the Sudanese justice system and the tens of thousands of detainees that have been subjected to it. On 29 May, prosecutors charged Al-Gerrai and Shaikh with defamation in a North Khartoum court; the trial was adjourned till 21 June 2011. According to Sudanese human rights groups, seven separate complaints have been filed against Shaikh by the National Intelligence and Security Service, the military and other organs of the state. No further news as of 31 December 2011.

**Nahid AL-HASSAN (f):** a doctor who has frequently written for the pro-opposition daily newspaper *Ajras al-Huriya* about torture and other forms of abuse that occur in police custody, is being prosecuted for writing about the case of Sofia Ishag, a Sudanese woman who was raped. Al-Hassan was scheduled to appear in court to defend herself against undetermined charges on 6 July 2011. No further news as of 31 December 2011.

#### Tried/Briefly Detained

**Fayez AL-SILAİK, Amal HABBANI (f), Fatima AL-GHAZALI (f) and Saadeldin IBRAHIM:** Al-Silaik and Habbani are respectively former acting editor-in-chief and contributor to the pro-opposition weekly newspaper *Ajras al-Huriya*; Al-Ghazali and Ibrahim are respectively journalist and editor-in-chief of the daily newspaper *Al-Jarida*. All four face prosecution on defamation charges in connection with articles about the case of Sofia Ishag, a Sudanese woman who was raped. Al-Silaik has also been charged six other times in connection with different articles about prisoner abuse that have appeared in *Ajras al-Huriya*. The court date was set for 12 June 2011. **Background:** Al-Silaik is reportedly also facing prosecution for “humiliating the state and publishing false news” along with former *Arjas al-Huriya* editor **Al-Haj Ali Warrag**. The charges stem from a 6 April 2010 article by Warrag which supported a boycott of the Sudanese elections called by Yasser Arman, the leader of the Sudan People’s Liberation Movement, accused the National Conference of vote-rigging and strongly criticised President Omar al-Bashir. Al-Warrag and

Warrag are being prosecuted under Article 66 of the criminal law, and Articles 24 and 26 of the press law and reportedly faced up to a year in prison or a fine, or both. **Update:** Fatima Al-Ghazali and Amal Habbani were sentenced on 25 July 2011 by the Publishing Court to serve either one month in prison or pay a fine of \$660. Habbani opted to go to prison in protest. Both journalists spent 48 hours in prison after their fine was paid by a colleague and were then released.

**Hassan ISHAG:** journalist with the Arabic daily newspaper *Al Jarida*, was arrested on 8 April 2011 and released the next day pending trial. The charges against him were not known. He was reportedly tortured while in custody. He is expected to appear before a court on 2 August 2011. No further news as of 31 December 2011.

**Ahmad OSMAN:** editor-in-chief of the English-language newspaper *The Citizen*, received a summons from a court clerk on 12 June 2011 for writing about the case of Sofia Ishag, a Sudanese woman who was raped. He had not yet been given details of charges or a court date. No further news as of 31 December 2011

**Faisal SALEH and Mohamed LATIF:** respectively journalist and editor-in-chief with the daily newspaper *Al-Akhbar*. Saleh was charged with defamation on 12 June 2011 for writing about the case of Sofia Ishag, a Sudanese woman who was raped. His trial was due to commence on 28 June. Latif was to stand trial as a co-defendant in the same case. No further news as of 31 December 2011.

**Amal HALBANI (f):** journalist for the newspapers *Al-Jarida* respectively, was investigated by police on 13 March 2011 for writing articles in which she discussed female activists’ allegations that members of the security forces raped them while they were being arrested. Halbani was reportedly also dismissed from her job. As of June 2011, Halbani (now with the pro-opposition weekly newspaper *Ajras al-Huriya*) was facing prosecution for writing articles about the case of Sofia Ishag, a Sudanese woman who was raped (see ‘On trial’ above). No further news as of 31 December 2011

#### Harassed

\* **Khalid Ibrahim EWAISS: writer and journalist with Al-Arabiya** was detained on 8 July 2011 after participating in a political protest. He was questioned and handed over to the police, who warned him that the security forces had filed complaints against him. He was released on bail after five hours and told he could not leave the country but has not so far been formally charged. No further news as of 31 December 2011.

#### Released

Jaafar Alsabki IBRAHIM: Darfuri journalist with the opposition newspaper *Al-Sahafa*. Date of arrest: 3 November 2010. Charges: “undermining the constitutional system”. Details of arrest: Ibrahim was arrested by the National Intelligence and Security Services (NISS) from *Al-Sahafa*’s office in the capital Khartoum amid a wave of arrests of Darfuri media workers and activists. His arrest followed the detention of eight activists and journalists from Darfur between 30 October and 3 November, and an unknown number of others. None of the detainees had access to their family or a lawyer. When Ibrahim’s arrest was reported, it was said that one of the other detainees, Radio Dabanga director Abdelrahman Adam Abdelrahman, had already been subjected to torture. Ibrahim was detained incommunicado without charge until June 2011. Trial: Ibrahim was finally charged in early June 2011 and appeared in court on 21 June. He was accused of “undermining the constitutional system,” a charge that carries long prison sentences or the death penalty. His trial was adjourned until 12 July. Release: Ibrahim was reportedly released

on 28 August 2011. His release followed an announcement by President Omar al-Bashir the previous day that he would free all detained journalists whose colleagues had requested their pardons to coincide with the Muslim holy month of Ramadan. The charges against him have presumably been dropped. [RAN 51/10 and updates]

## SWAZILAND

#### On trial

Bheki MAKHUBU: editor of the privately-owned magazine *Nation*, was charged with criminal defamation on 14 December 2010 in a case brought by the Attorney General. The case, postponed until May 2011, stems from two articles published by the magazine in February 2010. The first criticized a judgment by a High Court full bench on a political case brought by progressive groups, and the other criticized the Chief Justice for a speech in which he referred to himself as a “makhulu baas”, slang for “big boss”. Makhubu denied that the articles he was charged for constituted contempt of court or criminal defamation. No further news as of 31 December 2011.

## TANZANIA

#### On Trial

\*Prince BADENGA: columnist for the local Swahili newspaper *RAI* was on 17 November 2011 ordered to pay (5 million Tanzanian shillings (approx \$3,000) to the former Minister for Good Governance, Wilson Masilingi following a defamation case that was filed by Masilingi claiming that the writer and the newspaper published a defamatory statement in its edition of 2 August 2005. The newspaper had published a lead story on page one that translated as: “Minister solicits money from his voters to build a flat”. The court instructed *RAI* to pay 10 million Tanzanian shillings. In addition, the newspaper was required to publish an apology on its first and second pages - in words that Masilingi is satisfied with - before they are published. It was ordered by the court that the damages be paid within 14 days after the ruling.

## TOGO

#### Case Closed

**Zeus K. AZIADOUVO, Jean-Baptiste K. D. DZILAN and Glakpé K. OLIVIER:** managing editors of the privately-owned newspapers *Liberté, Forum de la Semaine* and *Journal Le Correcteur*, based in the capital Lomé, are on trial for “false publication” and “criminal defamation”. The case stems from a complaint filed by the country’s Inspector General of Police over an 8 May 2010 article in the three newspapers which alleged that two traffic policemen had caused the deaths of a commercial motorbike driver and his passenger after the driver ran a red traffic light. The newspapers quoted unnamed eyewitnesses who claimed that the policemen had pushed the driver off his bike, resulting in his death as well as that of the passenger. The police have denied the accusations, claiming that the man died as a result of an accident caused by speeding. The editors were arraigned on 19 May 2010 and were due to make their third appearance in court on 9 June 2010. Case closed due to lack of information.

#### UGANDA

### Killed

\*Charles INGABIRE: editor of Rwandan newspaper *Inyenyeri*, was shot and killed by an unidentified gunman on 30 November 2011. Ingabire, 32, was a vocal critic of President Paul Kagame, and was reportedly shot at Makies 2 Bar in Bukesa, a Kampala suburb along Sir Apollo Kagga Road. The police were questioning a security guard and barmaid who work at the bar. PEN is seeking further information.  
*Imprisoned: investigation*

**Patrick OTIM:** freelance journalist for the government vernacular newspaper *Rupiny* and a radio station in Gulu District, is on trial for treason. Otim was reportedly arrested by plainclothes policemen from the Chief-taincy of Military Intelligence (CMI) along with seven supporters of opposition political parties in May 2009, while local council by-elections were taking place. He was held incommunicado without charge for more than four weeks, during which time officials denied that Otim was in government custody. The journalist finally appeared in court on 15 June 2009 in response to a habeas corpus application filed by human rights lawyers. He was charged with treason, along with 10 others, for allegedly forming an armed rebel movement named the Popular Pacific Front (PPF) with the aim of overthrowing the government. The accused were remanded in custody and sent to Luzira Prison in the capital Kampala. As of late June 2009, the government was reportedly yet to produce any evidence to back up the charges but it claimed to have seized weapons and military equipment related to the alleged crime. Two of the 10 other defendants are reportedly former members of the Lords Resistance Army (LRA). Otim's case passed to the High Court on 18 November 2009. On 5 January 2010, it was reported that he was facing a possible death sentence. Otim's trial was reportedly scheduled to commence in February 2010 but was postponed. On 7 July 2010 it was reported that Otim had still not been brought to trial and was being pressurized to apply for amnesty, a controversial provision in Ugandan law that gives blanket immunity to all rebels who make a full confession. According to his lawyer, Otim has refused amnesty and wants his case to be brought to court.  
**Update:** At September 2011 the case was still ongoing. PEN is seeking further information.

### On trial

**Daniel KALINAKI and Henry OCHIENG:** managing editor of the *Daily Monitor* and editor of the *Sunday Monitor* respectively, were reportedly charged with forgery in August 2009 after the newspapers printed a reproduction of a leaked presidential memorandum. The *Monitor* had acknowledged some errors in the reproduction of the document (relating to the misspelling of the name of an ethnic group) and published a correction on 4 August. Although government spokeswoman Kabakumba Matsiko reportedly criticized the media's coverage of the story, she did not dispute the document's contents. The editors were freed on bail pending trial on 7 October 2009. **Update:** The case was reportedly extended to 29 March 2010 because the Directorate of Public Prosecutions did not have the police file. Trial reportedly ongoing; it was adjourned on 13 October until 1 November 2011. No further information as of 31 December 2011. Kalinaki and Ochieng are also facing prosecution for other matters (see cases above and below). Kalinaki was reportedly arrested least four times in 2009.

**Kizito SSERUMAGA, Alex LUBWAGA, Patricia SEREBE:** respectively managing editor, coordinating editor and reporter of the Luganda-language weekly newspaper *Gwanga*, were arrested on criminal libel charges on 24 May 2011 after police raided the newspaper's building.

They were released later the same day and reported back to the police on 25 May. The raid reportedly came after police received a tip-off that the paper planned to publish materials that could lead to riots and further protests. The police decided to arrest the journalists after recovering materials they considered of possible use for inciting citizens to insurrection. These included copies of a newsletter published by **Action for Change**, a civil society group that helped organise the ongoing protests against high commodity prices in the country. Police accused the *Gwanga* staff of printing the leaflets and later surrounded the printing press *Gwanga* normally uses. Police also accused the staff of inciting violence by publishing a column on the ongoing economic crisis in the country. No further news as of 31 December 2011.

### Detained

\*Vincent NZARAMBA: the author of a book that called for President Yoweri Museveni to relinquish power, was arrested on 17 September 2011 by the Rapid Response Unit (RRU) and detained for 5 days headquarters in Kireka, a Kampala suburb. He was charged with inciting violence and 106 copies of his book, *People Power: Battle the Mighty General*, were confiscated from his home, along with his laptop and mobile phone. Nzaramba said that he had been beaten and threatened with death whilst in detention. He also said that he had been arrested without a warrant. Nzaramba's previous book, published in January 2011, focused on the National Resistance Movement Organisation (NRM-O) manifesto, which Nzaramba used when he was contesting for the Kawempe South parliamentary seat in recent general elections. PEN is seeking to find out whether he is on trial or whether the charges have been dropped.

\*Emmanuel OPIO: a *Daily Monitor* correspondent based in the Lira district, was detained for two hours and allegedly assaulted by the deputy regional police commander on 17 December 2011. His camera-phone was also taken from him and returned with all materials deleted. The journalist had been covering a story regarding the interrogation of four suspects by the police during a demonstration protesting an electricity failure in the area.

### Case Closed

**Moses AKENA:** reporter for *The Daily Monitor*, is on trial for alleged criminal defamation of the Deputy Resident Commissioner of Gulu District in a case brought on 10 August 2009. The charges reportedly relate to a story Akena wrote on corruption. His petition to suspend his trial pending the outcome of a constitutional challenge of criminal libel statutes before the Supreme Court was rejected but then quickly reversed by a higher Magistrate Court on appeal. As of May 2010, Akena was still regularly reporting to court as part of his bail conditions but the case had still not gone to trial. Case closed due to lack of information.

**Joachim BUWEMBO and Bernard TABAIRE:** Buwembo and Tabaire are former managing editors of the *Daily Monitor*; Tabaire is now a columnist for the same newspaper. Both were charged in their capacity as managing editors with defaming the Inspector General of Government on 28 January 2008. (See previous case list.) Case closed due to lack of information.

**Angelo IZAMA, Daniel KALINAKI and Grace MATSIKO (f):** Kalinaki and Izama are, respectively, managing editor and senior reporter of the *Daily Monitor*; Matsiko was formerly a senior reporter for the same publication but now runs an occasional magazine *Kampala Dispatch*. On 2 January 2009 it was reported that all three had been questioned by the Criminal Investigation Directorate (CID) for allegedly publishing materials prejudicial to national security and released on police bond. The

charges stem from a 28 December 2008 piece about Operation Lightening Thunder, a joint state operation in the DRC (involving Uganda, the DRC and Southern Sudan) to capture Lord's Resistance Army rebels. The journalists reportedly face up to seven years' imprisonment if convicted. The case is being handled by the Media Offences Department, created within the Ugandan police force in late 2008. All three were reportedly arrested at least four times in 2009. **Update:** As of June 2010, the case was reportedly in limbo but could be resurrected at the State's discretion. No further news as of 31 December 2011. Izama is also on trial for criminal defamation (see entry below) Case closed due to lack of information.

**Timothy KALYEGIRA:** news editor for the *Uganda Record* website, was facing sedition and criminal libel charges for articles he published articles on the *Record's* website between 12 and 16 July 2010 after several bomb blasts in Kampala claimed more than 70 lives (see previous case list). He was expected to appear in court on 30 June 2011, but no further news as of 31 December 2011. Case closed.

**Henry OCHIENG and Angelo IZAMA:** respectively editor and senior reporter for *Sunday Monitor* news magazine, were interrogated at the police "media crimes" division on 3 February 2010 before being taken to court and charged with criminal libel the same day. The two journalists were accused of defaming President Yoweri Museveni in a 19 December 2009 opinion piece by Izama entitled 'Will the people's power defeat President Museveni in the poll?' (see previous case list). No further news as of June 2011. Case closed.

**Andrew MWENDA, Odoobo BICHACHI and John NJOROGI:** publisher/ political journalist, consulting editor and journalist respectively for the weekly news magazine *The Independent*, are facing trial on charges of sedition (see previous case list). As of May 2010, the sedition trial had been suspended pending the constitutional court ruling on the challenge to the sedition law. On 27 August 2010 the constitutional court ruled that the charge of criminal sedition is unconstitutional. No further news as of 31 December 2011. Case closed.

**Ssemujju Ibrahim NGANDA:** former investigative journalist and political editor for the bi-weekly newspaper *The Observer*; now reportedly spokesman for the Inter Party Co-operation (IPC), a coalition of opposition parties. In October 2008, while Nganda was still working as a journalist, it was reported that he had been charged with "promoting sectarianism" and "incitement to violence" for the second time in two years. The journalist was arrested and interrogated by Criminal Investigation Directorate (CID) detectives at least three times in October 2008. He was reportedly been accused of mobilizing Baganda, the biggest ethnic group critical of the current government, and of criticising President Yoweri Museveni in talk shows for the alleged high rates of human rights violations during his administration. If convicted, Nganda faced up to five years in prison for promoting sectarianism and up to three years for incitement to violence. Nganda was accused of the same charges in June 2006 for writing an article that criticized government persecution of opposition leader Kizza Besigye (see previous case list). On 27 August 2010 the constitutional court upheld the constitutionality of the charge of "promoting sectarianism". No further news as of 31 December 2011.

### Case closed.

**Kalundi Robert SSERUMAGA:** writer, journalist and popular host of a daily radio talk show, 'Spectrum', was briefly detained and assaulted in custody in September 2009 before being released on bail pending trial for alleged sedition (see previous case list). On 27 August 2010 the constitutional court ruled that "criminal sedition", the charge against Sserumaga,

was unconstitutional. It is not clear whether the case against him has now been dropped; no further news as of 31 December 2011. Case closed.

**Bernard TABAIRE, Henry OCHIENG and Chris OBORE:** respectively weekend edition managing editor, Sunday editor and journalist of the *Monitor* newspaper, were summoned by the police on 4 October 2010 and released on bail after being charged with sedition. No further news as of 31 December 2011. Tabaire and Ochieng are also on trial for other matters (see above). Case closed.

**Richard TUSIIME and Francis MUTAZINDWA:** editor-in-chief and news editor of the tabloid newspaper *Red Pepper*, are on trial for allegedly defaming the Libyan President, Col. Muammar Gaddafi. The charges stem from a series of articles in February 2009 alleging that President Gaddafi was having an adulterous relationship with Best Kemigisha, the Queen Mother of King Oyo Nyimba of Tooro Kingdom (Tooro is one of the kingdoms that merged to form Uganda at independence and has a ceremonial traditional ruler). As of June 2010, the case was reportedly ongoing. No further news as of 31 December 2011. Case closed.

### ZAMBIA

#### On trial

**Mwala KALALUKA:** reporter with the daily newspaper *The Post*, is on trial for sedition after reporting on events in Mongu, western province (also known as Barotseland), where the Lozi ethnic group is calling for a breakaway. He was arrested on 17 January 2011 and accused of "inciting violence" by discussing Barotseland with the Americans (i.e. giving an interview on Voice of America). Kalaluka had condemned alleged police brutality in the repression of disturbances in Barotseland, during which two people reportedly died. He was questioned, detained overnight and freed on 19 January. He was scheduled to appear in court on 21 February, but the hearing was adjourned until 23 February as the prosecution was not ready. He reportedly faces a possible seven-year jail sentence or a fine of 1 million Zambian kwachas (about 150 Euros). No further news as of 31 December 2011.

#### Attacked

\***Chimwemwe MWALE, Elizabeth SAKALA (f) and Tryness MBALE:** journalists for the *Zambia Daily Mail*, were attacked on 21 September 2011 by political activists whilst covering elections in Kanyama constituency. They were accused of carrying election materials while waiting for their colleagues at Chibolya Basic School, a vote tallying centre. The attackers were also said to have smashed the window of the *Zambia Daily Mail* vehicle that the reporters were travelling in. Nyakasambale was left bleeding, while Mwale suffered a bruised arm and swelling on the head. Sakala and Mbale were reportedly left traumatized by the incident, which was reported to the police.

Fred M'MEMBE: editor-in-chief and owner of the daily independent newspaper *The Post*, was twice charged with criminal contempt of court in 2009 in relation to articles critical of the trial for pornography of *Post* news editor Chansa Kabwela. On 4 June 2010, M'membe was sentenced to four months in prison with hard labour following his conviction for contempt of court earlier that week. The magistrate reportedly justified the prison sentence by claiming that *The Post's* publication of Ndulo's opinion piece about Chansa Kabwela's trial was likely to affect the proceedings and that it would serve as a deterrent to other journalists. M'membe was taken to Chimbokaila Prison in the capital Lusaka but was released on bail on 7 June 2010 pending his appeal to the High Court.

**Update:** No further news as of 31 December 2011. Case closed.

ZIMBABWE

*On trial*

**Nevanji MADANHIRE and Nqobani NDLOVU:** respectively editor and reporter for the newspaper *The Standard*, are on trial for criminal defamation relating to an article on the cancellation of police examinations. Ndlovu was arrested in Bulawayo on 17 November 2010 and released on bail after spending nine days in Khami prison. Madanhire was arrested on 30 November 2010, and was released on bail on 1 December 2010. On 28 February 2011, the presiding judge removed them from remand and granted an application for referral to the Supreme Court submitted by the journalists after the state failed to oppose the application. Madanhire and Ndlovu are being charged under Section 31 of the Criminal Law (Codification and Reform) Act. Section 31 deals with the publication of statements that “undermine public confidence in law enforcement agencies.” No further news as of 31 December 2011; presumably, the case is still pending. Background: The charges stem from the publication of a story in the 14 November 2010 edition of *The Standard* that said that police promotional exams were being scrapped to facilitate the absorption of war veterans and retired police officers into the police force ahead of the 2011 elections. Madanhire is also facing another criminal defamation lawsuit relating to a 2011 article about the police’s alleged detention of the minister of state in the prime minister’s office (see below).

**Nevanji MADANHIRE and Patience NYANGOVE (f):** respectively editor and reporter for the independent weekly newspaper *The Standard* were arrested on 29 June 2011 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. Nyangove was released later the same day while Madanhire was released on 30 June. Both were released on bail of \$100. On 1 July Madanhire and Nyangove 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.” They were expected to return to court on 29 July. Madanhire is also facing another criminal defamation lawsuit relating to a 2010 article on the cancellation of police examinations and again on a November 2011 article (see above and below). **Update:** 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, is said to be proceeding with the charge of criminal defamation. **\*Nevanji MADANHIRE and Nqaba MATSHAZI:** editor and reporter for *The Standard* were arrested in mid-November 2011 by Detectives in connection with a story about businessman Munyaradzi Kereke’s medical aid company, Green Card Medical Aid Society. The story alleged that the Harare-based company was facing financial collapse. The two were arrested and detained overnight by police on charges of criminal defamation and theft of documents from the company. Madanhire and Matshazi were released on US\$100 bail each by Harare Magistrate Sandra Mupindu. They were ordered to surrender their passports, refrain from interfering with witnesses and reside at their given addresses of residence as part of their bail conditions. They were remanded until 20 December 2011 when their trial was expected to commence. Madanhire and Matshazi have both denied ever being in possession of original documents or on the premises of the Green Card Society and have signed warned and cautioned statements denying the charges of theft.

**Mzwandile NDLOVU:** reporter for *Weekly Agenda*, a news bulletin published by the civil society organization Bulawayo Agenda, was arrested on 10 May 2011 after being summoned to police headquarters in Hwange and was charged with reporting a fictitious story under section 31 of the Criminal Law Code and Reform Act. The charge stemmed from a 23 April article about the Organ on National Healing, Reconciliation and Integration which said that a meeting scheduled to take place between the Organ and a coalition of organizations was cancelled because the main participants had failed to turn up. No further news as of 31 December 2011.

*Brief detention: possible prosecution*

\*Xolisani NCUBE: reporter at the Daily News was arrested on 2 December 2011 in connection with an article about a government minister which appeared in the paper in November. The article was titled “Chombo brags about riches.” He was charged with criminal defamation under section 96 of the Criminal Codification Act and released into the custody of his lawyer, pending further investigation.

*Brief Detention*

\*Nqobani NDLOVU (The Standard), Pamenus TUSO, Pindai DUDE and Oscar NKALA (freelancers): were arrested on 15 July 2011 while covering a story on a police officer who was reportedly being evicted from her house on grounds of her alleged political affiliation to the Movement for Democratic Change. The journalists were detained at Ntabazinduna Police station and were released after few hours without any charge.

*Harassed*

\*Constantine CHIMAKURE and Wongai ZHANGAZHA: respectively, editor and senior political reporter of the *Zimbabwe Independent* newspaper were sought on 11 August 2011 by the police over a story the paper published in its 8 July edition. It was the second visit by police to the offices of the newspaper in less than a week. Detectives spoke to Chief Executive Officer Raphael Khumalo over a story titled “*Ministers Rejected Kasukuwere Plan*” and they wanted Chimakure and Zhangazha to assist in investigations into who “leaked” the details of the story. (The story was based on Cabinet deliberations, publication of which is an offence under the Official Secrets Act.) The story alleged that Zimbabwe’s two Movement for Democratic Change (MDC) formations resisted attempts by the Minister of Youth Development, Indigenisation and Empowerments to re-introduce the National Youth Service training programme, arguing that it was a Zimbabwe African National Union - Patriotic Front (ZANU PF) election strategy. According to the *Zimbabwe Independent*, Chimakure has since stated that the story did not originate from the Cabinet but rather from senior officials in both ZANU PF and the MDC, as well as from non-governmental organisations. He stated that they were aware they could be charged under the Official Secrets Act if they were to write the story based on Cabinet proceedings.

*Case Closed*

Brezhnev MALABA and Nduduzo TSHUMA: editor and reporter respectively for the state-owned newspaper *The Bulawayo Chronicle*, are on trial for criminal defamation and “publishing falsehoods” for an article alleging police corruption. The charges stem from a January 2009 story that alleged that senior police officials were involved in a Grain Marketing Board (GMB) scandal in which tonnes of maize was sold on the black market in Zimbabwe and Zambia. On 17 March 2009, the two journalists were made to sign a police statement. Malaba and Tshuma

are reportedly the first journalists working for state-owned publications to be prosecuted under Zimbabwe’s media laws. Court case reportedly still pending as of 21 October 2010; no further news as of 31 December 2011. Case closed.

## AMERICAS

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### ARGENTINA

*Killed: investigation ongoing*

Adams Ledesma VALENZUELA: Bolivian-born reporter for the community weekly newspaper *Mundo Villa* and director of local TV station *Mundo Villa*, was found stabbed to death next to his home in the Argentinean capital Buenos Aires on 4 September 2010. According to his wife, Valenzuela left home in the early hours of that morning, possibly to fix an electrical problem in the neighbourhood. The journalist was also known as a community advocate and leader. The authorities had not identified any suspects or disclosed possible motives for the murder. Valenzuela’s wife said that a woman had approached her when she arrived at the murder scene just after the attack and warned her that something similar might happen to her and her six children if they did not leave the neighbourhood. She also said that two women had approached her sister the following day and made similar threats. She filed a complaint with the federal police and the authorities reportedly assigned federal agents to patrol around the journalist’s home. Investigation: On 18 May 2011, a Paraguayan citizen named Cristian David Espínola Cristaldo was reportedly charged with murdering Valenzuela after the journalist tried to stop him from selling drugs to minors. The Forum for Argentinean Journalism (Foro de Periodismo Argentino) welcomed the progress in the investigation but called attention to some alleged inconsistencies in the version of events to date and urged the authorities to fully investigate Valenzuela’s journalism as a possible motive. No further information at 31 December 2011.

### BOLIVIA

*Death threat*

\*Mónica OBLITAS (f): journalist for La Paz-based newspaper *La Prensa* received death threats in the period following the publication of an article on 4 April 2011 which reported that forensic doctor Erika Hinojosa had falsified some reports in exchange for money. Her son has also received death threats and on 8 November he reportedly fled the country. Oblitas received the threats by phone and email. One message said: ‘You like to play with forensic matters: the next (death certificate) will be yours.’

*Harassed*

\*Juan PASTEN PENAFIEL: sports journalist, was arrested on 14 July 2011 in Santa Cruz and charged with libel and defamation. The charges relate to claims made by Jorge Justiniano, president of the national football association of Bolivia. Pastén was arrested by plain-clothes officers and flown to Cobija. According to reports, Pastén suffered a panic attack and was transferred to a clinic where he remained in police custody until 15 July, when the court order was revoked and he given his liberty. Pastén

has been the target of libel charges before. According to journalism organizations in Bolivia, the Press Law of 1925 states that cases linked to the press are special cases and should be heard before a court specifically set up to hear these complaints.

*Case Closed*

David NIÑO DE GUZMAN: news director at Agencia de Noticias Fides (ANF), was found dead in the outskirts of the capital La Paz on 21 April 2011. The body showed signs of severe trauma and it was reported that an explosive charge had apparently been used to kill the journalist. The Public Prosecutor’s Office presented on 8 August 2011 the results of an investigation into the death of Guzmán which concluded that the journalist committed suicide. According to the report, Guzmán died as a result of injuries caused by the detonation of a bomb that he himself has manufactured. The prosecutor said that Guzmán held the bomb to his chest and his hands showed no injuries. The prosecutor added that there was no violence beyond that.

### BRAZIL

*Killed: motive unknown*

**Ednaldo FIGUEIRA:** blogger, owner of local newspaper *O Serrano* and leader of the Serra do Mel branch of the Worker’s Party (PT), was gunned down on 15 June 2011 in Serra do Mel, in the state of Rio Grande do Norte. Figueira was shot six times by three unidentified men on a motorcycle as he was leaving work. According to the head of the PT in Rio Grande do Norte, Figueira had received several threats in the past. He was a leading opponent of mayor Josivan Bibiano de Azevedo and had just posted an investigative report on Serra Do Mel’s municipal finances on his blog. A commission has been created to investigate the case. **Update:** on 8 July 2011 five suspects were arrested. Police said that they belonged to a gang of contract killers and that they had seized several weapons and large quantities of ammunition during the arrests.

\*Auro IDA: well-known columnist and political reporter of *Olhar Direto* website was shot dead on 21 July 2011 by two gunmen on a motorbike. Ida was in his car with his girlfriend when two armed men approached them and asked the woman to leave the car and then they shot dead the journalist before fleeing the scene. According to a reporter from *Olhar Direto*, Ida had been investigating a story concerning local political corruption. Also the president of the state legislative assembly Jose Riva, did not elaborate on their nature. Police have said that the murder was a “crime of passion”. According to police, Ida had been dating Bianca Nayara when her ex-husband decided to hire a gunman to shoot him. Rubens Alves de Lima paid R\$2,000 (approx. US\$1,150) to have the journalist killed. Both the gunman and the man who contacted him about the assassination plan are under arrest. Alves de Lima, who planned the homicide, has not yet been found.

*Killed: investigation ongoing*

**Wanderley DOS REIS:** journalist and owner of local free newspaper *Popular News*, was shot by three gunmen at his home on 16 October 2010 and died in hospital the next day. According to Dos Reis’ housemate, the gunmen knocked at the door asking to see Dos Reis and then took him to the kitchen after which a gun shot was heard. No theft was recorded which raised the possibility of Reis having been killed for his journalistic work. Dos Reis specialized in politics and urban infrastructure and covered the Ibitinga area. *Popular News*, which appeared irregularly, was reportedly opposed to Ibitinga’s current municipal authorities. **Update:**

In April 2011, the Inter-American Press Association reported that to date no suspect had been arrested for Dos Reis’ murder six months after the crime took place. No further information at 31 December 2011.

**Francisco GOMES DE MEDEIROS:** contributor for newspaper *Tri-buna do Norte*, internet writer and news director of a local radio station, was shot dead by a man on a motorbike in front of his house in Caicó, Rio Grande do Norte state, on 18 October 2010. 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. On 19 October the police arrested Joao 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 is now 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. Update: 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. The businessman Lailson Lopes is now accused of having ordered the crime while Joao Francisco dos Santos is accused of carrying it out. No further information at 31 December 2011.

**José Rubem Pontes de SOUZA:** owner and editor of the local newspaper *Entre-Rios Jornal*, was shot dead in Paraíba do Sul, Rio de Janeiro province, on 30 October 2010. According to witnesses, an unidentified gunman shot Souza twice in the neck before fleeing. The police investigating Souza’s murder suggested that he was killed during a hold-up but this is reportedly not supported by witness accounts. *Entre-Rios Jornal* had recently provided extensive coverage of the murder of a young woman in Três Rios. Souza was reportedly also active in local politics and ran for mayor of Paraíba do Sul in 2008. **Arrest of suspects:** On 12 November 2010 it was reported that the police had claimed to have arrested the person who shot Souza. The suspect, Renato Demétrio de Souza (no relation to the journalist), is a former member of the military police wanted in the past for suspected robbery, drug-trafficking, two murders and forming an armed organization. According to the police, the suspect rented out juke boxes to bars, sharing profits with influential local businessmen and others, and shot Souza for refusing to enter into a business relationship with him. Two people who were present when Souza was shot reportedly identified the detainee as the killer. **Update:** In April 2011, the Inter-American Press Association reported that the suspect had yet to be put on trial. No further information at 31 December 2011.

#### Attacked

\* **Sergio RICARDO ALMEIDA DA LUZ:** owner of the weekly *Gazeta do Oeste* newspaper. His car was the target of six gunshots fired on 5 October 2011 by an unidentified individual. The incident took place in the city of Toledo, in Paraná state, southern Brazil. Almeida da Luz has been investigating an allegedly illicit increase in the assets of a federal public official and the purported involvement in the case of an investor and a politician. At the time of the shooting the car was empty and was parked outside the journalist’s home. Nobody was hurt in the incident. The vehicle bears the logo of the media outlet on its rear window. The

individual who fired the shots fled on a motorbike. The case is under investigation by police.

#### Threatened

\***Claudio DANTAS:** journalist for the magazine *Revista Istoé*, claimed he was threatened in mid-December 2011 by Ailton Queiroz, the brother of the governor of Brasília, Agnelo Queiroz, during an interview by phone. According to Dantas, his interviewee made references to the reporter’s daily routine, his travel habits and also to the fact that he rides to work on a motorcycle. He is also said to have threatened Dantas, saying: “The only thing is that sometimes it [the motorcycle] catches fire and explodes.” He also said: “You think you’re dealing with some moron? You take care of yourself.” Ailton has been accused of corruption, including wire-tapping the Supreme Court.

\***Rodrigo RANGEL:** renowned investigative reporter and editor of *Veja* magazine; claimed he was threatened and assaulted by lobbyist Júlio Fróes in a restaurant in Brasília on 4 August 2011. Rangel was allegedly interviewing Fróes on allegations that he receives favours from the Ministry of Agriculture and that he bribes public officials. After half an hour, Fróes allegedly threatened Rangel, and then pushed him against a table, breaking one of his teeth. He is also reported to have taken the journalist’s notebook.

## COLOMBIA

#### Killed: motive unknown

**Luis Eduardo GÓMEZ:** contributor to newspapers *El Heraldo de Urabá* and *Urabá al Día* in Arboletes, was shot dead in front of his wife by two men on a motorbike who had followed him to his home in Arboletes on 30 June 2011. Gómez (70) had reported on local corruption and links between politicians and illegal paramilitary groups, a scandal known as “parapolitics”, but was not known to have received any threats. He had also been investigating the unsolved murder of his son and professional collaborator in 2009 and was acting as a witness in the attorney general’s investigations into the “parapolitics” scandal; he had been due to testify to prosecutors a few days after his death. Gómez is reportedly the fourth witness in these investigations to have been murdered since October 2010, while five other witnesses have also been forced to flee the region due to fear of reprisals. No further information at 31 December 2011. [RAN 36/11]

#### On trial

**Angye GAONA (f):** poet, cultural worker and student, is on trial for “aggravated conspiracy for drug trafficking and rebellion” (*concierto para delinquir agravado con fines de narcotráfico y rebellion*). She was arrested on 13 January 2011 in Cucuta, Norte de Santander department, near the border with Venezuela, and detained at Buen Pastor Prison in Cucuta until her release on bail on 21 May, three days after the maximum 90-day period during which she could be legally held without charge. At the time of her release, the charges against Gaona had not yet been formalised and the prosecution had yet to present any evidence against her. Legal case: The hearing in which Gaona was formally charged finally took place in Cartagena on 23 May, two days after her release; her lawyer attended but Gaona was not obliged to appear in court. The arrest warrant against her has not yet been revoked and the Attorney General has appealed her release order. Gaona denies the charges and maintains that the case against her is a set-up and is due to her leftwing sympathies. She says she was

not interrogated even 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 400 km away. Update: PEN has received as yet unconfirmed information that Gaona will be put on trial sometime after 23 January 2012, in Cartagena de Indias. Possible reasons for arrest: Gaona’s supporters claim the real reason for her arrest is 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 Cañaverall 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 are intended to silence their legitimate human rights activism. 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.

**Edinson LUCIO TORRES:** internet journalist (author of the blog “Lucio y sus notas”) based in Cartagena, Bolivar, is on trial for allegedly defaming a former senator. The senator sued Lucio Torres for criminal defamation in October 2006 after the journalist reported on his blog and radio programme that the former senator was one of eight people shown to have links with paramilitary groups. Lucio Torres, who is also the Bolívar head of the opposition Polo Democrático political party, reportedly based his comments on reports from national newspaper *El Tiempo*, the regional Ombudsman’s Office and a non governmental organisation. The charges against him were admitted on 14 February 2008 and the Prosecutor’s Office subsequently ruled that Lucio Torres did not have sufficient proof for his allegations and had slandered the plaintiff. The initial hearing was due to commence on 19 February 2010, having reportedly been postponed six times. Update: On 26 April 2011 Lucio Torres was found guilty of aggravated defamation and sentenced to 14 months in prison and a fine. He appealed the sentence. At 31 December 2011, Lucio Torres was still waiting for his appeal to be heard before the Tribunal Superior de Cartagena (High Court of Cartagena).

#### Death threat

\***Divar BRICEÑO:** reporter for newspaper *Extra* (Meta, Granada) and director of the newspaper *Tiempo de la Palabra* (*Time of the Word*), reportedly received a death on the afternoon of 1 October 2011. The journalist was on his way to deliver copies of *Extra* for distribution around the city when he was approached by an unknown man on a Black Suzuki motorbike without licence plates. The man told Briceño: ‘Leave, or we’ll kill you.’ Briceño, has reported on crime and investigations into local government corruption. Recently, he had reported on drug trafficking and extortion in Granada.

\***Héctor GÓMEZ ARGUELLO:** journalist for the newspaper *Periódico del Meta* reportedly received a death threat on 18 December 2011. The message was received by a guard at the offices of the newspaper and said:

“Your time has come, you just couldn’t keep quiet. We’ll find you wherever you are.” The incident took place in Villavicencio. Gómez had been reporting on the mismanagement of a local aqueduct. He was previously threatened in March 2011.

#### Threats

**Mary Luz AVENDAÑO (f):** Medellín correspondent for the national newspaper *El Espectador*, reportedly fled the country on 23 August 2011 with the help of several human rights and press freedom organisations. There were serious concerns over her safety. She had received repeated threats in relation to her work in June 2011. The first warning came after she wrote an article about violence between different drug trafficking cartels in Antioquia department, and she received more threats after writing an article about links between criminal gangs and certain sectors of the police known as “poly-bands.” She was placed under police protection. \*Juan FORERO and Claudia Julieta DUQUE (f): Andean region correspondent with the *Washington Post* and local journalist, respectively. In August 2011, following the publication of an article in the *Washington Post* which alleged that former President Alvaro Uribe Vélez had been involved in illegal actions using the national intelligence services, (and with the help of the U.S.), Uribe accused the journalists of being terrorism sympathisers accomplices of leftist guerrillas. There is concern that the comments could endanger the lives of the journalists.

#### Conditional Release

\* **Luis AGUSTIN GONZALEZ:** editor of newspaper *Cundinamarca Democrática* was on 13 October 2011 handed a suspended sentence of over 20 months, and fined the equivalent of 20 “minimum salaries,” or approximately US\$5,500. González was sentenced on a defamation charge, having been successfully sued by politician Leonor Serrano de Camargo, a former governor of the department of Cundinamarca, following publication of an editorial in 2008, entitled “ NO MÁS! “ (“No More!”), in which he questioned Serrano’s candidacy for election to Congress. In the editorial, González reminded readers of some of Serrano’s actions as governor and said that, in his opinion, voters should not reward her for those actions. According to Serrano, the article damaged her “honour and good name”. A municipal judge ruled in her favour. González’ defence team said it would appeal the ruling.

#### Released

**Claudia LÓPEZ (f):** journalist and columnist, was charged with libel and slander by the Prosecutors’ Office on 23 August 2010, on the basis of a complaint by former president Ernesto Samper Pizano made four years before. The case stemmed from an 11 July 2006 opinion piece in the daily national newspaper *El Tiempo* in which López criticised Samper’s appointment as ambassador to France. She reportedly also accused him of homicide and influence trafficking. In October 2010 López was fired by *El Tiempo*, for which she wrote a popular regular column, after she questioned the newspaper’s impartiality; its owners are linked to President Juan Manuel Santos, then a presidential candidate. The trial began on 24 January 2011 and she was acquitted of all charges late July 2011.

#### Case Closed

**Clodomiro CASTILLA OSPINA:** editor and publisher of local news-magazine *El Pulso del Tiempo* and radio journalist, was shot dead in Montería, Córdoba department, on 19 March 2010. He died at the scene. Castilla was known as a controversial journalist and said to have been the target of regular threats since 2006 due to his coverage of the links

between local politicians, landowners and illegal paramilitary groups. He received protection under a programme run by the Interior and Justice Ministry between 2006 and 2009 and asked for the security measures to be reinstated in November 2009 due to increasing threats; however his request was reportedly turned down on the basis of a national intelligence agency report that indicated he was no longer under threat. Investigation: An investigation into the murder was begun by the national police and taken over by the attorney general on 26 March 2010. Castilla’s daughter, who is a witness in the case, was reportedly forced to flee Montería in late April 2010 after being followed and harassed. [RAN 26/10] Case closed as no new information.

## CUBA

*Brief detention*

\*Guillermo FARIN AS: independent journalist and dissident, was detained on 15 September 2011. The place of his detention (and the whereabouts of more than 20 others detained in the same swoop) is unknown. Farinas had been detained on numerous occasions in 2011 (see previous case list) and previously spent 11.5 years in prison for variety of offences. **Calixto Ramos MARTINEZ ARIAS:** correspondent for the Centro de Información Hablemos Press, was arrested on 30 September 2011 and held at the Alternative Penal Centre prison in Havana, where it was decided to deport him from the capital for the ninth time in less than two years, to his home town of Camagüey. Background: Martínez has been detained many times. On 16 May 2011 he spent three days in police custody on the orders of a state security official. No reason was given for the arrest. According to Martínez, on this occasion, a state security official destroyed his identity card and said he would shoot him in the head the next time he saw him in the police station. This was reportedly the second time he had been arrested in May 2011. He was reportedly forcibly moved from Havana to Camaguey in 2010 because of his journalistic work.

*Harassed*

\* **Ángel SANTIESTEBAN:** prize-winning writer and author of the blog, *Los Hijos que Nadie Quiso (the Sons that Nobody Loved/Wanted)*. According to reports, he is the victim of a campaign of harassment carried out by the Cuban regime. He faces at least 10 years in prison on a collection of allegedly fabricated charges, ranging from rape to harassment, to running over a minor in his car. He has criticised the ‘terrible repression’ of the regime and has written articles about how the authorities have tried to ‘capture’ him. PEN is seeking more information.

## DOMINICAN REPUBLIC

*Killed*

\***José Agustín SILVESTRE de los SANTOS:** Journalist known by the name ‘Gajo’, hosted the television program *La Voz de la Verdad* (‘The Voice of Reason’) and published a twice-monthly magazine with the same name. Silvestre (59) was kidnapped on 02 August 2011 in the south-western province of La Romana by four men in a SUV. His body was found two hours later with multiple gunshot wounds on the highway that runs between La Romana and San Pedro de Macorís. His sister, who was with Silvestre when he was abducted, reported that he had stood up to his assailants and that one of them had shot him during the struggle. Silvestre was well known for his reporting on drug trafficking in La Romana. He had previously been held in prison in May 2011 for several days, and charged with libel, after he had reported

on alleged ties between a local police prosecutor and drug traffickers. According to reports, Silvestre had reported being followed a few days before his murder. The Attorney General’s office announced the creation of a special investigative commission to investigate the murder. On 11 August 2011 the Dominican police identified the individuals whom they believed masterminded and carried out the killing of Silvestre. They said that the motive was an article by Silvestre linking the alleged mastermind to criminal activities. According to investigators, Silvestre was abducted on the orders from Matias Avelino Castro, the owner of a hotel and advertising agency. They said that Avelino also took revenge for an article by Silvestre linking him to criminal activities including the murder of two people in the eastern city of La Romana. Avelino allegedly asked Angel Amed Manon Gutierrez to carry out the murder. Manon was arrested with the murder weapon on him on 7 August 2011and according to the police he has since confessed the crime. On 9 August 2011, police named three other suspects accomplices, Denny Junior Serrano, Elvin Canario de Oleo and Fermin Marcellino Calderion. The police are searching for the three as well as the alleged mastermind. According to the police, traces of blood were found in a rented car immediately after the murder. Avelino allegedly called the head of the car company Antonio Rafael Fulgencio Lan and asked him to destroy the renting contract. Fulgencio has been arrested and a judge ordered for him to be held in a pre-trial detention for three months on a charge of complicity in a crime.

## ECUADOR

*Tried/Imprisoned*

\***Jaime MANTILLA ANDERSON:** editor of *Hoy* newspaper, was sentenced on 21 December 2011 to three months in prison and a payment of a US\$25 fine for libel, based on a lawsuit filed by President Rafael Correa’s cousin, Pedro Delgado (currently chairman of the board of Ecuador’s Central Bank). The lawsuit was initiated in December 2009, after the publication of several articles in the newspaper’s *Blanco y Negro* supplement, on 28 September, 1 October and 2 October of that year. The Pichincha Judicial Police were ordered to locate and capture him immediately. The newspaper’s reports referred to allegations of influence peddling.

*On trial*

\***Carlos Eduardo PÉREZ BARRIGA, César Enrique PÉREZ BARRIGA, Carlos Nicolás PÉREZ ENRIQUE (co-directors of the Guayaquil-based daily newspaper *El Universo*) and Emilio PALACIO (columnist for *El Universo*):** All were sentenced to three years in prison and US\$40 million on 20 July 2011 for allegedly libeling President Rafael Correa in an article published in February this year. Palacio appealed the ruling, but in September 2011 his appeal was rejected. The paper’s directors will appeal on 13 January 2012. **Background:** In March 2011, President Rafael Correa brought criminal libel charges against Emilio Palacio columnist for the Guayaquil-based daily *El Universo*, and the newspaper’s co-directors Carlos Eduardo Pérez Barriga, César Enrique Pérez Barriga and Carlos Nicolás Pérez Enrique over a 6 February 2011 article entitled ‘No to Lies’. In the article, Palacio refers to President Correa as “the dictator”, and accuses him of wanting to pardon three policemen who were behind an uprising on 30 September 2010 during which several people were killed. He also insinuates that the President may be guilty of crimes against humanity by allegedly ordering troops to open fire on a police hospital where he sought refuge after being attacked by protesters. The President asked the court to sentence each

of the defendants to the maximum of three years in prison and to fine them US\$50 million under Article 493 of the Ecuadorian Criminal Code. He also sought US\$30 million in damages from the newspaper’s parent company. On 7 July, Palacio resigned from *El Universo* in the hope that the move would lead President Correa to withdraw the case. However, this proved unsuccessful and the trial began on 19 July, attended by the President in person. That day, the co-directors of *El Universo* offered to print a correction drafted by the President, an offer which he rejected despite having previously said he would drop the case if such a correction were published. On 20 July, less than 24 hours after the trial started, the four journalists were sentenced to three years in prison each and fined a total of US\$30 million. The paper’s parent company was also ordered to pay an additional US\$10 million in damages. According to the Office of the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights (IACHR), the defendants must also pay US\$2 million to the President’s attorneys in legal fees. The IACHR Special Rapporteur also said that prior to the hearing the government had issued several statements disparaging *El Universo*, its board members and Palacio, and that groups of protesters supportive of the government reportedly insulted the defendants and a witness as they left the tribunal. Palacio and the three *El Universo* directors intend to appeal the verdict. The President reportedly also planned to lodge an appeal in order to seek the full US\$80 damages requested. [RAN 42/11]

**Peter TAVRA FRANCO:** journalist with the newspaper *El Universo*. On 19 July 2011, Judge Angel Rubio ordered the arrest of the journalist and issued a warrant for his home to be searched. Tavra is accused of damaging the “good name, honour and reputation” of Mónica Carrera in a February 2009 article which described her alleged escape from a clinic after she was arrested for human trafficking. According to Tavra, the article was based on police documents that supported the information. He faces damages of up to US \$10 million if convicted. Tavra had previously been sentenced to six months in prison on 15 January 2010 on defamation charges relating to the article and was ordered to pay US\$3,000 in damages. However, this sentence was subsequently overturned in January 2010. The case has been brought forward again by Carrera’s siblings.

**Diego OQUENDO:** journalist, wrote the editorial “Fregundo la Pita” (‘Bothering someone’), which appeared in the daily newspaper *Hoy* on 27 June 2011. On 13 July 2011 President Rafael Correa’s lawyer Alembert Vera submitted a request to the prosecutor’s office calling for proceedings to be initiated against the journalist. Vera is accusing Oquendo of slander over the editorial, which speculated on the amount of lawyers’ fees which could be generated in a lawsuit filed by President Correa against the newspaper *El Unjverso* (see above).

**Juan ALCÍVAR RÍOS:** correspondent of the newspaper *Diario La Hora*, was subject to multiple legal and physical attacks in the second half of 2010. (1) On 8 July 2010 he received a threat from unidentified persons who damaged his car and left him a note warning not to “screw with the mayor”. Alcívar, who was covering the regional police command’s rendering of accounts at the time, had not been threatened before. He reported the threat to the police. (2) On 20 August 2010 he was sentenced to a preventative prison sentence after a public prosecutor initiated legal proceedings against him for “terrorist aggression against public officials”. Alcívar was in hiding for nearly a month because of these proceedings and because he feared for his life. On 13 September 2010, the judge substituted the prison sentence for a precautionary measure, ordering Alcívar to appear before the court every 15 days while the prosecutor investigates the case. (3) On 17 September 2010 two public officials, the mayor of La Concordia and a municipal trustee, filed a pri-

vate lawsuit against Alcívar accusing him of “terrorist aggression against public officials” in which they requested he should be “sanctioned with the maximum jail sentence” and payment of heavy damages. In this new lawsuit, the journalist is accused of being one of the people responsible for having thrown a teargas bomb that affected President Rafael Correa when he was visiting the district on 19 July. Alcívar was also accused of causing personal and material damages and of “hatred” against the mayor and using the newspaper he works for to insult him. (4) On 30 September 2010, Alcívar was assaulted while carrying out his work by the trustee of the Municipality of La Concordia and another man. (5) On 26 November 2010 he was assaulted again and threatened with death, allegedly by the cousin of the mayor and three other men in La Concordia. He was with his children at the time. Alcívar did not know that his assailant was related to the mayor of La Concordia until he heard him say he would “kill [him] if [he] continued to speak ill of his cousin.” The assailant and the others fled after local residents intervened to stop the attack. Alcívar reported the incident to the local police but believes their report was influenced by the fact that the mayor’s cousin was involved. He thinks that the attack may have been provoked by his interviews earlier that day with people who were complaining about the mayor’s absence during the celebration of the town’s anniversary. Update: Alcivar reported that since 13 June 2011 he has been receiving death threats via mobile phone calls and text messages for having published articles that refer to a power struggle between the local authorities. Alcivar believes that the local mayor, Walter Ocampo, is behind the threats because one of the messages said that he would be put in jail if he keeps “messing around with the mayor.” In addition to the threats, a flyer was circulated on 26 June 20111 via email and in print form discrediting the professionalism of both Alcívar and another journalist, Manuel Toro. The flyer said that the journalists were lying to the public in their articles. No further information at 31<sup>st</sup> December 2011.

**Víctor VIZCAÍNO LUZURIAGA:** internet writer, was arrested in Guayaquil on 3 May 2011 by police officers who informed him that a warrant for his arrest had been issued for the purposes of an investigation. The warrant was issued on 19 April following a complaint filed by a prosecutor. of the Pichincha Public Administration’s Specialized Unit. Vizcaíno was accused of having offended the State Prosecutor General through material posted on his blog (<http://www.laplegariadeunpagano.com>). He was released on 4 May 2011 pending trial. No further news at 31 December 2011.

*Death threat*

\***César RICAURTE:** head of the Ecuadoran press freedom group Fundamedios, reportedly received death threats in October and November 2011. The threats were made via email and social media. Ricaurte believes they come from President Correa and his supporters. They followed the group’s presentation of press freedom violations in Ecuador before the Inter American Commission on Human Rights on 25 October 2011. Ricaurte says that he is scared to go out to public places for fear of being attacked.

*Harassed/threatened*

**Juan Carlos CALDERON:** author (with Christian ZURITA) of the book *El Gran Hermano* (‘Big Brother’) which reveals information about contracts between the brother of President Rafael Correa and the state, received a telephoned threat in October 2011. An unidentified individual who warned him that he “will be next.” Calderón said that a message left on his home answering machine said: “This is where Calderón lives, the arrogant writer. Get ready because it’s your turn now.” Background:

the two writers face a lawsuit for “moral damages” filed in a personal capacity by the Minister of Transport and Public Works. The complaint was presented on 25 March 2011. The Minister raised concerns about a caption published with a photograph which mentions her part in the concession of a contract to the President’s brother. On 1 September 2010, the authors and their publisher, Editorial Paradiso, received a letter from the Minister demanding that the caption be changed and requesting that the book be withdrawn from circulation or she would take legal action. On 6 and 13 September 2010 officials attacked the authors on state television and threatened to prosecute them. The authors maintain that everything included in the book is true and that their investigation is backed up by evidence. This is the second lawsuit for moral damages faced by the journalists. The President previously filed for a case seeking US\$10 million.

## GUATEMALA

*Killed: official investigation ongoing*

**Victor Hugo JUÁREZ:** journalist and businessman who owned online newspapers *Wanima News* and *Guatemala Empresarial*, was found murdered on 27 September 2010 at the home of a friend who had also been killed. Both men appeared to have been tortured and strangled. The motive was not known. Juárez had worked for the daily newspapers *Siglo XXI* and *Nuestro Diario* in the past. The assumption seems to be that his murder was not linked to his work as a journalist. **Update:** According to a 20 May 2011 report by CERIGUA (Centro de Reportes Informativos sobre Guatemala), the authorities have not clarified whether Juárez’ murder was linked to his profession. No further information at 31 December 2011.

*Threatened*

\***Lucía ESCOBAR MEJÍA (f):** columnist for the newspaper *elPeriódico* in Guatemala City, reportedly received death threats on 24 and 28 October 2011 from members of the Panajachel Municipal Safety Commission, a group of local residents who, with official permission, work to prevent crime in their neighborhood. There are reports that this group uses violence. The threats reportedly came after Escobar wrote an op-ed piece accusing the group of torture, abduction and murder. There are reports that the mayor of Panajachel, Gerardo Higueros supports the group which appeared on a local TV channel, abusing Escobar and saying that she ‘deserved to end up in a rubbish dump for writing slander.’ Higueros reportedly alleged a connection between Escobar and local drug gangs.

\***Danilo LÓPEZ and Angel RUIZ:** correspondents for the newspapers *Prensa Libre* and *Nuestro Diario*, respectively, based in Mazatenango, Suchitepéquez. Both journalists claim to have been harassed and threatened by the mayor of Mazanetengo, Mauel Delgado, over the publication of an article on 13 July 2011 that implicated him in corruption. On 4 August 2011, supporters of the mayor insulted López. Later, one of his bodyguards allegedly approached the journalist and, showing him his firearm, said “Don’t think I need this piece of crap, but if it’s necessary I’ll use it.” Ruiz has claimed that his colleagues have told him that Delgado gave instructions to his bodyguards to beat him up if they saw him. The mayor has also accused the journalists of trying to extort money from him in return for refraining from publishing information which would cast his administration in a negative light.

\***Elder EXVEDI Morales:** environmental activist and independent blogger reportedly received death threats on numerous occasions in November 2011. All the threats were connected to articles he wrote relating to the polluting of the Huista River in Santa Ana Huista, near

the border with Mexico. Most of the threats were made by telephone, although one was made face to face by a stranger who, it is suggested, was connected to a company which is extracting sand from the river. Until recently, Morales was editor and publisher of the monthly magazine, *El Huisteco*. He stopped publishing it in November 2011 because of the threats.

# MEXICO

*PEN is monitoring the cases of more than 40 print journalists and writers killed in Mexico since 2004. PEN’s Day of the Dead campaign, which highlighted the 35 killings of individuals and 8 disappearances since 2006, was launched in November 2011. A list of these cases is available on request. The following list gives details of killings from July to December 2011 (‘Killed: motive unknown’) as well as cases from previous periods where there have been developments during the period July to December 2011 (‘Killed: official investigation ongoing’).*

*Killed: motive unknown*

\*María Elizabeth MACÍAS CASTRO (f): editor-in-chief of the newspaper *Primera Hora* and blogger, was found dead in Nuevo Laredo, Tamaulipas state, on 24 September 2011; she had been decapitated. A note found next to Macías (39) accused her of denouncing drug violence on social networks and websites such as *Nuevo Laredo en Vivo (Nuevo Laredo Live)*, where members of the public can leave messages pointing the security forces towards locations where gangs congregate and sell drugs. The state authorities said the message had been left by a criminal gang. The note reportedly made reference to the pen name Macías used to blog, ‘La Nena de Nuevo Laredo’, and was signed with the letter ‘Z’, usually associated with the Zetas cartel. A similar note was found near the bodies of two people discovered hanging from a bridge in Nuevo Laredo on 13 September. The Tamaulipas state government reportedly expressed its “deepest condolences” to Macías’ family and friends. The state attorney general’s office is investigating the murder. [RAN 51/11]

\***Humberto MILLÁN SALAZAR:** editor of the online newspaper *A Discusión* and news presenter for Radio Fórmula, was abducted near his home in Culiacán, capital of Sinaloa state, on 24 August 2011 and murdered. A veteran journalist with over 30 years’ experience of political reporting, Millán (53) was reportedly on his way to present the news at Radio Fórmula when he was intercepted by masked armed men who forced him into a car. His brother was with him at the time but was released uninjured. According to an article published on *A Discusión*, the kidnapping took place in a matter of seconds, suggesting it had been meticulously planned. A lawyer colleague of Millán’s, Bersahí Osuna, has said he believes that the journalist was abducted due to his criticism of local politicians, notably the current and former state governors. Millán’s body was found in a field outside Culiacán on 25 August 2011, according to the state attorney general. He had been shot in the head. The murder is being investigated by a team set up by Sinaloa state prosecutor Marco Antonio Higuera Gómez in coordination with the federal prosecutor-general’s office. Some of the most powerful drug groups operate in Sinaloa state, including the Sinaloa cartel. However, local journalists told the Committee to Protect Journalists that they doubted that the Sinaloa cartel had carried out the killing as Millán wrote exclusively about party politics. According to a letter to PEN from the President’s office dated 31 August 2011, Millán’s case has been referred to the federal attorney general. [RAN 45/11 and updates]

\***Yolanda ORDAZ DE LA CRUZ (f):** crime reporter and columnist for the regional daily newspaper *Notiver*, was abducted by gunmen as she left her house on 24 July 2011. Her decapitated body was found two days later, near the building of the newspaper *Imagen*. A note found with the body seems to connect her murder with that of another *Notiver* columnist, Miguel Ángel López Velasco, who was shot dead along with his wife and son in their home in Veracruz state on 20 June 2011 (see previous case list). The note said: “Friends can also betray you” and was signed “Carranza”. A former traffic police officer named Juan Carlos Carranza Saavedra has been identified as the main suspect in López’ murder. Ordaz, who had worked as a journalist for 20 years, covered the war on drugs and the police beat for *Notiver*. Investigation: The Veracruz state authorities have given out mixed messages regarding their position on the investigation into Ordaz’ murder. At a press conference on 26 July, the state attorney general reportedly said that the killing was not related to Ordaz’ journalistic work and the evidence to date seemed to indicate that her killers were members of an organized crime group. However, a spokesperson for the state attorney general’s office later confirmed to the Committee to Protect Journalists that the journalist’s work was indeed one of the lines of investigation being followed. According to Reporters Without Borders, the office stated that investigators were working on the theory that the journalist’s murder was related to her alleged “links to organized crime”. *Notiver* has strongly denied these allegations and said that Ordaz was killed for her journalism, adding that the newspaper was itself under continuous threats. Mexico’s Human Rights Commission reportedly plans to open its own investigation into the murder. [RAN 40/11]

\***Ana María Marcela YARCE VIVEROS (f):** founder, reporter and head of public relations of the bimonthly political magazine *Contralinea*, was found dead near a cemetery in a park in a poor neighbourhood of the capital Mexico City on 1 September 2011, along with freelance journalist and former Televisa reporter Rocio González Trápaga (f). 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. Investigation: The Mexico City attorney general’s office is investigating the murders. Two men, Oscar Yair Quiñones Emmer and Lázaro Hernández Ángeles, were arrested on 30 September and 1 October, suspected of killing the journalists. A third man is also thought to be under arrest. According to Federal District prosecutor Miguel Ángel Mancera, the motive for the murders was robbery. The two named suspects reportedly confessed they had attacked the two women to rob them of a large sum of money they wanted to change into US dollars. Yair Quiñones had known Yarce for three years since working as a parking attendant at the offices of the weekly *Contralínea*, which Yarce co-founded. Yarce wasn’t 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, reports Article 19. According to a letter to PEN from the Mexican Presidency dated 13 September 2011, the case has been 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, the case is being investigated by the Mexico City attorney general’s office although FEADLE has offered its assistance. [RAN 47/11]

\***RASCATRIPAS:** pen-name of a web site moderator was murdered and decapitated on 9 November 2011 in Nuevo Laredo. He was reportedly killed by a drug gang for writing about its crimes; his real name has not

been released. A message was left with the corpse which said: ‘This happened to me because I didn’t understand that I shouldn’t report on the internet.’ Rascatripas worked on a web site that denounced Nuevo Laredo’s organized crime. [RAN 58/11]

*Killed: official investigation ongoing*

\***Angel CASTILLO CORONA:** journalist based in Ocuilan, Mexico state, was murdered along with his 16-year-old son on 3 July 2011. According to the police, Castillo and his son, Ángel Castillo Téllez, were driving on the road between Ocuilan and nearby Tiaguistenco in the early hours of 3 July when they were attacked by unidentified men in another car. Castillo’s son was run over and died immediately, while Castillo passed away in a local hospital after being severely beaten. Castillo worked as press officer for the municipality of Ocuilan and wrote about regional politics for the regional daily newspapers Portal and Diario de México. On 7 July representatives of journalists’ organizations in Toluca and Mexico reportedly met the Mexico state prosecutor general to protest the murders. [RAN 34/11]

*Disappeared: motive unknown*

\***Gabriel Manuel FONSECA HERNÁNDEZ:** police reporter for the newspaper *El Mañanero* based in the municipality of Acayucan, southern Veracruz state, 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 claim 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. 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 has been referred to the attorney general’s office [RAN 51/11].

**Marco Antonio LÓPEZ ORTIZ:** news editor for the daily newspaper *Novedades Acapulco*, 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 is 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. Investigation: The state attorney general has begun an investigation and the National Human Rights Commission is reportedly also looking into the disappearance. No further news as of 30 June 2011. President Calderón’s office 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). [RAN 33/11]

*Judicial concern*

**Enrique ARANDA OCHOA:** university teacher and writer, has been imprisoned along with his brother, Adrián Aranda Ochoa, since 1996 for allegedly kidnapping the daughter of a politician. Details of arrest and detention: Arrested on 25 June 1996, the Aranda brothers were 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. Sentence: 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. Torture allegations: 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 has yet to be implemented. Retrial: 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. As of July 2010, the brothers were hoping to be released on parole (*beneficios de preliberación*). They were still detained in Reclusorio Sur prison in Mexico City as of October 2010. Update: Apparently still imprisoned as of 31 December 2011. Possible reasons for arrest: The reasons for the brothers’ arrest are not clear. However, 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. 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 been 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.

#### Death threats

**Lydia CACHO RIBEIRO (f):** author, journalist and social activist, reportedly received anonymous death threats by telephone and email on 14 June 2011 which made direct reference to her journalism. She said that the threats came after her return from taking part in an event in Chiuhuahua state in northern Mexico and that she believes that they were issued in retaliation for her revelation of the names of alleged traffickers of women and girls. In 2010, she published a book entitled *Esclavas del poder: un viaje al corazón de la trata de mujeres y niñas en el mundo (Servants of power: a journey into the heart of trafficking of women and girls in the world)*. She has also written extensively on people trafficking, organized crime, drug trafficking, gender violence and official corruption in her columns and other texts. Cacho made the threats public and said she had no intention of stopping her journalistic or human rights work. According to a letter to PEN from the Sub Secretariat of Juridical Matters and Human Rights dated 2 August 2011, the Unit for the Promotion and Defence of Human Rights (UPDDH) of the Secretaría de Gobernación (SEGOB) is responsible for implementing the protective measures ordered by the Inter American Court of Human Rights (IACHR) in conjunction with several government departments, notably the Special Prosecutor for Violence against Women and People Trafficking (FEVIMTRA) of the Attorney General’s Office. The letter from the Sub Secretariat states that a number of the security measures required by the IACHR have been implemented, including the installation of a closed

circuit system at Cacho’s organization’s offices, provision of bodyguards and a 24-hour telephone number to call in case of problems. There is also an investigation ongoing by FEVIMTRA into the original incidents that gave rise to the precautionary measures. At the last meeting with Cacho and Article 19 (who represents her) on 29 July 2011, UPDDH informed them that other “security infrastructure measures” were currently being implemented. The most recent threats have been referred to the Federal Cyber Police for investigation. Background: In January 2007, after a year-long trial, Cacho was acquitted of criminal defamation charges relating to her 2005 book about child pornography and prostitution *Los Demonios del Edén: el poder detrás de la pornografía (The Demons of Eden: the power behind pornography)*. However, she continues to be the target of harassment and threats due to her investigative journalism (see previous case lists for more information). In 2009 the IACHR granted Cacho precautionary protective measures and asked the Mexican government to take action to protect her as a result of harassment and monitoring by armed men. However, as of June 2011 only half of the measures had been implemented and she clearly remains at risk. Awards: Cacho has won numerous awards, including the 2009 One Humanity Award from Canadian PEN, the 2008 Tucholsky prize from Swedish PEN and the 2007 Oxfam/Novib PEN Award for Free Expression. On 29 April 2010, Cacho was named a World Press Freedom Hero by the International Press Institute. Honorary Member: Scottish PEN. [RAN 54/05 and updates] \***Edgar MONROY and Olga WORNAT (f):** journalists, received death threats via e-mails and mobile phone calls during October and November 2011. They claim that the threats were linked to an investigation they were conducting into Felipe Calderón’s performance as president of Mexico. The results of their investigation will be published within the next few months. Monroy works an investigative assistant for Wornat. ARTICLE 19 has reported that Monroy was being followed by unidentified individuals and that someone recently tried to run him down in a car. \***Luis PERAZA IBARRA:** correspondent for the daily *Noroeste* in the municipality of Concordia, state of Sinaloa, received threatening messages to his mobile phone on 6 December 2011. Peraza Ibarra’s work consists of reporting political and administrative issues. He does not usually address issues related to public security or organized criminal. Previously, on 2 July 2011, unidentified men left a corpse in front of his newspaper’s offices; on 1 September 2010, a group of men opened fire on the offices.

#### Imprisoned – Investigation

\***María de Jesús BRAVO PAGOLA (f) and Gilberto MARTINEZ VERA:** local journalist and teacher from Veracruz City, respectively. The two were accused of causing panic and circulating false information via social networking sites after they allegedly posted rumours of planned attacks by criminal gangs on local schools on 25 August 2011. The rumours resulted in the temporary closure of several schools. They were reportedly held incommunicado for more than 60 hours, during which time they were put under severe pressure to make statements admitting their guilt. They were also denied access to a lawyer. If found guilty they could face up to thirty years in prison.

#### On Trial

\***Arcelia GARCIA ORTEGA (f):** reporter for *Realidades de Nayarit*, is being sued by a politician for libel and slander. If found guilty she faces a prison sentence of between 3 days and 1 year, or a fine of ten days’ salary. On 21 July 2011, Garcia published comments made by Ivideleza Reyes Hernández, deputy of the Partido Acción Nacional (PAN), in

which Reyes accused Omar Reynoso Gallegos, deputy of a rival party (Partido Revolucionario Institucional (PRI)), of financial embezzlement during his time as state secretary for health. Garcia has written to various government authorities and journalistic organisations denouncing her ‘intimidation’ by the politician, claiming that in the state of Nayarit, legal charges of libel and defamation are regularly used to censor journalists. She also points out that the comments which she published were also published by other news sources, and yet she and a colleague are the only ones who face charges. Principle 10 of the IACHR’s Declaration of Principles of Free of Expression says that ‘the protection of reputation of a government worker or public person must be protected only using civil sanctions.’ It also says that it must be proved that the journalist/communicator published information with the intention of causing harm, of that they did so knowing that it was untrue.

## NICARAGUA

#### Death threat

\***Silvia GONZALEZ (f):** reporter for the daily *El Nuevo Diario* in the northern city of Jinotega, received death threats in September 2011 and has had to flee the country. The repeated threats referred to her work. González wrote a series of articles beginning in February about the former guerrilla member Gabriel José Garmendia, widely known as “Yajob,” who was killed in February under mysterious circumstances. She also wrote about corruption in the local government. Soon after the publication of the articles, González reportedly began receiving anonymous phone calls in which she was reportedly told, “If you keep bothering us, we give you 48 hours to live.” She also received text messages warning her to stop writing or unspecified people would “give it to her where it hurts most,” news reports said. At the end of July, a local party member known as “El Pajarito” (The Little Bird) approached González’ 24-year-old daughter and told her that her mother would be hurt if she continued writing. González filed a complaint with the local police, who arrested El Pajarito on August 4 but then released him for lack of evidence after he denied the charges. González publicized the threats against her with the help of local human rights groups, accusing the police of neglecting her case. In late August, González found a chicken head along with a note with her name on it outside of her home.

## PERU

#### On trial

**Melissa Rocío PATIÑO HINOSTROZA (f):** poet and university student, is a member of the ‘Círculo del sur’ (Southern Circle) poetry group in Lima and runs a poetry programme on radio and cultural activities with young people. Patiño (21) is on trial for terrorism, based on her alleged involvement with a leftwing political organization, Bolivarian Continental Coordinator (Coordinadora Continental Bolivariana – CCB), which the Peruvian authorities claim is linked to terrorist groups. She denies any political affiliations and to date no concrete evidence has been produced to back up the charges. Patiño was detained from 29 February to 8 May 2008, when she was released pending trial. She potentially faces 20 years in prison if convicted. Arrest and detention: Patiño was arrested along with six others in Tumbes, on the border with Ecuador, on 29 February 2008. The seven were returning by bus from Quito, where they had attended the second congress of the CCB from 24 to 28 February 2008, which was reportedly held with the knowledge and consent of the Ecuadorian authori-

ties. They were subsequently charged with ‘Affiliation and Collaboration with Terrorism’, apparently on the basis of their attendance at the CCB meeting. Initially detained in Tumbes and the Counterterrorism Division (División Contra el Terrorismo – DINCOTE), on 15 March 2008 Patiño was transferred to Santa Monica maximum security prison in Chorrillos, Lima, where she was held until 8 May 2008. Background: The government alleges that the Peruvian chapter of CCB has links with Peruvian Marxist rebel group Movimiento Revolucionario Túpac Amaru (MRTA) and the FARC guerrilla group in Colombia. It also reportedly accused CCB members of planning to sabotage the 2008 Asia-Pacific Economic Cooperation (APEC) meetings in Peru. Two of the six individuals who were detained along with Patiño are said to be former MRTA members; one has served a prison sentence for belonging to the MRTA and since his release has reportedly been organizing workshops and events at the university where Patiño studies (Universidad Mayor de San Marcos, Lima). However, Patiño’s presence in the bus carrying former MRTA members appears to have been circumstantial. She denies that she belongs to or has ever had any involvement in any political groups. She reportedly attended the CCB congress after a colleague at the radio station where she works passed the invitation on to her as he could not himself attend, and her main motivation for attending was the opportunity to travel to Ecuador. Charges: According to Patiño’s lawyer, the accusations of terrorism against Patiño have been made on the basis of her alleged membership of the Peruvian chapter of the CCB, her attendance of the CCB congress in Ecuador and her participation in a march at the end of conference. During the march, she is said to have partially covered her face and shouted anti-imperialist and pro-socialism slogans, and to have been linked to graffiti criticizing Alan García, the Peruvian president, according to a 13 March 2008 document issued by the Public Prosecutor. None of these activities can be said to amount to terrorist activities. Conditional release: On 8 May 2008, after almost two and a half months’ incarceration, Patiño was released on bail of 1,000 Soles (approx. \$240) and allowed to return home. Her release is conditional and she remains on trial. Peru’s antiterrorist prosecutor, Julio Galindo, appealed against the decision to release Patiño, but this was rejected on 12 September 2008, meaning that Patiño will remain free on bail for the duration of her trial. Legal process: According to Patiño’s lawyer, in December 2009 her file was forwarded to the chief Prosecutor (Fiscal Superior) who would decide whether or not to go ahead with the prosecution. In early May 2010, it was confirmed that the Prosecutor had decided not to pursue the case. As of July, Patiño’s lawyer was waiting for a final decision from the Criminal Court (Sala Penal) and thought that it was “highly likely” that the case would be dropped. New information: As of January 2011, Patiño’s case was pending before the Supreme Court of Justice, where it had been unexpectedly referred by the Criminal Court in order to validate the latter’s decision not to proceed. According to Patiño’s lawyer, this turn of events is due to the fact that although Patiño is not being prosecuted, another person arrested at the same time as her, Roque Gonzalez, is due to go on trial. Patiño’s lawyer says the delay in Patiño’s case is entirely irregular and she has requested that the Criminal Court’s decision be implemented as soon as possible. No further news as of 31 December 2011. [RAN 20/08 and updates]. \***Uri Ben SCHMUEL:** editor of the newspaper *La Razon*, was, in July 2011, facing a lawsuit filed by the National Elections Council (Jurado Nacional de Elecciones, JNC). It was claimed that he had failed to include all the technical information associated with a survey printed in the paper. The JNC had controversially amended the requirements for the dissemination of survey result in December 2010. No further information at 31 December 2011.

### *Death threat*

\***Humberto ESPINOZA MAGUIN A:** news editor the newspaper *Prensa Regional* based in Huaraz, received a death threat on 8 August 2011 in an envelope that contained a note and a bullet. The incident occurred in Ancash region, northeastern Peru. Espinoza found the envelope at his parents’ home. The note stated that even though he believed himself to be “in the right,” if he continued issuing his journalistic reports, the bullet would strike him in the head. The journalist said that the threat was linked to his investigations and criticisms of the regional government, the judiciary and the Public Prosecutor’s Office. He filed a formal complaint with the police and the matter is under investigation.

\***Jaime QUISPE OLANO:** editor of the newspaper *Jornada de Ayacucho*, received a telephoned death threat from an unidentified individual in the Ayacucho region on 20 July 2011. Quispe believes that the threat was linked to an accusation published in the 20 July 2011 edition of the newspaper that implicated a brother of the former head of Ayacucho regional government in a blackmail scheme.

\***Alejandro SÁNCHEZ- AIZCORBE:** writer, ex-president of PEN Perú, and current international secretary of that centre, received emailed death threats following an employment dispute at Southwest Minnesota State University, where Sanchez held a Spanish teaching post. He also suffered acts of harassment and vandalism. When, in 2011, Sanchez was informed that his course would be discontinued and that he would no longer be employed, he protested that he was being discriminated against. The harassment began soon after. On 2 May 2011, Sanchez found his office had been vandalized and his emails hacked. Around this time, Sanchez says he received an emailed death threat. He says he received a further death threat in June 2011 after publishing an article on Libya.

### *Attacked*

\***Feliciano GUTIERREZ SUCA:** a correspondent for the daily *La República* based in Juliaca, was shot in the leg by masked gunmen On 5 November 2011. Some people have suggested that it was an attempt to silence him after he had reported on a group of police officers allegedly involved in an extortion scheme in the Puno region of southern Peru. The men attempted to overpower Gutiérrez, grabbing him by the legs and shooting him twice. They also stole money, mobile phones and a camera from the journalist and his colleague.

\***Iván JULCA MENDOZA:** editor of the bi-weekly *El Especial de Ancash* newspaper and reported that he was beaten up by seven men on 9 December 2011 at the headquarters of the municipal district of Independencia. Allegedly among them were two council members whom he is investigating in a case of alleged influence peddling. The incident took place in the Huaraz region of northern Peru. Julca told the free expression organisation, IPYS, that he went to the municipality’s headquarters to deliver the most recent issue of his paper and get more information on the case involving councillors Héctor Pineda Torres and Isidro Reyes Díaz. The journalist had disseminated audio recordings a few days earlier that reportedly demonstrated the councillors’ interest in having certain businesses granted construction contracts for work to be done in the area. When Julca arrived at the municipal headquarters, several men pushed him inside and proceeded to punch and kick him. The editor said that he recognized Pineda and Reyes among his attackers. He also saw one of them hit him with keys in his hand, which resulted in a cut to Julca’s head. As a result of the assault, the journalist was bruised all over his body.

### *Conditional Release/Suspended Sentence*

\***Fritz DU BOIS, Gessler OJEDA:** editor and reporter respectively for the daily *Perú21*, received two-year suspended sentences on 22 September 2011 on charges of libel. They were also fined 30,000 soles (US\$10,700). The libel suit against *Perú21* was prompted by a story by Ojeda last March about Ana María Solórzano Flores, the leading parliamentary candidate of President Humala’s party, Gana Perú, in Arequipa. It claimed that relatives of Solórzano, including her aunt, Rosario Flores Bedregal, were linked to prostitution. In a column in the same issue, Du Bois accused Solórzano of lacking experience and suggested that her relatives were financing her campaign. The aunt, Rosario Flores, brought the libel suit against the two journalists. The suspension of their jail sentences is conditional upon their compliance with judicial controls that restrict their movements.

\***Luis TORRES MONTERO:** journalist and multimedia editor for the Andina state news agency was, on 7 December 2011, handed a two-year suspended prison sentence and ordered to pay 150 thousand soles (approx. US\$56,000) in reparation for having allegedly defamed politician Rafael Rey in a satirical column published by the newspaper *La Primera*. The judge said that his decision was based on the journalist’s alleged allegation that Rey was a homosexual. The column, which the journalist titled “Rafi Rey doesn’t dare come out of the closet”, was published on 6 April 2010. Torres Montero said he would appeal the sentence.

### *Case Closed*

**Susana VILLARÁN (f):** mayor of Lima, is being sued for allegedly defaming a former minister under Alberto Fujimori in a 2009 opinion piece she published on the internet. In the article in question Villarán recalled the 2004 criminal complaint she and several other individuals had filed against the minister, accusing him of acts of corruption committed in his capacity as minister. The minister filed a criminal complaint against Villarán in August 2009. He had previously filed complaints against her. One of them was dismissed in 2006 but on the basis of the same facts the same judge opened an aggravated defamation case against Villarán on 8 September 2009. On 22 October 2010 Villarán was summonsed to the pronouncement of judgment proceedings on 17 November 2010. The judge warned that if she failed to appear before the court, he would order her arrest. At the court hearing on 17 November 2010 the judge declared the proceedings to date null and void but the case was not dropped. Case closed as no information since November 2010.

## UNITED STATES

### *Judicial concern*

**Sami Amin AL-ARIAN:** Kuwaiti-born Palestinian academic, formerly a computer science professor at the University of South Florida. In addition to his academic publications, Al-Arian has written and lectured extensively about the plight of Palestinian people in Israel and the Occupied Palestinian Territories (OPT) and has also written poetry while in detention. Al-Arian was imprisoned from February 2003 to September 2008 on international terrorism-related and contempt of court charges. His last prison sentence ended in April 2008, at which point he should have been deported from the USA, according to the conditions of his plea agreement. However he continued to be detained for refusing to testify against other individuals whom the US government alleges have been involved in terrorism. He was finally released on bail in September 2008. He is now under house arrest in the USA and faces a further prison sen-

tence for contempt of court. ( Please see previous case list for details.) **Plea bargain:** Despite not having been found guilty of any of the many terrorism-related charges against him, in April 2004 Al-Arian pled guilty to a single count of conspiracy to provide non violent services to Palestinian Islamic Jihad, reportedly in order to avoid a lengthy re-trial. He was sentenced to 57 months in prison, 38 of which he had already served. As a part of his plea agreement, Al-Arian agreed to be deported on expiry of his sentence and was promised that he would not be charged with any other crimes. He maintains that there was also a verbal understanding that he would not be called on to testify against any others, apparently evidenced by the US government’s omission of the standard cooperation provisions from the plea agreement. **Further charges:** Despite the alleged assurances contained in his plea bargain, Al-Arian was given a further prison sentence for civil contempt of court after refusing to testify against former associates. He was expected to be released on 11 April 2008, and that day was taken into the custody of Immigration and Customs Enforcement (ICE) in preparation for his deportation. However, Al-Arian was then subpoenaed to testify before another grand jury. As a result of his refusal to comply, he was charged with criminal contempt of court on 30 June 2008. In spite of a 10 July 2008 Federal court ruling that he should be released on bail, Al-Arian remained detained, reportedly on the grounds of his imminent deportation. On 8 August 2008, Al-Arian’s trial for criminal contempt was postponed until the Supreme Court addressed the appeal submitted by his defence on the lawfulness of the federal subpoena which led to the contempt charges. **Release:** At the end of August 2008, Al-Arian’s lawyer filed a petition for habeas corpus on the grounds of ICE’s continued unlawful detention. As a result, on 2 September 2008, Al-Arian was released on bail after five and a half years in detention and placed under house arrest. **Ongoing trial:** On 6 October 2008, the Supreme Court ruled that it would not address Al-Arian’s appeal regarding his plea agreement. It was reported that his defence lawyers would then pursue a second avenue to avert the trial, by arguing that the immunity order for the federal grand jury in which Al-Arian did not testify was invalid and the criminal contempt charges should therefore be dropped. Al-Arian will remain under house arrest until his trial for contempt begins, or alternatively until the case is dismissed. In late March 2009, Al Arian’s lawyers again applied to have the criminal contempt charges against him dismissed. A hearing scheduled for 24 April 2009 was cancelled. The judge said that she would issue a written opinion on the motion to dismiss the charges “soon”. A hearing in Al-Arian’s case due to take place on 29 October 2010 was cancelled at short notice. In September 2010 the government had filed a motion requesting the judge to deny the pending defence motion, filed 18 months previously, to dismiss the criminal contempt charges against Dr. Al-Arian. **Update:** As of 20 February 2011, eight years after his arrest, the legal process was ongoing and Al-Arian remained under house arrest. **PEN position:** PEN has no position on the reasons for Al-Arian’s arrest and detention. However it is disturbed that Al-Arian was detained beyond his prison sentence, remains under house arrest and is facing further charges and imprisonment, despite the fact that he has agreed to be deported and that he is clearly unwilling to provide further testimony, and indeed according to his understanding has been exempted from doing so. The continuing prosecution and imprisonment of Al-Arian is giving rise to fears that he is being targeted for his opinions about the Palestinian cause. No further news as of 31 December 2011. Case Closed.

### *Detained*

***The Occupy Movement** has grown out of popular anger at established political and economic systems, which protesters argue work for the benefit of only the richest and most powerful members of society, meanwhile the rest of the population suffers the aftermath of the financial crisis. **Over thirty journalists** have been arrested at the Occupy Wall Street protests during the second half of 2011, including some at the recent police raids on Occupy LA and Occupy Philly. The arrests have occurred in 10 cities, including Atlanta, Boston, Chapel Hill, New York City, Oakland and Richmond*

\***John FARLEY, Kristen GWYNNE (f), Natasha LENNARD (f):** respectively, journalist with the *MetroFocus* magazine, freelance journalist and contributor to a *New York Times* blog, and journalist for the AlterNet web-magazine, were detained by the New York Police while they were reporting on the peaceful **Occupy Wall Street** protests of September and October 2011. Farley was arrested on 24 September 2011, despite wearing a badge identifying him as a reporter. He was held for eight hours. Lennard and Gwynne were arrested alongside 700 people on Brooklyn Bridge on 1 October 2011. They were held in a police truck for five hours because they did not have an NYPD press card. Controversially, the NYPD only treats a reporter as a journalist if the reporter is in possession of an NYPD-issued press card, thereby denying many freelancers and bloggers the opportunity to report on these protests. The following gives details of some of the writers and journalists arrested.

\***Susie CAGLE (f):** freelance journalist and cartoonist was arrested on 3 November 2011 while covering the Occupy Oakland protests and held for 15 hours. Arresting officers reportedly ignored her press pass. She was charged with “presence at the scene of a riot” and is awaiting her arraignment.

\***Jonathan MEADLOR:** reporter for the weekly *Nashville Scene* was arrested on October 2011 for conducting interviews at an Occupy demonstration. Video footage shows Meadlor repeatedly telling officers “I’m a member of the media,” to which he gets no response.

\***Alisen REDMOND (f):** news editor of the student newspaper, Kennesaw State University (KSU) Sentinel was arrested on 6 November 2011 while reporting on demonstrations near Atlanta’s Woodruff Park, and spent 14 hours in custody. She was charged with ‘obstruction of traffic’ and will appear in court on 9 March 2012. Redmond said that the police did not say anything to her when they arrested her and that she did not know the reason for her arrest until hours afterwards.

### *Attacked*

\***Robert HASS, Geoffrey O’BRIEN, Celeste LANGAN (f):** respectively professor of poetry at the University of California, Berkeley and former poet laureate of the United States, poet, scholar, were beaten by riot police during an Occupy protest during November 2011 on the University of Berkeley Campus.

### *Case Closed*

\***James RISEN:** reporter with *New York Times*, was served with a subpoena from the Department of Justice on 23 May 2011 to testify at former CIA officer Jeffrey Sterling’s trial on a criminal charge of disclosing restricted information to reporters. Risen was asked to appear in court on 12 September 2011. It is the fourth time he has been subpoenaed. The Department of Justice document received by Risen says he is a witness in the Sterling case and must reveal his sources and information

to the jury. If he refuses, he could go to prison for contempt of court. Case closed: In July 2011 a district judge ruled that Risen would not have to reveal his sources.

## VENEZUELA

*Killed: official investigation ongoing*

Orel ZAMBRANO: editor of the political weekly *ABC de la Semana* and columnist for the regional daily *Notitarde*, in Valencia, Carabobo state, was shot dead on 16 January 2009. The motive of the crime was not known, although it was thought that Zambrano may have been targeted for a recent article on drugs trafficking. Zambrano (62), who was also vice-president of a radio station as well as a university professor and lawyer, was walking from his car to a film rental store in Valencia when he was approached by two men on a motorbike, one of whom shot him three times at close range. The assailants then fled. Zambrano died at the scene of a bullet wound to the head. He had reportedly covered several drug trafficking cases in recent weeks. One story in particular was on an influential business family in the region, the Makleds, three members of which were arrested in possession of 400 kilos of cocaine on 14 November 2008 and are now the subject of an investigation by the national prosecutor’s office. The circumstances of Zambrano’s death have given rise to speculation that a paid assassin was responsible. Investigation: On 16 February 2009, former policeman Rafael Segundo Pérez Martínez was detained in Carabobo on suspicion of having ordered Zambrano’s murder. On 21 February 2009, an arrest warrant was issued for two men who were accused of carrying out the crime, serving policeman David Yánez Inciarte and another man, Arístides José Carvajal Salgado. The suspects reportedly belonged to a gang known as “Los Piloneros”, who were responsible for killing witnesses and others who assisted the ongoing investigation into the Makled family’s connection to drug trafficking. Zambrano had criticised both the Makleds and the gang in his reports prior to his death. On 12 March 2009, the Public Prosecutor’s Office asked INTERPOL to capture Walid Makled, whom the Department of Scientific, Penal and Criminal Investigations has accused of being the mastermind behind Zambrano’s murder, along with Pérez. Another suspect, José Manuel Duque Daboín, was reportedly detained on 18 July 2009. On 19 May 2010, Pérez was found guilty of conspiracy charges related to Zambrano’s murder and sentenced to 25 years in prison. The court found that Pérez had monitored Zambrano’s daily routine and provided the information to the killers. The authorities allege that Walid Makled planned the crime, while Yánez, Arístides, Carvajal and another member of Los Piloneros, Víctor Reales Hoyoy, carried out the killing. Yánez was reportedly arrested during a police drug raid in Morón, Carabobo state, on 21 February 2010; Reales and Makled remain at large. Carvajal reportedly died in a shooting involving the Venezuelan investigative police, it was reported in March 2010. On 19 August 2010 Walid Makled was arrested by Colombian authorities in Cucuta, Colombia, near the border with Venezuela on the basis of an arrest warrant issued against Makled in 2008 for drug trafficking. On 20 August 2010 Venezuelan prosecutors requested the extradition of Walid on the drug trafficking charges and for planning to kill Zambrano. Update: On 6 April 2011, President Santos of Colombia reportedly agreed to extradite Walid Makled to Venezuela. On 15 May, it was reported that the presumed heads of gangs of assassins involved in Zambrano’s murder, Francisco Larrazábal, Víctor Reales y Álvaro Ospino, had also been captured in Colombia. No further news as at 31 December 2011.

*On trial*

**Gustavo AZOCAR:** freelance journalist based in Táchira state, was due to appear before Táchira court on 7 February 2011 on a charge of libelling an army officer in 2004. The case was prompted by an article Azócar wrote for the national daily newspaper *El Universal* on 12 September 2004 about alleged trafficking in identity papers at the National Office for Identification and Foreigners (now the Autonomous Service for Identification, Migration and Foreigners). The libel suit was filed in January 2005 by a colonel named in the article. The colonel subsequently agreed to use his right of reply instead as soon as the defence ministry gave him permission but this has not been forthcoming despite numerous court hearings. If convicted, Azócar could face one year in prison and a fine of up to US\$30,000. Background: Azócar spent almost nine months in pre-trial detention in 2009-10 for posting information on his blog about a long-running legal case against him for alleged corruption and fraud in the assignment of a 2000 radio and TV advertising contract. In March 2010, he was sentenced to two and a half years in prison, but was released on parole. An outspoken critic of President Hugo Chávez, Azócar has been active in Venezuela’s opposition movement and had reportedly expressed an interest in running for the National Assembly in September 2010. No further news as at 31 December 2011.

\***Sara Carolina D AZ (f):** journalist with the newspaper *El Universal*. On 5 August 2011 Latin American Parliament representative Pedro Lander filed a defamation complaint against Díaz with the Attorney General’s office in Caracas, claiming that the journalist was trying to ‘damage his image as a public representative’. The charges relate to the publication of an article on 3 August 2011 which described how a passerby in the vicinity of the Federal Law Courts told the journalist that Lander had assaulted a street person.

**Leocenis GARCÍA:** editor of *Sexto Poder* magazine and journalist for the daily newspaper *Reporte Diario de la Economía*, is on trial for allegedly causing damage to property, carrying a gun without a permit and resisting arrest. He was imprisoned for more than two years, from 3 May 2008 to 6 July 2010. It is feared that the case may be linked to his legitimate activities as a journalist. Details of arrest: On 3 May 2008, García was arrested along with his assistant and his driver after being accused of causing damage to property at the offices of another newspaper, *El Periódico*, carrying a gun without a permit and resisting arrest. According to his lawyer, García had gone to *El Periódico*’s offices in order to collect payment for an advertisement for an airline (reportedly linked to one of *El Periódico*’s shareholders) that had been published in *Sexto Poder*, and to interview the vice-president of *El Periódico* about one of the newspaper’s owner’s alleged links to drug trafficking. Initially held at the Intelligence and Prevention Services headquarters (Dirección General de los Servicios de Inteligencia y Prevención, DISIP) in Valencia, Carabobo, García was transferred to Tocuyito prison in Carabobo at the end of May 2008. Concerns: García was reportedly beaten and given electric shocks while in the custody of the Carabobo police. There are fears that the case against him may in fact stem from his critical reporting. It is understood that over the year prior to his arrest, García had been investigating alleged corruption at the state-owned petroleum company Petróleos de Venezuela (PDVSA), and was being sued for defamation by an influential businessman who is close to PDVSA and whom García had denounced as having links to drugs trafficking. García denies ever possessing a gun and has stated that he believes his case is political and is being used to send a warning to Venezuelan journalists. His lawyer has alleged a series of irregularities in the legal case against García, including inconsistencies

in police statements on how his arrest came about. On 20 May 2010, García’s detention was extended by one year, following a request by the Public Prosecutor’s Office. His preliminary hearing had been suspended more than 70 times. Release: On 6 July 2010, the court ordered García’s release after 26 months’ detention without trial. According to García’s lawyer, the release came as a result of an injunction. García was reportedly transferred to a health centre on his release from prison as he had spent seven days on hunger strike, during which time he had reportedly not received any medical attention. Trial: In April 2011, García’s lawyer claimed that the judge presiding over the case is biased against his client and requested that he be replaced. On 10 June it was reported that the judge had eventually agreed to step down after repeated requests. Trial ongoing. No further news as at 31 December 2011.

\***Dinorah GIRON (f) and Leocenis GARCIA (see above):** respectively publisher and editor of *Sexto Poder* were charged with ‘inciting hatred, insulting officials and offending women,’ a criminal offence under Venezuela’s penal code. The charges related to a satirical photomontage published on 20 August 2011, which showed the heads of senior female officials imposed on the bodies of cabaret dancers. García handed himself in to the authorities in the Western city of Maracaibo on 30 August and was immediately transferred to the headquarters of the Bolivarian Intelligence Service (SEBIN). On 1 September 2011 the court decided that Garcia was to be incarcerated pending the start of his trial. Garcia was held in solitary confinement. He was given conditional release in late November 2011. Girón was arrested and released pending trial, although she was required to attend court every 15 days, and was prohibited from leaving the country and from attending public gatherings.

*Attacked*

**Óscar TARAZONA:** journalist for the newspaper *El Mío* in Puerto La Cruz. Was beaten and then briefly detained on 03 August 2011 in the northern state of Anzoátegui. Tarazona claimed that after leaving the newspaper’s offices he found a number of police officers standing next to his cousin’s car. When he asked them what was happening the police beat him and then brought him to the station, where he was detained for a brief period. He alleged that the officers mocked him saying that “journalists believe they are untouchable.” Tarazona filed a complaint; however, the state’s chief of police has said that he stands by his officers.

# ASIA PACIFIC

## BANGLADESH

*On trial, free on bail*

\***Mohammad Ekramul HAQUE:** Owner and editor of the online newspaper *Sheershanews.com* and the weekly *Sheersha Kagoj*. Was arrested at his home on 31 July 2011, by plain-clothes officers on a charge of extortion which is believed to be fabricated. His colleagues believe that the charge is a reprisal for the newspapers’ reports on corruption issues. The Dhaka high court’s 25 October order for Haque to be released on bail was carried out on 1 November 2011. However, he was immediately

re-arrested on the basis of a new complaint against him filed earlier that day at the Ramna police station. **Release:** According to Media Watch, Haque was released on bail on 25 November 2011.

*Case closed*

**Salah Uddin Shoaib CHOUDHURY:** Editor of the tabloid weekly *Blitz*. Arrested on 29 November 2003 by security personnel at Zia International Airport in Dhaka. He was reportedly on his way to Israel to participate in a conference with the Hebrew Writers Association when he was arrested. Choudhury is believed to have been going to address a writers’ symposium in Tel Aviv entitled *Bridges Through Culture*, and was scheduled to speak about the role of the media in establishing peace. Choudhury is known for his attempts to improve relations between Muslim countries and Israel, and has written articles against anti-Israeli attitudes in Muslim countries and about the rise of al-Qaeda in Bangladesh, which had reportedly sparked debate in the Bangladeshi press and government prior to his arrest. Choudhury was accused of spying for Israel, and was repeatedly denied a bail hearing. He was released on bail on 2 May 2005 following appeals by PEN USA. His trial started on 5 April 2006, though is thought unlikely to progress through the courts. Choudhury continues as editor of *Blitz* and remains under pressure from the government and extremist groups for his critical writings. In October 2009 *Blitz* published a book written by Choudhury, on the rise of Jihadists in Islamic education schools. No further information as of 31 December 2011. Case closed.

**Mahmudur RAHMAN:** Acting director of the Bengali-language and opposition newspaper *Amar Desh*, was reportedly arrested at the newspaper’s office on 2 June 2010 and charged with fraud, libel, obstructing the police and sedition. Thought to be targeted for critical articles published in *Amar Desh*, which is known for its reporting on extra-judicial killings, corruption, and suppression of freedom of expression. Sentenced by the Bangladeshi Supreme Court on 19 August 2010 to six months in jail for contempt of court and fined Tk 100,000 (US\$1,436). Freed on 17 March 2011, after spending over nine months in detention. Another arrest warrant was reportedly issued for him on 29 March 2011, just two weeks after he was released from prison. He is said to be accused of libelling senior Awami League officials in the southern town of Kotalipara. The Awami League has governed Bangladesh since 2008. No further information as of end December 2011 and Rahman remains free, case closed.

## CHINA

*Imprisoned: Main cases*

\***CHEN Wei**

**D.o.b.:** 21 February 1969 **Profession:** Freelance writer and activist. **Date of arrest:** 21 February 2011 **Sentence:** Nine years in prison **Expires:** 20 February 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. Formally arrested on 28 March 2011, by the Public Security Bureau of Suining City, Sichuan Province, on charges of “suspicion of inciting subversion of state power” for several essays published online on overseas websites calling for freedom of speech and political reform. **Details of trial:** Convicted of ‘inciting subversion of state power’ at a closed two-hour trial on 23 December 2011 for seven passages in four essays criticizing the Chinese political system and praising the development of civil society. **Place of detention:** Detention Center of Suining City, Sichuan Province. **Previous political imprisonment/**

**problems:** Chen Wei was a first year student at Beijing University of Technology in 1989 when participating in the pro-democratic movement and was dismissed from the university for his involvement. In 1999, he was sentenced to 5 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) **Honorary member of:** Independent Chinese PEN Centre (ICPC).

#### \*CHEN XI (aka CHEN Youcai)

**D.o.b.:** 1954 **Profession:** Freelance writer and prominent human rights activist. **Date of arrest:** 29 November 2011 **Sentence:** 10 years in prison **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 International Human Rights Day (10 December). At least ten 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 trial which lasted less than three hours on 26 December 2011. 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 thirty of his articles published on overseas Chinese websites. He has decided not to appeal the verdict. **Place of detention:** Chen Xi has been held in Guiyang City No.1 Detention Centre. **Previous political imprisonment/problems:** Chen Xi has already served a total of thirteen years in prison on “counter-revolutionary” offences for his peaceful activism, three years from 1989-1992 and ten years from 1995-2005. (RAN 1/12 – 6 January 2012)

#### GUO Quan

**D.O.B.:** 8 May 1968. **Profession:** Internet writer and activist. **Date of arrest:** 13 November 2008. **Sentence:** 10 years in prison. **Expires:** 12 November 2018 **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 ‘subverting the State power’ on 19 December 2008. On 16 October 2009 a court in Jiangsu province sentenced Guo Quan to ten 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. **Place of detention:** Pukou Prison, Nanjing, Jiangsu Province. **Previous political imprisonment/problems:** 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 ten days in prison after criticising the government’s response to the 12 May 2008 Sichuan earthquake. (RAN 63/08 – 2 December 2008; Update #1 – 2 November 2009). **Other information:** Recipient of the 2011 Hellman/Hammett award. **Honorary member of:** Independent Chinese PEN and Uighur PEN.

#### \*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 **Details of arrest:** Hada completed a fifteen-year prison term for his dissident writings on 10 December 2010 but has apparently not been released. A family source confirmed on 4 May 2011 that Hada’s wife and son have also been held since early December 2010, apparently on politically motivated charges. Thought to have been charged on 17 January 2011 but no date has been set for the trial. WiPC seeking further details of the charges. **Health concerns:** Hada reportedly suffers from stomach ulcers and coronary heart disease, and his health is said to have deteriorated significantly as a result of abuse and ill-treatment during his many years of detention. There are serious concerns for his welfare. **Previous political imprisonment/problems:** 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 fifteen years in prison and four years deprivation of political rights. His sentence expired on 10 December 2010, when he was reportedly transferred to another prison in Inner Mongolia. **Professional details:** 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. **Other information:** Recipient of the 2011 Hellman/Hammett award. **Honorary member of:** PEN Canada, PEN America and Independent Chinese PEN Centre.

#### Tursunjan HEZIM

**D.o.b.:** 1973. **Profession:** Former history teacher and founder of the now closed popular Uyghur history website *Orkhun* ([www.orkhun.com](http://www.orkhun.com)). **Date of arrest:** July 2009 **Sentence:** 7 years in prison **Expires:** July 2016 **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.

#### KONG Youping

**D.o.b.:** 1952 **Profession:** Internet writer and factory worker. **Date of arrest:** 13 December 2003 **Sentence:** 15 years in prison, reduced to 10

years in prison on appeal. **Expires:** 12 December 2013 **Details of arrest:** Kong Youping was reportedly arrested with fellow worker and internet writer Ning Xianhua (see ‘case closed’ below) after posting five articles and seven poems on an overseas website challenging the official version of the “Beijing Spring” and alleging official corruption. The pair was also accused of posting online essays supporting the establishment of trade unions and the China Democratic Party (CDP). It is thought that the heavy sentences against them are related to growing workers’ unrest in Northeast China. **Details of trial:** Sentenced on 16 September 2004 by the Shenyang Intermediate People’s Court, Liaoning province, north-eastern China, on charges of ‘subverting state power’ to 15 years in prison reduced to 10 years on appeal. Ning Xianhua was sentenced to 8 years on appeal, and was released on expiry of his sentence on 13 December 2011. **Place of detention:** Lingyuan No.2 prison, Lingyuan City, Liaoning Province. **Health concerns:** Said to be suffering from high blood pressure and deteriorating eyesight. **Other information:** Kong Youping is said to be detained far from his home, and his wife is unable to afford to visit him. **Honorary member:** Independent Chinese PEN.

#### LU Jianhua

**D.o.b.:** 03 July 1960. **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 arrest:** April 2005. **Sentence:** 20 years in prison. **Expires:** April 2025. **Details of trial:** First arrested in April 2005 on charges of ‘leaking state secrets’. Convicted on 18 December 2006 to 20 years in prison for leaking state secrets to a Hong Kong reporter (Ching Cheong, who 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. **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).

#### LIU Xiaobo

**D.o.b.:** 28 December 1955. **Profession:** Prominent dissident writer, and former President and Board member of the Independent Chinese PEN Centre. Awarded Nobel Peace Prize in 2010. **Date of arrest:** 8 December 2008 **Sentence:** Eleven years in prison. **Expires:** 21 June 2020. **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 ‘spreading rumours and defaming the government, aimed at subversion of the state and overthrowing the socialism system in recent years’ 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 the trial:** On 25 December 2009 Liu was sentenced to eleven years in prison and two years deprivation of political rights on charges of “incitement to subversion of state power. In early February 2010 a Beijing Court rejected his appeal. **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 of 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 has now been signed by more than 8000 scholars, journalists, freelance writers and activists. Recipient of American PEN 2009 Freedom to Write award and the 2010 Nobel Peace Prize. His wife 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. **Previous political imprisonment/problems:** 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 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 ten years in prison each for writing and publishing respectively 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. Their place of detention is not known.

#### LIU Xianbin:

**D.o.b.:** 1968 **Profession:** Dissident writer and activist. **Date of arrest:** 28 June 2010 **Sentence:** 10 years in prison **Expires:** 27 June 2020 **Details of arrest:** Arrested on 28 June 2010 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 of fairness. **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. **Previous political imprisonment/problems:** Liu previously served nine years of a thirteen-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. **Other information:** Recipient of the 2011 Hellman/Hammett award. **Honorary member of:** Independent Chinese PEN Centre (ICPC).

#### LIU Yonggen

**D.o.b.:** 7 August 1963 **Profession:** Internet writer and county official of Communist Party of China **Date of arrest:** 10 September 2009 **Sentence:** 3 years’ imprisonment **Expires:** 9 September 2012 **Details of arrest:** Reportedly arrested by the Xinyang City Public Security Bureau (PSB), Henan Province, on the 10 September 2009 and formally arrested on 28 September 2009. Charged on ‘suspicion of inciting subversion of state power’ for a number of critical articles published on overseas Chinese

websites such as *Epoch Times*. **Details of trial:** Tried on 18 January 2010 by the Xinyang City Intermediate People’s Court, the verdict was announced on 27 April 2010. **Place of detention:** Henan No.1 Prison, Kaifeng City, Henan Province. **Honorary member of:** Independent Chinese PEN Centre (ICPC).

#### **Hailaite NIYAZI (aka Hairat or Gheyret Niyaz)**

**D.o.b.:** 1960 **Profession:** Freelance journalist and former editor of the website *Uighur Online* (www.uighurbiz.net). **Date of arrest:** 1 October 2009 **Sentence:** 15 years in prison **Expires:** 30 September 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. **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. He is appealing the sentence. **Place of detention:** Changji Prison, Changji Hui Autonomous Prefecture, XUAR, PR China. **Professional details:** 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’. **Honorary member of:** Independent Chinese PEN. [Update #1 to RAN 56/09]

#### **Dilishat PAERHAT (aka Dilixiati Paerhati):**

**Profession:** Editor of the Uighur-language website *Diyarim.com* **Date of arrest:** 7 August 2009 **Sentence:** 5 years in prison **Expires:** 6 August 2014 **Details of arrest:** Reportedly taken from his home in Urumqi, capital of the Xinjiang Uighur 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 Uighur-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. **Treatment in prison:** Held at an unknown location without access to family visits since his arrest. Feared to be at risk of ill-treatment in prison.

#### **QI Chonghuai**

**D.o.b.:** 7 February 1965. **Profession:** Journalist. **Date of arrest:** 25 June 2007 **Sentence:** Four years in prison, with an additional eight years added on 9 June 2011. **Expires:** 24 June 2019. **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 was turned back to the police in mid-February 2008 for lack of evidence. **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. **Update:** On 9 June 2011 Qi was sentenced to a further eight years in prison, two weeks before the end of his four-year sentence for 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. **Place of detention:** Tengzhou Prison, Tenzhou 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 ten 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. **Professional details:** Qi Chonghuai has been a journalist for 13 years before his arrest. From 2004-6, he worked for various publications, including the *Shandong Zhoukan (Shandon 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 under the *Fazhi Zhoubao (Legality Weekly)* and the *Jizhe Guancha (Journalist Observer)*, and is known for his reporting on corruption and social injustice in Shangdong province. He is said to have been repeatedly warned by the authorities to cease such reporting prior to his arrest. **Honorary member of:** Independent Chinese PEN Centre.

#### **SHI Tao**

**D.o.b.:** 25 July 1968 **Profession:** Journalist and poet. Member of Independent Chinese PEN Centre (ICPC). **Date of Arrest:** 24 November 2004. **Sentence:** 10 years’ imprisonment. **Expires:** 25 November 2014 **Details of Arrest:** Arrested at his home in Taiyuan, Shanxi Province, northwest China, by police from Changsha National Security Bureau, southern China. They also confiscated his writings, computer and other personal belongings. According to Xinhua, the government run news agency, he had been found guilty of posting online his notes based on a government document that was read out at an editorial meeting of *Dangdai Shang Bao (Contemporary Trade News)* in April 2004.

**Details of Trial:** Shi Tao was sentenced on 30 April 2005 to ten years’ imprisonment and two-year deprivation of political rights for “revealing state secrets”. Information supplied by the Internet Service Provider Yahoo! Inc. was used to convict him. The sentence was upheld on appeal on 2 June 2005. He was not allowed to attend the appeal hearing, and his mother has applied for a review of the appeal on procedural grounds. **Professional Details:** Shi Tao has worked as a freelance journalist for several newspapers including the Changsha-based daily *Dangdai Shang Bao (Contemporary Trade News)*, which he left in May 2004 in order to return to his home city of Taiyuan. He has also written a number of articles, including political commentaries, for online forums, in particular the overseas Chinese web site *Min Zhu Lun Tan (Democracy Forum)*. He has published several books of poetry. Recipient of the Committee to Protect Journalists (CPJ) International Press Freedom Award 2005. **Place of Detention:** Yinchuan Prison, Yinchuan City, Ningxia Hui Autonomous Region. **Other information:** Recipient of CPJ’s 2005 International Press Freedom Award, PEN America’s 2006 Freedom to Write Award, WAN’s 2007 Golden Pen of Freedom. **Honorary member of:** Sydney, German, Canada, New Zealand, Swiss Italian, Swiss German, American, English, San Miguel, Independent Chinese PEN Centre, Scottish and USA PEN.

#### **TAN Zuoren**

**D.o.b.:** 15 May 1954 **Profession:** Literary editor, freelance writer and environmentalist. **Date of arrest:** 28 March 2009 **Sentence:** Five-year prison sentence **Expires:** 27 March 2014 **Details of arrest:** Reportedly detained by police in Chengdu City, province of Sichuan, on suspicion of subversion. On the day of his arrest, Tan’s home was raided by the authorities and his books and writings were seized. He is believed to be held for his investigation into the deaths of school children when school buildings collapsed after the Sichuan earthquake in May 2008. **Details of Trial:** He was sentenced on 9 February 2010 for ‘inciting subversion of state power’. The verdict was announced in a five-minute hearing at the Chengdu Intermediate Court. His wife and a number of Tan’s supporters were not allowed to enter the court-room. The five-year conviction includes a further three-year suspension of Tan’s political rights. An appeal against the conviction has been announced. The sentence was upheld on appeal on 9 June 2010. **Place of detention:** Ya’an Prison, Mingshan County, 625100 Ya’an City, Sichuan Province. **Other information:** He had reportedly planned to publish his findings on the Sichuan earthquake investigation in an independent report on the first anniversary of the earthquake, 12 May 2009. Tan is chief editor of the cultural magazine *Wen Hua Ren* and the founder of an environmental organisation ‘Green Rivers’. He has also published many articles and blogs online. **Other information:** Recipient of the 2011 Hellman/Hammett award. (RAN 10/10 – 23 February 2010)

#### **WANG Xiaoning**

**D.o.b.:** 7 January 1950 **Profession:** Internet writer and dissident. **Date of arrest:** 1 September 2002 **Sentence:** 10 years in prison. **Expires:** 31 August 2012 **Details of arrest:** Arrested on 1 September 2002 and charged on 30 September 2002 with subversion for articles published on-line between 2000 and 2002. **Details of trial:** Sentenced to ten years in prison and two-year deprivation of political rights on 25 July 2003 by the Beijing Municipal First Intermediary People’s Court. Thought to be specifically charged for articles published in the on-line journals *Democratic Reform Free Forum* and *Current Political Commentary* between 2000 and 2002. The journals reportedly included articles written by Wang under his real name and pen name advocating democratic reform and criticising the authorities. The

journals were reportedly distributed by email through Yahoo! groups that Wang established anonymously in mainland China and Hong Kong. Wang published his articles on a number of web sites in China and overseas. Wang was also accused of advocating the establishment of the ‘China Third Road Party’ and communicating by email with the leader of the China Social Democratic Party, which is banned in China. **Place of detention:** Beijing No 2 Prison, Postbox 2357-16, Chaoyang District, 100121 Beijing City. **Treatment in prison:** Reportedly tortured. **Honorary member:** Independent Chinese PEN Centre.

#### **YANG Tongyan (aka Yang Tianshui)**

**D.o.b.:** 12 April 1961 **Profession:** Dissident writer and member of Independent Chinese PEN Centre (ICPC). **Date of arrest:** 23 December 2005 **Sentence:** 12 years in prison **Expires:** 22 December 2017 **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 and accepting illegal funds from overseas. Sentenced by the Zhenjiang intermediate court in eastern China’s Jiangsu province at a three-hour trial on 16 May 2006. Yang Tongyan is known for his critical writings published on dissident news websites such as Boxun.com and Epoch Times. **Health concerns:** Yang suffers from a number of illnesses including intestinal tuberculosis, diabetes, kidney inflammation and high blood pressure. His health is reportedly worsening in prison due to lack of medical care, and he has been reportedly hospitalised since mid-September 2009. His family are appealing for medical parole. **Place of detention:** Nanjing Prison, Ningshuang Road 9, Box 1215-12, Nanjing City, Jiangsu Province. **Previous political imprisonment/problems:** 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. **Other information:** Recipient of Independent Chinese PEN Centre’s 2006 Writer in Prison Award, and the 2008 PEN/Barbara Goldsmith Freedom to Write Award. **Honorary Member of:** PEN Canada, Italian PEN.

#### **Nurehamet YASIN**

**D.o.b.:** 6 March 1974. **Profession:** Freelance Uighur writer. **Date of arrest:** 29 November 2004. **Sentence:** 10 years in prison. **Expires:** 30 November 2014. **Details of arrest:** Nurmehamet 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 Uighur-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 Uighur literary websites in the Uighur 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 Uighur 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 Country court to 10 years in prison for “inciting Uighur 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 Urumchi No. 1 Jail, where he remains detained. **Place of detention:** Xinjiang No.1

Jail, Siping Road 5, Urumqi City 830013, Xinjiang Uyghur Autonomous Republic, P.R.China. **Treatment in prison:** Yasin has been permitted no visitors since his arrest and there are serious concerns for his well-being. **Professional details:** Nurmuhemmet Yasin is an award-winning and prolific freelance Uighur 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 said to be a mature writer with an established literary credential among Uighur readers. He is married with two young sons. **Honorary member of:** American, English and Independent Chinese PEN Centre (ICPC).

**YUAN Xianchen**

**D.o.b.:** 2 November 1964 **Profession:** Human rights activist and dissident writer. **Date of arrest:** 29 May 2008 **Sentence:** Four years in prison. **Expires:** 28 May 2012 **Details of arrest:** Arrested by the Public Security Bureau of Jixi City, Heilongjiang Province, for writing and distributing dissident articles, and giving interviews with overseas media. **Details of trial:** Sentenced on 4 March 2009 by the Intermediate People’s Court of Jixi City, to four years in prison and five years of deprivation of political rights, for ‘Inciting subversion of State power’ under Article 105(2) of the Chinese Criminal Code. Reports say that there were four counts against him: distribution of the article ‘Save China, Implement Constitutional Democracy’ to attendants at the National People’s Congress in Beijing in 2005; giving interviews to the *Epoch Times* and other media; drafting over twenty articles against socialism; and receiving funds from local and overseas organisations. There are allegations that Yuan was ill-treated while in police custody and that a confession obtained in this manner was use at the trial. **Place of detention:** Dongfeng Prison, Haerbin City, Heilongjiang Province. **Honorary member of:** Independent Chinese PEN Centre (ICPC).

**ZHANG QI**

**D.o.b.:** 30/03/1983 **Profession:** Internet writer and activist. **Date of arrest:** 26 June 2008 **Sentence:** 4 years in prison **Expires:** 25 June 2012 **Details of arrest:** Arrested on suspicion of ‘inciting subversion of State power’ whilst travelling in the area affected by the earthquake in Sichuan province which struck on 12 May 2008. He was formally charged on 20 June 2008 on suspicion of ‘illegally obtaining state secrets’, apparently for taking a photograph of an abandoned tank, but this charge was later dropped and he was tried on the more serious charge of ‘inciting subversion’ for his critical online writings and activism. **Details of trial:** Zhang was tried in a one-hour closed trial by the Intermediate People’s Court of Chongqing City on 15 June 2009 and convicted of ‘inciting subversion of state power’ for his online dissident writings. He was sentenced to 4 years in prison on 8 July for eight articles published online. **Place of detention:** Yuzhou Prison, Chongqing City, PR China. **Treatment in prison:** Held incommunicado. **Other information:** Zhang Qi is the Chongqing co-ordinator of the online political group Pan-Blue Alliance, which reportedly supports the government in Taiwan. **Honorary member of:** Independent Chinese PEN Centre.

*Imprisoned: Investigation*

**Ablikim ABDIRIYIM:** Political activist. Arrested in June 2006 and sentenced to nine years in prison on 17 April 2007 on charges of ‘posting secessionist articles online’. Abdiriym is the son of a renowned activist and belongs to the Uighur ethnic minority group. He was reportedly charged with trying to post two articles online, that he had downloaded on the Internet. According to the verdict, ‘these articles distorted China’

human rights and ethnic policies’. He is being held incommunicado. Chinese official sources name the articles concerned as ‘Issues to be aware of and prohibited in Jihad’ and ‘Struggle toward independence’. Abdiriym’s family reported that during his trial, he was denied legal representation. International PEN is seeking information that would clarify his position on the use of violence to achieve change. (AI considers him to be a prisoner of conscience).

**LI Tie:** Activist and internet writer, aged 48. Reportedly arrested on 15 September 2010 by the Wuhan City Public Security Bureau 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. Li is known for his articles about democracy and constitutional government published online on overseas Chinese language websites such as *Democratic China* and the news portal *Boxun*. He is also a signatory of Charter 08. At a hearing on 18 April 2011 his lawyer was rejected by the court and two court-appointed lawyers were assigned. Held at the No.2 Detention Centre in Wuhan City. **Honorary member of:** Independent Chinese PEN Centre (ICPC).

**ZHU Yu Fu:** Internet writer, founder and editor of the China Democracy Party’s magazine, and member of the Independent Chinese PEN Centre. Reportedly detained 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 articles. The case against him was reportedly withdrawn by the prosecution on 25 October 2011 but he has not yet been released. WiPC seeking an update. **Place of detention:** Zhu is currently being held at the Detention Center of Hangzhou City, Zhejiang Province. **Previous political imprisonment/problems:** Zhu Yu Fu had spent a total of nine years in prison before this latest arrest. **Other information:** Recipient of the 2011 Hellman/Hammett award.

*Conditional release*

**WANG Rongqing:**

**D.o.b.:** 9 December 1943 **Profession:** Magazine editor and dissident. **Date of arrest:** 25 June 2008 **Sentence:** Six years in prison. **Expires:** 9 May 2014 **Details of arrest:** Reportedly taken from home in June 2008, but not formally charged until 31 July 2008. Thought to be charged for his membership of the banned China Democracy Party (CDP), for editing a publication called *Opposition Party* and posting articles on the Internet. **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’. **Place of detention:** Held at Jianggan District Detention Centre in Hangzhou city. **Treatment in prison:** Said to have been denied family visits since his arrest. **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. **Conditional release:** He was released on six months’ medical parole on 12 January 2010, which has now been extended indefinitely. His health has reportedly stabilized as the authorities have provided him with medical insurance as well as a minimum living allowance. **Previous political imprisonment/problems:** A veteran pro-democracy activist, Wang has suffered harassment and brief detentions by the authorities since the late 1970’s when he joined the Democracy Wall movement. He later became a leader member of the banned CDP, and in 2005 he was detained for six months for organising the CDP in Zhejiang. In 2006 he was arrested for one month for his writings calling for religious freedom.

*Released*

**HUANG Jinqiu (aka Qingshui Jun):** Internet essayist, writer and journalist. Arrested on 13 September 2003 and sentenced to twelve years in prison for ‘organising, planning and performing subversion of state power by publishing a large number of reactionary articles on the Internet in his capacity as member of the preparatory committee of the China Patriotic Democratic Party’. Well known in the overseas Chinese internet community for his essays published on the Chinese-language news website ‘Boxun.com’ under the pen-name Qing Shuijun (Mr Clear Water). Released on 20 October 2011 after a third reduction of his original sentence.

**TANG Cailong (aka Huaxia Pifu):** Freelance writer and former government official. Arrested on 2 September 2010 by officials from the Public Security Bureau of Anyue County, Sichuan Province, for publishing online articles exposing alleged official corruption. On 30 September 2010, he was formally arrested on the charge of ‘inciting subversion of State power’. The case was turned back from the prosecution to the police for further investigation due to lack of evidence. Released on 9 November 2011 after the prosecution withdrew the case against him. Placed under surveillance for one year.

**ZUO Xiaohuan:** Freelance writer, human rights activist and former teacher. Detained by officers from the National Security Bureau of Mianyang City, Sichuan Province on 25 April 2010 for his civil rights activism and critical reports and articles published on Internet. Also accused of giving critical interviews to the overseas media. Charged on 28 May 2010 with ‘suspicion of inciting subversion of the State power’. His case was turned back twice from the prosecution to the police for further investigation due to lack of evidence. Released on 11 November 2011 after the prosecution withdrew the case. Placed under residential surveillance.

*Case closed*

**Mehbube ABLESH (f):** Uighur journalist and poet. Reportedly arrested in August 2008 after posting online two articles critical of the provincial leadership and government policies in the Xinjiang Uighur Autonomous Region. She was handed down a three-year sentence for “inciting splittism” (separatism) in the articles. Released on expiry of her sentence in August 2011.

**LU Gengsong:** Writer and human rights activist. Arrested on 24 August 2007 following the on-line publication of articles critical of the authorities. Sentenced to four years in prison for ‘inciting subversion of state power’. Lu is known for his reporting on human rights violations and his political commentaries published on the Internet. He is also an active member of the banned China Democracy Party (CDP). Released on expiry of his sentence on 23 August 2011.

**Abdulghani MEMETEMIN:** Writer, teacher and translator from the Xinjiang Uighur Autonomous Region (XUAR). Detained on 26 July 2002 and sentenced to nine years in prison on charges of “sending secret state information out of the country”. For providing information on a voluntary basis to the East Turkistan Information Centre (ETIC), a Uighur rights and pro-independence group run by exiled Uighurs in Germany and described by China as a terrorist group although the group is not known to have advocated violence. Released on expiry of his sentence on 15 July 2011.

**YANG Maodong (aka Guo Feixiong):** Dissident writer, independent publisher and civil rights activist. Arrested on 14 September 2006 and sentenced to five years in prison for ‘illegal business activity’ though is believed to be targeted for his critical writings and civil rights activism. Released on 13 September 2011 on expiry of his sentence.

**RAN Yunfei:** Writer and editor of the *Sichuan Literature Magazine*, member of the Independent Chinese PEN Centre (ICPC). Reportedly arrested on 21 February 2011 and charged with “suspicion of inciting subversion of state power” for his Internet writing. On 10 August 2011 Ran Yunfei was released from prison and put under residential surveillance at his home for six months.

**ZHENG Yichun:** Poet, professor and freelance journalist. Arrested on 3 December 2004 and sentenced to 7 years imprisonment and 3 years deprivation of political rights on charges of ‘incitement to subversion of state power’ for his critical writings, many of which were posted on-line on overseas websites. Released on expiry of his sentence on 19 December 2011.

## TIBET AUTONOMOUS REGION (TAR)

*Imprisoned: Main cases*

**DHONKHO Jangtse (aka Rongke, pen-name: Nyen), BHUDHA (pen-name: Buddha the Destitute) and KHELSANG (KALSANG) Jinpa (pen-name: Garmi)**

**Profession:** Writers. **Date of arrest:** 21 June, 26 June and 19 July 2010 respectively. **Sentence:** Four years, four years and three years in prison respectively. **Expires:** 20 June 2014, 25 June 2014 and 18 July 2013 respectively. **Details of arrest:** Reportedly detained in June and July 2010 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. The magazine was quickly banned, but not before copies had circulated in areas of Qinghai and Gansu provinces and beyond. **Details of trial:** The ‘Eastern Snow Mountain’ writers were put on trial by the Ngaba Intermediate People’s Court, Sichuan Province, on 21 October 2010 on charges of ‘splittism’. The families were informed that they could not have lawyers of their choice, although the writers did have some legal representation. 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”. **Professional details: 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)*. Believed to be charged for the essay ‘Hindsight and reflection’ published in *Shar Dungri* in 2008. **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)*. Believed to be charged 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. **Kelsang Jinpa**, a 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. Believed to be charged for his article written under the pen name ‘Garmi’ (‘the Blacksmith’), ‘The case for lifeblood and life-force’, published in *Shar Dungri* in 2008. **Honorary members of:** Independent Chinese PEN Centre (ICPC).

**Kunchok Tsephel GOPEY TSANG**

**D.o.b.:** 1970 **Profession:** Internet writer and editor of the Tibetan language website *Chomei* http://www.tibetcm.com **Date of arrest:** 26 February 2009 **Sentence:** Fifteen years in prison **Expires:** 25 February 2024 **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. **Professional details:** *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. Gopey Tsang also worked as an environmental officer for the Chinese government. **Health concerns:** There are fears for his health. **Previous political imprisonment/problems:** In 1995 Kunchok Tsephel Gopey Tsang was held for two months by Public Security Bureau officials on unknown charges, and was reportedly ill-treated in detention. (RAN 16/09 – 17 March 2009; Update #1 – 23 November 2009).

**Dawa GYALTSEN**

**D.o.b.:** 1969. **Profession:** Studied banking and accountancy, and worked for a bank. **Date of arrest:** November 1995 **Sentence:** 18 years imprisonment. **Expires:** November 2013 **Details of arrest:** Arrested for writing pro-independence pamphlets which were posted in April 1995 as part of a widespread protest against the Chinese authorities. The pamphlets reportedly contained a brief history of Tibet as an independent nation and pro-independence slogans. **Details of trial:** In May 1996, Nagchu Prefecture Intermediate People’s Court sentenced Gyalsten to eighteen years’ imprisonment on charges of carrying out “counter-revolutionary propaganda”. His brother Nyima Gyaltzen was sentenced to thirteen years’ imprisonment for leading the protest. Three other monks co-accused with the Gyaltzen brothers were sentenced to lesser terms ranging from two-six years for their participation in the protest, and have now been freed on expiry of their sentences. **Place of detention:** Tibet Autonomous Region Prison (formerly Drapchi Prison), Lhasa. **Treatment in prison:** Said to have been severely tortured whilst under interrogation. **Honorary member:** PEN America.

**JANGTSE Dhonkho**

**D.o.b.:** 1978. **Profession:** Poet, member of the Sichuan Province Writers Association. **Date of arrest:** 21 June 2010. **Sentence:** 4 years in prison. **Expires:** 21 June 2014. Reportedly arrested at his home on 21 June 2010. **Details of trial:** Tried by the Ngaba Intermediate People’s Court on 3 October 2010, for “inciting activities to split the nation”. Sentenced on 30 December 2010 to four years in prison. Lawyers and family members were reportedly not permitted to speak in court. It is thought that Jangtse Dhonkho may be convicted for his articles on the 2008 Tibetan unrest in the literary magazine *Shar Dugri (Eastern Snow Mountain)*, which is now banned in Tibet (see **DHONKHO, BHUDHA and KHELSANG Jinpa** in ‘main cases’ above). **Professional details:** Has reportedly published a collection of poetry and is the recipient of several Tibetan literary awards. **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:** 8 October 2015. **Details of arrest:** Dolma Kyab was reportedly arrested in the city of Lhasa for allegedly endangering state security in his book. 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. 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. **Details of trial:** Dolma Kyab was charged with ‘espionage’ and ‘illegal border crossing’. His trial was conducted in secrecy. **Place of Detention:** Reportedly 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. **Honorary member of:** English, American and German PEN.

**Paljor NORBU (aka Panjue Ruobu)**

**D.o.b.:** 1927 **Profession:** Printer. **Date of arrest:** 31 October 2008 **Sentence:** 7 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.

**Tashi RABTEN (pen-name Te’u rang)**

**Profession:** Writer and university student. Co-editor of the banned literary magazine *Shar Dugri (Eastern Snow Mountain)*. **Date of arrest:** 6 April 2010 **Sentence:** Four years in prison **Expires:** 5 April 2014 **Details of arrest:** Reportedly arrested with fellow student editor **DRUKLO (pen-name Shokjang)** because of their critical writings and activism. Reports say that about sixteen policemen approached the students’ residence at the Northwest National Minorities University, where they seized Rabten and Druklo’s books, mobile phones, laptops and course material. Druklo was reportedly released on 8 May 2010. **Details of trial:** Tried behind closed doors at a court in Aba prefecture on 2 June 2011. Details of the charges against him have not been officially confirmed, although he is thought to be 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. **Treatment in prison:** Said to be held without access to his family since his arrest, although a delivery of food and clothes were allowed in autumn 2010. Feared to be at risk of torture in detention. **Professional details:** Tashi Rabten edited the banned literary magazine *Shar Dugri (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*. Prior to his arrest Tashi Rabten,

aged twenty-five, was a student at the Northwest Minorities University in Lanzhou, and had reportedly been under surveillance for some time.

**Kunga TSEYANG (aka Gangnyi ‘Snow Sun’)**

**D.o.b.:** c.1989 **Profession:** Tibetan writer and environmentalist. **Date of arrest:** 17 March 2009 **Sentence:** Five years in prison **Expires:** 16 March 2014 **Details of the trial:** On 17 November 2009 a court in the Prefecture of Golok, Qinghai Province, sentenced Tseyang on various charges including posting articles online. **Professional details:** Tseyang studied at Labdrang Tashi Kyil monastery and the Institute for Higher Buddhist Studies. 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” Tseyang is also an environmental activist and a regular contributor to the Yutse Environment Department as a photographer. Tseyang lives in the Lungkar monastery in Golok county (eastern Tibet).

*Imprisoned: investigation*

**DROKRU Tsultrim:** Tibetan writer from Ngaba county, was reportedly arrested on 24 May 2010 after police searched his room at the Gomang Monastery, eastern Tibet, took documents and his laptop. There was allegedly no warrant for the raid or Tsultrim’s arrest. It is said that he is being held at the detention centre in Barkham, in Ngaba, and that his family has not been allowed to visit him. A relative in exile reported that Tsultrim was planning to publish a compilation of writings by young Tibetan writers prior to his arrest. There are no details of any charges he may be facing. Thought to remain detained at an unknown location without access to family visits as of 31 December 2011. **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).

\***Pema RICHEN:** 25-year-old Tibetan writer from Drango County, Kardze TAP, Sichuan Province. Reportedly arrested and severely beaten on 5 July 2011. The following day his family were handed a notice of his detention for ‘inciting ethnic enmity’. Said to be held at Drango County Detention Centre. Known for his self-published book *Look* which is said to be a critique of Chinese government policies and practices in Tibetan regions. Prior to his detention he had travelled around Tibet distributing copies of the book. WiPC seeking further information about his current status and any charges against him.

**SHERAB Gyatso:** Monk and writer. Reportedly arrested on 16 March 2011 whilst en route to the region of Tsongon, Qinghai province, to publish his second book. His whereabouts remained unknown until May 2011, when he was reported to be detained in Chengdu, the capital of Sichuan province. Said to be a skilful writer and debater, whose first book *Time to Wake Up* was published in 2009 and was very popular. Known for his writing on the issues of Tibetan culture and education. Previously detained in 1998 and held for 4 years for putting up posters protesting Chinese authorities’ ‘re-education’ programmes in many monasteries in Tibetan regions. WiPC seeking further details of his current detention. **SONAM Rinchen, SONAM Dhondup, YARGAY and DAKDEN:** Students and editors of the Tibetan student magazine *Namchak*. Reportedly arrested on 17 March 2010 and charged with separatism and inciting separatism in their writing. All four were registered as students at the University of Barkham (Sichuan province). According to an exiled Tibetan monk, they had published comments about China’s policies

towards minorities, including Tibetans. Sonam Richen and Sonam Dhondup were reportedly sentenced to two years in jail on 30 August 2010. Yargay and Dakden are thought to also have been sentenced to two years, WiPC seeking confirmation and date of sentence.

*Case closed*

**Joleb DAWA:** Teacher and founder and editor of the Tibetan-language journal *Dhusrab kyi Nga (Century’s Self)*. Reportedly arrested on 1 October 2010, in Ngaba county, Aba Tibetan Autonomous Prefecture, Sichuan Province. The exact charges against him are unknown, but it is believed that his arrest is linked to his work on the journal. Case closed for lack of further information.

**KALSANG Tsultrim (aka Gyitsang Takmig):** Outspoken Tibetan author and activist. Reportedly arrested on 16 December 2010, after the Public Security Bureau of Tsoe City called him in for questioning. Kalsang Tsultrim is the author of *Miyul La Phul Ve Sempa (Sharing the Inner Thoughts in My Heart)*, a book illustrating the concerns of the Tibetan people. Case closed for lack of further information.

**Namsay:** Editor and employee at the Pandita Print Press (PPP) in Chengdu township, Ngaba County, Aba Tibetan Autonomous Prefecture, Sichuan Province. Reportedly arrested some time in 2010 for alleged anti-government postings on his blog and for his work as assistant editor for the Tibetan magazine *Sonming*. Case closed for lack of further information.

**TAGYAL (pen-name Shogdung):** Writer and staff member at the Qinghai Nationalities Publishing House. Arrested on 23 April 2010 following the publication of an open letter, signed by Tagyal and seven other intellectuals, criticizing the government’s response to the 14 April 2010 earthquake in the western province of Qinghai. Charged with ‘instigating to split the motherland’ and held until he was released on bail on 14 October 2010. Case closed for lack of further information.

**TSERING Dhondup:** Monk at Rongtha Monastery, Khyungchu County. Reportedly arrested on 26 February 2010 for assisting writer Gendun Tsering in publishing two books: *Migchu (Tears)*, written by Gendun; and *Sonming (Alive Eye)*, a collection of articles on the situation inside Tibet edited by Gendun. Reportedly Tsering Dhondup is currently being held at the Barkham County Detention Centre. Case closed for lack of further information.

**Norzin WANGMO (f):** Writer. Reportedly arrested in April 2008 for sending online and telephone news reports about the situation in Tibet during the March 2008 uprisings. The exact charges against her are unknown but she is believed to have been sentenced to five years in prison on 3 November 2008. One of her articles is said to be entitled ‘Games of Politics’ and was published in the magazine *Popular Arts*. Case closed for lack of further information.

## INDIA

*Killing*

\***Shehla MASOOD:** Blogger and activist, aged 39. Reportedly shot dead in a targeted attack on 16 August 2011 as she was getting into a car in front of her home in the city of Bhopal. She was known for her campaigning for the enforcement of the Right to Information (RTI) Act and had been on her way to a demonstration when she was killed. She had complained of death threats since January 2010.

*Imprisoned: investigation*

**Sudhir DHAWLE:** Activist and editor of the bi-monthly Marathi magazine *Vidrohi*. Reportedly arrested on 2 January 2011 in Wardha railway station, Maharashtra state, after participating in a literary conference. Charged with sedition (sec 124) and under Secs 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. Still thought to be detained as of 31 December 2011. WiPC seeking further details.

*Case closed*

**A. S. MANY (MANI):** Editor of the Tamil weekly *Naveena Netrikkan*, was on trial on charges of criminal defamation, filed by a businessman in October 2009. Many was detained on 25 October 2009 without an arrest order and released on 27 November 2009. The charges allegedly respond to a piece published in the weekly, two days before Many’s arrest, alleging that the businessman was involved with political corruption. Many was reportedly re-arrested on the orders of the police Commissioner S.R Jangid on 19 July 2010 after publishing an article about police corruption. The court rejected a petition for his release on bail on 10 August 2010. Said to be held on trumped-up charges, including one of attempted murder, and to have been physically and psychologically tortured. No further details as of 31 December 2011. Case closed for lack of further information.
**Anshin TRIVEDI:** former columnist with Mumbai-based daily *Mid-Day*. Reportedly sentenced on 28 January 2011 to 6 months imprisonment and a fine of \$535 on charges of causing offence to communities disadvantaged by India’s traditional caste hierarchy. The sentence stemmed from an article published in 2006 entitled ‘Children of a Lesser God’ in which Trivedi argued that the alleged poor performance of many of India’s institutions of governance was a consequence of the policy of affirmative action, which assured disadvantaged communities representation in the staffing of all these institutions. Thought to remain free on bail. Case closed for lack of further information.

## MONGOLIA

*On trial*

**\*Dolgor CHULUUNBAATAR:** Editor-in-chief of Mongolia’s *Ulaanbaatar Times*. Reportedly imprisoned on 24 March 2011 for the allegedly violating a criminal law about private and government property in relation to the privatisation of a newspaper. Released on bail on 27 July 2011. He reportedly faces a long legal process and remains free on bail.

*Case closed*

**B. TSOOJCHULUUNTSETSEG (f):** Journalist and investigative department editor of the daily newspaper *Ogloonii Shuudan* (Morning Post). A criminal defamation case was brought against her on 13 January 2011 by the General Prosecutor after she published a series of articles in December 2010 entitled “Billionaires Who Swindle Banks”. The articles focused on individuals who have allegedly taken out large bank loans and are not making repayment. Case closed for lack of further information.

## MYANMAR (BURMA)

*Imprisoned: Main cases*

**AUNG Than, Zeya AUNG, MAUNG Maung Oo and SEIN Hlaing**
**Profession:** Student activist and NLD member, student, publisher and distributor respectively.
**Date of arrest:** 29 March 2006
**Sentence:** 19 years in prison (Aung Than and Zeya Aung), 14 years in prison (Maung Maung Oo) and seven years in prison (Sein Hliang).
**Expires:** 28 March 2025 (Aung Than and Zeya Aung), 28 March 2020 (Maung Maung Oo) and 28 March 2013 (Sein Hliang).
**Details of arrest:** Reportedly arrested with 6 others near the Thai-Burmese border town of Myawaddy for publishing an ‘anti-government’ book of poems entitled *Dawn Mann (The Fighting Spirit of the Peacock)*. The peacock is the symbol of the pro-democracy movement in Myanmar. Six others also detained in connection with the publishing of the book were freed after a brief detention. Also charged with associating with outlawed organisations and illegally crossing an international boundary.
**Details of trial:** Convicted by a criminal court in Pegu, north of Rangoon, on 9 June 2006 under the Printers and Publishers Registration Act. The appeals filed by Aung Than and Zeya Aung against their 19 year prison sentences were rejected by the Rangoon high court the same day it was presented, in late November 2006.
**Place of detention:** All transferred to Insein jail, Rangoon except Sein Hliang, who is still held in Pegu jail.
**Health concerns:** In November 2008 it was reported that detained poet **Aung Than** may be suffering from HIV Aids after being allegedly forcibly injected in Insein prison hospital in 2006. Several months later, he reportedly became ill with symptoms typical of HIV AIDS, although this cannot be confirmed as his request to be tested for the disease has been refused. He strongly asserts that he was not suffering from the disease prior to his imprisonment. Sources close to the poet say that he is now in a critical condition.
**Honorary member of:** American PEN.

**U Zeya (aka Thargyi Maung Zeya)**

**D.o.b.:** c.1954
**Profession:** Poet, writer and political activist. Also worked as a video journalist for the Oslo-based Democratic Voice of Burma (DVB).
**Date of arrest:** 10 April 2010
**Sentence:** 13 years in prison
**Expires:** 9 April 2023
**Details of arrest:** Reportedly arrested at his home in Rangoon, days after his son, also a DVB video journalist, had been arrested for taking photos of the water festival bombings in Rangoon. His son had reportedly confessed to his father being a reporter for the DVB under duress. Charged for leading a team of DVB journalists inside Burma.
**Details of trial:** His trial began on 22 June 2010 at Western Rangoon’s Provincial Court and he was sentenced in a trial held within Insein prison on 6 February 2011 to five years in jail under the Unlawful Associations Act, one year under the Immigration Act for allegedly crossing the Thai-Burmese border illegally, and seven years under the Electronics Act.
**Professional details:** A famous poet, one of the first to write prose-poems. Has published his poems and articles in a number of Burmese magazines and journals. Also a well-known painter. [Released under a general amnesty on 13 January 2012].

**NAY Phone Latt**

**Profession:** Blogger and poet.
**Date of arrest:** 29 January 2008
**Sentence:** Twenty years and six months in prison, reduced on appeal to twelve years.
**Expires:** 28 January 2020
**Details of arrest:** Nay Phone Latt was arrested in Rangoon on 29 January 2008, under section 5 (J) of the 1950 Emergency Provision Act, which criminalizes any attempt to “disrupt morality” or

to “disrupt security, stability or the restoration of order.” Arrested for critical writings published in his blog (http://www.nayphonelatt.net/).
**Details of trial:** On 10 November 2008, he was sentenced by a specially-assembled court to a combined 20 years and six months in prison under the Criminal Code, the Video Act, and the Electronics Act for his blog and for owning a copy of a banned DVD. The court, formed to prosecute political dissidents within prison walls, was closed to the public, and Nay Phone Latt’s mother was banned from attending the hearing. Nay Phone Latt was not allowed legal representation after his lawyer was sentenced to prison time for contempt while protesting unfair hearings. On 20 February 2009, a court in Rangoon reduced Nay Phone Latt’s sentence by eight and a half years, leaving him to serve 12 years in prison.
**Place of detention:** He is currently being held in Pa-an Prison in Karen state, 135 miles from his home in Rangoon, making it difficult for his family to visit.
**Health concerns:** Said to be in poor health and to be denied medical treatment in prison.
**Other information:** Recipient of the 2010 PEN/Barbara Goldsmith Freedom to Write Award. Has continued to write poems in prison.
**Honorary member of:** American PEN. [Released under a general amnesty on 13 January 2012].

**Nyi Nyi TUN:**

**Profession:** Editor-in-chief of the *Kandarawaddy* news journal based in Karenni state.
**Date of arrest:** October 2009
**Sentence:** 13 years in prison
**Expires:** October 2022
**Details of arrest:** According to his lawyer, he was arrested by officers from Rangoon Division Police Office on suspicion of having connections with a series of blasts that rocked Rangoon in October 2009. There was no evidence against him, so those allegations were dropped. Following his arrest the *Kandarawaddy* journal was closed.
**Details of trial:** Reportedly sentenced to 13 years in prison on 13 October 2010 by the Seikkan Township Special Court based in Insein Prison. He was found guilty of violating section 17 (1) of the Unlawful Associations Act, section 13(1) of the Immigration Emergency Provisions Act, section 505 (b) of the Penal Code ad section 6 (1) of the Wireless Act. After the sentence, he told his family that he was tortured during interrogation.
**Place of detention:** Insein prison.

**WIN Maw**

**D.o.b.:** 5 September 1962
**Profession:** Musician and composer
**Date of arrest:** 27 November 2007
**Sentence:** 7 years in prison, with an additional 10 years added in prison.
**Expires:** 26 November 2024
**Details of arrest:** According to PEN’s information, Win Maw was arrested on 27 November 2007 in a Rangoon teashop and charged under article 5 (j) of the penal code with ‘threatening national security’ after sending news reports and video footage to the Norway-based Democratic Voice of Burma (DVB) radio station during the protests in August and September 2007.
**Details of trial:** On 11 November 2008 it was reported that Win Maw had been sentenced to seven years imprisonment for ‘sending false news abroad’. He was tried at a special court held inside Insein jail. In March 2009 Win Maw was tried again, this time for violating the Electronic Transaction Law, and was sentenced to further ten years in prison.
**Place of detention:** Said to be held currently in Kyaukphyu prison, Arakan state, western Myanmar.
**Health concerns:** Reported on 7 May 2008 that Win Maw had been transferred to the prison hospital suffering from suspected collapsed lungs as a result of ‘water torture’, and to have contracted pneumonia.
**Professional details:** Win Maw is lead guitarist in the music group Shwe Thansin, which was one of the top bands in Burma in the 1990’s. In February 2011 three new songs by Win Maw were smuggled out of prison: http://freemuse.org/sw40483.asp
**Awards:** Win Maw received the 2008 Imprisoned Artist award, the 2010 Kenji Nagal Memorial

award, and the 2011 Freedom to Create award for jailed artists.
**Previous political imprisonment/problems:** He was previously imprisoned from 1997-2003 for writing songs in support of Aung San Suu Kyi, leader of the opposition National League for Democracy (NLD). (RAN 26/08 – 15 May 2008). [Released under a general amnesty on 13 January 2012].

**Zaw Thet HTWE**

**Profession:** Journalist.
**Date of arrest:** 13 June 2008.
**Sentence:** 19 years in prison, reduced to 11 years.
**Expires:** 12 June 2027
**Details of arrest:** Arrested whilst visiting his sick mother in the town of Minbu, central Burma, and transferred to an interrogation centre in Yangon. His computer, mobile phone, and personal documents were also confiscated. No details were given to his family about the reason for his arrest or his place of detention. Zaw Thet Htwe had been working with comedian Zargana and other leading Burmese figures to deliver aid and support to the victims of Cyclone Nargis which struck on 2 May 2008.
**Details of trial:** On 14 August 2008 journalist Zaw Thet Htwe and comedian Zargana appeared at a hearing held at the Rangoon West District Court within the Insein prison precincts, where both were charged. Zaw Thet Htwe was charged with two offences, under section 505(b) of the Criminal Code, sections 33(a)/38 of the Video Act and section 17(2) of the Unlawful Associations Act. Days later, on 27 November, Zaw Thet Htwe was given a further four-year prison sentence, making a total of nineteen-year prison term. In February 2009, the Rangoon Divisional Court reduced Zaw Thet Htwe’s sentence by eight years, leaving him to serve 11 years in prison.
**Professional details:** Zaw Thet Htwe formerly worked as editor of First Eleven Sports Journal, a popular sports journal in Myanmar.
**Previous political imprisonment/problems:** He was previously arrested in July 2003 on charges of treason following the publication of critical articles in the magazine. He was sentenced to death on 28 November 2003 by a military court in Insein Jail, but on 12 May 2004 the Supreme Court reduced his sentence to three years in prison and he was released in 2005. He also spent several years in detention in the 1990’s for his work with the banned political organisation ‘Democratic Party for a New Society’ which is now operating in exile. (RAN 34/08 – 25 June 2008; Update #1 – 20 August 2008; Update #2 – 25 November 2008)
**Honorary member of:** American PEN. [Released under a general amnesty on 13 January 2012].

*Imprisoned: investigation*

**MIN Ko Naing (aka Paw Oo Htun)**

**D.o.b.:** 17 October 1963
**Profession:** Poet and political activist.
**Date of arrest:** 21 August 2007
**Sentence:** Sixty-five years in prison
**Expires:** 20 August 2058
**Details of arrest:** Arrested at midnight on 21 August 2007 with thirteen other leading political activists for organising peaceful protests against food prices in mid-August 2007. These protests led to widespread peaceful anti-government protests led by Buddhist monks which began on 18 September 2007 known as the ‘Saffron Revolution’, and were violently suppressed by the military authorities on 26 September 2007.
**Details of trial:** Sentenced with twenty others on 11 November 2008 to sixty-five years in prison for his role in organizing the August 2007 demonstrations.
**Place of detention:** Kengtung prison, Shan State.
**Treatment in prison:** Held in solitary confinement.
**Health concerns:** Said to be in poor health as a result of torture and ill-treatment suffered during his previous imprisonment.
**Previous political imprisonment/problems:** Previously arrested in March 1989 and sentenced to twenty years in prison under section 5 (j) of the 1950 Emergency Provisions Act on charges of allegedly instigating ‘disturbances to the detriment of law

and order, peace and tranquility’. Charged for his role in organizing the All Burma Federation of Student Unions (ABFSU), a nationwide student union which opposed military rule and led to the 1988 uprising. Released under amnesty on 19 November 2004 after fifteen years in prison. Re-arrested in late September 2006 with four other student leaders for activities allegedly threatening ‘internal commotion, instability and terrorism’ and held until 11 January 2007 when he was released without charge. **Other information:** As a student at the Rangoon Arts and Science University he began writing poetry and was a member of a performance troupe called ‘Goat-Mouth and Spirit Eye’ which performed satirical plays and comic political sketches. This case was not initially taken up by PEN as he was not known to be a writer, PEN seeking further information about his poetry.

*Released*

**MAUNG Thura (aka’Zargana’):** Leading comedian, poet and opposition activist. Arrested on 4 June 2008 and sentenced to 59 years in prison, reduced to 35 years, for leading a private relief effort to deliver aid to victims of Cyclone Nargis which struck on 2 May 2008, and for giving interviews to overseas radio stations and other media. On 12 October 2011, Zargana was freed as part of a widespread general amnesty.

[Note: as referred to above, a major amnesty took place in early January 2012, after the period covered by this report. Releases in January will be formally recorded in the January to June 2012 caselist.]

## NEPAL

*Death threat*

\***Sushil POKHREL:** Editor for the local weekly *Hamro Ekta*, based in Pyuthan, western Nepal, received death treats on 24 October 2011. The threats were linked to an article published in the weekly about concerns over town planning in Pyuthan. According to the editor, two business people involved in the construction field threatened to kill him because they feared the article could damage their business.

\***Gambhira SAHANI:** Chief editor of the local daily *Bypass*, published in Birgunj, reported receiving a death threat from the Head Constable of the central regional police office in Hetauda, on 12 August 2011. The threat, made over the phone, is said to be linked with an article published in the daily two days before, entitled ‘Mobile police file complaints against their fellow workers in the Home Ministry and Police Headquarters without disclosing names’.

*Threatened*

\***Narayan WAGLE:** Editor-in-chief of the newspaper *Negarik News*, was reportedly threatened with arrest by the chairman of the Youth Association Nepal (YAN), sister organisation of the ruling party, on 13 August 2011. The newspaper has been investigating the attack of Khilanath Dhakal, one of *Negarik News’s* journalists, on 5 June 2011. The victim of the attack reported that members of the YAN carried the assault against him.

\***Santosh YADAV:** Journalist for the daily *Rajdhani*, reported receiving a threat via his Facebook account on 8 August 2011. The threat is said to come from the underground group Janatantrik Tarai Mukti Morcha, who accused the journalist of playing a role in the arrest of the group’s leader.

\***Narendra Nath YOGI:** Editor-in-chief of the weekly *Karnali*, published in Jumla, western Nepal, reportedly received a threatening phone call on 8 September 2011. The caller reportedly identified himself as the head of the Karnali Transport Bus Entrepreneurs’ Association. The threat was

linked to an article published on 7 September, regarding a complaint logged with the police against some members of the Association.

*Attacked*

\***Kishor BUDHATHOKI:** Correspondent for the *Annapurna Post* and *The Himalayan Times*, as well as Vice Secretary of the Federation of Nepali Journalist (FNJ), was reportedly attacked in Sankhuwasabha, eastern Nepal, on 11 August 2011. Four months latter, on 4 December 2011, Budhathoki’s attackers were sentenced to five years in prison for the attempted murder of the journalist.

## PAKISTAN

*Killed*

\***Muneer SHAKIR:** Journalist for the *Online News Network* and a TV channel, was reportedly shot dead in Baluchistan on 23 August 2011. Shakir, aged 43, was gunned down by unidentified men. Recently, he had covered a protest demonstration by a Baluch separatist group.

\***Faisal QURESHI:** Editor of the political website *London Post*, was found dead at his home on the morning of 7 October 2011. His body reportedly showed signs of torture. The editor’s brother, Shahid Qureshi, who has also contributed for the same website, reported that he and his brother had lately received death threats. Recently, the *London Post* had published reports on issues including accusations of corruption to high profile politicians, and has run a story about the leader of the Muttahida Qaumi Movement (MQM) party who is allegedly living in self-imposed exile. There are suggestions that the threats received by the Qureshi brothers came from the MQM party.

*Death threats*

\***Mohammad MALICK:** Editor of the English-language daily *The News*. Reportedly received telephone death threats and was followed by unknown men in a car in the capital, Islamabad, from 21-23 November 2011. He believes the people threatening and following him were from the intelligence agencies. The threats are believed to be linked to his articles critical of Pakistan government policies.

*Brief detention*

\***Rahmatullah DARPAKHEL (aka Rahmatullah DAWAR):** Senior reporter for the Urdu daily *Ausaf*. Reportedly kidnapped by an armed group in North Waziristan on 9 August 2011. The motive for his abduction is not clear, and he is said to have been cautious in his coverage of sensitive issues in the tribal agency, which is a centre for insurgent activity. Held at an unknown location and released unconditionally on 13 October 2011.

## PHILIPPINES

*Killing - investigation*

\***Johnson PASCUAL:** Editor-in-chief of the local newspaper *Prime News*, was shot dead in Isabela province, north-east of the Luzon island, on 7 October 2011. It has been reported that Pascual, aged 55, was shot twice by two men riding on a motorcycle while he was driving from Alicia to Cauayan, Isabela province. After the shooting, the van he was driving reportedly fell into a ravine, causing Pascual’s death. The editor was also a bank manager. His colleagues believe that his death was linked to his reporting. The authorities are investigating the case.

*Imprisoned: investigation*

\***Ericson ACOSTA:** Activist, journalist and poet. Aged 37. On 13 February 2011, Acosta was arrested by the military in San Jose, Samar, where he had gone to conduct research into alleged human rights abuses. The military alleged he was an official of the once-banned Communist Party of the Philippines (CPP). Acosta said he was detained at a military camp and subjected to 44 hours of interrogation with only two hours of sleep. He also said that interrogators threatened to kill him. On 16 February, the charge of illegal possession of explosives was filed against Acosta at the Regional Trial Court Branch 41 in Gandara, Western Samar. Under Philippine law, this is a non-bailable offence. Acosta remains in custody pending action by the investigating prosecutor. In Philippine law, the time limit from an arraignment to trial is set at 180 days by the Speedy Trial Act (RA 8493). However, 180 days have already passed and the prosecutor has yet to file a formal complaint to the court. PEN learned of this case in October 2011. Acosta is thought to remain detained without trial as of 31 December 2011.

*On trial*

**Edgardo MALIZA:** Correspondent for the Mindanao-based newspaper *Gold Star Daily*. Reportedly arrested on 4 March 2011 from his home at Cagayan de Oro city on criminal defamation charges for allegedly maligning former Department of Environment and Natural Resources (DENR) regional director Ernesto Adobo in two articles published in *Azilam Review* in 2009. The case was filed in March 2010 when Maliza was the editor of *Azilam Review*. The articles were published in July and September 2009, and reported on the alleged failure of Adobo to take action on anomalous transactions in the DENR regional office. Maliza was released on bail of \$230 in the same day. No further progress in his case as of 31 December 2011, Maliza remains free.

## SINGAPORE

*Released*

**Alan SHADRAKE:** British author. Sentenced to six weeks in prison for contempt of court on 18 November 2010 for allegedly ‘scandalising the judiciary’ in his book *Once a Jolly Hangman – Singapore Justice in the Dock*. The book is a critique of the use of capital punishment in Singapore, alleging double standards and a lack of impartiality. Shadrake, aged seventy-six, had been arrested on 18 July 2010 after arriving in Singapore to launch the book, and released on bail two days later pending trial. His sentence was upheld by the Court of Appeal on 27 May 2011, and an additional two weeks added to his sentence in lieu of a heavy fine. He was released on 9 July 2011 after serving five weeks of his sentence, and immediately deported to the UK. **Other information:** Recipient of the 2011 Hellman/Hammett award.

## SRI LANKA

*Disappeared – motive unknown*

**Pregeeth EKANALIYAGODA:** Political analyst, journalist and visual designer for the *Lanka eNews*, has been reported missing since 24 January 2010, and his whereabouts remain unknown. He was last seen leaving his office on the evening of 24 January 2010, and it is widely believed that he was abducted by pro-government forces and subsequently killed. Government sources have denied the allegation. 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. 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, and they fear for his safety. (RAN 09/10 - 26 February 2010)

*Death threats*

\***Frederica JANSZ (f):** Editor of the *Sunday Leader*. Reportedly received an anonymous hand-written threatening letter on 27 October 2011 claiming to be from the ‘Sinha regiment’, in connection with the ‘White Flag’ trial of former army commander General Fonseka, in which Ms Jansz was a key witness. The case is based on an interview the former Army Commander Sarath Fonseka gave to Frederica Jansz on 8 December 2009, in which he told her that Defense Secretary Gotabhaya Rajapaksa had given the order to kill three members of the Tamil Tigers (LTTE) who wanted to surrender at the end of war. She published the story in the *Sunday Leader* on 13 December 2009 with the headline “Gota ordered those shot”. General Fonseka was convicted on 18 November 2011 and sentenced to three years in prison. The Sinha regiment formerly commanded by General Fonseka accuses Ms Jansz of providing false evidence in his trial. She has been previously threatened in connection with the trial, and although she has reported the threats to the police she has not been provided with any protection and there are serious concerns for her safety.

*Attacked*

\***Gnanasundaram KUHANATHAN:** News editor of the Tamil daily *Uthayan*. Reportedly attacked by two unidentified men on the evening of 29 July 2011. Kuhnathan, aged 59, was left critically injured in a side street and was found by passers-by who took him to hospital. The motive for the attack is unknown and there has been no investigation.

*Threatened*

\***Lal WICKREMATUNGE:** Chairman of *The Sunday Leader* newspaper, was reportedly threatened by the Sri Lankan president on 19 July 2011. The telephone call came after the newspaper published an article reporting that the Chinese government had given a sum of money to the Sri Lankan president and his son, who is a member of parliament, that they could use at ‘their discretion’. Also, threatening messages appeared on the walls of *The Sunday Leader* headquarters. Lal Wickrematunge is the brother of the late Lasantha Wickrematunge, the previous head of the newspaper, who was murdered in January 2009.

## THAILAND

*Imprisoned – Main case*

\***Joe GORDON**

**Profession:** Blogger and salesman. **Date of arrest:** 26 May 2011 **Sentence:** Two and a half years in prison **Expires:** 25 November 2013 **Details of the arrest:** Gordon was arrested by the Department of Special Investigation (DSI) during a visit to Thailand in May 2011. He is said to be charged with lèse-majesté for being the owner of a website in which the book *The King Never Smiles*, by Paul Handley, is available for down-

loading. The book is banned in Thailand as it is said to be offensive to the Thai King. The DSI also allege that Gordon translated some articles or parts of Handley’s book. **Details of the trial:** Gordon initially denied the charges, but more recently has changed his plea to guilty. Several requests for bail have been made by his defence lawyer, but all have been denied. His defence announced that they would not appeal the verdict, but will call for a royal pardon. **Other information:** Joe Gordon, aged 54, was born in Thailand and naturalised as an American citizen. He was living in America until 2011 when he returned to Thailand for medical treatment.

**\*Surapak PHUCHAISAEANG:**

**Profession:** Dissident internet writer and computer programmer. **Date of arrest:** 2 September 2011. **Details of arrest:** Reportedly arrested on 2 September 2011 for posting messages on Facebook said to be insulting to the Thai King. The police searched his home and confiscated several items, including computers and his mobile phone. Phuchaisaeng, age 40, was indicted on 25 November 2011 on the charge of lèse-majesté. His request for conditional release was rejected and he remains detained as of 31 December 2011.

**\*Somyot PRUKSAKASEMUSK**

**Profession:** Independent journalist, editor of the magazine *Voice of Taksin*, and prominent labour activist. **Date of arrest:** 30 April 2011 **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 for publishing two allegedly offending 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. It is believed that Pruksakasemus could be targeted for his campaign calling for the repeal of the lèse-majesté law. **Details of trial:** His trial started on 21 November 2011, and is expected to last until 4 May 2012. Pruksakasemus could face up to 30 years in prison if convicted. He has been denied bail and remains detained as of 31 December 2011. **Place of detention:** Petchaboon Prison, 31 Praputabat Rd, Ni-Muaeng Sub-district, Muaeng District, Petchaboon 67000, Thailand.

*On trial*

**Chiranuch PREMCHAIORN (f):** Editor of the independent website *Prachatai*. Reportedly arrested on 6 March 2009, and charged with violations of article 15 of the Computer Crimes Act for allegedly endangering national security in articles published on the website. The website is said to publish issues that Thai newspapers refuse to report. Days after her arrest, Premchaiporn was freed on bail. On 7 April 2009, the journalist was summoned by the Royal Thai Police headquarters for further investigation. On the basis of the information she gave to the authorities, the police reportedly laid nine new charges against her under the Computer Crimes Law, and she could face up to fifty years in prison if found guilty. She remains free on bail and the trial is ongoing. The next hearings have been scheduled for February 2012. **Other information:** Recipient of the 2011 Hellman/Hammett award.

**\*Norawase YOSPIYASATHIEN:** Blogger and accountant, who graduated recently from Kasetsart University. Reportedly arrested on 5 August 2011 and charged with lèse-majesté for allegedly offensive writings against the monarchy posted on Yospiyasathien’s blog when he was in his fourth-year of accounting studies. He was released on bail on 8 August 2011. Reports say that the university deputy director filed the

charges against Yospiyasathien, aged 23, in response to pressure from the university council to protect its reputation. In November 2011 the Department of Criminal Cases reportedly set up a commission to consider Yospiyasathien’s case, because of the public attention it has attracted.

## VIETNAM

*Imprisoned: Main cases*

**CU Huy Ha VU:**

**Profession:** Dissident writer, artist and activist. **Date of arrest:** 5 November 2010 **Sentence:** 7 years in prison and 3 years of house arrest. **Expires:** 4 November 2017 **Details of arrest:** Arrested after publishing critical articles online and giving interviews to foreign media. **Details of trial:** Sentenced by a court in Ha Noi city on 4 April 2011 to a seven-year jail sentence and three years’ probationary detention for “conducting propaganda against the state”, under Article 88 of the Criminal Code. On 2 August 2011 the Supreme People’s Court upheld the sentence against the writer. His trial reportedly did not comply with international standards of fairness. **Place of detention:** Labour camp #5, Yen Dinh, Thanh Hoa, Vietnam. **Other information:** Vu is the son of a celebrated poet and confidante to late president Ho Chi Minh. Vu 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. He holds a Doctorate in law from the Sorbonne University, and is the recipient of the 2011 Hellman/Hammett award.

**DANG Phuc Tue (religious name: Thich Quang Do)**

**D.o.b.:** 1928 **Profession:** Buddhist monk, writer, scholar. Secretary General of the outlawed Institute for the Propagation of the Dharma, United Buddhist Church of Vietnam (UBCV). **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. **Place of detention:** Thanh Minh Zen Monastery in Ho Chi Minh City. **Previous political imprisonment/problems:** On 27 June 2003 he was released from a twenty-seven month detention order. Has spent most of the last twenty years in detention or under residential surveillance because of his campaign for religious freedom and free expression. **Other information:** The UN Working Group on Arbitrary Detention declared his imprisonment as ‘arbitrary’ in May 2005. **Awards:** Laureate of 2002 Czech Human Rights Homo Homini Award and 2006 Norwegian Rafto Human Rights Prize.

**\*HO Thi Bich Khuong (f)**

**D.o.b.:** 1967 **Profession:** Prolific Internet writer and human rights activist. **Date of arrest:** 15 November 2011 **Sentence:** 5 years in prison and 3 years’ probationary detention. **Details of arrest:** Ho was arrested by the public security police after a search in 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 Vietnam’ under Article 6 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, had been collecting documents and writing several online articles which tarnished the reputation of the Republic of Vietnam. 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. It has been reported that her sentence was read after she was taken out of the courtroom. **Place of detention:** Detention camp at Thanh My village, Thanh Chuong district, Nghe An province, Vietnam. **Previous imprisonment/problems:** Ho Thi Bich Khuong served two imprisonment sentences, in 2005 and 2007, under article 245 of the Criminal Code (Causing public order), 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. **Health concerns:** There are concerns that Ho’s health is deteriorating as a result of the conditions of her detention. **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. Ho is recipient of the 2011 Hellman/ Hammett 2011 award.

**LE Cong Dinh:**

**D.o.b.:** 1968. **Profession:** Lawyer and dissident writer. **Date of arrest:** 13 June 2009. **Sentence:** Five years in prison and three years’ probationary detention. **Expires:** 12 June 2014. **Details of arrest:** Reportedly arrested by the security police in Saigon and charged with ‘Conducting propaganda against the Socialist Republic of Viet Nam’ under Article 88 of the Criminal Code. His home and his office were searched and his documents seized. Official reports state that Le Cong Dinh was arrested for allegedly reporting ‘distorted’ facts to foreign media and offending the country’s Prime Minister. **Details of trial:** Tried and convicted on 17 January 2010 for “activities aiming to overthrow the people’s government” under article 79 of the Criminal Code. **Place of detention:** Detention camp Chi Hoa, So 1 duong Hoa Hung, Phuong 13, Quan 10, Ho Chi Minh City, Vietnam. **Other information:** Le Cong Dinh has been working as a lawyer defending journalists, human rights activists and internet writers prosecuted in for their reporting, including lawyers and dissident writers Le Thi Cong Nhan and Nguyen Van Dai and the renowned blogger Dieu Cay. Le Cong Dinh has also written for various international media outlets, including the British Broadcasting Corporation (BBC) and Radio Free Asia (RFA), and banned overseas websites such as the “Democracy Movement”, “Vietnam Reform”, “New Horizon”, “Thorough Discussion”, and “Democratic Freedom”, which Vietnamese authorities view as “subversive”. According to Reporters Without Borders, sources said that Le Cong Dinh’s arrest might be related to a libel case brought by several lawyers against the Vietnamese Prime Minister Nguyen Tan Dung. Reportedly denied access to family visits since his arrest.(RAN 25/09 – 16 June 2009)

**LE Thang Long**

**D.o.b.:** 1968 **Profession:** Businessman and Internet writer **Date of arrest:** 4 June 2009 **Sentence:** Three and a half years in prison and three years of probationary detention **Expires:** 3 December 2012 **Details of the arrest:** Reportedly arrested by the Security Agency and was originally charged with ‘Conducting propaganda against the Socialist Republic of Viet Nam’ under Article 88 of the Criminal Code. **Details of the trial:** Le

was tried and sentenced on 17 January 2010, for ‘carrying out activities aimed at overthrowing the people’s administration’ under article 79 of the Criminal Code. Said to be charged for his dissident writings and activities. His initial sentence of five years was reduced by the Appeal People’s Court of Ho Chi Minh City. **Professional details:** Le is said to be an Internet writer and the founder of the website Improving and Promoting Vietnam. Amongst other positions, he is president of the Club of Business Professionals for the Promotion of Vietnam, and founder of various organisations. **Place of detention:** Labour camp Z30A K1, Xuan Truong, Xuan Loc, Dong Nai, Vietnam.

**\*LU Van Bay**

**D.O.B.** 1952 **Profession:** prodemocracy activist and internet writer. **Date of arrest:** 26 March 2011 **Sentence:** Four years in prison and three years of house arrest. **Expiry:** 25 March 2015 **Details of the arrest:** Arrested at his home, by security police officers, who also seized his computer and several of his articles. **Details of the trial:** After a half-day trial, on 22 August 2011, Lu was convicted under article 88 of the Vietnamese Criminal Code for ‘conducting propaganda against the regime’. He was charged specifically for ten articles he posted on various overseas Internet sites over the last four years, calling for the end of one-party rule in the country and the introduction of a multiparty system. The judge also stated that Bay ‘confessed’ to the crime and asked for leniency. It has been reported that during the trial, Lu was not allowed to access an independent lawyer or to defend himself. **Place of detention:** Trai tam giam Cong an Kien Giang, Khu pho 6 Duong Nguyen Chi Thanh, Rach Soi, Kien Giang, Vietnam **Treatment in prison:** Lu Van Bay is allowed three five-to-ten minutes’ visits with his family every month. He has lost weight and frequently suffers from back pain. His family are concerned for his well-being. **Professional details:** Lu is known for his writings on social and political issues including freedom of expression and freedom of the press. He has contributed to a number of websites such as *Dan Chim Viet* (Vietnamese Birds), *Doi Thoai* (Dialogue) and *To Quoc* (Fatherland). For security reasons, he has written under various pseudonyms, including Tran Bao Viet, pen-name he used since 2010. (RAN 49/11 – 21 September 2011)

**NGUYEN Phong**

**D.o.b.**1975 **Profession:** Human rights activist and dissident, co-founder of the Vietnam Progressive Party and co-editor associate of *Tu Do Ngøn Luan* (Freedom of Speech) underground online magazine. **Date of arrest:** 29 March 2007. **Sentence:** Six years, followed by three years of probationary detention. **Expires:** 29 March 2013. **Details of arrest:** Nguyen Phong was arrested with Nguyen Binh Thanh (see below: Case closed) at their homes in the city of Hue on 16 and 17 February 2007 and held for interrogation before being released. Security police also raided their homes and seized banned publications, writings and computer disks. They were re-arrested on 29 March 2007 and brought to the Court the next day. **Details of trial:** On 30 March 2007, a People’s Court in Hue sentenced Nguyen Phong to 5 years in prison, followed by 3 years probationary detention respectively for ‘Conducting propaganda against the Socialist Republic of Vietnam’ under Article 88 of the Criminal Code (RAN 12/07-28 February 2007; update#1-7 March 2007; updates#2-3 April 2007. See Nguyen Van Ly’s case). **Place of detention:** Labour camp Thanh Phong K3, Huyen Nhu Xuan, Thanh Hoa, Vietnam.

**NGUYEN Manh Son**

**D.o.b.** : c. 1944 **Profession** : Dissident writer and retired government worker. **Date of arrest** : 8 May 2009 **Sentence** : 3 years and six months in prison and 3 years’ probationary detention. **Expires**: 7 November 2012 **Details of arrest** : Arrested for poems and articles published since 1995, in particular the underground poetry anthology *Truth is Error* circulated on the internet and published on overseas websites. Amongst dozens of activists to have been arrested since September 2008 as part of an ongoing crackdown on peaceful dissent. **Details of trial**: Tried and convicted by the Hanoi People’s Court on 9 October 2009 under Article 88 of the Penal Code for ‘Conducting propaganda against the Socialist Republic of Vietnam’. His sentence was upheld on appeal on 21 January 2010. **Place of detention**: Labour camp Nam Ha, Kim Bang, Ha Nam, Vietnam.

**NGUYEN Tien Trung**

**D.o.b.**: 1983. **Profession**: Dissident writer and poet. **Date of arrest**: 7 July 2009. **Sentence**: Seven years in prison and three years’ probationary detention **Expires**: 6 July 2016 **Details of arrest**: Reportedly arrested by the security police in Ho Chi Minh City and charged with ‘plotting to overthrow the government of Vietnam’ and ‘conducting propaganda against the Socialist Republic of Vietnam’ under Article 88 of the Criminal Code. **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 with the Internet’s help”. 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. **Place of detention** : Public security detention camp, 4 Phan Dang Luu, Phuong 14, Quan Binh Thanh, Ho Chi Minh city, Vietnam. [RAN 49/09 - 15 September 2009].

**NGUYEN Van Hai (pen-name Hoang Hai, aka blogger Dieu Cay):**

**D.o.b.**:1952. **Profession**: Independent journalist and blogger **Date of arrest**: 19 April 2008. **Sentence**: Two and a half years in prison. **Expiry date**: His sentenced expired on 18 October 2010 but he has not been released. **Details of arrest**: Reportedly arrested for ‘tax fraud’ in Dalat city, south of the country, after he participated in protests against the police in Ho Chi Minh City, earlier in 2008. There are reports that he had been closely watched by the police and threatened with death prior to his arrest. **Details of trial**: Sentenced on 10 September 2008 to two and a half years-imprisonment by the Vietnamese People’s Court at Ho Chi Minh city for alleged tax fraud, although he is widely believed to be targeted for his criticism of Vietnamese government policy. He is known for his internet postings calling for greater democracy and human rights in Vietnam and his participation in protests against Chinese foreign policy. Dieu Cay was one of the founding members of the Free Journalist Network in Vietnam (Cau Lac Bo Nha Bao Tu Do) in 2006. **Place of detention**: Trai tam giam Cong an, So 4 Phan Dang Luu, Phuong 14, Quan Binh Thanh, Ho Chi Minh city, Vietnam. **New information**: Nguyen Van Hai should have been released on 20 October 2010 on completion of his sentence. However, he was reportedly transferred to a Public Security detention camp in Ho Chi Minh city on 18 October 2010, apparently on charges of ‘Conducting propaganda against the Socialist Republic of Viet Nam’ under Article 88 of the Criminal Code. The charges are said to be based on his online writings for the Free Journalist Network in Viet Nam before

he was arbitrarily arrested in April 2008. Still detained without trial as of 31 December 2011. **Treatment in prison**: Held incommunicado, without access to family visits, letters or medical and food supplies since 18 October 2010. Concerns for his welfare are mounting. **Health concerns**: In early July 2011 Van Hai’s wife was told by a security official that he had lost an arm in prison. This report has not been officially confirmed, and there are no further details. **Other information**: Recipient of the 2009 Hellman/Hammett award. (RAN 47/08 Update #1 – 9 April 2009)

**NGUYEN Van Ly:**

**D.o.b**: 1946. **Profession**: Priest, scholar, essayist and co-editor of the underground online magazine *Tu Do Ngon luan (Free Speech)*. **Date of arrest**: 19 February 2007. **Sentence**: eight years in prison and five years of probationary detention. **Expires**: February 2015 **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’ Court in Hue (Central Vietnam) sentenced Father Nguyen Van Ly to eight years in prison and five years of probationary detention under Article 88 of the Criminal Code for ‘conducting propaganda against the Socialist Republic of Vietnam’ (Article 88). A video footage of his sentencing is available on the Internet: http://www.youtube.com/watch?v=bUSJeAakoXI. **Place of detention**: Labour camp Trai K1 Ba Sao Nam Ha, Huyen Phu Ly, Ha Nam, Vietnam. **Temporary release**: 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. **Return to prison**: On 25 July 2011, Ly was returned to the labour camp to continue serving his sentence. His health is said to be still very poor. **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. **Previous political imprisonment/problems**: 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 Vietnam, and was a main case of PEN International. The sentence was commuted several times and he was released under amnesty in February 2005. **Award**: 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 of**: Sydney PEN.(RAN 12/07 - 28 February 2007; update #1 - 7 March 2007; updates #2 – 3 April 2007).

**NGUYEN Van Tuc**

**D.o.b.**: C. 1964 **Profession**: Farmer, poet and human rights defender, known for his numerous writings on social injustice and satirical poems published on overseas websites. **Date of arrest**: 10 September 2008 **Sentence**: Four years in prison and 3 years’ probationary detention. **Expires**: 9 September 2012 **Details of arrest**: Amongst dozens of activists to have been arrested since September 2008 as part of an ongoing crackdown on peaceful dissent. **Details of trial**: Charged under Article

88 of the Penal Code for ‘Conducting propaganda against the Socialist Republic of Vietnam’. Tried and convicted by the Hanoi People’s Court on 9 October 2009. Sentence upheld on appeal on 21 January 2010. **Place of detention**: Labour camp Nam Ha, Kim Bang, Ha Nam, Vietnam. (RAN 47/08 - 23 September 2008, update 1 – 9 April 2009)

**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 arrest**: 11 September 2008 **Sentence**: Six years in prison and 3 years’ probationary detention. **Expires**: 10 September 2014 **Details of arrest**: According to PEN’s information, dissident writer Nguyen Xuan Nghia was arrested and charged with conducting anti-government propaganda under article 88 of Vietnam’s penal 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 fifty-seven 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 Vietnam, 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.” He is amongst dozens of activists to have been arrested since September 2008 as part of an ongoing crackdown on peaceful dissent. **Details of trial**: Tried and convicted by the Hanoi People’s Court on 9 October 2009. His conviction was upheld on 21 January 2010. **Place of detention**: Phong 6 Doi 16 Phan trai 3, Labour camp Nam Ha, Kim Bang, Ha Nam, Vietnam. **Treatment in prison**: According to Nghia’s wife, he has been banned from family visits since June 2010 for protesting peacefully against prison conditions. Said to be held in solitary confinement. **Health concerns**: Reportedly suffering from a number of health complaints. **Honorary member of**: American PEN. **Other information**: Recipient of the 2008 and 2011 Hellman/Hammett awards. [RAN 47/08 - 23 September 2008, update 1 – 9 April 2009]

**PHAM Minh Hoang: (aka Blogger Phan Kien Quoc)**

**D.o.b.**:1955 **Profession**: University professor and blogger. **Date of arrest**: 13 August 2010 **Sentence**: Three years in prison, reduced to 17 months **Expires**: 12 January 2012 **Details of the trial**: Sentenced on 10 August 2011 by a court in Hanoi under Article 79 of the Criminal Code for ‘attempting to overthrow the government’ in his critical online writings. The judge at the trial stated that Pham’s articles had ‘blackened the image of the country’. Also thought to be charged for his alleged affiliation to Viet Tan, a US-based Vietnam Reform Party which is not known to use violence to achieve change. **Appeal**: On 29 November 2011, the People’s Supreme Court in Ho Chi Minh City reduced Pham’s sentence on appeal to 17 months in prison. **Place of detention**: Trai tam giam Công an, So 4 Phan Dang Luu, Phuong 14, Quân Binh Thanh, Ho Chi Minh city, Vietnam **Other information**: Phan wrote a number of articles on issues including the environment and the country’s relations with China on sovereignty. He has dual French and Vietnamese nationalities. (RAN 45/11 – 15 August 2011, Update # 1 – 2 December 2011)

**PHAM Thanh Nghien (f)**

**Profession**: Internet writer and independent journalist. **Date of arrest**: 18 September 2008 **Sentence**: 4 years in prison and 3 years’ probationary

detention. **Expires**: 17 September 2012 **Details of arrest**: Arrested on 11 September 2008, released later that day but remained under residential surveillance until her re-arrest on 18 September 2008. Held under Article 88 of the Criminal Code on charges of ‘propaganda against the state’. **Details of trial**: Tried by the Hai Phong People’s Court on 29 January 2010 and sentenced under Article 88 of the Penal Code. There was no appeal. **Treatment in prison**: Pham Thanh Nghien’s family was not able to visit her for many months after her arrest. **Health concerns**: Her family is seriously concerned for her health. **Place of detention**: Labour camp 5 Lam Son, Yen Dinh, Thanh Hoa, Vietnam. **Other information**: Recipient of the 2009 Hellman/Hammett Award. [RAN 47/08 - 23 September 2008; Update #1 – 9 April 2009]

**PHAM Van Troi**

**D.o.b.**:1972. **Profession**: Dissident writer and activist, known for his contributions to the underground dissident review *Tu Do Dan Chu (Freedom and Democracy)*. **Date of arrest**: 10 September 2008 **Sentence**: 4 years in prison and 4 years’ probationary detention. **Expires**: 9 September 2012 **Details of arrest**: Amongst dozens of activists to have been arrested since September 2008 as part of an ongoing crackdown on peaceful dissent. **Details of trial**: Charged under Article 88 of the Penal Code for ‘Conducting propaganda against the Socialist Republic of Vietnam’. Tried and convicted by the Hanoi People’s Court on 8 October 2009. His sentence was upheld on appeal on 18 January 2010. **Place of detention**: Labour camp Nam Ha, Kim Bang, Ha Nam, Vietnam. (RAN 47/08 - 23 September 2008, update 1 – 9 April 2009)

**TRAN Anh Kim**

**D.o.b.**:1949 **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 Bloc 8406. **Date of arrest**: 7 July 2009. **Sentence**: Five and a half years in prison and three years’ probationary detention. **Expires**: 7 January 2015. **Details of arrest**: Reportedly arrested and charged with ‘Conducting propaganda against the Socialist Republic of Viet Nam’ under Article 88 of the Criminal Code. Among five activists who were arrested in June 2009. Convicted of the more serious charge of subversion 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. **Previous political imprisonment/problems**: 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. In 2006 he joined the pro-democracy movement Bloc 8406. He was member of the editorial board of the underground journal *Fatherland*. Recipient of the 2009 Hellman/Hammett Award. **Place of detention**: Labour camp Nam Ha, Kim Bang, Ha Nam, Vietnam. [RAN 49/09 - 15 September 2009].

**TRAN Huynh Duy Thuc (pen name: Tran Dong Chan)**

**D.o.b.**: 1966 **Profession**: Businessman and Internet writer **Date of arrest**: 24 May 2009 **Sentence**: Sixteen years in prison and three years of probationary detention. **Expires**: 23 May 2025 **Details of the 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 of the Criminal Code. There are reports that in August 2009, Tran was compelled to make a public confession. **Details**

# EUROPE

**of trial:** Tried and convicted on 17 January 2010 for “activities aiming to overthrow the people’s government” 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. **Professional details:** 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 Vietnam. He has various web blogs, the most prominent being ‘Change we need’, where he publishes his articles on the social and political situation in Vietnam, as well as his poems. He is said to be the co-author of the clandestine book *The Way for Vietnam*. **Place of detention:** Labour camp Z30A K1, Xuan Loc, Dong Nai, Vietnam.

## TRAN Quoc Hien

**D.o.b:** 1965. **Profession:** Internet writer and human rights lawyer. **Date of arrest:** 12 January 2007. **Sentence:** Five years in prison, followed by two years probationary detention. **Expires:** January 2012. **Details of arrest:** Reportedly arrested on 12 January 2007, the day after being nominated as the spokesperson for the Workers-Farmers Organisation (UWFO), an organisation which represents workers and farmers’ rights and which is not recognised by the government. He was charged with ‘spreading anti-government propaganda’ on the Internet and ‘endangering state security’. **Details of trial:** He was found guilty of both charges by a court in Ho Chi Minh City on 15 May 2007, following a trial that reportedly only lasted four hours. **Place of detention:** Trai giam Z30A, Xuan Truong, Xuan Loc, Dong Nai, Vietnam. **Professional details:** Tran Quoc Hien is known for his critical writings published on the Internet, including a short story ‘The Tail’ about the experience of life under surveillance. He is a member of the pro-democracy movement ‘Bloc 8406’. He is also a human rights lawyer, known for his work defending farmers whose land has been confiscated by local authorities. He had reportedly been under close surveillance for some time prior to his arrest. (RAN 26/07 – 24 May 2007).

## TRUONG Minh Duc:

**D.o.b.:**1960. **Profession:** Freelance journalist and political activist. Member of Bloc 8406 and the Vietnamese Populist party. **Date of arrest:** 5 May 2007 **Sentence:** 5 years in prison **Expires:** 4 May 2012 **Details of arrest:** He was arrested on 5 May 2007 and remained under interrogation at B-34 Detention Centre in Ho Chi Minh City, then transferred to a jail facility in Kien-Giang. **Details of trial:** Reportedly given a five-year prison sentence on 28 March 2008 for ‘taking advantage of democratic rights to act against the state’s interest’ and ‘receiving money from abroad to support complaints against the state’, under Article 258 on the Criminal Code. The sentence was handed down by a court Vinh Thuan, in the southern province of Kien Giang. Duc is known for his articles on corruption and abuse of power since 1994 for various newspapers, under different pseudonyms. Among the pieces he wrote, and which are said to have incriminated him are the following articles: ‘To Point at Corruption’s Mandarins in Kien Giang Province’; ‘Court of Tyrannous, Influential and Powerful Notables; and ‘Province Chairman, Inspectors in collusion with Judiciary System’. **Place of detention:** Phan khu 3, Trai giam Z30A, Xuan Truong, Xuan Loc, Dong Nai, Vietnam. **Health concerns:** His family reported that in January 2008 he broke his arm, and because of poor medical treatment has since been in poor health. Said to be suffering from high blood pressure and gastrointestinal problems. **Treatment in prison:** It is reported that he is detained with criminal prisoners in an isolated camp deep in the jungle. He has a limited access to his family.

## Vi Duc HOI:

**D.o.b.:** 1956 **Profession:** Former high-ranking Communist party member, democracy activist and online commentator. **Date of arrest:** 27 October 2010 **Sentence:** 5 years in prison **Expires:** 26 October 2015. **Details of arrest:** Arrested over his writings and his activities for the banned human rights defenders organisation Bloc 8406. **Details of trial:** Hoi was sentenced to eight years in prison and five years of house arrest in January 2011 on charges of disseminating “propaganda against the state” 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 house arrest. **Place of detention:** Trai giam Yen Trach, Cao Loc, Lang Son Province, Vietnam. **Other information:** In 2006 he started publishing articles online calling for democratic reforms and criticising alleged government corruption. Recipient of the Hellman/Hammett awards 2009 and 2011. **Previous political imprisonment/problems:** Arrested in 2007 and held for one week before being expelled from the Community Party and dismissed from his official positions. In June 2008 he was subjected to a ‘people’s tribunal’ for being a ‘traitor’. He has since been subject to regular harassment, interrogation and house arrest.

## Imprisoned – investigation

### PHAN Thanh Hai: (aka Anh Ba Sai Gon)

**D.o.b:** 1969. **Profession:** Lawyer, independent journalist and blogger. **Date of arrest:** 18 October 2010. **Details of arrest:** Reportedly arrested by Public security police at his residence without any charges being made known. Thought to be held for posting ‘false information’ on his blog, in which he writes about Vietnam’s territorial disputes with China and the issue of bauxite mining. He has also expressed his support for other Vietnamese dissidents. His wife claims he is facing a possible four-month jail sentence for ‘propaganda against the state’ under article 88 of the Penal Code. **Other information:** Phan Thanh Hai was known as an active member of the Free Journalist Network in Viet Nam (Cau Lac Bo Nha Bao Tu Do) since 2007. His blog <http://anhbasg.multiply.com> is known for its social and news reports about Vietnam. His blog recently was hacked and erased completely three times by professional hackers. Public Security police frequently harassed and interrogated him about his blogging. He was intimidated and threatened during several brief detentions. Phan is a graduate from law school, but cannot practice his profession because his application has been denied by the Ho Chi Minh Bar Association because of his blogging and activism. **Place of detention:** Public security police detention centre at Ho Chi Minh city. He remains in detention as of 31 December 2011. **Other information:** Recipient of the 2011 Hellman/Hammett award.

## Released

**NGO Quynh:** Student and dissident writer. Arrested on 10 September 2008 as part of a crackdown on dissent and sentenced to 3 years in prison and 3 years’ probationary detention under Article 88 of the criminal code for ‘conducting propaganda against the Socialist Republic of Vietnam’. Released from prison on 1 July 2011, two months before the expiry of his sentence.

**Tran Khai Thanh THUY (f):** Writer, novelist, poet, essayist and activist. Arrested on 8 October 2009 after she publicly expressed her support for six dissidents facing trial. On the day of her arrest an incident took place near Thuy’s home, in which two men reportedly attacked Thuy’s husband, and she intervened on his defence. She was subsequently questioned and charged with assault, although it is widely believed that

she herself was in fact the victim of the attack. Sentenced to three and a half years in prison on 5 February 2010. Tran Khai Thanh Thuy was released on 5 July 2011 on condition that she accepted forced exile in the United States.

**NGUYEN Binh Thanh:** Human rights activist and dissident, co-founder of the Vietnam Progressive Party and co-editor’ associate of *Tu Do Ngon Luan* (Freedom of Speech) underground online magazine. He was arrested on 29 March 2007, and sentenced to five years in prison, followed by two years of probationary detention, for ‘Conducting propaganda against the Socialist Republic of Vietnam’ under Article 88 of the Criminal Code. On 2 September 2011, Nguyen Binh Thanh was released under amnesty. He remains under probationary detention for two years.

**NGUYEN Van Tinh:** Co-editor of the underground review *To Quoc (The Nation)*, was arrested in September 2008, and sentenced to 3 years and six months in prison and 3 years’ probationary detention for ‘Conducting propaganda against the Socialist Republic of Vietnam’. His detention was linked to online articles and essays published between November 2006 and September 2008. On 30 August 2011, Tran Duc Thach was amnestied in celebration of the Vietnamese National Day (2 September).

**TRAN Duc Thach:** Poet and Internet writer, member of the Association of Writers of Nghe An province, was arrested on 12 September 2008 and sentenced to 3 years in prison and 3 years’ probationary detention. Tran was tried and convicted on the charge of ‘propaganda against the Socialist Republic of Vietnam’ according to Article 88 of Vietnam’s Penal Code. On 30 August 2011, Tran Duc Thach was amnestied in celebration of the Vietnamese National Day (2 September).

## Case closed

**Le Hoang HUNG:** Reporter with the *Nguoi Lao Dong* newspaper. Reportedly died on 30 January 2011 after being attacked on 19 January 2011 by an assailant who doused him in chemicals and set him ablaze whilst he slept. He suffered severe burns and died ten days later in hospital. His wife initially told reporters that Hung had received death threat text messages on his mobile phone from unknown numbers before the attack, although she was later arrested and charged with his murder and has pleaded guilty. Case closed, not targeted for his reporting.

**Le Nguyen Huong TRA (f):** Blogger, known for her blog *Co Gai Do Long*. Reportedly arrested in Ho Chi Minh City on 23 October 2010 for allegedly defaming a senior Communist Party official and his family in a blog she posted on 14 October 2010. On 21 January 2011, security police disclosed that Lê Nguyễn Huong Tra had been freed on bail pending trial after ‘she admitted a defamatory blog post’. In July 2011, PEN was informed that the charges against Tra had been withdrawn. Case closed.

**VU Van Hung:** Professor, activist and internet writer, was arrested on 18 September 2008, and sentenced to 3 years in prison and three years’ probationary detention, for ‘conducting propaganda against the Socialist Republic of Vietnam’. Vu was accused of writing slogans on a banner and then hanging it from a highway overpass in the capital Hanoi in July 2008. On 19 September 2011 Vu was released on expiry of his sentence. Case closed.

# ARMENIA

## *Killed –Investigation*

\***Alvard ABRAMZYAN (f):** editor of the newspaper *Menk Merontsov*. Abramzyan’s body was found in the village of Vokhchaberd on 1 September 2011 bearing evidence of violence. It was reported that the editor had many debts, which allegedly led to her killing. PEN is seeking further information.

## *Imprisoned - Investigation*

**Murad BODJOLYAN:** d.o.b. c. 1947. Former diplomat and journalist. Arrested January 2002. **Trial details:** Trial started on 24 October 2002 under Article 59 of the Criminal Code (treason). Subsequently convicted to ten years in prison on 16 December 2002. Accused of passing on military and economic information to the Turkish military intelligence, as well as details of Kurdish Workers Party exiles in Armenia. Lawyers argue there is little evidence and suggest that his writings are the basis of the charges. The conviction was upheld in early 2003 and is now final. Bodjolyan has brought his case to the European Court of Human Rights. **Background:** Bodjolyan is a freelance journalist for the Turkish NTV television network. Until 1998 he worked in the Armenian foreign ministry and acted as interpreter for former president Ter-Petrosian. There are suggestions that the conviction may be linked to the February 2003 presidential elections and is aimed at undermining Ter-Petrosian who is standing for re-election. He is married with children. Last information dated August 2009 reported that Bodjolyan was still in prison, despite several petitions to the authorities asking for his early release. No further information as of December 2011.

## *Released*

**Nikol (Nicole) PASHINYAN:** Leader of the opposition party in Azerbaijan and editor of the pro-opposition newspaper *Haykakan Zhamanak*. Arrested in July 2009 and sentenced to three years in prison after a period of hiding. Relates to his alleged involvement in March 2008 protests and riots that occurred after the official results of the presidential elections of 10 February 2009. Pashinyan was released on 26 May 2011, alongside other opposition activists, includingt former parliament deputy Sasun Mikaelian. The pardon was in accordance with a general amnesty declared by authorities.

# AZERBAIJAN

## *Killed*

**Rafiq TAGI:** journalist, died in hospital on 23 November 2011 after he had been attacked as he was returning home from work on 19 November 2011. Tagi received six stab wounds in the attack and needed emergency surgery to remove his spleen. He was also reported at the time to have suffered broken ribs, a fractured soldier blade and injuries to his stomach and diaphragm. The attack was reportedly carried out by two unidentified male assailants, aged approximately 30-35 years, who had their faces concealed and did not say anything. Tagi underwent four hours of

emergency surgery and was believed to have been in a stable condition in hospital in Baku before he died. However, he dies in hospital on 23 November 2011 after reportedly choking on vomit mass. Although the motive for the attack remains unknown, it is alleged 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 criticized the Iranian regime and described threats made against Azerbaijan by Iran as “ridiculous”. A criminal investigation has been launched by the Khatai District Prosecutor’s Office. **Background:** Tagi, a former PEN main case, was previously arrested in November 2006 for an article entitled ‘Europe and Us’, published in *Sanat* newspaper, for which he was accused of insulting the Prophet Mohammad. Following the publication of the article 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 Azeri Criminal Code for “inciting national, racial and religious enmity”. Following significant international pressure, Tagi was granted amnesty on 28 December 2007.

*Imprisoned - Investigation*

**Nazim GULIYEV:** Founder and editor-in-chief of the newspaper *Ideal*, currently closed, was reportedly sentenced to thirteen years in prison and confiscation of his property by the Grave Crimes Court on 15 January 2010. The charges against him are: extortion (under Article 182 of the Criminal Code); hooliganism (under article 221); and illegal manufacturing, purchase, storage, transportation, transfer or selling of narcotics, psychotropic substances (under Article 234). Guliyev is serving his sentence in a special penitentiary. **Previous conviction:** Guliyev was arrested in late April 2009 and sentenced to six months in prison. Convicted regarding 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. Guliyev was sentenced to pre-trial detention during a hearing in the Nasimi District Court on 30 October 2008; however by then he had gone into hiding. In late April 2009, Guliyev was arrested and on 26 May 2009 he was sentenced to six months on defamation charges (see previous caselist). PEN is seeking clarification of the current criminal charges so as to ascertain whether he is in fact detained for his writings.

\***Avaz ZEYNALLI:** editor-in-chief of the *Khural* newspaper; was detained on 28 October 2011 by members of the Anti-Corruption Fight Office and, on the same day, sentenced to three months of pre-trial detention by the Nasimi District Court. It was also reported that searches were carried out on Zeynalli’s house, office and car. On 29 October 2011 he was transferred to the Kurdakhani Investigation Prison. A criminal charge is also believed to have been brought against Zeynalli under Article 306.2 of the Azeri Crminal Code (contempt of court). His lawyer, Elchin Sadigov, has said there are no grounds for sentencing the editor to pre-trial detention or for launching a criminal case. The case is reported to be the result of Zeynalli’s non-adherence to a court decision which ordered *Khural* to pay over US\$18,000 to two men who had accused *Khural* of ‘insulting their honour and dignity’. The newspaper had appealed for the termination of the fines due to lack of funds. Previous harassment: Zeynalli had 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.

*Attacked*

\***Idrak ABBASOV:** journalist, was allegedly attacked by two unidentified men as he was returning from work on 20 September 2011. Previously, on 9 September 2011, several members of Abbasov’s family had reportedly been severely beaten and their home in the suburbs of Baku was partly destroyed. The attack was allegedly carried out by security personnel working for the state-owned Binagadi Oil Company. Abbasov had been investigating alleged illegal activity carried out by the company. It was reported that the company had been threatening Abbasov’s father and brother for several months with the destruction of their home if he did not stop investigating.

Idrak Abbasov

\***Nackchivan Elman ABBASOV and Ilgar NASIBOV:** correspondents for the Institute for Reporters’ Freedom and Safety and the Turan Information Agency, respectively, were assaulted by Sharur District police officers while preparing a report in Jalil village in Sharur on 15 July 2011. The two journalists were beaten, their cameras were seized and information was deleted.

*Death Threat*

\***Anar MAKHMUDOGLU and Nuraddin KHODZHA:** editor and journalist for the opposition newspaper *Khural*, respectively, received threatening calls from an unknown individual on 7 December 2011. The caller reportedly first phoned Khodzha and threatened to “punish” him for trying to publish the new newspaper *ASI*. Minutes later Makhmudoglu received a call, believed to be form the same man, in which the caller reportedly threatened to hurt or kill the journalist and his children. *Khural* has faced severe harassment in the past and its editor Avaz Zeynalli is currently in prison (see above).

*Harassed*

\***Yasef HASANOV:** correspondent with *Radio Free Europe/ Radio Liberty*, was deported from the Azeri enclave of Naxicivan and forced to return to Baku via Iran on 31 August 2011. Hasanov was stopped by three unidentified men on 20 August 2011 who confiscated his passport and forced him into their car. He was then driven to the border and told to return to Baku or “it would cost him”. He was forced to return via Iran, where *RFE/RL* is an illegal organisation. Hasanov has been investigating the death of a man accused of spying for Tehran who had been found dead at Naxcivan’s Ministry of National Security where he had been summoned by authorities.

## BELARUS

*Imprisoned - Main Case*

\***Ales BYALYATSKI:** writer and prominent human rights activist, sentenced to four and a half years imprisonment on 24 November 2011 on charges of tax evasion. Byalyatski, head of the *Vyasna (Spring)* human rights centre, was a founding member of the Belarusian literary organization *Tutejshyja (The Locals)* and served as a former head of the Maxim Bahdanovich Literary Museum in Minsk. He was arrested on 4 August 2011 and charged with tax evasion, charges which stemmed from his reported use of personal bank accounts in Lithuania and Poland to receive funding from international donors for *Vyasna’s* human rights activities in Belarus. *Vyasna* had campaigned for scores of opposition activists persecuted by the government of President Aleksander Lukashenko. The

organization had been stripped of its official registration in 2003, making it extremely difficult under Belarus’s economic laws to raise funds for its activities. **Update:** On 20 December the Belarusian Interior Ministry’s Penitentiary Supervision Department (DVP) overruled a decision made the previous day by Minsk’s Pershamay District court to allow Ales Byalyatski to visit his father.

**Dimitri BONDARENKO:** journalist with Charter 97, sentenced on 27 April 2011 to two years in prison under Article 342 of the Criminal Code of Belarus for ‘preparation of activities that disrupt the public order’ and ordered to pay a fine for damages to public transport. He was arrested on 19 December 2010, during the mass arrests which followed protests against the flawed presidential elections, and originally charged with ‘Organization of riots’. He was also accused of using the internet to call for participation in the protest and ‘expressing false statements about undemocratic elections’. Bondarenko admitted his participation in the mass demonstrations, but pleaded not guilty to the other charges. It was also reported that Bondarenko was denied access to his lawyer during his detention. PEN is seeking further information.

*Non-Custodial Sentence*

**Aleksandr Fiaduta** is an author, literary critic and member of Belarus PEN. A former member of Lukashenko’s administration, he resigned in 1994 and published a critical biography - banned in Belarus - of the President. He is a member of Vladimir Neklyayev’s Tell the Truth party. He was arrested on 19 December 2010 and was charged under Article 293 of the Criminal Code of Belarus (‘Organization of riots’) His charge was subsequently reduced to ‘preparation of activities that disrupt the public order’ for which he was given a 2 year suspended sentence on 20 May 2011. **Honorary Member:** Lithuania PEN.

**Vladimir NEKLYAYEV:** writer, poet, former president of the Belarus PEN Centre and the Tell the Truth party’s candidate in the presidential elections; given a two year suspended sentence on 20 May 2011 for ‘participation in activities that disrupt the public order’ (Under Article 342 of the Belarusian Penal Code). **Background:** Neklyayev was assaulted and detained by the KGB during the mass arrests that took place following protests against the flawed presidential elections on 10 December 2010. He had originally charged with ‘organising riots’. **Previous Harassment:** Neklyayev was arrested by the armed police on 18 May 2010, during raids on civil society groups throughout the country. Officers seized computers, mobile phones, memory sticks, books and leaflets. He was charged under Article 250 of the Criminal Code for “dissemination of false information”. By 25 May 2010, Neklyayev was freed, but the charges remained. Some believe that the raids were aimed at intimidating opposition groups in advance to the February 2011 presidential elections. **Update:** A Subpoena requesting Naklyayev’s presence in a Minsk police station the following day was issued to his wife on 28 September 2011. Neklyayev had travelled to Warsaw; as part of his two-year suspended sentence he had been barred from travelling outside of Minsk without written permission from the authorities and banned altogether from leaving Belarus. Neklyayev has said he refuses to acknowledge the travel ban. [RAN 35/10, Update #1 – 26 May 2010; (RAN 35/10 Update # 2 – 20 December 2010; RAN 35/10 Update # 3 - 21 December 2010; RAN 35/10, Update # 5 – 5 January 2011). Honorary Member of Lithuania PEN, PEN New Zealand.

**Pavel SEVERINETS:** is an opposition activist, author of several books, and a member of Belarus PEN which recently awarded him their book of the year prize. He was arrested on 19 December 2010 and charged under Article 293 of the Criminal Code of Belarus (‘Organization of riots’). He

was reported to have been sentenced on 17 May 2010 to three years of restricted freedom, without being sent to a correctional institution (so-called “chemistry”).

*Brief Detention*

\***Igor BANTSER, Aleksander DENISOV, Yuri GUMENYUK, Andeir FROLOV, Nikolai DETCHENYA and Anna ILYINA (f):** journalists and members of the Belarusian Association of Journalists (BAJ), were imprisoned for up to eight days from 3 July 2011. The journalists had been covering a rally to oppose the official celebration of the Belarusian Independence Day, at which hundreds of protestors marched through the streets in a number of Belarusian cities to express opposition to President Lukashenko’s authoritarian policies. All the journalists were tried behind closed doors and it is unclear on what charges they were detained.

\***Dimiter KENAROV:** Bulgarian journalist, poet and interpreter, was arrested on 29 June 2011 in Mozir, Belarus, along with his American colleague Jason Motlagh. Kenarov was arrested after a visit to a local tractor factory, where he allegedly planned to carry out an interview, after he failed to present proper travel documents to the authorities. A statement from the Bulgarian Foreign Ministry stated that it had acted “immediately” after being notified of the arrest, but the Belarusian authorities “refused to allow the document to be delivered on time”. Kenarov was due to be released and deported on 04 July 2011.

\***Sergei KOVALEV, Ales OSIPTSEV, Viktor MASALOVICH, Viktor KACHAN, Sergei LATINSKY, Aleksandr SUSHCHEVSKY, Olga RUDNITSKAYA (f), Mikhail KORNEVICH and Yevgeny SHAPCHITS:** journalists were among 28 journalists detained on 6 July 2011 as they covered peaceful protest rallies which opposition activists have been holding every week since May. It is unclear what charges had been brought against them. The Belarusian Association of Journalists (BAJ) has reported that three of the detained have been sentenced to up to 12 days in all. All other journalists arrested were released on the same day.

\***Konstantin SHITAL:** journalist for the website westki.info, was detained by police near the city of Mior on 7 October 2011 and was allegedly detained in connection with a burglary. The journalist has claimed that the arrest was designed to prevent him from attending a People’s Assembly scheduled to take place on 8 October 2011. In Belarus a People’s Assembly is a general meeting between the Government and industry leaders which citizens are permitted to attend and take part in the discussion. Shital was released on 10 October 2011.

*Harassment*

**Andrzej POCZOBUT:** correspondent for the largest Polish daily, *Gazeta Wyborcza*. On 5 July 2011 Poczobut was convicted of libelling Belarus President Aleksandr Lukashenko and was given a two-year suspended sentence. Poczobut had been detained on 06 April 2011 in Grodno, as he was about to drive to Minsk, and was handed a document banning his travel. On 8 April he was charged with libel and his arrest was extended by two months. He was charged under two articles of the Belarusian Penal Code (Article 368, insulting the president of Belarus, and Article 367, slandering the president of Belarus). The first sentence carried a maximum punishment of up to two years in prison, while the second sentence carried two to four years. The trial began on 14 July 2011 and was conducted behind closed doors. On 20 September 2011 the charge was upheld on appeal. On 15 November 2011 Poczobut was given a warning for violating his parole regulations. As part of his parole the journalist is required to report to a police station three times a month

and is not allowed to change his permanent address. He was due to report to police on 14 November 2011 but failed to attend. Poczobut has been subject to frequent periods of harassment and short arrests for his writings. See previous caselists.

## CROATIA

*Case closed*

**Ivo PUKANIC**: co-owner and director of the weekly news magazine *National* was killed by a bomb on 23 October 2008 outside the headquarters of the magazine in central Zagreb. The marketing director of the *National* was also killed. This was not the first attack against Ivo Pukanic, aged 47. There are reports that in 2002 a man attempted to stab him, and that since then he was constantly under police protection. Again, in April 2008, an unidentified attacker shot at Pukanic close to his flat in Zagreb. Some reports linked the attacks to Pukanic’s critical reporting, others suggest that there may be personal reasons behind it. On early November 2008 it was reported that the Croatian police had charged five men, three of whom are arrested, and that it had issued international arrest warrants for the other two. One of the fugitives is believed to be a Bosnian Serb, former member of the group called Red Berets. The authorities are reportedly working together with the Bosnian police. In early June 2009 it was reported that three men had been detained in Belgrade, Serbia, on suspicion of participating in Pukanic’s killing. Reports say that on 26 October 2009, Prosecutors in Serbia and Croatia charged eight suspects over Pukanic’s killing. **Further information:** In Zagreb, in early February 2010, a trial began against four of the suspects of Pukanic’s murder. The other suspects remain in custody in Serbia and Bosnia. Case closed due to lack of further information.

## FRANCE

*On trial – investigation*

\***Michel CHAMBRU**: journalist with the online information site *Allobrogues Voice*, was arrested on 2 November 2010 and accused of interfering with the running of trains at Chambéry, Savoy region. Chambru had been covering the protests in Chambéry for *Allonbrogues Voice*, however, he was arrested and accused of being a protester after he was unable to produce a press identification card to the authorities. His trial is due to begin on 15 September 2011 and he could face up to six months in prison or a fine of 1500 if convicted.

*Death threat*

\***Fabrice ARFI**: journalist for the French online newspaper *Mediapart*. On 31 August 2011 Arfi filed a complaint with the Paris prosecutor’s office after he received a number of death threats. The threats began on 2 July 2011, shortly before the publication of an article about arms dealer Ziad Takieddine, which was part of a sensitive investigation Arfi and colleague Karl Laske had been conducting into armed attacks in Karachi, Pakistan. The first threat was allegedly sent from the phone of Pierre Sillier, founder and chief executive of the economic intelligence firm Salamandre, which reportedly has links with various arms and counter-espionage circles and has several contracts with the French president’s office. When Laske contracted Sellier on 5 July 2011, he reportedly told the reporter that he would “put bullets in [Arfi’s] head”

## GEORGIA

*Imprisoned – Investigation*

\***Viktor LAZIC**: Serbian travel writer for the Belgrade-based daily *Press*, was detained on 3 Septmeber 2011 on the border between Georgia and South Ossetia. According to the journalist he was detained because he had allegedly crossed the border of the disputed territory of South Ossetia. He is reportedly being held in solitary confinement.

*Attacked*

\***Tamaz KUPREISHVILI, Darejan PAATSHVILI, Nato GOGELIA, Zaira MIKATADZE, David MCHEDLIDZE, Diana KHOPERIA, and Beka SIVSIVADZE** and **Giorgi MAMATSASHVILI**: Journalists with *Netgazeti* newspaper, *Interpressnews*, *Guria News*, *Resonance* newspaper, *Media.ge*, *Obiektivi* and *Asava-Dasavali* newspaper, respectively. All were injured during an attack by the Police Special Forces on 26 May 2011 aimed at dispersing a crowd of opposition protestors in Tbilisi who were calling on the resignation of President Mikheil Saakashvili. The police used tear gas, rubber bullets and water cannons to disperse the protestors, minutes after the permit for the demonstrators’ rally had expired. The protestors had been ordered to disperse by midnight in order to make way for a military parade planned for the following day. It was reported that 4 people were killed during the clamp down and over 37 were injured. Many more remain missing following the attacks and subsequent detention of protestors.

## GREECE

*Brief Detention*

\***Milena GJORGJIEVSKA**: journalist with the daily *Vest*, was arrested on 16 August 2011 along with Goran Momirovski of Kanal 5 television. The two journalists had been accompanying a group of senior citizens, who has been born in Greece but were living in the Republic of Macedonia, and were trying to obtain their birth certificates in Florina, north-western Greece. They were detained by police and held for two hours while the authorities reviewed the filmed material, allegedly to ensure that no public building had been filmed.

## ITALY

*Harassed*

**Frank SFARZO**: freelance blogger from Perugia, created the English-language blog *Perugia Shock* in 2007, which criticised the official murder enquiry into the death of British student Meredith Kercher. On 28 October 2010 - the day American student Amanda Knox and Italian Raffaele Sollecito were indicted were convicted of murdering Ketcher – Sfarzo says he was approached outside the city court by members of Squandra Mobile who shoved and hit him, saying “You are pissing us off”, in reference to his coverage of the trial. During the trial of Knox and Sollecito, he was continually harassed by the Squandra Mobile, who regularly tried to prevent him entering the court, seized his mobile phone, mouthed insults at him in court and stared over his shoulder as he took notes. On 28 October 2008, five officers of Squandra Mobile forcibly entered his apartment without producing a warrant. Four of the men forced Sfarzo to the ground, assaulted and handcuffed him. Sfarzo was then taken to Perugia city hospital where the officers claimed he had attacked them; they persuaded a doctor to issue a medical report of the

injuries Sfarzo was alleged to have caused. They also brought him before a psychiatrist who the pressured, unsuccessfully, to have Sfarzo declared insane. He was taken to the police headquarters where he claims to have been referred to as “the bastard who defends Knox”. The following day Sfarzo was charged with “using violence and threats to resist public officials”. He is currently pending trial on these charges. If convicted he faces up to 6 years in prison.

**Update:** On 10 May 2011 Sfarzo reported that he received an email from Google informing him that a court order had been issued for the “preventive closure” of his blog. The court order was the result of a lawsuit filed by Perugia Prosecutor Giuliano Mignini against *Perugia Shock* for “defamation, carried out by means of a website”. Mignini is the lead prosecutor in the Kercher case.

## KAZAKHSTAN

*Killed – Trial of killers concluded*

**Gennady PAVLYUK**: journalist, better known by the pen name **Ibragim Runtambek**, died on 22 December 2009 after being thrown from an upper-story window of an apartment building in Almaty. On 28 March 2011, a spokesman for the Kazakh Interior Ministry told journalists that the investigation into the murder had been completed, and three men were to be charged with the murder, which was claimed to be the result of a failed robbery attempt. However, there has been concern that the authorities have classified the killing as a robbery without investigating the possibility that the murdered was a result of his journalism. According to some reports, Pavlyuk had intended to start a pro-opposition online newspaper and had travelled to Almaty to meet with potential partners on the project; this was denied by the authorities investigating the murder. **Trial:** The trial of the 3 people accused of the Pavlyuk’s murder began in Almaty on 06 June 2011. One of the defendants, former Kyrgyzstan State Committee for National Security agent Aldayar Ismankulov, pleaded not guilty and claimed the case against him was politically motivated. **Sentence:** On 11 October 2011 the court found Aldayar Ismankulov, Almas Igilikov and Shalqar Orazalin, guilty of the murder. Ismankulov was sentenced to 17 years imprisonment, while Igilikov and Orazalni were sentenced to 10 and 11 years respectively. Despite continued claims from Pavlyuk’s family that the killing was politically motivated, the court described the killing as an ‘ordinary crime’.

*Imprisoned - Main case*

**Ramazan YESERGEPOV (Esergepov)**

**Profession:** Editor-in-chief of the weekly *Alma-Ata Info*
**Date of the arrest:** 6 January 2009
**Sentence:** Three-year prison sentence
**Expiry:** 5 January 2012
**Details of the arrest:** Yesergepov was being treated for hypertension at the Cardiology Institute in Almaty, when armed and masked security officers entered the hospital and took him to the Taraz regional office, in southern Kazakhstan, where he was interrogated by the Kazakh National Security Committee (KNB). According to a statement by the KNB Yesergepov was arrested because he repeatedly ignored subpoenas issued by the agency.
**Charges:** Illegally obtaining and divulging state secrets
**Details of the trial:** Yesergepov’s charges stem from an article published on 21 November 2008 entitled ‘Who rules the Country - The President or the Committee for National Security (CNS)?’ which is said to deal with a tax fraud allegation. Since December 2008, *Alma Ata Info*, has been investigated for the disclosure of two leaked memos which were published alongside the cited article. During the trial Yesergepov maintained his innocence and stated that the facts

in his article were of public interest. The verdict was announced on 8 August 2009 behind closed doors, without the presence of journalists. According to press reports, a former Supreme Court Judge stated that a number of norms were contravened during the trial and that, as a consequence, Yesergepov should be retried. The sentence was based in articles 172 and 339 of the Kazakh Criminal Code. In October 2009 the verdict against Yesergepov was upheld by a regional court in Taraz. **Parole:** On 23 January 2010, the prison commission rejected a request for early parole filed by Yesergepov, after serving one year of his sentence. According to his wife, in an early meeting, the commission agreed to parole him, but changed their decision under pressure ‘from above’. **Health concern:** On 25 June 2010, Yeserpegov announced he will go on hunger strike on 6 July, as a way of protesting for his imprisonment and for the alleged failure of the Organisation for Security and Cooperation in Europe (OSCE) to deal with the Kazakhstan’s human rights violations. 6 July marks the first half of Yesergepov’s sentence. **Update:** Yeseppgepov has been named as a recipient of a Human Rights Watch’s Hell-Hammett Grant for 2011. The grant is awarded to writers and journalists who have been subjected to political persecution and are in financial need. (RAN 10/09 – 13 February 2009; Update #1 – 21 August 2009)

*Imprisoned - investigation*

\***Kuanbek BOTABEKOV**: chief editor of the newspaper *Adilet*, was sentenced to one and a half years imprisonment on 19 October 2011 by the Al-Farabi district court in Shymkntan for defamation, under Article 129 of the Criminal Code of Kazakhstan, and was also forced to pay 300,000 KZT (approx. \$2,000) in damages. The private complaint was filed by brothers Kenes and Bakitbek Nakipbekov. The charges followed the publication of two articles entitled ‘Mr. Kenes, which team do you play for?’ and ‘Dear valued Mr. President’, which accused the brothers of corruption. Kenes and Bakitbek Nakipbekov are the heads of the inter-regional transport office and inter-regional land inspection offices, respectively.

**Alpamys BEKTURGANOV**: Writer and former adviser for the governor of the western Kazakhstan region, was reportedly sentenced to one year in prison on charges of ‘libel’, on 13 August 2009. This charge is linked to a press conference lead by Bekturganov on 15 July 2009, in which he reportedly criticized the then governor. Days after the conference, Bekturganov was dismissed from his job. While serving this sentence, on 22 September, Bekturganov was handed down another three-year prison sentence on charges of ‘abuse of office’ while holding the position of deputy head of Oblast Culture Department in 2006. The charges alleged that Bekturganov made an illegal profit by selling his books to regional libraries. However, there are suggestions that he is being punished for his critical views. The confiscation of his property was also ordered and he was prohibited from holding official posts.

*Non-custodial sentence*

\***Valery SURGANOV**: reporter with the independent news website *Guljan*, was sentenced to 18 months of “restricted freedom” on 7 November 2011 and fined 100,000 tenge (US\$675) by a court in Almaty. Surganov was convicted of defaming Sandzhar Aliyev, a Pavlodar region financial police officer, in an article from July 2011. In the article Surganov accused Aliyev of promiscuity and cited a former colleague of the police officer as saying that he had been detained for allegedly raping a local woman in the past but had used his official status and connections to avoid persecution. The terms of this “restriction” include a ban on leaving Almaty without obtaining police consent, a 9p.m. curfew and

a ban on visiting places of public recreation, such as bars and night clubs. The journalist is reportedly planning on appealing the court’s decision.

\***Gulzhan YERGALIYEVA:** journalist and chief editor of the opposition website www.guljan.org, was ordered to pay five million KZT (approx. £33,800) in damages to Saltanat Akhanova, wife of the head of the state agency dealing with corruption and financial crimes, for “protection of honour and dignity”. The lawsuit followed the publication of articles on www.giljan.com which claimed that Akhanova had millions of US dollars in her foreign accounts, in particular a bank in Dubai, as well as possibly having other accounts in Swiss banks. Akhanova had been seeking 2,640,296,400 KZT (approx. \$17,800,000) in moral damages.

## KYRGYZSTAN

*Killed: investigation ongoing*

**Alisher SAIPOV:** journalist, aged 26, of Uzbek ethnicity. Shot at close range by an unknown gunman in front of several passersby on 24 October 2007 in the city centre of Osh. Saipov was the editor of the independent, Uzbek language newspaper, *Siyosat (Politics)*. He had also worked for a number of publications including www.fergana.ru, Voice of America and Radio Free Europe/Radio Liberty. He also reported for the London based Institute for War and Peace Reporting.
**Background:** Saipov was a well known journalist who had been outspoken in his criticism of the Uzbek authorities, particular the country’s dire human rights record. Among other stories, he covered the mass killings of citizens by Uzbek soldiers in Andijon in May 2005.
**Investigation:** Early on, Kyrgyz police said that Uzbek agents might have been involved in his murder. However a statement on 31 October 2007 by a Kyrgyz Ministry of the Interior official indicated that there was no evidence of this. Osh is known to have been infiltrated by Uzbek security agents and there are reports that the Uzbek exile community there have suffered threats and intimidation. Kyrgyz officers sealed his office, and seized computers and mobiles, it is said in an attempt to investigate Saipov’s contacts. However colleagues fear that sensitive information could be passed on to the Uzbek authorities, enabling them to identify Saipov’s sources. Furthermore, on 1 November 2007, the CPJ expressed alarm that the Kyrgyz authorities had publicly stated that Saipov had links with the banned Uzbek Islamic groups, Hizb ut-Tahrir and the Islamic Movement of Uzbekistan, citing material allegedly found on his hard drive. His colleagues condemn this preliminary statement as unprofessional and biased, pointing out that Saipov would have been in touch with these groups in his professional capacity as a reporter. On 21 November 2008 it was reported that the Deputy Minister of Internal Affairs stated that journalism had been ruled out from the investigation into Saipov’s death. Arrest of suspect: In April 2009 investigators announced the detention of a suspect and said that they had recovered the murder weapon. On 9 December 2009 the Supreme Court stated that the prosecution of the suspect Abdufarit Rasulov could proceed. The suspect has denied involvement in Saipov’s death.
**Death threats:** In the months prior to his death, Saipov reported receiving death threats and to being followed by unknowns. A local state television station in Uzbekistan had also recently aired a program in which Saipov was described as deliberately attempting to destabilise Uzbekistan through his reporting. He had for some months been subject to an internet smear campaign from Uzbekistan. The Kyrgyz President Bakiyev has taken on direct responsibility for resolving the murder.
**Award:** In 2008 an award in Saipov’s name was established in Kyrgyzstan, to reward young journalists. In 2009 the prize was given in three categories: for professional commitment, for active civil position, for adherence to

human rights.
**Family:** Saipov was married. His first child was born just three months before his death.

*Imprisoned: investigation*

**Ulugbek ABDUSALOMOV:** Editor-in-chief of the newspaper *Diydor*, was arrested in the Jala-Abad region on 14 June 2010 in connection with the May 12-15 protests by ethnic Uzbeks in Jalal-Abad that sparked violent retaliation from the ethnic Kyrgyz population. On the day of his arrest, Abdusalomov’s car was blocked by another car without licence plates; various men in camouflage detained him and took him to the regional headquarters of the Kyrgyz Security Service. He was then transferred to a pre-trial detention centre in Jalal-Abad. In August 2010, he was charged with organising and participating in mass disorder, promoting separatism, and incitement of ethnic hatred through an article published in *Diydor*. This article quoted reports from Uzbeks saying that they’d suffered ethnic discrimination living in southern Kyrgyzstan. According to his colleagues, Abdusalomov was actually in the capital, Bishkek, at the time of the protests, and was taking part in meetings of the government-sponsored Constitutional Council. An official transcript of the meeting confirms this.
**Health:** Abdusalamov is seriously ill and is not receiving adequate medical assistance. In 2009 he suffered a cerebral haemorrhage. He also suffers from high blood pressure, stomach ailments and a heart condition, and requires constant medical care. He has been repeatedly transferred back and forth between the regional hospital and his pre-trial detention centre, where conditions are reported to be very poor.
**Other Info:** The Central Asian PEN Centre in Kyrgyzstan has written to the Ombudsman KR, Public Authority for Human Rights in Kyrgyzstan, asking for an open and fair investigation of Abdusalomov’s case. The Committee to Protect Journalists (CPJ), reported that the newspaper *Diydor* was not critical of the authorities and that it was published in Uzbek and Kyrgyz languages. No new information as of December 2011.

**Azimjon ASKAROV:** Journalist and head of the human rights group Vozdukh, was sentenced to life imprisonment on 15 September 2010. He was convicted on a wide range of charges, including complicity to commit homicide and murder of a police officer (two separate counts related to the same incident), possession of ammunition and extremist literature, and attempted kidnapping. The Kyrgyzstan-based ethnic Uzbek was detained on 15 June on charges of inciting ethnic violence during the violent, inter-ethnic disturbances that took place in Kyrgyzstan in May and June 2010. He was arrested in the village of Bazar-Korgon, where, on 12 June, a police officer was killed and several other wounded in the clashes. In August, prosecutors extended the charges to include complicity to commit homicide and murder of a police officer, possession of ammunition and extremist literature, and attempted kidnapping. Reports of Askarov’s torture in police custody and of intimidation of his lawyer have gone uninvestigated. Askarov’s lawyer claims that his client was not present at the riots. This claim is supported by news reports. CPJ claims that the charges are unfounded and that Askarov may have been targeted for revenge by Jalal-Abad law enforcement because of his documentation of human rights violations, including by local police, in southern Kyrgyzstan. Askarov’s lawyer and witnesses cited by Human Rights Watch say that Askarov has been beaten repeatedly whilst in custody.
**Update:** 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.

**Moldosali IBRAIMOV:** human rights activist and journalist, was detained by police in the Jalal Abad region on 4 May 2011. Ibraimov took part in the trial of four officers accused of torture and use of prohibited methods

in their work on 03 May 2011 in the Suzak district court. The suspects were acquitted and demanded the immediate detention of Ibraimov. His lawyer requested on 5 May 2011 that Ibraimov be taken out of detention as he is undergoing chemotherapy for cancer and it would therefore not be safe to keep him in prison. He has since been placed under house arrest. PEN is seeking an update.

*Attacked*

**Shokhrukh SAIPOV:** Uzbek journalist and editor of the news website Uzpress.kg, was brutally attacked on 10 August 2011 in the city of Osh, south Kyrgystan. Saipov was the brother of the murdered journalist Alisher Saipov (above). He was found unconscious in the Aravan district of the town, having suffered concussion, loss of several teeth, a broken nose and severe damage to his face. Although the motive for the attack remains unknown, it is allegedly related to the ethnic divisions which have engulfed Kyrgystan since the killings in Osh and Jalalabad in June 2010.

## LATVIA

*Imprisoned - Investigation*

\***Leon dis JAKOBSONS:** owner and editor of the news website *Kompromat* and winner of the 2009 National Journalism Prize for ‘Defence of Media Freedom’, was arrested on 11 December 2011 after police had raided his apartment, seizing two computers and several data storage devices. It was reported that the police also seized the servers which hosted the *Kompromat* website from the Internet Service provider. It is believed that Jakobsons was arrested on suspicion of “illegally acquiring electronic communications data”. The allegations are reported to stem from Jakobsons’ posting of a series of emails on his website that had been sent or received by Nils Ušakovs, mayor of Riga and a former member of the Latvian parliament. The emails, which Jakobsons began posting on 17 November 2011, indicated that the mayor had been involved in suspicious correspondence with a member of the Russian embassy.

## MOLDOVA

*On trial – investigation*

\***Eduard BAGIROV:** Russian blogger and writer, detained on 16 June 2011 and questioned over his role in street violence which broke out in April 2009 following a contested election won by the Communist Party. The authorities’ only confirmed that Bagirov had been arrested on 27 June 2011 when they denied his request to be released while an investigation is being carried out. There have been unconfirmed reports that Bagirov is being held in poor conditions and denied the right to receive visits, talk to his lawyer, or to see a doctor. On 13 September 2011 a Moldovan court extended his arrest for 30 days. On 7 October 2011 the Russian embassy expressed concerns about the arrest of Bagirov and his prison conditions, stating that the Moldovan investigative bodies had not provided any evidence of his guilt. Bagirov was reportedly released on 11 October 2011 and placed under house arrest.

## RUSSIA

*Killed*

\***Ruslan AKHTAKHANOV:** Chechen businessman, public figure and poet, was shot dead in the street in Moscow on 15 November 2011. Akhtakhanov (58) was shot several times by an unidentified gunman outside his home at around midnight on 15 November 2011. The gunman fled in a car which was later found abandoned several miles away. A pistol and silencer were discovered in the vehicle. The poet was professor at the Modern Humanitarian Academy in Moscow and member of Russia’s Writers Union. He was reported to have outraged Muslim seperatists in the Noth Caucasus on several occasions due to his staunch attacks on the Chechen independence movement.

**Khadzhimurad KAMALOV:** influential journalist and founder of the independent Dagestan-based weekly newspaper *Chernovik*, was shot dead by a masked assailant on 15 December 2011. Kamalov was reportedly shot up to 14 times by the unidentified assailant as he was leaving the offices of *Chernovik* in the capital of the southern republic of Dagestan, Makhachkala, shortly before midnight. The gunman reportedly fled the scene by car. There has been a long history of harassment towards the staff of Chernovik, with five of its journalists being arrested on 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. The Centre to Protect Journalists (CPJ) also stated that, in a recent television interview, Kamalov had made critical comments about alleged regional government corruption.

*Killed – investigation/trial under way*

**Natalia ESTEMIROVA (f):** Journalist and human rights defender, was abducted as she left her home for her office in Grozny, and was murdered on 15 July 2009. Her body was in woodland in neighbouring Ingushetia. She had been shot in the head and chest. 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. 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. The organisation Memorial, has since closed its Grozny office, fearing for the safety of its staff.
**Update on the investigation:** 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 deny this. On 12 July, 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.
**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 the Estemirova's death. If convicted, Orlov could face up to three years in prison. (RAN 28/09 – 16 July 2009; Update #1 – 23 July 2009) UPDATE: 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. **Update:** 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".

**Stanislav MARKELOV and Anastasiya BABUROVA (f):** lawyer and journalist for the independent newspaper *Novaya Gazeta*, were shot dead in a Moscow street on 20 January 2009. They were attacked as they left a press conference at the Independent Press Centre. Markelov, a human rights lawyer who had also worked for *Novaya Gazeta* and had represented the journalist Anna Politkovskaya before she herself was assassinated in October 2006 (see below). Markelov had, just hours before his killing, issued a statement protesting the early release of a Russian army officer, Yuri Budanov, who had been convicted in 2003 for the murder of a Chechen girl. He represented victims of human rights abuses, including the families of Chechens who have disappeared. Anastasiya Baburova was walking alongside Markelov when he was shot. She reportedly attempted to apprehend the gunman, but was herself shot in the head, and later died in hospital. Baburova had joined *Novaya Gazeta* in October 2008 and had been researching neo-Nazism and race-motivated crimes in Russia. **Investigation into murder:** On 5 November 2009 a Russian Investigative Committee charged Nikita Tikhonov (29) and Yevgenia Khasis (24), with Markelov and Baburova's murder. Unconfirmed reports say that both people were members of the Russian National Union, radical group that has been banned in the country. In late February 2010, it was reported that Tikhonov has been charged under Part 2 of Article 105 of the Russian Criminal Code, for murder motivated by political and ideological enmity. On 29 March 2011 a plea from Khasis's defence team that illegal items found in his home during the search had been planted there by the secret services, was rejected. The court also declined to question Vladimir Pronin, former chief of Moscow's Internal Affairs, who had said in an interview that there were no eyewitnesses to the crime. The Prosecution has continued to provide evidence to argue that the defendants are militant Russian nationalists, although this has been disputed by Tikhonov's father.

**Sentence:** On 28 April 2011 Tikhonov was found guilty of executing Markelov and Baburova, as well as of the illegal appropriation and

possession of firearms and the forgery of personal identity documents. He has been sentenced on 05 May 2011 to life in a strict-regime penal colony. Khasis was declared an accomplice in the murder and found guilty of illegally possessing firearms, and will serve an 18-year term in a regular-regime penal colony. Their lawyers have filed an appeal.

**Update:** Yuri Badanov, was shot dead on 10 June 2011 by an unidentified gunman in Moscow. Markelov had represented the family of the Chechen teenager Elza Kungayeva who was murdered in 2000 by Bandanov and had issued a statement hours before his murder which was highly critical of his early release from prison.

On 14 September 2011 the Supreme Court rejected the appeal filed by the lawyers for Tikhonov and Khasis contesting the decision made by the Moscow City Court.

On 23 September 2011 it was reported that the Russian special services had identified the Chechen warlord Khodz-Akhmed Nukhayev as a suspect in the investigation into the murder.

(RAN 07/09 – 2 January 2009)

**Anna Politkovskaya (f):** leading journalist and author, shot dead in the elevator of her apartment on 7 October 2006. 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 most recent 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. 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". **Investigation into murder:** On 27 August 2007, the prosecutor general announced that ten suspects had been arrested in connection with the murder including Chechen criminals, former and serving members of the Russian Federal Security Services and police forces. (International monitors have voiced concerns about lack of transparency in the proceedings and conflicting statements that could undermine the investigation.) On 18 June 2008, the Investigative Committee announced that it had charged three men, a former police officer and two ethnic Chechen brothers. Two other investigations were opened, one suspect tried in absentia, and another into the intellectual authors of the crime. **Trial:** 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 non-guilty verdict, the Supreme Court overturned this decision and ordered a retrial **Update:** 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. The Investigative Committee alleged that Gaitukayev had been approached by an unidentified person in July 2006 and asked to carry out the murder. Gaitukayev had formed a gang with this nephews Rustam and Dzhabraïl Makhmudov (who had previously been acquitted on 19 February 2009, see above) and Ibragim Makhmudov, along with Pavlyuchekov and former

police officer Sergei Khadzhikurbanov (also acquitted). The agency claimed that Pavlyuchenkov – then head of surveillance at Moscow's Main Internal Affairs Directorate – had ordered his subordinates to follow the journalist to identify her schedule and commuting routes, and had then shared this information with the other members of the gang. Pavlyucheko also allegedly passed the murder weapon from Gaitukayev to the suspected gunman, Rustam Makhmudov. It is unclear whether the Investigation Committee plans to charge Gaitukayev, who is currently serving a lengthy jail term on unrelated charges of attempted murder, with the killing. **Honorary member:** PEN Canada

*Disappeared: Motive Unknown*

**Yekaterina SILINA:** a freelance correspondent for the REX news agency, she was reported missing in January 2011. She was last seen near the School of Journalism at Moscow State University late on 13 January 2011. Silina is very young – 16 years old – and had told her family that she might be in danger. According to REX, Silina wrote about new Moscow Mayor Sergey Sobyenin's initiatives, the work of the Moscow municipal government and problems facing the agro-industrial industry. She was also in charge of scanning government officials' blogs for details about their performance. She contributed reports to several newspapers, and attended courses to prepare entrance exams for the School of Journalism at Moscow State University. The police have started a criminal investigation. PEN is seeking an update.

*Attacked*

\***Oleg KASHIN:** correspondent for the Russian business daily *Kommersant*, was brutally attacked by two unidentified assailants outside his central Moscow home on 6 November 2010. The attackers carried bouquets of flowers in which steal rods were hidden. Kashin was reportedly struck with the rods over 50 times in an attack which lasted around 90 seconds. The attack was highly criticised in Russia, and was quickly condemned by President Dmitry Medvedev, who immediately ordered a criminal case to be opened, directly supervised by Russia's Prosecutor General Yuri Chaika and investigator Sergei Golkin. **Update:** The investigation into the attack initially identified a number of suspects, including members of pro-Kremlin youth organisation. However, the lead investigator into the murder was changed to Investigator Nikolai Ushchapovsky in early October 2011, and since then Kashin has claimed that there has been little progress in the case. Kashin has also claimed that Ushchapovsky has refused to respond to his calls concerning the case.

\***Alexander KOLTSOV:** reporter for the local *Nara-Novost* newspaper in the Naro-Fominsk district. After Koltsov published an article critical about the collapse of the pedestrian overpass in Naro-Fominsk. Maxim Pomitun, an official in charge of overseeing the municipal media, met the journalist after saying he would "have it out with him". After a brief verbal exchange, Pomitun attacked Koltsov, leaving him with multiple bruises, a large facial haematoma and a badly cut eye-lid. Koltsov spent two weeks in hospital and has partially lost his eyesight as a result of the attack.

*Threatened*

\***Vadim RECHKALOV:** political commentator with the daily newspaper *Moskovsky Komsomlets*, was threatened at gun-point by an unknown man on 5 July 2011. Rechkalov was driving into Moscow from the suburbs when a sedan approached his car from behind as he entered a tunnel on Novorizhskoye highway. It was reported that the sedan swerved and the journalist saw the driver reach for a handgun and aim for him. The

sedan chased Rechkalov for a few minutes and the man tried to cut him off again as the exited the tunnel. No shots were fired. The incident was reported to police, however, it is unclear whether they have opened an investigation. Rechkalov's articles have covered a number of highly sensitive topics including the conflict in the North Caucasus, corruption and political murders.

\***Polina ZHEREBTSOVA (f):** diarist who wrote about her experiences growing up in war-torn Grozny, whose memoirs were published in late 2010 by Detektiv-Press. Shortly after the publication she received a phone call from an unknown caller who reportedly said "So, you will write about Chechnya? Do you want to live?". Since then she has received numerous calls from unidentified individuals who remain silent. Her husband has also been targeted, receiving up to twenty such calls a day. Zherebtsova had fled Chechnya in 2005.

*Harassed – Family Attacked*

**Abdulla DUDUYEV and Israpil SHAVKHALOV:** journalists and editors of the Moscow-based independently quarterly *Dosh*. In early April 2011 a swastika was drawn on the door of Duduyev's home in Moscow and four days after which his wife Madina Duduyeva was approached by three youths who shouted insults at her as she was taking her children to kindergarten. It was reported that the intimidation was the result of Duduyev's work for *Dosh*, one of the few media outlets to cover human rights violations by security forces and corruption by officials in the Northern Caucuses. Duduyev's wife was subsequently violently attacked on 4 October 2011, again on the way to her children's kindergarden, and received multiple blows to the head and neck. She spent two days in hospital with concussion and is reportedly still suffering from an acute stress reaction. Following the attack, Shavkhalov told Reporters Sana Frontiers that he and Duduyev had had the impression of being constantly watched in the months leading up to the attack and that Duduyev had found microphones in his apartment. **Previous attack:** Duduyev and Shavkhalov were attacked and badly beaten in Moscow in January 2001 by unidentified assailants, reportedly due to their criticism of Chechen President Akhmad Kadyrov.

*Harassed- Dismissed*

\***Gennedy DONTSOV, Nikolai BATAVIN, Viktor SILAYEV, Ivan SMETANIN and ALEXANDER KOVALYOV:** former editors of the Southern Urals based newspapers *Yukhnouralets, Krasny Uralets, Selskiye Novosti, Nyazepetrovskiy Vestii and Kolos*, respectively, were all dismissed from their positions as editors in September 2011. Dontsov claimed that he fell into disfavour after protesting against new media regulations which gave the United Russia political party greater power to monitor media materials before they went to print. Although the reason for the other dismissals remains unclear, it has been suggested by some journalists that it is part of a process of "political cleansing" by United Russia before the upcoming election.

*Harassed*

\***Yakov SAMOKHIN and Eleonora SOLOMENNİKOVA (f):** Novosibirsk-based journalists who founded the publishing house Sibninform. On 1 December 2011 unknown individuals broke into Samokhin and Solomennikova's house and killed their dog. The garage door, which leads into the house, was left open following the break-in, but nothing was reported stolen. The motive for the attack is unclear, however, Samokhin has claimed the incident may have been an attempt to intimidate or attack Solomennikova, who was due to be home at the

time. Solomennikova had been working on a journalistic investigation into the logging of the Novosibirsk Zaeltsevsky Forest.

*Case closed*

**Alexander ANDRONYUK:** Editor-in-chief of the independent weekly newspaper *Arzamasskie Vesti*, was detainedJuly 2009, under suspicion of extorting a gypsum factory into paying a subscription to his newspaper, so as not to publish information that could damage the factory’s reputation. However, Andronyuk’s deputy editor stated that the newspaper had had good business relations with the factory for many years. *Arzamasskie Vesti* is said to be known for its exposés on local officials, and that the newspaper was the first to publish on a scandal involving a leader of the United Russia party. In December 2009, a court in the city of Arzamas, sentenced Andronyuk to five years in a correctional labour camp on charges of extortion. A court in Nizhny Novgorod upheld the guilty verdict in February 2010, but imposed a suspended five-year sentence with a three-year probation period. **New charges:** In March 2010, another criminal case for ‘libel’ was filed against Andronyuk. This case was initiated by the head of a water supply company, who was allegedly described in an article as having ‘irregularly seized’ the said company. No new information. Case closed.

**Sergei MIKHAYLOV:** Founder of the newspaper *Listok* (Page) and member of the regional parliament of the Russian Altai Republic, has been reportedly charged with defamation and inciting ethnic hatred, in May 2010. According to Radio Free Europe/Radio Liberty (RFE/RL), the charge of defamation is linked to an article printed in *Listok* a year earlier, that was critical of the Altai authorities regarding the liquidation of an outdoor market in Gorno-Altais, Altai’s capital city. The second charge, is related to a placard with an ultranationalist symbol that Mikhaylov allegedly carried in February. With two cases still under investigation Mikhaylov was accused the third time in July 2010. No new information. Case closed.

**Irek MURTAZIN:** Internet writer and former press secretary to the president of the Republic of Tatarstan, was sentenced to twenty-one months in prison by the Kirov district court of Kazan, capital of Tatarstan, on 20 November 2009. Murtazin was convicted on charges of defamation and instigating hatred and hostility. The trial stemmed from Murtazin’s book *Mintimer Shaimiyev: The Last President of Tatarstan*, published in 2007. It is said that the authorities only paid attention to the book after Murtazin posted on his blog the erroneous news that Tatar President Shaimiyev had died whilst on holiday in Turkey in September 2008. The news were refuted soon after, but Murtazin was summoned to the prosecutor’s office for questioning; afterwards his home was searched and his computer and notebooks seized. The author was formally charged on 10 December 2008; later that month, Murtazin was attacked in his car by two unknown individuals. Case closed due to lack of further information. Presumed free.

**Anatoly SARDAYEV:** editor in chief of the weekly *Mordoviya Segodnya* (*Mordoviya Today*) based in the city of Saransk, the capital of the Central Russian Republic of Mordoviya. He was sentenced on 29 June 2007 for embezzlement and misuse of funds when he was head of the Mordoviya postal service in 2004, and was given a 5 ½ year sentence, and a fine of around US\$ 4,000. However colleagues and press freedom monitors were concerned that the sentence may be a means of punishing his newspaper for critical reports on the local authorities. Case closed. Presumed free.

**Boris STOMAKHIN:** contributor to *Radikalnaya Politika* and the Chechen rebel-run website Kav-Kaz Centre. Sentenced to five years in prison on charges of inciting ethnic hatred and supporting terrorism on 20

November 2006. Prosecuting authorities state that his articles called for “destroying of the Russian people as a nation”. He has been imprisoned since his arrest on 22 March 2006 when he fell from a Moscow window in an attempt to escape police. It is thought he suffered a fractured spine and damage to his knee. He was first held in a prison in Moscow, then transferred on 25 June 2007 to another in Nizhny Novgorod, some 400 km from the capital. The charges relate to an article published in 2003 following a complaint that the newspaper was published by “Chechen radicals”. Stomakhin fled Moscow but returned after an unsuccessful appeal for asylum in Ukraine. **PEN Position:** PEN understands that many of the articles do call for violence and justify terrorist acts such as the seizure of the theatre in Moscow in late 2003. Stomakhin, in his defence, states that his comments were simply opinions and not calls for action and a number of NGOS have called for his release, referring to his writings as while being on the one hand “outrageous”, on the other they do not directly incite violence. **Case closed:** presumed free on expiry of his sentence.

## SERBIA

*Harassed*

\***Csaba PRESSBURGER:** editor-in-chief of Serbia’s only Hungarian language daily newspaper *Magyar Szo*, was dismissed from his job on 29 June 2011. Pressburger was fired by the National Council of the Hungarian Ethnic Minority, an umbrella organisation of ethnic Hungarians in Serbia, for allegedly inadequately covering press conferences by certain political parties. Although the Council is supposed to represent the interests of the national minority, it has been criticised for instead merely representing the interests of the political parties from which its members are elected.

## SPAIN

*Imprisoned - Investigation*

Javier SALUTREGI: sub-editor for *Egin*, that was forcibly closed in 1998 by a court order, which was subsequently lifted in 1999. *Egin* was accused of printing coded messages for ETA and thus supporting “terrorism”. Salutregi was charged alongside Teresa Toda (below) and 15 admin staff of the newspaper. Salutregi was Arrested on 22 July 1998 and freed on 150,000 bail on 20 November 1998, reduced to 6000 in December 1999. He received a 12- year sentence on 19 December 2007 on charges of membership of an armed organisation, and was arrested on 30 November 2007 to start serving his sentence. The sentence was subsequently reduced to seven years and six months. 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. He is expected to be released at the end of 2014.

**Teresa TODA** (f): (dob 1950) journalist and sub-editor for *Egin* that was forcibly closed in 1998 by a court order, which was subsequently lifted in 1999. *Egin* was accused of printing coded messages for ETA and thus supporting “terrorism”. Charged alongside Teresa Toda was Javier Salutregi (see above) and 15 admin staff of the newspaper. Toda was arrested on 19 September 1998 and freed on bail of 6000 that day. She received a ten year sentence on 19 December 2007 and was imprisoned on conviction of co-operating with an armed organisation. Her sentence was reduced to six years in prison in April 2009. **Professional background:** Teresa Toda is a Board Member of the Basque PEN Centre. Born in Brazil into a diplomatic family she lived in North and South America

and the UK before going to Spain where she became a correspondent for *Egin* in 1984. She then moved to the Basque region to work for a trade union publication, taking leave of absence from *Egin* in 1998, and unable to return when it was closed down. She is known for her anti-Franco and left wing activism for which she was expelled from university. She is currently in prison in Cordoba.

*Attacked*

\***Gorka RAMOS:** journalist for the news website *Linformation*, was beaten and arrested while covering the 15-M Movement protests on 4 August 2011. The protests have rallied millions of Spanish citizens in several cities to protest against the current two-party system, unemployment and welfare cuts. Ramos was detained for one night and accused of disobeying the authorities, although video evidence suggests he was set upon by up to seven anti-riot police officers.

## TAJIKISTAN

*Non-custodial sentence*

**Makhmadyusuf ISMOILOV:** journalist for the weekly newspaper Nuri Zindagi (Ray of Starlight), and based in the capital, Dushanbe, was arrested on 23 November 2010 in the Soghd region of the country, where he had been working to promote circulation of the newspaper. According to Ismoilov’s lawyer, he has been charged with “criminal defamation” and “insult through media,” but the charges do not relate specifically to a particular article or plaintiff. On 29 November the editor of Nuri Zindagi received an official letter from the Asht district prosecutor’s office, demanding copies of all published articles written by Ismoilov. He faced a prison sentence of up to two-and-a-half years. Because Nuri Zindagi received the letter from the prosecutor of the Asht district, his fellow journalists believe that the charges relate to an article he wrote about the local authorities in Asht. The article criticized local law-enforcement agencies in particular and the lack of justice in the district. Ismoilov was held in a detention facility in the city of Khujand, in the north of the country and was reportedly held in solitary confinement. **Trial:** It was reported that on 30 September 2011 that prosecutors asked the court to sentence Ismoilov to 16 years imprisonment for insulting officials, defamation and inciting ethnic tensions. **Verdict:** On 14 October 2011 Ismoilov was found guilty of causing moral damages through his articles which criticized local authorities. He was barred from journalistic work for three years and ordered to pay a 35,800-somoni (approx. \$7,100) fine; however, he was spared these penalties by a regional court on 7 December 2011.

*Attacked*

\***Khurshed ATOVULLO:** editor-in-chief of the weekly newspaper *Farazh*, was reportedly attacked in Dushanbe, the news service Asia Plus announced on 31 August 2011. The journalist was reportedly on his way to Eid al-Fitr when he and his relatives were attacked by the unknown assailants. The attackers, who were armed with baseball bats, reportedly did not make any demands or threats and the motive for the attack remains unknown. Atovullo was hospitalised following the attack. He has reportedly been disappointed by the indifference shown to him by the authorities after he informed the police about the attack. The police claimed to be waiting for the results of the journalist’s medical examination before launching an investigation.

*Released*

**Urinboy USMONOV:** journalist for the *BBC Central Asian Service*; detained in Khujand, northern Tajikistan, on 13 June 2011, accused of membership of the banned Islamic movement Hizb ut-Tahrir and of seeking to recruit new members to the group via the internet. On 20 June 2011 he was indicted on charges of making “public calls to forcibly change the constitutional system of Tajikistan” which carried a maximum 15 years in jail if convicted. However, this charge was later changed to ‘complicity in activities of the banned group Hizb ut-Tahrir’, for which he faced up to 5 years in prison. Usmonov had been reported missing on 13 June after he failed to return home after work. He appeared at his family home on 14 June, accompanied by members of the Tajik security services, who told his family that Usmonov had been arrested, and conducted a search of the house. It was reported that Usmonov appeared to have been beaten and had difficulty walking during this search. Usmanov’s lawyer, Fayziniso Vohidova, said that an arrest warrant was signed by the court on June 15. Vohidova claimed that she has been denied access to her client. The BBC has rejected the charges against Usmonov, stating that “Whilst Mr. Usmonov has reported on the judicial trials and activities of the Hizbi Tahir party in Tajikistan at the request of the BBC, the BBC has no reason to believe these allegations”. His family is further concerned about his treatment as he suffers from diabetes and high blood pressure. **Trial:** Usmonov’s trial began on 15 August 2011 in the Northern City of Khujand. His lawyer claimed that the prosecution had used as evidence the article on Hizb ut-Tahrir that Usmonov had downloaded onto his personal computer, which he had gathered as part of his journalistic work. He was also allegedly accused of using the BBC “as a platform for propaganda”. **Verdict:** Usmonov was found guilty on 14 October 2011 of spreading Islamic propaganda through his reporting. He reportedly received a three year sentence; however, the judge immediately granted him an amnesty and allowed him to walk free. The verdict was upheld by the Tajikistan Supreme Court on appeal on 30 November 2011

## TURKEY

*Killed: Trial under way*

**Hrant DINK:** editor of the Armenian language *Agos* magazine. Killed outside his office in Istanbul by an assassin on 19 January 2007. Dink was one of the few persons to be convicted under Article 301 of the Penal Code, accused of “insulting Turkishness” for his writings on the 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 ultra nationalists. **Threats:** Following Dink’s murder it has been revealed that he had informed and warned the authorities about the plans to kill him but was not taken seriously. Following the murder, a number of other writers and journalists were allegedly put on extremist “death lists” and placed under police protection. **Trial:** 17-year-old Ogun Samast was arrested on accusation of manslaughter, affiliation to an armed group and possession of illegal firearms. In March 2007 it was reported that 30 people had been interrogated in connection with Dink’s murder, 20 of whom were subsequently brought to trial that opened in July 2007 and is still ongoing. A separate investigation was opened into 8 police accused of “dereliction of duty” following claims that they had been warned several times that Dink was in danger. In July 2008, the Turkish Parliamentary Human Rights Commission reported that there was negligence and lack

of coordination on the part of the security services that led to a failure to prevent the murder. **Trial progress:** The final trial hearing against Samast was held on 17 June 2011. At this hearing, he described himself as a “victim of circumstances”, adding that he had plans to go to university to study sociology. On 25 July, he was sentenced to 22 years and 10 months in prison, the longest he could receive as he was still a minor at the time of the crime. The trial against 19 defendants allegedly involved in the killing continues including that of two suspects accused of assisting Samast in the killing. The 21<sup>st</sup> hearing of the case was held 14 November 2011 attended by defendants Yasin Hayal and Erhan Tuncel, charged with “joining and assisting a terrorist organisation” and “premeditated murder” for having instigated Samast to murder Dink. The court heard reference to the mental health of Hayal, and questions surrounding the availability of CCTV footage which could identify these and others accused of being in the vicinity of the murder. The hearing was postponed to 10 January 2012. **European Court on Human Rights Application:** The European Court on Human Rights is considering five applications under the right to life, the right to effective **Honorary Member:** Belgium (Fl), England, and Norway

#### *Imprisoned Main Case*

#### \***Ayse BERKTAY (f)**

**Profession:** scholar, author, translator and woman’s activist. **Date of arrest:** 3 October 2011 **Sentence:** not yet sentenced **Arrest:** arrested at her home at 5 am. No arrest or seizure warrant issued. Papers and other materials were taken by police during the raid on her home. Others arrested at same time. **Charges:** Linked to the KCK arrests – see below. Berktaay and others arrested with her, had been working with the Peace and Democracy Party (BDP) of which she is member. As of December 2011, she had not been given details of the charges other than she is accused of “terrorism”. Specifics have not been provided although reference was made to actions such as planning to stage demonstrations aimed at destabilising, plotting to encourage women to throw themselves under police vehicles so as to create a furor. **Details:** Berktaay is allowed full access to her lawyers. **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. **Place of detention:** Bakirköy Women’s Prison, Istanbul.

#### **Muharrem ERBEY**

**D.o.b.:** 1970 **Profession:** human rights lawyer and writer **Date of arrest:** 24 December 2009 **Sentence:** not yet sentenced. **Details:** On 24 December 2009, human rights lawyer, writer and PEN Turkey member Muharrem Erbey was arrested in Diyarbakir, south eastern Turkey. He was among 80 people arrested on accusation of having links with an organisation said to be affiliate to the banned Kurdistan Workers Party (PKK). Muharrem Erbey is a highly respected 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. Muharrem Erbey has since the late 1990s worked on human rights issues for which he has gained international respect. 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 IHD, one of Turkey’s most reputable human rights associations. He is also President of the Diyarbakir Branch of the IHD. **Charges:** According to reports, members of the Anti-Terror Unit of the Diyarbakir Security Directorate took Erbey from his home in the early hours of 24 December 2009. Erbey is charged under Article 220/6 of the Penal Code with “membership of an illegal organisation”, the Kurdistan Democratic Confederation (KCK), said to be affiliated to the banned Kurdish Workers Party (PKK). **Possible reasons for arrest:** Commentators have referred to recent visits by Erbey to various European parliaments, including in Sweden, Belgium and the UK, where he spoke on Kurdish rights. He had also participated in a Kurdish film festival staged in Italy in late 2009. In September 2009 he had taken part in a workshop on minority rights in Diyarbakir. 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, including extra judicial killings and disappearances. **Other details:** Erbey’s collection of short stories, *My Father, Aharon Usta*, is due to be published shortly. 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. He is a member of PEN Turkey and the Kurdish Writers’ Association. **Place of detention:** Diyarbakir D Type Prison **Honorary Member:** PEN Turkey

\***Professor Busra ERSANLI (f):** academic, expert on constitutional law and author. **Details of Arrest:** Arrested 29 October 2011. **Sentence:** not yet sentenced. **Charges: Reasons for arrest:** believed to be “membership of an illegal organisation” under the Anti Terror Law Ersanli was advising the BDP on constitutional reform at the time of her arrest. Apparently she has been questioned about notes she made at various academic meetings. **Local and international reaction:** hundreds of supporters protested outside the court at an appeal hearing against the sentence on 31 October. Amnesty Turkey wrote to the Ministry of Justice in mid-November 2011 citing lack of evidence of criminal activities. **Further background:** Forty one people had also been arrested around the same time under what is known as the Democratic Society Congress (Koma Civaken Kurdistan – KCK) operation that has been under way since 2009 leading to several hundred, some say over 1,000, arrests and trials. The KCK is seen as its civil/political wing front for the outlawed Kurdistan Workers Party (PKK), and thus also illegal. Human rights groups monitoring the operation have reported concerns over a number of areas including lengthy pre-trial detention without bail (some have been held pending trial since the start of the operation in April 2009), that the charges may be politically motivated, and that fair trial standards are being ignored. See references to other writers and journalists arrested in this operation elsewhere on this caselist. **Place of Detention:** Bakirköy Women’s Prison, Istanbul **Professional details:** Professor Busra Ersanli is an academic based at Istanbul’s Marmara university’s Faculty of Political Science and International Relations. She is an expert on constitutional law and at the time of her arrest was working with the BDP’s Constitutional Commission. Author of *Peace and History*. She is known for her work towards finding non-violent resolutions to conflict.

#### **Nedim SENER: journalist and writer.**

**Details of arrest.** Arrested 7 March 2011 alongside Ahmet Sik (below) **Sentence:** not yet sentenced. **Details of Charges: (1)** formally charged on 11 March 2011 on charges related to the *Ergenekon* investigation **Details of trial.** First trial hearing held on 14 April 2011 and still ongoing. Appeal for release refused. Trial hearings attended by numerous supporters, carrying candles and chanting. A hearing on 22 November 2011 against the detention was refused. Again journalists and writers groups gathered outside the court room in support of the defendants. **(2) New charges jointly against Sener and Sik:** and others. On 26 August 2011, it was announced that 14 people had been indicted on charges connected to the *Ergenekon* investigation of “aiding an illegal armed organisation”. This indictment followed a raid on a TV station Oda TV. Among the defendants are **Ahmet Sik, Nedim Sener, Yalçın Küçük** – writer, see below, and journalists **Coskun Musluk** and **Sait Çakir**. The most recent hearing of this case was held on 26 December 2011. **Background:** was awarded the 2011 Oxfam/Novib PEN Freedom of Expression award and also named World Press Freedom Hero by the International Press Institute in 2010. He 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). 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 Sener’s arrest is linked to his research into suggestions that the movement holds undue influence in the Ergenekon investigation. Furthermore, earlier in 2011, Sener had written that he had received death threats for his comments that suggested police accused of negligence into the inquiry into Hrant Dink’s death were also linked to Ergenekon. **Other trials against Sener: 1)** on 19 April 2011 Sener appeared in court on charges under Article 285 of the Penal Code relating to violation of confidentiality in an article on a police chief himself accused of connections to Ergenekon. **2)** On 2 June 2011 he was due to appear in court alongside **Hasan Çakkalkurt** (see elsewhere) on charges of for an article on bribery published in *Milliyet* in October 2010. This trial was adjourned to 1 November 2011. **3)** Another trial is under way, this time for disclosing details of a closed trial in an article published November 2010 titled ‘The black bag was not in the room’ referring to a bag allegedly containing cassettes containing information on politicians, journalists and bureaucrats in the 1990s said to have been found in a former police chief’s possession. **4)** A trial hearing will be held on 7 December 2011 related to an article ‘Two Police Schemes’ before Bakirköy Court of First Instance in Istanbul. On that day he was acquitted of the charges. Other trials are said to be ongoing against him. **Place of detention:** Silivri No 2 L Type Prison in Istanbul. **Honorary member:** PEN Turkey

#### **Ahmet IK:**

**Profession:** journalist and writer. **D.o.b:** 1970 **Details of arrest.** Arrested 7 March 2011 alongside Nedim Sener (above) **Sentence:** not yet sentenced. **Details of Charges: (1)** formally charged on 11 March 2011 on charges related to the *Ergenekon* investigation **Details of trial.** First trial hearing held on 14 April 2011 and still ongoing. Appeal for release refused. Trial hearings attended by numerous supporters, carrying candles and chanting. A hearing on 22 November 2011 against the detention was refused. Again journalists and writers groups gathered outside the court room in support of the defendants. **(2) New charges jointly against Sener and Sik:** and

others. On 26 August 2011, it was announced that 14 people had been indicted on charges connected to the *Ergenekon* investigation of “aiding an illegal armed organisation”. This indictment followed a raid on a TV station Oda TV. Among the defendants are **Ahmet Sik, Nedim Sener, Yalçın Küçük** – writer, see below, and journalists **Coskun Musluk** and **Sait Çakir**. The most recent hearing of this case was held on 26 December 2011. **Background:** Police are said to have seized the draft manuscript of a book by **Ahmet ik**, who, like Nedim Sener, is the author of books investigating Ergenekon. He too is said to have looked into the alleged affiliation of police to the Gülen movement in his book *Imam’s Army*. Although unpublished, the book has been banned. **Other trials against Ahmet ik:** He is already on trial for two books on Ergenekon, co-authored with journalist **Ertugrul Maviolgu**. **Other information:** ik is a graduate Communications Facility Department of Journalists, Istanbul University. Reporter for *Milliyet, Cumhuriyet, Everensel, Yeni Yüzyil*, and *Radikal* over the period 1991 – 2005. Awarded a number of prizes for his journalism in Turkey. **Place of detention:** Silivri No 2 L Type Prison in Istanbul. **Honorary member:** PEN Turkey

\***Deniz ZARAKOLU;** author, translator and son of leading freedom of expression activist, also detained, Ragip Zarakolu. (See below). **Details of arrest:** Arrested 7 October 2011 at his home in Tarlabasi, Istanbul. **Charges:** Anti Terror Law **Reasons for arrest:** Said to be for a lecture on political philosophy from Aristotle at pro Kurdish Party for Peace and Democracy (BDP) meeting. **Place of detention:** First held in a prison in Edirne, then transferred to Kocaeli Prison to be with his father, Ragip Zarakolu, also detained. See below. **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 delegations to Turkey.

\***Ragip ZARAKOLU:** publisher, freedom of expression and minority rights activist, member of PEN Turkey. **Details of Arrest:** Arrested 29 October 2011. **Sentence:** not yet sentenced. **Reasons for arrest:** believed to be under the Anti Terror Law for “membership of an illegal organisation” under the Anti Terror Law reportedly related to 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). **Local and international reaction:** hundreds of supporters protested outside the court at an appeal hearing against the sentence on 31 October. **Further background:** Forty one people had also been arrested around the same time under what is known as the Democratic Society Congress (Koma Civaken Kurdistan – KCK) operation that has been under way since 2009 leading to several hundred, some say over 1,000, arrests and trials. The KCK is seen as its civil/political wing front for the outlawed Kurdistan Workers Party (PKK), and thus also illegal. Human rights groups monitoring the operation have reported concerns over a number of areas including lengthy pre-trial detention without bail (some have been held pending trial since the start of the operation in April 2009), that the charges may be politically motivated, and that fair trial standards are being ignored. See references to other writers and journalists arrested in this operation elsewhere on this caselist. **Place of Detention:** Kocaeli Prison **Professional details:** Ragip 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. As 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. 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. **Honorary member of:** PEN Turkey, German PEN, Netherlands PEN, San Miguel Allende PEN

#### *Imprisoned Investigation December 2011 ‘KCK’ Mass arrests*

*Around 40 journalists were arrested on 20 December 2011 during crackdowns of newspapers and news agencies across the country. Most remain detained, charged under the Anti Terror Law (ATL) for being alleged members of the Union of Kurdish Communities (KCK), said to be an umbrella organisation of Kurdish groups, including the banned Kurdish Workers Party (PKK). The arrests has raised alarm in Turkey and internationally that the ATL may be being used to suppress legitimate commentary and activities. Dunja Mijatovic, Special Representative of the Media for the OSCE stated “It is important to know exactly why these media professionals were arrested. Although governments have an unquestioned right to fight terrorism, it should be carried out without silencing the press and curbing the public’s right to be informed. This right includes reporting on sensitive issues, such as terrorism.” By 22 December the number arrested had risen to 49 and all had been brought to Istanbul’s Besiktas Court after having had health checks. They are reported to have shouted out “Free Press Can’t Be Silenced” to supporters. The press freedom organisation, BIANET listed the names as follows. After the court hearing, 13 were freed – some of whom to face trial without detention, leaving 36 still detained. (PEN is seeking details of all those who were freed but who who may still be included on this list).*

Ramazan Pekgöz (Dicle News Agency-DIHA, editor, Diyarbakır)  
Mazlum Özdemir (DIHA correspondent,Diyarbakır)  
Fatma Koçak (f) (DIHA News Desk Manager, stanbul)  
Kenan Kırkaya (DIHA representative, Ankara)  
Sadık Topaloglu (DIHA correspondent,Urfa)  
Semiha Alankus (DIHA editor, Diyarbakır)  
Çağdas Kaplan (DIHA correspondent, Istanbul)  
Ömer Çelik (D HA correspondent, Istanbul)  
Güne Ünsal (D HA English Desk,Istanbul)  
Zuhal Tekiner (D HA concessionnaire, Istanbul)  
Pervin Yerlikaya (D HA-Istanbul)  
Nilgün Yıldız (D HA correspondent , Mardin)  
Zeynep Kuray (f) (Birgün daily correspondent)  
Nahide Ermi (f) (Özgür Halk and Demokratik Modernite magazine board of editors)  
Ömer Çiftçi (Demokratik Modernite magazine concessionnaire)  
Davut Uçar (Etik Ajans, manager)  
Hüseyin Deniz (Evrensel daily correspondent, former Özgür Gündem employee)  
İsmail Yıldız (former DIHA employee)  
Sevinç Tuncelli (former DIHA employee)  
Dilek Demirel (former Özgür Gündem employee)  
Sibel Güler (f) (former Özgür Gündem employee)  
Ertu Bozkurt (Firat Distribution)  
eref Sümeli (former Fırat Distribution employee)  
Çağdas Ulus (Vatan daily correspondent)  
Nevin Erdemir (Özgür Gündem daily)  
Eylem Sürmeli (former Özgür Gündem employee)

Nurettin Fırat (Özgür Gündem daily columnist)  
Ayşe Oyman (f) (Özgür Gündem)  
Yüksel Genç (Özgür Gündem columnist)  
Oktay Candemir (former DIHA employee)  
Ziya Çiçekçi (f) (Özgür Gündem daily concessionnaire and responsible editor)  
Haydar Tekin ( former Fırat Distribution employee)  
Safiye Torman (Demokratik Modernite magazine employee, Van)  
Selahattin Aslan (Demokratik Modernite employee)  
İrfan Bilgiç (former Fırat Distribution employee)  
Ali Fidan (Fırat Distribution, Istanbul)  
M. Emin Yıldırım (Azadiya Welat editor-in-chief)  
Saffet Orman (IC)

#### *Imprisoned – Investigation - Ergenekon Investigation*

*Since June 2007 there have been a series arrests of leading military, political, police, intellectual and other figures. Now numbering over 200, they are accused of membership of a neo-nationalist organisation known as “Ergenekon”. Its aim is said to be to overthrow the government and linked to recent assassinations, including that of Hrant Dink (above). There have been concerns about the conduct of the investigatpemion and that some of the arrests may be of persons targeted solely for their views. The first to be charged, 86 defendants, went on trial in October 2008.. A second trial against 56 others opened in July 2009. In early August 2009 a third group of people, numbering 52 were indicted as part of the Ergenekon investigation. It was subsequently announced that trials of those accused under the second and third indictments would be merged. Among the defendants are writers, journalists and academics whose cases PEN is monitoring. While some may hold nationalistic views that run counter to PEN International’s charter ,there are concerns that the only evidence against them is their writings. The prosecutors claim that some of these writings “in the wake of assassinations that undermine public authority, defendants attempted not only to mislead the public but also carried out propaganda [for Ergenekon] in their writings.” **Updates:** the 188th hearing of the first round of people to be arrested was heard on 13 July 2011 when it was reported that of the 108 defendants, 27 were in prison.*

**Mustafa BALBAY:** writer and columnist for *Cumhuriyet*. Among eight people arrested in early July 2008 as part of a series of arrests of members of the nationalist group Ergenekon. Released to stand trial. Balbay was re-arrested on 7 March 2009 and taken to Metris prison. Bianet reports that the reasons for their re-arrest is unknown but that they face life sentences if convicted. *Cumhuriyet* editor in chief, Hikmet Çentinkaya, told the media “What happened in the past 8 months to cause these arrests? We don’t know if there is new evidence or not. ... [Balbay] is a Kemalist and Republican. If those constitute crimes, I wouldn’t know.” Other commentators consider the arrests of those such as Balbay are a warning to the opposition. Trial opened on 21 July 2009. At a hearing on 19 November 2009, Balbay made a statement in which he denied charges of inciting an armed uprising. 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. If convicted, he faces between 16-80 years in prison. 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”. **Update:** on 23 June 2011 Balbay’s request for release was dismissed by the Istanbul 13<sup>th</sup> High Court, and a further appeal dismissed by the 14<sup>th</sup> High Court the following week, on 29 June, was also dismissed. **Place of Detention:** as of August 2011 held at Silivri No 1 L Type Prison. **Honorary member:** PEN Turkey

**Dr Yalçın KÜÇÜK:** writer, economist, historian and socialist. Known critic of the AKP. Author of numerous books on socio-economics. Accused of sympathies with the PKK and sentenced to two years in prison in the late 1990s for interview with its leader, Abdullah Ocalan. Arrested on 7 January 2009 for investigation in the ‘Ergenekon’ case. Released 22 January 2009 to face trial as part of the third wave of indictments, opening 7 September 2009. As of August 2011 he was held in Silivri No. 2 L Type prison. On 22 November 2011 he appeared before Istanbul 16<sup>th</sup> High Criminal Court to appeal against his sentence. The trial was postponed to 26 December 2011. **Tuncay ÖZKAN:** writer and journalist. Arrested on 27 September 2008, and trial due to commence on 20 July 2009. 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 *Aksam*. Reportedly detained as of August 2010.

**Hüseyin Soner YALÇIN:** journalist for Oda TV and the *Hürriyet* newspaper. Held under the Ergenekon investigation for, among others, membership of an armed organisation (Ergenekon) and holding classified information. Held in Silivri No 1 L Type prison as of September 2011. **Deniz YILDIRIM:** chief editor for *Aydinlik* reportedly detained along with Ulusal Channel news chief **Ufuk Akaya** as of August 2010. They have been in prison since September 2009 on charges of phone tapping.

#### *Imprisoned Investigation cases (excluding KCK and Ergenekon above)*

\***Baris AÇIKEL:** editor in chief of *Devrim Yolunda İşçi Köylü (Revolutionary Workers and Peasants)*. Reported detained as of November 2011.

**Bedri ADANIR:** d.o.b. 1983. owner of the Aram Publishing House and representative of *Hawar* newspaper. Arrested on 5 January 2010 on charges under Article 7/2 of the Anti Terror Law for publishing *On Culture and Arts*, a collection of speeches by the leader of the banned Kurdish Workers’ Party (PKK), Abdullah Ocalan. The book is said to refer to Ocalan as “chairman” and PKK members as “guerillas” and “martyrs”. He is accused of “spreading propaganda for an illegal organisation”. The publishing house had originally been raided in October 2008 and charges made against Adanir in May 2009. However Adanir has been out of the country, and was arrested on his return from Iraqi Kurdistan. Initially he faced three separate trials, but these have now been merged into one. One relates to the book, the other two to articles he wrote for his newspaper. The first hearing was held on 25 February 2010. He was ordered to remain detained due to the “quality of the crimes” he is accused of. His publishing house is described by the authorities as an outlet for PKK publications.**Trial:** In the hearing on 6 May 2010, the prosecutor stated that 38 books were confiscated in a raid on the publishing house on 14 September 2008 which were either banned or decided to be seized. The prosecutor furthermore claimed a four count charge of “propaganda for an illegal organization” based on articles and

contents published in May 2009. The prosecutor demanded a seven count sentence for Adanir according to article 7/2 of the Anti-Terror Law (TMY) and punishment under allegations of “committing a crime on behalf of a terrorist organization without being a member of the organization” based on articles 314/3 and 220/6 of the Turkish Criminal Code plus article 5 of the TMY related to an increase of the penalty. In summary, Adanir faces prison sentences of up to 50 years. **Update:** at a hearing on 6 May 2011, the prosecutor explained that the materials seized contained interviews with families of killed PKK members, as well as statements praising the PKK leadership. Details of the articles and charges can be found in this article <http://bianet.org/english/english/122037-detained-publisher-adanir-faces-50-years-prison-sentence>. The next hearing was set for 17 November 2011. **Present situation:** Adanir remains detained following a refusal of his request for release pending trial in March 2011.

**Erdogan ALTAN (ALKAN), Kadri KAYA:** Batman based journalist and reporter for the Dicle News agency. Arrested and imprisoned on 19 April 2011. Among a number of people arrested for their alleged involvement in an “illegal organisation”. Reported still detained as of November 2011.

\***Ali BULUS:** *DIHA* Mersin representativ. Reported in September 2011 to still be detained serving a six year and three month sentence

\***Ali ÇAT:** *Azadiya Welat* journalist said to be detained in September 2011 serving a seven year one month sentence.

**Ersan ÇELİK:** journalist for the DIHA news agency. **1)** Sentenced with 26 other people on 14 January 2010 to six years in prison on accusation of membership of the Kurdish Workers Party (PKK) by the Malatya High Criminal Court no 3. In March 2008 some 100 people were arrested for their alleged mewmbership of the Patriotic Democratic Youth Council (PDYC) linked to the PKK. 30 were arrested of which 26 were freed after two months in pre trial detention. They were accused on the testimony of one man who claims to have recognised them as members (not clear who this person is). Lawyers point out that he did not recognise them at previous hearings and had given incorrect names. With reference to Çelik, his lawyer pointed out that at the defence witness had clearly stated that he knew Çelik as a DIHA journalist and that he did not have connections with the PDYC. **2)** On 13 May 2011 he was sentenced to ten 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 launched.

**Ibrahim ÇİÇEK, Bayram NAMAZ, Sedat SENOGLU, Ziya ULUSOY:** editor in chief, journalist, journalist, journalist, deputy editor and journalist respectively for the newspaper *Atilim*: Also among those detained is **Fusun Erdogan (f)** a radio journalist. Arrested under Article 6 of the Anti Terror Law on 10 September 2006. Trial proceedings against them opened on 13 April 2007. Accused of being members of the Marxist Leninist Communist Party (MKLP) deemed to be a terrorist organisation. Concerns centre on the non-disclosure by the authorities of the reasons for their arrest. **Trial:** 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 almost five 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. The next hearing is due on 13 October 2011. **Place of Detention.** Namaz and Senoglu, are held in Edirne F Type Prison. Çiçek and Ulusoy were detained in Tekirdag F Type Prison until their release in May 2011. **Update:** In May 2011, **Ibrahim Çiçek** and **Ziya Ulusoy** were freed pending trial. **Sedat Senoglu** and **Fusun Erdogan** had their detention terms extended. No news on Bayram Namaz. Çiçek is running for election as an independent candidate for the presidential elections in June 2011.

**Hamdiye ÇİFTİÇİ (f):** reporter for the DIHA newsagency detained since 6 June 2010. Among a number of people detained on raids carried out in connection with arrests of members of the Kurdistan Communities/ Turkey Assembly (KCK/TM) which includes the banned Kurdish Workers Party (PKK). She is said to be an executive of the pro-Kurdish Peace and Democracy Party (BDP) in Hakkari. In March 2011 it is said that no formal indictment had yet to be made. She has appealed against her detention three times.

\***Hatice DUMAN (f):** *Atilim (Leap)* magazine owner and editor. Said to be detained in September 2011 on a life sentence for membership of an illegal organisation, the Marxist Leninist Communist Party (MKLP)

\***Dilsah ERCAN:** *Yorum (Comment)* and *Yeni Özgür Halk (New Free People)* journalist said in September 2011 to be detained serving an eight year and nine month sentence.

\***Ruken ERGÜN:** editor of *Azadiya Welt*. Detained as of November 2011. See Ozan Kiliç and Vedat Kursun below.

\***Mustafa GÖK:** *Emek ve Adalet* journalist said in September 2011 to be still on trial.

\***Cengiz KAPMAZ:** author of *Öcalan's Days on Imrali* arrested on 22 November 2011 in Istanbul as part of a mass arrest, mainly of lawyers, related to the KCK operation – see elsewhere for similar arrests. Not known if still in detention. On 10 December, 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.

\***Mehmet KARABAS:** journalist for the *Batman Post*. Reported detained as of November 2011.

\***Abdullebbar KARABEG:** *Azadiya Welat* journalist said in September 2011 to be detained serving a seven year and one month sentence.

\***Mehmet KARAASLAN:** *DIHA* Mersin representative. Reported in September 2011 to still be detained serving a six year and one month sentence

\***Hamdullah KESEN, Sehmus KABAK:** reporters for Diha Newsagency and *Azadiya Welat* respectively among 11 people arrested on 7 September 2011 on charges of being members of the banned Kurdistan Workers' Party (PKK) in Adana. Not clear if still detained.

\***Dilek KESKIN:** *Atilim* Istanbul reporter. Said to be detained in September 2011 on a four year two months sentence for membership of an illegal organisation, the Marxist Leninist Communist Party (MKLP)

\***Deniz KILIÇ:** journalist for *Azadiya Welat* in Batman. Reported detained in November 2011.

**Ozan KILINÇ:** chief editor of the Diyarbakir based Kurdish language *Azadiya Welat*. **Sentence:** Sentenced 11 February 2010 to 21 years in prison under the Anti Terror Law for membership of the Kurdish Workers Party (PKK). Said to be linked to 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”. Kiliç was not present at the trial and an arrest warrant was issued. Reuters reports that *Azadiya Welat* has had to replace 6 editors in 3 years because they have been arrested or have had to flee the country. **Re-arrest:** Kiliç was arrested on 22 July 2010 during a police raid on his home in Diyarbakir five months after his conviction. **Appeal:** In February 2011 his previous 21 year sentence was overturned as being too high. **Sentence:** 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. **Imprisoned:** Diyarbakir.

**Vedat KURSUN:** editor and owner of *Azadiya Welat* newspaper. Sentenced in May 2010 to a total of 166 years and six months in prison for having published a series of articles between September 2006 and August 2007 seen to be supporting and promoting the PKK. Convicted under Articles 220/6 and 314/2 of the Penal Code for making propaganda for an illegal organisation (the PKK) and Article 7/2 of the Anti Terror Law for sending directions to the PKK through the press. 12 years of his sentence relate to alleged membership of an illegal organisation, the maximum sentence that can be made. The remaining sentences have been made under the anti terror law which has been applied to each of 103 articles written by Kursun and seen to be PKK propaganda. Kursun was arrested in January 2009 in relation to another trial. Lawyers are baffled by the sentences, pointing out that Kursun has never committed violence, only expressed his views. They will appeal the sentence. Kursun has been in detention since September 2009. Reported still detained as of November 2011.

\***Bayram PARLAK:** *Gündem* Mersin representative said in September 2011 to be detained serving a six year and three month sentence.

\***Erdal SÜSEM:** *September Prison (Eylül Hapishane)* magazine editor. Said to be detained in September 2011 on a life sentence for membership of an illegal organisation, the Marxist Leninist Communist Party (MKLP)

\***Azia TUNÇ:** author. Arrested in early October 2011 as part of a crack-down related to the Party for Peace and Democracy (BDP) Author of *Analysis and Background to the Marash Massacre* and at the time of his arrest working on *Marash History and Multiculturalism*. [The Marash Massacre was an incident in early 1920 during the Franco Turkish War. French forces who had occupied this south eastern city, fled under attack by the Turkish National Forces headed by Pasha Mustafa Kemal, later to become President. Previously the French had repatriated thousands of Armenians to perceived safety in Marash, 5,000-12,000 of whom were killed by Turkish forces after the occupiers left.]

\***Faysal TUNÇ:** *DIHA* journalist reported in September 2011 to still be detained serving a six year and three month sentence.

\***Halim YAZICI:** poet and member of PEN Turkey. Arrested in his home town of Izmir on 22 November 2011 allegedly on charges of financial corruption and membership of a criminal group. Among 40 others were arrested. He is a cultural advisor to the Izmir Greater municipality. Izmir's mayor is a member of the opposition CHP and there are suggestions that the arrests may be politically motivated. He was arrested earlier in the year, 2 May 2011, and held for four days for being a member of a criminal gang, then released when it was concluded that there was no evidence. It is said that he was re-arrested for the same reason when a new District Attorney took up the post he made the decision to re-detain Yazici. PEN is seeking confirmation he is still detained.

\***Aydin YILDIZ, Kazim SEKER, Tayip TEMEL:** reporter for the Dicle News Agency (DIHA), editor of *Özgür Gündem* and writer and former general publication director of *Azadiya Welat*. All are Kurdish publications. Arrested between 1 and 4 October 2011 as part of a mass arrest of around 60 members of the pro-Kurdish Peace and Democracy Party . Yildiz and Temel were arrested in Diyarbakir in south east Turkey. Seker was arrested on 4 October in Istanbul. Believed to be detained under the anti terror law. (Also see another trial against Temel, below)

\***Dursun YILDIZ:** author and lecturer at the Free University in Istanbul. Arrested early October 2011 under a crackdown against the Party for Peace and Democracy (BDP). Author of *A Pedagogic View on Freedom*, 2003 and *A Pedagogic View on Migration*, 2011.

*On Trial/Charged (not detained)*

**Necati ABAY:** journalist and spokesperson for the Solidarity Platform for Imprisoned Journalists. Sentenced on 4 May 2011 by the 12<sup>th</sup> High Criminal Court of Istanbul to 18 years and 9 months in prison on charges of being the leader of a “terrorist organisation”, the Marxist Leninist Communist Party (MLKP). Abay was arrested by anti terrorist police on 13 April 2003 while he was a columnist and editor of *Atilim*. He claims that he was arrested on evidence of conspiracy gained from a person he had never met and from whom the information was extracted under torture. 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 the trial outcome on 3 October 2003. He is convicted under Article 168/1 of the Penal Code. He remained free for almost 8 years, and continues to be free pending his appeal. His defence lawyer argues that evidence was gathered using torture and the basis of the trial was simply on the defendant's political convictions and not acts.

\***Haldun AÇIKSÖZLÜ:** director of the play *Laz Marks*. Latest hearing held on 30 September 2011 at Tunceli Magistrate's Criminal Court on charges under Article 215. Trial opened in November 2010.

**Irfan AKTAN, Merve EROL:** both journalists are on trial, facing imprisonment on charges of “spreading PKK propaganda” in an article for *Express* magazine which allegedly constituted a violation of article 7 of the Anti-Terror Act on “Spreading propaganda for an illegal organization”. Their article, entitled “Weather Conditions in the Region and in Qandil / No Solution without Fighting” contained statements from a PKK/Kongra-Gel member and a one sentence quotation from the Özgür Halk (‘Free People’) magazine. Aktan faces five years imprisonment, Erol a monetary fine of up to TL 20,000 ( 10,000). **Update:** On 4 June 2011, the Istanbul 11th High Criminal Court sentenced journalist Irfan Aktan to imprisonment of one year and three months. Editorial manager Merve Erol received a monetary fine of TL 16,000 ( 8,000) for the article published in the 99th issue of the magazine. Aktan is presumed free on appeal.

\***Murat ALTÜNOZ:** Antakya based journalist on trial for articles he wrote for the Democratic Culture and Arts Association whose offices were raided prior to the arrest. Charged with membership of an illegal organisation under Article 314 for which he could get between 5-10 years, and also under Article 7(2) of the ATL for propaganda for an illegal organisation for which he could get 1-5 years in prison. A hearing was to be held before the Adana High Court on 15 September 2011.

\***Ilkem Ezgi ASAM (f):** journalist for *Birgün* sentenced to one year in prison on 13 December 2011 for a “boxed” comment alongside another news item in which she referred to a human rights organisation accusing a general of involvement in two massacres in the early 1990s. [Another source suggests the sentence was 10 months.] A complaint was made by

the said general, under the Anti Terror Law Article 6 that penalises writings that could identify people as possible targets for terrorist attacks.. Asam is free on appeal.

**Ercan ATAY:** *Batman Newspaper* editor on trial 28 March 2011 for publishing commentary by a PKK leader on his organisation's mines where there had been a fatal explosion. On 8 June 2011 he was sentenced to one month and one week under Article 215 of the Penal Code for “praising crime and a criminal”. Believed to be free on appeal.

\***Fatih Özgür AYDIN:** *Engineering Architecture and Planning + Acceleration Magazine* editor-in-chief. Arrested 22 July 2011 and charged with propaganda for a terrorist organisation under Article 7/2 of the ATL, Article 215 for “praising offences and offenders”, and resisting police officers in their duty Article 265, and laws governing meetings. Theoretically he faces over 50 years in prison. First hearing set for 15 November 2011. Not clear if detained.

**Ismail BESİKÇİ:** sociologist and author. Accused in June 2010 of “making propaganda for the PKK” under the Anti Terror Law for an article published in the Contemporary Lawyer's Association periodical. **Zeycan Balci Simsek**, editor of the periodical, was accused alongside Besikçi. 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 Besikçi 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 the tackled by prosecutors and business people, but by academics, journalists and philosophers. Simsek 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. **Sentence:** On 4 March 2011, Besikçi was sentenced by a court in Istanbul to one year and six months in prison, reduced to one year and three months. Simsek was sentenced to a fine. It is presumed that Besikçi is free on appeal. **Background:** Besikçi spent many years in prison in the 1990s during which time he was a main case for International PEN.

**Haci BOGATEKIN:** The editor of local “*Gerger Fırat*” newspaper which is said to have a circulation of only around 200 copies. **1)** On trial on 15 October 2008 for an article ‘Feto and Apo’ published January 2008. Charged with insult to a public official and attempting to influence a trial. Hearing held on 5 February 2009 led to a walk out by the defence lawyers, claiming that they did not believe that a fair trial was possible and recommended that another judge preside the case and that a new defence counsel be provided. PEN has since learned that he subsequently spent 109 days in prison under this charge. On 8 March 2010, he was sentenced to five years and five weeks in prison. He is free pending appeal. **2)** In December 2008, he was sentenced to two years in prison on charges of “insulting” public officials for articles in his newspaper on a corruption trial that led to the imprisonment of a mufti in Adiyaman for having misused money collected by mosques aimed at helping the families of seasonal workers who had lost their lives. Free on appeal. **3)** On 27 October 2009, Bogatekin was sentenced in absentia to two years and two months in prison under Article 125 of the Penal Code for “insult to public officials”. Relates to an article by Bogatekin published on 28 February 2008 in which he states that a prosecutor and several police officers had conspired to force his newspaper out of business. Despite that he had informed the court that he was in Istanbul receiving medical treatment on the day of the trial, the trial went ahead without him present. Free on appeal. **4)** In February 2010, a member of the ruling AKP party filed against Bogatekin for an article that he saw attacked his “personal rights” published in September 2009, entitled ‘Mercy Miro Mercy Piro’. If convicted, Bogatekin faces a fine. His trial is still under way with the next hearing set for 8 September 2011.

**Mustafa Kemal ÇELİK:** publisher of the *Batman Postasi* newspaper was on trial at the Batman 2<sup>nd</sup> Magistrate’s Court on 12 May 2011 under Penal Code Articles 215 and 218 for an article on a member of a guerilla group. Next hearing set for 17 October 2011.

**Adnan DEMİR:** director of *Taraf*. (1) Next hearing due on 25 January 2012 for an article published on *Taraf*’s website with comments by **Sebnem KORUR (f)** also on trial. There are reportedly 80 cases against *Taraf*. (2) Hearing set for 9 December 2011 for publishing interviews on *Taraf* with alleged members of the banned PKK/Kongra Gel.

**Emine DEMİR (f):** dob 1985. Former editor of the Kurdish language daily *Azadiye Welat*. Sentenced to 138 years in prison on charges of propagating the cause of the banned Kurdistan Workers’ Party (PKK) on 30 December 2010. She did not attend the hearing. In the defense statement, Demir’s lawyer Servet Özen said that his client had not acted under PKK orders and demanded that the opinions stated in her articles, which is the basis of the charges against her, had to be treated within the context of freedom of expression. The court handed down sentences under Article 314 of the Turkish Penal Code (TCK), for propagating the cause of the PKK and committing crimes in its name. Demir was sentenced to 84 consecutive sentences of 10 years and six months -- the term stipulated in the criminal code for aiding a terrorist organization without being a member -- over news stories printed in 84 different issues of *Azadiye Welat*. [Zaman, 31/12/10] totalling 138 years. She is believed to be free pending appeal.

**Temel DEMİRER:** writer. Reported in January 2008 to be standing trial before the Ankara Penal Court of First Instance under Article 216 (inciting enmity) and Article 301 (insult to the state) for a speech against the January 2007 murder of Hrant Dink in which he said “I invite all here to commit a crime. Yes, there was an Armenian genocide in this country.” And then urged Turkish intellectuals that if they did not themselves commit “this crime of 301 301 times” they too could be accomplices to the murder of Hrant Dink. A hearing held 15 May 2008 resulted in the court forwarding the case to the Ministry of Justice following amendments to Article 301 put in place in April 2008. In early September 2008, the Ministry granted approval and the case opened in November 2008. Concern was expressed in November 2008 about comments made by the then Minister of Justice Mehmet Ali Sahin in declaring the decision to proceed by stating that Demirel had made statements calling the Turkish state “murderous” and thus should be exempt from freedom of expression protection. Observers are concerned that such statements are tantamount to proclaiming guilt and could bring Demirel to the attention of extremists who threaten and attack those who refer to an Armenian genocide. Demirel’s request to have the Minister of Justice’s decision annulled as being interference in the independence of the judiciary was heard on 12 May 2009 and its outcome to be announced later. Next hearing of Demirel’s case will be on 28 March 2012..

**Rüstü DEMIRKAYA, Tayip TEMEL, Orhan MIROGLU:** two journalists and a writer respectively. Said in November 2009 to have been sentenced under the Anti Terror Law to one year 10 months, one year and two years and four months in prison respectively. Also sentenced was Kurdish politician, Leyla Zana. Appeal hearings under way in Ankara with next set for 1 November 2011.

**Busra ERDAL (f), Metin ARSLAN:** reporters for *Zaman* on trial in April 2011 for articles on the *Ergenekon* and *Sledgehammer* investigations on a complaint brought by two judges involved in the investigation who claim that the articles made them targets for attack. The prosecutor demanded their acquittal citing that the comments in the articles are within legitimate grounds of criticism. The trial will resume on 9 September 2011.

**68 \*Eren ERDEM:** author of six books. His latest, *Nurjuvazi*, a book that

comments on the Koran and the words of the Prophet Mohammed is being considered in early October 2011 for prosecution by Asya Bank for sections that suggests that the Koran is anti-capitalist and that Islamic banking is not possible. Asya Bank is one of Turkey’s leading Islamic banks that meets Muslims’ preferences of not paying or being paid interest on loans and of not becoming involved in any kind of investment in companies that sell goods or services considered haram (forbidden) in Islamic teachings. The bank is reportedly considering filing complaints including incitement to hatred and hostility, anti-terror law, and insult. The bank has refused to comment. The book depicts on its cover the religious leader Fetullah Gülen (see above) with a sports car and Erdogan’s wife.

**Ertegrül KÜRKÇÜ:** coordinator of the BIANET free expression web site. Trial opened on 13 April 2011 on charges of defamation of judges and a former prison and penitentiary head. PEN is seeking an update.

**\*Haci ORMAN, Emin ORHAN:** *Sanat ve Hayat (Arts and Living)* director and *Daynisma (Solidarity)* journalist, among a group of people arrested after a funeral of a political writer Kutsiye Bozoklar in 2009 and accused of membership of the banned Marxist Leninist Communist Party (MKLP) with spreading propaganda under article 7 of the ATL. Next trial due 22 December 2011.

**Aziz ÖZER:** publisher and editor of *Güney Periodical* on trial 31 March 2011 for an article and cartoon published in the periodical. PEN is seeking an update.

**Semra PELEK (f), Mustafa DOLU:** editor of *Aksam* (no longer in operation) and its editorial manager respectively. Both are accused for articles on the Ergenekon investigation (see below). Pelek for editing an article ‘Questions to Firtina from Aydin Dogan, Rahmi Koç and Akçakoca’ published on 5 January 2010. The case has been taken by retired general Ibrahim Firtina who has provided evidence to the Ergenekon prosecutors. First hearing held 1 November 2010. Both are accused under Article 285 of the criminal code that relates to disclosing secret information relating to an investigation and Article 288, for attempting to “influence” the outcome of a trial. Both face up to 8 years in prison. Next trial hearing set for 13 December 2011.

**İrfan SANCI, Suha SERTABİBOĞLU:** publisher, Sel Publishing house and translator respectively. On trial on charges of obscenity under Article 226 of the Penal Code for publishing in Turkish the US author, William Burroughs’ *Soft Machine* first published in English in 1961. The Board for the Protectin of Minors from Obscene Publications pronounced the book as “not compatible with the morals fo society and the people’s hnonour”, “injurious to sexuality” and “generally repugnant”. The first hearing was held on 6 July 2011, and several hearings have since been held, with the next set for 18 January 2012. **Background:** In 2010 Sel publishing hosue was similarly tried for obscenity for publishing several books in translation including Guillaume Apollinaire’s *Adventures of the Young Don Juan* for which he was acquitted. Sanci was the winner of the 2010 International Publishers’ Association Freedom Prize.

**Halil SAVDA:** owner of website savaskarsitlari.org website. Trial opened in July 2010 for articles published on the site. Latest news is that the next hearing has been set for 9 February 2012 before a court in Beyoglu, Istanbul. The charges are said to relate to an article ‘Agar: Claims and more’ that had been previously published on another website. No further information. He is also among five people to be brought to the same court on the same day for having protested outside the military court in Eskisehir against the trial of a conscientious objector whose case was made famous for the slogan “Everyone is born a baby” a play on an Atatürke slogan “Everyone (Turk) is born a soldier”.

**smail SAYMAZ:** reporter for *Radikal* who stands accused of the “attempt to influence a fair trial” and “violating the secrecy of an investigation”, under Article 288 of the Turkish Criminal Code. The journalist faces a prison sentence of up to nine years. Saymaz is being tried for his article “What they asked Cihaner” published in *Radikal* newspaper on 18 February 2010. The first hearing was held at the Bakırköy (Istanbul) 2<sup>nd</sup> Criminal Court of First Instance on 23 June 2010. Journalist Saymaz and editorial manager **Hasan Çakkalkurt** (see elsewhere) may face imprisonment of up to 36 years in total. The next hearing of this case is set for 15 February 2012. **Update:** A total of six trials have been filed against Saymaz on the grounds of his news about the interrogations of İhan Cihaner, detained Chief Public Prosecutor of Erzincan (north-eastern Anatolia), and brahim ahin, former Deputy Head of the Special Operations Department. The cases were opened in April 2010 at the 2nd Criminal Court of First Instance in Bakırköy, Istanbul. Saymaz faces imprisonment of up to 54 years under charges of “attempting to influence a fair trial” and “violating the secrecy of an investigation” according to articles 285 and 288 respectively of the Turkish Criminal Code (TCK) **2)** On 20 April 2011 a case was filed against Saymaz by a prosecutor in Erzerum for referring to him as a ‘post modernist’ in his book *Postmodern Jihad*. First hearing set for 8 June led to the case being sent on to the Istanbul Magistrate’s Court. **3)** A hearing was held on 23 November 2011 for an article published with **Hasan Çakkalkurt** titled ‘Love Games at Ergenekon’ and ‘Ergenekon Prosecutor Listens to Judge’. Accused of insult, breach of confidentiality and attempt to affect the outcome of a trial.

**Pinar SELEK (f):** writer, academic and women’s rights activist. Also a member of PEN Turkey. 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. 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. However, 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. Again this went to consideration in May 2009, and Selek was 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. Pinar Selek is now resident in Germany. There are concerns that she may be extradited to Turkey where she faces a life sentence. In August 2010 Selek’s case was raised at the European parliament, and the European Commission accession unit confirmed that it was aware of the case and it would discuss it with the Turkish authorities. **New information:** An arrest warrant was requested in early June 2011, now under consideration by the Supreme Court of Appeals. On 22 June a court hearing was postponed to 28 September 2011 as not all testimonies had been collected to enable a decision to bring the appeal against the third acquittal to the Supreme Court. This hearing led to a further postponement to 7 March 2012.

**\*Semih SÖMEN, Müge SÖKMEN (f):** Directors of the Metis Publishing House. Trial opened on 25 November for publishing in a calendar *İllallah* (I’ve had enough) agenda 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 organized religions, state budgets and police or military force. In its introduction it read, “We, as

the ones who prepared this agenda, 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 Buka ılı, 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. The next hearing is set for January 2012.

**Hakan TAHMAZ, Ibrahim ÇESMECIOĞLU:** journalist and general director of *Birgün*. Under investigation in September 2008 after the 9 August seizure of the newspaper. Accused of publishing an interview with a member of the banned KurdishWorkers party (PKK) carried out at the PKK HQ in Qandil, Northern Iraq in an article entitled ‘A One Sided Ceasefire is Making the Problem Worse’. The interviewee is quoted as saying that although the most people wanted the violence to end, the PKK would continue its “legitimate defensive war”. Both men denied that they were carrying propaganda, and were simply carrying out legitimate journalism. [It is reported in December 2011 that **Ibrahim ÇESMECIOĞLU** has since died – information to be confirmed.] **Tahmaz** also referred to a book he is working on dealing with the conflict and his belief that the public needs access to all types of information on the problems. He stressed that he is working towards an end to the conflict and the need to end the hostilities that he believes “is taking Turkey to a disaster”. Charged under Articles 4 and 6/2 of the Anti Terror Law for making propaganda for an illegal organisation. On 24 March 2011 the 10<sup>th</sup> High Criminal Court in Istanbul sentenced Tahmaz to one year in prison, and Çesmecioğlu to a fine. Tahmaz’s sentence was reduced to 10 months. He is free pending appeal.

**Ferhat TUNÇ, Mehmet ÇOLAK:** singer and editor-in-chief of *Özgür Gündem* respectively. **1)** Trial started on 2 December 2004 at the Beyoğlu Criminal Court on charges under article 159 of the Penal Code for insulting the judiciary in an article Tunç wrote for the daily *Gündem* on 19 January 2004 entitled “A Revolutionary Leyla and a Song”. They face 1-3 years in prison if convicted. Hearings continued through to 2009. The case was referred to the Ministry of Justice for approval to continue as prescribed under the amended Article 301. PEN is seeking an update.

**\*Funda UNCU (F):** translator. Interrogated in early July 2011 in Bodrum, Southern Turkey, after the Board for the Protection of Minors from Obscene Publications issued a complaint that against the US author Chuck Palahniuk’s *Snuff*. A trial under Article 266 of the Penal Code has been filed with next hearing set for 18 January 2012.

**\*Baris YARKADAS:** journalist. On trial for insult to President Gül under article 299 held before the Kadıköy 2<sup>nd</sup> Criminal Court in Istanbul. Opened on 21 June 2011 with next hearing set for 3 November 2011. (See also recent acquittal below)

#### *Possible prosecution*

*Ergenekon case: persons listed as having been arrested and charged but no longer detained and unclear if prosecution still under way:*

**Adnan AKFIRAT, Serhan BOLLUK:** journalist, chief editor of *Aydinlik*. Free pending trial.

**Ahmet AKGÜL, Mevlut SUNGUR:** editor in chief and writer for *National Solution* respectively. Among a number of people arrested in the Ergenekon case on 22 July 2008.

**Mehmet BAKIR, Oguz DEMIRKAYA, Ünal INANÇ:** first two are journalists and heads of the Internet Journalists’ Association. Inanç is noted only as journalist. Bakir runs the website Sivasmit. Arrested for investigation re. ‘Ergenekon’ on 22 January 2009

**Zihni ÇAKIR:** journalist and author. Arrested in Ankara c. 27 May 2008 . He is the author of a book on Ergenekon entitled *Kod Adı Darbe* which is said to include secret documents, wire tap records and codes belonging to Ergenekon. Among them is documentation that allegedly gave details of a public transport site that was targetted for a bomb attack aimed at creating panic and confusion. The book also refers to Turkish intelligence services (MIT) investigations into a prominent judge alleged to be working for the CIA. Believed to be freed pending charges.

**Ünal INANÇ:** Journalist and president of the Security Reporters’ Association. A defendant in the third round of indictments following arrests made in January to April 2009, and with the trial opening on 7 September 2009. No further news.

**Emcet OLCAYTO:** Writer for *Aydınlık (Bright)* magazine, reported in August 2010 to be detained under Ergenekon. No further details.

**Hayrulla Mahmut ÖZGÜR, Halil Behiç GÜRCHAN:** contributors to the SESAR (Centre for Political, Economic, Social Research and Strategy Development) website sesar.com.tr. Accused of having published articles that furthered the aims of Ergenekon and “inciting uprising”. Accused with them of carrying research for the site are: **Kamal SAHIN, Refik NUHOGLU and Murat YÜCEL.**

**Bekir ÖZTÜRK, Furat ERMIS:** head and contributor respectively of the ultra nationalist website kuvayimilliyе.net. Accused of inciting violent acts by the armed forces through articles on the site.

**Ergün POYRAZ:** 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/early2000s. 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 *The Children of Moses* which claims that Prime Minister Recep Tayyip Erdo an is part of a “Zionist conspiracy” concocted by JTEM, a clandestine organization 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.

**İhan SELÇUK:** 84-year-old journalist. Arrested and held briefly before being freed to face trial in the *Ergenekon* case in March 2008. *Cumhuriyet*, the mainstream newspaper for which Selçuk works, claims that the arrest is anti-democratic and an attempt to intimidate critics of the government. Selçuk was detained in 1971 for being an alleged communist and is well known for his subsequent book that described his torture and ill-treatment. In 2007 he wrote a controversial article that was seen to be supportive of nationalists. He is a known secularist and critic of the government’s move to revise secularism.

**Vedat YENERER:** independent journalist and war reporter arrested 22 January 2008 and believed still detained as of February 2009 since when no further news.

**50 writers:** contributors to the online *Sour Dictionary* (Eksi Sözlük) Arrested for questioning on 20 June 2011 after a private citizen, believed to be Adnan Oktar, a well known Turkish “creationist”, issued

a complaint about a topic discussion on the site about the Prophet Mohammed. The website, which has been in existence for around 12 years, is one of Turkey’s largest online discussion forums known for its “frequently witty, occasionally irreverent user-generated knowledge”. It is believed that the contributors may be charged with insulting religion. All the contributors to the discussion write anonymously and there has been some concern that the website had provided IP addresses to police. The Dictionary’s owner explained that he had been required to give IP addresses under Turkish law. The site’s lawyer further explained that by forcing them to give IP addresses, the writers were no longer anonymous, adding that his client is targetted by police for its content, around four times a year on average. However, this is the first time that contributors have been arrested. There is criticism that under Turkish law, any person who thinks that a web site is “suspicious” can call the police, and the owner may be taken in for questioning and their computer seized. Eight violations can lead to a website closure: articles on prostitution, child pornography, gambling, obscenity, promotion of suicide, drug abuse, provision of unapproved health care substances, and insult to the memory of Mustafa Kemal Atatürk. For more read: <http://www.hurriyetdailynews.com/n.php?n=8216eksi-users8217-raids-sour-web-freedom-2011-06-26> PEN is seeking an update.

#### *Death Threat*

**\*Baskin ORAN:** journalist and academic, lecturer at the Ankara University Faculty of Political Science. Reportedly received four death threat emails via the Armenian language *Agos*, the newspaper formerly edited by Hrant Dink, assassinated in 2007 – see above – and for which Oran is a columnist. The latest threats appear to be from members of the ultra nationalist militarist group the Turkish Revenge Brigade (TIT), responsible for numerous assassinations in recent decades. Oran claims to have numerous threats from “sensitive citizens” but feels that the latest are particularly worrying. He has been under protection since the murder of Dink in 2007 when his was among many names found on a “death list” but he feels that this is insufficient. For the text of the death threat read <http://bianet.org/english/minorities/130744-tit-sent-fourth-death-threat-to-rights-defender-oran>

**\*Evrensel staff:** the *Evrensel* newspaper issued a statement after a 17 July 2011 threat against the newspaper and its staff by the Turkish Revenge Brigade, the second against the paper. The paper received the message “*we warned you that you have until 15 August to leave the country, along with your collaborators. This is our last warning. We hereby announce that we will carry out operations wherever necessary by using the legitimate right of the glorious Turkish nation to defend itself. We declare that we will strive for a Turkey that is 100% Turkish.*” The newspaper claim the threat came from the email address of a person under trial in connection with the Ergenekon investigation – see below.

#### *Attacks./ Other threats*

**\*Dilek YAGLI (F):** volunteer reporter for *Evrensel* and student. Claims in early November 2011 to have been assaulted by police who grabbed her by her hair and beat her stomach and legs as she covered a protest. She claims that the beatings continued despite her having told police that she was a reporter.

#### *Died on release pending trial*

**Suzan ZENGİN (F):** *İşçi Köylü (Worker-peasant)* newspaper journalist, was taken into custody on 28 August 2009 by the Anti-Terror Branch of the Istanbul Police. In her indictment, Zengin was accused under Article 314

of the Penal Code of “carrying out illegal activities” for the banned TKP/ML-TIKKO, the armed wing of the Turkey Communist Party/Marxist-Leninist. This is said to refer to publications such as the Worker-Peasant newspaper, which is published by the Umüt Publishing Company, the Partisan magazine and the New Democratic Youth (YDG). She had also translated a number of books on Greek and Assyrian literature. Zengin appeared in court for the first time on 26 August 2010. She claimed not to have had connections with the armed groups nor to know the other defendants arrested with her. On 14 June 2011 she was freed pending trial at a hearing attended by a number of observers, including Eugene Schoulgin, Vice President of PEN International. She died in hospital in October 2011.

#### *Released/Acquitted*

**Erdogan AKHANLI:** Writer. Accused of “attempting to change the constitutional order”. A life sentence was demanded by the prosecution on 15 June 2011. Usually resident in Germany, Akhanli was arrested when he came to Turkey in August 2010 and held for four months before being freed pending trial. He is accused of being involved in a robbery of a exchange office in October 1989 where the owner was killed. Akhanli had returned to Turkey to visit his critically ill father. The prosecution states that Akhanli was then a member of the ‘Turkish People’s Liberation Party – Re-Liberation Union People’s Liberation Forces’ based on testimonies of two people involved in the murder. The sons of the murder victim state that Akhanli was not his killer and he was released pending trial in December 2010 and was subsequently **expelled** to Germany in January 2011 so not present at the trial. The prosecutor stated that the murder was an “attempt to overthorw the constitution order of the Turkish Republic by armed force” and demanded life imprisonment. The defence lawyer stated that this was “constructed with the logic of the anti-terror branch but lacking legal evidence” and that the prosecutor’s attitude was one of revenge against those who hold dissident opinions. He was **acquitted** on 12 September 2011.

**Gurbet ÇAKAR (F):** As of 10 June 2010, editorial manager of the Kurdish-Turkish women’s magazine *Rengê Hevîya Jinê*, had been in detention for three months. A Diyarbakır court decided to extend her detention for at least 20 days. She had previously been sentenced to more than three years in jail. Çakar was detained under charges of “making propaganda for the PKK via the media”. The lawyer said that another trial under article 7/2 of the Anti-Terror Law was under way in July 2010. No news since.

**Melik DUVAKLI:** journalist with *Zaman* acquitted following trial 24 October 2011 at Bakırköy Criminal Court of First Instance, Istanbul for (1) an article published 13 November 2010 suggesting involvement of JITEM, the intelligence arm of the Turkish police, in the murder of teachers killed in the south eastern city of Pınardere in 1994. (2) an article published 5 March 2010 entitled ‘Ankara Operation Regarding Secret Witness Munzur’.

**Ertugrul MAVIOĞLU:** journalist for *Radikal*. (1) On 14 April 2010 the Public Chief Prosecution of Kadıköy (Asian side of Istanbul) launched an investigation into Mavioglu and **Ahmet ik** (imprisoned in another case, see above) on the grounds of their books *Understanding the Counter Guerrilla and Ergenekon* and *Who is Who in Ergenekon*. The two journalists are under suspicion of “violating the secrecy of an investigation” according to Article 285 of the Turkish Criminal Law (TCK). Both were **acquitted** of this charge c. 22 May 2011. (2) Mavioglu is also accused of “propaganda” for the Kurdish Workers’ Party (PKK) for an article in which he interviewed Murat Karayılan, leader of the PKK at Qandil mountain, the PKK base in Northern Iraq. This was published in three separate articles in *Radikal* in late October 2010. Mavioglu disputed

that he had advocated violence by pointing to references in the article where the PKK leader had appeared to be critical of the violence against and killings of civilians at the hands of its members. The prosecution is demanding 5 years imprisonment. His trial is being held before the Istanbul 11<sup>th</sup> High Court. He was acquitted at a hearing on 28 December 2011.

**Serkan OCAK and Ertan KILIÇ:** reporters. Tried for “violating the discretion”, “attempting to influence the outcome of a trial”, “providing classified information” and “disclosing classified information” for their report “Were you going to overthrow the government?” about ‘The Maul intervention plan’ published on 25 February 2010. and faced prison terms of from six and half to seventeen and a half years. Another case was filed over Ocak’s 27 February 2010 report in the *Radikal* daily on similar accusations. The first hearing of the case was held on 14 September 2010. They were acquitted on 20 September 2011.

**Baris YARKADAS:** chief editor of the Gerçek Gündem.com (real agenda) website. Trial opened on 15 January 2010 alongside Dr Sebnem Korur Financi, chair of the board of the Turkish Human Rights Foundation before the Kadikoy 2<sup>nd</sup> Criminal Court of the First Instance in Istanbul. They were accused under Article 125/1-2-4 of the Penal Code for “insulting a public official via the press” for an interview carried out in July 2009 in which Yarkadas asked Prof Financi questions about the head of the Institute for Forensic Medicine, Nur Bilgen. Financi’s response suggested that Bilgen had received bribes and that she had been implicated in covering up evidence of torture. They faced up to 2 ½ years in prison. Both were acquitted on 19 September 2011.

#### *Case closed*

*The following cases are of writers, publishers and journalists who have recently been on trial or detained but where there has been no information for over a year, suggesting that the trials may have concluded. Details of these cases can be found in the previous caselist dated July to December 2011*

**Mujde AR, Erdem BUYUK, Mustafa ARIGUMUS and Berrin TURSUN:** journalists said to be among 17 people reported in August 2010 to have been charged with criminal defamation and sentenced to a total of 4 years. Believed not detained.

**Mehmet BARANSU:** journalist for *Taraf 1*) faced trial on charges of “insulting the military” for an article that suggested an ‘Anti Reactionary Plan’ within the military in which he claimed that there were plans for a defamation campaign against the ruling AKP party and the Fethullah Gülen religious movement. Published in June 2008, the article was seen as a breach of Article 301/2 of the Penal Code for public insult to the military or police, and which carries a maximum of two years in prison. The prosecution has applied to the Ministry of Justice to approve the trial, as required under revised conditions for application of Article 301. (2) Trial opened in September 2009 regarding an article by Baransu on an attack aon a PKK headquarters in Aktütün in which 17 soldiers died. The article entitled ‘Written Records’ was published on 13 April 2009 and gives details of the attack, including the departure times of the aircraft that bombed PKK sites, when the Prime Minister and President were informed, and when the Chief of General Staff arrived at his headquarters. He was accused under Article 329/1 of the Penal Code with “disclosing information related to state security and political efficacy” and disclosing confidential information. Baransu argues the his article was published 6 months after the attack and the information he used had already been made public by the military. No news since October 2010.

**Özgür BOGATEKIN:** journalist for *Gerger Firat* in Adiyaman and son of Haci Bogatekin. (above). Sentenced on 13 May 2009 to 1 year, 2 months and 17 days in prison for an article in which he argued that his father was imprisoned unlawfully. At the time the article was written in June 2008, his father was still in jail. Özgür Bogatekin was convicted of “insulting” the judge presumably who had presided over his father’s case by referring to him as a *pegur*, an insult used in the locality referring to having wolf like traits. He also suggests that there is animosity between the judge and his father. No recent news.

**Hasan CAKKALKURT, Namik DURUKAN:** chief editor and journalist for *Radikal* respectively. Trial opened on 12 August 2009 on charges article 7/2 of the Anti-Terror Law for having carried a statement by a PKK leader in which he states that even if there were to be an amnesty for Kurdish rebels, the PKK would not put down weapons. On 15 June 2010 the trial against Durukan continued at the Istanbul 10th High Criminal Court. A final decision was due on 21 September 2010. No news. Assumed case closed.

**Cengiz ÇANDAR:** journalist for *Referans* tried for an article criticising the conduct of the Hrant Dink murder trial (see above) that criticised the court for not allowing secret witnesses and accused the judge of being too “free and easy”. He was accused of “insulting a public servant”. The article was entitled ‘Mocking Hrant and Justice’. The first hearing is set of 13 December 2010. No news since.

**Murat COSKUN:** author of *Language of Suffering: Woman*” published by Peri Publishing House in 2002. The book contains four stories written in lyric form. Coskun was reported in 2009 to be facing charges under Article 301, alongside Peri Publishing Houser director, **Ahmet ONAL**, for insult to the armed forces. The case is went for consideration by the Ministry of Justice. The charges related to a passage in the book in which the Turkish armed forces are described as “vultures” and another where a PKK militant is quotes PKK “propaganda”. No recent news.

**Rüstü DEMIRKAYA:** journalist for the Dicle News Agency. Sentenced to six years and three months in prison under Article 314/2 of the Penal Code – “assisting and harbouring an illegal organisation” . **Charges:** accused of having met with PKK officials in Tunceli in fall 2005 and giving them a lap top computer and CDs. **Concerns:** His lawyers as well as free expression groups say that the sentence is unsound, being based only on the statement of one informant. It is also claimed that at the time of the alleged offence, Demirkaya was several hundreds of miles away, enrolling at a university course near Izmir, information that was backed up by police in Izmir. **Place of Detention:** Malatya Prison. **Other:** Twelve others were tried with Demirkaya. One of them, the alleged informant received a life sentence. Four were freed. No recent news.

**N. Mehmet GÜLER:** author. **1)** Sentenced to one year and three months under Article 7/2 of the Anti Terror Law for his book *More Difficult Decisions than Death*. Accused alongside publisher Ragip Zarakolu under article 7/2 of the Anti Terror Law of “spreading propaganda” for the banned Kurdish Workers Party (PKK). The charges related to three fictional characters, “Siti”, “Sabri” and “Siyar”. Specifically a section of the book where a PKK member on trial says “This court has no right to judge me. I fight for freedom. I do not recognise this court”. The fictional judge’s response and following passages are subject to the indictment. The prosecutor stated that some parts of the novel evokes sympathy for the PKK in its readers. The trial was adjourned to 10 June 2010 when Zarakolu was acquitted, yet Güler was sentenced. He is free on appeal. PEN is seeking an update. **2)** On 10 March 2011 Güler received a 15-month suspended sentence alongside publisher **Ragip Zarakolu** who received a fine. Both had been convicted of spreading “propaganda”

for the publication of Güler’s book *The KCK File/The Global State and Kurds Without a State*.

**Erdal GÜLER:** ex-editor of *Revolutionary Democracy Newspaper (Devrimic Demokrasi Gazetesi)* Arrested on 25/26 December 2007 and charged with “propaganda for an illegal organisation”, the PKK and the Maoist Communist Party (MKP). Subsequently sentenced to 21 months in prison, to expire in December 2009. There are reportedly other charges against him. In early January 2010 it was reported that he remained detained, despite the expiry of his sentence. **Update:** According to a Bianet report published 9 May 2010, Güler is now not due to be released before 2014. No news since.

**Filiz KOÇALI, Ramazan PEKGÖZ, Ziya ÇIÇEKÇI:** publishing director, journalist and owner of the *Günlük* newspaper. Charged in October 2009 under Articles 6/2 and 7/2 of the Anti Terror Law for an interview published in Kurdish over three articles entitled “We did what Hasan Cemal Wanted”, “I completely agree with Yaser Kemal” and “If the State Would Take One Step We would Take Two”, all quotes from interviews with alleged members of the banned Kurdish Workers’ Party (PKK). They were accused of “spreading propaganda for an illegal organisation”. The first hearing was held 24 February 2010 with next due 2 September 2010. No news since.

**Cağdas KÜÇÜKBATTAL, Tuncay MAT:** intern and journalist for *Ailim*. Detained for their alleged role in the destruction of a base station (mobile transmitter) alongside nine other defendants, six of whom, including Küçükbattal and Mat, remain detained. The trial opened on 5 March 2010. They were accused of having destroyed the transmitter as part of a campaign of actions carried out by the banned Marxist Leninist Communist Party. Both claim that they were present at the event simply as journalists and claim that the notes and photos they took are the only evidence. The prosecutors claimed that Küçükbattal specifically encouraged the event and led them into the site. **Update:** In the second hearing on 29 May 2010. Mat and Küçükbattal were released pending trial; they had claimed that they followed the incident as journalists and that their prosecution was a breach of law. A total of eleven defendants are on trial, five of them are detained. The case was postponed to 24 September 2010. No news since.

**İrmak SAADET:** owner and editorial manager of the weekly *Yeni Yorum (New Comment)* magazine and *Ülkede Yorum (Country Comment)* newspaper. On 26 May 2011 a final hearing was held in his trial under the Anti Terror Law and Article 215 of the Penal Code for “praising an offender” in articles published in his newspapers. These articles reportedly included the publication of a statement by the Executive Board of the Union of Kurdistan Communities which questioned the government’s strategy towards a peaceful solution to the Kurdish issue. He also referred to the leader of the PKK, Abdullah Öcalan, as the “Leader of the Kurdish People”. He was sentenced to 20 months in prison. Originally sentenced to one year for publishing statements of an “illegal organisation” in articles titled ‘All aspects of my life will be Kurdish’ and ‘The last chance for a democratic solution’. In January 2011, this was reduced to 10 months. He was also fined for two other articles. An appeal has been filed against the prison term. Reported still detained as of November 2011. Presumed freed by end of 2011.

**Gökçer TAHINCIOĞLU, Kemal GÖKTAS:** award winning journalists. **1)** Law suit filed in August 2008 for an article on the decision of the Ankara 11<sup>th</sup> High Criminal Court granting permission to the National Intelligence Organisation (MIT) and police to use electronic monitoring devices. The article, entitled ‘The Document that will Shake Turkey’ was published on 1 July 2008 in the newspaper *Vatan*. Accused under Article

6/1 of the Anti Terror Law for “targetting public officials who are part of anti-terror activities” by publishing classified information and by giving the name of the judge responsible for the decision to grant permission. They faced up to three years in prison. Both had been granted the Turkish Journalists Association Media Freedom Award in July 2008 for publishing the story. The two say that in researching and writing the story, they had taken care not to publish sensitive information such as photographs. Now new information on trial as from late 2009. **2)** In September 2009 it was reported that the head of the Intelligence Department accused Göktaş of attempting to influence the outcome of a trial and insulting a public official in his book *Hrant Dink Murder – Media, Judiciary and State* and called for his prosecution. The case opened on 16 February 2010 at the Istanbul Sultanhamet Court and was postponed for up to four months to enable the prosecution to consider that the case breaches statutes of limitation as more than four months had lapsed between the charges being levelled in September 2009 and the offence. The next hearing was set for 15 September 2010. No news since.

**Erol ZAVAR:** referred to as a journalist for *Odak Magazine*. Tried at the Ankara State Security Court No 2 on 27 June 2001 and sentenced to death under Article 146/1 of the Criminal Code for “attempting as a member of the illegal resistance movement, and in accordance with the aims thereof, to overthrow the existing constitutional order by force”. Sentence reduced to life imprisonment. Claims to have been tortured. Subject of a support campaign calling for him to receive proper treatment for bladder cancer, asthma and other problems. Said to have written a book of poetry in prison. His lawyers have demanded his release on health grounds on a number of occasions, yet all applications were rejected.. As of Augsut 2011 held at Ankara No 1 F type Prison. PEN is seeking an update. Case closed in August 2011 on receipt of further details of the charges against him which include terrorism and possession of arms, and the kidnap of a person, using a gun and fake police ID, and bringing that person to a meeting place of the People’s Liberation Party Front.

## TURKMENISTAN

*Harassed*

**\*Dovletmurad YAZGULIYEV:** journalist with Radio Free Europe/ Radio Liberty (RFE/RL), was summoned by security officials on 14 July 2011 to appear at the police department in the town of Annau over his coverage of deadly explosions at a weapons depot near the country’s capital the previous week. A fire at an armory on a military base in Abadan on 7 July 2011 caused a series of explosions that caused tens of thousands of people to eb evacuated from their homes. Eyewitnesses said that scores of people were killed and injured by the blasts, but the Turkmen government has calimed that only 15 people were killed. Yazguiliyev was accused of “slandering and disseminating provocative information”. The journalist has been highly critical of the authorities in his blogs, accusing them of being slow to react to the incident.

## UKRAINE

*Killed (update in investigation)*

**Georgy GONGADZE:** 31, editor of the independent Internet newspaper *Ukrainska Pravda*--which often criticized the policies of then President Leonid Kuchma--was kidnapped sometime around 16 September 2000, and murdered. His headless body was discovered in November 2000 in a forest outside the town of Tarashcha. An investigation plagued by

irregularities began soon after and in 2008 three police officers were convicted of his murder. In 2009, a key suspect, Interior Minister General Aleksei Pukach was arrested an 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, in effect, pegs the responsibility for commissioning the crime on a single culprit—a dead interior minister and technically precludes investigators from going after a larger circle of suspected masterminds. Prosecutors have failed to investigate former and current high-ranking officials--including former President Leonid Kuchma and 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, on abuse-of-office charges in connection with the murder. **Trial:** The trial of Alexsei Pukach began on 7 July 2011 and is being 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. **Update:** On 14 December 2011 the Kyiv 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. Gongadze’s wife is to appeal the decision to dismiss the charges against Kuchma.

*Disappeared: Motive Unknown*

**Vasyl KLYMENTYEV:** Deputy editor-in-chief of Noviy Stil newspaper, disappeared on 11 August 2010 after getting into a car with an unidentified individual. He has not been seen since. Police began criminal proceedings for ‘premeditated murder’ after receiving a report of his disappearance by his wife. On 17 August, they discovered Klymentyev’s mobile phone on a boat on the Pechenizhske Lake in Kharkiv. On 19 August, Interior Minister Anatoly Moglylov said that the police had not ruled out that Klymentyev’s disappearance might be related to his reporting. On 20 August, AP reported that President Viktor Yanukovych would take personal control of the case. **Background:** Klymentyev’s newspaper is widely-known for focusing on corruption issues in the region and for its criticism of law enforcement agencies. According to the Associated Press (AP), Klymentyev had been threatened after refusing money to quash a story about a regional prosecutor with alleged connections to organised crime. **Other information:** a witness in the case has also disappeared, according to Petro Matvienko, deputy editor-in-chief of Noviy Stil. According to a reports, Matvienko has refused to name the witness, but claims that the disappearance is due to failures by the police to protect witnesses. Kharkiv police said they had not been informed of the disappearance. **Update:** The Noviy Stil lawyer, Vyacheslav Ismaylov, claims that the police planted drugs in his apartment during a search relating to another case. Ismaylov claims that he had a judge’s ruling forbidding any investigative operation of this type at his home and that both he and his son suffered injuries during the incident. The police say

that the operation was carried out in connection to the alleged criminal activity of Ismaylov’s son. In April 2011 Ukrainian police claimed that they had interviewed over 3,000 local people who might help in providing a lead in the case. Investigators have also examined the cases of over 200 unidentified bodies in local morgues.

*Attacked*

**\*Oleksandr VLASHENKO:** journalist for the local *Nash Gorod Nikolaev* newspaper and blogger, was attacked and shot in the city of Mykolayiv on 16 October 2011. It was reported that an unknown assailant shot the journalist in the head and took his bag, which contained his camera and two mobile phones. The Lenin Regional Department of Internal Affairs opened a criminal case regarding the attack, treating it as a robbery. However, Anatolli Onofriychuk, editor-in-chief of *Nash Gorod Nikolaev* has claimed that the attack was “probably connected to his journalism”. Vlashenko had been writing a series of articles exposing corruption in local authorities.

## UZBEKISTAN

*Imprisoned - Main Case*

**Salidzhon (Salijon) ABDURAKHMANOV**

**D.o.b.:** 1950 **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. **Date of arrest:** 7 June 2008 **Sentence:** Ten-year prison sentence. **Expires:** 6 June 2018 **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 others. Later, Abdurakhmanov was questioned about a biography of the exile leader of the banned opposition party Erk, found by police amongst his belongings. **Details of the trial:** The trial started on 12 September 2008, and only Abdurakhmanov’s relatives were allowed to be present. The charges against him are ‘selling drugs in large consignment’ under Article 25-273, Part 5 of the Uzbek Criminal Code. According to Uzbek laws, attempting to commit a crime envisages the same punishment as committing the crime. On 10 October 2008, he was given a ten-year prison sentence, which was upheld in November, when his appeal was overturned by the Supreme Court. On 25 March 2009, the Karakalpak Supreme Court for the second time upheld the ten-year prison sentence against Abdurakhmanov, without explaining the basis of its decision. **Professional details:** Abdurakhmanov is well known for his reporting and monitoring of human rights, economic and social issues in the region. **Place of detention:** He is currently held in Karshi prison. A relative was been able to visit who reported in late March 2009, that although he has been held in isolation, he is not being ill-treated. In late April 2009 Abdurakhmanov was visited by his father and wife, and they said he is in good spirits and maintains his innocence. His brother and lawyer announced an appeal is being prepared to demand the Supreme Court to reconsider the conviction. **Other details:** 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. Organisations including Amnesty International and Human Rights Watch state that the sentence is clearly

aimed stopping his critical reporting. **Government’ response to the UN:** In May 2009 the Special Rapporteur on Freedom of Expression and Opinion of the United Nations (UN), published its 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 under Article 276, paragraph 2(a) 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’. On 5 August 2009 the charges were amended to ‘intent to sell’ a large quantity of narcotics. Abdurakhmanov was found guilty and sentenced to ten years’ imprisonment. On 19 November 2009 this judgment was upheld by the Supreme Court of Karakalpakstan. PEN continues to be concerned that Abdurakhmanov is being held for his human rights monitoring. (RAN 40/08 – 14 August 2008; Update #1 – 14 October 2008; Update #2 – 20 January 2009) **Update:** A report on 1 April 2011 stated that Abdurakhmanov has been prohibited by the colony administration from filing a complaint - in which he gave details of his arrest, frame-up and unfair conviction - with the Uzbek Supreme Court. The colony officials seized the letter of complaint from his lawyers and said the document would be mailed to him, but it has not been. **Prison Conditions:** 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 tried to frame the journalists on a third charge. The charges are believed to significantly reduce Abdurakhmanov’s chances of being released under a prisoner amnesty expected to accompany the celebrations marking the 20th anniversary of Uzbek independence.

**Muhammad BEKZHON (BEKJANOV)**

**D.o.b:** c. 1955 **Profession:** former journalist **Date of arrest** March 1999 **Sentence** 15 years, reduced to 12 years **Expires** January 2012 (there are conflicting reports that suggest expiry date of February 2011) **Details of arrest:** Deported from Ukraine in March 1999 on accusation of involvement in a series of explosions in Tashkent. Several others arrested in connection with these events. (see Makhmudov, below) **Trial details:** 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’. **Professional details:** Former contributor to *Erk*. Brother of exiled opposition leader, Muhammad Salih **Place of detention:** Kasan prison, southwestern Uzbekistan **Health concerns:** reports of torture lead to concern for 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 Details:** Wife resident in the USA. **Honorary Member:** English, American PEN, USA, Canadian PEN Centres

**Mamadali MAKHMUDOV**

**Profession:** writer and opposition activist **Date of arrest:** 19 February 1999 **Sentence** 14 years **Expires** 3 August 2013 **Details of arrest:** Arrested 19 February 1999 after a series of explosions in Tashkent. Several others arrested in connection with these events. **Trial details:** Held in incommunicado detention from February to May 1999. Subsequently charged 1) Article 158 Uzbek Criminal Code – Threatening the president and 2) Article 25-159 UCC – Threatening the constitutional order 3) 216 organising banned public associations and religious organisations 4) 242.1 organising a criminal group. It is thought that his arrest is linked to his association with the exiled opposition leader Muhammed Salih. However access to key documents has been denied. Appears that some of the charges against the defendants are linked to their writings in and distribution of *Erk* the newspaper of the opposition Erk party, banned in 1994. At the trial, Makhmudov testified to having been tortured under interrogation including beatings, electric shock and threat of rape of female family members. On 3 August 1999, sentenced to 14 years. **Professional details:** Well-known writer. Member of the Uzbek Writers Union and Uzbek Cultural Foundation. **Previous political imprisonment:** imprisoned between 1994 and 1996 for alleged embezzlement and abuse of office, charges which at the time were considered by PEN and Amnesty International to have been fabricated and that his arrest was because of his association with Salih. This view supported by the United Nations Working Group on Arbitrary detentions. **Place of detention:** Subsequently moved on to UYA 646 High security prison in Chirchik prison, Tashkent district, where the conditions are said to be less harsh than at Navoi. **Health concerns:** reports of torture lead to concern for well being. Hospitalised July 2000 presumably for facial and throat surgery. Thought to have resulted from extreme ill-treatment and neglect in Jaslyk camp where previously held. **Other information:** Makhmudov’s book, *Immortal Cliffs* was published in French in late 2008. **Honorary Member:** English, American, Canadian, Netherlands and USA PEN Centres. (RAN 11/09 – 11 February 2009)

**Dilmurod SAIDOV (pen name SAYYID)**

**Profession:** journalist for a number of independent websites and activist. **Date of arrest:** 22 February 2009 **Sentence:** 12 and a half years **Expires:** August 2021 **Charges:** Extortion and forgery **Details of the trial:** 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 trail. 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 Sayid 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. In the case on extortion charges, two farmers were included together with Sayid, one was sentenced to eleven years in prison and the other to twelve. His defence announce they would appeal the verdict. **Professional details:** Sayid’s reports have been published in various local newspapers and news websites in Central Asia, including *Voice of Freedom*. There are reports that Sayid’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. Sayid is also an activist of the Tashkent regional branch of the human rights organisation Ezgulik. **Family:** In early November 2009 Saidov’s wife and daughter, aged 6, were killed in a car accident while on their way to visit him in prison. **State of health:** He suffers from tuberculosis and requires regular medical treatment. **Prison Conditions:** 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. **Update:** The journalist has told relatives he believes the charges have been fabricated. These accusations are believed to significantly reduce his chances of being released under a prisoner amnesty expected to accompany the celebrations marking the 20<sup>th</sup> anniversary of Uzbek independence. (RAN 32/10 – 10 August 2009)

*Imprisoned – investigation*

**Bahrom IBRAGIMOV, Davron KABILOV, Ravshanbek VAFOYEV, Abdulaziz DADAHONOV (DADAHANOV) and Botirbek ESHKUZIYEV:** Members of a religious group sentenced on 16 February 2009 to eight to twelve years in prison, reportedly for publishing the religious magazine *Vesna (Spring)* and for their membership of the religious group Nur (Light). It has been reported that the Nur group had originated in Turkey, where it has been banned, and that the Uzbek Security Service alleged that Nur received funds from Turkey. Ibragimov and Kabilov are convicted to twelve years in prison, Vafoyev and Dadahonov to ten years, and Eshkuziyev to eight years, and they are serving their sentences in a high-security prison in Tashkent. On April 2009 the Tashkent City Criminal Court rejected the defendants’ appeal. (See also Shavkat Ismoilov and Davron Tajiyev below.) PEN is seeking further information.

**Hayrulla HAMIDOV (Khayrullo Kamidov)**

**D.o.b.:** 1975 **Profession:** Football commentator and radio-host, poet and deputy editor-of the newspaper *Chempion* (Champion). **Date of arrest:** 21 January 2010 **Sentence:** Six years in prison **Expires:** 20 January 2016 **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 the trial:** Tried under Article 216 of the criminal code concerning ‘the organisation or active participation in a proscribed social or religious movement’ and ‘dissemination of prohibited material’, under articles 216 and 244-1 of the Criminal Code. In a closed hearing held on 11 May 2010, the prosecutor demanded for Hamidov to be sentenced to seven years in prison. The criminal court in Guibakhor, near Tashkent, postponed the sentencing until 28 May then convicted Hamidov to six years’ imprisonment. **Other information:** Hamidov is reportedly a prolific poet. He was also a popular radio-host on Islam of the show ‘Kolislik Sari’ (Voice of Impartiality) broadcasted by the Tashkent-based Navruz FM. According to Radio Free Europe/Radio Liberty (RFE/RL), Hamidov was tried with 18 other people who were found to be members of the Islamic group Jihadchilar (Jihadists). **Previous political persecution:** In 2007 Hamidov’s newspaper *Odamlar Orasida* (Among the People), that dealt with issues including infant mortality, corruption, and homosexuality. The newspaper was closed down by the authorities. **PEN position:** PEN considers this case as an investigation pending information that Hamidov has not advocated violence.

**Vasily MARKOV and Ruslan KARIMOV:** independent Tashkent journalists; were detained without explanation in the Kashkadarya district

on 05 May 2011. They were in the region to conduct an investigation into suicide among local residents. They were detained en route to Nishansky to collect information when their car was stopped by traffic police. PEN is seeking confirmation of their continued detention.

**Shukur SODIKOV:** member of the Uzbek Writers’ Union and reporter for the newspaper *Inson va Khukuk*, founded by the Uzbek Justice Ministry; was arrested on 9 June 2011 in Tashkent charged with mediation in bribery (under Article 212 of the Uzbek Criminal Code). He is accused of having passed \$4000 to a state official. His friends and colleagues have disputed the charges, however, Sodikov has reportedly since pleaded guilty to the charges. He has been denied meetings with his family, despite deterioration in his health. Sodikov suffers from diabetes. PEN is seeking confirmation of his continued detention.

*Attacked*

\***Gulbakhor TURAYEVA (f):** human rights activist and blogger. Turayev was attacked outside her house on 9 September 2011, allegedly over an article she wrote for the Russian information agency REX entitled ‘Andizhan Drowns in Garbage’. The activist was attacked outside her house by two unidentified women, who were accompanied by two men, one of whom carried a small knife. It was alleged that the attackers were attempting to abduct her daughter.

*Brief detention*

\***Yelena BONDAR (f):** journalist, was arrested on 22 August 2011 at Tashkent airport as she was returning from a journalism conference organised by the Organisation for Security and Cooperation in Europe (OSCE) and the German broadcaster Deutsche Welle. She was reportedly detained for her “failure to declare information stored on the database of her digital devices” A protest was held outside the Uzbek Embassy in Kyrgystan against Bondar’s detention and a petition signed by the protestors was sent to the Uzbek authorities. All charges against her were dropped on 5 September 2011.

*Released*

**Dzhamshid (Jamshid) KARIMOV:** journalist for the London-based Institute of War and Peace Reporting (IWPR) until May 2005 and subsequently for a number of other publications, disappeared on 12 September 2006. Two weeks later his friends were able to ascertain that Karimov was held in a psychiatric hospital in Samarkand until his release on 6 November 2011. Karimov is a nephew of the President Islam Karimov and, according to CPJ, is said to have been openly critical of his uncle and to be living in poverty. Karimov worked for IWPR until May 2005 when many protestors were killed at a protest in Andijan. He subsequently went on to work for a number of independent newspapers as a freelancer.. **Release:** Karimov was reportedly 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.

## Middle East and North Africa

### BAHRAIN

*Main Case - imprisoned*

**Abdulhadi Al-KHAWAJA**

**Profession:** Human rights defender **Date of arrest:** 9April 2011 **Sentence:** Life imprisonment **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:** Among twenty-one 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 this 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 allegations of tortured in pre-trial detention. **Treatment in 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. **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. **Professional details:** Al-Khawaja is a leading human rights defender in Bahrain. **Previous political imprisonment/problems:** Abdulhadi Al-Khawaja has a long history of political persecution. After twelve 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. [RAN 46/10 Update #4 – 29 September 2011]

**Abdul-Jalil Al-SINGACE**

**Profession:** Activist and internet writer. **Date of arrest:** 13 August 2010 **Sentence:** Life imprisonment **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 publicising the deteriorating human rights situation in the country, and was later placed under house arrest. **Details of trial:** Dr Al-Singace was among twenty-one 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. Eight of those convicted received life sentences, including Dr Al-Singace. A further ten were sentenced to fifteen 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 allegations of tortured in pre-trial detention **Appeal:** On 28 September 2011 the military-run National Safety Court of Appeal confirmed the conviction. **Treatment in prison:** Dr Al-Singace was held incommunicado and in solitary confinement for six months, during which he was reportedly ill-treated. **Place of detention:** Gurayn Military Prison, Manama, Bahrain. **Health concerns:** Dr Al-Singace is disabled, and relies on a wheel-chair for his mobility. There are serious concerns for his welfare in detention. **Professional details:** Dr Al-Singace 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. [RAN 46/10 Update #4]

*Sentenced in absentia*

**Ali ABDULEMAM:** Blogger and author of the book *Global Voices Advocacy* was sentenced in absentia on 22 June 2011 to fifteen years in jail by a military court. Abdulemam was arrested on 4 September 2010 by the Bahraini authorities for allegedly spreading “false news” on the popular website BahrainOnline.org, which he founded in 1999. He was released in February 2011. After his release, he has avoided being rearrested and has been in hiding. His arrest is believed to be linked to his support for 23 Shia activists currently detained on terrorism charges (see ‘main case’ above). The website was closed on 5 September 2010. **Other information:** Recipient of the 2011 Hellman/Hammett award.

*On trial*

\***Zainab Al-KHAWAJA (f):** Prominent blogger and activist, reportedly arrested by security forces in Manama, the Bahraini capital, on 15 December 2011 for her participation in a peaceful protest. A video of Zainab’s detention was widely circulated on the Internet. Charged with assaulting a police officer and taking part in an illegal protest. On 22 December 2011 the Bahraini Public Prosecutor decided to release Zainab pending trial. Zainab is the daughter of human rights defender Abdulhadi Al-Khawaja, who is serving a life sentence for his peaceful opposition activities (see above: main case). (RAN 62/11 – 16 December 2011, Update #1 – 21 December 2011)

*Harassed*

\***Reem KHALIFA (f):** Journalist for the Arabic-language daily *Al Wasat*. Has reportedly been the target of harassment, intimidation and a coordinated smear campaign in the state media since anti-government protests began in mid-February 2011.

\***Maryam AL-SHROOQI (f):** Journalist for the Arabic-language daily *Al*

*Wasat*. On 7 July 2011 she was summoned for interrogation about her writings published in *Al Wasat*. She is among at least six critical journalists to have been harassed and intimidated for their critical reporting since anti-government protests began in mid-February 2011.

*Released*

**Ayat AL-GORMEZI (f):** Poet and student. Arrested on 30 March 2011 after reciting protest poems at a pro-democracy rally in Pearl Square in the capital, Manama, in which she criticised the monarchy and called for greater democracy. Sentenced on 13 June 2011 by a special security tribunal to one year in prison. The charges against her included “hatred towards the regime”. Released on 13 July 2011 although the charges against her are not believed to have been dropped.

**Abbas AL-MURSHID:** A well-known writer, researcher and journalist with the Bahraini daily *Al-Waqt*. Arrested on 15 May 2011 when he was summoned to appear at Al-Naeim police station for interrogation about his peaceful dissident writings and activities. Al-Murshad is a frequent contributor to the Bahraini daily *Al-Waqt* as well as numerous online publications, and has written about Bahrain’s social unrest and the issues of corruption, institutional discrimination and other topics considered sensitive by the government. Released on 11 July 2011 without charge.

*Case closed*

**Abdullah HASSAN:** Journalist with the newspaper *Al-Watan*. Hassan, who was fired from the newspaper, was reportedly arrested on 14 May 2011. He had been injured on 13 March while covering clashes between demonstrators and the security forces. No further information as of 31 December 2011, case closed.

### EGYPT

*Main case - imprisoned*

**Michael Nabil SANAD**

**D.o.b.:** c. 1985 **Profession:** Blogger and owner of blog *Ibn Ra* (http://www.maikelnabil.com/2011/03/army-and-people-wasnt-ever-one-hand.html). **Date of arrest:** 28 March 2011 **Sentence:** Three years in prison, reduced to two years on appeal. **Expires:** 27 March 2013 **Details of arrest:** Reportedly arrested on 28 March 2011 in Cairo over an article in his blog discussing the relationship between citizens and the Egyptian army in the aftermath of the anti-government protests which began on 25 January 2011 and culminated in the resignation of President Hosni Mubarek on 11 February 2011. The article was critical of the abuses committed by the military police and cited a number of news reports published in newspapers and websites. **Details of trial:** Sanad was prosecuted by a military court on charges of “insulting the military institution, dissemination of false news and disturbing public security”. He was convicted and sentenced on 10 April 2011 to three years in prison. The trial did not comply with international standards of fairness. On 12 October 2011 his sentence was overturned on appeal by a military court, apparently as a result public pressure, but he was kept in detention pending a retrial. Sanad has refused to recognise the legitimacy of a military court, and his retrial was twice postponed because he refused to accept a court-appointed lawyer. On 15 December 2011, another military court heard his case and Sanad’s sentence was reduced to two years in prison. **Previous political imprisonment/problems:** Sanad has been twice arrested by the Egyptian army, most recently on 8 February 2011 before Mubarak stepped down. **Treatment in prison:** Sanad wenton hunger strike in August 2011 in protest at his detention and treatment in prison. He has been held in

solitary confinement for much of his detention, and in October 2011 was sent for assessment at a psychiatric hospital for 45 days. He is said to be very weak and there are serious concerns for his wellbeing.

*Sentenced*

\***Fatima Al-ZAHRA (f) and Sally HASSAN (f)**: Journalists for the newspaper *Al-Fajr*, were reportedly sentenced on 11 December 2011 by the Agouza Misdemeanour Court to two months and one month in prison respectively on charges of libel, slander and violation of private life. The charges were filed by Sheikh Youssef Al-Badry after the journalists published a piece in December 2009, allegedly invading the sheikh’s privacy. Al-Badri’s complaint was based on article 309 of the Penal Code. The complaint stemmed from a news story published in issue no. 185, 1 December 2009, of *Al Fajr* entitled “Adventure in Maadi : A Ruqyah (Islamic incantation) in the house of Yusuf Al-Badri for 350 pounds.” At an earlier hearing, the Agouza Misdemeanor Court acquitted all the accused of the charge of violating the sanctity of personal life, yet sentenced Al-Zahra and Al-Baz to a fine of 5,000 Egyptian pounds for libel and slander. On 11 December 2011, Agouza Misdemeanor Court approved the appeal of the prosecution and recanted the acquittal of the two journalists. On the first charge, the court sentenced Al-Zahra to one month in prison, and one month in prison with labor for Hassan. On the second charge, Al-Zahra was sentenced to one month in prison and three years suspension.

*On trial*

\***Alaa ABD El-Fattah**: Prominent opposition blogger and political activist, aged 30, was arrested by the military authorities on 30 October 2011, and was taken to Bab El-Khalq prison. His arrest, for inciting violence against the army, has been linked to his claims that the army actively participated in the repression of the Coptic Christians that occurred in Cairo on 9 October 2011, when about 27 people died and many more were injured. Abd El-Fattah reportedly does not recognise the authority of the army to interrogate him or try him. On 25 December 2011, Abd el-Fattah was released from prison pending investigation for allegedly inciting violence against the Egyptian army.

*Brief detention*

\***Imad BAZZI**: Internet writer of Lebanese origin, was reportedly detained for ten hours at Cairo International airport on his arrival from Beirut, on 5 September 2011. He was questioned by Egyptian security officers before being repatriated to Beirut. Bazzi reported he was questioned about a recent award he received which classified him as one of the most influential internet writers in Middle Eastern region, as well as his links with some Egyptian bloggers. Bazzi blogs on *srella.com*.

*Attacked*

*In October and November 2011 at least 35 journalists were reportedly attacked, assaulted, harassed or briefly detained whilst covering unrest between protestors and security forces in and around Tahrir Square. They include:*

\***Mona ELTAHAWY (f)**: Journalist and activist. Reportedly arrested on 24 November 2011 and held for 12 hours whilst covering clashes between protesters and the military authorities in Tahrir Square. She was reportedly beaten and sexually assaulted during her arrest.

*Case closed*

**Adel HAMMUDA and Rasha AZAB (f)**: Editor and reporter respectively with the newspaper *Al-Fajr*. Appeared on 20 June 2011

before a military prosecutor in connection with an article critical of an army officer, published in *Al-Fajr*’s 12 June issue. Azab faced possible jail sentence on a charge of publishing “false information liable to disturb public security” for writing the article. Hammuda is facing a possible fine for alleged negligence in his role as editor. The article was about a meeting between Cairo military commander Gen. Hassan Al-Ruwaini, a member of the Armed Forces Supreme Council, and representatives of a group called “*No military trials for civilians*” about the alleged torture of demonstrators by civilian police. It quoted some of Gen. Al-Ruwaini’s comments including the apology he reportedly gave to a woman demonstrator attending the meeting. Case closed for lack of further information.

**Madgy (Magdi) Ahmed HESSEIN**: Former editor of the now closed *El-Shaab* newspaper, and politician, was reportedly sentenced to one year in prison and a fine on 15 June 2010, by the North Cairo Court of Appeal. The case goes back to 1996, when a relative of the then Minister of Interior filed a complaint against the newspaper after *El-Shaab* reportedly launched a campaign against the Minister and his family. The lengthy process finally ended after fourteen years, in mid 2010, when Hessein was serving a two-year prison sentence for his alleged participation in a campaign supporting the Palestinian cause. No further information as of 31 December 2011, case closed, presumed freed.

## IRAN

*Imprisoned: Main Cases*

**Bahman Ahmadi AMOUEE (f)**

**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 2010 **Sentence:** Seven years and four months, reduced to five years on appeal. **Expires:** 18 June 2014 **Details of arrest:** Reportedly arrested with his wife, Zhila (Jila) Baniyaghoub, editor-in-chief of the *Iranian Women’s Club*, a news Web site focusing on women’s rights, on 19 June 2009 in Tehran. She was released on bail on 19 August 2009 (see below). **Details of trial:** On 5 January 2010, Amouee was sentenced to seven years and four months in jail, and 34 lashes, on security charges. In early March 2010, the sentence was reduced to five years in prison. Amouee was released on bail for the Iranian New Year, on 21 March. He returned to Evin prison on 30 May 2010. **Place of detention:** Evin prison. **Other information:** Recipient of the 2011 Hellman/Hammett award.

**Massoud BASTANI**

**Profession:** Journalist for the reformist newspaper *Farihikhtegan* and *Jomhoriyat*, a news Web site affiliated with the defeated presidential candidate Mir-Hossein Mousavi. **Date of arrest:** 5 July 2009 **Sentence:** 6 years in prison **Expires:** 4 July 2015 **Details of arrest:** Reportedly arrested when he went to a Tehran court seeking information about his wife, journalist Mehsa Amrabadi, who had been arrested on 15 June 2009 and was released on 25 August 2009. **Details of trial:** Bastani was among 140 opposition figures and journalists who faced a mass, televised trial on 1 August 2009 on vague anti-state accusations (see Kian Tajbaksh below). Sentenced on 20 October 2009 to six years in prison for “propagating against the regime and congregating and mutinying to create anarchy” for his alleged role in the post-election unrest. **Place of detention:** High Security Rajaieshahr Prison, near Karaj city. **Treatment in prison:** Said to have been hospitalised after being severely beaten by a prison guard on 2 June 2011. Reported in 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. Concerns for his health are mounting. **Other information:** Bastani had been editor-in-chief of the now-banned *Neda-ye Eslahat* (Voice of Reform) weekly.

**Mohammad DAVARI**

**Profession:** Editor-in-chief of *Saham News*, a website affiliated with 2009 presidential candidate Mehdi Karroubi. **Date of arrest:** 5 September 2009 **Sentence:** 5 years in prison, increased to six years in July 2011. **Expires:** 4 September 2015 **Details of arrest:** Reportedly arrested on 5 September 2009 and charged with several antistate counts, including “propagating against the regime,” and “disrupting national security.” The charges stemmed from Davari’s reporting on widespread complaints of abuse and rape of inmates at Kahrizak Detention Centre. The detention centre was closed in July 2009 after *Saham News* and others documented the pervasive abuse. **Details of trial:** Reportedly sentenced in May 2010 to five years in prison. **Place of detention:** Tehran’s Evin Prison, ward 350. **Treatment in prison:** 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. **Update:** In July 2011 Davari’s sentence was reportedly increased by one more year for taking part in demonstrations held by teachers in 2006. **Other information:** Recipient of the 2010 International Press Freedom Award by the Committee to Protect Journalists (CPJ).

**Hossein DERAKHSHAN**

**D.o.b.:** c.1975 **Profession:** Internet writer. **Date of arrest:** 1 November 2008. **Sentence:** 19 and a half years in prison. **Expires:** 30 April 2028 **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 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 ‘propagating against the regime’, ‘promoting counter-revolutionary groups’, ‘insulting Islamic thought and religious figures’ and ‘managing an obscene website’. He was sentenced to nineteen and half years in prison. In June 2011 an appeals court upheld his sentence. **Place of detention:** Evin prison, Tehran. **Treatment in prison:** Hossein Derakhshan is held incommunicado in Evin prison, with very limited access to his family. He is said to have been ill-treated and under pressure to make a ‘confession’. On 9 December 2010, Derakhshan was released conditionally, on two days parole, after posting a bail of \$1.5 million. After less than two days, he was taken back to prison. **Health concerns:** There are serious concerns for his physical and psychological well-being. **Other information:** Nicknamed ‘the Blogfather’, Hossein Derakhshan is known for pioneering ‘blogging’ in Iran with his Internet diaries, in both English and Farsi, which have been critical of the Iranian authorities though more recently have been sympathetic to President Ahmadinajad.

**Ahmad GHABEL**

**Profession:** Iranian religious scholar and writer. **Date of arrest:** 20 December 2009 **Sentence:** 20 months in prison **Details of arrest:** Reportedly arrested on 20 December 2009 en route to the funeral of the late Grand Ayatollah Montazeri. Held until his release on bail on 10 June 2010 but re-arrested on 8 September 2010 after being summoned to the Mashhad Revolutionary Courts for questioning about his activities since his release. It is believed he was arrested in response to published reports and interviews he had given since his release regarding his trial, prison and interrogations. Ghabel also published information regarding alleged secret mass executions in Vakilabad prison. **Details of trial:** Tried on charges of acting against national security in November 2010 and sentenced to three years imprisonment, three years of exile from his city of residence and a three-year ban on speeches. Ghabel was released on \$50,000 bail by Branch 5 of Mashad Revolutionary Courts on 4 January 2011. On 29 July 2011 the appellate court confirmed his 20-month prison sentence, and he was reported to have been re-arrested on 31 July 2011 to serve out his term. **Place of detention:** Vakilabad Prison, Mashhad. **Treatment in prison:** Said to be held in solitary confinement and to be denied medical care for heart disease, for which he was being treated prior to his arrest. **Previous political imprisonment/problems:** Known for his strong criticism of the conservatives, Ghabel was also imprisoned in 2001 and spent 125 days in solitary confinement in Tehran’s Evin prison after writing an open letter critical of Supreme Leader Ayatollah Ali Khamenei.

**Adnan HASSANPOUR**

**Profession:** Iranian Kurdish journalist, writer and human rights activist. **Date of arrest:** 25 January 2007 **Sentence:** Death penalty, commuted to ten years in prison. **Expires:** 24 January 2017 **Details of arrest:** Reportedly detained on 25 January 2007 in Marivan, a small city in the northwestern province of Kurdistan, apparently for expressing his views on the Kurdish issue. 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. However, it is thought that he may be held for a phone conversation he had with a staff member of *Radio Voice of America* shortly before his arrest. **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* (‘fighting 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 6 September 2008 and 30 January 2009. He was sentenced to ten years in prison on 1 July 2009. **Previous political imprisonment/problems:** 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. (RAN 11/07 and subsequent updates). **Honorary member of:** American, Swedish and Basque PEN.

**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. **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. **Details of trial:** Kabudvand’s trial began on 25 May 2008, and he was sentenced at a closed court on 22 June 2008 to eleven years in prison by the Tehran Revolutionary Court for forming a human rights organisation in Iran’s Kurdish region. The sentence was upheld on 23 October 2008 by the Teheran Appeal Court. **Place of detention:** Intelligence Ministry’s Section 209 of Evin Prison. **Treatment in prison:** Held incommunicado and said to be ill-treated. **Health concerns:** Suffers from high blood pressure, skin and kidney conditions. On 19 May 2008 Kabudvand reportedly suffered a stroke in Evin prison and has been 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 needs. 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. Since his imprisonment Mohammad Sadiq Kabudvand has lost about 20 kgs. **Previous political detention:** 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. (RAN 30/07 -18 July 2007; Update #1 -15 November 2007; Update #2 – 4 June 2008). **Professional details:** Mohammad Sadiq Kabudvand was Chair of the Kurdish Human Rights Organization (RMMK) based in Tehran, and former editor of *Payam-e Mardom-e Kurdestan (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’. 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. **Other information:** Recipient of the 2009 Hellmann/Hammitt prize and the 2009 International Journalists award. **Honorary member of:** Swedish PEN. (RAN 30/07 – 18 July 2007; Update #2 – 4 June 2008; Update #3 – 2 July 2008; Update #4 – 4 November 2008).

**Saeed LAILAZ (LAYLAZ)**

**Profession:** Editor of the now-banned daily business journal *Sarmayeh* and a vocal critic of President Mahmoud Ahmedinejad’s economic policy. **Date of arrest:** 17 June 2009 **Sentence:** Nine years in prison. **Expires:** 16 June 2018 **Details of arrest:** Reportedly arrested at his home in Tehran on 17 June 2009. **Details of trial:** Among 140 opposition figures and journalists who faced a mass, televised trial on 1 August 2009 on vague anti-state accusations for their alleged participation in protests following the disputed presidential elections of 12 June 2009. Sentenced on 18 November 2009 on charges of ‘congregation and mutiny against national security’, ‘propagation against the regime’, ‘disrupting public

order’, and ‘keeping classified documents’. Most of the evidence against him reportedly related to articles published in *Sarmayeh*, and an investigation into the Iranian judiciary published online. **Place of detention:** Evin prison. **Treatment in prison:** Reportedly held for three months in solitary confinement and denied reading and writing materials.

**Mehdi MAHMOUDIAN**

**Profession:** Freelance journalist and blogger. **Date of arrest:** 16 September 2009. **Sentence:** Five years in prison **Expires:** 15 September 2014 **Details of arrest:** Reportedly arrested on 16 September 2009 after he had made statements to foreign media about the disputed 2009 presidential election results. **Details of trial:** Convicted in 2010 of ‘mutiny against the regime’ for his role in documenting the alleged rape and abuse of detainees at the now-closed Kahrizah Detention Centre in 2009. **Place of detention:** Held at the notorious Rajaei Shah prison in Karaj, west of Tehran, known for housing many violent criminals who abuse drugs and transmit diseases. [Reported to have been transferred to Ward 2-A of Evin prison on 6 January 2012 for unknown reasons, and to have been severely beaten in the process.] **Treatment in prison:** 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 is said to have sharply deteriorated and he has developed epilepsy and suffered collapsed lungs and heart disease. His health is reported to have worsened since 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 Political Prisoners and Human Rights in Iran’.

**Hossein Ronaghi MALEKI**

**D.o.b.:** 1985 **Profession:** Blogger. **Date of arrest:** 13 December 2009 **Sentence:** 15 years in prison **Expires:** 12 December 2024 **Details of arrest:** Arrested for discussing politics in a series of critical blogs which were blocked by the government. Founder of an anticensorship group known as ‘Iran Proxy’, launched in 2003. Held in pre-trial detention in solitary confinement for 10 months after his arrest. **Details of trial:** Sentenced on charges of ‘membership of the Internet group ‘Iran Proxy’ and propagating against the regime’, ‘insulting the Supreme Leader’ and ‘insulting the President’. An appeals court upheld his sentence. **Place of detention:** Evin prison, Tehran. **Health concerns:** Has developed kidney disease whilst in prison and has been suffering from related complications since April 2010. He was hospitalised in March and underwent a kidney transplant in May 2011. He was returned to prison within 14 days of the operation, and requests for medical leave have been denied. Said to have been transferred again to hospital in July 2011, and concerns for his health are mounting. **Treatment in prison:** Denied access to his family.

**Said MATINPOUR**

**Profession:** Journalist with the Azeri-language weekly *Yarpagh*. **Date of arrest:** 28 May 2007 **Sentence:** Eight years in prison. **Expires:** 27 August 2014 **Details of arrest:** Reportedly arrested on 28 May 2007 at his home in the northwestern city of Zanjan. Reportedly 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 reportedly taken into detention

again on 11 July 2009 to serve the remainder of his sentence. **Details of trial:** Convicted by a Tehran revolutionary court behind closed doors on 11 June 2008 on charges of ‘maintaining relations with foreigners’ and ‘publicity against the Islamic Republic’. His lawyer was not present at the hearing. His sentence was upheld on appeal in June 2008. **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 for the past two years.

**Morteza MORADPOUR**

**Profession:** Wrote for *Yazligh*, a children’s magazine. **Date of arrest:** 22 May 2009 **Sentence:** Three years in prison. **Expires:** 21 May 2012 **Details of arrest:** Moradpour was arrested in 2009 along with several family members during a protest over Azeri-language rights in Tabriz in northwestern Azerbaijan province. **Details of trial:** Reportedly convicted on charges of ‘propagating against the Islamic Republic of Iran’, ‘mutiny’, and ‘illegal congregation’. Two issues of *Yazligh* were reportedly used as evidence in the trial against him. An appeals court in Azerbaijan province upheld the sentence. Moradpour’s attorney said the charges were politically motivated and fabricated.

**Mohammad Reza NOURBAKHS**

**Profession:** Editor-in-chief of the reformist newspaper *Farhikhtegan*. Also editor of *Jomhuriyat*, a news Web site supportive of the defeated presidential candidate Mir-Hossein Mousavi. **Date of arrest:** 4 August 2009 **Sentence:** Six years in prison, reduced to three years on appeal. **Expires:** 3 August 2012 **Details of arrest:** Authorities reportedly took Nourbakhsh into custody after searching his home. **Details of trial:** Nourbakhsh was among more than 100 opposition figures and journalists who faced a mass, televised trial which began in early August 2009 on vague anti-state accusations. He was sentenced to six years in prison on 3 November 2009 although the exact charges against him were not immediately disclosed. Sentence reduced to three years on appeal.

**\*Isa SAHARKHIZ**

**D.o.b.:** 1955 **Profession:** Prominent reformist journalist and commentator. Former press director at Ministry of Guidance and Islamic Culture. **Date of arrest:** 7 July 2009 **Sentence:** 3 years in prison, with an additional two years added in August 2011. **Expires:** 6 July 2014 **Details of arrest:** Arrested for his journalistic activities during the unrest following the disputed presidential elections of 2009. He has said that his ribs were broken as a result of beatings sustained during his arrest on 7 July 2009. **Details of trial:** Sentenced to three years’ imprisonment in September 2010 on charges of “insulting the leadership” and “propaganda against the system” and ‘spreading lies through interviews with foreign media’. He has also been banned from journalistic and political activities for five years and is forbidden to travel abroad for one year. An additional two years were added to his sentence in August 2011 allegedly for his previous journalistic activities. **Health concerns:** He has lost mobility of his right leg for unknown reasons but has been denied medical leave to seek treatment. In late November/early December 2010 he was reported to have been suffering from severe pain. It was discovered that he was bleeding internally and a medical team was brought to perform surgery on him in the prison clinic. In June 2011 Isa Saharkhiz was among several prisoners who went on a hunger strike to protest against the deaths of Haleh Sahabi and Hoda Saber. He was transferred to the Raja’i Shahr Prison clinic on 27 June 2011 due to his deteriorating health. **Treatment in prison:** Isa Saharkhiz has endured much stress in prison caused by

ill-treatment from prison and judicial officials. In July 2011 Saharkhiz wrote a letter to the new United Nations Human Rights Rapporteur for Iran, Ahmad Shaheed, urging him to visit Iranian prisons and adding that “what is now going on in Iranian prisons is a crime against humanity and is just as bad as Stalin’s inhumane forced labour camps in Siberia.” The full text of the English translation can be read [here](#). **Other information:** In May 2010, the UN Working Group on Arbitrary Detention found Isa Saharkhiz’s detention to be arbitrary and requested that the Iranian Government release Isa Saharkhiz immediately and unconditionally. **Place of detention:** Raja’i Shahr Prison, notorious for its inhumane conditions.

**Keyvan SAMIMI-BEHBEHANI**

**D.o.b.:** 1945 **Profession:** Editor of the banned *Nameh* magazine and human rights defender. **Date of arrest:** 14 June 2009 **Sentence:** Six years imprisonment and fifteen years of deprivation of political, social and cultural activities. **Expires:** 13 June 2015 **Details of arrest:** Reportedly arrested at his home in the unrest following the disputed presidential elections of 2009. **Details of trial:** Reportedly sentenced to six years imprisonment and fifteen years of deprivation of political activities on 2 February 2010 on charges of ‘Propaganda against the system, congregating and conspiracy to undermine the national security’. Reportedly granted 10 days’ leave from prison on 9 December 2009 in order to attend his daughter’s wedding. He has since returned to prison. **Place of detention:** Rajaieshahr prison **Treatment in prison:** Said to have been ill-treated in detention. **Health concerns:** Said to be suffering from a risky liver ailment, although prison authorities are refusing to take him to hospital. **Other information:** He is a member of the National Council for Peace and the Committee for the Defense of Freedom in the Press, member of the Committee for Investigation of Arbitrary Detentions and member of the Committee for the Defence of the Right to Education.

**Hengameh SHAHIDI(f)**

**Profession:** Journalist and opposition activist. Worked for Mehdi Karoubi’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. **Date of arrest:** early July 2009 **Sentence:** 6 years in prison **Expires:** July 2015 **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 antistate counts, including “propagating against the regime”. **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 verdict was upheld and a fine of 500,000 rials (approx. 46,000 US\$) was imposed. 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.

**\*Mashallah SHAMSOLVAEZIN**

**Profession:** Prominent Iranian journalist. Editor of many of Iran’s first independent newspapers, including *Jame’eh*, *Neshat*, and *Asr-e Azadegan*,

all closed between 1998-2000; editor of daily Kayhan throughout the 1980s. He currently serves as the spokesman for the Iranian Committee for the Defense of Freedom of the Press, and also as vice president of the Association of Iranian Journalists. **Date of arrest:** 28 December 2009 **Sentence:** 16 months in prison **Expires:** 20 August 2012 **Details of arrest:** Reportedly arrested at his Tehran home on 28 December 2009, in the aftermath of the 2009 Ashura protests. Released on bail on 28 February 2010. **Details of trial:** Sentenced to sixteen months in prison on 7 December 2010 on charges of ‘insulting President Mahmoud Ahmadinejad’ and ‘undermining the Islamic regime’. According to Shamsolvaezin, he was sentenced to one year in prison on the charge of undermining the establishment for giving interviews to foreign TV networks and news agencies and also four month- sentence for calling the president a megalomaniac in an interview with *Al-Arabiya* TV. Remained free on bail until 21 July 2011, when he was summoned to serve out the remainder of his sixteen-month sentence. **Place of detention:** Evin prison, Tehran. **Previous political imprisonment/problems:** Shamsolvaezin has been imprisoned multiple times for his journalism, including a sentence of thirty months in April 2000 for article criticising the death penalty.

#### **Nasrin SOUTADEH (f)**

**D.o.b.:** 1963 **Profession:** Prominent writer, journalist and lawyer. **Date of arrest:** 4 September 2010. **Sentence:** Eleven years in prison, reduced to six years on appeal. **Expires:** 3 September 2016 **Details of arrest:** Nasrin Sotoudeh, aged 47 and a mother of two young children, was arrested on 4 September 2010 when she was summoned to the special court in Evin prison on charges of “propaganda against the state”, “cooperating with the Human Rights Defenders’ Centre” and “conspiracy to disturb order”. The arrest followed a raid on her home and office by security officers on 29 August 2010, who confiscated her files and documents. Her lawyer was not allowed to represent her in court or accompany her client during questioning. **Details of trial:** The eleven-year sentence was delivered by Branch 26 of the Revolutionary Court on 9 January 2011. She was also banned from practicing law and from leaving the country for twenty years. The sentence comprises one year imprisonment for “propaganda against the regime”, and ten years for “acting against national security”. Sotoudeh was given a heavy fine for “violating the Islamic dress code (Hijab) in a filmed speech”. She is believed to be charged for critical interviews she gave to overseas media following the disputed June 2009 presidential election, and for her membership of the Human Rights Defenders’ Centre (see below for more details). After the sentence was delivered her husband was summoned for questioning by Branch 1 of the Revolutionary Court, allegedly for interviews he had given to the media. The sentence was reduced to six years on appeal in mid-September 2011. The twenty-year ban on Soutadeh practising law was also reduced to ten years. **Place of detention:** The Women’s Ward of Tehran’s Evin Prison. **Treatment in prison:** Since her arrest Nasrin Soutadeh has been allowed very limited access to her family, and her family have been harassed during prison visits. While on trial, Sotoudeh was held in solitary confinement. **Professional details:** Nasrin Sotoudeh is best known as a human rights lawyer and activist, but has also worked as a journalist for several reformist newspapers including *Jame’e*. Since qualifying as a lawyer in 2003, she has specialised in women’s and children’s rights, and has continued to write articles on these issues. Many of her articles have been rejected for publication, including a report written for a special issue of *Daricheh* on women’s rights for the occasion of 8 March (Women’s Day) 2010. Following the launch of the One Million Signatures Campaign for the Repeal of Discriminatory Laws in August 2006 by several leading

Iranian women activists (<http://www.iranianfeministschool.org/english/spip.php?rubrique3>), and the widespread growth of the women’s rights movement in Iran, she has represented many women’s rights activists including Parvin Ardalan, a well-known PEN case. She is a close associate of exiled lawyer and Nobel Peace Prize laureate Shirin Ebadi, and has represented many imprisoned Iranian opposition activists arrested in the crackdown on dissent following the disputed presidential elections of 12 June 2009, and many of whom have been handed down lengthy sentences. **Other information:** Recipient of the 2011 American PEN Centre’s Barbara Goldsmith award. **Honorary member of:** Swedish, Canadian, Finnish and Scottish PEN. [RAN 54/10- Update #1].

#### **Ahmad ZAID-ABADI**

**Profession:** Journalist who wrote a weekly column for *Rooz Online*, a Farsi- and English-language reformist news Web site. **Date of arrest:** June 2009 **Sentence:** Six years in prison **Expires:** June 2015 **Details of arrest:** Reportedly arrested in Tehran during the crackdown on protests following the disputed June 2009 presidential elections. **Details of trial:** Zaid-Abadi was reportedly 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 deprivation of social and political activities. Sentence upheld on appeal in early January 2010. **Treatment in prison:** His wife reports that he is being held in inhumane conditions. **Health concerns:** His wife reports in July 2011 that he has lost a lot of weight and is seriously concerned for his health.

#### *Imprisoned: investigation*

\***Siamak GHADERI:** Journalist, had worked for IRNA for 18 years. Reportedly arrested August 2010 and sentenced to 4 years imprisonment for allegedly participating in anti-government protests and reporting on them. Had established a blog called ‘Our IRNA’ after the 2009 presidential election. Charged with ‘propaganda against the system’ and ‘publishing lies’. Held in Section 209 of Evin prison as of 31 December 2011. WiPC seeking further details. **Nader KARIMI JUNI:** Journalist and chief editor with publications *Gozaresh*, *Fekr*, *Jahan Sanat*, *Siasat Rooz*. **Date of arrest:** November 2008 **Sentence:** Five years in prison. **Details of trial:** Reportedly sentenced to ten years imprisonment in January 2009 by Branch 28 of the Revolutionary Court of Tehran for acting against national security, conspiracy and spying. The sentence was reduced to five years on appeal. **Place of detention:** Section 350 of Evin prison **Previous political imprisonment/problems:** He was reportedly previously detained twice due to his press activities. **Health concerns:** Said to be in need of constant medical supervision due to the injuries that he sustained during the Iran-Iraq war. WiPC seeking further details of the reason for the charges against him.

**Mehdi KHAZALI:** Blogger. Editor of website *Baran* ([www.drkhazali.com](http://www.drkhazali.com)). Reportedly arrested on 13 October 2010 after responding to a summons. Thought to be charged with ‘activities contrary to national security’ and ‘publishing false information aimed at disrupting public order’ for articles critical of President Ahmedinejad and his government published on his website *Baran*. Reportedly released on bail pending trial on 12 November 2010, but re-arrested on 18 July 2011. WiPC seeking further details.

#### **Mohammad POUR ABDOLLAH**

**Profession:** Freelance journalist, Tehran university student and a blogger. **Date of arrest:** 13 February 2009 **Sentence:** Three years in prison. **Expires:**

12 February 2012 **Details of trial:** In December 2009, a Revolutionary Court convicted Pour Abdollah on charges of “propagating against the Islamic Republic of Iran; assembly and collusion to disrupt the national security”. In April 2010 his sentence was reduced on appeal to three years. Known for his critical writings posted on his blog about the political, social, and economic conditions in Iran and elsewhere. **Treatment in prison:** Reportedly tortured while in custody at Ghezel Hesar Prison, a facility that houses hardened criminals. He has been transferred to Evin Prison. WiPC seeking further details about the reason for his arrest and the charges.

\***Alireza ROSHAN:** Poet, writer and head of the book section of the *Shargh* newspaper. Also an administrator for the Gonabadi Dervish website *Majzooban Noor*. Reportedly arrested at his home on 6 September 2011 and transferred to an undisclosed location. One of eleven *Majzooban Noor* website administrators to be detained in early September 2011 following a violent incident on 2 September in Kavar county in which security forces allegedly opened fire on dervishes, injuring many. No information about the whereabouts of those detained or the reason for their detention has been disclosed. Roshan is a poet who has published a collection of poems entitled *There is no Book* and his poetry has been translated into French. WiPC seeking an update.

#### *Sentenced – not imprisoned*

**Mahbubeh ABBASGHOLIZADEH (f), Parvin ARDALAN (f), Zhila BANI-YAGHOUB (f) and Shadi SADR (f):** Prominent women writers and journalists. Arrested on 4 March 2007 along with thirty other women activists. All four were released on bail in March 2007 but are still facing charges of ‘acting against national security’, ‘participating in an illegal demonstration’ and ‘publicity against the Islamic Republic’ for organising a demonstration in Tehran on 4 March 2007. **Parvin Ardalan**, winner of Olof Palme Prize 2007 and honorary member of Swedish PEN, is facing two terms of six-month imprisonment. Other women journalists and internet writers facing possible imprisonment in connection with the protest include **Nusheen Ahmadi Khorasani** (6 months), **Jelveh Javaheri** (6 months), **Maryam Hosseinkhah** (6 months), **Nahid Keshavarz** (6 months) and **Delaram Ali** (30 months and 10 lashes (RAN 13/07, 12 March 2007; Update #1, 26 March 2007). Mahbubeh Abbasgholizadeh was sentenced in absentia to two-and-a-half years in prison and thirty lashes. Shadi Sadr was sentenced to six years in prison and seventy-four lashes in absentia. Both are said to be currently abroad.

**Shiva Nazar AHARI (f):** Reporter for the Committee of Human Rights Reporters. Aged 27. Reportedly arrested on 14 June 2009 in her office following the disputed presidential elections. Charged with ‘moharebeh’ (‘waging war against god’), ‘propagation against the regime’ and ‘actions against national security’ for her alleged participation in political gatherings in 2009. She was released on 13 October 2009 on bail of \$200,000 but re-arrested on 19 December 2009 on her way to Qom to attend the funeral of the 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. 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 “assembly and collusion against the regime,” 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. She is thought to remain free on bail awaiting her prison re-call. WiPC seeking an update.

**Jila (Zhila) BANIYAGHOUB (f):** Editor-in-chief of the *Iranian Women’s Club*, a news web site focusing on women’s rights, has been reportedly sentenced to one year in prison and 30-year ban from journalism on 8 June 2010. She was arrested on 19 June 2009, with her husband journalist Bahman Ahmadi Amoue, who is serving a five-year prison sentence on security charges (see above ‘main cases’). Baniyaghoub was released on bail on 19 August 2009; however, the trial against her continued on charges of ‘propaganda against the regime’, for her reports in relation to the June 2009 presidential elections in Iran and the protests that occurred afterwards. Her defence filed an appeal on 27 June 2010, but the sentence was upheld. She is at risk of arrest.

#### \***Nargess MOHAMMADI (f)**

**D.o.b.:** 1972 **Profession:** Prominent activist and journalist. Director of the Defenders of Human Rights Centre (DHRC) founded by Nobel peace laureate Shirin Ebadi. **Date of arrest:** 10 June 2010 **Sentence:** 11 years in prison **Expires:** 9 June 2021 **Details of arrest:** Arrested from her home without a warrant and held in Evin prison until she was released on bail on 1 July 2010 following a severe deterioration of her health. After her release on bail she spent a month in hospital. **Details of trial:** On 26 September 2011 a court in Tehran sentenced her to eleven years in prison for ‘acting against the national security’, ‘membership of the DHRC’ and ‘propaganda against the regime’ for her reporting on human rights violations, cooperation with Shirin Ebadi and visiting political prisoners. Mohammadi is appealing against the sentence and remains free on bail. **Health concerns:** Since her arrest she has developed an undiagnosed epilepsy-like disease which causes her to lose control over her muscles temporarily during the day. **Other information:** Mohammadi is a mother of two and winner of the 2009 Alexander Langer award for her human rights activities. She is the wife of prominent journalist and activist Taghi Rahmani, who has spent a total of seventeen years in prison. **Honorary member of:** Danish PEN.

**Badressadat MOFIDI (f):** Journalist who was formally the secretary-general of the banned Association of Iranian Journalists in Tehran. On 3 August 2010, she was reportedly sentenced to 6 years in jail and banned from working on ‘press activities’ for 5 years. She was sentenced by the Islamic Revolutionary Court for “assembly and collusion to commit a crime” and “propagating against the regime” for her work with the Association of Iranian Journalists. Mofidi was arrested on 29 December 2009 after she discussed the government’s press policies in an interview with the Persian service of the German public broadcaster Deutsche Welle. She was held in Evin Prison until her release on bail pending trial in June 2010. She remains free on bail pending appeal. No further information as of 31 December 2011.

#### **Dr Fariborz RAEIS-DANA**

**Profession:** Economist, writer and active member of the banned Iranian Writers Association. **Date of arrest:** 19 December 2010 **Sentence:** One year in prison **Details of arrest:** Reportedly arrested at his home following an interview he gave to the BBC Persian service about Ahmadinejad’s economic policies. Held for one month before being released on bail pending trial. **Details of trial:** Sentenced on 15 June 2011 by branch 28 of the Islamic Revolutionary court. Remains free on bail pending appeal as of 31 December 2011.

**Dr. Kian TAJBAKHSH**

**D.o.b.:** c.1962 **Profession:** Iranian-American scholar, sociologist and urban planner. **Date of arrest:** 9 July 2009 **Sentence:** 15 years in prison, reduced to five years on appeal. Free on bail. **Expires:** 8 July 2014 **Details of arrest:** According to PEN’s information, Dr Tajbakhsh was arrested on charges including ‘acting against national security’ and espionage for his subscription to Gulf/2000, a cultural and academic internet organization 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 to be 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, he was sentenced to 15 years in prison on charges of espionage, “contacting foreign elements” and acting against national security. 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. **Previous political imprisonment/problems:** 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.

*On trial*

**Amir Hadi ANVARI, Rayhaneh TABATABAEE (f), Mehran FARA-JI, Ahmad GHOLAMI, Farzaneh ROOSTAEI and Kayvan MEHREGAN:** Economic reporter, political reporter, social and domestic issues reporter, editor-in- chief and international desk editor respectively of the daily newspaper *Sharq*. Reportedly arrested on 7 December 2010. On 8 December, Tehran’s General Revolutionary Courts Prosecutor announced that the arrests were based on “security charges” but did not provide any additional details. Between January and February 2011 they were released on bail and are currently awaiting trial. No further information as of 31 December 2011.

**Maryam BAHREMAN (f):** Womens Rights activist and blogger. Member of the Campaign for ‘One Million Signatures’. Reportedly arrested on 11 May 2011 at her home in Shiraz on charges of ‘acting against national security’. Her home was searched and her computer, mobile phone, books and documents seized. On 15 September 2011 Maryam Bahreman was released on bail. No further information as of 31 December 2011.

**Abdolreza TAJIK:** Political editor of many banned reformist newspapers, including *Fat’h* (banned in 2000), *Bahar* (banned in 2001), *Bonyan* (banned in 2002), *Hambastegi* (banned in 2003) and *Shargh* (banned in 2008). Known for his articles critical of the state of freedom of expression in Iran and the arbitrary arrests of journalists. Cooperated with the Human Rights Defenders Centre founded by Nobel laureate Shirin Ebadi. Reportedly detained on 12 June 2010 for his human rights activism and released on bail on 22 December 2010. Recipient of the Reporters Without Borders 2010 Press Freedom Prize. On 17 March 2011 he was sentenced to six years in prison for alleged “membership of illegal groups” and “propaganda against the regime.” According to his lawyer he was sentenced to five years for “membership of the Human Rights Defenders Centre”, and one year in prison for “propaganda against the regime”. In addition to these charges, Abdolreza Tajik is also accused of “publishing falsehoods in order to ignite public opinion.” The court has not yet issued a sentence related to that charge. Thought to remain free on bail.

*Brief detention*

\***Faranak FARID (f):** Editor-in-chief of the banned monthly *Dilmaj*, poet and women’s rights activist. Reportedly arrested by plainclothes officers whilst out shopping in the city of Tabriz on 3 September 2011. Security forces later searched her house and seized her computer and personal documents. She was arrested following her participation in a peaceful protest against the environmental policies of the Iranian authorities affecting the Urmiah Lake in north-western Iran, and is also thought to be targeted for her writings and activism in defense of women’s rights. She was held at the women’s section of Tabriz Central Prison on charges of ‘insulting the Supreme Leader’, ‘propaganda against the system’, and ‘acting against national security’ until 17 October 2011, when she was freed on a bail of one hundred) million تومان. She was reportedly ill-treated in detention.

## IRAQ

*Killed*

\***Hadi AL-MAHDI:** prominent journalist, playwright, filmmaker and member of Iraqi PEN. Hadi al-Mahdi was shot dead at his home in Baghdad on 8 September 2011. Al-Mahdi, 44, was shot twice in the head at his flat in Baghdad, ahead of a planned protest he was due to attend in the city’s Tahrir Square on 9 September. He hosted a popular radio talk-show *To Whoever Listens* which was aired three times a week on an independent radio station, on which he was known for his outspoken criticism of the government. He had been receiving threats since 25 February 2011, when he was arrested after calling for peaceful anti-government protests. He is said to have stopped broadcasting his show about two months before, reportedly out of fear for his safety. Hadi al-Mahdi spent six months in prison in the late 1980s for his play *Farewell, Strange Old World*, which was a re-telling of Machiavelli’s *The Prince*. He lived in exile in Europe throughout the 1990s, returning to Iraq after the fall of Saddam Hussein in 2003.

*Brief detention*

\***Ahmed MIRA:** Editor of *Lvin* magazine, was reportedly detained and beaten by men in military uniform in Sulaymaniyah, Iraqi Kurdistan, on 7 September 2011. After the officers searched his offices and insulted and threatened him and his staff, Mira was handcuffed and hit on his legs with a Kalashnikov. He was taken away and held for three hours at the

Bakhtyari police station, but was not told the reason for his arrest. Mira’s release was ordered by a judge. He has reportedly filed a complaint before the authorities to investigate the incident.

*Attacked*

\***Asos HARDI:** Journalist and director of the Awane Press and Publishing Company, which publishes the *Awane* newspaper in Iraqi Kurdistan, was reportedly attacked while leaving his office in the evening of 29 August 2011. Hardi was approaching his car when a man knocked him to the ground and hit him repeatedly in the back of his head. Hardi believes the attack was linked to his work a journalist. The authorities are said to be investigating the incident. Previously, in 2008, Hardi received two suspended sentences for publishing critical articles to the Kurdish Regional government. Asos Hardi is also a member of Human Rights Watch in Middle East and North Africa issues.

*Released*

**Saad AL-AWSI:** editor of the weekly newspaper *Al-Shahid* was released on 18 August 2011 after sixteen months in detention. He is to receive medical treatment before he resumes editing the newspaper. Al-Awasi was arrested by members of the security forces on 14 April 2010. The arrest was prompted by an article in which he criticized deals that the Prime Minister Nouri al-Maliki had allegedly struck in order to secure his position.

## ISRAEL

*Brief detention*

\***Amar ABU URFA:** reporter for the *Shahab* news agency was reportedly arrested on 21 August 2011 by the Israeli Defence Forces from his home in the Dahishe Camp in Bethlehem. No reasons were given for his arrest. Presumed later freed.

*Main case*

**Anat KAMM (f)**

**Profession:** Journalist with the Israeli news portal Walla. **Date of arrest:** 23 November 2011 **Sentence:** Four and a half years in prison. **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 include 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 receive 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. Blau has since been living in London while his lawyers negotiate a way for him to return to Israel without facing charges. **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, at Neve Tirza Prison in Ramla.

*Imprisoned: Investigation*

**Dr Ahmad QATAMESH:** Prominent Palestinian writer and academic. Reportedly arrested on 21 April 2011 by the Israeli authorities in the occupied West Bank. He was taken to Ofer detention Centre in the West Bank where he was questioned by the Israeli Security Agency (ISA) about his alleged connection to the Popular Front for the Liberation of Palestine (PFLP). Thought to be held for his peaceful political activities and views. At a hearing on 3 May 2011 Qatamesh was handed an administrative detention order, which can be renewed indefinitely. Qatamesh was previously arrested in the 1992 by the Israeli Defense Forces (IDF) for the same reason. On 2 September 2011 Qatamesh’s administrative detection was extended for further six months, as ordered by the Military Commander in the West Bank.

## JORDAN

*Attacked*

\***Randa HABIB (f):** journalist and chief of *Agence France-Press Bureau* in Amman. Reportedly attacked on 28 July 2011 in her office by angry protesters who used tried to force their way into the office. The protest was triggered by a story published on 13 June 2011 in which the AFP mentioned that the king’s motorcade was attacked.

## LEBANON

*Brief detention*

\***Zeid HAMDAN:** Musician and singer. Reportedly summoned on 26 July 2011 and held for several hours at the Justice Palace prison for allegedly defaming the Lebanese president in a song entitled ‘General Suleiman’. The song, which criticises the political situation in Lebanon was written two years ago and had recently been posted on YouTube.

## LIBYA

*Brief detention*

*Many journalists have been subject to arrest and violence for reporting on the protests against Libyan President Muammar Qaddafi which broke out on 17 February 2011. Please see the Committee to Protect Journalists (www.cpj.org) and Reporters Sans Frontiers (www.rsfs.org) for more details. Most were released after a brief detention including:*

*Attacked*

\***Tracy SHELTON:** Freelance Australian journalist was attacked by two men while on her hotel room in Benghazi, on 11 August 2011. The attackers reportedly broke into her room at about 3am, tied her up, beat her brutally and attempted to kidnap her. Shelton managed to free herself and escape through the balcony.

## MOROCCO

*Imprisoned: main case*

**Rachid NINI:** editor of the daily newspaper *Almasae*, one of Morocco’s leading newspapers, and owner of Al-Massae Media Group. **Sentence:** one year. **Charges:** “undermining a judicial decision”, “attempting to influence a judicial decision” and “reporting on untrue criminal offences” under various articles of the penal code. **Expires:** June 2012. **Prison:** Okasha prison, Casablanca. **Arrest and detention:** Arrested on 28 April 2011, Nini was sentenced to one year in prison and a 1,000 dirham (88 euro) fine on 9 June 2011. **Reasons for arrest:** Nini’s arrest followed his publication of several articles criticizing the counter-terrorism practices of the Moroccan security services, including prison sentences handed down after unfair trials against Islamists. He is frequently critical of government policies in his articles and has written about widespread corruption among government officials. He has often called for the repeal of Morocco’s anti-terrorism law and for increased political freedom. Trial and appeal: the Court of Appeal assigned 11 August 2011 as the date of the first appeal session in Casablanca. The appeal hearing was adjourned until 25 August 2011 at the request of the defence lawyers who asked for additional time to study the case. The court refused Nini’s provisional release, where he could have been tried whilst free. The Court of Appeal adjourned the appeal again, until 27 September 2011. On 24 October 2011, the Court of Appeal upheld a one-year prison sentence and fine of 1,000 dirhams (90 euros). **Prison conditions:** The editor began a hunger strike on 13 June 2011 in protest at prison conditions. He was demanding access to the mosque to pray, to paper and pen and to be able to call his family. He also complained of constant searches of his personal belongings by prison authorities. The General directory of Moroccan Prisons refused on 9 August to grant permission to several local human rights NGOs and Unionists to visit Nini. Nini’s requests to be moved to the the Student Ward and also to have access to writing tools and to a telephone, were denied. **Background:** Nini’s prosecution comes despite promises of political and human rights reforms made by King Mohammed VI in March in response to demonstrations since 20 February inspired by the events in Tunisia, Egypt and Libya. According to Nini’s sister, Noura, the editor is the main breadwinner for his family, including six siblings, his mother and his 11-year-old daughter. [RAN 32/11 and updates]

**Imprisoned: investigation**

\***Mustapha ABD DAIEM:** writer and journalist and Saharawi activist from the Western Sahara (territory disputed between Morocco, which has controlled most of the region since 1976, and the Algerian-backed Polisario Front). Abd Daiem is a former reporter for Moroccan newspapers *El Watan*, *Al Alam Assiyasi* **and** *Al Ahdath* and a member of the Saharawi Journalists and Writers Union (UPES) and the Assa-Zag Branch of the Moroccan Association for Human Rights. **Arrest and detention:** Abd Daiem was arrested without a warrant at his home in the city of Assa in southern Morocco on 27 October 2008. His arrest followed anti-government protests in Assa earlier that day by Sahrawi members of the population calling for the creation of employment opportunities and the right of the Sahrawi people to self-determination. Abd Daiem says he did not take part in the protests but that when he heard that Moroccan law enforcement officers had broken up the protests and raided some Saharawi homes in the city, he lowered the Moroccan flag in the secondary school where he worked as a security guard as a mark of solidarity with the victims. He also says he released the pupils from the school in order to allow them to go and help their families. Ac-

ording to Abd Daiem, his interrogation by the police included questioning about his writings and political views. **Trial and sentence:** On 4 November 2008, Abd Daiem was found guilty of offending the Moroccan flag, rebelling and inciting an armed gathering, participating in the destruction of public property and participating in the contempt of public officials on duty. He was sentenced to three years in prison and was also fined 50,000 dirhams (approx. US\$6,220) and banned from teaching or working in any educational institution for 10 years. Abd Daiem claims that the record of his questioning by the police (*procès-verbal*), on which his conviction was largely based, was falsified. The sentence was confirmed on appeal on 11 December 2008 in the absence of his lawyers, who said they had not been informed of the date of the hearing. In December 2008, Amnesty International expressed concern that Abd Daiem’s trial proceedings did not meet international fair trial standards. **Treatment in prison:** Abd Daiem has reportedly been ill treated in detention and repeatedly transferred to different prisons. **Update:** On 4 June 2011, Abd Daiem was removed from his cell in Tiznit prison and moved to an unknown place. Four days later, on 8 June, his family found him in Sale Prison (near Rabat), 1,000 km from the family home in Assa. The Moroccan authorities reportedly refused to say why he had been moved. Two days before the transfer, Abd Daeim told the UPES that he feared a possible attack from the Moroccan authorities because of his writings published on the union’s website in which he expresses his political views. In these articles and short stories, he often writes of his opposition to Morocco’s occupation of Western Sahara and his criticism of human right abuses allegedly committed by the Moroccan authorities in Western Sahara. His family reported that his health situation is deteriorating as he is suffering from high blood pressure and diabetes. He is reportedly kept in solitary confinement and denied any access to medication or clothes and blankets. No further news as of 31 December 2011.

*On trial*

\***Mohamed DAWAS:** a blogger based in Fnideq, was arrested on 5 September 2011, beaten by police and forced to sign a statement against his will. The first hearing of his trial was on 8 September 2011. The next hearing was scheduled for 16 September 2011. An anti-corruption campaigner, Dawas edits the Fnidaq.com news website and the Wikileaks Fnideq Facebook page. According to his lawyer, Dawas was arrested on a trumped-up charge of drug trafficking and the real reason was his blog posts. No further news as of 31 December 2011.

*Attacked/Harassed*

\***Hassan BOURAH:** journalist, was attacked by four men on 31 July 2011 while he was covering a demonstration. The attack took place in the south-western city of Guelmim on the evening of 31 July 2011. He was reportedly hit in the stomach and face, insulted and threatened, and his mobile phone and press card were taken. He said that men forced him into car and dumped him outside the city, far from the demonstrations he had been covering.

\***Mohamed BENBA:** blogger, 17, was harassed and threatened on 10 July following a march in Agadir by the 20 February Movement. Members of the Directorate for Territorial Surveillance, an intelligence agency, went to his school to give him a warning after he posted videos of the march on YouTube.

\* **Mohamed Ayache BUIHI, Hamid BOUFFOUS:** respectively reporter for the Moroccan daily *Al-Massae* and editor of the *Saharanow.com* website, and reporter for the newspaper *Risalat Al-Oumma* and for the *Sahara Press* and *Hespress* websites, were attacked on 12 August 2011 by members of the Moroccan security forces. The journalists had been

covering a demonstration in El Aaiún (Western Sahara). Buihi was beaten with a baton on the back and legs. After showing his press card, the security forces tried to take his camera, and then threw him to the ground and insulted him. Bouffous was treated in a similar manner, despite wearing a vest with the word “Press.”

*Case Closed*

**Taoufik BOUACHRINE:** editor of the independent daily newspaper *Akhbar al-Youm*, was sentenced to six months in prison on charges of real estate and sales fraud on 10 June 2010, in what was said to be a politicized trial. He was also fined 500 dirhams (US\$56) and ordered to pay 10,000 dirhams (US\$1,120) in damages. The charges stem from Bouachrine’s purchase of a house in Rabat three years before. The new owner claimed Bouachrine failed to honour the agreed price and sued. Bouachrine was reportedly cleared of the charges in 2008 and 2009 but the owner filed another complaint in April 2010, despite the fact that under Moroccan law, it is illegal to re-open a civil case that has been closed. Bouachrine was free pending an appeal. No further news on Bouachrine’s appeal as of 31 December 2011. **Background:** On 31 October 2009, Bouachrine and cartoonist Khalid Gueddar were given a four-year suspended prison sentence on charges of “disrespect to a member of the royal family” for publishing a cartoon depicting the wedding of Prince Moulay Ismail, King Mohammed VI’s cousin. They were also ordered to pay 270,000 Euros in damages to the Prince. *Akhbar al-Youm* was shut down but was re-launched in December 2009. Case closed due to lack of information.

## OMAN

*Suspended sentence*

\***Ibrahim AL-MAAMARI and Youssef AL-HAJ:** Editor and journalist, respectively, for the newspaper *Al-Zaman*, were sentenced to five months in prison on 21 September 2011. Since the journalists had already paid bail, the sentence was suspended. Both were charged with defamation and insult to the dignity of the Justice Minister and his deputy in an article published on 14 May 2011. The sentence also imposed a suspension of the publication for a month.

*Case closed*

**Saleh al-AMERI, Ali el-MAKHMARI and Ahmed al-SHEHHI:** Poets. Reportedly detained on 29 March 2011 along with several activists and journalists after a crackdown on mass anti-government protests which broke out in the city of Sahar on 27 February 2011. Held at an undisclosed location without charge, no further information as of 31 December 2011. Case closed.

## PALESTINE AUTHORITY

*Imprisoned: investigation*

**Amer Abdel Halim ABU ARFA:** Correspondent for *Al-Shihab*, a Hamas-affiliated news agency based in Gaza. Reportedly arrested by the Palestinian Authority security services from his home on 21 August 2011. He had previously been briefly detained after being sentenced by an Israeli court on 27 July 2010 to three months in prison. No further information as of 31 December 2011.

## SAUDI ARABIA

*On trial*

**Fahd al-JUHANI:** Editor at *al-Watan* newspaper. Reportedly charged on 6 December 2010 with criminal defamation over an article published by Al-Juhni in 2009 under a pseudonym in the *Al-weeam website*. The trial started in August 2011 and is ongoing as of 31 December 2011. Saudi Arabia transferred jurisdiction over the media from the country’s court system, which is based on Sharia law, to the Ministry of Culture and Information, which is authorised to rule on violations of the Press And Publication Law, under Royal Decree 1700/Mim Ba, 15 March 2005.

## SYRIA

*Killed*

\***Ibrahim QASHOUSH:** Poet and song writer. Qashoush was kidnapped on 5 July 2011 from his home in Hama city, north of the capital city of Damascus, by the security forces after he had performed anti-government songs at a Friday demonstration in the city. His body was found in the Al-Assi river on 6 July with his throat cut. Qashoush was known for his political songs that were critical of the Syrian authorities, and which he had performed regularly to protestors throughout the uprising sparked in mid- March 2011. One of Qashoush’s songs, “Leave us, Bashar”, directly addresses the President and ridicules his talk of reform. Another song is entitled “Syria is longing for freedom”. (RAN 37/11 – 20 July 2011)

*Main case: imprisoned*

**Tal AL-MALLOUHI (f):**

**D.o.b.:** 1991 **Profession:** student, poet and blogger. **Date of arrest:** 27 December 2009 **Sentence:** 5 years in prison **Expires:** 26 December 2014 **Details of arrest:** Al-Mallouhi was detained on 27 December 2009 after being summoned for questioning about her blog entries. Thought to be held on charges of espionage although no charge has officially been made known. **Details of the trial:** Reportedly appeared before the State Security Court on 10 November 2010. Tal was sentenced to 5 years in prison by the State Security Court in Damascus on 14 February 2011. 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. No evidence has been presented against her. **Place of detention:** Duma Womens Prison, on the outskirts of Damascus. **Treatment in detention:** Reportedly held in solitary confinement and feared to be at risk of ill-treatment. **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. On 5 October 2010 it was reported that Al-Mallouhi had been charged with spying for a foreign country. Al-Mallouhi has no known political affiliations, and sources close to the family are baffled by the charges. It is feared that she could be targeted for comments and poems published in her blog. **Honorary member of:** PEN Canada and Danish PEN.

*Since February 2011, when widespread protests erupted calling for an end to the regime of President Bashar al-Assad, the human rights situation in Syria has continued to deteriorate, and thousands of protestors have been killed by security forces. An unknown number of writers and journalists are amongst to have been attacked, arrested or disappeared. They include the following:*

*Imprisoned: investigation*

\***Nizar ADLEH, Miraal BROUDA and Amer MATAR:** Journalist for various news websites; writer and poet; and journalist for the daily *Al-Hayat*, respectively. Reportedly arrested by the Syrian authorities in September 2011. They continue to be held but there is no information on the circumstances of their arrest or the charges against them.

\***Omar Al-ASA'AD:** Writer, blogger and journalist with several newspapers including *Al-Hayat*, *Aljazeera.net* and *Assafir*. Reportedly arrested on 15 September 2011 after writing an article in a newspaper about the killing of a protester in Damascus. Thought to remain detained in Adra prison in the outskirts of Damascus. He was also previously arrested on 3 July 2011 where he was held for more than two months. WiPC seeking an update.

**Muheeb Al-NAWATHY:** a Palestinian journalist, arrested in Syria on 5 January 2011, 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). He used to work as a correspondent to Al-Arabiya.net, a Dubai based website. WiPC checking whether still detained.

\***Jihad JAMAL (AKA Milan):** a freelance journalist arrested on 14 October 2011. The reason behind his arrest and his whereabouts are still unknown. This is his third arrest since the Syrian protests started in March 2011. He was previously arrested in Damascus on 4 August 2011 where he spent 60 days in detention without any charge. He was also arrested in March 2011 where he was held for one month in a solitary confinement at the Military Intelligence security centre in Damascus. Jamal writes about the recent events in Syria. WiPC seeking an update.

\***Alaa Al-KHUDUR:** Journalist and director of *Syrian News Agency* (SANA). Reportedly arrested on 17 November 2011 after writing an article in which he criticised the role of the Syrian media. He is believed to be held at a Military Intelligence security centre in city but his family were not able to visit him. WiPC seeking an update.

\***Amir MATAR:** Journalist with several Arabic newspapers, and a writer. Reportedly arrested on 4 September 2011 and thought to remain detained without charge in Adra prison in the outskirt of Damascus. Matar was also arrested in July 2011 for his writing and was held for more than two months. It is reported that Matar has started a hunger strike in protest against his arrest. WiPC seeking an update.

\***Rody OTHMAN:** Journalist and blogger. Reportedly arrested on 3 August 2011 after giving an interview to a French newspaper. Rody was the editor of a blog known for its writings on the Syrian uprising. Rody is thought to remain detained without charge in Adra prison in the outskirt of Damascus. WiPC seeking an update.

**Najati TAYARA:** Writer and editor. Reportedly arrested on 12 May 2011 for covering the Syrian protests. He was held incommunicado for two weeks before being transferred to Homs city prison. His arrest stemmed from an interview with *Aljazeera* on the crackdown by Syrian forces on peaceful protesters in Homs. On 9 August 2011 the judge refused to release Tayara on bail. Reports said that Tayara has been under continuous threat inside prison and he was repeatedly beaten up by prisoners who were supported by the prison administration. In September 2011 there were reports of the journalist being beaten by prison guards. He is thought to remain detained as of 31 December 2011.

\***Hanadi ZAHLOUT (f):** Writer and journalist. Reportedly arrested on 4 August 2011 and transferred to the Al Fayha’a detention center in Damascus. She was subjected to physical and psychological mistreatment, and confessed under duress to involvement in the demonstrations.

Hanadi has neither been taken before a judge nor she has granted any legal assistance. She is thought to be held in Adra prison on the outskirts of Damascus.

*Brief detention*

\***Lina Al-EBRAHIM (f):** Journalist for the *Tishreen* newspaper. Reportedly arrested on 25 October 2011 by State Security secret serv-ices while she was walking on a street in Damascus, and held at the Al-Khateeb interrogation centre in Damascus. Released without charge on 17 November 2011.

\***Myriam HADDAD (f):** reporter for the magazine *Mouqarabat* was kidnapped from Havan Café on 11 August 2011 by the Syrian secret Services and held incommunicado until her release on 23 August 2011 without charge.

\***Sami AL-HALABI:** freelance journalist. Reportedly arrested on 11 August 2011 in the city of Suwayda after he was beaten up by the Intelligence Services. He was released on 20 August 2011 without any charge.

\***Fadi ZEIDAN:** Freelance journalist. Reportedly arrested on 4 August 2011 after covering a demonstration in the central Damascus district of Shaalan. He was held for two days before being released without charge.

*Attacked*

\***Iman HAMAD (f):** freelance journalist. Reportedly attacked on 2 October 2011 by Baath Party Militias after publishing articles in Lebanese newspapers in which she criticised the Syrian army. On the same day Air Forces Secret Services raided her house in Damascus and she has gone into hiding.

\***Rosa HASSAN (f):** a well-known novelist and journalist. Reportedly attacked on 10 October 2011 by members of Baath party militias in Damascus. She was called a traitor for her weekly articles she publishes on the website *Syrian Pages*. She has also suffered a campaign of defama-tion on the Facebook and in the Syrian state-owned media as a result of her writings which supported the protests currently taking place in Syria.

\***Alaa MAHMOUD:** freelance journalist and writer. Reportedly attacked on 27 September 2011 by supporters of the Syrian President in the city of Homs. He was left with arm injury and bruises on his body. Air Forces secret services raided his home two days later to arrest him. Alaa went into hiding to avoid arrest. Mahmoud was previously arrested on 23 June 2011 and held for one month, during which he was tortured and ill- treated.

\***Nassir WANNOUS:** journalist, writer, cinema critic and a translator was attacked on 15 October 2011 by the Baath party militia in the city of Tartous. The attackers called him a traitor and threatened him that they would kill him if he did not live the village. The attackers broke his cars windows while his daughter, aged 7, was sitting inside the car. After the incident, the state security services interrogated Wannous in relation to his position on the Syrian uprising.

## TUNISIA

*Conditional Release*

**Samir FERIANI:** senior police commissioner. **Arrest and detention:** Feriani was arrested on 29 May 2011 after a vehicle crashed into his car, forcing him to stop. He was then reportedly kidnapped by the “anti-terrorist brigade” and beaten. Feriani’s arrest stemmed from a letter he wrote to the Interior Minister in which he criticised the Tunisian intelligence agency and Ministry of Interior, blaming current officials

for allowing protesters to be killed during the January 2011 revolution and stating that “notorious torturers” are still at large. In his letter he also alleged corruption within the Ministry and claimed that he had been intimidated after he sent a petition to the Minister about the destruction of official records, including some taken from the residence of the late Palestinian Liberation Organisation (PLO) leader Yasser Arafat. Feriani later contacted the Prime Minister and the Police High Commissioner with the same concerns and also wrote two articles for *Al-Khabir* newspaper.

**Charges:** A military judge investigated Feriani on charges “harming the external security of the state”, distributing information likely to harm public order” and “accusing without proof, a public agent of violating law”. He faced a prison sentence if convicted of any of the charges. He was held in Aouina military barracks until his release on 29 September, without access tohis family and his lawyer had limited access to his case file. Feriani was freed and acquitted of charges of “harming the external security of the state.” The charges of distributing information “likely to harm public order,” and “accusing, without proof, a public agent of violating the law,” will be heard in a civilian court.

\***Nabil Al-HAJLAOUI:** blogger and journalist, was arrested by the Tunisian army in Sidi Bouzid on 25 October 2011, shortly after the announcement of results of the elections for writing an article entitled *Sidi Bouzid is burning and the army is looking as a spectator* in which he criticised the Tunisian army for not trying to stop the riot took place in the city during and after the elections. He was charged with calling for a public disturbance. He is being held in Qafsa prison. He appeared before a military court on 9 November 2011 which sentenced him to two months in prison. Al-Hajlaoui is a former political prisoner and PEN main case.

*Attacked*

\***Reza AL-TAMTAM** (freelancer), **Marwan FARHANI** (freelancer), **Hajar AL-MUTAIRI** (*Al Sa’a* website) and **Bassam AL-BARQAWI** (*Al Sa’a* website): journalists, were attacked on 15 July 2011 by police while covering protests in front of the Prime Minister’s palace. The journalists were targeted directly by police who hit them. The journalists were clearly identified as they were carrying press marks.

*Harassed*

\***Sami Ben ABDALLAH:** blogger, resident in France, was banned from leaving Tunisia at Tunis-Carthage international airport on 6 September 2011. As he was about to board a flight to Paris at 6:45 p.m., airport officials told him that they could not let him leave without clearance from the interior ministry. The ministry then said he could not leave and, at 9:30 p.m., sent him a summons to report “as soon as possible” to the judicial police in response to a complaint filed against him on 3 September. Abdallah was interrogated for eight hours the next day without being allowed access to his lawyer. Officially, he was questioned for allegedly sending insulting SMS messages. The messages were in fact his replies to threats and insults which he had received, and which were the subject of a complaint that he had himself just filed. His family said the real reason for his arrest was the acerbic criticism of the country’s current rulers that he had posted in his blog. He has also posted a serious of investigative reports about Kamel El-Taief, a businessman close to former President Zine el-Abidine Ben Ali.

## UNITED ARAB EMIRATES (UAE)

*Released*

\***Ahmed MANSOOR and Nasser Bin GHEITH:** Blogger and human rights activist, and Internet writer and economic analyst, respectively

were arrested from their homes between 8 and 10 April 2011, after signing a petition calling for democratic and economic reforms in the United Arab Emirates. Sentenced to three and two years respectively for calling for political reform on 27 November 2011 on charges including ‘insulting the country’s leadership’ and ‘undermining national security’. On 28 November 2011, the UAE President commuted the sentences and the men were immediately released, although according to the men’s defense lawyer commutation of the sentences may still leave the activists with a criminal record, which will make it difficult for them to find work and travel. (RAN 44/11, Update #1 – 2 December 2011)

## YEMEN

*Imprisoned: Main Case*

**Abdulelah SHAEA**

**Profession:** Journalist at the *Saba Yemeni news agency*. **Date of arrest:** 16 August 2010 **Sentence:** 5 years in prison **Expires:** 15 August 2015 **Details of arrest:** Shaea was arrested at his home on 16 August 2010 by anti-terror police who reportedly beat him in front of his family and neighbours. Police also searched his home and confiscated his personal computer and note book. **Details of trial:** He appeared before court on 16 September 2010 where no official charges or sentence were given. However, his lawyer reports that Shaea is targeted for his coverage of Islamist groups including al-Qaeda in the Arabian Peninsula. Sentenced to five years in prison on 17 January 2011. He was found guilty of “belonging to an illegal armed organisation” and “recruiting young people, including foreigners, to the organisation by communicating with them via the Internet”. The court also ruled that after his release Shaea would be banned from leaving Sana’a for two years. **Health concerns:** Reported to be in very bad health; he suffers from anaemia for which he is not currently receiving any medical treatment. **Treatment in prison:** Said to have been tortured and ill-treated during interrogation and reported that during his hearing extensive bruising was evident on his body. It is also reported that he was subjected to long hours of harsh interrogation during which he lost consciousness at times. He has been kept in solitary confinement in an intelligence agency detention centre in Sana’a since his arrest. **Previous political imprisonment/problems:** On 11 July 2010 he was abducted by men who reportedly identified themselves as government agents. He was blindfolded and led to a basement in an unknown location where he was interrogated for a few hours about his friends and on his reporting on Al-Qaeda. Another journalist, Kamal Sharaf (see ‘brief detention’ below), who was arrested along side Shaea and released after 23 days, reports that Shaea could be targeted for interviews he gave to US-based media.

*Brief detention and attack*

*Many journalists were arrested and attacked by security forces whilst attempting to report on the crackdown on the political unrest which has been ongoing since February 2011. All are believed to have been released after a brief detention, although reports of ongoing harassment and censorship of journalists are widespread and the security situation in the country is deteriorating. Those recently targeted include:*

*Attacked*

\***Rashida Al-QIYALI and Mujib Al-HAMIDI:** Journalists for the news-paper *Al-Sahwa*, had their homes fired on, on 23 September 2011.

## List of Centres with Honorary Members

There are 75 PEN Centres with Writers in Prison Committees. The following have elected writers referred to in this caselist as Honorary Members. (Please note that writers who are Honorary Members of PEN Centres but who are no longer on this caselist as their cases are no longer current, are not listed below.)

<b>American PEN</b>	
China	HUANG Jinqiu
China	HADA LIU Xiaobo SHI Tao Nurehamet YASIN
China/Tibet	Dawa GYALTSEN Dolma KYAB
Iran	Adnan HASSANPOUR
Ethiopia	Dawit Isaac
Myanmar/Burma	AUNG Than NAY Phone Latt Zaw Thet HTWE
Uzbekistan	Muhammad BEKZHON Mamadali MAKHMUDOV
Vietnam	NGUYEN Xuan Nghia
<b>Basque PEN</b>	
Iran	Adnan HASSANPOUR
<b>Belgian (Dutch Speaking)</b>	
Turkey	Hrant DINK
<b>Canadian PEN</b>	
China	HADA SHI Tao YANG Tongyan
Eritrea	Dawit ISAAC
Iran	Nasrin SOTOUDEH
Syria	Tal al-MALLOUHI
Uzbekistan	Muhammad BEKZHON Mamadali MAKHMUDOV
<b>Czech PEN</b>	
China	LIU Xiaobo
<b>Danish PEN</b>	
Iran	Nargess MOHAMMADI
Syria	Tal Al-MALLOUHI

<b>English PEN</b>	
China	LIU Xiaobo SHI Tao Nurehamet YASIN
China/Tibet	Dolma KYAB
Turkey	Hrant DINK
Uzbekistan	Muhammad BEKZHON Mamadali MAKHMUDOV
<b>Finnish PEN</b>	
Ethiopia	Dawit Isaac
Iran	Nasrin SOUTADEH
<b>German PEN</b>	
China	LIU Xiaobo SHI Tao Dolma KYAB
China/Tibet	Dolma KYAB
Turkey	Ragip ZARAKOLU
<b>Icelandic PEN</b>	
China	LIU Xiaobo
<b>Independent Chinese PEN Centre</b>	
China	GUO Quan KONG Youping LI Tie LIU Xiaobin LIU Xiaobo LIU Yongyan Hailaite NIYAZI LU Jianhua QI Chonghuai SHI Tao WANG Xiaoning YANG Maodong Murehamet YASIN YUAN Xianchen ZHANG QI
China/Tibet	BHUDHA DHONNKHO DROKRU Tsultrm KHELSANG
<b>Italian PEN</b>	
China	YANG Tongyan
<b>Lithuanian PEN</b>	
Belarus	Aleksandr FIADUTA Vladimir NEKLAYEV
<b>Netherlands PEN</b>	
Turkey	Ragip ZARAKOLU
Uzbekistan	Mamadali MAKHMUDOV

<b>New Zealand PEN</b>	
China	SHI Tao
<b>Norwegian PEN</b>	
Turkey	Hrant DINK
<b>Portuguese PEN</b>	
China	LIU Xiaobo
<b>San Miguel de Allende PEN</b>	
China	SHI Tao
Turkey	Ragip ZARAKOLU
<b>Scottish PEN</b>	
China	LIU Xiaobo SHI Tao
Iran	Nasrin SOUTODEH
Mexico	Lydia CACHO
<b>Swedish PEN</b>	
Ethiopia	Dawit Isaac
Iran	Parvin Ardalan Adnan HASSANPOUR Mohammad Sadiq KABUDVAND Nasrin SOTOUDEH Muharrem Erbey
Turkey	
<b>Swiss German PEN</b>	
China	SHI Tao
<b>Swiss Italian PEN</b>	
China	SHI Tao
<b>Sydney PEN</b>	
China	LIU Xiaobo SHI Tao
Vietnam	NGUYEN Van Ly
<b>Turkey PEN</b>	
Turkey	Mustafa BALBAY Muhammed ERBEY Nedim SENER Ahmet SIK Ragip ZARAKOLU
<b>Uighur PEN</b>	
China	GUO Quan
<b>USA PEN</b>	
China	SHI Tao
Uzbekistan	Muhammad BEKZHON Mamadali MAKHMUDOV

## Half-year Figures

### July to December 2011

<i>Killed</i> .....	8
<i>Killed – Motive Unknown</i> .....	11
<i>Disappeared</i> .....	5
<i>Imprisoned - Main Case</i> .....	108
<i>Imprisoned - Investigation</i> .....	133
<i>Judicial Concern</i> .....	3
<i>On Trial (not imprisoned)</i> .....	112
<i>Non Custodial Sentence</i> .....	14
<i>Brief Detention</i> .....	49
<i>Death Threat</i> .....	28
<i>Other Threat/Harassment</i> .....	34
<i>Attacked/Ill-treated</i> .....	48
<b>Total</b> .....	<b>539</b>
<i>Released</i> .....	29

## Full-year Figures

### January to December 2011

<i>Killed</i> .....	10
<i>Killed – Motive Unknown</i> .....	33
<i>Disappeared</i> .....	16
<i>Imprisoned - Main Case</i> .....	108
<i>Imprisoned - Investigation</i> .....	133
<i>Judicial Concern</i> .....	3
<i>On Trial (not imprisoned)</i> .....	170
<i>Non Custodial Sentence</i> .....	14
<i>Brief Detention</i> .....	136
<i>Death Threat</i> .....	81
<i>Other Threat/Harassment</i> .....	81
<i>Attacked/Ill-treated</i> .....	132
<b>Total</b> .....	<b>888</b>
<i>Released</i> .....	85

