

A photograph of a man in profile, facing left, wearing a high-visibility vest and handcuffs. The image is monochromatic with a reddish-pink tint. In the background, there are blurred figures of people and buildings.

pen
INTERNATIONAL

**WRITERS IN
PRISON COMMITTEE
CASE LIST**

JANUARY-DECEMBER 2016

Good news and thank you messages

Anonymous, Middle East:

I would like to thank you for all the support you gave me, and for all that you did to help my case. The letters that you collected and sent to me are so warm and show the strength of the brotherhood of literature. Thank you for what you do.

Nengi Ilagha, Nigeria:

I am grateful to PEN International, who remained in touch with my wife and kept a tab on the progress of my case. I am honoured to know that a special chair was set up in my name, with my photograph on it, in the course of the last two conventions in London and Johannesburg.

Losing your freedom can amount to so much. It's not an experience you should wish even on your enemy. You do not appreciate the freedom you enjoy until it's taken away from you. But one thing is certain. Inmates and wardens in that prison yard were shocked to realize that someone could be sent to prison for writing a book.

Mostafa Azizi, Iran:

On his release in April 2016, his son wrote to PEN: "My dad was in tears when he saw the vast breadth of all that organisations like PEN International did for him. It was, without a doubt, these that kept him and us going."

Your work was very, very crucial for my father and for the family from many different angles: It attracted the attention of many in the literary community in Iran and around the world, it made news headlines in top Iranian media...and it reminded my father of the solidarity of people of the 'pen', which is of special importance to us and it gave all of us soul and hope. We are forever grateful."

Anonymous, Middle East:

We are writing to salute your humane, progressive, and democratic stance regarding our plight. Your courageous statement vitally contributed to our release. We are so grateful for your concern about us...As many others in this world, we will continue to dream of, and work for, the causes of freedom, justice, and beauty on this planet.

Asli Erdogan, Turkey:

Dear Jennifer Clement,

We had met briefly in Istanbul in PEN meeting in January, shortly after my release, but I was still in a very traumatized state and I still am a ghost of my former self. Hardly I could bring myself together to compose a few essential mails. I owe so much to so many people, but I have so few words to express my gratitude. I thank you in person and as a representative of PEN: I thank all PEN members, all the writers and poets and editors who have relentlessly supported me and other imprisoned writers and journalists, Your solidarity was my only hope and still is the only light while I am trying to grope my way back to life, to my own life which the tyrants have mercilessly robbed away. Simply because I had tried to be the voice of the victim... But I am proudly confident in the power and the immortality of "words" and I know that that no tyranny can steal them from us, those who hang onto words, only words...

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 PEN 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. PEN 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. PEN 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 organised 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 PEN is open to all qualified writers, editors and translators who subscribe to these aims, without regard to nationality, ethnic origin, language, colour or religion.

ABOUT PEN INTERNATIONAL

PEN International promotes literature and freedom of expression and is governed by the PEN Charter. Founded in London in 1921, PEN International – PEN's Secretariat – connects an international community of writers. It is a forum where writers meet freely to discuss their work; it is also a voice speaking out for writers silenced in their own countries. Through Centres in over 100 countries, PEN operates on five continents. PEN International is a non-political organisation which holds Special Consultative Status at the UN, Associate Status at UNESCO and Observer Status at the African Commission on Human and Peoples' Rights.

The Writers in Prison Committee (WiPC) 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 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. The work of the WiPC in documenting persecution of writers resulted in the development of PEN's Case List – an annual record of attacks, imprisonment and persecution of those who use the written word to express themselves, in whatever form.

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 into cases of torture and killings. Through writing to the families and, where possible, directly to prisoners, they provide encouragement and hope. PEN International and its Centres also advocate for systemic change to restrictive laws and practices, including by submitting its freedom of expression concerns and recommendations to various international and regional human rights bodies.

Information sources

PEN International 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 word its outputs to reflect the fact that the information is as yet incomplete. Sources include press reports, reports from individuals in the region in question, reports from other human rights groups, PEN members themselves, embassy officials, academics, prisoners' families, lawyers and friends, and exile groups. It also partners with other international NGOs, such as Article 19, Committee to Protect Journalists, Freedom House, Index on Censorship, and Reporters without Borders. It is a founder member of IFEX – the International Freedom of Expression Exchange, a collaborative, on-line service in which national, regional and international organisations involved in the campaign for free expression pool information and amplify each others' voices.

Our work would be not possible without our Sponsors who include: the Swedish International Development Agency (Sida), the Norwegian Ministry for Foreign Affairs, the Fritt Ord Foundation, the Evan Cornish Foundation, the United Nations Fund for Democracy (UNDEF), the Clifford Chance Foundation, individual donations and membership fees from PEN members.

CONTENTS

1. Introduction	7
2. Statistics	
- By Region	8
- By Profession	
- By Gender	9
- By violation	
3. Global Overview	10
4. Explanation of Terms	14
5. Day of the Imprisoned Writer	16
6. Writers Killed	17
7. Impunity	20
8. List of Cases by Country	
- Africa	22
- The Americas	50
- Asia and the Pacific	68
- Europe and Central Asia	133
- Middle East and North Africa	178
9. List of Centres with Honorary Members	224

The last report was dated December 2015 and can be found [here](#).

INTRODUCTION

In his 1821 essay, *A Defence of Poetry*, the English poet Percy Bysshe Shelley had called poets the unacknowledged legislators of the world. Broadening Shelley's characterization, writers have played that role for a long time. They speak truth to power, and that enrages those with power. In an earlier, simpler world, that meant the State; today, there are many more who place writers at risk – non-state actors including religious groups, vigilantes, corporations, and others who exercise power and do not wish their use of power to be questioned.

2016 marks another grim year for writers around the world. PEN International has compiled and verified data from all over the world and identified 224 individuals who have suffered repression, including 142 writers, 32 poets, and 28 singers-songwriters. If we add the number of journalists who have faced pressure, the number crosses the thousand-mark. Clearly, truth-telling is a dangerous business.

Writers have been persecuted in a range of ways. In some cases, they are held in solitary confinement, in the hope that they will be forgotten. Some have been murdered, some tortured, some denied medical treatment, some sued on ridiculous charges, and some have been harassed in other ingenious ways. Religious defamation and blasphemy laws are invoked against writers, and criminal libel has been used in an attempt to stifle dissent. Writers are murdered in conflict areas; worse, those murders have been carried out with impunity. Anti-terror laws have been misused to target writers who question the state. Digital media, which once promised freedoms in the virtual world that were denied in the real world, has belied some of that promise; the technology enables surveillance, and the nasty laws of the real world have intruded the virtual sphere, making writers cautious about what they say online, and how that might get interpreted in another society and what laws might be used to curb freedoms. With the advent of social media, anonymous individuals have mounted fierce attacks on some writers, hoping to bully them into silence, if not submission. Women writers are particularly exposed to such tactics, but nevertheless, they persist.

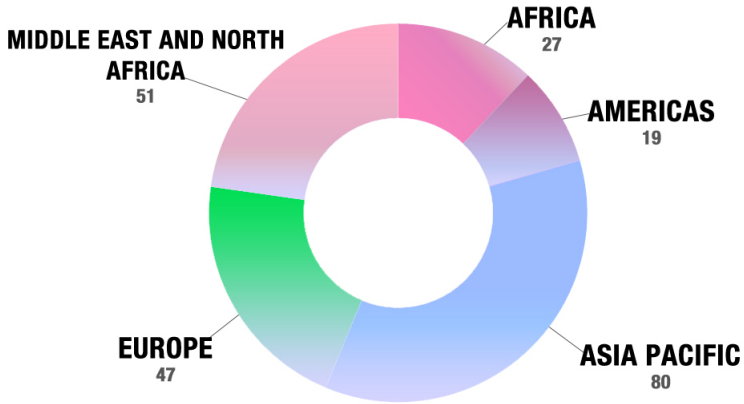
What those who seek to silence writers don't realize is that these writers are rarely alone. When the Cameroonian poet Emoh Meyomesse was in jail, the French writer Alain Mabanckou wrote to him in a letter: 'Well, you are not alone in this captivity, because when writers are thrown in prison, they are followed in their cells by an army of readers and the loud footsteps of their outraged colleagues.'

PEN's members have been doing just that, for the writers whose freedom they campaign for – by picketing in front of Turkish and Saudi embassies, by writing postcards, by signing petitions, by holding candle-light vigils, by visiting trials, by witnessing, and by demonstrating their disapproval, their anger, and their criticism of the persecution. Forty-three writers were freed last year, thanks to the persistent campaigning by PEN and other allies. That still means scores remain in jail and thousands face risks, but those voices must not be silenced, and so long as there is a writer at risk or a writer in prison, we, their fellow writers, will bear witness, stand in solidarity, and unceasingly demonstrate our support to our brothers and sisters.

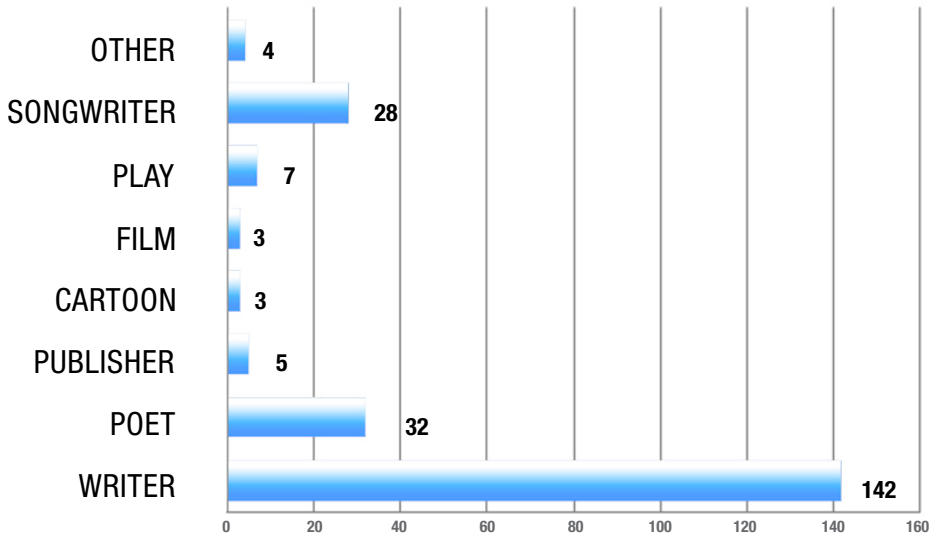
Salil Tripathi
Chair, Writers in Prison Committee

STATISTICS

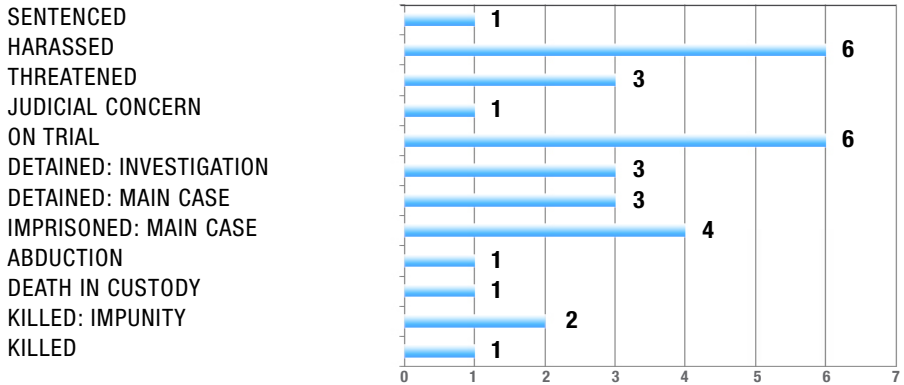
BY REGION



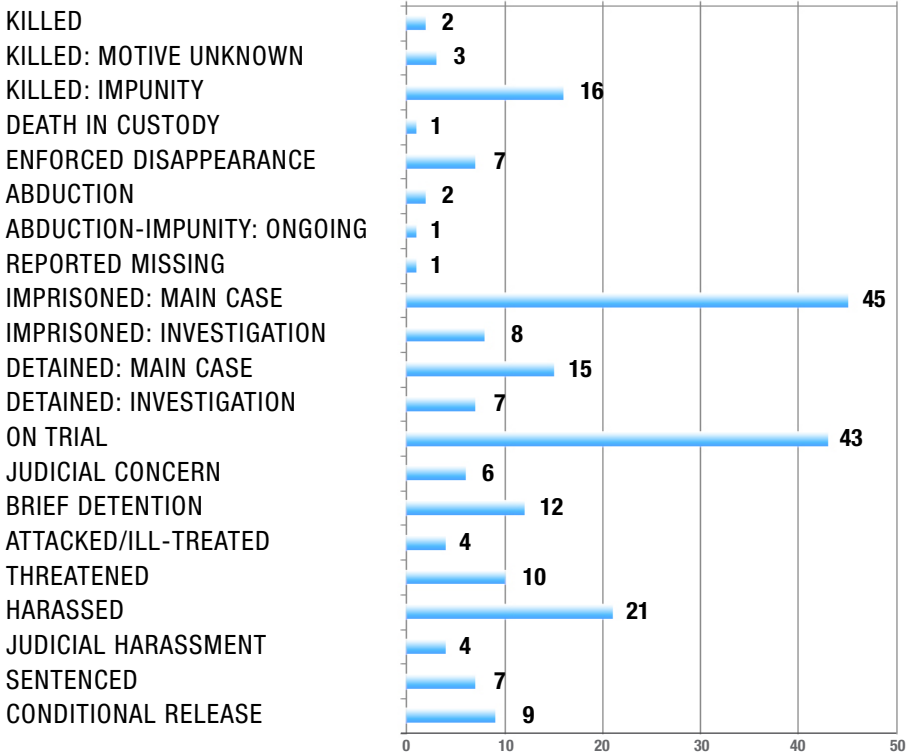
BY PROFESSION



BY GENDER



WRITERS UNDER ATTACK - BY VIOLATION



Imprisonments, trials, threats and killings – PEN International records over 200 attacks against writers world wide

In a year that saw crises and conflicts, mass crackdowns on the press and dissent, growing populism and nationalism, writers continued to question and challenge, disclosing inequities, describing the events as they saw them, providing alternative narratives to those of governments and other power holders. They have inevitably faced retribution: harassment, threat, arrest, trial and even death. PEN International has gathered information and monitored these cases and in 2016 it recorded and advocated for 224 individuals who had suffered repression, among them 142 writers, 32 poets and 28 singer-songwriters.

Imprisonment - 76 writers serving lengthy prison terms

Lengthy imprisonment has long been a tool to silence writers over the decades to silence dissent, notably in China, Iran, Viet Nam and Eritrea. PEN recorded 78 writers in prison globally, making it the most common form of repression of writers. Among them are those who have spent many years behind bars, such as **Dawit Isaac**, imprisoned in Eritrea since 2001 and thought to have been held in solitary confinement ever since. PEN Centres have tirelessly campaigned for him and other detained journalists in Eritrea, ensuring they are not forgotten. In 2017 he was the recipient of the UNESCO/Guillermo Cano World Press Freedom Prize. **China** holds the most writers in prison – 23 in 2016. In October, **Huuchinhuu Govruud**, a writer of Mongolian descent who had been held under house arrest since 2010 died of cancer for which she had received inadequate treatment, a tragic example of the neglect that prisoners suffer. Nine writers are held **Iran**, including **Mahvash Sabet**, in her eighth year in prison for ‘propaganda’ for her work promoting her Baha’i faith. In **Viet Nam**, **Thich Quang Do**, a Buddhist monk and writer now in his 80s, has been held under house arrest since 2003, he is among nine jailed writers, the most recent imprisoned in 2016.

Other writers have found themselves brought before the courts on trials that in some cases take years to come to an end. PEN was monitoring 43 trials in 2016, most notably in Turkey where some have been ongoing since 2010. As the crackdown against the media intensified, especially since the attempted coup in 2016, Turkey gained the reputation of holding the most journalists in jail – over 150 by the end of the year. Many more are on trial, among them the internationally renowned writer, Aslı Erdoğan, jailed for 132 days before being freed pending trial in December. If convicted, she could be imprisoned for several years for her support for free expression.

Defamation, insult to religions and anti-terror laws stifle free speech

Despite being in positions of power, government leaders and others in high office often prove to be surprisingly thin skinned, no more so than President Erdoğan of Turkey making his country top of the insult trial league by taking several hundred defamation cases against his critics in recent years. Of the 23 cases world-wide of writers being prosecuted or in prison for insulting authorities, nine are standing trial before Turkish courts.

Insulting religion can be hazardous. Of the 14 cases that PEN monitored in 2016, ten were in the Middle East and North Africa region, six of whom are in prison serving lengthy prison terms. Among them is **Ashraf Fayyadh**, held since 2014 in **Saudi Arabia** who in early 2016 had the death sentence served against him for his poetry and social media posts commuted to an eight-year sentence, with an additional punishment of 800 lashes.

Laws ostensibly aimed at tackling terrorism are frequently applied arbitrarily, and in some instances as tools to quash dissent. All but one of the 17 anti-terror related cases monitored by PEN in 2016 were in Europe, and once again most of these in Turkey. A new development is a rash of new cases in **Spain** where puppeteers who staged a performance that referred to the banned Euskadi Ta Askatasuna (ETA) (now disarmed) were brought to trial for promoting terrorism, and in two separate cases rap musicians also found themselves before the courts for making comments on social media.

Digital media - a means to circumvent censors and a source of censorship

Digital media has enabled writers from repressive regimes to disseminate their work and ideas while avoiding the censors, but equally publishing online can lead to court rooms and prison cells. Blogging, editing literary websites, sharing commentary on social media has led to recriminations against 28 writers, 13 of whom are in prison.

Murders with impunity

Most chilling of all is the murder of writers, and those caught up in the crisis in countries such as Syria, Iraq and Yemen are particularly at risk. In June 2016, Syrian poet **Mohammad Bashir Al-Aani** and his son, were executed by the so-called Islamic State, their family tragedy just one of countless others suffered in the ongoing conflict in Syria. Another four writers were killed in 2016 in circumstances where the motives are unknown, such as professor and poet **Rezaul Karim Siddique** who was hacked to death in Bangladesh in April by unknowns thought to be linked to Islamist extremists.

Impunity for those who carry out murders is the norm. The Committee to Protect Journalists (CPJ) [reported](#) that over the past decade only 3 per cent of murders of journalists have seen full justice. PEN is doggedly campaigning for accountability for the killers of 16 writers, and those who ordered their killings remain at liberty. Among them is the Russian author and journalist, **Anna Politkovskaya**. 7 October 2016 marked the tenth anniversary of her assassination and while five were eventually convicted for her murder, those behind her death remain free. The CPJ also reports that of 40 per cent of journalists who were murdered had reported receiving death threats beforehand, which, had they been heeded and had they been granted protection, they may still be alive today.

Women represent 32 (15 per cent) of the total cases monitored by PEN around half of whom are in prison or on trial. While the grounds for many of the women's arrests are not related to their gender, others have been penalised for their writings on women's issues.

Among them is **Golrokh Ebrahimi Iraee** who was sentenced in **Iran** to six years in jail for her unpublished short story based on the true events surrounding the stoning to death of a young woman in which the fictional protagonist burns a copy of the Quran in anger.

Writers released following PEN International advocacy

It was not all bad news. Over the year, 43 writers were released from prison or at the end of trials, representing around a 20 per cent positive outcome. Many had been subject to PEN International advocacy. Two examples are from Angola and Qatar.

Three rappers and two writers arrested in **Angola** in 2015 for their part in what was known as the **Luanda Book Club** that met to read and discuss democracy issues, were freed a year later alongside other activists, then amnestied in September 2016 although most of those freed continue to appeal for complete acquittal. They had been subject to PEN Rapid Action Appeals and elected as honorary members of PEN Canada who had lobbied for their release, alongside other PEN Centres and human rights organisations.

Poet **Mohammed Ibn Al-Dheeb Al-Ajami**, who had been sentenced to 15 years in prison in **Qatar** in 2012 for his poem criticising Gulf State leaders, and calling for a 'Jasmine' revolution was pardoned and released in March 2016. PEN has advocated on his behalf for many years including through a mission to Qatar in 2013 where delegates had attempted to meet him in prison. He was also featured in actions to around International Poetry Day in March 2015 and March 2016, held jointly with PEN members worldwide.



RUSSIA _____ **Anna Politkovskaya**

Ten years of impunity

2016 marked ten years since the assassination of journalist and author Anna Politkovskaya. PEN remains gravely concerned that those responsible for ordering the killing have yet to be brought to justice.

QATAR

Mohammed Ibn al-Dheeb al-Ajami

Released after five years in prison

Poet Ibn al-Dheeb al-Ajami was released under pardon in March having been imprisoned in 2011 for poems 'insulting the Emir'. He was an honorary member of several PEN Centres who campaigned on his behalf.



EXPLANATION OF TERMS USED

MAIN CASES

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

INVESTIGATION CASES

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

JUDICIAL CONCERN

These are cases where the main concern includes convictions based on trial proceedings which are considered 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 WiPC calls for a re-trial in compliance with fair trial standards or an investigation into allegations of malpractice and for those suspected of committing such acts including torture, to be brought to justice.

ATTACK TYPES

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

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

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

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

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

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

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

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

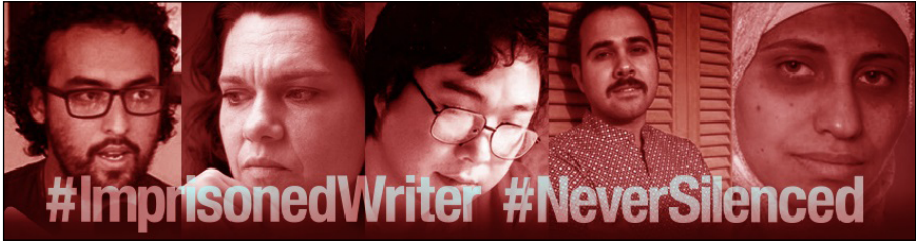
IMPRISONED - MAIN CASE – PEN is certain he/she is a writer/journalist who is serving a prison sentence after conviction in relation to their writings and as far as we know has not used violence or advocated racial hatred

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

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

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

DAY OF THE IMPRISONED WRITER



Each year, on 15 November PEN International, PEN Centres and PEN members from around the world commemorate the Day of the Imprisoned Writer to highlight and campaign on behalf of writers who face unjust imprisonment, attacks, harassment and violence simply for their free expression work. In addition to increasing public awareness of persecuted writers in general, PEN uses the Day of the Imprisoned Writer to direct attention to several specific writers and their individual circumstances. Each of the selected writers is from a different part of the world, and each case represents circumstances of repression that occur when governments or other entities in power feel threatened by what writers have written. On this day, the general public is encouraged to take action—in the form of donations and letters of appeal—on behalf of the selected writers.

On 15 November 2016, PEN celebrated the courage of five writers, from **Honduras, Turkey, China, Egypt and Israel/Palestine**.

Cesario Alejandro Félix Padilla Figueroa (Honduras) – Journalism graduate, student leader, and board member and founding member of PEN Honduras, Cesario Alejandro Félix Padilla Figueroa has faced prosecution, threats and harassment for his part in on-going student protests at the state National Autonomous University of Honduras (UNAH) in the Honduran capital Tegucigalpa since 2014.

Aslı Erdoğan (Turkey) – Renowned novelist and PEN member Aslı Erdoğan was arrested at her home in Istanbul on 17 August 2016. She was sent to a prison in Istanbul on preliminary charges of ‘membership of a terrorist organisation’ and ‘undermining national unity’. On 29 December 2016 she was released but remains on trial and at risk of being returned to prison.

Gui Minhai (China) – In October 2015, publisher Gui Minhai disappeared from his holiday home in Thailand. Three months later he appeared in a televised ‘confession’ claiming that he had voluntarily surrendered himself to the Chinese authorities over his supposed involvement in a fatal hit-and-run incident in December 2003. Since then, his whereabouts have been unknown.

Ahmed Naji (Egypt) – Novelist and journalist Ahmed Naji was sentenced to a two-year prison sentence for ‘violating public modesty’ in relation to the publication of excerpts from his 2014 novel Istikhdam al-Hayat (The Use of Life). He was temporarily released in December while his trial continues.

Dareen Tatour (Israel) – A poet and a Palestinian citizen of Israel, Dareen Tatour is currently standing trial on charges of ‘support for a terrorist organisation’ and several counts of incitement to violence in connection with her poetry and social media activity. Tatour was detained in October 2015 and is currently under house arrest.

WRITERS KILLED

SYRIA

Mohammad Bashir al-Aani

Killed by members of the so-called Islamic State along with his son, Elyas, in March 2016. A well known poet and critic of Syrian President Bashar al-Assad, the two were killed for ‘apostasy’ after being seized by the armed group when they returned to their home city of Deir al-Zour to bury al-Aani’s wife who had died in Damascus.





RUSSIA

Dmitry Tsilikin

A writer, music and culture critics; died of multiple stab wounds at his St Petersburg apartment on 27 March 2016. Some days later a student admitted the murder, reportedly identifying himself with the far right and that he had carried out the killing as crusade 'against a certain group of people' believed to refer to LGBT. A contributor to mainstream magazines such as Vedomosti, Kommersant, Vogue and Elle, Tsilikin had also written on civil and political rights for independent media.

CAMBODIA

Kem Ley

A writer, analyst and adviser to PEN Cambodia, worked to promote human rights and freedom of expression was shot dead at a service station in Phnom Penh on 10 July 2016. Ley had reported receiving death threats including on social media before his death. By March 2017 an ex-soldier who had admitted to killing Ley was sentenced to life imprisonment, yet there remain questions about the motives and whether the investigation had been sufficiently thorough.





BANGLADESH _____

Rezaul Karim Siddique

A poet, writer of short stories and editor of a literary magazine, was attacked by men with machetes in Rajshahi on his way to the university where he worked on 23 April 2016. By November 2016, four people linked to the banned Islamist Jamaat-ul-Mujahadeen group had been charged with his murder, three others had reportedly been killed in police shootouts, and another suspect remained on the run.



JORDAN _____

Nahed Hattar

Writer and activist was on trial for ‘insult’ to Islam. Hattar was shot dead outside the court room in Amman where his case was being heard on 25 September 2016. A local man was arrested soon after and subsequently sentenced to death in December on charges including murder and terrorism.

7 OCTOBER 2006 – RUSSIA

ANNA POLITKOVSKAYA (FEMALE), WRITER AND JOURNALIST

19 JANUARY 2007 - TURKEY

HRANT DINK, WRITER AND EDITOR OF ARMENIAN LANGUAGE AGOS MAGAZINE

23 NOVEMBER 2011 – AZERBAIJAN

RAFIQ TAĞI, WRITER

3 MARCH 2012 – MEXICO

GUILLERMO FERNÁNDEZ GARCÍA, POET

29 OCTOBER 2012 – SOMALIA

WARASAME SHIRE AWALE, POET, PLAYWRIGHT AND SINGER

8 MARCH 2013 – BRAZIL

RODRIGO NETO DE FARIA, JOURNALIST AND WRITER

16 JULY 2013 – CAMEROON

ERIC OHENA LEMBEMBE, LGBT ACTIVIST AND WRITER

5 SEPTEMBER 2013 – AFGHANISTAN

SUSHMITA BANERJEE (FEMALE), AUTHOR

23 APRIL 2014 – THAILAND

KAMOL DUANGPHASUK, POET

24 JANUARY 2015 – EGYPT

SHAIMA EL-SABBAGH (FEMALE), POET

30 JANUARY 2015 – SYRIA

KENJI GOTO JOGO, JAPANESE AUTHOR

20 FEBRUARY 2015 – INDIA

GOVIND PANSARE, AUTHOR

25 FEBRUARY 2015 – BANGLADESH

AVIJIT ROY, WRITER AND BLOGGER

12 MAY 2015 – BANGLADESH

ANANTA BIJOY DASH, WRITER, EDITOR AND BLOGGER

30 AUGUST 2015 – INDIA

DR MALLESHAPPA MADIVALAPPA KALBURGI, WRITER

31 OCTOBER 2015 – BANGLADESH

FAISAL ABEDIN DEEPAN, PUBLISHER

27 DECEMBER 2015 – TURKEY

NAJI JERF, A SYRIAN MAGAZINE EDITOR AND FILM MAKER

In 2016, freedom of expression continued to be severely restricted in many African countries, with entrenched repression, the silencing of critical voices, and widespread restrictions on freedom of expression around elections and other key democratic moments, including internet and social media shutdowns by authorities. In some countries, repressive laws continued to be used to silence dissent.

Entrenched repression

The situation for freedom of opinion and expression remained [dire](#) in **Eritrea**, which once again ranked last in Reporters Without Borders 2016 [World Press Index](#). Over the last 25 years, Eritrean journalists have been subjected to [systematic arbitrary arrests](#), intimidations, enforced disappearances, and in some cases extra-judicial killings. The imprisoned journalists, often held incommunicado, include [Amanuel Asrat](#) and [Dawit Isaak](#), among others, detained in the government crackdown on dissent in September 2001.

Silencing of critical voices

The climate for freedom of expression in **Ethiopia** that has long been alarming deteriorated even further over the course of 2016. Protests broke out in the Oromia region in November 2015 over plans to extend the administrative boundaries of the capital, later spread to the Amhara region, and developed into protests over wider grievances against the government. While most of the protests were peaceful, a six-month [state of emergency](#) was declared on 9 October in the wake of the destruction of some government and private buildings by protestors, following an incident on 2 October when reports of at least 55 people and possibly hundreds were killed during a stampede at a religious festival. More than 11,000 people were [arrested](#) and detained during the [state of emergency](#), including several journalists and bloggers, such as [writer](#), [blogger](#) and university lecturer **Seyoum Teshome** who was released in December.

Freedom of expression in **Angola** has been severely restricted over the years, and in 2016 authorities continued to crack down on dissent. Rap musician and activist **Luaty Beirao**, (also known as **Ikonoklasta**), journalist and activist **Sedrick de Carvalho**, and writer and journalist **Domingos da Cruz**, were prosecuted alongside other activists known as the Luanda Book Club, on charges of ‘preparatory acts of rebellion’ and ‘criminal conspiracy’ under the Law of Crime Against the State Security. They were arrested at a meeting to discuss a book on nonviolent resistance.

In **Nigeria**, a [crackdown](#) against journalists and [bloggers](#) took place with reports of the arrest and detention of at least 13 journalists in September, though as of end of December it seems only a few remain in jail and it was unclear how many are facing charges.

There were also several cases of singer songwriters who were harassed due to their lyrics, among them **Ado Halliru**, abducted by unknown men on 24 June 2016 in north-eastern Nigeria. He had recently released an anti-corruption song critical of some state officials. He was found unconscious at the side of a road around 80km from the state capital, five days later.

Journalists in **South Sudan** face routine harassment and threats, with reports in 2016 of several journalists arrested. Freedom of expression is also severely limited in **Sudan** where newspapers were closed down and seized over the course of 2016.

Election-related restrictions

Freedom of expression was severely restricted in the lead up to elections in several African countries. The presidential election in **Uganda** led to severe repression by the authorities, with the dispersal of peaceful assemblies and demonstrations by force, some [resulting](#) in the death of protesters and bystanders. On Election Day, authorities [blocked](#) Facebook, Twitter and the messaging service WhatsApp, alongside some mobile phones services. The ban lasted [five days](#). Internet services were [blocked](#) again for President Yoweri Museveni's inauguration on 12 May under the guise of security reasons, including the risk of 'terrorist attack'.

The climate for freedom of expression also deteriorated in the context of presidential elections in **Zambia**. Less than two months before the 11 August election, authorities ordered the [closure](#) of *The Post* – the country's best selling independent newspaper – over a failure to pay taxes. Observers [denounced](#) an attempt to silence voices critical of the government prior the election. The broadcasting licenses of the largest independent TV station and two radios were temporarily [suspended](#).

Authorities also [shut down](#) the internet and blocked international phone calls on the evening of the 1 December presidential elections in the **Gambia** and in the lead up to the elections, several journalists were [arrested](#). In a surprise result, opposition coalition candidate Adama Barrow defeated incumbent president Yahya Jammeh who had been in power for 22 years. Barrow has [promised](#) to expand the right to freedom of the expression and freedom of the media.

Governments of the **Republic of Congo**, **Chad** and **Gabon** also blocked access to internet or social media around elections. In total, at least 11 [African countries](#) shut down the internet and/or blocked access to social media and other communications services at key democratic moments – mainly during elections and popular protests. The highly damaging trend does not seem to have faded with the end of 2016.

Additional digital freedom violations

The government is [reported](#) to have blocked social media in **Ethiopia** several times during the months of violently repressed protests. Human Rights Watch [reported](#) that during 'particularly sensitive times' the authorities blocked access to all internet services.

In **Nigeria**, there has been a [surge](#) in the number of bloggers and journalists incarcerated under various provisions of ‘cyber crime’ laws restricting on-line use. **Tanzania** has also increasingly employed a Cybercrime ostensibly aimed at crimes not covered by other legislation, such as spreading false information, sedition and pornographic material online. Concern was raised by freedom of expression groups that the scope of the act was too broad and the sentences too harsh. Several people were [charged](#) under the law for their posts on Facebook, as well as several journalists, and two musicians, such as, songwriter **Fulgency Mapunda** who is [on trial](#) alongside his producer, for producing, singing and distributing a song allegedly containing ‘seditious and offensive’ content against Tanzanian President John Magufuli.

Use of restrictive legislation

Criminalisation of defamation and insult is a long-standing issue in Africa often used to silence critical voices. In **Nigeria**, journalist **Emenike Iroegbu**, who runs the news site *Abia Facts*, was [arrested](#) in September on suspicion of libel. In **Angola**, prominent journalist and human rights defender **Rafael Marques de Morais**, was charged in late 2016, alongside journalist **Mariano Bras**, with *crimen injuria* over an article on corruption. In May 2015, de Morais received a six-month suspended prison sentence with a probationary period of two years. He was convicted of defaming Angolan generals in his book *Blood Diamonds: Corruption and Torture in Angola*, released in November 2011.

Writers continued to be prosecuted in 2016 in **Ethiopia** under the draconian Anti-Terror Proclamation (ATP), including blogger **Zelalem Workagegnehu**, who was arrested in July 2014, found guilty of violating the ATP and sentenced in 10 May 2016 to five years and two months in prison.

Positive developments

There were, however, some positive developments in the area of legal protection of freedom of expression. For example, in May 2016, the **Nigerian** senate [withdrew](#) the Social Media Abuse Bill, which was criticised for infringing on freedom of expression, and at time of writing appears to be off the table for good. In **Kenya**, a High Court Judge [declared](#) in April that a controversial section in the Kenya Information and Communications Act (KICA), which creates the offense of ‘misuse of a licensed telecommunication device,’ was unlawful and unconstitutional. **Zimbabwe** also [ruled](#) in early 2016 that criminal defamation laws are unconstitutional. In June 2016, **Burkinabé** journalist **Lohé Issa Konaté** was [awarded](#) \$70,000 in compensation following a landmark [ruling](#) in December 2014 by the African Court on Human and Peoples’ Rights that imprisonment for defamation violates the right to freedom of expression and that criminal defamation laws should only be used in restricted circumstances.

ERITREA

Dawit Isaac

Fifteen years disappeared

PEN Honorary Member & writer, detained since 2001. PEN members are campaigning for disclosure of his whereabouts & for his release. He is the recipient of the 2017 UNESCO/ Guillermo Cano World Press Freedom Prize.



ANGOLA

Rafael Marques de Morais

Years of harassment

A journalist & human rights defender, he has worked under continuous threat & judicial harassment since the late 1990s & has been a subject of PEN International Advocacy throughout. Most recently charged for articles written in October 2016.

ANGOLA

RELEASED

Luaty BEIRÃO (also known as Ikonoklasta), profession: rap musician and social activist

Sedrick de CARVALHO, profession: journalist at independent newspaper *Folha 8*

***Hitler Jessy CHICONDE, profession:** rap musician and university student

***Domingos da CRUZ, profession:** journalist and author

***Nuno Alvaro DALA, profession:** university lecturer and author

***José HATA, profession:** rapper and teacher

DATE OF ARREST: 20 and 21 June 2015

DETAILS OF ARREST: Among a number of activists at a meeting in Luanda of the Revolutionary Movement – a group of youth activists – later referred to as the Angola 17 or the Luanda Book Club - advocating for democracy, political change and human rights in Angola – where they had been due to read da Cruz's manuscript 'Tools to Destroy a Dictatorship and Avoiding a New Dictatorship – Political Philosophy for the Liberation of Angola'. Da Cruz was arrested the following day.

SENTENCES: Beirão, five years and six months. Carvalho, four years and six months. Da Cruz, eight years and six months. Dala, Chiconde and Hata all received sentences of four and a half years.

DATE OF RELEASE: 29 June 2016

DETAILS OF RELEASE: The activists were granted [conditional](#) release after the Supreme Court upheld a habeas corpus petition filed in April 2016, requesting that the activists be released pending a decision on their appeal to the Constitutional Court. In line with a new [Amnesty Law approved on 20 July 2016](#), which granted a pardon for crimes punished with up to 12 years' in prison and committed before November 2015, the activists were granted amnesty in September 2016. 16 out of the 17 activists were planning on formally refusing the amnesty, arguing that they had committed no crime so an amnesty was inappropriate. The formal judicial action of refusal had not been filed as of 31 December 2016.

DETAILS OF TRIAL: The trial of the activists, detained on charges of ‘rebellion’, ‘attempted coup d’état’ and ‘crimes against national security’ under the Law of Crime Against the State Security started on 16 November 2015, was held behind closed doors. Human rights organisations expressed concern about the fairness of the ongoing trial due to many breaches of [fair trial standards](#) under international law. Amnesty International also stated that during the trial, ‘the court spent days reading out almost 200 pages of an unpublished book on peaceful resistance written by one of the defendants, Domingos da Cruz. The charge of ‘plotting against the president’ was dropped by the prosecution on 21 March 2016, but the charge of ‘criminal conspiracy’ was added. Beirao faced an additional [charge](#) of ‘falsification of documents’. On 28 March 2016 the members of the group were sentenced to between two to eight years in prison and ordered to pay a fine of 50,000 Kwanzas (about 300USD) for ‘preparatory acts of rebellion’ and ‘criminal conspiracy’.

CONDITIONS OF DETENTION: During their detention, several of the defendants underwent hunger strikes in protest at the conditions under which they were being held. This led to them being transferred in December 2015 from prison to house arrest. They were sent back to jail after their conviction in March 2016.

PREVIOUS CONVICTIONS: **Domingos da Cruz** was arrested in 2013 and put on trial accused of inciting civil disobedience because of a text he published that was critical of the President (see 2013 Case List) In 2013, **Nito Alves** was jailed for two months for printing t-shirts that carried a slogan calling President José Eduardo dos Santos a ‘disgusting dictator’.

UNITED NATIONS INTERVENTION: The United Nations Working Group on Arbitrary Detention (WGAD) concluded in May 2016 that the activists were ‘arrested and detained because of the exercise of their freedom of assembly, opinion and expression in violation of Articles 19 and 20 of the Universal Declaration of Human Rights and article 19 and 21 of the International Covenant on Civil and Political Rights’. It called for the activists’s release, and an end to the criminal proceedings against them.

NEW PUBLICATIONS: While he was still in prison, **Nuno Dala** released his book *The Political Thought of Young Revus: Speech and Action* (O Pensamento Político dos Jovens Revús – Discurso e Acção) which he had been working on when he was arrested. Since his release, **Beirão** has published a book about his captivity entitled *I was Freer Than*. Beirão has continued to perform and engage in activism, and has consequently faced harassment. Alongside Angolan rapper MCK he was refused permission by the authorities to hold his rap concert in November 2016 and their rescheduled show was subsequently shut down by the police, according to [Deutsche Welle](#).

PEN ACTIONS: [RAN 07/16](#) and [update](#);

HONORARY MEMBER: PEN Canada (da Cruz, Beirão, Sedrick de Carvalho) [**STOP PRESS:** On 24 February 2017, during a [protest](#) for greater transparency around elections, Beirão, alongside other activists, was attacked by police dogs.]

ON TRIAL

Rafael MARQUES DE MORAIS:

PROFESSION: author, journalist and human rights activist

DATE OF BIRTH: 31 August 1971

TRIAL I: DATE OF ARREST: 27 December 2016 – released pending trial on same day

DETAILS OF ARREST: According to [reports](#), he was questioned for three hours and subsequently charged with ‘crimen injuria’ (similar to insult laws) over an article he wrote and published in October 2016. **Mariano Brás**, who republished the said article in O Crime of which he is director was arrested the day after Marques and similarly charged and released the following day. The article [alleged](#) that Angola’s attorney general, João Maria de Sousa, had been acting illegally and unconstitutionally regarding his purchase of a state-owned land. According to reports, Marques had written to de Sousa with several questions, but did not receive a reply. If convicted, both face up to six months in jail and a fine.

DATE OF TRIAL: According to Marques, no date had yet been fixed as of 31 December 2016.

OTHER INFORMATION: Brás has been under investigation since June 2015 for alleged abuse of press freedom, defamation, and insult of public authorities, following a complaint by Angola’s army chief and the minister of interior, according to rights group [Front Line Defenders](#).

TRIAL II: SENTENCE: Six-month suspended prison sentence with a probationary period of two years.

EXPIRES: 28 November 2017

DETAILS OF TRIAL: Following publication of his book *Blood Diamonds: Corruption and Torture in Angola*, in November 2011 Morais made a criminal complaint against seven military officials and the head of a mining company, accusing them of crimes against humanity, including murder, torture and forced displacement of civilians. The Attorney General dismissed the complaint on 18 June 2012, on the grounds the events were not substantiated or had not occurred. The individuals named in his complaint in turn filed a criminal defamation lawsuit against Marques in Portugal, where the book had been published, in 2012, which the Portuguese Prosecution Service chose not to pursue in February 2013. The plaintiffs then lodged a complaint of criminal defamation in Angola and in April 2013 Marques was summoned by police who informed him that he had been indicted on charges of defamation and subjected to interrogation. On 31 July 2013 Marques attended a hearing at the National Directorate on Criminal Investigation and Action in the Angolan capital Luanda, regarding 11 counts of defamation. Marques and his lawyers had not been allowed to review the full indictments and files or evidence related to the charges. The only information provided was that the 11 charges were based on eight individual complaints and three collective criminal complaints, filed by seven Angolan generals, a civilian, two mining companies and a private security company. All of the lawsuits were triggered by Marques’ book. In July 2014, Marques was again summoned and was formally charged with eight counts of defamation, although the charge sheet dated March 2014 was not given to him and his lawyer.

His trial commenced on 24 March 2015 during which Marques was accused of another 15 counts of defamation. On 21 May 2015 the plaintiffs withdrew their complaint against Marques and all charges were dropped after both parties reached an out-of-court settlement, which reportedly included a commitment by Marques not to republish his book. However, the charges were reinstated a week later, with the prosecution requesting a prison sentence, reportedly holding that Marques had admitted his guilt in a statement he gave at the hearing where the charges against him were dropped. On this basis, the prosecution asked for a one-month suspended sentence, but the court went further, sentencing him on 28 May 2015 to a six-month suspended prison sentence with a probationary period of two years. Marques was reportedly also ordered to withdraw his book from sale in any form, including online, and to not republish it or have it translated into any other language, on pain of imprisonment. His lawyers lodged an appeal with the Angolan Supreme Court, which is pending as of 31 December 2016.

PREVIOUS CONVICTIONS: Marques has been judicially harassed over the years. For example, in 2000 he was sentenced to six months in prison and ordered to pay damages for defamation against the president of Angola. The United Nations Human Rights Committee later found that the judgment had violated Marques' rights and ordered Angola to pay him damages.

AWARDS: Recipient of Transparency International's 2013 Integrity Award, winner of Index On Censorship's 2015 Freedom of Expression Awards in the Journalism category.

PEN ACTION: Joint appeal to international and regional human rights mechanisms [August 2014](#), press statement [December 2014](#), press statement [20 March 2015](#), press statement [28 May 2015](#).

BURUNDI

THREATENED

***Jean-Pierre NIMBONA (Kidum Kibido):** holds Burundian nationality and lives in Kenya.

PROFESSION: musician and songwriter

DATE OF THREATS: August 2016

DETAIL OF THREATS: Nimbona [said](#) he received death threats via social media from anonymous persons using 'fake identity of people from Burundian opposition'. He received the threats after the announcement that Nimbona would return to Burundi for a concert in the capital. He was invited by the Kenyan Ambassador to perform at a trade-fair in Burundi. The messages were [reportedly](#) trying to deter the singer from going to Burundi for the [performance](#), which he carried out.

CAMEROON

KILLED: IMPUNITY

Eric Ohena LEMBEMBE:

PROFESSION: Executive Director of the Cameroonian Foundation for AIDS (CAMFAIDS), LGBT rights activist, author of several chapters in *From Wrongs to Gay Rights*, a collection of articles by LGBT activists from 76 countries published in February 2013 by the US based website, [Erasing 76 Crimes](#), for which Lembembe was also a contributor.

DATE OF BIRTH: 1980

DETAILS OF KILLING: Lembembe was found dead on 16 July 2013. It is thought that he was murdered some days earlier between 12 and 13 July. Lembembe's neck and feet appeared to have been broken, while his face, hands and feet had been burned with an iron. His murder reportedly followed several attacks on the offices of human rights defenders, including those campaigning for equal rights for LGBT people. On 20 September 2013, Cameroon's ambassador to Geneva reportedly told the United Nations Human Rights Council that Lembembe had been killed because of his personal life, suggesting that the journalist might have been a criminal killed in a 'settling of scores' and reportedly dismissed concerns that Lembembe's murder was linked to his activism as 'fantasy'. The investigation into Lembembe's death remains at a standstill as of 31 December 2016; PEN is seeking more information. **OTHER INFORMATION:** In May 2014, triggered by Lembembe's murder, the African Commission on Human and Peoples' Rights adopted a resolution condemning violence on the grounds of sexual orientation and gender identity, and calling on African countries to '[ensure] proper investigation and diligent prosecution of perpetrators.'

CENTRAL AFRICAN REPUBLIC

ATTACKED

*Merveille Parfait GONIKARA (Vey-Zo):

PROFESSION: rap musician and songwriter

DATE OF ATTACK: early June 2016

DETAILS OF ATTACK: according to an item posted by the African arts monitor, Arterial, Gonikara was beaten in a bar in Bangui (the capital), put into a car trunk then reportedly taken to an army base and tortured.

OTHER INFORMATION: On 4 June 2016 (prior to the attack) Gonikara had released his new album, which was allegedly criticised by the military who accused the rapper of inciting public disorder. After the attack, on 16 June 2016, a group of rappers and artists held a conference in Bangui to demand justice for Gonikara.

They planned, alongside Gonikara's family, to file a complaint at the Constitutional Court but it was unclear if they had done so. No further information as of 31 December 2016.
BACKGROUND: Vey-Zo's songs touch on issues such as corruption and the abuse of power.

CHAD

CASE CLOSED

Jean Etienne LAOKOLÉ:

PROFESSION: activist, humanitarian worker, writer and blogger

DATE OF ARREST: 22 March 2013

SENTENCE: three-year suspended prison sentence

DETAILS: Laokolé spent almost five months in pre-trial detention before being freed on a three-year suspended sentence on 19 August 2013. He had been convicted of defamation and 'conspiracy against public order'. The charges related to his articles denouncing corruption, poor governance and nepotism in Chad and posted on Le Blog de Makaila.

REASONS FOR CLOSURES: suspended prison term expired.

PEN ACTIONS: RAN 17/13 and updates (#1 and #2).

ERITREA

In September 2001, the Eritrean government embarked upon a campaign to silence its critics, arresting opposition politicians, students and many journalists. In May 2001, 15 dissident members of the People's Front for Democracy and Justice (which is the current ruling party in Eritrean government) (known as the G-15) published an open letter where the President's abuse of power was denounced and presented his actions as 'illegal and unconstitutional'. Following the publication of the letter as well as interviews and articles related to the open letter published in the independent newspapers, all dissidents were detained, including 11 members of the G15 who were arrested in Asmara on 18 and 19 September 2001 and accused of crimes against national security and sovereignty. Private newspapers were also banned, with 10 journalists arrested in September 2001 and another two in October 2001. There is little official information of their whereabouts and well-being.

WRITERS AND JOURNALISTS ARRESTED IN SEPTEMBER 2001

BACKGROUND TO ARRESTS: On 18 September 2001, all eight independent Eritrean newspapers were closed down by the authorities; these include the weeklies *Meqaleh*, *Setit*, *Tsigenay*, *Zemen*, *Wintana* and *Admas*. Ten journalists were arrested: **Said Abdelkader, Yusuf Mohamed Ali, Amanuel Asrat, Temesken Ghebreyesus, Mattewos Habteab, Dawit Habtemichael, Medhanie Haile, Dawit Isaac, and Fesshaye Yohannes (Joshua) and Seyoum Tsehaye**. Two other journalists, **Idris Said 'Abu'Are'** and **Sahle 'Wedi-itay' Tsegazab** were arrested in October 2001. Those who are also writers are listed in more detail below. The authorities have either denied that a clampdown took place, claiming instead that the journalists have merely been sent to carry out their national service, or that the closures and mass arrests were necessary for the sake of national unity or were carried out because of the newspapers' failure to comply with laws covering media licences.

DETAILS OF TRIAL: not held.

DEATHS IN CUSTODY: for many years there have been rumors that several of the ten detainees died in custody as a result of ill-treatment and neglect. Their deaths – which have not been officially confirmed – were attributed to harsh conditions and lack of medical attention. On 20 June 2016 in an interview with Radio France Internationale, the Foreign Minister of Eritrea claimed that all of the journalists and politicians arrested in 2001 are alive, though no proof has been provided. In the same interview, the foreign minister said that these men would be tried 'when the government decides'. For more information see previous Case List.

CONDITIONS IN DETENTION: After the initial raid, the journalists were detained incommunicado at the First Police Station in the capital Asmara for several weeks. After finally receiving visits by family and friends, they went on hunger strike to demand that their cases be brought to court. In response they were soon transferred to unknown detention centers and later moved to Eiraiero prison camp to join the former state officials. There are serious concerns about severe ill treatment and possible torture.

INTERNATIONAL INTERVENTION FOR ALL TEN JOURNALISTS: In May 2007, the **African Commission on Human and Peoples' Rights (ACPHR)** of the African Union ruled that the detention of the journalists was arbitrary and unlawful and called on the Eritrean government to release and compensate the detainees. In September 2011, the **European Parliament** adopted a strongly worded resolution urging Eritrea to 'lift the ban on the country's independent press and to immediately release independent journalists and all others who have been jailed simply for exercising their right to freedom of expression.' **The United Nations Human Rights Commission's** Special Rapporteur on Eritrea has issued several calls for the government to confirm whether or not the journalists were still alive, and on their health and legal status, as well as a 2015 UN Resolution urging for the accounting of the G-15 and the journalists.

HONORARY MEMBERS (ALL): PEN American Centre, PEN Canada and PEN Eritrea in Exile.

DETAINED: MAIN CASE

Dawit ISAAC (ISAAK): (holds dual Eritrean and Swedish nationality)

PROFESSION: co-owner of Setit, playwright and writer. Isaac spent a number of years in Sweden during the Eritrean war of independence (1961-1991) and the border dispute between Eritrea and Ethiopia.

DATE OF BIRTH: 1964

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

SENTENCE: It is thought that Isaac, like his colleagues, has yet to be put on trial. In a TV interview in June 2009, asked about Isaac, President Afwerki said that he did not know what crime Isaac had committed but that he [Isaac] had made a 'big mistake'. He added that the Eritrean authorities would not release Isaac or put him on trial and that they have their 'own ways of dealing with that'.

CONDITIONS OF DETENTION: Reportedly tortured. As of January 2010, Isaac was reportedly being kept in solitary confinement, in a tiny cell with no windows and was in very poor physical and mental health. He and the other inmates were reportedly not allowed any contact with each other or the outside world, were routinely shackled and received almost no medical care. In November 2001, the Swedish local consul held a brief meeting with Isaac in jail. Then in November 2005, Isaac was briefly released for a medical check-up and was allowed to call his family and friends in Sweden. This was due to pressure by groups in Sweden but did not lead to Isaac's release: he was returned to prison two days later with no explanation. Since then Isaac has reportedly been moved to various prisons around the country. According to Amnesty International in May 2011, he was reportedly in poor mental and physical health. However, in May 2012, Amnesty stated that it had received reports in October 2011 that Isaac may have died in detention, as he was no longer in the prison where he had been held. The Eritrean government did not confirm these reports. In late January 2014, the Eritrean ambassador to Israel reportedly told journalists in Tel Aviv that Isaac is still alive, commenting 'when he comes and doesn't follow the country's laws, he must be punished'. Then on 20 June 2016 in an interview with RFI, the Foreign Minister of Eritrea claimed that Isaac was alive, though no proof has been provided. In the same interview, the foreign minister said that these men would be tried 'when the government decides.'

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

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

INTERNATIONAL INTERVENTION: In August 2009, Isaac was among the [subjects of a communication](#) from the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the UN Special Rapporteur on the situation of human rights defenders to the Eritrean authorities.

APPEAL TO THE SUPREME COURT: 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; then Foreign Minister Carl Bildt reportedly said the country's goal was to have Isaac released on humanitarian grounds rather than stand trial. The Supreme Court did not respond. As a result, three European jurists referred Isaac's case to the **African Commission on Human and Peoples' Rights (ACHPR)**, according to Reporters Without Borders (RSF) on 27 October 2012. Isaac's case was due to be heard by the ACHPR during the Commission's extra-ordinary session from 18 to 25 February 2013 in Banjul, The Gambia. The ACHPR judged Isaac's case to be admissible in July 2014. According to [RSF](#), in Communication 428/12 of February 2016, the ACHPR called on Eritrea to set up a mechanism for effectively locating missing persons and for passing the information to their families.

SWEDISH DIPLOMACY: In September 2012, then Swedish Foreign Minister Carl Bildt said that the Swedish government was working for Isaac's release, but that it could not reveal details of its diplomatic efforts. However, a few months earlier, in an interview with Swedish newspaper Aftonbladet in May 2012, President Afwerki reportedly denied that Sweden was using any form of silent diplomacy to get Isaac out of prison and refused to comment on suggestions that Isaac may be dead. According to 23 September 2014 reports, the Swedish prosecutor had closed an investigation into the complaint accusing the authorities of crime against humanity, torture and abduction in the Isaac case. Lawyers acting for Isaac filed it with the Swedish judicial authorities in July. According to Reporters Without Borders, the prosecutor deemed that the investigation was a waste of resources as the Eritrean authorities were unlikely to co-operate.

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

HONORARY MEMBER: PEN American Centre, PEN Canada, PEN Eritrea in Exile, Finnish PEN and Swedish PEN.

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

PEN ACTIONS: [RAN 51/05](#) and updates; Because Writers Speak Their Minds campaign in 2010, PEN resolutions [2013](#), [2014](#), statement 1 [June 2015](#), [PEN Action 23 September 2016](#).

Amanuel ASRAT:

PROFESSION: editor-in-chief and co-founder of Zemen (Times), popular art critic, award-winning poet and song-writer, also credited with establishing the Saturday's Supper literary clubs in 2001.

DATE OF BIRTH: c. 1971

UPDATE: The limited information available suggests that Asrat was detained in Eiraeiro prison until the beginning of 2016 when he was allegedly transferred from the maximum-security prison to an undisclosed location along with other inmates, according to unverified information leaked in February 2016.

PEN ACTION: [2015 Day of the Imprisoned Writer](#); [2016 World Poetry Day](#); International Translation Day 2015; 'Empty Chair' in PEN International's 81st Congress in Quebec City; recipient of the 2016 [Oxfam Novib/PEN Award for Freedom of Expression](#)

Temesken GHEBREYESUS:

PROFESSION: member of editorial board and sports editor of Keste Debena (Rainbow), comedian and actor

DATE OF BIRTH c. 1967

UPDATE: The limited information available suggests that he was detained in Eiraeiro prison until the beginning of 2016 when he was allegedly transferred from the maximum-security prison to an undisclosed location along with other inmates, according to unverified information leaked in February 2016.

DETAINED AFTER SEPTEMBER 2001

DETAINED: MAIN CASE

Idris SAID 'Abu'Are':

PROFESSION: author of two books (including a collection of short stories in Arabic published in 1992); freelance journalist for independent newspaper Tsigenay (The Pollinator), mainly on mother tongue education; regular contributor to state-run Arabic daily newspaper Eritrea al-Haditha; disabled Eritrean Liberation Front veteran.

DATE OF ARREST: October 2001

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

DETAILS OF DETENTION: He has been detained incommunicado without charge since his arrest, in a secret location, rumoured to be Eiraeiro. According to PEN Eritrea in Exile, Abu'are remains detained.

UPDATE: The limited information available suggests that he was detained in Eiraeiro prison until the beginning of 2016 when he was allegedly transferred from the maximum-security prison to an undisclosed location along with other inmates, according to unverified information leaked in February 2016.

BACKGROUND: Abu'are was reportedly a branch head at the Ministry of Labour and Human Welfare at the time of his arrest. Months before his arrest he published his seminal work on mother-tongue education in which he criticised the government's post-independence language policy.

HONORARY MEMBER: PEN Eritrea in Exile.

PEN ACTION: 2016 [Mother Language Day](#)

DETAINED: INVESTIGATION

Abubeker ABDELAWEL:

PROFESSION: author, theatre director and actor who also worked as a reporter for the Ministry of Information.; at one time he was assistant chief-editor of the Tigrinya daily (*Haddas Ertra: The New Eritrea*).

DATE OF ARREST: February or March 2013

DETAILS OF ARREST: Arrested in connection with the [January 2013 mutiny](#) where soldiers briefly stormed the information ministry.

DETAILS OF DETENTION: Reportedly taken to an undisclosed location and has apparently never been brought to court.

BACKGROUND: His publications include a 1984 publication that roughly translates as *The Fruit of True Love is a Good Family*. PEN is seeking further information.

HONORARY MEMBER: PEN Eritrea in Exile.

Idris MOHAMED ALI:

PROFESSION: popular singer and songwriter in the Tigris language.

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

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

PLACE OF DETENTION: Whereabouts not known.

UPDATE: According to unverified leaked online information from February 2016 and widely discussed and read in the Eritrean social media, Idris Mohammed Ali was killed along with **Jim'ie Kimeil** (see 2015 case list) and two colleagues on the 22nd of August 2007 although this information has not been confirmed.

HONORARY MEMBER: PEN Eritrea in Exile.

ETHIOPIA

IMPRISONED: MAIN CASE

Woubshet TAYE:

PROFESSION: deputy editor of the independent weekly *Awramba Times* and writer

SENTENCE: 14 years in prison

DATE OF ARREST: 19 June 2011

SENTENCE EXPIRES: June 2025

DETAILS OF ARREST: 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. He was initially detained incommunicado without charge and later said that he had been denied access to a lawyer during his interrogation.

CURRENT PLACE OF DETENTION: Initially held for investigation at Maekelawi Prison in the capital Addis Ababa, he is currently believed held in Kality Prison, c. imately 11 km south of Addis Ababa.

DETAILS OF TRIAL: On 6 September 2011, Taye appeared before Ethiopia's High Court along with **Reeyot Alemu** (see 2015 case list). Both were charged under the Anti-Terrorism Proclamation for alleged sympathy for the banned political party Ginbot 7 designated a terrorist organisation, whose aim is to overthrow the government, a claim denied by the party. Their lawyers said they did not have any details about the charges as they were not notified of the hearing and as a result could not attend. Terrorism charges were also filed in absentia against **Elias Kifle**, editor of the US-based anti-government website *Ethiopian Review*; Kifle lives in exile in the USA. On 19 January 2012, Taye and Alemu were convicted and sentenced to 14 years in prison for 'lending support to terrorist organisations' (article 5 of the Anti-Terror Proclamation). Kifle was sentenced in absentia to life imprisonment. In September 2013 Taye's application for a presidential pardon was rejected, according to news reports.

CONDITIONS IN DETENTION: During a court hearing in August 2011, Taye said that he had been tortured by state officials while he was being interrogated in prison; the court did not investigate his complaint. Taye is reported to have published a collection of essays in September 2014 entitled *The Voice of Freedom*, detailing his trial and the challenges Ethiopian journalists face. The police are reported to have restricted visits by friends and family after the book was released. On 1 December 2015, local news reports published Taye's [letter](#) sent from prison. No further news as of 31 December 2016.

HEALTH CONCERNS: As of early September 2011 he was reportedly suffering from pain in his ear and stomach as a result of beatings, but had not been given any medical treatment.

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

PEN ACTION: [RAN 34/11](#) and updates ([#1](#) and [#2](#)).

BRIEF DETENTION

*Seyoum TESHOME

PROFESSION: writer, blogger and university lecturer

DATE OF ARREST: 1 October 2016

DATE OF RELEASE: 22 December 2016

DETAIL OF ARREST: According to [reports](#), Seyoum Teshome was arrested at his home in Woliso town (Oromia). His house was [searched](#) and his computer confiscated. No reason was given for his arrest, according to the Committee to Protect Journalists.

PLACE OF DETENTION: He was originally [reported](#) to have been held in Woliso town jail. According to a [post](#) on his Facebook page, he was later transferred to Tolay, a military camp in south-western Ethiopia.

CONDITIONS OF DETENTION: Teshome was [reportedly](#) brought to Court after a few days of detention, but it was unclear if he had been charged. According to the same post on his Facebook page, he was subjected to torture.

DETAIL OF RELEASE: he was released in December alongside over 9000 alleged protesters. According to [news reports](#) Teshome and others were released after receiving 'training' promised to discipline political protestors. The 'training' was [said](#) to be a 'rehabilitation program' consisting of six courses, including one titled 'Never Again'. During the course, international broadcasters (i.e. the BBC and Voice of America) were presented as promoting 'an agenda contrary to Ethiopia's developmental state model'.

BACKGROUND: According to [reports](#), a few days before his arrest, Teshome had set up his blog, [Ethiothinkthank](#). He was already a frequent contributor to international media stories on Ethiopia about the anti-government protests that had swept the country in late 2015 and 2016. In August 2016, he was interviewed for a New York Times [article](#) in which he said 'we are living in a dictatorial state, a totalitarian state'. His comments were in relation to an Ethiopian Olympian who had made a protest gesture during the Games and whether the athlete would return to Ethiopia.

GHANA

HARASSED

***Fadi DABBOUSI** (holds Ghanaian and Lebanese nationality):

PROFESSION: pilot, author and journalist for the news website [Modern Ghana](#).

DATE OF ARREST: 23 September 2016.

DATE OF RELEASE: 25 September 2016.

DETAIL OF ARREST: He was arrested by the Bureau of National Investigation (BNI) upon his arrival in Ghana from Lebanon, according to [reports](#). After his arrest, the BNI reportedly searched his home and, among other items, seized copies of his book *59 Years of Ghana to Nowhere: The Future Is Now*.

The copies were reportedly returned on 25 September 2016. The book is said to be 'very critical of President Mahama's style of governance, and pushing for change of government'.

DETAIL OF DETENTION: Daboussi was reportedly detained for 4 hours without charge and denied access to a lawyer.

BACKGROUND: Dabboussi had reportedly made critical observations about President Mahama and his government in several articles. Ghana's deputy minister of communication said that Dabboussi was arrested in connection with allegations he had made relating to the suitability of the former president to continue in office and that it was a security matter. After his release, Dabboussi apologised on Peace FM for comments he had made on social media about former President Mahama allegedly impregnating the daughter of a chieftain and questioning Mahama's HIV status, which were the reason for his arrest.

OTHER INFORMATION: The credited media monitor [Media Foundation for West Africa](#) argued that Ghana has decriminalised libel, and so it was illegal to arrest and detain Dabboussi, even if he has made comments deemed libellous or defamatory.

IVORY COAST

ENFORCED DISAPPEARANCE

Guy-André KIEFFER (French-Canadian national):

PROFESSION: writer and independent reporter, known for his exposes of political and business corruption in the Ivory Coast, and an extensive network of contacts.

DATE OF BIRTH: c. 1950

DATE OF DISAPPEARANCE: 16 April 2004

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

DETAILS OF INVESTIGATION: Since his 12-year disappearance, Kieffer's case has been subject to successive interventions the French authorities.

FRENCH JUDICIAL INVESTIGATION: An agreement between the Ivory Coast and France, a colonial legacy, pledges them to cooperation on certain judicial issues, which led to the French judge, Patrick Ramaël, carrying out the investigation into the disappearance. He, reportedly faced constant obstruction by the Ivorian authorities throughout his tenure as investigating judge in the case, from which he stepped down in 2013 – rules demand that an officer cannot hold a post for longer than 10 years – and handing over the case to a new judge who remains in post.

SUSPECTS: an early suspect was Michel Legré, related to Simone Gbagbo, wife of former President Laurent Gbagbo. Legré was detained for 18 months between 2004 and 2005 before being provisionally released. An Ivorian army captain, Jean-Tony Oulai was imprisoned for two and a half years for Kieffer's kidnap, but was freed in 2010. An informant claiming to be a soldier in the Ivorian army claimed in 2009 that Kieffer had been killed by a member of Simone Gbagbo's entourage, without her knowledge, in a botched interrogation within the presidential compound. In an apparent response to this testimony, the then Ivorian state prosecutor Raymond Tchimou stated that Kieffer had been taken out of the country and was still alive. Tchimou offered no other explanations or details on the journalist's purported whereabouts. [Gbagbo, was subsequently arrested in 2011 and is currently on trial before the International Criminal Court in The Hague, accused of crimes against humanity, including murder, rape and violence against his opponents during a civil war between 2010 and 2011. Simone Gbagbo herself was arrested for her role in the civil war and tried before a court in the Ivory Coast.

INTERVENTIONS BY FAMILY AND COLLEAGUES: Kieffer's family has been working with RSF and the Truth for Guy-André Kieffer Association for justice. In April 2013 they jointly petitioned then French President François Hollande to raise Kieffer's abduction with his Ivorian counterpart at an official meeting on 11 April 2013. The petition reported that while positive developments have been seen with regards to the case – including the appointment of a new investigating judge and a prosecutor, as well as the facilitation of the work of the Judge Ramaël – the case had failed to advance adequately, with Kieffer's fate still unknown.

FRENCH GOVERNMENT INTERVENTION: In July 2014 RSF asked Hollande to request the creation of a special commission of enquiry or the formation a joint judicial investigative unit by the French and Ivorian judges in charge of the case. In a written reply on 20 October 2014, the Elysée Palace said solving the case continued to be a 'priority for France' and promised to monitor 'the progress of this investigation being conducted by the judicial authorities of the two countries concerned, France and Côte d'Ivoire.' The investigating judge who replaced Patrick Ramaël as judge in charge of the French investigation has reportedly complied with requests for continued legal actions made by the registered civil parties (the Kieffer family and RSF). He reportedly submitted letters to the Ivorian authorities in November 2014. French Minister of Justice, Christiane Taubira writer and activist raised the case of Guy-André Kieffer with President Alassane Outtara during an official visit in June 2015.

UPDATE: According to [Le Monde](#), at a 20 July 2016 trial hearing against former first lady Simone Gbagbo, who is facing trial for crimes against humanity, an ex-military chief claimed that Kieffer was executed and his body incinerated on the orders of the former first lady.

PEN ACTION: PEN 2014 World Cup Action: [Ivory Coast](#).

KENYA

HARASSED

***Alex KASAU (Katombi), PROFESSION:** musician

***Alphonse KIOKO (Kithungo Raha), PROFESSION:** musician

DATE OF HARASSMENT: November 2016.

DETAIL OF HARASSMENT: According to [reports](#), on 19 November 2016, Kenya's Film Classification Board (KFCB) and its head, Ezekiel Mutua, issued a ban on musicians' names deemed 'offensive' or 'obscene'. The ban also applies to music lyrics under the same conditions. Some specific words have been banned. According to reports, the board gave a seven-day notice to several artists, including Kasau and Kioko, to change their names. Those who do not comply will [reportedly](#) face legal pursuits. On 19 December 2016 [reports](#) suggested that Mutua was seeking to take legal action against the two artists over their 'obscene' stage names and lyrics. No further information as of 31 December 2016.

***Godfrey MWAMPEMBA (also known as Gado):**

PROFESSION: cartoonist

DATE OF BIRTH: 6 August 1969

DATE OF HARASSMENT: 5 February 2016

DETAILS OF HARASSMENT: Godfrey Mwampembwa was reportedly convinced to take a sabbatical from the newspaper where he works in 2015 after he published a cartoon about former Tanzanian President Kikwete. On his return, on 5 February 2016, he received a letter from his employer stating that his contract had not been renewed and that he was no longer employed with no explanation given. According to [reports](#), the editor-in-chief of his paper, the Daily Nation, denied that his sacking had anything to do with political pressure.

BACKGROUND: Mwampembwa is said to be the most Central Africa, and has worked for Kenya's Daily Nation since 1992. His drawings have touched on politically sensitive issues, including a 2009 cartoon that mocked President Kenyatta (finance minister at the time) for a \$100 million accounting error. Kenyatta attempted unsuccessfully to sue him over this cartoon. Mwampembwa's dismissal followed that of editor Denis Galava not long after he wrote an editorial critical of the President of Kenya in the Saturday Nation newspaper (owned by the same company as the Daily Nation), leading to serious concerns about the freedom of the press in Kenya.

AWARDS: In May 2016, Mwampembwa was awarded the International Editorial Cartoon prize in Switzerland, alongside Malaysian cartoonist Zunar by the Cartoonists for Peace Swiss Foundation and the City of Geneva.

PEN ACTION: [statement](#) 18 March 2016.

MAURITANIA

IMPRISONED: MAIN CASE

Mohamed Cheikh ould MOHAMED:

PROFESSION: blogger

DATE OF ARREST: 2 January 2014

SENTENCE: Death sentence

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

DETAILS OF TRIAL: On 24 December 2014, a court in Nouadhibou imposed a death sentence upon Mohamed after convicting him of apostasy. In court, Mohamed said he had not intended to insult the Prophet Muhammad and repented. According to the Committee to Protect Journalists (CPJ), a fatwa was issued to kill Mohamed and nationwide demonstrations led his family to denounce him. Mohamed's lawyers appealed against the sentence on 26 December 2014. He is reportedly eligible to be pardoned by the Supreme Court if his repentance is verified, according to article 306 of the Mauritanian Penal Code. It was reported that on 21 April 2016 the Nouadhibou appeals court upheld the death sentence against him and his case referred to the Supreme Court, which has the power to repeal the sentence. He has apologised and said that he never meant to insult the Prophet in his writing.

CONDITIONS IN DETENTION: News reports indicate that Mohamed may have been subjected to torture or other ill-treatment and is held in solitary confinement. **[STOP PRESS:** In January 2017, reports indicated that the Supreme Court had indefinitely postponed its final decision and referred the case to a court of appeal.]

MOZAMBIQUE

ON TRIAL

Carlos Nuno CASTEL-BRANCO:

PROFESSION: economist and writer

DETAILS OF TRIAL: **Castel-Branco** and **Fernando Mbanze**, editor of the daily independent newspaper MediaFax, were charged with crimes against the security of the state in relation to a Facebook post from November 2013 on poor governance in Mozambique. Castel-Branco was accused of defaming the former Head of State of Mozambique and summoned to the prosecutor's office in May before being charged on 11 June 2015 under Article 22 of the State Security Law (Law 19/91).

In the post, an open letter to then-President Armando Guebuza entitled ‘Only in Mozambique’, he strongly criticises the way in which Guebuza was governing Mozambique. The Facebook post was reportedly widely re-published and circulated on social media. Mbanze, who [reportedly](#) published Castel-Branco’s post as an open letter in MediaFax, is charged with abusing freedom of the press under Article 42 of the Press Law (Law 18/91) in conjunction with the State Security Law. The trial began on 31 August 2015. Castel-Branco and Mbanze were acquitted on 16 September 2015. However, on 16 October 2015, Amnesty International [stated](#) that the General Prosecutor appealed against the 16 September 2015 court decision to acquit Castel-Branco and Mbanze. According to [Amnesty International](#) on 18 February 2016, a date for the appeal hearing had yet to be decided. No further news as of 31 December 2016.

BACKGROUND: Born in 1960, Castel-Branco specialises in political economy of economic growth, industrialisation and public policy. He is a prolific author with a string of publications to his name, having edited and co-edited a dozen books, contributed chapters to a dozen others, and published numerous articles and papers. He holds a Doctorate in Economics from SOAS and a Master’s degree in Economic Development from the University of Oxford, UK.

NIGERIA

ABDUCTED

*Ado HALLIRU (also known as Ado DAUKAKA):

PROFESSION: singer, musician

DATE OF ABDUCTION: 24 June 2016

DATE OF RELEASE: 29 June 2016

DETAILS OF ABDUCTION: Ado Halliru was contacted by unknown men in Adamawa state in north-eastern Nigeria who said they wanted to ‘strike a deal’ with him over an album he had previously released for a state governor. After morning prayers, he entered the men’s car where they told him they wanted him to record a song for them. According to [reports](#) inside the car they played his new release, ‘Gyara Kayanka’ (Put Your House in Order), an anti-corruption song critical of some state officials, and asked him why he had recorded the track. Halliru [stated](#) he was threatened by the men, who said he would be killed if he did not stop criticising politicians and kept without food for two days before being released. He was found unconscious at the side of a road around 80km from the state capital, five days after his abduction. One of his wives said unknown men had visited his house on the day he was kidnapped. His family stated he was a political target, abducted as a warning to other critics.

HARASSMENT: On 1 July 2016, according to [reports](#), Halliru was arrested by police following a complaint lodged by lawmaker Suleiman Alkali about a song he claimed was aimed at ‘ridiculing him’, and because of rumours that he had something to do with Halliru’s abduction (see above). He was reportedly released on bail on the condition that he report back on 4 July. No further information as of 31 December 2016.

BACKGROUND: Halliru is known for his praise songs for local politicians, but had recently released a new song accusing some state officials of being corrupt.

OTHER INFORMATION: Halliru was detained by the police one day after he was found.

HARASSED

*Olamide ADEDEJI (Olamide):

PROFESSION: hip-hop musician and singer-songwriter.

DATE OF HARASSMENT: 16 March 2016.

DETAILS OF HARASSMENT: According to [reports](#), the Nigerian Broadcasting Commission (NBC) placed his song 'Don't Stop' on a blacklist, banning it from the country's airwaves. According to reports, the song was blacklisted due to its 'obscenity, [indecent], vulgar language, lewd and profane expressions'.

BACKGROUND: Three of Adedeji's songs already figured on an 18-song blacklist released by the NBC in August 2015, also banned for their obscenity and vulgarity.

RELEASED

Nengi ILAGHA:

PROFESSION: poet, journalist, cultural critic, author

DATE OF ARREST: 14 December 2015

DETAILS OF ARREST: Nengi Ilagha was served a court summons and went to attend court on 14 December 2015. He was reportedly told that the court had issued a warrant for his arrest for contempt of court. He was taken from the police station to Yenegua prison. At a hearing in April 2016 he was released and is no longer facing any charges.

DATE OF RELEASE: Granted bail on 29 April 2016.

BACKGROUND: Ilagha had reportedly previously lost a libel [case](#), in which he had no legal representation, brought by the Amayanabo of the Nembe Kingdom, King Edmund Daukoru in 2013, for a book he wrote called Epistles to Maduabebe. It was [reported](#) that the libel case was brought to court because his book was critical of the local ruler. The court ordered 30 million Naira in damages (about US \$94379) and 80,000 Naira (about US \$252) costs against the author, along with an apology on the front pages of three national daily newspapers. According to news reports, Ilagha was unaware of the proceedings, which led him to be in contempt of court.

OTHER INFORMATION: He was formerly editor of the Tide On Sunday in Port Harcourt. Mantids, his first collection of poems, won the Association of Nigerian Authors (ANA), Poetry Prize in 1995. His poems have appeared in many Nigerian and international newspapers, journals and anthologies.

PEN ACTION: Empty Chair at PEN Africa Network meeting Johannesburg 2016.

CASE CLOSED

Tukur MAMU:

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

DATE OF ARREST: 4 September 2013

DATE OF RELEASE: 19 September 2013

DETAILS OF ARREST: Mamu was arrested by plainclothes police and was taken to Kaduna's Criminal Investigation Department (CID), before being transferred to Abuja where he was held at the CID in Garki.

DETAILS OF RELEASE: On 19 September 2013, the Wuse Magistrates' Court granted Mamu bail in the sum of 1million Niara (c. US\$ 6,000) with one surety.

DETAILS OF TRIAL: He was sued for criminal defamation and attempted bribery in a case brought by the minister of the Federal Capital Territory (FCT), the subject of Mamu's book, as well as the FCT's Director of Treasury. The plaintiffs were reported to be seeking up to N7 billion (c. US\$ 30.7 million) in damages and a permanent injunction preventing Mamu from releasing his book, *FCT Administration: The Rot Within*. According to [news reports](#), on 24 April 2015 he fled to Dubai on the advice of the South Africa-based Protection Rights of Journalists of Africa (PRJA) as he alleged he had been receiving death threats by agents of the minister of the Federal Capital Territory (FCT). By June 2015 he had returned to Nigeria. In April 2015 while the two cases against Mamu were ongoing, he was also accused of forging his degree and master degree certificates. In November 2015, Mamu wrote an open letter to the Inspector General of the Police to complain that his university records had been disappeared along with the allegation of forgery. No further information as of 31 December 2016.

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

REASONS FOR CLOSURE: Lack of new information

RWANDA

JUDICIAL CONCERN

Francois Xavier BYUMA:

PROFESSION: playwright and human rights activist

SENTENCE: 17 years in prison

EXPIRY OF SENTENCE: May 2024

DATE OF ARREST: May 2007

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

DETAILS OF TRIAL: Byuma was acquitted of the first two charges, but found guilty of participating in weapons training during the genocide. In addition, the court found him guilty of several counts not mentioned when the charges were first read, including assaulting and abducting a woman. PEN International is also concerned that he received an unfair trial, as the judge was not independent and the evidence given in court was reported to be largely contradictory, and such conflicting evidence was not reconciled or explained by the court in its decision. His sentence was upheld on appeal on 18 August 2007. Following domestic and international protests, the National Service of Gacaca Jurisdictions (SNJG) accepted his request for a revision of his case; the SNJG reluctantly agreed to allow a lawyer to assist Byuma in his defence). During the hearing, however, the lawyer provided by Avocats Sans Frontières was not permitted to sit next to his client and was repeatedly denied the opportunity to question witnesses. The court accepted what they considered new evidence from accusing witnesses, even though some of this information was inconsistent with earlier testimony given at trial and on appeal. His conviction was upheld, although his sentence was reduced to 17 years in prison. No further information as of 31 December 2016.

SIERRA LEONE

HARASSED

*Emmerson Bockarie:

PROFESSION: singer-songwriter.

DATE OF HARASSMENT: May to July 2016

DETAILS OF HARASSMENT: after popular singer Bockarie released his song denouncing corruption in Sierra Leone, several billboards in which he figured were vandalised.

While four artists figure on them, Bockarie's face was the only one to be cut out or covered with graffiti, the BBC [reported](#). In an interview for Al Jazeera on 16 July, Bockarie [reportedly](#) claimed the government banned him from playing a concert in the capital and that he had received threats from politicians in relation to his new album.

OTHER INFORMATION: the Sierra Leone government reportedly claimed the news story was fabricated. According to [reports](#), the journalist who conducted the interview, **Nina Devries**, is now wanted for 'disseminating false information'.

SOMALIA

KILLED: IMPUNITY

Warsame Shire AWALE:

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

DATE OF DEATH: 29 October 2012

DETAILS OF DEATH: shot several times by unidentified armed men near his home in the capital Mogadishu on 29 October 2012. He was taken to hospital but was declared dead on arrival. According to the National Union of Somali Journalists (NUSOJ), he had recently received threats in connection with comments he had made about gunmen who targeted civilians. At the time of his death Warsame, who was in his 60s, was working at Radio Kulmiye where his plays were known for their criticism of the extremist Islamist group Al-Shabaab. According to NUSOJ and other sources, he was the 18th media worker to be killed in Somalia in 2012. No further information as of 31 December 2016; PEN is seeking an update. PEN is calling for an investigation into the murder.

TANZANIA

ON TRIAL

***Fulgency MAPUNDA (Mwana Cotide):**

PROFESSION: musician, songwriter.

DETAIL OF TRIAL: according to [reports](#), Mapunda was summoned to court on 28 September 2016 following the release of his song 'Dikteta Uchwara' (Petty Dictatorship) in August. **Mussa Sekabwe**, who produced the song, also appeared before the Court. They were both charged with offending President John Magufuli and with 'distributing the song with intent to offend' the president under the controversial 2015 Cybercrimes Act as they uploaded the song on YouTube, according to [reports](#).

DETAILS OF RELEASE: they have denied the charges and were released on bail of Tsh10 million (about \$4,568). The trial was set for 12 October 2016 where it was then postponed to 9 November 2016. No further information as of 31 December 2016.

OTHER INFORMATION: According to [reports](#), Mapunda is also an activist for the opposition party CHADEMA. He composed songs that were used by the party for elections. However, according to reports, the collaboration between the musician and the party ended after a fall out. [**STOP PRESS:** [Reports](#) suggest that the trial is set to resume on 9 March 2017.]

HARASSED

*Emmanuel ELIBARIKI (Nay wa Mitego):

PROFESSION: rap musician

DATE OF HARASSMENT: 28 July 2016.

DETAILS OF HARASSMENT: According to [reports](#), the Tanzanian National Arts Council (Basata) issued an indefinite ban against Elibariki, a popular rapper, which means he is forbidden to perform in Tanzania. The ban was issued after the release of his song 'Pale Kati Patamu', deemed to have immoral content

BACKGROUND: Another of his songs – 'Shika Adabu Yako' – was banned in February 2016 for 'compromising national values'. He has also received threats in the past, including in 2013 when he received death [threats](#) for his song 'Salaam Zao', which touches upon corruption.

OTHER INFORMATION: According to [reports](#), the ban will be lifted if the singer meets the conditions, reportedly [including](#) the payment of a million shilling fine (USD \$450), revision of the lyrics to reflect Tanzanian values and a public apology to the people of Tanzania.

UGANDA

ON TRIAL

Norman TUMUHIMBISE:

PROFESSION: author

DATE OF ARREST: 17 June 2014

DETAILS OF TRIAL: Tumuhimbise faces charges of unlawful assembly, criminal trespass, and interrupting parliamentary business.

FURTHER INFORMATION: Local news reports indicate that he was [arrested](#) alongside another colleague in connection with his activism for Jobless Brotherhood. They were arrested on June 17, 2014 at the Parliamentary premises where they had smuggled two pigs, painted yellow (the colour of the ruling party). No further information as of 31 December 2016; confirmation of trial status being sought.

BACKGROUND: Tumuhimbise is the leader of pressure group Jobless Brotherhood, a non-partisan group which exposes and lobbies against exploitation, corruption and youth unemployment. According to [reports](#), on 19 August 2015, Tumuhimbise was forcibly disappeared for eight days, which police deny. He was previously arrested in 2013 in connection with a book he had written but was released on bail (see 2013 Case List).

AMERICAS

AMERICAS OVERVIEW

Impunity for violence against writers, in particular journalists and their prosecution – often on criminal defamation charges – have continued to be a major cause for concern in the Americas over the past year. Threats to the survival of the Inter-American Court on Human Rights have exacerbated concerns regarding states' lack of commitment to the protection and promotion of human rights in the Americas, including freedom of expression.

Violence and impunity

[According to a 2016 UNESCO report on the safety of journalists](#), only 11 per cent of the 176 cases of fatal violence against journalists in Latin America and the Caribbean reported between 2006 and 2015 were solved. Impunity for violence against journalists is of particular concern in Brazil, Honduras, and Mexico.

Brazil has come under significant domestic and international scrutiny as the host of the 2016 Olympic Games. Government corruption scandals and political crises, serious economic recession, wider socioeconomic discrepancies within the population, and the billions of dollars spent on sporting events sparked social and political unrest, leading to numerous large-scale protests and demonstrations. The Brazilian Association for Radio and Television Journalists, Abert, [reports](#) that non-lethal violence against media professional had increased by 62.26 per cent compared to the previous year, from 106 to 172. This includes physical assaults, verbal offences, threats, censorship and intimidation.

In the first eight months of 2016, three Brazilian online journalists and bloggers were murdered. According to PEN International's research, of the 25 print and internet journalists and bloggers killed in Brazil between January 2004 and August 2016, 21 cases (84 per cent) remain unpunished, with none of the perpetrators having been convicted. The case of **Rodriquez Neto Faria**, a crime writer murdered in 2013 is among the rare cases where the killers were brought to justice, with lengthy sentences passed against them. However, as in so many cases, the person who ordered the killing remains free.

Known as the country with the highest murder rate in the world – with journalists consistently among this number –four more journalists were killed in **Honduras** in 2016, bringing the total of journalists killed since 2003 to at least 58, nearly all remain unresolved. The threat is such that thirty-two journalists were granted support from a [new state protection programme](#) between January and June 2016 alone.

The murder of the award-winning indigenous rights defender **Berta Cáceres** in March 2016 sent shock waves through Honduran civil society and was a serious blow for freedom of expression in the country. Cáceres' murder like so many remains unsolved.

Journalists continue to be murdered at an alarming rate in **Mexico**. Nine print and internet journalists were [killed](#) between January and December 2016, nearly twice the number of the previous year. In all, at least 80 writers and print journalists have been killed in the country since 2004, while another 11 have disappeared. Around 90 per cent of these cases remain unresolved.

Three of the nine print journalists killed in 2016 were from Veracruz, the deadliest of all states, where at least 14 writers and print journalists have been killed since 2004.

Journalists in the country also face threats and intimidation, such as the case of **Noé Zavaleta**, whose book on a former governor led to threats against the offices of the magazine where he works. In November 2016, Zeta de Tijuana was informed of a plot to attack the magazine's offices in response to its coverage of organised crime. Zeta has been threatened for its work in the past. In 1998 Héctor Félix Miranda, co-founder of the magazine, was killed, and co-editor [Francisco Ortiz Franco](#) was murdered in 2004.

Repression of dissent

The criminalisation of defamation and insult is a long-standing issue in the Americas and the Caribbean, and is used as a means to silence dissenting voices. According to [a March 2016 report by the Committee to Protect Journalists](#), thirty-two out of thirty-three countries in the Americas sanction defamation under criminal law, the one exception being Jamaica that repealed criminal defamation in 2013.

Over the course of 2016, PEN International monitored the cases of fourteen writers and journalists facing lawsuits connected to criminal defamation and/ or insult in seven countries in the Americas. Plaintiffs included politicians, government officials, entrepreneurs and, in the case of **Peruvian** journalist, author and columnist, [Rafo León](#), a fellow journalist. León's sentence of a fine, passed on 3 May Press Freedom Day, was subsequently overturned on appeal, a rare piece of good news for free expression. **Brazilian** journalist, **José Cristian Góes**, was sued for a fictional short story he published on his blog, which included an unflattering character that a state court judge believed to be a depiction of himself. Góes, who spent several months in prison in 2013 before being freed to carry out community service, were still struggling to overturn his sentence in 2016.

The repression of dissent has also manifested itself via the continued criminalisation of protest, such as is the case in **Honduras** where dozens of students have been prosecuted for taking part in demonstrations against the privatisation of the National Autonomous University of Honduras (UNAH) and calling for greater access to state education and student participation in governance of the university. These include [Cesario Padilla](#), a board member and founding member of PEN Honduras, who is facing trial on charges for his peaceful protests, as well as living under constant threat and harassment.

On several occasions in 2016, **Venezuelan** writers and journalists bore witness to repeated acts of intimidation through attacks, [detention](#), criminal defamation charges, threats and harassment. President Maduro's attitude towards the media coverage of protests is especially concerning: not only have Venezuelan writers faced [increasingly harsh punishment](#) for reporting on the rising political tension in the country, but international writers [have also been repeatedly prohibited from reporting and in fact entering the country](#).

Threats to the Inter-American Commission on Human Rights

On 23 May 2016, the Inter-American Commission on Human Rights (IACHR) [reported](#) that severe financial problems had forced it to cancel its July and October sessions and all trips planned for the year. The IACHR is one of the three main regional human rights mechanisms worldwide and plays a [vital role](#) in the promotion and protection of the rights of individuals in the Americas, including the cases of journalists.

Despite this, in recent years the IACHR has suffered a significant [drop in funding](#) as [member states](#) such as Argentina, Canada, Chile, Colombia, Mexico and the United States of America reduced their contributions. Although the financial crisis was subsequently [resolved](#), the crisis itself demonstrates the underestimation of the organism's value and suggests a troubling lack of commitment by member states of the Organisation of the American States to the protection and promotion of human rights in the region.

HONDURAS DINA MEZA

A decade of threats and harassment

Dina Meza is a writer specialising in human rights for which she has suffered threats & harassment over the past 10 years. 2016 saw no let up: in the first half of the year alone she reported 20 security incidents, mostly surveillance & suspicious activities around her home. She is also the President of PEN Honduras.



ARGENTINA

ON TRIAL

Pablo KATCHADJIAN:

PROFESSION: novelist, poet and university lecturer

DATE OF BIRTH: 1977

DETAILS OF TRIAL: A criminal lawsuit was brought against Katchadjian in 2011 by Maria Kodama, widow of the Argentine author Jorge Luis Borges and guardian of the Borgesian literary estate, for alleged 'intellectual property fraud' for his 2009 short experimental book *El Aleph Engordado* (*The Fattened Aleph*). The lawsuit was brought on the basis that Katchadjian's text – which takes Borges' well known short story *El Aleph* and 'fattens' it by adding some 5,600 words of his own to Borges' original 4,000 – amounted to plagiarism. The charges are based on an archaic intellectual property law (Law 11.723 of 1933, Article 71), which along with the Argentine Penal Code (Article 172), provides for between one month and six years' imprisonment. The lawsuit was initially dismissed, but Kodama appealed the ruling which resulted in a further review by a lower court. On 18 June 2015, Katchadjian was formally charged with 'intellectual property fraud' by the same judge who had originally dismissed the case. The appeals court also froze his assets, imposing an 80,000 peso (c. US\$ 8,800) embargo on his property. Katchadjian's lawyer appealed the decision. On 14 August 2015, a Court of Appeal overturned Katchadjian's indictment, but did not acquit him. Instead, the court ordered that a literary expert should review the book and provide a report, thus delaying the final ruling. Each party is allowed to provide their own expert, who will work with the court-appointed expert.

UPDATE: According to Katchadjian as of early August 2016, the expert review of his book had only recently begun due to delays on the part of Kodama's lawyer. **[STOP PRESS:** A court hearing has been set for 14 February 2017. According to [The Guardian](#), the judge appears to be leaning in Kodama's favour.]

BACKGROUND: Katchadjian is the critically acclaimed author of 10 books, including the novels *Gracias* (Thanks), *La libertad total* (Total Freedom) and *Qué hacer* (What to do). His work has been translated into English, French and Hebrew. *El Aleph Engordado* was published in 2009 by Imprenta Argentina de Poesía, a small independent press, in a print run of 200 copies, most of which were reportedly given away to friends. In a postscript to *El Aleph Engordado* dated 1 November 2008, Katchadjian makes it clear that the preceding text is his expansion of Borges' *El Aleph*. He has reportedly withdrawn his text from his blog and other official channels. There was therefore no intention on his part to pass Borges' text off as his own or, apparently, to make a profit.

OTHER INFORMATION: Almost 3,000 writers, intellectuals and other supporters from Argentina and beyond signed an open letter protesting the prosecution of Katchadjian, including César Aira and Carlos Gamerro. A public demonstration took place on 3 July 2015 at the National Library in Buenos Aires, of which Borges was director from 1955-73.

PEN ACTION: [3 July 2015 Call to action](#); [3 July 2015 Statement](#)

BRAZIL

KILLED – IMPUNITY

Rodrigo NETO DE FARIA:

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

AGE: 38

DATE OF DEATH: 8 March 2013

DETAILS OF DEATH: Neto was shot twice by two men on a motorcycle as he was reportedly leaving a local bar he often frequented with a colleague in Ipatinga, Minas Gerais; he died later in hospital. Neto had started work for Vale do Aço the week before his murder. According to reports, the journalist had covered police corruption throughout his career and had frequently received threats, especially in relation to his coverage of cases in which police officers were suspected of being involved in local murders. At the time of his death he was reportedly working on a book entitled *The Perfect Crimes*, which investigated several murders in which he suspected police involvement. His reporting had led to his giving testimony to the Minas Gerais state assembly’s human rights committee in which he accused police officers of involvement in criminal activity. Local journalists believed that Neto’s murder could be related to his work. Neto had recently reported being followed.

DETAILS OF INVESTIGATION: On 19 April 2013, the chief of police in Minas Gerais confirmed the participation of police officers in Neto’s murder. Five police officers were arrested and placed under investigation for Neto’s killing and that of his colleague, **Walgney Carvalho**, a Vale do Aço photojournalist who was shot dead on 14 April 2013. Investigations revealed that both men were killed by the same gun. The police officers are reportedly suspected of belonging to militia groups that operate in the region, whose activities Neto had been investigating; Carvalho is said to have taken the photographs that accompanied the investigation.

INVESTIGATION: up to seven police officers were reportedly investigated for their alleged involvement in the murders, including two who were subsequently convicted.

TRIAL OF PERPETRATORS: On 22 August 2013, police officer Alessandro Neves Augusto was charged with the murder of both men, and another, Lucio Lirio Leal was charged with hiring Neves to carry out the killings. The trial opened in December 2013, and in August 2014, Leal was sentenced to 12 years in prison. In June 2015, Neves was sentenced to 16 years for Neto’s murder, and in August 2015 a further 14 years and three months for that of Carvalho. As of 31 December 2016, it was unclear whether an investigation into an alleged mastermind of Neto’s murder is still on-going.

SENTENCED

José Cristian GÓES:

PROFESSION: journalist and blogger

SENTENCE: Seven months and 16 days in prison commuted to community service
DETAILS OF TRIAL: In December 2012, a high court judge in Sergipe state brought civil and criminal proceedings against the journalist for libel and defamation following the publication of a short fictional story on his blog on 29 May 2012. Góes was convicted of slander on 4 July 2013 and sentenced to seven months and 16 days in prison. His prison term was later commuted to community service for which he should serve one hour per day for the duration of the sentence, according to a 9 July 2013 report. In January 2013, a prosecutor for the Public Ministry reportedly filed additional criminal charges against Góes in relation to his story, proposing that Góes pay the equivalent of three minimum wages or do three months' community service. Góes refused to comply on the grounds that he did not believe that he had committed a crime; as a result, the prosecutor filed the criminal charges. According to December 2014 reports, Góes was ordered to pay 30,000 Reals (c. US\$ 11,300) in compensation for moral damages to judge Edson Ulisses, vice president of the Sergipe Justice Tribunal in November 2014.
UPDATE: In August 2016, the Federal Supreme Court denied Góes' appeal against the sentence.

BACKGROUND: Whilst Góes' fictional story mocking nepotism and corruption in local politics is written in the first person and no names or dates were mentioned, the judge concerned believed that the story defamed his brother-in-law, the governor of Sergipe; the governor himself has not filed charges.

CHILE

SENTENCED

Bruno SOMMER CATALÁN:

PROFESSION: journalist, poet and director of the weekly newspaper El Ciudadano

SENTENCE: 18 months in prison, suspended (remisión condicional)

DETAILS OF TRIAL: Tried alongside Sebastián LARRAÍN SAA, director of El Ciudadano. On 11 June 2015, the Supreme Court of Chile rejected an appeal from El Ciudadano's directors to challenge the suspended sentence handed down to them in April 2015, according to the Association of Journalists of Chile. No further information available as of 31 December 2016.

BACKGROUND: On 27 August 2013, El Ciudadano published an interview with a former employee of Miodrag Marinovic, a businessman and former representative from Punta Arenas. In the interview, titled 'El Patrón del Mal' (The Evil Boss) Rodrigo Calixto said he was ordered by Marinovic to commit multiple illegal acts. Shortly after publication of the interview, the directors of El Ciudadano received a lawsuit from Marinovic accusing them of defamation (injurias graves). Accompanying the suit was a notarised document from Calixto 'noting that he retracted his words and did not authorise the publication, that he had given the interview in an altered psychological state, but that it was too late, the newspaper had been printed and distributed.'

COLOMBIA

ABDUCTION

*Salud HERNÁNDEZ-MORA (f):

PROFESSION: author, journalist for the Bogotá newspaper El Tiempo and correspondent for the Madrid newspaper El Mundo

DATE OF DISAPPEARANCE: 21 May 2016

DATE OF RELEASE: 27 May 2016

DETAILS OF ABDUCTION: According to news reports, Hernández-Mora disappeared from the village of El Tarra, Catatumbo region, Norte de Santander state, in northern Colombia, on 21 May. Hernández-Mora was reporting on human rights and illegal drug trafficking in northern Colombia when she went missing. According to the local freedom of expression organisation Fundación para la Libertad de la Prensa – FLIP), she had been covering the cocaine trade, the death of a guerrilla leader known as Megateo, the case of an army officer who had been imprisoned for killing a local farmer as well as a protest in El Tarra on 21 May over the disappearance of two local residents.

DETAILS OF RELEASE: Six days later, on 27 May, individuals who identified themselves as members of the National Liberation Army (ELN) guerrilla group handed Hernández-Mora over to the parish priest of San Calixto en Ocaña, Norte de Santander department, and officials from the ombudsmen’s office. In an interview with El Tiempo on 29 May, she confirmed that she was kidnapped after being approached and agreeing to meet ELN commanders for what she thought would be an interview. She said that although she had been frequently moved around to avoid detection she had been well treated.

OTHER INFORMATION: Two journalists for RCN TV who went missing while investigating Hernández-Mora’s disappearance, reporter Diego D’Pablos and cameraman Carlos Melo, were also released to a delegation led by Catholic priests a few hours after her release on 27 May.

BACKGROUND: Hernández-Mora, who has both Spanish and Colombian nationality, writes a column for the Colombian newspaper El Tiempo and is the Colombian correspondent for the Madrid newspaper El Mundo. She is the author of five non-fiction titles.

PEN ACTION: [statement](#) on kidnapping 26 May 2016; [statement](#) on release 31 May 2016.

ON TRIAL

Angye GAONA (f):

PROFESSION: poet, cultural worker and student

DATE OF ARREST: 13 January 2011

DATE OF RELEASE: 21 May 2011

DETAILS OF ARREST: She was arrested in Cucuta, Norte de Santander department, near the border with Venezuela, and detained at Buen Pastor Prison in Cucuta for 93 days. Gaona's supporters claimed the real reason for her arrest was her outspoken support for the demands of a labour union in the district where she lives.

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

DETAILS OF TRIAL: She was charged with 'aggravated conspiracy for drug trafficking and rebellion' at a hearing in Cartagena on 23 May 2011, two days after her release. Gaona denies the charges and maintains that the case against her is a set-up and is due to her left-wing political sympathies. Her trial began on 15 February 2012, in Cartagena. There are concerns around the fairness of her trial, including that Gaona maintains that she has been depicted as a terrorist by the press, that witnesses against her are former members of the armed forces, and that the prosecution is using false recordings of allegedly incriminating telephone conversations as evidence against her. In September 2015, Gaona's arrest warrant was finally cancelled, three years after her arrest. The legal case against her continued although with no progress reported due to the repeated postponement of hearings. Gaona believes that the delays are due in part to a lack of dedicated legal representation in her case. No further information as of 31 December 2016.

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, she was 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. (For more details of her case, see previous case lists).

THREATENED

*Javier OSUNA:

PROFESSION: freelance journalist, author, journalist for the portal verdadabierta.com

DATE OF THREAT: April 2016

DETAILS OF THREAT: According to an 11 May 2016 news report by Reporters Without Borders, since the beginning of the year, Osuna had been the target of information thefts, break-in attempts at his office and acts of intimidation by men on motorcycles while he was driving. A USB stick and a mobile phone that he received as protection precautionary measures from the National Protection Unit (Unidad Nacional de Protección - UNP) had reportedly been stolen and the locks to his office had been forced opened. Moreover, he alleged several irregularities involving the UNP, which is charged with protecting Osuna. In April 2016, the journalist requested that his bodyguard be replaced on the grounds of suspected links to paramilitary groups. According to a local news report, Osuna said that the bodyguard had taken photos of his activities and the places he went to, asked him questions about the paramilitary bosses he was investigating as part of his journalistic work, and claimed to know these bosses from his military service.

The UNP reportedly rejected an alternative bodyguard proposed by Osuna as a trusted person, and provided him with another bodyguard without explaining the appointment process. According to news reports, on 2 May 2016 another police bodyguard assigned to Osuna received threatening phone calls and emails summoning them to appear at a trial allegedly taking place at the same time as a UNP meeting that Osuna was due to attend.

BACKGROUND: Osuna has reportedly been the target of intimidation and phone tapping for years. He has been under UNP protection since August 2014 when his computer was set on fire inside his home.

OTHER INFORMATION: Osuna is the author of the book *Me hablarás del fuego*, published in September 2015, on the cremation of victims by the United Self Defense Forces (Autodefensas Unidas de Colombia – AUC) in the state of Norte de Santander. In 2009, he received the national Simón Bolívar journalism award for the investigative article ‘The silenced press’ (‘La prensa silenciada’), published on verdadabierta.com, about the murder of journalists by paramilitary forces. He also received the national journalism award of the journalists’ circle of Bogotá for his work as a correspondent for verdadabierta.com in Bogotá covering the justice and peace process with the paramilitary forces.

CUBA

BRIEF DETENTION

Ángel SANTIESTEBAN PRATS:

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

DATE OF DETENTION: 13 June 2016

DATE OF RELEASE: 15 June 2016

DETAILS OF DETENTION: According to a local news report, Santiesteban was held at the police station in Zapata and the authorities told him that an accusation had been against him originating from the Isle of Youth (Isla de la Juventud) but did not reveal further details. He was then released without any formal charges being brought against him.

BACKGROUND: Santiesteban was previously sentenced to five years in prison on 8 December 2012 for alleged assault and trespassing. Conditionally released on 17 July 2015, he is now on parole. (For full details of this case see [2015 Case List](#)). Santiesteban was also detained overnight by state security forces in Havana on 4 November 2015 and was released without charge the next day. The motives for his arrest were unclear: some police sources reportedly claimed that he was suspected of armed robbery, while other sources stated that he was violating the terms of his parole.

OTHER INFORMATION: Sanitesteban is a member of the official Union of Writers and Artists of Cuba (Unión de Escritores y Artistas de Cuba - UNEAC). On 20 July 2015, he published his latest book *Última Sinfonía*, a collection of short stories on violence in Cuba written while he was in prison. Santiesteban has won a number of awards for his writing.

PEN ACTIONS: [RAN 09/13](#)

HONORARY MEMBER: Swedish PEN

HONDURAS

ON TRIAL

***Cesario Alejandro Félix PADILLA FIGUEROA:**

PROFESSION: journalism graduate, student leader, and board member and founding member of PEN Honduras.

DETAILS OF TRIAL: Padilla is facing trial in two separate cases, brought in July 2015 and June 2016 respectively, for his part in student protests at the Honduran National Autonomous University (UNAH) in the capital Tegucigalpa. He has also been subjected to threats and harassment in the same period. PEN International believes that Padilla and his fellow students are being targeted for the exercise of their rights to freedom of expression and assembly. **(1)** Trial opened on 14 July 2015, and Padilla – along with fellow students Moisés David Cáceres, Sergio Luis Ulloa and Josué Armando Velásquez – were reportedly ordered not to leave the country and to report to the court on a weekly basis. According to reports, the charge brought against him on 17 July 2015 is alleged ‘usurpation’ of UNAH property, under Article 227 of the Honduran Penal Code, after Padilla allegedly took part in the occupation of a university building during a student protest. The charges were upheld at a hearing on 5 August 2015. If convicted, Padilla faces a prison sentence of between two and four years. On 28 June 2016, the prosecution presented its evidence and the Criminal Court was due to issue its sentence in writing. It will also consider the appeal made by Padilla, Cáceres and Ulloa against their suspension from the UNAH in 2014 (see Background below). **(2)** On 7 June 2016, an arrest warrant was issued against Padilla and five other students after they were charged with ‘usurpation’ of public property for allegedly taking part in protests at the UNAH during a fresh outbreak of student protests that began in early June. On 27 July, the prosecution dropped all charges against Padilla and Cáceres in this case. The first trial continues.

BACKGROUND: The charges stem from Padilla’s role in widespread student protests against the privatisation of the university and calling for democratisation of the governing bodies of the UNAH. Padilla and five other UNAH students, including Cáceres, Castillo and Ulloa, were arbitrarily suspended from the university in December 2014 after taking part in previous protests. They were subsequently re-admitted to the university after a ruling by the Honduran Supreme Court of Justice in February 2015.

They are reportedly members of a student committee where they document alleged human rights abuses within the UNAH (Comité Pro Defensa de los Derechos Humanos). On 15 August 2015, Padilla reported he had been threatened by armed men in his neighbourhood who had also been keeping watch over his home and that he feared for his safety. In 2016, Padilla and Cáceres have been subject to unlawful surveillance by agents from the Technical Agency for Criminal Investigations (ATIC), according to a complaint made by defence lawyers. The complaint also states that ATIC agents have been attempting to prevent Padilla and his fellow students from entering the university campus, among other irregularities.

PEN ACTIONS: [PEN Honduras statement 6 August 2015](#); [PEN statement 17 August 2015](#); [PEN statement 15 June 2016](#); [RAN 22 June 2016](#).

HARASSED

Dina MEZA (f):

PROFESSION: journalist, human rights defender, founding member of PEN Honduras.

DATE OF THREAT: Since 2006

DETAILS OF HARASSMENT: Meza's security situation remained a serious concern in 2016. Between 1 January and 31 July, she reported 20 security-related incidents to the non-governmental organisation Peace Brigades International (PBI), which provides her with protective accompaniment. Most involved surveillance of her home, office and movements, with an increase in surveillance of her home compared to the second half of 2015. There was also a significant increase in non-physical attacks, including suspected sabotage of her car, an incident where unknown men entered her house by pretending to be employees of a mobile phone company, and suspected cyber-attacks. For details of previous incidents, see [Case List 2015](#).

BACKGROUND: Meza has worked for a number of human rights organisations and digital media outlets since 1989. She is the author of the Honduras chapter in *Vamos a portarnos mal: protesta social y libertad de expresión en América Latina* (Let's misbehave: social protest and freedom of expression in Latin America) (Friedrich-Ebert Stiftung, Bogotá, 2011) and *Kidnapped: Censorship in Honduras* (Eva Tas Foundation, 2015). In 2014, she was elected President of the newly established PEN Honduras Centre of which she is a founding member. She also runs and writes for the website [pasosdeanimalgrande.com](#), which reports on freedom of expression and human rights in Honduras. Meza began her work as a human rights defender in 1989. She has been subjected to threats and harassment on a regular basis since 2006, when a lawyer who formed part of her team supporting security guards whose labour rights were being violated was killed. Since then, she has reported being followed, watched and threatened, including receiving death threats and threats of sexual violence. She also reports that her communications have been intercepted and her vehicle sabotaged. None of these incidents have been properly investigated. Meza and her family have had to move house several times since 2012 for security reasons and she left Honduras temporarily in 2013 due to her security situation. PEN International believes that she is targeted for exercising her right to free expression and that her physical security is at risk.

AWARDS: 2007 Amnesty International UK's Special Award for Human Rights Journalism Under Threat; 2014 Oxfam Novib/PEN International Freedom of Expression Award; 2016 Premio Letras in Periodismo y Derechos Humanos at Festival de Cine y Derechos Humanos de Barcelona.

HONORARY MEMBER: PEN Català

PEN ACTIONS: [Day of the Imprisoned Writer Case 2013](#); appeared at [Free the Word! Event at Hay Cartagena 2014](#); [PEN press release 14 February 2014](#); [International Women's Day Case 2014](#); brought by PEN to testify at [Inter-American Commission on Human Rights, May 2014](#).

MEXICO

KILLED: IMPUNITY

Guillermo FERNÁNDEZ GARCÍA:

PROFESSION: poet and translator

DATE OF BIRTH: 2 October 1932

DATE OF DEATH: 31 March 2012

DETAILS OF DEATH: Neighbours discovered his body at his home in Toluca. He had been bound and killed with a blow to the head. Nothing was stolen by the killer or killers and the motive for the murder is unknown. However, some are suggesting that the killer(s) was/were known to Fernández as there were glasses of wine and full ashtrays in the room with the body.

DETAILS OF INVESTIGATION: According to official correspondence with the Mexican authorities, the case was referred to Mexico's attorney general. On 4 April 2013, it was reported that attorney general's office had failed to make headway in its investigation. No further information as of 31 December 2016.

PEN ACTION: [RAN 16/12](#)

JUDICIAL CONCERN

Enrique ARANDA OCHOA:

PROFESSION: university teacher and writer

SENTENCE: 57 years in prison, reduced to 24 years and six months

EXPIRY: 2022

DATE OF ARREST: 25 June 1996. Aranda has been imprisoned along with his brother, Adrián Aranda Ochoa, since 1996 for allegedly kidnapping the daughter of a politician.

PLACE OF DETENTION: Imprisoned in Reclusorio Sur prison in Mexico City as of October 2010 and believed still to be held there as of 31 December 2016

DETAILS OF ARREST: Arrested together, the Aranda brothers were accused of several crimes, including kidnap and carrying weapons. They were later charged with kidnapping Lorena Pérez-Jácome F., a television presenter and the daughter of an Institutional Revolutionary Party (PRI) politician who has been a senator and presidential spokesman. They were also charged with robbery. The brothers were allegedly tortured while in the custody of the police and Public Ministry and forced to sign confessions.

DETAILS OF TRIAL: In August 1997, both brothers were sentenced to 57 years in prison, confirmed in December that year. The allegations of torture were not taken into account. Following a retrial, the brothers' sentence was reduced to 40 years in January 2005. This was further reduced to 32 years in March 2007 after the robbery charge was dropped, and in December 2008 to 24 years and six months. Enrique Aranda believes his arrest and conviction were due to his political activism and open criticism of the former PRI administration. When he was initially detained he was questioned about his political activities. He claims that the legal process has been marred by political pressure throughout.

CONDITIONS IN DETENTION: The brothers filed a complaint against the state for torture and abuse of authority. In May 1999, a medical certificate was issued showing that they had been tortured. In 2002, the Human Rights Commission of the Federal District (CDHDF) issued a recommendation calling for those responsible for torturing the Aranda brothers to be brought to justice and that the brothers should be awarded reparations. The recommendation was accepted by the Attorney General, however it remains unclear as to whether it has been implemented. The brothers requested to be released on parole. In April 2014, the Centro de Derechos Humanos Fray Francisco de Vitoria submitted the case of the Aranda brothers to the UN Special Rapporteur on Torture. No further information as of 31 December 2016.

PEN POSITION: PEN holds no position on Aranda's guilt or innocence. It is concerned by the allegations that he was tortured and calls on the Mexican authorities to implement CDHDF's recommendation.

BACKGROUND: Enrique Aranda lectured for several years in political psychology at the Iberoamerican University in Mexico and is a former president of the Mexican Association of Psychologists. Since his imprisonment, he has become a prolific writer, having produced six books of poems, short stories, plays, novels and non-fiction. His work has reportedly earned him some 11 national awards. Adrián Aranda Ochoa is an accountant.

THREATENED

*Héctor DE MAULÉON:

PROFESSION: journalist and author

DATE OF BIRTH: c. 1963

DATE OF THREAT: May – June 2016

DETAILS OF THREAT: According to news reports, De Mauléon received threats via Twitter after he published a series of articles about alleged drug and weapon dealing by the Asamblea de Barrios (Assembly of Neighbourhoods) group in Mexico City.

The threats began after his first article appeared in May 2016 and increased after his third column was published in early June, in particular since 22 June when a raid was carried out by the Mexico City Attorney General's Office.

OTHER INFORMATION: De Mauléon a columnist for the daily newspaper El Universal, the sub-editor of the magazine Nexos, director of the TV program El Foco and an author; his books include the short story collections La perfecta espiral (The Perfect Spiral) and Como nada en el mundo (Like Nothing in the World), the novel El secreto de la Noche Triste (The Secret of the Night of Sorrows) and La ciudad que nos inventa (The City that Shapes Us).

PEN ACTION: [RAN 13/16 - 24 June 2016](#)

Anabel HERNÁNDEZ (f):

PROFESSION: award-winning journalist and author, currently a freelance contributor to the investigative weekly magazine Proceso and the daily newspaper Reforma (previously worked for Milenio, its investigative supplement La Revista (now Emeequis) and newspaper and website Reporte Índigo). Hernández also writes books on corruption and the abuse of power in Mexican politics, including La Familia Presidencial (2005), Fin de fiesta en Los Pinos (2006), Los Señores del Narco (Grijalbo, Random House Mondadori, 2010) [translated in English as Narcoland: The Mexican Drug Lords and their Godfathers, Verso, September 2013], México en llamas (2012) and La Verdadera Noche de Iguala (Vintage Espanol, 2016).

DETAILS OF THREATS: Hernández has received constant death threats since late 2010, following the publication of Los Señores del Narco (2010) which reveals alleged links between drug trafficking cartels and the Mexican state, notably the then Federal Secretary of Public Security, whom she accused of illicit enrichment and complicity with organised crime while he was serving as former president Felipe's Calderón's chief of police. In December 2010, Hernández made public an alleged plot to have her killed involving officials working for García Luna and the federal police. Hernández' sources have been subjected to harassment, intimidation and even murder. (See 2014 Case List for details of past threats). According to Hernández, who has been living in exile since 2014, a group of unknown people broke into her apartment in Mexico City on 4 November 2015. They stole documents, but nothing of value. Hernandez believes this was an act of intimidation connected with her investigation into the unresolved disappearance and assumed death of the forty-three students of Iguala which is the subject of her 2016 book. Specifically, between December 2014 and October 2015, she published a series of pieces alleging the involvement of Mexican security and intelligence services in the disappearances. She also [reported](#) threats against and kidnappings of her sources.

UPDATE: Since Hernandez' return to Mexico in August 2016, she has been granted protection under the Federal Protection Mechanism, which recognises the level of risk to her as 'extraordinary'. This entails 24 hour protection. On 1 December 2016, she had to be urgently removed from the Guadalajara International Book Fair, where she presented her book, because a group of eight people had followed her since she had arrived.

DETAILS OF INVESTIGATIONS: The journalist has filed numerous complaints with federal and local authorities but reports that the investigations have led nowhere. For details see previous case list.

UPDATE: According to Hernández, as of 9 June 2016, there had still been no arrests in connection with the break-in to her apartment in November 2015.

BACKGROUND: She has also published two articles alleging collusion by the federal, police and prison authorities in drug trafficker Joaquín Guzmán Loera's July 2015 escape from prison (Proceso magazine, August 2015) and this may be an additional safety concern.

***Noé ZAVALETA:**

PROFESSION: author and correspondent for weekly political magazine Proceso

DOB: 1981

DATE OF THREAT: June–August 2016

DETAILS OF THREAT: After the publication of his book in late June, Zavaleta became the victim of online threats, intimidation and harassment. According to reports, the threats and abuse led Zavaleta to leave Veracruz on 12 August. In an interview published in El Mundo de Cordoba on 17 August, Zavaleta said that the threats had ceased. However, there were still concerns about his safety: at the insistence of Proceso, he continued to be escorted by two bodyguards.

DETAILS OF INVESTIGATION: According to Reporters Without Borders, Zavaleta reported the threats to the federal authorities but as of 11 August 2016, he was still awaiting satisfactory response.

BACKGROUND: Zavaleta's book *El Infierno de Javier Duarte: Crónica de un Gobierno Fatídico* (Javier Duarte's Hell: Chronicles of a Fateful Government) details the state of violence and corruption that has characterised Duarte's government of Veracruz. Zavaleta's predecessor at Proceso, Regina Martínez, was killed in 2012 (see [previous Case Lists](#)). The state of Veracruz is one of the most dangerous places on the world for the press, with three print journalists killed in 2016 and eleven under the Duarte's administration, between 2010 and 2016. In October 2016, Duarte resigned less than two months before the end of his six-year term. In the same month, a federal judge reportedly issued an arrest warrant for him on racketeering and money-laundering charges but Duarte, who has denied the charges, vanished before he could be taken into custody, [according to news reports](#).

PEN ACTION: [RAN 17/16](#) – 11 August 2016

PARAGUAY

ON TRIAL

Nelson AGUILERA:

PROFESSION: writer and author of a series of children's stories, member of PEN Paraguay and teacher

SENTENCE: 30 months in prison

DETAILS OF TRIAL: Aguilera was convicted of plagiarism on 4 November 2013. His lawyer filed an appeal on 25 November 2013. According to Aguilera, 40 witnesses were prevented from testifying in his defence as the judge ruled that they had been presented too late. These included a recognised legal expert in plagiarism employed by the court to investigate the case and who argued that Aguilera did not have a case to answer. In June 2014, Aguilera's conviction and sentence was confirmed by the Chamber of Appeal in Asunción. In November 2015, the judges responsible for his trial allowed Aguilera to fly to the United States to attend his son's wedding.

UPDATE: According to Aguilera, his appeal to the constitutional section of the Supreme Court was at a standstill as of December 2016. He reports that he is required to attend court and register each month.

BACKGROUND: The case relates to a lawsuit filed by writer Maria Eugenia Garay that began in 2010. Garay alleges that Aguilera had plagiarised her adult fiction novel *El túnel del tiempo* (The Tunnel of Time), 2005 in the second in his series of children's fiction novels *Karumbita: La patriota* (Karumbita: The Patriot) (Alfaguara Infantil, 2010). A number of independent experts and writers have provided a detailed analysis of both works and found that the similarities in them cannot be described as plagiarism. They argue that while they both feature similar thematic elements, such as time travel, and significant dates in Paraguayan history, the manner in which they are used is significantly different. The experts add that time travel has been used as a theme throughout literature and as such its use alone cannot constitute plagiarism. The analysis also showed that the literary styles, structure and argument of the works differ significantly and that Aguilera had not taken any sentences or paragraphs from Garay's work. There has been some suggestion that the sentence for plagiarism may have been influenced by the fact that Garay's brother, César Garay Zuccolillo, is minister of the Supreme Court of Justice.

PEN ACTION: [Day of the Imprisoned Writer Case 2015](#); [open letter from Luisa Valenzuela](#)

PERU

RELEASED

***Rafael LEÓN RODRÍGUEZ (Rafo LEÓN):**

PROFESSION: journalist, author, columnist for the Lima-based weekly newsmagazine *Caretas*, also known for his travel accounts and short stories.

DATE OF BIRTH: 1950

SENTENCE: A one-year suspended prison sentence and a fine of 6,000 Soles (c. USD \$1,800) in damages payable to the plaintiff, the former editor of the daily newspaper *El Comercio*, Martha Meier Miró Quesada

DETAILS OF TRIAL: On 3 May 2016, a judge in the 40th Criminal Court in Lima found León guilty of 'aggravated defamation'. The suspension of the [sentence](#) is subject to León's completion of one year of 'good behaviour', requiring him to report regularly to the authorities or face a prison sentence.

RELEASE: In September 2016, it was announced that the appeals court acquitted León of defamation and that he will not serve a 12-month suspended sentence handed down in May nor pay the plaintiff damages.

BACKGROUND: The criminal defamation case was brought against León in 2014 by Martha Meier Miró Quesada, then general editor and columnist for El Comercio. The lawsuit stems from a satirical opinion piece León published in his regular column in Caretas in June 2014 in response to an earlier column by Meier in El Comercio criticising the then Mayor of Lima, Susana Villarán de la Puente. On 23 March 2016, León was summoned to appear in court on 3 May for the ruling to be read – more than nine months after the trial ended in July 2015.

PEN ACTION: [Call to Action – 27 April 2016](#)

UNITED STATES OF AMERICA

JUDICIAL CONCERN

Mumia ABU-JAMAL:

PROFESSION: journalist and author

SENTENCE: Life imprisonment without parole.

DETAILS OF TRIAL: Abu-Jamal was sentenced to death for the murder of police officer Daniel Faulkner in 1982. Amid serious concerns about the fairness of his trial, which did not meet international fair trial standards or those guaranteed by the Constitution of the United States, his death sentence was commuted to life imprisonment without parole in 2011. Abu-Jamal has consistently denied any involvement in the murder, and the evidence presented at trial was reportedly contradictory and incomplete. However, his lawyers have never been successful in their request for him to be granted a re-trial. Mumia Abu-Jamal continues to call for a fair trial, but since all options for appeal have been exhausted, any chance of a retrial is now unlikely.

HEALTH CONCERNS: According to reports, Abu-Jamal was hospitalised on 31 March 2015 after going into diabetic shock. There are further reports that he has Hepatitis C, type-2 diabetes and suffers from severe skin rashes.

UPDATE: In August 2016, Abu-Jamal was reportedly denied access to life-saving hepatitis C treatment. **[STOP PRESS:** In January 2017, a federal judge reportedly ordered that Abu-Jamal should be seen by a doctor and, if medically cleared, given the life-saving treatment, thereby overturning the August ruling.]

BACKGROUND: Despite the difficult conditions of his detainment in a death row cell in Waynesburg, Pennsylvania, Abu-Jamal continues to work as a writer and journalist. He has written seven books in prison, making him an internationally renowned activist against the death penalty.

PEN POSITION: PEN considers that life imprisonment without the possibility of parole may amount to torture or other ill-treatment. PEN is calling for the authorities to take the necessary steps to ensure that Mumia Abu-Jamal is given the opportunity to have his sentence of life imprisonment without parole reviewed.

PEN ACTIONS: [PEN International Resolution 2014](#)

ASIA AND THE PACIFIC

ASIA AND THE PACIFIC OVERVIEW

In 2016, the freedom of expression landscape in the Asia Pacific region continued to be marked by entrenched repression, acute crackdowns, repressive legislation, habitual discrimination and practices of ill-treatment.

Entrenched repression

Countries such as the **People's Republic of China** and the **Socialist Republic of Viet Nam** continued to be among the most repressive countries in the region in 2016, where long-term imprisonment is deeply entrenched and ill-treatment of detainees is commonplace.

In **Viet Nam** writers, journalists, bloggers and human rights defenders are often the targets of intimidation, threats, harassment, and physical assaults by either the authorities or unidentified assailants. They also face arbitrary arrests, lengthy pre-trial detention, and limited access to legal counsel, unfair trials, and lengthy prison sentences. In prison they are often subjected to prolonged solitary confinement, beatings, withholding of medical treatment, and punitive transfers to other prisons. Those that are released are often forced into exile or obliged to serve out prolonged periods of probationary detention, as is the case for essayist and editor **Nguyen Van Ly** and poet **Phan Ngoc Tuan**, among many others.

In **China**, persecution throughout 2016 was especially characterised by the continued use of long-term imprisonment and detention, as well as the authorities' [increased use of residential surveillance](#) – whereby individuals are detained for up to six months outside of the formal detention system – the extension of harassment and intimidation to the family members of those detained, and the use of televised confessions. The death in custody of dissident writer **Huuchinhuu Govruud** in October 2016 serves as a stark reminder of the ramifications of the use of prolonged detentions; her long-term house arrest served only to exacerbate her multiple chronic illnesses.

The case of publisher **Gui Minh** clearly demonstrates many of these tactics at play. His disappearance is part of the case of the Causeway Bay Book Disappearances where five employees of the Hong Kong-based publisher Mighty Current and its retail arm the Causeway Book Store, of which Gui is a shareholder, went missing in 2015. It is widely believed that their disappearances are linked to distribution of banned books in mainland China. Gui is thought to have been abducted by authorities in October 2015 and remains held in an unknown location. In January 2016, Gui was forced to make a televised confession, the authenticity of which was [widely questioned](#). Indeed, on his release, fellow detainee **Lin Rongji** alleged that the confession was scripted and coerced. A featured case of PEN International's [Day of the Imprisoned Writer campaign in 2016](#), the organisation continues to call for details of Gui Minh's whereabouts and for his release.

Crackdowns on dissent

Crackdowns on dissenting voices carried out by both state and non-state actors across the region demonstrated disregard for freedom of expression.

The political crackdown in **Cambodia** intensified. Where once the authorities' attention was focussed on the political opposition, the government has begun casting its net ever wider – targeting students, intellectuals, academics and civil society activists with increasing regularity, including the high-profile killing of the political commentator **Kem Ley**. PEN anticipates that the crackdown will likely intensify in the build-up to the forthcoming 2017 local elections and 2018 national elections.

In the **Philippines**, state sanctioned violence was rife as newly-elected President Duterte embarked upon his extrajudicial war on drugs, which [reportedly claimed thousands of lives](#). Shortly before his inauguration, President Duterte [identified corrupt journalists as legitimate targets for assassination](#) – assertions of particular concern in a country where impunity for crimes against journalists prevails.

In **China**, recent crackdowns have spread outside of Beijing into numerous inland and coastal provinces, the Autonomous Regions of **Tibet**, Xinjiang, and Inner Mongolia, and in the Hong Kong Special Administrative Region – often seen as the last bastion of free expression in China. The authorities continued to persecute ethnic minority writers and language website editors. Tibetan writer and blogger **Druklo**, known for his critical articles on government policy, was sentenced to three years in prison in February 2016 for 'inciting separatism'. A particularly concerning case is that of Tibetan writer **Gangkye Drubpa Kyab** who was immediately re-arrested following the end of a five-year prison sentence and his whereabouts remain unknown.

Authorities were not alone in suppressing freedom of expression in 2016; violations by non-state actors interplayed with the actions of states across the region. Security operations in **Pakistan** [perpetuated human rights violations](#), including through the use of arbitrary arrests. In 2016 the human rights situation was [especially aggravated](#) by a resurgent Taliban in **Afghanistan**, militant groups operating in **Bangladesh**, bombings carried out by the Islamic State in **Indonesia** and internal conflicts in **Myanmar**.

In 2016, **Bangladesh** bore witness to the murder of at least four writers, bloggers and journalists. The attacks have widened to include civil society actors, academics and religious figures with diverse views. As a consequence, secular and liberal freethinkers are now living in a climate of intimidation, fear and extreme danger. Following the murder of **Xulhaz Manan**, editor of Bangladesh's only LGBT magazine *Roopbaan* and a leading gay rights activist, and a siege in a restaurant in Dhaka, which left 28 people dead, the Bangladeshi authorities embarked on a crackdown on extremism. Under [growing pressure](#) from the international community, the authorities [arrested over 11,000 individuals](#). Such sweeping arrests do little to allay concerns regarding the thoroughness of investigations and compliance with due process.

In India there are [worrying signs of rising intolerance](#) linked to an emerging nationalist discourse alongside a rise in vigilantism (both in the physical and digital spheres). A perception of impunity for attacks carried out against writers and journalists compounds the sense of a deteriorating climate for freedom of expression and has led many writers, journalists and publishers to speak of having to be cautious about what they write, fearing retaliation.

Legislative restrictions

Criminal defamation and insult provisions remain on the statute books of many nations in Asia and the Pacific, and have been used against writers, poets and journalists in **Myanmar, the Philippines, Bangladesh, and Thailand**, among many others, in order to silence voices of dissent. Likewise, many writers in the region face charges under legislation designed to protect national security, including outdated sedition provisions. Furthermore, governments still impose print and publication restrictions; such as the Singaporean Newspaper and Printing Presses Act, Myanmar's [2014 News Media Law and its Printing and Publishing Law](#).

Individuals are attempting to challenge the constitutionality of such legislation; including the Malaysian cartoonist **Zunar**, who currently faces nine charges of sedition. However, such challenges are not always successful; in May 2016, the Indian Supreme Court [upheld the constitutionality](#) of the country's criminal defamation law.

Digital activities were increasingly under assault. In Bangladesh, the continued use of the Information and Communication Technology (ICT) Act, a highly problematic piece of legislation, led to the [arrest of at least 35 people in 2016](#); this included the septuagenarian publisher **Shamsuzzoha Manik**. Digital freedoms were narrowed in **China** through the newly adopted Cyber Security Law. Set to come in to full-force in June 2017, this law will impose aggressive conditions on internet users. In **Thailand** the Computer Crimes Act was amended, furthering the powers of authorities to enforce surveillance and restrict the freedom of expression. The writer **Harit Mahaton** was one of eight people charged under this act for critical commentary on social media. He also faces Lèse-Majesté charges. Despite **Myanmar** entering an apparent [new era of openness](#), this was contradicted by the authorities' continued use of the Telecommunications Act. Under this law [Maung Saung Kha](#) was sentenced to six months in prison for defamation, for a poem he posted on social media.

MALAYSIA

Zulkifli Anwar Ulhaque (Zunar)

On trial facing 43 years in prison

Cartoonist and author, known as Zunar, is on trial facing nine charges of sedition which combined could find him serving a total 43 years in prison. Most of the charges are for his cartoons lampooning corruption & abuse of authority among Malaysia's political elite.



CHINA

Huuchinhuu Govruud

Death in Custody

Huuchinhuu Govruud, a writer of Mongolian descent, had been held under house arrest since 2012, and had previously suffered harassment and detention for her activism. Denied medical treatment for cancer, she died while still in custody on 25 October 2016.

AFGHANISTAN

KILLED: IMPUNITY

Sushmita BANERJEE (f):

PROFESSION: author of the best-selling memoir *A Kabuliwala's Bengali Wife*

DATE OF DEATH: 5 September 2013

DETAILS OF DEATH: According to reports, armed men broke into her home and tied up her husband before kidnapping and shooting her at least 20 times. Banerjee's body was left outside a madrasa (religious school) on the outskirts of Sharan City, Paktika province.

DETAILS OF INVESTIGATION: On 9 September 2013, local police officials reportedly arrested two men – initially said to be armed militants connected to the [Haqqani Network](#), an affiliate of the Taliban which has connections to Pakistan – in connection with her murder. According to press [reports](#), the suspects confessed to Banerjee's murder. Four men arrested on 11 September 2013 reportedly indicated that the plan was orchestrated in Pakistan by three Pakistan Taliban militants working with a local commander of the Afghan Taliban in Paktika, although, according to the [BBC](#), the Afghan Taliban has denied responsibility for the attack. Banerjee was reportedly targeted by the group because of her critical writings of the Taliban in her memoir and for installing an Internet connection in her house. Banerjee had recently returned to Afghanistan to live with her husband and run a midwifery clinic. She had reportedly been filming the lives of local women as part of her work prior to her death, and was writing a second book. Despite the recent arrests, on 15 September 2013 news [reports](#) indicated that a splinter Taliban group – known as the Suicide Group of the Islamic Movement of Afghanistan – had admitted responsibility for Banerjee's murder via a Western news website, claiming they had killed her because she was an Indian spy. No further information as of 31 December 2016.

PEN ACTION: [RAN 30/13](#) – 27 September 2013

AUSTRALIA/PAPUA NEW GUINEA

HARRASSED: MAIN CASE

Behrouz BOOCHANI:

PROFESSION: journalist, writer and human rights advocate

DATE OF BIRTH: 23 July 1983

DATE OF DETENTION: 27 August 2013

DETAILS OF DETENTION: Boochani, an Iranian national, was reportedly rescued at sea by the Australian navy, whom he asked for asylum. Due to Australia's offshore processing policies, Boochani was taken to Manus Island Regional Processing Centre at Lombrum, Papua New Guinea (PNG).

CONDITIONS OF DETENTION: According to PEN's information, Boochani has faced harassment for reporting to the Australian media and other organisations on conditions inside the detention centre and human rights abuses alleged to be taking place there. He reports being the target of beatings as a direct result of his reporting.

CURRENT PLACE OF DETENTION: Boochani was initially held in an immigration detention centre, Manus Island, Papua New Guinea. However, according to reports, he was transferred to the East Lorengau refugee transit centre in February 2015.

UPDATE: On 26 April 2016, the PNG Supreme Court ruled that the processing centre was illegal and unconstitutional, since those seeking asylum in Australia were being forcefully brought into PNG and being held against their will. That same month, the PNG authorities accorded Boochani refugee status even though he had refused to formally seek asylum there. Boochani remained adamant that his asylum request be processed by the Australian authorities. Despite being nominally free to move about the island, Boochani reported that he still faced considerable restrictions in his movement; Boochani reported feeling unsafe on the island, but at the same time, unable to leave as he does not possess any travel documents. In November 2016, the Australian government announced that a [one-off agreement](#) had been reached with the US to resettle refugees held in Regional Processing Centres in Papua New Guinea and Nauru. As of 31 December 2016, it remained unclear whether Boochani would benefit from this agreement. **[STOP PRESS:** According to reports, uncertainty surrounding the bilateral agreement between Australia and the US to resettle refugees has been amplified by a likely shakeup of refugee policy by President Trump, who assumed office 20 January 2017.]

BACKGROUND: According to PEN's information, in his native Iran, Boochani worked as a journalist for several newspapers, including national dailies Qanoon, Kasbokar and Etemad, and the Kurdish-language monthly magazine Varia. He claims that due to his focus on business and politics, Boochani was subject to constant surveillance by the Iranian authorities. In 2013, he was reportedly arrested, interrogated and threatened by the Iranian Intelligence Services. Fearing that he would be imprisoned, he fled Iran on 13 May 2013. Since his detention, Boochani has been documenting human rights violations, which he passes on to the Humanitarian Research Partners (HRP), who in turn pass the information on to the United Nations and its relevant agencies. Boochani has continued to write for several publications while in detention, and has published the first instalment of his book documenting his experiences in detention.

HONORARY MEMBER: PEN Melbourne, Norwegian PEN

PEN ACTION: [2015 joint open letter to the Australian authorities](#); [2015 World Human Rights Day](#); [2016 joint open letter to the Australian authorities](#); [RAN 21/16 – 10 November 2016](#).

PEN POSITION: PEN considers that, in effect, Boochani is marooned on Manus Island and that his indefinite state of limbo has compounded his trauma, and amounts to cruel, inhuman or degrading treatment which is prohibited under international law, as affirmed in the [United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment](#), to which Australia is a state party. The organisation is continuing to call for him to be allowed to enter Australia to seek asylum there.

BANGLADESH

KILLED: MOTIVE UNKNOWN

***Rezaul Karim SIDDIQUE:**

PROFESSION: university professor

DATE OF DEATH: 23 April 2016

DETAILS OF DEATH: Unknown assailants with machetes are reported to have attacked the professor of English as he walked to the bus station from his home in Rajshahi, on his way to the city's public university where he taught.

DETAILS OF INVESTIGATION: According to news reports, Islamic State claimed responsibility for the attack. November 2016 news reports state that eight people have been charged in connection with Siddique's murder; reportedly all are members of the banned Islamist militant group Jamaat-ul-Mujahideen (JMB). Of the accused, four were in police custody, one was on the run and three are dead, reportedly killed under crossfire with authorities at various locations across the country.

BACKGROUND: Siddique wrote poems and short stories, edited the literary magazine Komol Gandhar and was involved with several cultural groups. Siddique reportedly set up a music school at Bagmara, a former bastion of JMB.

PEN ACTION: [23 April 2016 statement](#)

KILLED: IMPUNITY

Ananta Bijoy DASH (also known as Ananta Bijoy Das):

PROFESSION: award-winning writer, editor of quarterly magazine Jukti and blogger

DATE OF DEATH: 12 May 2015

DETAILS OF DEATH: Dash was hacked to death by a masked gang wielding machetes on his way to work in a bank, in the city of Sylhet.

DETAILS OF INVESTIGATION: On 18 August 2015, three members of the Islamic extremist group Ansarullah Bangla Team (ABT), were arrested by security forces in connection with the killings of Dash and **Avijit Roy** (see below). On 28 August 2015, one of the arrested, Mannan Yahia, confessed his involvement in Dash's murder. On 10 September 2015, three more individuals, including the head of the ABT, Mohammad Abul Bashar, were arrested in connection with the murders of both Dash and Roy. Bashar is reportedly thought to be the mastermind of both killings.

UPDATE: On 12 May 2016, police confirmed that they were still looking for three men involved in the murder. No further information as of 31 December 2016.

BACKGROUND: Dash's works focused on rationalism, atheism and science, with a particular emphasis on biological evolution. Dash is the author of Soviet Unione Biggan O Biplab (Science and Revolution in the Soviet Union), a book detailing the politicisation of science during the Stalin Era, and is co-author of Parthiba (Nothing is Divine) (February 2011), a collection of articles on secularism and rationalism, critical of the religious viewpoints of Hinduism and Islam, and the problems of fundamentalism in the Indian

sub-continent. His articles have also been published in Bangladeshi periodicals such as Samakal, and Uttor Purbo, among others, and on the Mukto-Mona (Free-mind) blog, founded by Avijit Roy. His writings were often critical of aspects of Islam and Hinduism. He served as General Secretary of the Sylhet-based Science and Rationalist Council and edited issues of its publication Jukti. Dash also co-translated several books into Bangla, which focussed on the theory of evolution and its pioneer, Charles Darwin.

OTHER INFORMATION: Dash's name appeared on two assassination lists compiled by the ABT in February 2013 and March 2015. After the February 2015 murder of fellow blogger Avijit Roy, Dash went into hiding and was sought protection. He was accepted for placement by the International Cities of Refuge Network (ICORN), and in early April 2015 he was invited by Swedish PEN to give a talk in Stockholm. On 22 April, the Swedish embassy in Dhaka refused his visa application.

AWARDS: Mukto-mona Rationalist Award in 2006.

PEN ACTION: [12 May 2015 statement](#); [RAN 08/15 – 12 May 2015](#); [12 May 2015 Swedish PEN statement](#); [22 May 2015 joint letter](#).

Faisal Abedin DEEPAN:

PROFESSION: publisher at Jagriti Prokashoni publishing house

DATE OF DEATH: 31 October 2015

DETAILS OF DEATH: Deepan was found dead in his office in Dhaka on 31 October 2015. According to reports, he had been hacked to death by a group of men who then fled.

DETAILS OF INVESTIGATION: According to news reports, former army major, Syed Ziaul Haque, is the alleged mastermind behind Deepan's murder; he had yet to be apprehended as of 31 December 2016. On 19 June 2016, police reportedly shot dead a member of the **Ansarullah Bangla Team (ABT)**, a banned local Islamist group, who was alleged during a police news conference to be linked to Deepan's murder, as well as several other attacks, including **Avijit Roy** (see below). [Reports also suggest](#) that Moinul Hasan Shamim (also known as Sifat) took part in the murder, as well as the killing of a university student blogger, while on bail for a separate case filed under the Anti-Terrorism Act. News reports indicate that Shamim belonged to the ABT. He was arrested on 23 August 2016 by the Counter Terrorism unit of the Dhaka Metropolitan Police. A bounty had been on his head since May 2016. The police are reportedly seeking five other militants in connection with Deepan's murder; it is alleged the six trained together for a month with the ABT prior to Deepan's killing.

BACKGROUND: Earlier on the same day, publisher **Ahmed Rahim 'Tutul' Chowdhury** and writers **Ranadeep Basu** and **Tareque Rahim** were attacked in the offices of Shuddhashar publishing house in Dhaka (see [previous Case List](#)). Both Shuddhashar publishing house and Deepan's publishing house had published books by Bangladeshi-American writer and blogger **Avijit Roy** (see below), who was hacked to death in February 2015. Deepan's company published The Virus of Faith by Roy. The ABT had claimed responsibility for Roy's killing, alongside the killings of three other bloggers in 2015, and threatened to kill more bloggers. Deepan had filed a complaint with police after being threatened with death in a posting on Facebook following the attack on Roy, his friends said.

PEN ACTION: [1 November 2015 statement](#)

Avijit ROY:

PROFESSION: writer, blogger, and founder and administrator of the blog mukto-mona.com (Free Mind)

DATE OF BIRTH: 12 September 1972

DATE OF DEATH: 26 February 2015

DETAILS OF DEATH: Roy and his wife had just left a book fair near University of Dhaka when they were attacked by a group of men with machetes. Roy received a mortal blow to the head, while his wife's fingers were severely injured.

DETAILS OF INVESTIGATION: Roy was a dual Bangladesh and American national and as such, in March 2015, it was reported that the Federal Bureau of Investigation would aid the investigation. The Islamist group Ansar al-Islam initially claimed responsibility for Roy's murder in a series of messages on its Twitter account. On 18 August 2015 three members of the Ansarullah Bangla Team (ABT) were arrested by security forces in connection with Roy's murder, as well as that of Ananta Bijoy Dash (see above). On 10 September 2015, three more individuals, including the head of the ABT, Mohammad Abul Bashar, were arrested in connection with the murders of both bloggers. Bashar is reportedly thought to be the mastermind of both killings.

UPDATE: On 19 June 2016, police reportedly shot dead Sharif (also known as Hadi), a member of the ABT and considered to be one of the main suspects in Roy's murder. A police news conference disclosed that Sharif was allegedly also linked to attacks on several other publishers, bloggers and activists, including the murders of bloggers [Niloy Neel](#), [Washiqur Rahman](#) (see [previous Case List](#)), publisher **Faisal Abedin Deepan** (see above), law student [Nazimuddin Samad](#), and editor of Bangladesh's only LGBT magazine Roopbaan and leading gay rights activist, [Xulhaz Mannan](#).

BACKGROUND: Roy founded and administered a popular blog called Mukto-mona (Free Mind) which encouraged free thinking, humanism and rationalism.

PEN ACTION: [27 February 2015 statement](#)

ON TRIAL

*Shamsuzzoha MANIK:

PROFESSION: translator and publisher

DATE OF ARREST: 15 February 2016

DATE OF RELEASE: 31 October 2016

DETAILS OF ARREST: Manik was reportedly arrested after a religious extremist group known as Khelefah Andolon (Caliphate Movement) warned of violent protests over one of his books, which they deemed to be offensive. The police shut down Manik's stall at the Ekushey Book Fair before arresting him at his offices and seizing copies of the offensive title, along with his computer, USB drives and mobile telephone.

CURRENT PLACE OF DETENTION: Dhaka jail

DETAILS OF TRIAL: Manik was reportedly charged with hurting religious sentiments under Section 57 (2) of the 2013 Information and Communications Technology Act, which criminalises publishing or transmitting material that is 'fake and obscene', tends to deprave and corrupt persons' or causes to 'prejudice the image of the State'.

Manik was produced before a Dhaka court on 16 February 2016.

DETAILS OF RELEASE: Manik was reportedly released on bail on 31 October 2016. His case is now pending before the Cyber Tribunal.

BACKGROUND: Manik is the owner of the publishing firm Ba-dwip Prokashoni. The offending book, entitled Islam Bitorko (Islam Debate), is reported to include a controversial chapter on sex, entitled 'Muslim Manosher Jouna Bikriti' ('Sexual Perversion of the Muslim Mind'), which was deemed offensive. Manik is reported to be the book's translator and publisher. Two others are also reported to have been arrested. They are: Fakir Taslim Uddin Kajal, an employee at the publishing house, and Samsul Alam Chanchal, Manik's brother and a writer. PEN International is seeking further information on their situation to determine if they are also of concern to PEN.

Matiur RAHMAN:

PROFESSION: editor of Prothom Alo

DATE OF BIRTH: 2 January 1946

DETAILS OF TRIAL: According to reports, 55 cases of defamation and 'hurting religious sentiments' have been filed against Rahman, the newspaper itself and some of its journalists. Rahman has been granted bail in many of the cases.

BACKGROUND: The charges appear to stem from a cartoon published in 2007 in Alpin, a supplement of Prothom Alo, the highest circulated newspaper in Bangladesh. The cartoon culminated in a joke using the name of the Prophet Muhammad. A predominantly Muslim country, members of the public, as well as religious clerics objected to the cartoon, resulting in public protests and the detention of the cartoonist (see [previous Case List](#)). The charges also related to a series of articles which Prothom Alo ran on alleged irregularities in purchases by a local government office. The cases are thought to be part of a wider pattern of harassment of independent newspapers in Bangladesh, who provide critical coverage of the government in Bangladesh. Rahman reportedly continues to pursue an editorial policy of strengthening democracy and establishing fundamental human rights.

JUDICIAL CONCERN

***Shafik REHMAN:**

PROFESSION: writer, journalist and political activist

DATE OF BIRTH: 11 November 1934

DATE OF ARREST: 16 April 2016

DETAILS OF ARREST: Rehman was reportedly arrested without a warrant on 16 April 2016, when three plainclothes police officers of the Detective Branch gained entry to his home in Ershad by pretending to be journalists. According to news sources, Rehman was informed that his arrest was in connection with a criminal case, filed in 2015, of conspiracy to kidnap and murder Sajeeb Wazed Joy, the son of Prime Minister Sheikh Hasina. The case reportedly stemmed from statements made by Wazed, in which he claimed that a court case tried in the US was related to a Bangladesh Nationalist Party (BNP) plot to kidnap and kill him.

Rehman's name does not feature in either the General Diary or First Instance Report complaints, filed in April 2015 and August 2015 respectively, which discussed the alleged kidnap plot, according to reports.

DETAILS OF TRIAL: On 17 July 2016, the Supreme Court granted Rehman permission to appeal his detention. On 30 August 2016, the Supreme Court ruled that he should be granted a three-month bail and on 6 September 2016 he was released from Kashimpur Jail. The bail term was extended on 14 December 2016.

HEALTH CONCERNS: Rehman suffers from diabetes and high blood pressure, as well as hypertension, for which he is required to take medication. His health is reported to have deteriorated considerably over the course of his detention.

BACKGROUND: A dual British and Bangladeshi national, Rehman is an 81-year-old writer, editor and former speech-writer for former Prime Minister and BNP opposition leader, Khaleda Zia. A trained accountant, Rehman began his career as a journalist in the 1980s editing the weekly magazine Jai Jai Din, where he gained notoriety for his criticism of the government during General H M Ershad's caretaker government. The magazine was banned by the military regime, but later reopened, going on to become a daily newspaper in 2006. Rehman is also one of the original founders of [Spectrum Radio](#), based in north London. In 2015 he reportedly published his book, *Mrittudondo: Deshe Bideshe, Juge Juge*, a critique of the death penalty. Rehman is also a popular television show host. Rehman is now the editor of the popular Bengali monthly magazine Mouchake Dhil (roughly translating to Provoking the Beehive) while also serving as convener of the international affairs committee of the opposition BNP.

PEN POSITION: PEN International believes that Rehman has been targeted for his political activities and not for his writing and thus the organisation's concern focuses around his right to a fair trial and to his conditions of detention, including his access to medical treatment.

SENTENCED

Muhammad Ruhul Amin KHANDAKER:

PROFESSION: Jahangirnagar University teacher

SENTENCE: three years in prison and a fine of Bangladeshi Taka 10,000 (c. US\$ 125), failure to pay would reportedly increase his prison term by another six months.

DETAILS OF TRIAL: On 18 August 2011, the High Court asked Khandaker to explain within two weeks why he should not be prosecuted for his 'derogatory comment' made in a Facebook post, where he wished the Prime Minister's death. When he failed to respond, the court sentenced him in absentia to six months in prison for contempt of court and ordered police to start a sedition case against him. On 7 August 2015, a Dhaka court reportedly sentenced Khandaker in absentia to three years in prison for sedition.

OTHER INFORMATION: Khandaker has been in Australia since 2009 on study leave.

UPDATE: On 11 January 2016, Khandaker was reportedly fired by Jahangirnagar University alongside his Assistant Professor Mufti Mahmud. No further information as of 31 December 2016.

CAMBODIA

KILLED: MOTIVE UNKNOWN

*Kem LEY:

PROFESSION: scholar, researcher, writer, independent analyst and adviser to PEN Cambodia

DATE OF DEATH: 10 July 2016

DETAILS OF DEATH: Ley was reportedly shot dead at a service station on Phnom Penh's Monivong Boulevard. While the suspected gunman is reported to have claimed a dispute over money as the motive for the crime, others have regarded it as a political assassination.

BACKGROUND: Ley worked to promote freedom of expression in Cambodia. He was a well-known public figure; his research and findings were shared with the Cambodian general public through reports, short stories, radio talk-shows, television appearances, workshops, and conferences. He was also an adviser to PEN Cambodia, offering guidance and mentorship on action plans and project activities, and training young activists fighting for human rights. Ley had received many death threats and was harassed across multiple communication channels. His last comments on a report entitled [Hostile Takeover](#) by Global Witness (7 July 2016) about how 'Cambodia's ruling family are pulling the strings on the economy and amassing vast personal fortunes with extreme consequences for the population' have been publicly suspected as the main cause of Dr. Ley's assassination, although the government has denied this.

PEN ACTIONS: [PEN statement](#) – 1 August 2016 [**STOP PRESS:** On 23 March 2017, the Phnom Penh Municipal Court found Oeuth Ang, an ex-soldier who had reportedly [confessed](#) to the killing, guilty of Kem Ley's murder and sentenced him to life imprisonment. Prior to the half-day trial, little information was made publically available regarding the investigation. The authorities are reportedly investigating two others in connection with Ley's murder. Concerns remain regarding the quality of the investigation.]

SENTENCED

Yorm BOPHA (f):

PROFESSION: activist and protest songwriter

SENTENCE: three years in prison, reduced to two years on appeal.

DATE OF ARREST: 4 September 2012

DATE OF RELEASE: 22 November 2013

DETAILS OF ARREST: Bopha was arrested for allegedly planning an assault on two taxi drivers in August 2012. At the time of her arrest, she was actively involved in her community's struggle against forced evictions related to a land conflict at Boeung Kak Lake in Cambodia's capital Phnom Penh.

DETAILS OF RELEASE: On 22 November 2013, Bopha was released on bail by the Supreme Court, pending a re-hearing of her case by the Court of Appeal.

DETAILS OF TRIAL: On 27 December 2012, the Municipal Court in Phnom Penh convicted Bopha of ‘intentional violence with aggravating circumstances’, sentencing her to three years’ imprisonment. Concerns were reportedly raised surrounding the conduct of her trial; witness testimonies were inconsistent, sometimes conflicting with each other, and some witnesses admitted to being intoxicated when the alleged crime occurred. It is widely believed that Bopha is being persecuted for her activism protesting forced evictions in the Boeung Kak community. In late June 2013, the Court of Appeals upheld her conviction, although the sentence was reduced to two years. Bopha was released on bail in November 2013.

UPDATE: On 28 June 2016, the Court of Appeal reportedly found Bopha guilty of ‘intentional violence with aggravating circumstances’ following a re-trial. Bopha was given a three-year prison sentence, which will take into account the fourteen months she spent in prison, with the remainder of her sentence suspended. She was also ordered to pay the alleged victims 10 million riel (c. US\$ 2,500). The court sentencing occurred despite the prosecution’s failure to produce any credible evidence linking her to the alleged attack, according to media reports.

BACKGROUND: Bopha writes protest lyrics to popular song tunes which are then chanted at demonstrations. While in prison, she was reportedly chronicling her experiences in prison in a diary.

AWARDS: Recipient of the James Lawson Award 2014 from the International Center on Nonviolent Conflict at Tufts University

PEN ACTION: [Call to Action – 14 October 2013](#); [Call to Action Update #1](#) – 26 November 2013. Bopha was unable to attend a side event organised by PEN and ARTICLE 19 during the 18th Session of the Universal Periodic Review held in Geneva in February 2014 under which Cambodia was to be examined as she was unable to obtain a passport in time. She gave her testimony via video link.

CHINA

DEATH IN CUSTODY

HUUCHINHUU Govruud (aka Gao Yulian) (f):

PROFESSION: southern Mongolian dissident writer and activist

DATE OF BIRTH: 1955

DATE OF DEATH: 25 October 2016

DETAILS OF DEATH: Huuchinhuu died of cancer while under house arrest in one of her relatives’ residencies in Southern Mongolia’s Tongliao Municipality, according to news reports. Huuchinhuu had suffered from multiple chronic illnesses, including cerebral infection and near total loss of eyesight, and in 2016 she was diagnosed with both lung cancer and skin cancer. At the time of her death, she was deemed a possible threat to the national interest and state security of China and so was under house arrest.

CONDITIONS OF DETENTION: While under house arrest, Huuchinhuu's phone and internet lines were cut off and she had about 20 policemen guarding her every day. In early 2011, she was transferred to hospital due to a serious health condition. According to reports, she went missing whilst under police guard in hospital on 27 January 2011. It appears she was subject to an enforced disappearance for several months. In September 2011, the Southern Mongolian Human Rights Information Centre (SMHRIC) reported to receiving photos dated July 2011 in which Huuchinhuu appeared severely beaten. In January 2015, Huuchinhuu called for her release from house arrest, claiming that the authorities had frozen her bank accounts after she received money from her son abroad on suspicion that the money was destined for the prominent activist **Hada** (see [previous Case List](#)).

BACKGROUND: Huuchinhuu authored several books and a large number of essays on the ethnic problems and human rights issues of the Mongolian people. Two of her works, *Silent Stone* and *Stone-hearted Tree*, have been banned in China. She was also president of the banned Southern Mongolia Democratic Alliance. Throughout her life, Huuchinhuu was reportedly arrested, detained, beaten and harassed on multiple occasions. Most recently, in November 2010, she was arrested for her internet activism on behalf of the Mongol people, specifically for demanding the release of the then imprisoned Hada. In November 2012, she was reportedly tried in secret and found guilty by the Tongliao Municipality People's Court of 'providing state secrets to a foreign organisation' and 'leaking state secrets'. She was placed under house arrest.

AWARDS: Recipient of 2012 Hellman/Hammett Award.

ENFORCED DISAPPEARANCE

Gui Minhai: (Swedish national)

PROFESSION: writer, publisher and former Independent Chinese PEN Centre (ICPC) Board member

DATE OF BIRTH: 5 May 1964

DATE OF DISAPPEARANCE: mid-October 2015

DETAILS OF DISAPPEARANCE: Gui went missing while in Thailand, where he has a home. He is believed to have been abducted by Chinese officials and forcibly returned to China.

UPDATE: On 17 January 2016, Gui appeared in a televised 'confession' on state broadcaster CCTV, confirming suspicions that Gui was being held in mainland China. In the video, Gui reportedly claimed that he had voluntarily surrendered himself to the Chinese authorities over his supposed involvement in a fatal hit-and-run incident which took place in December 2003. Subsequent state media reports have said that Gui is now being investigated for other unspecified criminal activities. On 24 February 2016, Swedish diplomats in Beijing are reported to have visited Gui. However, in May 2016 Gui's daughter called on the international community to help her father, stating that she had no knowledge of his whereabouts nor of his legal status. Gui's daughter is campaigning and advocating on behalf of her father. She is increasingly fearful for her own safety; she was reportedly approached and photographed by three Chinese men while attending a book fair in Frankfurt, Germany, in November 2016. She also fears her email account has been hacked.

BACKGROUND: Gui's case is part of a string of incidents collectively known as the Causeway Bay Books Disappearances. Between October and December 2015, five employees of the publisher Mighty Current and its retail arm Causeway Book Store, of which Gui is one of three shareholders, disappeared. They are Causeway Book Store manager, **Lin Rongji** (see 'harassed' below); general manager **Lu Bo**; and staff member of the book store and publishing house, **Zhang Zhiping**, who are reported to have disappeared while travelling in mainland China in October 2015, as well as an editor at the publishing house, **Lee Bo**, who disappeared from Hong Kong on 30 December (see 'released' below). The Hong Kong-based Mighty Current has published and marketed books highly critical of mainland China. The titles are banned on the mainland, where the news media and the publishing industry are tightly controlled by the government. The publishing house was reportedly preparing to publish a book on the private life of China's President, Xi Jinping.

PEN ACTION: [12 November 2015 statement](#); [6 January 2016 statement](#); [Empty Chair at PEN's 82nd International Congress](#); [Day of the Imprisoned Writer 2016](#); [RAN 24/16 – 7 December 2016](#)

HUANG Zerong (pen name: Tie Liu):

PROFESSION: writer and journalist

DATE OF BIRTH: 20 May 1933

DATE OF DISAPPEARANCE: May 2016

DETAILS OF DISAPPEARANCE: According to the [Committee to Protect Journalists](#), Huang has been unreachable since 13 May 2016; police had reportedly taken him 'for tea'. His wife reports that she contacted the Chengdu police, Sichuan province, on 16 May and was told 'don't worry, he will be fine.' The police gave no further information. Huang had also been briefly detained between 28 March and 1 April on suspicion of 'picking quarrels and provoking trouble,' according to reports. As of 31 December 2016, Huang's whereabouts remain unknown.

BACKGROUND: Huang began his career in the 1950s as a journalist. He also wrote essays, short stories and poems. Huang served over 20 years in prison during the so called 'anti-rightist' campaign during the Mao regime. He has published a number of memoirs of dissidents who suffered repression under Mao's rule. On 25 February 2015, Huang received a suspended sentence of two-and-a-half years in jail, after pleading guilty to the charge of 'illegal business activity' in a court in Chengdu, Sichuan province. He was fined 30,000 yuan (c. US\$ 4,800) and released on bail the same day. Huang was prohibited from returning to Beijing, where he had lived for decades, and forced to stay in Chengdu. Huang's enforced disappearance is probably linked to one of his recent essays in which he criticised a member of the Communist Party who is the adviser on ideology and propaganda (see [previous Case List](#)).

HONORARY MEMBER: ICPC.

IMPRISONED: MAIN CASE

CHEN Shuqing:

PROFESSION: dissident writer, activist and member of ICPC

DATE OF BIRTH: 26 September 1965

SENTENCE: Ten-and-a-half years in prison

DATE OF ARREST: 11 September 2014

DETAILS OF ARREST: Reportedly arrested by Domestic Security officers from the Hangzhou Public Security Bureau, at his home in Hangzhou, for his online writings and dissident articles. On 17 October 2014, Chen was formally arrested.

DETAILS OF TRIAL: On 29 September 2015 Chen was tried before the Hangzhou Intermediate People's Court for 'incitement to subvert state power'. Over the course of the trial, the prosecution reportedly cited Chen's writings published overseas as evidence.

UPDATE: On 17 June 2016, Chen was sentenced to Ten-and-a-half years in prison by the Hangzhou Intermediate People's Court.

PLACE OF DETENTION: Hangzhou City Detention Centre.

BACKGROUND: Chen is a former PEN Main Case who served a four-year sentence for 'inciting subversion of state power' in connection with the China Democracy Party (CDP) and articles he wrote calling for democratic reform. He was released in September 2010 ([2010 Case List](#)). Chen was a participant in the 1986 and 1989 student movements, and graduated from Hangzhou University with a Master's Degree in Science in 1990.

AWARD: Recipient of Independent Chinese PEN Centre 2014 Liu Xiaobo Courage to Write Award.

HONORARY MEMBER: ICPC.

PEN ACTION: [Open petition to President Xi Jinping](#) – 8 December 2016

CHEN Wei:

PROFESSION: freelance writer and activist

DATE OF BIRTH: 21 February 1969

SENTENCE: nine years in prison and two years' deprivation of political rights.

EXPIRES: 2020

DATE OF ARREST: 21 February 2011

DETAILS OF ARREST: Chen was reportedly arrested on 21 February 2011 amidst a crackdown on human rights defenders and activists across the country. The crackdown was apparently in response to anonymous calls for pro-democracy protests known as the 'Jasmine Revolution' protests.

DETAILS OF TRIAL: Chen was formally charged on 28 March 2011, by the Public Security Bureau of Suining City, Sichuan Province, in connection with several essays published on overseas websites calling for freedom of speech and political reform. Chen was convicted on 23 December 2011, following a two-hour closed trial, of 'inciting subversion of state power' in relation to seven passages in four essays criticising the Chinese political system and praising the development of civil society.

CURRENT PLACE OF DETENTION: Jualing Prison, Nanchong City, Sichuan Province.
CONDITIONS OF DETENTION: Chen was granted his first family visit in January 2012 after being held for 11 months in prison.

BACKGROUND: During Chen's time as a student at Beijing University of Technology he was involved in the 1989 pro-democracy movement and as a result spent several months in prison. Chen was arrested again in 1992 and sentenced to five years' imprisonment on 'counter-revolutionary' offences for his involvement in the China Liberal Democracy Party. He is a signatory of Charter 08, a manifesto for democratic reform.

AWARD: Recipient of Independent Chinese PEN Centre 2011 Liu Xiaobo Courage to Write Award.

HONORARY MEMBER: ICPC

PEN ACTION: [RAN 66/11](#) – 26 December 2011.

CHEN Xi (also known as CHEN Youcai):

PROFESSION: freelance writer and prominent human rights activist

DATE OF BIRTH: 2 April 1954

SENTENCE: 10 years in prison and three years' deprivation of political rights.

EXPIRES: 2021

DATE OF ARREST: 29 November 2011

DETAILS OF ARREST: Chen is a member of the Guizhou Human Rights Forum, which was declared an 'illegal organisation' by the Guizhou authorities on 5 December 2011, prior to the UN Human Rights Day (10 December). Chen was detained in November 2011 after he announced his intention to run for the Guiyang City People's Congress Election as an independent candidate. At least 10 other members of the group were arrested but all were later released without charge.

CURRENT PLACE OF DETENTION: Xingyi Prison, Guizhou province

DETAILS OF TRIAL: On 26 December 2011, Chen was sentenced by a Guiyang court for 'inciting subversion of state power' at a trial which lasted less than three hours. According to the court verdict, his conviction is based on several quotations from over 30 of his articles published on overseas Chinese-language websites. He has decided not to appeal the verdict.

CONDITIONS IN DETENTION: In early February 2012, Chen's wife reported that she was allowed to visit him in prison and that he had serious frostbite in his fingers. Prison officers refused to accept the extra pieces of clothing she had brought for Chen. Following another visit in late December 2014, she reported that his health remains of concern and that his application for medical parole had been rejected. There are also reports that Chen has been ill-treated and held in solitary confinement on several occasions. According to reports, Chen has not been allowed to send or receive letters from family and friends, and has also been prohibited from making a three-minute phone call to his family each month, which is the usual allowance given to other inmates of the prison. Chen is currently allowed only a 20-minute visit from his family every month, for which they have to travel 400 km.

HEALTH CONCERNS: In January 2015, Chen reportedly told his wife that he received inadequate treatment for chronic diarrhoea.

BACKGROUND: Chen has already served a total of 13 years in prison on ‘counter-revolutionary’ offences for his peaceful activism, three years from 1989 to 1992 and 10 years from 1995 to 2005.

AWARDS: Recipient of 2014 Hellman/Hammett Award.

HONORARY MEMBER: ICPC.

PEN ACTION: [RAN 1/12](#) – 6 January 2012.

DONG Rubin (also known as Bianmin):

PROFESSION: writer, blogger and businessman

DATE OF BIRTH: 1962

SENTENCE: six-and-a-half years in prison

EXPIRES: 9 March 2020

DATE OF ARREST: 10 September 2013

DETAILS OF ARREST: Dong was initially arrested for allegedly posting false information on line for profit and disrupting public order, by officers of the Public Security Bureau of Wuhua District, Kunming City. Dong had previously posted critical comments against the Chinese authorities on issues including alleged corruption.

CURRENT PLACE OF DETENTION: Detention Centre of Wuhua District.

DETAILS OF TRIAL: On 23 July 2014 Dong was convicted of ‘illegal business operations’ and ‘fabricating and spreading online rumours for economic gain’ and sentenced to six-and-a-half years in prison. In the trial, the court referred to a [September 2013 proclamation](#) that rendered forms of online expression liable to prosecution. On 4 December 2014, the Intermediate People’s Court of Kunming City, Yunnan province, confirmed the verdict and rejected his appeal.

CONDITIONS IN DETENTION: Reportedly ill-treated for refusing to confess.

BACKGROUND INFORMATION: Before his arrest, Dong had predicted his detention citing the fact that strangers had raided his office in August 2013 and that they had taken three computers.

HONORARY MEMBER: ICPC.

GUO Quan:

PROFESSION: internet writer and activist

DATE OF BIRTH: 8 May 1968

SENTENCE: 10 years in prison and three years’ deprivation of political rights.

EXPIRES: 2018

DATE OF ARREST: 13 November 2008

DETAILS OF ARREST: Guo was reportedly arrested at his home in Nanjing, capital of Jiangsu province. At the time of his arrest, police confiscated articles and a computer belonging to Guo. He was held incommunicado at Nanjing City Public Security Bureau.

CURRENT PLACE OF DETENTION: Pukou Prison, Nanjing, Jiangsu Province.

DETAILS OF TRIAL: Guo was formally charged with ‘subversion of state power’ on 19 December 2008. On 16 October 2009, a court in Jiangsu province sentenced Guo to 10 years in prison and three years’ deprivation of political rights for his pro-democracy activities and critical writings. The charges are reported to relate to 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.

BACKGROUND: Guo is a former criminal-court judge and literature professor at Nanjing Normal University; however, due to his political activities he has been banned from teaching. Previously he has written several open letters to Chinese leaders and was frequently briefly detained by police, most recently in May 2008 when he spent 10 days in prison after criticising the government’s response to the 12 May 2008 Sichuan earthquake.

AWARDS: Recipient of the 2011 Hellman/Hammett Award.

HONORARY MEMBER: ICPC, Uyghur PEN and Guatemalan PEN.

PEN ACTION: 2 December 2008 - RAN 63/08; 2 November 2009 Update #1.

JIN Andi:

PROFESSION: freelance writer

DATE OF BIRTH: 23 May 1953

SENTENCE: eight years in prison and one year deprivation of political rights

EXPIRES: January 2019

DATE OF ARREST: 19 September 2010

DETAILS OF ARREST: According to reports, Jin was initially taken into custody on 19 September 2010. He was placed under residential surveillance before being formally arrested on 17 January 2011 and charged with ‘inciting subversion of state power’ in relation to articles critical of former Chairman of the Chinese Communist Party, Jiang Zemin, published between 2000 and 2010. These articles were primarily written by Lü Jiaping (see previous Case Lists). Jin allegedly assisted Lü with the writings; providing background information, revising drafts and disseminating the articles.

CURRENT PLACE OF DETENTION: [Xian Prison](#) in Shaanxi Province

DETAILS OF TRIAL: Jin was sentenced to eight years in prison on charges of ‘subversion of state power’ by the Beijing First Intermediate Court on 13 May 2011. Three articles were used as evidence to convict both Jin and Lü, in particular an article published in 2009, ‘Two Traitors Two Fakes’, discussing Jiang’s historical background.

LI Bifeng:

PROFESSION: activist, novelist and poet

DATE OF BIRTH: 3 March 1964

SENTENCE: 10 years in prison

EXPIRES: 7 September 2021

DATE OF ARREST: 8 September 2011

DETAILS OF ARREST: According to PEN's information, Li was arrested after being summoned for questioning by police in Mianyang city, Sichuan province.

CURRENT PLACE OF DETENTION: Jintang Prison, Qingjiang Town, Jintang County, Sichuan Province 610409

DETAILS OF TRIAL: On 19 November 2012, Li was convicted of alleged 'contract fraud' by the Shehong County People's Court, Sichuan Province, and he was handed down a 12-year prison sentence. On 25 June 2013, this was reduced to 10 years on appeal. Li is believed to be targeted for his peaceful political activism, in particular his links with exiled Chinese writer Liao Yiwu, who fled China two months before Li's arrest.

BACKGROUND: Li is a prolific poet and novelist as well as a well-known dissident. He served a five-year sentence for taking part in the 1989 pro-democracy movement, followed by a seven-year jail term from 1998 to 2005 for reporting on a workers' protest that took place in the Sichuan city of Mianyang in 1998. While in prison, Li produced poetry and kept a diary and some of his work can be found [here](#). Li's case exemplifies the vague legal wording of 'economic crimes'; this is often exploited in order to suppress political dissent in China.

AWARDS: Recipient of the 2014 Hellman/Hammett Award.

HONORARY MEMBER: German PEN and ICPC.

PEN ACTION: [RAN 31/12](#) – 30 June 2012; [Update #1 RAN 31/12](#) – 23 November 2012

LI Tie:

PROFESSION: human rights activist and dissident writer

DATE OF BIRTH: March 1962

SENTENCE: 10 years in prison and three years' deprivation of political rights.

EXPIRY: 2020

DATE OF ARREST: 15 September 2010

DETAILS OF ARREST: Li was arrested by the Wuhan City Public Security Bureau.

CURRENT PLACE OF DETENTION: In February 2012 Li was transferred to Huangzhou Prison, Huanggang City, Tuanfeng County, Hubei Province.

DETAILS OF TRIAL: Li was initially arrested on suspicion of 'inciting subversion of state power' for his critical articles. The charge was changed to the more serious 'subversion of state power' on 22 October 2010. He was sentenced to 10 years in prison by the Wuhan Intermediate People's Court on 18 January 2012. The evidence against him included membership of the banned political group, the China Social Democracy Party, and a series of critical online essays and writings, in particular an article entitled 'Human Beings: Heaven Is Human Dignity.' According to reports, his trial was not conducted in accordance with due process or international fair trial standards, and Li was prevented from appealing the verdict. At a hearing on 18 April 2011, his lawyer was rejected by the court and two court-appointed lawyers were assigned.

HEALTH CONCERNS: Li's health is reported to have deteriorated over the course of his imprisonment.

OTHER INFORMATION: Li has written many online articles promoting democracy, constitutional government, and direct local elections. He has also organised activities to honour the memory of the prominent dissident Lin Zhao; Zhao's criticisms of the Communist Party of China, beginning during her studies at Beijing University, led to her imprisonment in the 1950s and subsequent execution by the government in 1968. Li is also a signatory of Charter 08.

HONORARY MEMBER: ICPC.

PEN ACTION: [RAN 07/12](#) – 1 February 2012

LIU Xianbin:

PROFESSION: dissident writer and activist

DATE OF BIRTH: 25 August 1968

SENTENCE: 10 years in prison and four months' deprivation of political rights.

EXPIRES: 7 June 2020

DATE OF ARREST: 28 June 2010

DETAILS OF ARREST: According to reports, 14 police officers from the Suining City Public Security Bureau (PSB) arrived at Liu's home on 28 June 2010. Liu was taken to the PSB station for police interrogation and a search of his residence was carried out. Hard drives, USB devices, Liu's bank card, and six notices from his editors regarding remuneration for several articles he published on overseas web sites were reportedly confiscated following the search.

CURRENT PLACE OF DETENTION: Chuanzhong Prison, Nanchong City, Sichuan Province.

DETAILS OF TRIAL: Liu was formally arrested on 5 July 2010 and he was sentenced on 25 March 2011 by the Suining Intermediate People's Court. He was convicted of 'inciting subversion of state power', a charge relating to a series of articles which he wrote calling for political reform that were published in overseas Chinese-language websites from August 2009 to June 2010. Liu's trial reportedly did not comply with international fair trial standards.

CONDITIONS IN DETENTION: According to reports, Liu has been forced to carry out daily labour lasting 13 hours.

BACKGROUND: 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.

AWARD: Recipient of the 2011 Hellman/Hammett Award and the ICPC 2010 Liu Xiaobo Courage to Write Award.

HONORARY MEMBER: ICPC.

LIU Xiaobo:

PROFESSION: prominent dissident writer, former President and Board member of the Independent Chinese PEN Centre and 2010 Nobel Peace Laureate.

DATE OF BIRTH: 28 December 1955

SENTENCE: 11 years in prison and two years' deprivation of political rights.

EXPIRES: 21 June 2020

DATE OF ARREST: 8 December 2008

DETAILS OF ARREST: Liu was arrested for signing Charter 08, a declaration calling for political reforms and human rights. He was held under Residential Surveillance, a form of pre-trial detention, at an undisclosed location in Beijing, until he was formally charged with ‘inciting subversion of state power’ on 23 June 2009. The charge is said to be based on his endorsement of Charter 08 and over twenty articles published between 2001 and 2008.

CURRENT PLACE OF DETENTION: Jinzhou Prison, Nanshan Road 86, Taihe District, 121013 Jinzhou City, Liaoning Province.

DETAILS OF TRIAL: On 25 December 2009 Liu was sentenced to 11 years in prison and two years’ deprivation of political rights on charges of ‘incitement to subversion of state power.’ On 11 February 2010, a Beijing Court rejected his appeal. According to reports, Liu and his legal team filed an appeal against his conviction in November 2013. The extraordinary appeal seeks a retrial based on flaws in the original trial procedure, or new evidence which has come to light. According to news reports, Liu was subsequently refused permission to receive visits from his legal team. And as of 31 December 2016, prison authorities continue to deny Liu access to his legal team.

CONDITIONS OF DETENTION: Liu was reportedly granted a visit with his wife during the 2014 Chinese New Year period and with his brothers in August 2015.

BACKGROUND: Liu is among a large number of dissidents who were detained or harassed after issuing an open letter in 2008 calling on the National People’s Congress Standing Committee to ratify the International Covenant on Civil and Political Rights (ICCPR), and launching Charter 08, a declaration calling for political reforms and human rights. These activities formed part of campaigns across China to commemorate the 60th Anniversary of the Universal Declaration of Human Rights (10 December 2008), and the Charter was signed by more than 8000 scholars, journalists, freelance writers and activists.

OTHER INFORMATION: Liu 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. Prior to his current detention, Liu had 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.

AWARDS: Recipient of the 1990 and 1999 Hellman-Hammett Grant; People in Need (Czech) 2009 Homo Homini Award; PEN America Centre 2009 Freedom to Write Award; 2010 Giuseppe Motta Medal; German PEN 2010 Hermann Kesten Medal; HRW 2010 Alison Des Forges Award; 2010 Nobel Peace Prize; PEN Canada 2012 One Humanity Award; and National Endowment for Democracy 2014 Democracy Award. His wife, Liu Xia (see ‘Detained: Main Case’ below), was unable to travel to Norway in 2010 to receive the Nobel Prize on his behalf and remains under house arrest. Many of his supporters have been arrested or harassed since this prize was announced. The ICPC has asked for an empty chair to be on stage at the 2016 Nobel Peace Prize Ceremony; a gesture to remind the world of Liu’s ongoing political persecution, a request that was granted.

HONORARY MEMBER: Honorary President of ICPC, and Honorary Member of PEN American Center and Canadian, Czech, English, German, Iceland, Portuguese, Scottish, Sydney and Swiss-Italian PEN Centres.

PEN ACTION: [Open petition to President Xi Jinping](#) – 8 December 2016

LÜ Gengsong:

PROFESSION: dissident writer and activist, member of ICPC

DATE OF BIRTH: 7 January 1956

SENTENCE: 11 years in prison and five years' deprivation of political rights

DATE OF ARREST: 8 July 2014

DETAILS OF ARREST: Lü was arrested from his home in Hangzhou, after c. imately 20 policemen raided his house. Lü had recently posted online comments about alleged corrupt officials, as well as cases of petitioners in Jiangsu province.

CURRENT PLACE OF DETENTION: Detention Center of Hangzhou City, Zhejiang Province

DETAILS OF TRIAL: On 29 September 2015, Lü was tried before the Hangzhou Intermediate People's Court for 'incitement to subvert state power'. At Lü's trial, prosecutors reportedly cited articles published by Lü overseas, as well as his attendance at a meeting with other activists.

UPDATE: On 17 June 2016, the Intermediate People's Court sentenced Lü to 11 years in prison.

HEALTH CONCERNS: Lü's wife told [Radio Free Asia](#) that he suffers from high blood pressure and diabetes.

BACKGROUND: Lü is an ICPC member and former PEN Main Case who has published several books on political reform, including *A History of Chinese Community Party Corrupt Officials* in 2000. Lü 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). In November 2013, he was briefly arrested under similar charges, but was released. Previously, he served a four-year prison sentence for "incitement to subvert state power". He was released in August 2011 (see [previous Case List](#)).

LU Jianhua (pen name: Wen Yu):

PROFESSION: writer and academic

DATE OF BIRTH: 3 July 1960

SENTENCE: 20 years in prison

EXPIRES: April 2025

DATE OF ARREST: April 2005

CURRENT PLACE OF DETENTION: Yancheng Prison, Sanhe City, Hebei Province

DETAILS OF TRIAL: According to reports, Lu was arrested in April 2005 on the suspicion of 'leaking state secrets'. On 18 December 2006, he was sentenced to 20 years in prison. This conviction reportedly relates to research articles which Lu sent to a Hong Kong reporter Ching Cheong who is alleged to have subsequently sent these articles to a Taiwan-based foundation. Cheong was sentenced to five years in prison for spying and was a main case of PEN International (see previous Case Lists). Human rights groups questioned the evidence used in both cases; and reportedly found it especially concerning that Lu's trial was held in secret and reportedly only lasted for 90 minutes.

CONDITIONS IN DETENTION: Lu is reportedly being held incommunicado. His wife is not allowed access to him.

BACKGROUND: Lu is a prominent sociologist: he was a research professor at the Chinese Academy of Social Sciences, Deputy Director of Public Policy Research and Executive Director of the China Development Strategy. Lu has authored several books examining Chinese society and latterly produced much research focusing on official corruption.

HONORARY MEMBER: ICPC.

YANG Maodong (aka Guo Feixiong):

PROFESSION: dissident writer, independent publisher and civil rights activist

DATE OF BIRTH: 2 August 1966

SENTENCE: six years in prison

EXPIRES: August 2019

DATE OF ARREST: 8 August 2013

DETAILS OF ARREST: Yang's arrest followed his involvement in anti-censorship and anti-corruption protests and he was held without charge for more than four months without access to his lawyer until 14 November 2013. According to his lawyer, Yang was denied bail due to accusations that he had destroyed evidence and interfered with witnesses – a supposition which his lawyer denies.

CURRENT PLACE OF DETENTION: Guangdong's Yingde Prison

DETAILS OF TRIAL: On 31 December 2013, it was reported that Yang had been formally charged with 'incitement to disturb public order'. His trial on 28 November 2014 reportedly lasted nearly 18 hours, during which the defendants were denied food, and ended without verdicts for the defendants. On 27 November 2015, Yang was sentenced to six years in prison by the Guangzhou Municipal Tianhe District People's Court on charges of 'gathering crowds to disrupt order in public places' and 'picking quarrels and provoking troubles'. On 4 December 2015, Yang made an appeal to the Guangzhou Municipal Tianhe District People's Court challenging the validity of the ruling and requesting a re-trial. Among the arguments made were: the extraction of witness testimony under torture and beating, and failing to prove that he disrupted order in public spaces on the date of his protest activities in January 2013.

UPDATE: On 16 January 2016, [reports](#) indicated that Yang's appeal was rejected and his conviction and six-year sentence upheld. Yang is reported to have refused to sign a new appeal after prison authorities requested that he delete part of his statement.

CONDITIONS OF DETENTION: Yang is reportedly denied outdoor breaks and kept in a cell with more than 30 other inmates. In June 2015 Yang reportedly filed a complaint against the Tianhe Detention Center in Guangzhou, where he was then detained, for subjecting detainees to daily strip searches. He previously demanded state compensation for the ill-treatment he received from bailiffs of the Guangzhou Municipal Tianhe District People's Court when they escorted him to a pre-trial hearing and two court hearings. Guo stated that during those walks, his head was covered in a black hood, his wrists were handcuffed behind his back, and his feet were shackled. He stated that he sustained various injuries from the tight handcuffing and foot shackling. Yang has reportedly been moved to Guandong's Yingde prison after he requested to be transferred. Yang reportedly began a hunger strike on 2 May 2016 in protest at being submitted to a forced rectal cavity search at the instigation of state security police, as well as forced head shaving and verbal abuse from prison guards.

Yang reportedly hoped to achieve improved treatment of political prisoners, especially ending the use of electric shocks in prison. During Yang's protest, his health condition reportedly significantly deteriorated. According to reports, 400 rights activists conducted a relay hunger strike across China in support of Yang. On 18 August 2016, Yang ended his hunger strike; it remains unclear whether his demands were met. Following his transfer to the hospital of Guangdong Yingde Prison, his sister, a physician, was reportedly denied permission to visit him.

HEALTH CONCERNS: There are considerable concerns for Yang's health; he reportedly lost one-third of his body weight over the course of his hunger strike and now has gastrointestinal complications.

BACKGROUND: Yang has previously been detained, and was released on 13 September 2011 on completion of a five-year prison sentence for 'illegal business activity', although it is believed that he was targeted for his critical writings and civil rights activism. He reported that he was severely ill-treated and tortured during this five-year detention. He was a Main Case of PEN International during his imprisonment.

AWARDS: 2015 Front Line Defenders Award for Human Rights Defenders at Risk

HONORARY MEMBER: ICPC.

YANG Tongyan (also known as Yang Tianshui):

PROFESSION: dissident writer and member of ICPC

DATE OF BIRTH: 12 April 1961

SENTENCE: 12 years in prison and four years' deprivation of political rights

EXPIRES: 2017

DATE OF ARREST: 23 December 2005

DETAILS OF ARREST: According to reports, Yang was detained without a warrant on 23 December 2005 in Nanjing and held incommunicado at Dantu Detention Centre in Zhenjiang, in eastern China's Jiangsu Province, with no access to his family until his May 2006 trial.

CURRENT PLACE OF DETENTION: Nanjing Prison, Ningshuang Road 9, Box 1215-12, Nanjing City, Jiangsu Province.

DETAILS OF TRIAL: Convicted of 'subversion' for posting anti-government articles on the internet, organising branches of the outlawed China Democracy Party, participating in China's Velvet Action Movement and being elected as a member of its 'Interim Government of Democratic China,' and accepting illegal funds from overseas to transfer to jailed political dissidents and their families. Yang was sentenced by the Zhenjiang intermediate court in Jiangsu Province at a three-hour trial on 16 May 2006.

HEALTH CONCERNS: Yang suffers from a number of illnesses including intestinal tuberculosis, diabetes, kidney inflammation and high blood pressure. However, his appeal for medical parole was rejected in 2010. According to Amnesty International, relatives who visited Yang in prison in September 2013 said that while he continued to suffer from chronic diseases, his health had seemed to be improving.

BACKGROUND: Yang is known for his critical writings published on dissident news websites such as Boxun.com and Epoch Times. He spent a decade in prison from 1990 to 2000 on 'counter-revolution' charges for his involvement in the 1989 pro-democracy protests.

He was also previously held incommunicado from 24 December 2004 to 25 January 2005.

AWARDS: Recipient of Independent Chinese PEN Centre's 2006 Writer in Prison Award; and the 2008 PEN/Barbara Goldsmith Freedom to Write Award.

HONORARY MEMBER: PEN Canada, Italian PEN, and PEN American Center.

PEN ACTION: [Open petition to President Xi Jinping](#) – 8 December 2016

YAO Wentian (also known as Yiy Mantin):

PROFESSION: publisher and former chief editor of the Hong Kong-based Morning Bell Press

DATE OF BIRTH: 11 July 1941

SENTENCE: 10 years' imprisonment

EXPIRES: 2023

DATE OF ARREST: 27 October 2013

DETAILS OF ARREST: Yao was reportedly arrested at a friend's house in Shenzhen whilst he was delivering industrial paint. Initially accused of 'carrying prohibited items' he was later charged with the more serious offence of 'smuggling ordinary items' for 70 alleged deliveries of paint since 2010. While the paint itself is legal, there is an import duty required for industrial usage of which Yao was reportedly unaware. Friends and associates believe he was set up.

CURRENT PLACE OF DETENTION: Dongguan Prison, 523299 Dongguan, Guangdong Province.

DETAILS OF TRIAL: Yao was convicted of 'smuggling prohibited items' on 7 May 2014 and sentenced to 10 years in prison by the Shenzhen Intermediate People's Court. On 18 July 2014, his appeal was rejected.

HEALTH CONCERNS: Yao suffers from asthma and a heart complaint; and according to the International Publishers Association, Yao has repeatedly fainted during his time in custody due to his heart disease. Applications for medical parole were rejected.

BACKGROUND: According to Yao's son, Yao had previously been harassed for his collaboration with dissident writer Yu Jie and his publication of Hu Jintao: Harmony King, a critique of the former president's concept of 'harmonious society'. He reported that his Gmail account was hacked while he was preparing to print the book. Since 2007, Yao has worked closely with dissident writers, including many members of the ICPC, to publish books which have been banned in mainland China. His publications include an ICPC Membership Literature Series, of which more than a dozen volumes have been published. More of his publications can be found at <http://morningbellpress.blogspot.se/>. His current arrest is thought to be connected to his latest collaboration with Yu Jie, as he was preparing to publish the book Chinese Godfather Xi Jinping.

HONORARY MEMBER: Danish PEN and ICPC.

PEN ACTION: [RAN 02/14](#) – 28 January 2014; [RAN 02/14 Update #1](#) – 12 May 2014

ZHU Yufu:

PROFESSION: dissident poet and member of the ICPC.

DATE OF BIRTH: 13 April 1953

SENTENCE: seven years in prison and three years' deprivation of political rights.

EXPIRY: 2018

DATE OF ARREST: 5 March 2011

DETAILS OF ARREST: Reportedly arrested on 5 March 2011 and charged on 10 April 2011 by the Public Security Bureau of Hangzhou City, Zhejiang Province for his critical writings, in particular his poem '[It's Time](#)'. The poem appears to have drawn the authorities' attention due to its release at the time of a series of pro-democracy protests, known as the Chinese Jasmine Revolution.

CURRENT PLACE OF DETENTION: Zhejiang Provincial No.4 Prison, P.O. Box 50, Hangzhou City 311100, Zhejiang Province

DETAILS OF TRIAL: On 10 February 2012, a court in Hangzhou sentenced Zhu to seven years in prison for 'inciting subversion of state power'. Zhu's wife and son were present at the hearing. On 7 May 2012, his appeal was reportedly [rejected](#).

CONDITIONS IN DETENTION: Zhu has been denied access to books and letters from his family.

HEALTH CONCERNS: In November 2012, Zhu was reported to be in very poor health and that he was being denied adequate health care, food and medication. In October 2013, prison authorities refused to allow a US doctor to visit him. According to reports, his family has repeatedly requested medical parole since his arrest without success. He reportedly suffers from life-threatening conditions; including heart disease, cerebral vascular sclerosis and hypertension. Family members are increasingly concerned about his health, especially his psychological welfare.

BACKGROUND: Zhu previously spent seven years in prison for subversion after being convicted in 1999 for helping to found the banned opposition group, the China Democracy Party. In 2007, a year after his release, he was detained and sentenced to a further two years in prison after allegedly pushing a police officer while being arrested.

AWARDS: Recipient of the 2011 Hellman/Hammett Award.

PEN ACTION: [RAN 05/12](#) – 25 January 2012; [RAN 05/12 Update #1](#) – 14 February 2012; [Open petition to President Xi Jinping](#) – 8 December 2016

DETAINED: MAIN CASE

LIU Xia (f):

PROFESSION: poet and artist, founding member of ICPC.

DATE OF BIRTH: 1 April 1959

DATE OF ARREST: October 2010

DETAILS OF ARREST: Liu has been held under unofficial house arrest in her Beijing apartment since October 2010. Liu's house arrest is thought to be punishment for the human rights work carried out by her husband, imprisoned poet and Nobel Laureate **Liu Xiaobo** (see 'imprisoned: Main Case' above).

According to reports, the restrictions imposed on her have markedly increased since 2013; especially in relation to her contact with fellow rights activists, foreign diplomats or journalists. Liu was reportedly permitted to visit her husband in Jinzhou Prison during the 2014 Chinese New Year period.

HEALTH CONCERNS: Liu is said to be suffering from severe depression. She is not allowed to see the doctor of her choice and has refused a police-appointed doctor as she fears being interned in a psychiatric hospital. According to reports, Liu was briefly hospitalised for a heart attack in January 2014 and was later turned away from the hospital after she returned for a scheduled observation. She reportedly sought permission to leave China to seek medical help abroad following the incident, however, the request was denied. She has since been allowed back to the hospital. No further information as of 31 December 2016.

OTHER INFORMATION: On 14 February 2014, supporters of Liu Xia and her husband gathered in a shopping district of Hong Kong to shave their heads. In March 2015, the [Special Rapporteur](#) on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment concluded that the Chinese government had violated Liu's rights under the UN Convention Against Torture by denying her access to medical treatment. The UN Working Group on Arbitrary Detention in [Opinion No. 16/2011](#) found her detention to be arbitrary under international law and called on the government to immediately release and adequately compensate her.

HONORARY MEMBER: Member of ICPC; Honorary Member of PEN American Center, Danish, English, Portuguese and Swiss-Italian PEN Centres.

PEN ACTIONS: Mentioned in PEN's 2013 report [Creativity and Constraint in Today's China](#), Press statements [22 October 2013](#), [6 December 2013](#), [8 December 2014](#), [8 December 2015](#) [World Poetry Day 2014](#); [International Women's Day 2014](#), World Poetry Day 2015, Liu Xia Solidarity Campaign, [World Poetry Day 2016](#); [Open petition to President Xi Jinping](#) – 8 December 2016

BRIEF DETENTION

*TIAN You:

PROFESSION: writer

DATE OF DETENTION: 8 April 2016

DATE OF RELEASE: 13 April 2016

DETAILS OF DETENTION: Tian was reportedly held at Shenzhen Longgang district police department on a five-day administrative detention order in connection with his writing. He was reportedly prevented from seeing his lawyer during his detention.

BACKGROUND: According to news reports, Tian was accused of writing an unfavourable comparison of the President's wife with a Zhou dynasty empress. Tian is reportedly the author of several novels including *Underground*, *Overground: Men Compete for Power, Sex and Money*, *The Unfortunate Man*, and *The Rules*.

*Tsering WOESER (f) and WANG Lixiong:

PROFESSION: Respectively, Tibetan poet and author and dissident writer

DATE OF DETENTION: 25 April 2016

DATE OF RELEASE: 29 April 2016

DETAILS OF DETENTION: Woesser and Wang – husband and wife – were placed under house arrest, reportedly due to a visit to Beijing by a delegation from the American Himalayan Foundation, an NGO based in the United States of America.

BACKGROUND: Wang is known for his critical views of the Chinese authorities' treatment of minorities. And Woesser has used her blog 'Invisible Tibet', together with poetry, research and social media platforms to give voice to ethnic Tibetans. Wang was arrested in 1999, spending 42 days in prison. He has since been placed under house arrest several times; including alongside his wife Woesser in July 2014 during the US Secretary of State John Kerry's visit to China. On 16 December 2015, he was barred from traveling to Japan, reportedly due to concerns that his visit would 'damage national security.' The Japanese translation of his 1991 novel Yellow Peril, about an apocalyptic civil war in China, went on sale in Japan in November 2015.

PEN ACTION: [RAN 15/15](#) – 23 December 2015

*ZHAO Changqing:

PROFESSION: freelance writer, political essayist and member of ICPC.

DATE OF BIRTH: 6 April 1969

DATE OF DETENTION: 1 June 2016

DATE OF RELEASE: 7 July 2016

DETAILS OF DETENTION: Zhao was reportedly detained, alongside three other civil rights activists, following a private prayer session to mark the anniversary of the 1989 military crackdown on the Tiananmen Square democracy protests. The government bans public commemoration of this incident and Zhao's detention came at a time of tight security prior to the 4 June anniversary. He was reportedly held in Fengtai Detention Centre, before being released in mid-July. He is reported to remain under heavy surveillance. According to media reports, his wife and son moved to Bangkok, Thailand, in May due to fear of kidnap and subsequently sought asylum in the US, arriving in July 2016.

BACKGROUND: Zhao has previously been detained three times for his dissident activities and writings. He has served a total of 10-and-a-half years in prison for 'inciting subversion of state power' since 1998. His most recent prison term related to his April 2013 arrest where he was charged with disrupting social order in connection with his activities with the New Citizens' Movement, a grassroots network of activists in China. On 18 April 2014, he was reportedly convicted of disrupting social order and sentenced to two-and-a-half years in prison. On 27 June 2014, his appeal was rejected. Zhao was released on 16 October 2015 (see [previous Case Lists](#)).

PEN ACTION: Mentioned in [RAN 02/14 Update #1](#)

HARASSED

*FAN Yanqiong (f):

PROFESSION: writer, human rights activist and member of ICPC

DATE OF HARASSMENT: 6 and 7 May 2016

DETAILS OF HARASSMENT: Fan was reportedly detained for more than an hour by passport control officials at the Guangzhou Railway Station. Fan had sought to travel by train to Hong Kong, in order to make her way onward to attend the 84th Bled Conference, hosted by the Slovene PEN Centre, where meetings of PEN International's Writers for Peace Committee and [Women Writers' Committee](#) were due to be held. Instead of permitting her to leave mainland China, Fan's passport was confiscated and she was taken to a hotel in Shenzhen, where she was kept under police guard. The following day, Fan was detained for an hour at a border checkpoint in Shenzhen. According to information supplied to PEN, she was informed by the police that she is not allowed to leave China due to national security concerns. She was returned to her home where she remains under close surveillance. No further information as of 31 December 2016.

BACKGROUND: Fan began publishing articles in 1978, and was admitted to the Nanping Literature and Art Association in 1980. After her mother's home was forcibly demolished in 1985, she began 25 years of advocacy on behalf of petitioners' legal rights. A staunch critic of the Chinese authorities and a campaigner for social justice, Fan has long been the subject of surveillance and targeted harassment. In 2009, she was sentenced to charges of criminal libel in connection with an article she published online. She was granted medical parole in August 2010 (see [2010 Case List](#)).

AWARDS: Hellman/Hammett Grant 2011; 24th Award for Advancement of Democracy (2009), awarded by the Chinese Democracy Education Foundation for her work exposing corruption.

LIN Rongji (also written: Lam Wing Kee)

PROFESSION: Causeway Book Store manager

DATE OF THREAT: June 2016

DETAILS OF THREAT: Following a disappearance stretching eight months, from October 2015 to June 2016, Lin returned home to Hong Kong on 14 June. At a news conference on 16 June 2016, Lin accused Chinese security agents of abducting him, blindfolding and handcuffing him, and taking him to the eastern city of Ningbo. He claimed that he had been isolated for five months and that he had been interrogated at least 30 times, without access to a lawyer. He also revealed that a February 2016 televised 'confession' had been scripted and coerced. One of the conditions of his return to Hong Kong was to maintain a low profile, according to media reports; in July 2016 Chinese police reportedly claimed that Lin was in breach of his bail terms and threatened further action if he did not return to the mainland. However, the Hong Kong authorities stated that Lin would not be sent back to the mainland as there was a lack of legal jurisdiction. Lin has reportedly reluctantly accepted a police offer for protection due to concerns for his safety.

BACKGROUND: Lin's case is part of a string of incidents collectively known as the Causeway Bay Books disappearances; including the cases of **Gui Minhai** (see 'enforced disappearance' above) and **Lu Bo, Zhang Zhiping and Lee Bo** (see 'released' below). **[STOP PRESS:** In February 2017, Lin carried out an [interview](#) in which he further detailed his security arrangements and restrictions imposed on his movements].

***YANG Jisheng:**

PROFESSION: retired journalist and author

DATE OF HARASSMENT: February 2016

DETAILS OF HARASSMENT: According to news reports, Yang was banned from travelling to the United States of America to accept an award for his work. Yang's former employer, the state-run news agency Xinhua News, reportedly forbade him from making the trip.

BACKGROUND: Yang intended to travel to an award ceremony at Harvard University to accept the 2016 Louis M Lyons Award. Yang was selected for this award in recognition for his 2008 book *Tombstone: the Great Chinese Famine, 1958-1962*, in which he estimates that there were some 36 million famine deaths. According to a January 2017 [New York Times](#) report, the authorities warned Yang against publishing his book *The World Turned Upside Down* which provides a history of the Cultural Revolution and is a sequel to *Tombstone*. The authorities were reported to be against the book being published in 2016 in particular as it marked the 50th anniversary of the beginning of the Cultural Revolution. Yang has since published the book in Hong Kong and copies reportedly began appearing there in December 2016.

PU Zhiqiang:

PROFESSION: writer and human rights lawyer

DATE OF BIRTH: 17 January 1965

SENTENCE: three years' suspended

DATE OF ARREST: 4 May 2014

DATE OF RELEASE: 22 December 2015

DETAILS OF ARREST: A number of participants at a 3 May 2014 gathering were reportedly taken in for questioning by police. Most were released after interrogation, however, Pu was detained along with **Hu Shigen, Hao Jian, Xu Youyu** and **Liu Di** (see [previous Case List](#)). On 13 June 2014, he was formally charged with 'causing a disturbance' and 'illegal access to citizens' personal information' for allegedly providing media with materials of investigations about corruption. In November 2014, police reportedly extended the charges against Pu to inciting to split the country and inciting ethnic hatred, reportedly based on 28 of his critical comments on Weibo, China's version of Twitter.

DETAILS OF TRIAL: On 15 May 2015, Pu's lawyers stated that he would stand trial in Beijing on the charges of 'inciting ethnic hatred' and 'picking quarrels'. He was detained in Beijing No 1 Detention Centre until his eventual December 2015 trial date. Pu's trial was held between 14-15 December. He was handed down a three-year suspended sentence on 22 December 2015. He was subsequently released and placed under residential surveillance, according to Independent Chinese PEN Centre.

UPDATE: On 13 April 2016, the Beijing municipal Bureau of Justice announced its decision to strip Pu's licence to practise law, citing his 2014 arrest and subsequent conviction as the reason.

HEALTH CONCERNS: Pu suffers from diabetes, high blood pressure, high cholesterol and prostatitis. His lawyer's applications for release on medical grounds were all rejected. On 15 August 2015 Pu was taken to a hospital due to a shortness of breath, but was returned to the prison the same day.

BACKGROUND: On 3 May 2014, at least 15 people – writers, scholars and activists – gathered at a private residence in Beijing to commemorate the 25th anniversary of the crackdown on 4th June 1989 pro-democracy protests, which reportedly resulted in the deaths of an estimated 2,000 unarmed individuals at the hands of Chinese troops in cities across the country. The group released a statement after the meeting calling on the Chinese government to launch an official investigation into the events in 1989 and to compensate the victims.

AWARDS: Independent Chinese PEN Centre's 2015 Liu Xiaobo Courage to Write Award

HONORARY MEMBER: ICPC.

PEN ACTION: Press statement [7 May 2014](#)

RELEASED

FU Zhibin:

PROFESSION: writer and filmmaker

SENTENCE: one year and 10 months in prison and a fine of 150,000 yuan (c. US\$23,500)

DATE OF ARREST: 9 September 2014

DATE OF RELEASE: 9 July 2016 on expiry of his sentence.

DETAILS OF TRIAL: Convicted in December 2015 on charges of 'running an illegal business' for publishing his book, A History of Brainwashing in Taiwan and then selling more than 1,000 copies in mainland China.

BACKGROUND: Fu is an outspoken author and he is reported to be very active on the internet, where he openly criticises the Communist Party. In his book A History of Brainwashing, Fu describes the Chinese Communist Party as having seized power with backing from the Soviet Union, and as having brainwashed and controlled the thoughts of Chinese citizens through 'red terror'. The authorities deemed this to be 'slander', according to ICPC. He has also made films about Tibetan Buddhism.

HONORARY MEMBER: ICPC.

LEE Bo (also known as Paul Lee): (also a British citizen)

PROFESSION: editor at Mighty Current publishing house

DATE OF DISAPPEARANCE: 30 December 2015

DETAILS OF DISAPPEARANCE: Lee reportedly disappeared from Hong Kong on 30 December 2015. According to local news reports, he was last seen at his company's warehouse and did not have his travel permit for mainland China with him. Lee was the fifth person associated with Mighty Current to have disappeared since October 2015.

UPDATE: According to 5 January 2016 reports, Lee's wife retracted a missing persons' report after receiving a letter from him in which he reports that he went to mainland China in order to work with 'concerned parties'. According to 16 January 2016 reports, the Hong Kong police received confirmation from Guangdong province's public security department that Lee was in mainland China. The Hong Kong police reportedly met with Lee on 29 February 2016. This followed an intervention by Interpol and the British Foreign Secretary, who said that British intelligence had showed that Lee had been involuntarily removed from Hong Kong. Lee's departure did not feature on official records.

DETAILS OF RELEASE: On 24 March 2016, Lee returned to Hong Kong. Authorities issued a statement saying Lee had travelled to Mainland China voluntarily and had not been detained.

PEN ACTION: [12 November 2015 statement](#)

LU Bo (also written: Lui Por), PROFESSION: General Manager of Causeway Book Store

ZHANG Zhiping (also written: Cheung Chi Ping), PROFESSION: staff member of Mighty Current publishing house and Causeway Book Store

DATE OF DISAPPEARANCE: October 2015

DETAILS OF DISAPPEARANCE: Lu and Zhang are reported to have disappeared while travelling in Guangzhou province, mainland China, in October. In February 2016, the Hong Kong authorities reportedly said that the Chinese mainland authorities had written to confirm that "criminal compulsory measures" had been taken against them for alleged illegal activities.

OTHER INFORMATION: Lu and Zhang are reported to have appeared in televised interviews in February 2016, in which they 'confessed' to running an illegal bookselling business.

DETAILS OF RELEASE: Lu and Zhang were reportedly released on bail in March 2016. They reportedly returned briefly to Hong Kong on 4 and 6 March respectively, but travelled back to mainland China. Both are reported to have met with the Hong Kong police and requested that they cancel their missing person's cases.

BACKGROUND: This case is part of a string of incidents collectively known as the 'Causeway Bay Books disappearances'; including the cases of Gui Minhai (see 'Enforced disappearance' above) and Lee Bo, editor at Mighty Current (see 'Released' above). Causeway Books is thought to be a target of the authorities due to the nature of its publications, often political in nature.

TIBET AUTONOMOUS REGION (TAR)

IMPRISONED: MAIN CASE

DRUKLO (also known as SHOKJANG):

PROFESSION: writer and blogger

SENTENCE: three years in prison

DATE OF ARREST: 19 March 2015

DETAILS OF ARREST: According to [Voice of America](#), Shokjang and his brother-in-law were arrested by Chinese security police in Rebgong. While his fellow detainee as subsequently released, Shokjang was held in Tongren Prison.

DETAILS OF TRIAL: On 17 February 2016, Shokjang was sentenced to three years in prison by the intermediate public court in Malho prefecture for 'inciting separatism'. Among other things, it appears that Shokjang was convicted of instigating separatist riots in 2008, contacting external separatist groups, and writing a number of articles detrimental to social security on social media. According to reports, Shokjang maintains his innocence and, on 24 February 2016, wrote a 12-page letter of appeal to the Higher People's Court of China's Qinghai Province (available in English translation [here](#)). No further information as of 31 December 2016.

BACKGROUND: Shokjang is known for his critical articles on government policy in Tibet. In 2010 he was reportedly briefly detained for his involvement in the 2008 student protests that called for greater freedoms for Tibetans and his involvement in publishing a banned literary magazine. He has published four books, one of which, *The Courage of Path*, has reportedly been banned by the Chinese government. According to reports, on 16 March 2015, Shokjan had published a blog post on the deployment of Chinese security forces in Rebgong and had written about the poor conditions facing students in Kangtsa (Gangcha) county.

HONORARY MEMBER: ICPC.

PEN ACTION: [19 February 2016 statement](#)

*Jo Lobsang JAMYANG (pen name: Lomig or 'Eye of Awareness'):

PROFESSION: writer

DATE OF BIRTH: c. 1988

SENTENCE: seven-and-a-half years in prison

DATE OF ARREST: 17 April 2015

DETAILS OF ARREST: Jamyang was reportedly arrested in Ngaba, eastern Tibet. His whereabouts and condition remained unknown until his May 2016 trial.

DETAILS OF TRIAL: On 9 May 2016, Jamyang was reportedly sentenced to seven-and-a-half years in prison by the Wintren People's Court. According to reports, Jamyang was convicted of leaking state secrets and organising separatist activities between 2009 and 2015, accusations he denied. Jamyang was reportedly denied access to a lawyer during the trial.

CONDITIONS OF DETENTION: According to Jamyang's brother, the writer is in poor health.
BACKGROUND: Jamyang is reported to have written articles on freedom of speech, the environment and self-immolation in Tibet. In 2010 he published a book entitled Surge of Yellow Mist. The Tibetan Center for Human Rights and Democracy has [alleged](#) that local authorities held Jamyang for more than a year without informing his family of his whereabouts, in violation of Chinese law, and that he was tortured during this time.

Kunchok Tsephel GOPEY TSANG:

PROFESSION: writer, co-founder and editor of the Tibetan language website Chomei <http://www.tibetcm.com> and environmental officer for the Chinese government

DATE OF BIRTH: 1970

SENTENCE: 15 years in prison

EXPIRES: 2024

DATE OF ARREST: 26 February 2009

DETAILS OF ARREST: Gopey Tsang was 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.

CURRENT PLACE OF DETENTION: Gannan Prison, Gannan Tibetan Autonomous Prefecture, Gansu Province

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.

HEALTH CONCERNS: Gopey Tsang is reported to be in poor health.

BACKGROUND: The 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 it had been closely monitored by the authorities. According to reports, the site was shut down several times during 2007 and 2008. In 1995 Gopey Tsang was held for two months by Public Security Bureau (PSB) officials on unknown charges, and was reportedly ill-treated in detention.

HONORARY MEMBER: ICPC and Catalan PEN.

PEN ACTION: RAN 16/09 – 17 March 2009; RAN 16/09 Update #1 – 23 November 2009; [2013 Day of the Imprisoned Writer case](#).

Gartse JIGME:

PROFESSION: writer and monk

DATE OF BIRTH: 1977

SENTENCE: five years in prison

EXPIRES: January 2018

DATE OF ARREST: 1 January 2013

DETAILS OF ARREST: A team of security officials reportedly raided Jigme's room at the Rebgong Gartse monastery, in the Malho Prefecture, before escorting him away.

According to reports, Jigme was arrested for political views expressed in his book Tsenpoi Nyintop (Tsenpo's Valour), which he had finished writing in early December 2012 and was planning to publish.

CURRENT PLACE OF DETENTION: After his arrest, Jigme was initially held in the provincial capital of Xining, followed by several months' detention in Rebkong County in Malho Prefecture. Jigme's whereabouts and condition could not be verified as of 31 December 2016.

DETAILS OF TRIAL: On 14 May 2013, Gartse Jigme was sentenced to five years in prison by Tsekhog County People's Court in Malho Tibetan Autonomous Prefecture, Qinghai Province.

BACKGROUND: Gartse Jigme has been writing since 1999 and has won several local literary prizes. His first book, Musings on My Reflections, received favourable reviews from the community. He was also a Buddhist scholar, having studied and successfully passed major Buddhist courses at his monastery in 2003. The first volume of Tsenpoi Nyintop was published in 2008; it contains the writer's reflections and opinions on wide ranging subjects including self-immolation protests. Between February 2009 and June 2014, the total number of self-immolation protests in Tibet reached 131. In April 2011, local Public Security Bureau (PSB) officers briefly detained him for his views published in the book. The second volume could not be published in Tibet as planned by its author. However, the book was published soon after Gartse Jigme's sentencing by exiled Tibetans in India. An English translation of his essay on Tibetan self-immolation protests is available from the [Tibetan Centre for Human Rights and Democracy \(TCHRD\)](#).

HONORARY MEMBER: ICPC.

IMPRISONED: INVESTIGATION

Lo LO:

PROFESSION: singer

DATE OF BIRTH: 1983

SENTENCE: six years in prison

DATE OF ARREST: 19 April 2012

DETAILS OF ARREST: Lo was reportedly arrested a few months after the release of his album 'Raise the Flag of Tibet, Sons of the Snow'; the lyrics of which call for independence for Tibet and for the return of the Dalai Lama. Lo was reportedly taken to an unknown location by local police officers. He was released shortly afterwards, but was later re-detained.

CURRENT PLACE OF DETENTION: a prison in Siling, Qinghai province.

DETAILS OF TRIAL: On 23 February 2013, Lo was reportedly sentenced to six years' imprisonment in connection with his songs. PEN International is seeking information about the specific charges. An English translation of one of his songs can be read [here](#).

CONDITIONS OF DETENTION: A picture of Lo, taken clandestinely in April 2015 during a prison visit, has raised fears that he is not being treated well and that he has been suffering from health complications, according to the Tibetan Centre for Human Rights and Democracy.

The Chinese authorities are also reported to have refused permission for family members to visit him in prison to deliver clothes and food. No further information as of 31 December 2016.

HEALTH CONCERNS: According to various reports, Lo is in very poor health.

BACKGROUND: Lo is originally from Dhomda village in Yulshul County.

Gonpo TENZIN:

PROFESSION: singer and song-writer

SENTENCE: three-and-a-half years in prison, as well as deprivation of his political rights for four years

DATE OF ARREST: 30 November 2013

DETAILS OF ARREST: Tenzin had reportedly been on a police wanted list prior to being taken into custody in Lhasa. He was reportedly arrested on unknown charges, and was kept in detention without any access to legal proceedings for over a year. His album entitled 'How Can We Have New Year's Celebrations in Tibet?' is thought to be the main reason for his detention.

DETAILS OF TRIAL: On 15 April 2015, Tenzin was reportedly sentenced to three-and-a-half-years in prison in connection with his song 'Where is the New Year in Tibet'. The precise charges are unknown. No further information as of 31 December 2016.

CURRENT PLACE OF DETENTION: unknown.

CONDITIONS OF DETENTION: During his detention, Tenzin was tortured and deprived of all political and legal rights, according to the Central Tibetan Administration.

BACKGROUND: Tenzin's recordings are said to focus on themes involving Tibetan unity and the promotion of the Tibetan language.

TOBDEN:

PROFESSION: writer and nomad

SENTENCE: five years in prison

DATE OF ARREST: 28 October 2013

DETAILS OF ARREST: The exact details of Tobden's arrest are unclear. Tobden is believed to be a resident of Diru count. His arrest occurred during a period of protests in the area, which began after Tibetans refused government orders to fly Chinese flags from their homes.

DETAILS OF TRIAL: The exact charges are unclear, but it is thought that he and eight others were convicted of maintaining contacts with 'the Dalai clique' and 'engaging in activities to split the nation'. Tobden was reportedly sentenced to five years in prison on 30 November 2013. No further information as of 31 December 2016.

BACKGROUND: According to reports, Tobden's writings on Tibetan national themes may have especially angered the Chinese authorities.

Trinley TSEKAR:

PROFESSION: singer and song-writer

SENTENCE: nine years in prison

DATE OF ARREST: 20 November 2013

DETAILS OF ARREST: Tsekar was reportedly arrested in Nagchu town following a public protest against Chinese mining in a sacred site in May 2013. Tsekar is said to have gone to Nagchu in order to apply for a driver's license.

DETAILS OF TRIAL: Tsekar was reportedly accused of 'attacking the local public security organ, assaulting policemen, smashing offices, damaging properties and objects [and] gravely disturbing social order due to his participation in the protests.' According to a 13 January 2014 news report, Tsekar was convicted and sentenced to nine years in prison in late December 2013. No further information as of 31 December 2016.

BACKGROUND: Tsekar has reportedly written many songs on Tibetan themes. His album entitled, 'Links of Unity' is especially well known. PEN International is seeking further details.

DETAINED: MAIN CASE

Gangkye DRUBPA KYAB:

PROFESSION: writer and teacher

DATE OF ARREST: 17 September 2016

DETAILS OF ARREST: Drubpa Kyab was released from prison on 16 September 2016, a year before the end of his five-and-a-half-year prison sentence, and attended a traditional Tibetan welcome ceremony in his hometown of Gephen Village in Serthar County, Sichuan Province. According to reports, Drubpa Kyab was subsequently ordered to report to the local police. On doing so, he was reportedly detained. As of 31 December 2016, the exact reason for his detention remains unclear.

CURRENT PLACE OF DETENTION: Drubpa Kyab is believed to being held at Serthar County Detention Centre, Sichuan Province.

BACKGROUND: Drubpa Kyab was previously arrested without a warrant on 15 February 2012, and held incommunicado for 18 months. On 1 August 2013, he was sentenced to five-and-a-half years in prison by the County People's Court in Nyagchu County for inciting a split in the country. The charges are thought to be in relation to his alleged membership of a secret political group the 'Anti-Communist Party Association (Mashog Ngogol Tsogpa)'. According to reports, Drubpa Kyab was sentenced along with four other Tibetan men. Their arrest and imprisonment came amidst escalating tensions in Tibetan areas following a series of self-immolations and protests against Chinese rule, which were violently suppressed by the security forces. Drubpa Kyab is a prominent Tibetan writer and his book on the 2008 protests in Tibet was reportedly part of the backdrop of his 2012 arrest and imprisonment. His writings also include 'Call of Fate', 'Pain of This Era' and 'Today's Tear of Pain'. Drubpa Kyab has also worked as a teacher in Serthar for almost a decade.

HONORARY MEMBER: ICPC.

PEN ACTION: [RAN 10/12 – 22](#) February 2012.

DETAINED: INVESTIGATION

Paljor NORBU (also known as Panjue Ruobu):

PROFESSION: printer

DATE OF BIRTH: 1927

SENTENCE: seven years in prison

DATE OF ARREST: 31 October 2008

EXPIRES: 30 October 2015

DETAILS OF ARREST: According to reports, Norbu was 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: According to reports, Norbu was reportedly tried in secret in November 2008, possibly on charges of 'inciting separatism', and he was sentenced to seven years in prison. His family were informed of the sentence in writing, but have not been allowed to visit him. Although Norbu should have been released, his whereabouts remain unknown as of 31 December 2016. His family is especially worried due to his age.

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 were confiscated.

RELEASED

TRITSUN (also known as Tri Bhoe Trak):

PROFESSION: Tibetan monk and writer

DATE OF BIRTH: 1987

DATE OF ARREST: 11 March 2013

DATE OF RELEASE: 19 March 2016

DETAILS OF ARREST: Tritsun was detained on unknown charges by the People's Armed Police in Grade (Gade) County, while he was visiting his mother. It is widely believed that Tritsun's arrest is linked to the book he authored and published on 8 March 2013 Denpai Khalang (Breath of Truth), at Tongkyap Monastery, which contains essays on self-immolations.

DETAILS OF RELEASE: According to the [Tibetan Centre for Human Rights and Democracy](#), Tritsun was released on 19 March 2016.

DETAILS OF TRIAL: In late April 2013, an officer from Grade county police is said to have visited Tritsun's mother with a notification that her son had been sentenced.

She was not given information on the length of the sentence or the prison where Tritsun was being held. As of 31 December 2016, there is no further information available about the reasons for his release, nor his current condition.

CASE CLOSED

KHELSENG (KALSANG) Jinpa (pen-name: Garmi):

PROFESSION: poet and writer

DATE OF BIRTH: 1977

DATE OF ARREST: early 2014.

DETAILS OF ARREST: The exact details of Khelsang's arrest are unclear.

BACKGROUND: Khelsang, originally from Sangchu County, Amdo, Gansu province, has published poetry and stories in the journal Panggyen Metok (Pasture Adorning Flowers); he has co-edited the Modern Self periodical and he has contributed to the Tibetan-language journal Shar Dungri. Khelsang was previously arrested on 19 July 2010 and served a three-year prison sentence for 'incitement to split the nation'. This arrest was in connection with an article, 'The case for lifeblood and life force', written under the pen name 'Garmi' ('the Blacksmith') and published in Shar Dungri in 2008.

HONORARY MEMBER: ICPC; and Suisse Romand PEN Centre.

CASE CLOSED: Case closed due to lack of information in December 2016.

XINJIANG UYGHUR AUTONOMOUS REGION (XUAR)

IMPRISONED: MAIN CASE

Gulmire IMIN (f):

PROFESSION: Uyghur poet and moderator for the Uyghur language website Salkin.

DATE OF BIRTH: 1978

SENTENCE: life imprisonment

DATE OF ARREST: 14 July 2009

DETAILS OF ARREST: According to reports, Imin was arrested for her alleged involvement in protests which took place in Urumqi, the regional capital, on 5 July 2009.

CURRENT PLACE OF DETENTION: Xinjiang Women's Prison in Urumqi.

DETAILS OF TRIAL: Imin was handed down a life imprisonment sentence for 'splittism, leaking state secrets and organising an illegal demonstration' by the Urumqi Intermediate Court on 1 April 2010. According to reports, this sentence relates to allegations that she used Salkin to disseminate information leading up to 5 July 2009 protests and of leaking state secrets over the telephone to her husband who lives in Norway.

CONDITIONS IN DETENTION: According to reports, Imin was tortured and ill-treated in a police detention centre. She was reportedly coerced into signing a document without knowing the content. She is allowed to receive family visits once every three months. PEN International learned of the case in late 2012 and continues to seek further details. Her health condition could not be determined, as of 31 December 2016.

BACKGROUND: Imin published poems and short stories on various Uyghur websites. She became the moderator for the Uyghur language website Salkin; after Imin's arrest the website was reportedly shutdown and all of its content was deleted.

OTHER INFORMATION: In 2012, the UN Working Group on Arbitrary Detention ruled that 'the deprivation of liberty of Ms. Imin is '... arbitrary and in contravention of Articles 8, 9, 10 and 19 of the Universal Declaration of Human Rights.'

AWARDS: Recipient of 2012 Hellman/Hammett Award.

Hailaita NIYAZI (aka Hairat or Gheyret Niyaz):

PROFESSION: freelance journalist and former editor of the website Uyghur Online (www.ughurbiz.net).

DATE OF BIRTH: 14 June 1959

DATE OF ARREST: 1 October 2009

SENTENCE: 15 years in prison

EXPIRES: 2024

DETAILS OF ARREST: Niyazi was arrested from his home in Tianshan District. It is believed that his arrest stems from critical interviews given to foreign media following the unrest which broke out in Urumqi, the regional capital, on 5 July 2009 and which he had tried to warn the authorities about.

CURRENT PLACE OF DETENTION: Changji Prison, Changji Hui Autonomous Prefecture, XUAR, PR China.

DETAILS OF TRIAL: Niyazi was convicted by the Urumqi Intermediate People's Court on charges of 'endangering national security' on 23 July 2010. 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 were reportedly used by the prosecution as evidence. His appeal was rejected. The state of Niyazi's health and the conditions under which he is being held were reportedly unknown as of 31 December 2016.

BACKGROUND: Niyazi is a former reporter and columnist for Xinjiang Economic Daily and Xinjiang Legal News. Until June 2009 he edited and managed [ughurbiz.net](http://www.ughurbiz.net), the website owned by the academic, writer and Uyghur PEN member Ilham Tohti, himself arrested in July 2009 and held for six weeks for allegedly 'promoting separatism' and, most recently, in January 2014 (see below).

OTHER INFORMATION: A week after Niyazi's sentencing, a group of 51 Chinese lawyers and intellectuals, including Wang Lixiong, Mao Yushi and Cui Weiping, published an [open letter](#) expressing their concern about the 'criminalisation of free speech' that occurred in the case. An English translation of the letter may be read [here](#).

HONORARY MEMBER: ICPC.

PEN ACTION: RAN 56/09 and updates.

Ilham TOHTI:

PROFESSION: writer, academic, member of Uyghur PEN and founder of the website Uyghur Online

DATE OF BIRTH: 25 October 1969

SENTENCE: life imprisonment

DATE OF ARREST: 15 January 2014

DETAILS OF ARREST: Tohti was arrested at his home on 15 January 2014 and held incommunicado, without access to his lawyer. He was formally arrested in February. A statement, released by the Public Security Bureau (PSB) at the time of Tohti's arrest, alleged that Tohti was under investigation for the promotion of separatism and recruiting followers through his website.

DETAILS OF TRIAL: Tohti was formally charged with 'splittism' in July 2014; he was sentenced to life imprisonment and confiscation of all his property on 23 September 2014 after a two-day trial. Tohti denied the charges. There are reports that during the trial material were shown representing Tohti's views on the Uyghur minority and China's policies. Some of the material had been downloaded from his website and teaching papers. The prosecutor also reportedly added that Tohti had 'internationalised' the Uyghur issue, by translating articles and essays about the Xinjiang region for his website, and by providing interviews to international media. On 21 November 2014, the Xinjiang's high court rejected Tohti's appeal against the conviction and upheld the life sentence. In October 2015, Tohti reportedly called on his family to engage lawyers and lodge an appeal for him through the Chinese judicial system.

CONDITIONS IN DETENTION: Tohti was allowed to see his lawyer for the first time in June 2014. He is reported to have been shackled and deprived of food and adequate water while in prison in March 2014, as a punishment for failing to co-operate with the authorities. During his initial days in detention, Tohti reportedly staged a 10-day hunger strike in protest against the food served to him, as it did not follow Islamic dietary laws. He was reportedly denied food for a further eight days after a deadly attack at a train station in Kunming, which the government blamed on separatist Uyghur militants. In May 2014, Beijing's Central University for Nationalities reportedly stopped paying his salary. In March 2014, it was reported that the authorities had frozen Tohti's bank accounts.

UPDATE: In February 2016, the authorities gave permission for Tohti to receive visits from relatives. However, in the same month his brother was reportedly denied the right to visit him.

BACKGROUND: An economics professor, Tohti is known as an outspoken critic of the government's policies in the Xinjiang Uyghur Autonomous Region (XUAR). In 2009, Tohti spent over six weeks in detention after he spoke out about the ethnic unrest which broke out in Urumqi, the regional capital, on 5 July 2009 (see 2009 Case List). A number of people associated with Uyghur Online, a website dedicated to the promotion of understanding between ethnic Uyghurs and Han Chinese, have faced similar harassment. Hailaite Niyazi is serving a 15-year prison sentence for 'endangering national security' following his conviction on 23 July 2010 (see above). Tohti reportedly faced continued harassment on the part of the Chinese authorities over the course of 2013 (see [2013 Case List](#)). Seven of his students, **Perhat Halmurat, Shohret Tursun, Abdukeyum Ablimit, Akbar Imin, Mutellip Imin, Atikem Rozi and Luo Yuwei** were

arrested around the same time as Tohti. Halmurat and Tursun were reportedly formally charged with ‘splittism’ while Ablimit was charged with ‘revealing state secrets’ on 24 February 2014. They are thought to be held in a detention centre in Urumqi, however their exact location, as well as the locations of Imin, Mutellip Imin, Rozi and Yuwei remain unknown.

OTHER INFORMATION: On the occasion of the International Day for Human Rights, 10 December 2016, an international conference was convened to discuss Tohti’s unjust imprisonment and the situation of human rights for the Uyghur community. Tohti was also the subject of a [15 December 2016 resolution](#) adopted by European Parliament on breaches of human rights, democracy and rule of law in China.

AWARDS: Recipient of 2014 PEN/Barbara Goldsmith Freedom to Write Award; Ismail Gaspirali Turkic World Freedom Award from the Bartın Province Journalists Association and International Journalism Association for Turkic-Speaking Countries; nominated for 2016 Sakharov Prize; recipient of 2016 Martin Ennals Award.

HONORARY MEMBER: PEN American Center, Danish PEN, ICPC, and Japanese PEN.

PEN ACTION: Press statement 23 September 2014; [open letter 28 February 2014](#); [RAN 03/14](#) – 31 January 2014; [RAN 03/14 Update #1](#) – 27 February 2014; Empty Chair at PEN’s 80th Congress in Bishkek, Kyrgyzstan; subject of PEN [resolution](#) adopted at the 80th Congress; 2015 International Mother Language Day case; [statement 11 October 2016](#). ; [Open petition to President Xi Jinping](#) – 8 December 2016; [RAN 24/16](#) – 7 December 2016

CASE CLOSED

Tursunjan HEZIM:

DATE OF BIRTH: 1973

PROFESSION: former history teacher and founder of the now closed popular Uyghur history website Orkhun (www.orkhun.com).

SENTENCE: seven years in prison

EXPIRES: July 2016

DATE OF ARREST: July 2009

DETAILS OF ARREST: Hezim was 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. 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: According to March 2011 reports, Hezim was sentenced in July 2010 to seven years in jail by the Aksu district court at a closed trial. Although Hezim’s sentence was due to expire in July 2016, his whereabouts and health condition remain unknown as of 31 December 2016; PEN is seeking more information.

BACKGROUND: 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.

CASE CLOSED: Assumed released.

Nurmuhemmet YASIN:

PROFESSION: freelance Uyghur writer and poet

DATE OF BIRTH: 6 March 1974

DATE OF ARREST: 29 November 2004

SENTENCE: 10 years in prison.

EXPIRED: 30 November 2014

DETAILS OF ARREST: Yasin was arrested in Kashgar on 29 November 2004 for the publication of his short story Yawa Kepter (Wild Pigeon), which was first published in the bi-monthly Uyghur-language Kashgar Literature Journal, issue No. 5, November 2004. Authorities also confiscated Yasin's personal computer, containing an estimated 1,600 poems, commentaries, stories, and one unfinished novel. Yasin's story was widely circulated and recommended for one of the biggest Uyghur literary websites in the Uyghur Autonomous Region for an outstanding literature award. It also attracted the attention of the Chinese authorities, who apparently consider the fable to be a tacit criticism of their government in the Xinjiang Uyghur Autonomous Region.

DETAILS OF TRIAL: After a closed trial in February 2005, at which he was not permitted a lawyer, Yasin was sentenced by the Maralbesh County court to 10 years in prison for 'inciting Uyghur separatism' in his book Yawa Kepter. The Kashgar Intermediate Court upheld his sentence on appeal and Yasin was transferred on 19 May 2005 to Urumqi No. 1 Jail.

BACKGROUND: Yasin is an award-winning and prolific freelance Uyghur writer. He has published many highly acclaimed literary works and prose poems in recent years, including the poetry collections First Love, Crying from the Heart, and Come on Children. He is married with two young sons. An English translation of his story 'Yawa Kepter' ('Wild Pigeon') can be read in two parts [here](#) and [here](#).

HONORARY MEMBER: PEN American Center, English PEN and ICPC.

PEN ACTION: [RAN 01/13](#) – 9 January 2013; [International Mother Language Day 2014](#).

PEN POSITION: Although Yasin's sentence expired in late 2014, there has been no news of his release. PEN is calling for the authorities to clarify Yasin's fate and to release him if still alive.

CASE CLOSED: assumed released.

INDIA

KILLED: IMPUNITY

Dr Malleshappa Madivalappa KALBURGI:

PROFESSION: epigraphist and former Vice Chancellor of Hampi University in Karnataka.

DATE OF BIRTH: 28 November 1938

DATE OF DEATH: 30 August 2015

DETAILS OF DEATH: Kalburgi, aged 78, was shot at close range by two men on his doorstep in the Dharwad district. Kalburgi died en route to hospital.

DETAILS OF INVESTIGATION: According to reports, Kalburgi's death may be connected with the deaths of two other activists; reportedly the investigative team are seeking the acquisition of further forensic analysis in order to assess conflicting ballistic reports. The Central Bureau of Investigation continues to investigate the case. There have been no arrests as of 31 December 2016. Additionally, a right wing activist was reportedly briefly detained in August 2015 for posting a tweet justifying the murder of Kalburgi and warning of a future target. The activist later withdrew their comments and was released on bail.

BACKGROUND: Kalburgi had, through his writings and speeches, upset groups within the Lingayat community, a middle-caste group, as well as right wing Hindutva groups. In June 2014, Kalburgi dismissed the sanctity of religious idols, which brought protesters to his doorstep, and he was placed under police detention.

AWARDS: Recipient of 2006 Sahitya Akademi Award

PEN ACTION: [PEN statement](#) – 2 September 2015; [PEN Writers' Statement of Solidarity](#) – 81st PEN International Congress, Quebec City; mentioned in [Fearful Silence: The Chill on India's Public Sphere](#).

*Govind PANSARE:

PROFESSION: politician and author

DATE OF BIRTH: 24 November 1933

DATE OF DEATH: 20 February 2015

DETAILS OF DEATH: According to reports, on 16 February 2015 Pansare, age 82, and his wife were shot by assailants outside their home in Maharashtra. Pansare sustained injuries to his neck and chest, while his wife sustained injuries to the head. Having been taken to hospital, Pansare regained consciousness the following day but succumbed to his injuries on 20 February 2015. His wife has since recovered from her injuries.

DETAILS OF INVESTIGATION: On 28 February 2015, the police reportedly announced a reward for information in relation to the killing; this monetary incentive was subsequently increased in March 2015. Similarities were highlighted between this case and that of the 2013 killing of rationalist and editor of the weekly Marathi-language magazine *Sadhana* (*Spiritual Devotion*) **Narendra Dabholkar** (see [previous Case Lists](#)). Police are reported to believe the right wing group Santan Sanstha may be involved with both killings.

In September 2015, a member of Santan Sanstha group, and four associates were arrested. However, due to a lack of evidence, the investigative team did not pursue their enquiry.

BACKGROUND: Pansare is a politician of the Communist Party of India. He is also the author of 21 books, predominately offering commentaries on social injustice, especially the complexities of religious and political mobilisation that face left-wing forces in the country. Among his works is the 1988 best-selling Marathi language biography of 17th Century ruler Shivaji, Shivaji Kon Hota (Who was Shivaji?). **[STOP PRESS:** According to reports in early 2017, the investigation team is re-questioning the leader of Santan Sanstha. This is part of an ongoing search for two individuals who are believed to be connected with the group and the killings of Pansare and Dabholkar.]

DETAINED: INVESTIGATION

***Durai GUNA:**

PROFESSION: writer

DATE OF ARREST: 10 June 2016

DETAILS OF ARREST: According to reports, Guna was detained in Kulandampattu village, in Pudukkottai district, Tamil Nadu, by local police alongside his friend and fellow activist Bhoopathy Karthikeyan. According to media reports, no reason was initially given for their arrests.

DETAILS OF TRIAL: Guna was reportedly charged with assault under sections 341, 294 (b), 323, 324 and 506 (2) of the Penal Code and remanded in 15-days judicial custody; it was alleged that a financial dispute led to the stabbing of a man named Sivanandam. However, Guna claimed to have not met this individual. Media reports indicate that Sivanandam may have been forced to file the complaint. According to [The Hindu](#), Sivanandam later filed a habeas corpus petition in the Madras High Court (Madurai Bench) seeking Guna's release. Guna was granted bail on 15 June 2016, but remained in detention due to his alleged involvement with another assault case, filed by local police in July 2015. As of 31 December 2016, there is no further information on Guna's condition or whereabouts.

CONDITIONS OF DETENTION: Guna's family were reportedly denied permission for visitation.

BACKGROUND: A Dalit, Guna's writings and activism focus on inter-caste marriages. According to reports, Guna previously faced a social boycott for his 2014 novella Oorar Varaintha Oviyam (The Painting Done by Villagers), about caste featuring the plight of a Dalit couple. Guna was reportedly forced to leave his hometown and he was physically attacked two years later when he attempted to return. This harassment contravened a direction from the High Court for local police to provide protection for Guna and his family. Guna's 2016 detention came amid reports of the arrest of at least 12 Dalits by local police who are considered to have upper-caste leanings. The use of Sivanandam, a Dalit himself, as the supposed complainant is considered by some to be a deliberate effort by police to position the case outside of caste issues.

ON TRIAL

*Kamal C CHAVARA (also known as Kamalsy Prana):

PROFESSION: Malayalam writer and theatre activist

DATE OF ARREST: 18 December 2016

DATE OF RELEASE: 20 December 2016

DETAILS OF ARREST: Chavara was detained by Nadakavu police in the Kozhikode municipality of Kerala. According to reports, officers raided his house and allegedly threatened his parents. Chavara was suspected of insulting the national anthem in a Facebook post in Malayalam, thought to be an excerpt from his 2015 novel *Smashanangalude Nottu Pusthakam* (Notebook of Cemeteries). The complaint was reportedly filed by activists of the Yuva Morcha, the Bharatiya Janata Party's youth wing, to police operating in the Karunagappalli municipality. Chavara was reportedly arrested while in the process of approaching a court for anticipatory bail.

DETAILS OF RELEASE: Chavara was released on bail on 20 December 2016. He has reportedly faced harassment from police and received threats from unidentified individuals since his release.

DETAILS OF TRIAL: Chavara was reportedly charged with sedition under Section 124 (A) of the Indian Penal Code. The case is being handled by the Karunagal Police, where the complaint was originally filed. The investigation is ongoing; however, the validity of the case is reported to be under review, especially in relation to the lack of a charge sheet being filed.

BACKGROUND: In 2015, Chavara published his debut novel *Smashanangalude Note Pusthakam* under the pseudonym Kamalsy Prana. Chavara's comments were reportedly part of a protest against a [9 December Supreme Court directive](#) that has made it mandatory for cinema halls to play the national anthem before screening a movie and for people to stand when it plays. **[STOP PRESS:** On 14 January 2017, Chavara publicly burnt copies of his novel *Smashanangalude Nottupustakam* to protest alleged police harassment. This protest came two days after Chavara announced on Facebook that he no longer wished to live as a writer. According to reports, hundreds of activists attended the book burning. Chavara was detained by police on 14 February 2017 while he was meeting the police commissioner to express his grievance about alleged police misconduct on a complaint that had been filed by a student activist. Chavara was charged under Sections 353, 'obstruction of duty', and 332, 'voluntarily causing hurt to public servant', of the Indian Penal Code for allegedly causing a ruckus under the influence of alcohol.]

HARASSED

Perumal MURUGAN:

PROFESSION: novelist and professor

DATE OF HARASSMENT: 12 January 2015

DETAILS OF HARASSMENT: Tamil-language writer Murugan publically announced his retirement from writing in a Facebook post following a ‘peace meeting’ with several organisations regarding his 2010 book Madhorubagan (One Part Woman). According to reports, the meeting in Namakkal in the author’s home state of Tamil Nadu was attended by several regional religious and caste groups demanding that Murugan issue an unconditional apology, expurgate the book, recall any unsold copies, and refrain from writing on controversial or sensitive subjects. Murugan’s Facebook post also asked his publishers to cease sale of any works, urged those owning copies to burn them, told literary festivals to not contact him, and requested that caste and religious outfits desist from their protests. According to reports, Murugan’s writings have since only been made available in foreign languages.

UPDATE: On 5 July 2016, the Madras High Court dismissed petitions demanding that Murugan be prosecuted. According to reports, the court defended Murugan’s freedom to express himself, stating: that there was no need for changes to his book Madhorubagan; that the police-mediated settlement imposed upon Murugan to apologise for his novel and withdraw all unsold copies was not legally binding on him; and that the public should tolerate his work. In its judgment, the court emphasised that it is the state’s responsibility ‘to ensure proper police protection where such authors and artists come under attack from a section of the society’ and that the government should create an ‘expert body to deal with situations arising from such conflicts of views’ because in ‘matters of art and culture, the issue cannot be left to the police authorities or the local administration alone, especially when there is a spurt in such conflicts.’ In response to the ruling, Murugan reportedly announced, ‘I will get up.’ Although cited as a landmark ruling, the court case has [drawn some criticism](#) in connection to how the verdict was reached; there are concerns that the popularity of the book may have influenced the verdict.

BACKGROUND: Murugan’s book Madhorubagan features a controversial scene with a fictitious, extramarital sex ritual with members of the Gounder community at a local Hindu shrine. A series of protests against the book ran for 18 days in 2015; they included book burnings and calls for a ban on the novel and the arrest of its author and publisher.

***Pradnya Daya PAWAR (f), PROFESSION:** Dalit poet and activist

***Raosaheb KASBE, PROFESSION:** Dalit scholar

DATE OF HARASSMENT: 9 October 2016

DETAILS OF HARASSMENT: According to reports, Pawar and Kasbe were forced to leave a two-day literary meeting organised by the Maharashtra Sahitya Parishad in Patan, Satara. A group of around 100 Maratha activists reportedly protested Pawar and Kasbe’s remarks and presence; the pair were deemed to have ‘hurt’ the sentiments of the Maratha community with their comments on the 17th Century warrior king Chhatrapati Shivaji Maharaj. Organisers asked Pawar and Kasbe to leave the event citing security reasons.

DETAILS OF INVESTIGATION: Kasbe, attending the event in the capacity of special guest, alleged the activists were sent by a local member of the Maharashtra Legislative Assembly belonging to the Shiv Sena due to political rivalry with one of the organisers of the meeting, who belongs to the Nationalist Congress Party; allegations which were denied. The police are investigating the incident, according to news reports.

BACKGROUND: Pawar, president of the event, had reportedly spoken on the first day of the event about the challenge of cultural terrorism and criticised the suppression of the voices of artists. Pawar has condemned the inability of organisers to protect the key guests' right to exercise freedom of expression at an event supposedly held in honour of Babasaheb Ambedkar, a Dalit political and social reformer active in the first half of the 20th century. Pawar is the daughter of the late poet Daya Pawar, known for his writings on the atrocities experienced by the Dalits under the caste system.

***Nandini SUNDAR (f), PROFESSION:** writer, academic and activist

***Archana PRASAD (f), PROFESSION:** author and academic

DATE OF HARASSMENT: 7 November 2016

DETAILS OF HARASSMENT: According to Sundar, Bastar police filed a First Information Report accusing her, Prasad and nine others, including former journalist Vineet Tiwari, of the murder of Shamnath Baghel, a resident of Nama village, in Chhattisgarh's insurgency-hit Bastar region. According to news reports, Baghel was killed on 4 November 2016. The group were reportedly charged under sections 120B (criminal conspiracy), 302 (murder), 147 (punishment for rioting), 148 (rioting armed with a deadly weapon) and 149 (unlawful assembly) of the Indian Penal Code. Baghel is reported to be one of a number of people who spearheaded protests against armed Maoists. He had reportedly filed a complaint against Sundar and Prasad, among others, in May 2016 for allegedly inciting tribal groups against the government and supporting Maoists – charges that Sundar [denied](#). Sundar reports that she had not returned to Bastar since her last visit in May 2016. According to [media reports](#), Baghel's wife denied identifying any of the attackers and had not named Sundar in her complaint to the police. In November 2016, the Chhattisgarh government agreed with the Supreme Court that no action would be taken against the group without giving them one-month's prior notice. In a [statement](#), the National Human Rights Commission of India reportedly stated, 'Naming of these human rights activists in the First Information Report in the backdrop and circumstances mentioned above lends credence of the observation of the People's Union for Civil Liberties (PUCI) that all this was part of the State Police vendetta against the lawyers, journalists and human rights activists who have been critical of fake encounters, mass rapes, arson, etc. by security forces.' It continued by stating that, the police force's actions 'seems to be coloured by malafide, hostility and abuse of power.'

BACKGROUND: Sundar is a professor of sociology at Delhi University and is the author of several books, including her most recent, *The Burning Forest: India's War in Bastar* (Juggernaut Press, 2016), about the Maoist conflict in the region, and is reported to shed light on alleged police atrocities. Sundar has regularly travelled to Bastar to conduct field research since the 1990s. According to news reports, Sundar has faced threats from vigilantes and harassment at the hands of the police since 2005.

In 2011, Sundar was the lead petitioner in a case in which the Supreme Court described state support for a vigilante movement against Maoist insurgency as illegal; the ruling reportedly indicted the state government for violating constitutional principles in arming young people as special police officers. Prasad is a professor at the Centre for Informal Sector and Labour Studies at the Jawaharlal Nehru University and the author of *Environmentalism and the Left* (Leftword, 2004), among many others. Sundar and Prasad had been part of a fact-finding team that was examining the impact of Maoist violence and state excesses on villagers in Bastar earlier in the year. In October 2016, police and security forces in Chhattisgarh [reportedly burnt effigies](#) of activists, including Sundar.

MALAYSIA

ON TRIAL

***Wee Meng CHEE (also known as NAMEWEE)**

PROFESSION: singer, songwriter and filmmaker

DATE OF BIRTH: 6 May 1983

DATE OF ARREST: 21 August 2016

DATE OF RELEASE: 25 August 2016

DETAILS OF ARREST: According to reports, Namewee was detained at Kuala Lumpur International Airport after returning from an overseas trip. His arrest was reportedly in connection with the July 2016 release of his video for his song 'Oh My God', which features him rapping in front of places of worship around Malaysia. Representatives from 20 local NGOs reportedly filed complaints against Namewee. Plans for the police to arrest Namewee on his return from overseas were reported on 2 August 2016.

DETAILS OF TRIAL: Namewee is reportedly being investigated under [Section 295 of the Penal Code](#) for 'injuring or defiling a place of worship with intent to insult the religion of any class.' Namewee insists the video was intended to promote religious harmony. The charge carries a prison term of up to two years and/or a fine. On 25 August 2016, Namewee was reportedly released on bail and an extension to his detention period was refused due to his health concerns. No further information as of 31 December 2016.

CONDITIONS OF DETENTION: Namewee detailed on social media the poor conditions of the Bayan Baru police detention centre where he was held; he especially detailed the poor health and mistreatment of his fellow detainees. Namewee has since removed these social media posts.

HEALTH CONCERNS: Namewee is reportedly suffering from stomach ulcers.

BACKGROUND: Namewee is a popular and controversial singer, known for his profanity-laced music. He has also directed and starred in several films. In 2007, he publically apologised after producing a parody of the Malaysian National Anthem which reportedly questioned government policies; especially highlighting police corruption and inefficient public services.

Zulkifli Anwar ULHAQUE (also known as ZUNAR):

PROFESSION: cartoonist and writer

DATE OF BIRTH: 15 May 1962

DATE OF ARREST: 10 February 2015

DATE OF RELEASE: 14 February 2015

DETAILS OF ARREST: Zunar was reportedly detained for four days during an investigation into a tweet.

DETAILS OF TRIAL: According to reports, on 3 April 2015, Zunar was charged under the Sedition Act. He faces a total of nine charges and up to 43 years in prison. One investigation relates to a tweet Zunar posted on 10 February 2015 implying Federal Court judges had bowed to regime pressure in convicting and sentencing opposition leader Anwar Ibrahim to five years in prison. Another investigation relates to his cartoon books *Pirates of the Carry-BN* and *Conspiracy to Imprison Anwar*. Zunar will challenge the constitutionality of the Sedition Act; the trial is scheduled for 11 May 2017. Depending on the outcome, the trial on nine charges of Sedition will follow.

UPDATE: On 26 November 2016, he was arrested again on suspicion of sedition, although he is yet to be formally charged.

BACKGROUND: Zunar is a prominent political cartoonist and has produced several books of cartoons. He champions the slogan 'How can I be neutral? Even my pen has a stand'; through his work, he intends to expose the corruption and abuse of power committed by the state authorities. Zunar's ongoing trial is occurring against the backdrop of increased restrictions placed on freedom of expression by the Malaysian authorities; in April 2015 amendments were made to the law in order to grant the government broader powers with respect to online media and stiffen penalties. **Judicial Harassment:** Between 2009 and 2010 the Home Minister for Malaysia reportedly banned five of Zunar's cartoon books under the Printing Press and Publications Act, as 'detrimental to public order'. Many of his cartoons are censored; reportedly printers and bookstores around the country have been raided and warned not to print or sell his works. Additionally, Zunar has been investigated several times under the 1948 Sedition Act, as part of a series of harassment incidents that reportedly include the banning of his books, censorship of his drawings, restrictions imposed on his movement and harassment of his associates. Most recently, **(1)** on 17 October 2016, Zunar was banned from leaving Malaysia. According to reports, he was stopped by an immigration officer at Kuala Lumpur International Airport acting on instructions put in place by the Inspector General of Police as of 24 June 2016. On 7 December 2016, Zunar filed a legal suit to challenge the travel ban, highlighting the lack of legal reasoning on which it was based. As of 31 December 2016, a date for trial is yet to be set. **[STOP PRESS:** In February 2017, Zunar's bid to remove the High Court judge involved in the judicial review of his October 2016 travel ban was successful.] **(2)** on 25 November 2016, Zunar was forced to call off an exhibition taking place at a literary festival in Penang. According to reports, Zunar was attacked by a group of c. imately 30 individuals with pro-government leanings. The group reportedly demanded the exhibition be removed, verbally and physically abused Zunar and proceeded to vandalise the artworks. Police officers were reportedly unable to control the incident and so the exhibition launch was halted. The following day Zunar was reportedly arrested and briefly detained under the Sedition Act and Penal Code for cartoons that allegedly offended Prime Minister Najib Razak.

Zunar was released the next day but the investigation is ongoing. All 20 artworks from the exhibition are reported to have been confiscated by police. **(3)** Zunar was reportedly arrested again, on 17 December 2016, while attending a fund-raising programme intending to recover the monetary loss incurred at the disrupted November 2016 exhibition. According to reports, Zunar was detained alongside two assistants and two fans under the Penal Code, allegedly for being detrimental to parliamentary democracy. More than 1,000 of his books were reportedly confiscated by police. He was released the same day but the investigation is ongoing.

AWARDS: Recipient of Courage in Editorial Cartooning Award 2011; Hellman/Hammett Award 2011 and 2015; Committee to Protect Journalists' 2015 International Press Freedom Award; 2016 Cartooning for Peace Award.

PEN ACTION: [Joint statement](#) – 20 May 2015; [statement](#) – 2 December 2016

RELEASED

Dr Azmi SHAROM:

PROFESSION: academic from the University of Malaya and columnist

DETAILS OF TRIAL: On 2 September 2014, Dr Sharom was charged under the Sedition Act, after allegedly publishing comments online regarding the political crisis of the Perak state in 2009. On 12 February 2016, Sharom was acquitted by the Sessions Court in Kuala Lumpur.

MYANMAR (BURMA)

RELEASED

HTIN Lin Oo:

PROFESSION: writer and former information officer of the National League for Democracy (NLD), Myanmar's main opposition party.

SENTENCE: two years in prison.

DATE OF ARREST: 17 December 2014

DATE OF RELEASE: 17 April 2016

DETAILS OF ARREST: On 23 October 2014, Htin Lin Oo gave a speech before around 500 people at a literary event in Chaung-U Township, Sagaing Region in northern Myanmar, criticising the use of Buddhism to promote discrimination and prejudice. Shortly after the event, a 10-minute edited video of the speech appeared on social media, causing outrage among some Buddhist groups.

DETAILS OF TRIAL: On 4 December 2014, Htin Lin Oo was charged with 'insulting religion' and 'wounding religious feelings'. He was reportedly acquitted of the second, lesser, charge due to insufficient evidence.

DETAILS OF RELEASE: Htin Lin Oo was reportedly released from prison following a pardon granted by the newly elected President Htin Kyaw, as part of celebrations of Myanmar New Year.

PEN ACTION: included in [update #1 to RAN 12/14](#)

Maung SAUNG KHA:

PROFESSION: poet

SENTENCE: six months in prison

DATE OF ARREST: 5 November 2015

DATE OF RELEASE: 24 May 2016

DETAILS OF ARREST: After several days on the run, Maung Saung Kha was arrested on 5 November 2015 for a verse posted on social media that read roughly, ‘I have the president’s portrait tattooed on my penis / How disgusted my wife is’—prompting a warning from the president’s office director to ‘be prepared to take responsibility’ for the post. Maung Saung Kha fled his home when he was informed that a case had been filed against him under Article 66(d) of Myanmar’s Telecommunications Law, spending nearly a month in hiding.

DETAILS OF TRIAL: Maung Saung Kha was charged with defamation under Section 66(d) of the Telecommunications Law; the charge carries a prison term of up to three years. On 17 December 2015, an additional charge under Section 505(b) of the Penal Code was reportedly added to the proceedings; an additional conviction here could lead to a further two years in prison. On 24 May 2016, Maung Saung Kha was convicted of defamation and sentenced to six months in prison. He was released for time served.

CONDITIONS IN DETENTION: On 21 March 2016, Maung Saung Kha was rushed to Insein Hospital after he was attacked by a fellow prisoner following his latest hearing at Shwepyithar court in Yangon. The attack is reported to follow Maung Saung Kha and his supporters reciting verses outside the court to mark World Poetry Day, 21 March.

PEN ACTION: [RAN 10/16 – 13 May 2016](#); [Update 1 to RAN 10/16 – 25 May 2016](#)

CASE CLOSED

Shyam BRANG SHAWNG:

PROFESSION: human rights campaigner

SENTENCE: fine of 50,000 kyat (c. US\$ 50).

DETAILS OF TRIAL: On 25 February 2013, Brang Shawng was charged under Article 211 of Myanmar’s Penal Code with making false allegations against the Myanmar Army. The charges relate to Brang Shawng’s September 2012 open letter to the president and a subsequent letter to the Myanmar National Human Rights Commission, calling for an investigation into his daughter’s death in 2012 and the possible involvement of the Myanmar Army. On 13 February 2015, Brang Shawng was reportedly sentenced to either six months in detention or a 50,000 kyat fine (c. US\$ 50) Brang Shawng elected to pay the fine and was subsequently released from detention. He reportedly planned to appeal the conviction. No further information as of 31 December 2016. Case closed due to lack of information.

THAILAND

KILLED: IMPUNITY

Kamol DUANGPHASUK: (pen name: Mainueng K. KUNTHEE)

PROFESSION: poet

DATE OF DEATH: 23 April 2014

DETAILS OF DEATH: Kunthee was shot several times by unknown assailants who had approached his car at a restaurant parking lot in northern Bangkok. The gunmen escaped on a motorcycle. Kunthee, aged 45, died in hospital. The motive for Kunthee's murder is not known, although it is thought that he may have been targeted for his activism amidst the escalating political violence in the country at the time.

DETAILS OF INVESTIGATION: On 24 July 2014, police issued arrest warrants for two individuals suspected of his killing. No further information as of 31 December 2016.

BACKGROUND: Kunthee was widely known for his poetry since the late 1980s and was popular for his direct style and for voicing strong political messages. His poems call for social justice, the rights of the rural poor and for challenging the forces of oppression and were published in a number of magazines including the Matichon Weekly in the 1990s. Kunthee strongly opposed the 2006 military coup and the subsequent crackdown on critics of the monarchy. He took part in many rallies of the United Front for Democracy against Dictatorship (UDD), known as the 'Red Shirts,' becoming known as a 'Red Shirts poet.' He was also very active in the campaign against Article 112 of the Penal Code, or lèse majesté law, which has been widely used to criminalise free expression and imprison writers, journalists and publishers. His murder is one of a string of violent attacks on activists and academics known to be critical of the monarchy and the lèse majesté law.

PEN ACTION: [RAN 10/14](#) – 10 June 2014

DETAINED: MAIN CASE

***SIRAPHOP: (Pen name: Rung Sila)**

PROFESSION: poet

DATE OF ARREST: 24 June 2014

DETAILS OF ARREST: On 1 June 2014, the National Council for Peace and Order (NCPO) listed Siraphop's name among those who should present themselves to military camps for 'attitude adjustment' under order No. 44/2557. Siraphop refused and attempted to flee the country and claim asylum. An arrest warrant was issued on 8 June 2014. He was arrested on 24 June 2014 after his car was intercepted by armed men in plainclothes. He was immediately taken to a military camp.

PLACE OF DETENTION: Bangkok Remand Prison

DETAILS OF TRIAL: Siraphop was charged with violating the NCPO's order on 1 July 2014. The following day he was granted bail, however, he was immediately rearrested by the Technology Crime Suspension Division office for interrogation for violating Article

112 of the Criminal Code (lèse majesté) and Section 14 of the Computer-related Crime Act. Siraphop pleaded not guilty, although he admitted to using 'Rung Sila' as his pen name associated with the Facebook account and website. If convicted, he faces up to 45 years in prison. On 13 November 2014, the court ruled that the case would be tried in a closed court. Siraphop and his lawyers sought in late 2015 to have the trial transferred to a civilian court, a claim that was supported by the Criminal Court's ruling that it had jurisdiction over the case in September 2015. However, on 20 January 2016, the Military Court of Bangkok determined that the case would be heard by the Military Court as the online content in question was still accessible when the military junta issued Announcements No. 37/2014 and 38/2014 on 25 May 2014, which transferred jurisdiction over lèse majesté and national security cases to the Military Court. Trial in a civilian court allows for the possibility of appeal; a military court's verdict is final. On 25 November 2016, Bangkok Military Court found Siraphop guilty of breaching a junta order and delivered an eight-month jail sentence and a 12,000 baht (c. US\$ 343) fine, and suspended the jail term for two years. Siraphop's co-operation with the investigation process is reported to have played a role in the court delivering this reduced sentence. Siraphop continues to be detained and on trial in relation to the lèse majesté charge.

BACKGROUND: The arrest on charges of violating Article 112 of the Criminal Code (lèse majesté) and the Computer-related Crime Act relate to a report filed to the police on 30 June 2014 alleging that three writings Siraphop had posted on Facebook and a poem published on Prachathai newspaper's webpage were considered offensive. Siraphop regularly wrote articles critical of the government. He continues to write poetry in prison.

ON TRIAL

*Bandit ANEEYA (also known as Jueseng Kwao)

PROFESSION: writer and translator

DATE OF BIRTH: 1951

DATE OF ARREST: 15 November 2016

DATE OF RELEASE: 17 November 2016

DETAILS OF ARREST: According to reports, Aneeya was arrested for a remark he made during a panel discussion about human rights and the monarchy at Thammasat University on 12 September 2015. Police had briefly detained him shortly after the event but no charges were filed. A video transcription of his speech was reportedly re-assessed by a police committee leading to his November 2016 arrest.

DETAILS OF TRIAL: Aneeya faced a military court on 16 November 2016 in relation to a lèse majesté complaint. He was released on bail on 17 November 2016.

HEALTH CONCERNS: According to reports, Aneeya is of fragile physical health and has a history of mental illness. Although Aneeya claims he does not have any mental disorder, uncertainties surrounding his mental state have influenced the trials and verdicts of previous prosecutions and there are continued questions as to whether he is fit to stand trial.

BACKGROUND: Aneeya has been prosecuted numerous times in relation to alleged lèse majesté offenses. He was first accused of lèse majesté in 1975 in relation to a book written about the Ethiopian emperor Haile Selassie, focusing on Selassie's wealth.

Aneeya currently has another lèse majesté case pending for remarks he made at a public panel discussion in November 2015. Criticisms of governments are a recurring theme in many of Aneeya's writings. One of his most recent works is his autobiography, *The Dream Under The Sun*, released in 2014.

*Harit MAHATON:

PROFESSION: novelist

DATE OF ARREST: 27 April 2016

DATE OF RELEASE: 8 July 2016

DETAILS OF ARREST: Mahaton was among eight people arrested in a series of coordinated raids conducted in Bangkok and Kohn Kaen province on 27 April 2016. They were reportedly taken from the 11th Military Circle to the Crime Suppression Division.

DETAILS OF TRIAL: Mahaton faces charges of sedition under Article 116 of the Penal Code, violating the 2007 Computer Crime Act, and lèse majesté under Article 112 of the Penal Code in connection with social media activity. Mahaton denies the charges and has emphasised his support for the monarchy in court. Despite being a civilian, he is being tried before a military court. In a civilian court, sedition carries a sentence of seven years in prison, while lèse majesté carries a maximum 15-year penalty. However, military courts have been known to pass sentences up to twice as harsh as those of a civilian court. Mahaton and colleagues were denied bail by the Bangkok military court, which argued that their cases carry heavy penalties for serious criminal charges against national security. After repeated bail applications, Mahaton was released on 8 July 2016. According to reports, Mahaton was officially indicted on lèse majesté charges on 2 August 2016.

BACKGROUND: Mahaton is the author of at least 10 fantasy novels for young adults. Mahaton is one of eight people accused of being involved in the making and dissemination of commentary on the parody Facebook page 'We Love General Prayuth'. The seven, who also face charges of sedition and violating the 2007 Computer Crime Act are: **Natthika Worathaiyawich, Noppakao Kongsuwan, Worawit Saksamutnan, Yothin Mangkhangsanga, Thanawat Buranasiri, Supachai Saibut, and Kannasit Tangboonthina.** The Thai-language Facebook page categorised itself as a 'comedian' site. The Thai military junta claimed that it was created with funding from the son of deposed Prime Minister Thaksin Shinawatra in order to discredit the government. The Facebook page is no longer accessible. The lèse majesté charges are thought to stem from private communications on Facebook messenger between Mahaton and social media user Worathaiyawich, accessed following Mahaton's arrest on 27 April 2016. Worathaiyawich was also indicted on 2 August 2016 and will face lèse majesté charges.

CONDITIONAL RELEASE

Andy HALL: (UK national)

PROFESSION: labour activist and researcher who blogs at <http://andyjhall.wordpress.com/>

DATE OF BIRTH: 30 October 1979

SENTENCE: three-year prison term suspended for two years and 150,000 baht (c. US\$ 4,300)

DETAILS OF TRIAL: Hall has been on trial for both criminal and civil defamation, as well as offences under the Computer Crimes Act after publishing a report on alleged abuses committed by the Natural Fruit Company Limited, a fruit processing company in Thailand. Hall's investigative report entitled, 'Cheap has a high price: Responsibility problems relating to international private label products and food production in Thailand', was published in late 2012, by the Finnish NGO FinnWatch. The report focuses on production practices of juices and fruit sold in Finland, and was reportedly based on interviews with employees, many of them undocumented migrants from Myanmar, who suffered labour rights abuses, from poor working conditions to child labour. Hall was the lead researcher of the report, while working as Associate Researcher at Mahidol University in Thailand. The charges were filed on 14 February 2013, and his trial before the South Bangkok Criminal Court began on 2 September 2014. On 18 September 2015, the Appeal court upheld their decision to dismiss the defamation charges against Hall over a press interview conducted in Myanmar, saying neither Natural Fruit Company Limited nor the state prosecutors had grounds to sue for defamation in Thailand.

UPDATE: On 3 November 2016, Thailand's Supreme Court rejected a final appeal by the Attorney General and Natural Fruit Company Limited. This is just one of four cases of defamation Natural Fruit has filed against Hall. At a bail hearing held on 13 January 2016, a Bangkok court imposed a travel ban upon him and confiscated his passport. On 18 January 2016, a Bangkok court indicted Hall on charges of defamation and computer crimes. His trial began on 19 May 2016 and on 20 September 2016, he was convicted of criminal defamation and violation of the Computer Crimes Act. The court initially sentenced him to prison for four years in addition to a 150,000 baht (c. US\$ 4,300) fine. However, his prison sentence was reduced to three years and suspended for two years on 20 September 2016. Two civil complaints by Natural Fruit, who are reportedly demanding c. US\$12 million in damages, are still pending. According to a 7 November 16 public statement, Hall intends to leave Thailand. This is partly due to the prospect of facing further charges of defamation in a separate case, relating to his support of migrant workers, according to reports.

PEN ACTION: [RAN 01/16](#); [Update 1 to RAN 01/16](#) – 16 May 2016 [**STOP PRESS:** According to reports, on 8 February 2017 the legal team representing Hall submitted an appeal to the Bangkok South Criminal Court against Hall's earlier conviction in September 2016.]

RELEASED

Pornthip MUNKONG (f) and Patiwat SARAIYAEM:

PROFESSION: students and political activists

SENTENCE: two-and-a-half years in prison

DATE OF ARREST: Saraiyaem was arrested on 14 August 2014 and Munkong on 15 August 2014.

DATE OF RELEASE: Saraiyaem was released on 11 August 2016 and Munkong on 27 August 2016.

DETAILS OF ARREST: Munkong and Saraiyaem were arrested and charged with lèse majesté under Article 112 of the Criminal Code for their role in the theatre play The 'Wolf's Bride'.

DETAILS OF RELEASE: Munkong and Saraiyaem were released as part of a series of royal pardons marking Queen Sirikit's 84th birthday on 8 August 2016.

DETAILS OF TRIAL: On 23 February 2015, Bangkok's Criminal Court initially delivered a sentence of five years in prison. However, this sentence was reduced to two-and-a-half years in prison, due to a guilty plea.

BACKGROUND: Munkong and Saraiyaem played the main protagonists in the play *The Wolf's Bride*, which was performed at Thammasat University on 13 October 2013. It commemorated the 40th anniversary of the 14 October Popular Uprising and dramatised the story of a fictional king and his adviser. The play was recorded and shared on social media. Thailand's lèse majesté laws are among the strictest in the world and have remained unchanged since 1908. The law protects the monarchy from perceived insult or defamation and can carry a penalty of up to 15 years in prison.

PEN ACTION: 2015 Seasons' Greetings campaign; [Day of the Imprisoned Writer 2015](#); [RAN 05/15 – 24 February 2015](#); [RAN 05/15 Update #1 – 5 September 2016](#)

VIET NAM

IMPRISONED: MAIN CASES

TRAN Anh Kim:

PROFESSION: writer, dissident and former army officer.

DATE OF BIRTH: 1949

SENTENCE: 13 years in prison

DATE OF ARREST: 21 September 2015

DETAILS OF ARREST: Authorities are thought to have charged Tran under Article 79 of the Criminal Code (carrying out activities aimed at overthrowing the people's administration). Reports state that his laptop, mobile phone, and some files were taken from his residence.

PLACE OF DETENTION: B14 Detention Camp, Thanh Liet village, Thanh Tri district, Hanoi

DETAILS OF TRIAL: On 16 December 2016, Tran was reportedly sentenced to 13 years in prison to be followed by four years of house arrest by the Thai Binh People's Court.

BACKGROUND: Tran is the author of more than 85 articles and essays focusing on government corruption, human rights abuses and social injustice. His most prominent works include the essays 'Letter of confidence' and 'A wise leader'. He was a member of the editorial board of the underground journal *Fatherland*. Tran was first arrested 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. Tran was also arrested in July 2009 for his pro-democracy activities: on 7 January 2015 he was released from prison under a probationary detention of three years after completing a five-and-a-half-year prison term.

OTHER INFORMATION: Tran is secretary of the banned Viet Namese Democratic Party and member of the banned democracy movement known as Bloc 8406.

AWARDS: Recipient of the 2009 Hellman/Hammett Award. PEN Action RAN 49/09 - 15 September 2009

TRAN Huynh Duy Thua (pen name: Tran Dong Chan):

PROFESSION: businessman, poet and internet writer

DATE OF BIRTH: 29 November 1966

SENTENCE: sixteen years in prison and three years of probationary detention.

EXPIRES: 23 May 2025

DATE OF ARREST: 24 May 2009

DETAILS OF ARREST: According to reports, Tran was arrested at his home by the Security Agency and was originally charged with ‘conducting propaganda against the Socialist Republic of Viet Nam’ under article 88-1(c) of the Criminal Code. There are reports that in August 2009, Tran was compelled to make a public ‘confession’.

CURRENT PLACE OF DETENTION: On 7 May 2016, Tran was reportedly moved from Xuyên Móc Labour camp to another detention facility about 1,500 kilometres away, known as Camp No. 6 in central Nghe An province. No explanation was provided for the move.

DETAILS OF TRIAL: On 17 January 2010 Tran was tried and convicted for ‘carrying out activities aimed at overthrowing the people’s administration’ under article 79 of the Criminal Code. The trial lasted one day, and neither Tran’s relatives nor the press were allowed into the courtroom. He was reportedly convicted for his dissident activities and writings.

UPDATE: In March 2016, Tran, along with other inmates at Xuyên Moc prison, including **Tran Vu Anh Binh** (see below), reportedly submitted written complaints and went on a 13-day hunger strike to protest misconduct by prison guards, including arbitrary restrictions on their rights to receive documents from and send documents to their family members, as well as the frequent use of solitary confinement. The hunger strike earned international coverage and reportedly ended after prison authorities acknowledged staff members had violated the rules of conduct and the authorities agreed to meet the prisoners’ demands. On 24 May 2016, marking his seventh year in prison, Tran staged a 15-day hunger strike calling for a referendum on Viet Nam’s political system. As a result of this hunger strike, Tran was reportedly too weak to stand during a family prison visit on 1 June 2016. In August 2016, during a period of extreme summer temperatures, prison authorities reportedly cut the electricity in Tran’s cell as a punishment for his refusal to carry out a particular form of prison labour.

BACKGROUND: Tran began his career running several IT businesses. Reportedly he gained an awareness of the corruption endemic in the country’s economic environment which fed into his activism; advocating democratic reform and promoting respect for human rights in Viet Nam. He is the founder of the Studies Group for Improving and Promoting Viet Nam. Tran also had various online blogs, the most prominent being ‘Change we need’, where he publishes his articles on the social and political situation in Viet Nam, as well as his poems. He is said to be the co-author of the clandestine book *The Way for Viet Nam*. At the time of his 2009 arrest, Tran was reportedly in the process of writing a book entitled *Hewing Quest for Democracy and Prosperity*.

AWARDS: Recipient of the 2013 Viet Nam Human Rights Network Prize.

TRAN Vu Anh Binh (also known as Hoang Nhat Thong):

PROFESSION: songwriter and blogger.

DATE OF BIRTH: 1974

SENTENCE: six years in prison and two years' house arrest

EXPIRY: 2017

DATE OF ARREST: 19 September 2011

DETAILS OF ARREST: According to reports, Binh was arrested by a group of about 10 plain-clothed police, who confiscated his computers and audio-visual equipment.

CURRENT PLACE OF DETENTION: Xuyên Mộc Detention Camp Z30A, District Xuan Loc, Province Dong Nai, Viet Nam.

DETAILS OF TRIAL: On 30 October 2012, Tran was convicted after a five-hour trial at Hi Chi Minh People's Court of 'conducting propaganda against the Socialist Republic of Viet Nam' under article 88-1(c) of the Criminal Code. He was tried with songwriter and performer Vo Minh Tri (see 'conditional release' below).

HEALTH CONCERNS: On 19 March 2015, Tran went on hunger strike for 16 days along with his cellmates in protest against poor conditions. According to reports, Tran was handcuffed and moved to another cell during this hunger strike. In March 2016, Tran, along with other inmates at Xuyên Mộc prison, including Tran Huynh Duy Thuc (see above) reportedly submitted written complaints and went on a 13-day hunger strike to protest misconduct by prison guards. Tran cited his transfer to solitary confinement for protesting the installation of cameras in his cell as an example of this misconduct. The hunger strike earned international coverage and reportedly ended after prison authorities acknowledged staff members had violated the rules of conduct and the authorities agreed to meet the prisoners' demands. No further updates as of 31 December 2016.

BACKGROUND: Tran has written songs which deal with social matters, advocating the respect of human rights, denouncing social injustice and abuse of power. His best-known songs include 'Father, You Gave Me (Your Child) the Future', and 'The Lullaby is Not Fully Sung Yet'. He is also credited with writing the music for 'Courage in the Dark Prison', a song that reportedly expresses support for imprisoned blogger Nguyen Van Hai.

PEN ACTION: [RAN 70/12 – 31](#) October 2012

DETAINED: MAIN CASE

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

PROFESSION: Buddhist monk, writer, scholar. Secretary General of the outlawed Institute for the Propagation of the Dharma, United Buddhist Church of Viet Nam (UBCV).

DATE OF BIRTH: 27 November 1928

DATE OF ARREST: 9 October 2003

DETAILS OF ARREST: Thich Quang Do was part of a delegation of nine UBCV leaders who were all arrested on 9 October 2003. The delegation had left Binh Dinh on 8 October 2003 en route to Ho Chi Minh City when security services blocked their departure.

After a protest in which over 200 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. Although he has not been formally convicted of any charge, he remains under house arrest. No further updates as of 31 December 2016.

CURRENT PLACE OF DETENTION: Thanh Minh Zen Monastery in Ho Chi Minh City.

BACKGROUND: On 27 June 2003, Thich Quang Do was released from a 27-month detention order. He has spent most of the last 20 years in detention or under residential surveillance because of his campaign for religious freedom and free expression. In August 2008, Thich Quang Do was appointed as the new Patriarch of the UBCV.

OTHER INFORMATION: The UN Working Group on Arbitrary Detention declared his imprisonment as 'arbitrary' in May 2005.

AWARDS: Recipient of 2001 Hellman/Hammet Award; 2002 Viet Nam Human Rights Award; 2002 Homo Homini Award for his 'outstanding merits in promoting human rights, democracy, and the non-violent resolution of political conflicts' by the Czech group People in Need; 2006 Norwegian Thorolf Rafto Human Rights Prize; 2006 Democracy Courage Tribute by the World Movement for Democracy.

HONORARY MEMBER: French PEN, German PEN and Swedish PEN.

***NGUYEN Ngoc Nhu Quynh (also known as ME NAM) (f):**

PROFESSION: blogger and social activist

DATE OF BIRTH: 1979

DATE OF ARREST: 10 October 2016

DETAILS OF ARREST: According to reports, Me Nam was arrested while visiting an imprisoned political activist in her hometown of Nha Trang. Me Nam and her mother were reportedly forced into a car and driven to her house. The home was searched and electrical equipment was confiscated. She was subsequently taken to Song Lo prison and was charged under Article 88 of the Penal Code, for 'propagandising' against the state, according to media reports; if convicted she could face up to 20 years in prison.

CURRENT PLACE OF DETENTION: Unconfirmed reports suggest she may be being held in Song Lo Prison

DETAILS OF TRIAL: She is currently awaiting trial. Evidence cited in her case reportedly includes c. imately 400 Facebook posts and her published brochure, entitled Stop.

CONDITIONS OF DETENTION: On 13 October 2016, Me Nam's whereabouts were reported as unknown: international calls for urgent action and a public appeal from her mother followed. As of 31 December 2016, she is believed to be held in isolation, with no access to her lawyer or family.

BACKGROUND: Me Nam's writing is often critical of the Viet Nameese government, highlighting social injustice and human rights violations. She has faced persistent harassment from the Viet Nameese authorities; she was first arrested in 2009 but was released after 10 days following international pressures. Her 2016 arrest reportedly followed her criticism of the government's handling of a chemical dump at a Taiwanese-owned steel plant in central Viet Nam that caused mass fish deaths.

OTHER INFORMATION: Member of the Viet Nameese Bloggers Network. **[STOP PRESS:** According to reports, her pre-trial detention has been extended to May 2017. No explanation has been given for this extension and she continues to have no access to her lawyer of family.]

ON TRIAL

NGUYEN Quang Lap (aka: Bo Lap):

PROFESSION: blogger, journalist and writer

DATE OF BIRTH: 30 April 1956

DATE OF ARREST: 6 December 2014

DATE OF RELEASE: 10 February 2015

DETAILS OF ARREST: Nguyen was arrested at his home in Ho Chi Minh City, reportedly for 'abusing freedom and democracy to infringe upon the interest of the state'

DETAILS OF RELEASE: On 10 February 2015 Nguyen was released into house arrest for medical reasons as he has a paralysed arm and a leg as a result of a stroke.

DETAILS OF TRIAL: Nguyen is still under investigation under Article 258 of the Criminal Code on the charge of 'abusing freedom and democracy to infringe upon the interests of the state'. No further updates as of 31 December 2016.

BACKGROUND: Nguyen is said to have been in the Army in the 1980s for about five years. He then started his career as a journalist and became the deputy editor of the magazine Cua Viet, which was closed by the authorities for its alleged pro-democracy line. He later wrote plays, film scripts, a collection of stories and a novel. He is an award-winning writer and a member of the Viet Nameese Writers' Association. In 2007 he started blogging in 'Que Choa' (Dad's Homeland), which is said to be one of the most popular blogs inside and outside Viet Nam. In recent years, the blog has suffered cyber-attacks, but it continues to be active and popular.

CONDITIONAL RELEASE

HO Thi Bich Khuong (f):

PROFESSION: internet writer and human rights activist

SENTENCE: five years in prison and three years' probationary detention.

DATE OF BIRTH: 1967

DATE OF ARREST: 15 November 2011

DATE OF RELEASE: 15 January 2016

EXPIRY: 2016

DETAILS OF ARREST: Ho was arrested by the public security police after a search of her house, where agents confiscated many items, including books and computers.

DETAILS OF TRIAL: Ho was tried on 29 December 2011, at Nghe An People's Court, for 'conducting propaganda against the Socialist Republic of Viet Nam' under Article 88-1(c) of the Criminal Code.

DETAILS OF RELEASE: Ho was reportedly released from prison on 15 January 2016. At the time of her release, it was unclear where Ho would go as the Viet Nameese government has confiscated her house and land. She has three years of probationary detention to serve. No further updates as of 31 December 2016.

BACKGROUND: Ho served two previous prison sentences, in 2005 and 2007, after conviction of offences under article 245 of the Criminal Code, for 'causing public disorder', and article 258 for 'abusing democratic freedoms to infringe upon the interest of the State', respectively. She has also been attacked, threatened and subject to brief detentions.

OTHER INFORMATION: Ho's writings promote freedom of expression and freedom of association; especially focusing on defending the rights of landless poor people and human rights activists. Her memoir of her time in prison was published in serialised form in 2009 by Nguoi Viet Online, a Viet Nameese-American newspaper in the United States. She has also written some satirical poems and was a member of the pro-democracy movement Bloc 8406.

AWARDS: Recipient of 2011 Hellman/Hammett 2011 Award.

NGUYEN Van Ly:

PROFESSION: priest, scholar, essayist and co-editor of the underground online magazine Tu Do Ngon Iuan (Free Speech).

DATE OF BIRTH: 1946

SENTENCE: eight years in prison and five years of probationary detention.

DATE OF ARREST: 19 February 2007

DATE OF RELEASE: 20 May 2016

DETAILS OF ARREST: Nguyen was 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 Iuan, Father Chan Tin and Father Phan Van Loi, were reportedly also placed under house arrest.

DETAILS OF RELEASE: Nguyen was released from the labour camp on 20 May 2016, one month early. He now faces five years of probationary detention, part of the original sentence. Nguyen's health is reported to have severely deteriorated in prison. No further updates as of 31 December 2016.

DETAILS OF TRIAL: On 30 March 2007, a People's Court in Hue (Central Viet Nam) sentenced Nguyen under Article 88 of the Criminal Code for 'conducting propaganda against the Socialist Republic of Viet Nam'. Video footage of his sentencing is available [here](#).

OTHER INFORMATION: In September 2010, the United Nations Working Group on Arbitrary Detention called for the immediate and unconditional release of Nguyen, who it said had been arbitrarily and illegally detained and denied access to legal counsel by the Viet Nameese authorities.

BACKGROUND: Nguyen is a leading member of the pro-democracy movement 'Bloc 8406'. He was previously detained from 1977-1978, and again from 1983-1992 for his activism in support of freedom of expression and religion. He was sentenced again in October 2001 to 15 years in prison for his online publication of an essay on human rights violations in Viet Nam, and was a Main Case of PEN International.

The sentence was commuted several times and he was released under amnesty in February 2005.

AWARDS: Recipient of 2002 Homo Homini Award for human rights activism by the Czech group People in Need; 2008 Hellman/Hammett Award in recognition of his work in the face of persecution; and nominated for the 2009 and 2010 Sakharov Prize for Freedom of Thought.

HONORARY MEMBER: Sydney PEN.

PEN ACTIONS: RAN 12/07 - 28 February 2007; update #1 - 7 March 2007; updates #2 – 3 April 2007; [RAN 06/14](#); [RAN 06/14 Update #2](#) – 26 May 2016

PHAN Ngoc Tuan:

PROFESSION: dissident poet, writer and human rights defender.

DATE OF BIRTH: 1959

SENTENCE: five years in prison and three years in probationary detention.

DATE OF ARREST: 10 August 2011

DATE OF RELEASE: Released from prison on 10 August 2016 into probationary detention (a form of house arrest).

DETAILS OF ARREST: Phan was arrested by the public security police when he took refuge with one of his acquaintances in Ho Chi Minh City. He was then escorted back to his place of residence for interrogation.

DETAILS OF TRIAL: On 6 June 2012, Phan was sentenced by the Ninh Thuan province's people court to five years in prison and three years in probationary detention after being convicted of 'conducting propaganda against the Socialist Republic of Viet Nam' under article 88-1(c) of the Criminal Code. The indictment alleged that Phan's writings 'slandered' the government and its leaders. No defence lawyers, even court-appointed ones, were present at Phan's half-day trial. Phan denied the charges.

HEALTH CONCERNS: On his release from prison, Phan was reportedly in poor health. He is said to have carried out multiple hunger strikes during his time in prison, protesting the mistreatment of prisoners.

OTHER INFORMATION: Phan's family has reportedly faced harassment, intimidation and threats.

BACKGROUND: Phan is the author of several satirical texts, lampoons, pamphlets and documents criticising the communist authorities for their human rights violations and denouncing corruption, social injustice and ideological discrimination in the regime's legal system.

VO Minh Tri (also known as Minh Tri and Việt Khang):

PROFESSION: songwriter and performer

DATE OF BIRTH: 19 January 1978

SENTENCE: four years in prison and two-year probationary period.

DATE OF ARREST: 23 December 2011

DATE OF RELEASE: Released from prison on 10 December 2015 into probationary detention (a form of house arrest)

DETAILS OF ARREST: Arrested on 16 September 2011 and held for a week.

Vo was re-arrested in December 2011 at his home by public security police. His computer and recording equipment were seized by the police.

DETAILS OF RELEASE: Vo was released on 10 December 2015 after serving his full four-year sentence. Police escorted him to his family's home near Ho Chi Minh City. He is now required to serve out two years in probationary detention. No further updates as of 31 December 2016.

DETAILS OF THE TRIAL: On 30 October 2012, Vo was sentenced after a five-hour trial at Ho Chi Minh People's Court for 'conducting propaganda against the Socialist Republic of Viet Nam' under Article 88 of the Criminal Code. Vo was tried with songwriter and blogger Tran Vu Anh Binh (see 'Imprisoned: Main Case' above).

OTHER INFORMATION: In April 2011, Vo and other young professionals, students and activists founded the organisation Tuoi Tre Yeu Nuoc (Young Patriots), a human rights defenders' group. Vo's lyrics and writings have been published on the group's websites www.tuoi-tre-yeu-nuoc.com and www.tuoi-tre-yeu-nuoc.net. The group advocates for respect for issues including human rights and democratic reforms. With that spirit, Vo's songs 'Who are you?', 'Where is my Viet Nam?' and 'The Mother in the Mekong Delta', among others, quickly spread on internet sites.

PEN ACTION: [RAN 70/12](#) – 31 October 2012

EUROPE AND CENTRAL ASIA

EUROPE AND CENTRAL ASIA OVERVIEW

Restrictions to the right to freedom of expression in Europe and Central Asia continued in 2016. The authorities maintained their grip on power in **Turkey, Russia** and **Azerbaijan**. Within the European Union (EU), emergency counter-terrorism measures prompted states such as the **United Kingdom, France** and **Germany** to expand powers of surveillance. Respect for freedom of expression deteriorated across the former Soviet Union through government control of the media and clampdown on dissent.

Silencing critical voices

Following a coup attempt in **Turkey** on 15 July 2016, the authorities cracked down on writers, journalists, media organisations, publishing houses, the judiciary and political opponents, resulting in a silencing of critical voices. These included writers [Aslı Erdoğan](#), [Ahmet and Mehmet Altan](#), [Necmiye Alpay](#), [Ahmet Şık](#) and [İnan Kızılkaya](#). Over 180 news outlets were shut down under laws passed by presidential decree following the imposition of a state of emergency, a period characterised by the heavy-handed use of extraordinary powers while normal constitutional protections are suspended and which remained in place at the end of the year. Around 150 journalists and writers were detained by the end of 2016, making Turkey the biggest jailer of journalists in the world. Turkey's [Kurdish population](#) was particularly targeted, with arrests of Kurdish journalists and closures of pro-Kurdish media outlets, the forced replacement of elected local officials and arrests of pro-Kurdish members of parliament. Thousands of Kurdish teachers, journalists and academics were also suspended from their jobs as part of a nation-wide purge. Even before the failed coup, thousands of academics had been arrested to face trial and others dismissed from their posts after they had signed a peace petition calling for an end to army abuses in the Kurdish region.

Russia used a so-called 'Foreign Agents Law' to place onerous restrictions on non-governmental organisations (NGOs) receiving funds from abroad, targeting independent NGOs. By the end of 2016, the register included 146 organisations, of which 35 had permanently closed down. Since the Russian occupation and annexation of Crimea in February-March 2014, opponents of the annexation have been harassed into exile or silenced, while media freedom in Crimea has been severely restricted. Guilty verdicts on criminal separatism charges were delivered in relation to material posted online. Most charges pertained to remarks about Crimea being part of Ukraine.

Ukraine continued to offer a broadly free environment but outlets perceived as pro-Russia or pro-separatist faced harassment, including threats of closure or physical violence. A number of Russian media executives and journalists were banned from entering Ukraine. In Crimea, Russian authorities prosecuted people for publicly opposing Russia's occupation of Crimea. Independent journalists were unable to work openly while journalists from mainland Ukraine were denied access and turned away at the de facto border.

Within the EU, journalists continued to face physical attacks, death threats and intimidation. In **Croatia**, the authorities failed to investigate acts of intimidation and [attacks against journalists](#). In March, the authorities ended the contracts of nearly 70 editors and journalists at the state-owned broadcaster Croatian Radio Television, in a move perceived as an attempt to influence its editorial line. The criminalisation of defamation in **Spain** and **Italy** continued to discourage the media from publishing critical information.

The situation in Central Asia remained dire. In **Kazakhstan**, journalists were prosecuted and sentenced to prison terms on dubious grounds while activists were targeted for posts on social media, prompting the European Parliament to issue in March a [resolution](#) on freedom of expression in the country. In **Tajikistan**, the authorities harassed independent media outlets and journalists. Access to independent information was hindered following the adoption of a five-year decree in August allowing the authorities to regulate and control content of both state-owned and independent media. In **Kyrgyzstan**, intimidation and harassment of civil society groups and human rights defenders [increased](#).

Although a number of high-profile political prisoners were [released](#) in March in **Azerbaijan**, the authorities continued to prosecute and imprison human rights defenders, journalists and activists who expressed critical opinion of the regime. According to local human rights activists, more than 100 people remained behind bars on politically-motivated charges at the end of 2016. These included writer and blogger Rashad Ramazanov, who is serving a nine-year sentence on charges of ‘illegal possession and sale of drugs’, which he denies. [Rashad Ramazanov](#) is well-known for his anti-government postings. PEN International believes that the charges against him are politically motivated and that he is imprisoned solely for exercising his right to freedom of expression. The organisation calls for his immediate and unconditional release and for his conviction to be quashed.

Counter-terrorism and security

Violent attacks in the EU in 2016 resulted in hundreds of people being wounded or killed, prompting the authorities in several countries to implement a series of emergency measures aimed at protecting people from violence. However, some of these measures raised serious human rights concerns, particularly in relation to the rights to freedom of expression and privacy.

Under international law, governments can temporarily restrict certain rights during states of emergency – including freedom expression – but only ‘to the extent strictly required by the exigencies of the situation.’ The continuous renewal of the state of emergency in **France**, extended in December until July 2017, was [criticised](#) for curbing fundamental freedoms. In **Poland**, a draconian counter-terrorism law adopted in June 2016 embedded powers typically invoked during a state of emergency in ordinary criminal law, with no independent oversight mechanism.

Hundreds of people, including minors, were charged in **France** with ‘apology of terrorism’, a vaguely-defined offence punishable with up to seven years in prison,

including for social media posts that did not incite violence. In **Spain**, similar 'glorification of terrorism' laws, which carry up to three years imprisonment, were used against artists and musicians, including two puppeteers who were arrested in February after a satirical performance.

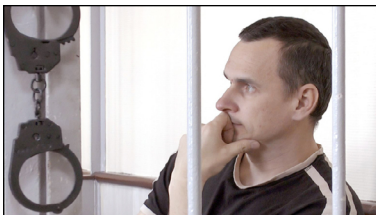
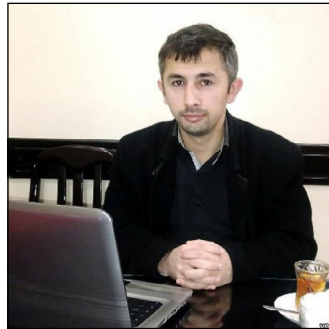
Sweeping surveillance powers were granted or expanded in several countries. In **Germany**, parliament approved a [discriminatory and disproportionate](#) law permitting surveillance of non-EU citizens outside the country, with no independent judicial oversight. In October, a draft law that would grant sweeping surveillance powers to the intelligence and security services was presented to parliament in **the Netherlands**. The draft provides insufficient safeguards against abuse of power and there is a risk that communications could be shared with countries where information could be used for human rights violations. In November, the **United Kingdom's** parliament passed a bill granting intelligence agencies and police unprecedented [sweeping surveillance powers](#). It notably legalised a range of tools for hacking and failed to provide adequate protection for journalists' sources.

AZERBAIJAN

Rashad Ramazanov

Health concerns for imprisoned writer

PEN Honorary Member, Rashad Ramazanov was sentenced to nine years in prison on politically motivated charges. PEN members are campaigning for his release & access to adequate medical care.



RUSSIA

Oleg Sentsov

Unfairly tried by military court

Sentenced to 20 years in prison after an unfair trial marred by allegations of torture, Oleg Sentsov should be released or granted a fair retrial by a civilian court under Ukrainian law.

AZERBAIJAN

KILLED: IMPUNITY

Rafiq TAĞI:

PROFESSION: journalist and short story writer

DATE OF BIRTH: 5 August 1950

DATE OF DEATH: 23 November 2011

DETAILS OF DEATH: Died in hospital after being attacked while returning home from work on 19 November 2011. Although the motive for the attack remains unknown, Tağı stated in an interview held a day prior to his death that it may have been related to an article published on 10 November 2011, entitled 'Iran and the Inevitability of Globalisation', in which he criticised the Iranian government and described threats made against Azerbaijan by Iran as 'ridiculous'.

DETAILS OF INVESTIGATION: a criminal investigation was launched by the Khatai District Prosecutor's Office in November 2011. In February 2012, media reports stated that the authorities ruled out medical negligence as a contributory factor, which was criticised by Tağı's family members. The investigation was reportedly suspended on 8 January 2014, owing to the 'non-establishment of the person subject to prosecution.' On 8 January 2015, Tağı's lawyer announced on Facebook that the Prosecutor-General's Office had informed him in writing that the probe into the death had ended. No further information was given.

BACKGROUND: Tağı, 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 Muhammad. Following the publication of the article the then Grand Ayatollah Fazil Lankarani of Iran issued a fatwa calling for Tağı's death. He was sentenced to three years in prison under Article 283 of Azerbaijan's Criminal Code for 'inciting national, racial and religious enmity'. Following significant international pressure, Tağı was granted amnesty on 28 December 2007.

IMPRISONED: MAIN CASE

Rashad RAMAZANOV (pen name Rashad Hagigat Agaaddin):

PROFESSION: writer and blogger

DATE OF BIRTH: 1 January 1982

SENTENCE: nine years in prison

DATE OF ARREST: 9 May 2013

EXPIRES: May 2022

DETAILS OF ARREST: Ramazanov was arrested in Azerbaijan's capital Baku near the '20 January' metro station and taken to the Organized Crime Department of the Ministry of

Internal Affairs. Police officers claimed to have discovered 9.05 grams of heroin in his trouser pocket. He denied the charges and insisted that the drugs had been planted on him during his arrest. He said that police officers beat him in the car on the day of his arrest and then during the interrogations on the first three days of his detention.

DETAILS OF TRIAL: Ramazanov was charged under Article 234.4.3 of Azerbaijan's Criminal Code ('Manufacturing, purchase, storage, transfer, transportation or selling drug with a view of illegal manufacturing and processing of narcotics or psychotropic substances'). His case was referred to the Baku Court of Grave Crimes on 7 August 2013 where he was convicted and sentenced to nine years in prison on 13 November 2013. The Azeri authorities are not known to have carried out any investigations into his allegations of torture and other ill-treatment. His sentence was upheld by the Baku Court of Appeal on 16 January 2014 and by Azerbaijan's Supreme Court on 14 May 2014.

BACKGROUND: Ramazanov is well-known for his anti-government postings. PEN believes that the charges against him are politically motivated and that he is imprisoned solely for exercising his right to freedom of expression. The organisation calls for his immediate and unconditional release and for his conviction to be quashed.

OTHER INFORMATION: Dunja Mijatović, then Organisation of Security and Cooperation in Europe (OSCE) Representative on Freedom of the Media, has referred to Rashad Ramazanov's case in several statements, most recently in [May 2016](#) when she welcomed the release of Khadija Ismayilova, a well known investigative journalist who had been detained since December 2014. The United Nations Working Group of Arbitrary Detention also mentioned Ramazanov in its [May 2016 statement](#) upon the conclusion of its visit to Azerbaijan. Rashad Ramazanov's family says that he is not receiving the adequate medical treatment he requires. He suffers from a number of health problems as a result of his imprisonment, most serious being tuberculosis, which he contracted when he was arbitrarily detained without charge for several months in 2005.

HONORARY MEMBER: PEN Canada **[STOP PRESS:** Ramazanov was punished with 15 days in solitary confinement that began on 23 January 2017. His family and lawyer sought to see him but were denied permission. The reason for this punishment remains unknown. PEN is urging the Azeri authorities to provide him with adequate medical care. See [RAN 01/17](#) and [update](#)]

ON TRIAL

*Akram AYLISLI:

PROFESSION: author, poet, playwright

DATE OF BIRTH: 1 December 1937

DATE OF HARASSMENT: 30 March 2016

DETAILS OF HARASSMENT: Aylisli was [detained](#) at Heydar Aliyev airport in Baku in the morning of 30 March, after attempting to travel to Venice, Italy, where he was due to speak at the Incroci di Civilta literary festival. He was detained by border guards at 4 am and held for five hours after being told that he could not travel, although no reason was given at the time. He says that his bags were taken off the plane and searched several times over the course of the day. At 9:30am he was taken into custody by the airport police after being accused of creating a public disturbance, hindering the work

of border officials and disturbing other passengers. He was then held for over 10 hours and interrogated. Later in the evening a border official accused Aylisli of having punched him in the chest hard enough to bruise, in a room without security cameras during a brief period when Aylisli's son had stepped outside. Aylisli [stated](#) that the alleged punch was used as justification to deny him the right to leave the country.

DETAILS OF TRIAL: Aylisli was [charged with hooliganism under Article 221.1 of the Criminal Code](#) on 6 April 2016; on 22 April 2016, charges were upgraded to [resisting the authorities with violence](#) under Article 315.1 of the Criminal Code. This came after he wrote a letter to Azerbaijan's president, suggesting that it was absurd that a 78-year-old man could assault a young border control guard, and asking for charges against him to be dropped. He faces up to three years in prison if convicted.

BACKGROUND: Aylisli was a popular writer in Azerbaijan up until the publication of his novel *Stone Dreams*, which tackled the issue of Azeri-Armenian relations and included depictions of pogroms allegedly carried out by Azeris against Armenians in 1990. He had previously been awarded the official title of People's Writer, as well as two of the highest state awards in Azerbaijan, the Shokrat and Istiglal medals. After the 2013 publication, he was stripped of his titles and medals and the President signed a decree stripping him of his presidential pension; his books were also burnt, and a politician from a pro-government party [reportedly](#) offered a US\$13,000 reward to anyone who cut off one of his ears. His wife and son were both dismissed from their jobs. He was branded an apostate, expelled from the Union of Azerbaijani Writers while people organised rallies against him. His books were withdrawn from school curriculum and his plays were banned. At the same time, members of the Azeri parliament discussed whether he should be expelled from Azerbaijan and his citizenship repealed, as well as whether he should undergo a DNA test to see if he is ethnically Armenian.

CONDITIONAL RELEASE

Arif YUNUS:

PROFESSION: historian, writer and activist, head of the Department of Conflict and Migration of the Institute of Peace and Democracy

DATE OF BIRTH: 12 January 1955

SENTENCE: seven-and-a-half years in prison

DATE OF ARREST: August 2014

DATE OF RELEASE: 12 November 2015

DETAILS OF ARREST: Arif Yunus and his wife Leyla Yunus, an outspoken political activist, were arrested in August and July 2014 respectively.

DETAILS OF TRIAL: Arif Yunus was sentenced to seven years in prison by the Baku Court of Grave Crimes on 13 August 2015. Leyla Yunus was sentenced the same day to eight-and-a-half years in prison. Both were [convicted](#) on politically motivated charges, including illegal entrepreneurship, tax evasion, and fraud.

PLACE OF DETENTION: Arif Yunus was held at the Ministry of National Security's investigative prison.

HEALTH CONCERNS: Both Arif and Leyla Yunus suffer from serious health problems and their health deteriorated sharply in detention.

DETAILS OF RELEASE: The Baku Court of Appeals granted Yunus conditional release on medical grounds on 12 November 2015 at the request of his lawyers after his health seriously deteriorated. As part of the conditions of their release, Arif and Leyla Yunus were placed under a travel ban. They said that doctors in Azerbaijan refused them treatment out of fear of reprisals from the authorities and filed a request to have their travel ban lifted on humanitarian grounds. The Court rejected their request on 11 February 2016. Following international pressure, they were eventually allowed to [travel to the Netherlands in April](#) to receive medical care, where they remain to date. They reportedly still face separate charges of 'high treason' alleged to be fabricated.

OTHER INFORMATION: In August 2015, a group of UN human rights experts issued a [joint statement](#) expressing concern at the sentencing of Arif and Leyla Yunus. They were also mentioned in a [resolution](#) of the European Parliament in September 2015. In June 2016, the European Court of Human Rights ruled that as a result of inadequate medical treatment, the couple had been exposed to prolonged mental and physical suffering, amounting to inhuman and degrading treatment. It ordered the Azeri authorities to pay them 13,000 euros (approximately US\$ 14,500) in damages each, and 4,000 euros (approximately US\$ 4,500) for costs and expenses.

BACKGROUND: Arif Yunus has published over 30 books and 190 articles related to Azerbaijani history and Armenian-Azerbaijani relations.

PEN ACTION: [Resolution on the Republic of Azerbaijan](#), 80th PEN World Congress, [October 2014](#); open letter 17 May 2016.

RELEASED

Hilal MAMEDOV:

PROFESSION: editor-in-chief of independent newspaper Talyshi Sado (Voice of the Talysh) and human rights activist

SENTENCE: five years in prison

DATE OF ARREST: 21 June 2012

DATE OF RELEASE: 17 March 2016

DETAILS OF RELEASE: Mamedov was included in the 17 March 2016 presidential decree that pardoned 148 prisoners, a number of which were PEN cases.

DETAILS OF TRIAL: Baku police arrested Hilal Mamedov initially on charges of drug possession. Soon after, in July 2012, the Ministry of Interior and the Office of the Prosecutor General of Azerbaijan issued a joint statement accusing Mamedov of having undermined the country's security in his articles for Talyshi Sado, in his interviews with the Iranian broadcaster Sahar-2 and also in unnamed books he had allegedly translated and distributed. Mamedov was convicted on 28 September 2013 of illegal selling of drugs (Article 234.4.3 of the Criminal Code), treason (Article 274 of the Criminal Code), and incitement to national, racial, social and religious hatred and hostility (Article 283 of the Criminal Code) by the Baku Court of Grave Crimes. Mamedov's family claimed that the drugs had been planted and that his arrest was politically motivated. Human rights observers inside and outside

Azerbaijan believed that he was being punished for his journalism and activism for national minorities' rights, and there were concerns over the fairness of his trial, including reports of coercion of witnesses and lack of substantive evidence against him. Mamedov's conviction was upheld on 25 December 2013 and by Azerbaijan's Supreme Court on 26 June 2014.

BACKGROUND: Mamedov's newspaper is printed in the Talysh language, which is related to Persian. The Talysh minority's leader in Azerbaijan, Novruzali Mamedov, who edited the newspaper before Mamedov, died in prison in 2009 after he was found guilty of spying for Iran and was sentenced to 10 years in prison.

OTHER INFORMATION: Mamedov's case has been raised in a number of international fora, including in February 2016 when the [European Court of Human Rights](#) found that Mamedov's rights under Article 3 (prohibition of torture) of the European Convention on Human Rights had been violated twice – once because he was tortured and once because his complaints of torture were not investigated.

PEN ACTION: [statement](#) 8 October 2013; joint [third party intervention](#) to European Court on Human Rights about the situation of freedom of expression in Azerbaijan 17 March 2016, [statement](#) 18 March 2016

CROATIA

ON TRIAL

*Ante TOMIĆ:

PROFESSION: writer, journalist, satirical writer for Slobodna Dalmacija and Jutarnji List national daily newspapers.

DETAILS OF TRIAL: Croatia's Minister for Culture, Zlatko Hasanbegović, is suing Ante Tomić for psychological damages up to 30,000 HRK (around US\$ 4,200), following the publication of an article in the Serbian newspaper NIN on 28 January 2016, entitled 'The Sorrows of a Political Minotaur' where Tomić referred to the minister in derogatory terms, including references to the minister's Muslim background. Tomić in his defence stated they were not intended to denigrate his religion but as questions about the Minister's political affiliations. [Court proceedings](#) began on 6 July 2016.

OTHER INFORMATION: On 31 March 2016, two men [physically assaulted](#) Tomić and called him 'Yugoslav Scum' as he was on his way home from the Pričigin literary festival in Split. The Ministry of Culture released a statement saying it 'condemns physical violence and attacks on all citizens. At the same time, this case reminds us about the importance of responsibility for words spoken and/or written in public.' These comments were criticised by the European Federation of Journalists. The attack was photographed and two men were arrested. Tomić has previously been attacked: an effigy symbolising Tomić was burned during the annual carnival in the municipality of Proložac on 17 February 2015, and on 23 February 2014, an unknown man dumped a bucket of faeces over Tomić's head in a cafe in the centre of Split.

THREATENED

*Ivica ĐIKIĆ:

PROFESSION: editor-in-chief of Novosti, a weekly bilingual newspaper that covers issues relating to the Serb minority

DATE OF THREAT: 25 April 2016

DETAILS OF THREAT: According to the [Mapping Media Freedom Project](#), Đikić received an anonymous threatening letter claiming to come from the Duvno/Tomislavgrad branch of the Croatian Defense Forces (HOS). The threat was in connection to Đikić's promotion of a book about the World War II atrocities committed by the ultranationalist Croatian group Ustasa. No details were given on the threats contained in the letter.

BACKGROUND: Đikić says that he has received almost daily threats since the publication of an article in February 2016 claiming links between the Minister for Culture Zlatko Hasanbegović with far-right organisations.

AWARDS: Đikić received the Meša Selimović Award in 2003 for his novel Cirkus Columbia.

HARASSED

*Tatjana GROMACA (f):

PROFESSION: journalist for Novi List (left-wing daily newspaper), poet and novelist

DATE OF HARASSMENT: 17 May 2016

DETAILS OF HARASSMENT: Gromaca was fired as a cultural correspondent for Novi List in May 2016; she believes that she was dismissed for opposing nationalism. According to [Balkan Insight \(BIRN\)](#), Novi List claimed Gromaca was dismissed because they no longer needed a reporter in Istria, even though she was not writing on Istrian issues, nor was she a correspondent there.

BACKGROUND: Gromaca has been working as a journalist since 2000 and with Novi List since 2008. She is the author of several books of poetry and prose.

ITALY

THREATENED

***Leonardo PALMISANO:** writer, professor of sociology at the Polytechnic University of Bari and co-author of Ghetto Italia

***Yvan SAGNET:** Activist and co-author of Ghetto Italia

DATE OF THREAT: January 2016

DETAILS OF THREAT: Palmisano and Sagnet [reported](#) being threatened over the phone and followed in the street after the publication of their book Ghetto Italia on 5 November 2015. Ghetto Italia investigates the illegal hiring practises and living conditions of foreign workers. They reported the threats to anti-Mafia prosecutors in Bari in February 2016.

RELEASED

Massimiliano AMATO:

PROFESSION: journalist and writer

DATE OF RELEASE: On 3 February 2016, Amato was [acquitted](#) by the judge of the Fourth Chamber of the Court of Naples of charges of 'aggravated defamation'.

DETAILS OF TRIAL: Massimiliano Amato, one of the authors of the book Il Casalese, which tells of the story of the former economy undersecretary Nicola Cosentino, was tried for defamation following a complaint by one of Nicola Cosentino's brothers – Palmiro Cosentino – that the book had confused him with a nephew. On learning of the error, Amato apologised and ensured further editions were corrected.

***Emiliano FITTIPALDI:** Journalist and author of Avarice, about Vatican corruption

***Gianluigi NUZZI:** Journalist and author of Merchants in the Temple, about Vatican corruption

DATE OF RELEASE: 7 July 2016

DETAILS OF RELEASE: Nuzzi and Fittipaldi were acquitted by a Vatican court after judges ruled that they did not have the authority to examine their cases.

DETAILS OF TRIAL: Nuzzi and Fittipaldi were put on trial in November 2015, alongside three Vatican employees. They were tried under a law introduced in 2013 that criminalised the leaking of documents. Both journalists faced up to eight years in prison if convicted. The International Publishers Association (IPA) and the Italian Publisher's association (AIE) both condemned the Vatican for putting the journalists on trial, as they did not compromise Vatican public security.

PEN ACTION: [statement](#) 8 July 2016

KAZAKHSTAN

JUDICIAL CONCERN

Aron ATABEK (also known as Aron YEDIGHEEV):

PROFESSION: poet, writer, newspaper publisher and political activist

DATE OF BIRTH: 31 January 1953

SENTENCE: 18 years in prison

EXPIRES: July 2024

DATE OF ARREST: 17 July 2006

DETAILS OF ARREST: Arrested following a July 2006 riot that broke out in the Shanyrak shantytown of Almaty after local residents and activist groups clashed with security forces that had been brought in to clear the area for demolition.

CURRENT PLACE OF DETENTION: AP 162/1 in Pavlodar

DETAILS OF TRIAL: Charged and convicted in 2007 of organising mass disorder and of taking hostage and killing a police officer under disputed circumstances during those events. Atabek denied the charges. After the conviction, and shortly before a hearing of the case at the Supreme Court, the two main witnesses for the prosecution withdrew their testimony. They claimed that they had been tortured and blackmailed into testifying against Atabek. The Supreme Court declined their new testimony as unsubstantiated. In December 2015, a court in Astana dismissed Atabek's appeal against his sentence.

CONDITIONS IN DETENTION: Atabek was held in a high security jail in Arkalyk, over 1,600km away from his family, until October 2013. He was placed in solitary as punishment for writing a book that criticised the president (the book, Heart of Eurasia, was written in prison, smuggled out, and published on the internet in 2012). He was reportedly denied access to natural light, communication with other prisoners and writing materials, and was kept under constant video surveillance. This was his second period in solitary confinement; he previously spent two years (2010-2012) there for refusing to wear a prison uniform. He was denied family visits from 2010 until the end of 2013, resulting in only one successful visit in December 2013. Atabek was transferred to another prison, AP 162/1 in Pavlodar, on 7 April 2014. In July 2014, Atabek's son revealed that his father had suffered regular beatings to his head and neck during his incarceration in this new prison facility. In August 2015, local media reported that Atabek had been moved out of solitary confinement and into a cell with three other inmates. In December 2015 there were reports that the conditions in the shared cell had become too difficult for Atabek due to his health issues and that he had personally requested to be returned to solitary confinement, although his family doubt that he would have requested this.

BACKGROUND: Atabek has written several books of poetry and prose inspired by Tengri (a form of Central Asian shamanism), as well as a book about the Alash state that fought for autonomy between 1917 and 1920, and eventually subsumed into the Kazakh Soviet Socialist Republic in 1936. In February 1992, he founded and organised the publication of the monthly newspaper Khak (The Truth). He was awarded the literary 'Almas Kylysh' prize in 2004, as well as the Freedom to Create 'Imprisoned' prize in 2010. On 28 May 2014, Catherine Ashton, then High Representative for Foreign Affairs and Security Policy for the European Union responded on behalf of the European Commission to a question in the European parliament about Aron Atabek. She said: 'No evidence linking him explicitly to the death of the police officer or to violence was presented in court... The EU is and will continue to follow the developments in this case very closely and to encourage the Kazakh authorities to ensure that Mr Aron's right to a fair trial has been respected, and that his treatment is in line with Kazakhstan's international commitments and obligations'.

PEN ACTION: [Call to action](#) 5 August 2013; updates on [24 October](#), [29 October](#), [12 November 2013](#) and [6 January 2014](#), [17 March 2014](#), [20 June 2014](#).

Shortly before PEN International's World Congress in Bishkek, Kyrgyzstan (September 2014), a small PEN delegation travelled to Kazakhstan where they protested Atabek's ill treatment at a meeting with Head of the Executive Office of the President of the Republic of Kazakhstan, the Chairman of the Committee of Criminal and the Executive System. World Poetry Day Action 2015 and 2016.

NETHERLANDS

BRIEF DETENTION

***Florence HARTMANN (f):** (French national)

PROFESSION: former journalist for Le Monde, author of Paix et châtement, Les guerres secrètes de la politique et de la justice internationales

SENTENCE: 7 days in prison

DATE OF ARREST: 24 March 2016

DATE OF RELEASE: 29 March 2016

DETAILS OF ARREST: Hartman was imprisoned by the International War Crime Tribunal in The Hague, having been arrested by the United Nations police outside The Hague court. She was arrested for charges of contempt of court after revealing documents about the Srebrenica genocide in her 2007 book Paix et châtement, Les guerres secrètes de la politique et de la justice internationales. In 2009 she was convicted and ordered to pay a €7000 fine, when she refused she was sentenced to seven days in prison.

DETAILS OF DETENTION: Hartmann's lawyer claims she was being held in solitary confinement. She was released on 29 March 2016 having served two-thirds of her sentence.

PEN ACTION: [statement](#) 29 March 2016

AWARDS: Hartmann was made an Honoric Citizen of Sarajevo in 2015.

RUSSIA

The free expression environment in the Russian Federation has worsened considerably since 2014, with the authorities taking ever more extreme measures to consolidate their control over the flow of information. The increasing legislative chokehold on free expression is accompanied by mounting pressure on journalists and other writers to stay in line with official opinion, and by the blocking of websites carrying opposition views. A [resolution on Russia](#) was passed by the Assembly of Delegates at PEN International's World Congress in Bishkek, Kyrgyzstan in 2014.

KILLED: IMPUNITY

Anna POLITKOVSKAYA (f):

PROFESSION: journalist and author

DATE OF BIRTH: 30 August 1958

DATE OF DEATH: 7 October 2006

DETAILS OF DEATH: Shot dead in the elevator of her apartment on 7 October 2006. She covered the war in Chechnya and had been receiving threats since 1999 after she wrote articles claiming that the Russian armed forces had committed human rights abuses in Chechnya.

DETAILS OF INVESTIGATION: On 27 August 2007, the prosecutor general announced that ten suspects had been arrested in connection with the murder, including Chechen criminals as well as former and serving members of the Russian Federal Security Services and police forces. On 18 June 2008, the Investigative Committee announced that it had charged three men, a former police officer and two ethnic Chechen brothers.

TRIAL OF PERPETRATORS: On 17 November 2008, the trial of Politkovskaya's alleged murderers began, at first open to the public, but then behind closed doors. On 19 February 2009, the men accused of assisting Politkovskaya's murder were acquitted for lack of evidence. After prosecutors appealed the not-guilty verdict, the Supreme Court overturned the decision and ordered a retrial. On 24 August 2011, Russian authorities arrested Lt. Col. Dmitry Pavlyuchenkov in connection with the case and named convicted criminal Lom-Ali Gaitukayev as the organiser of the murder. In December 2012, Pavlyuchenkov was found guilty and sentenced to 11 years in prison in a high security penal colony. Five other suspects, including three Chechen brothers - two of whom were acquitted by a jury back in 2009 - were subsequently tried in separate proceedings. The three Makhmudov brothers, Rustam, Ibragim, and Dzhabrail Makhmudov, the a criminal Lom-Ali Gaitukayev and Sergei Khadzhikurbanov, a former police officer, were all convicted of Politkovskaya's murder on 20 May 2014. On 9 June 2014, Lom-Ali Gaitukayev and Rustam Makhmudov were handed life sentences; Sergei Khadzhikurbanov, Dzhabrail and Ibragim Makhmudov were handed sentences of 20, 14 and 12 years in prison respectively. However, the mastermind who ordered her killing has never been brought to justice; Anna Politkovskaya's family have said that they will continue to campaign for justice.

BACKGROUND: Despite continuous threats against her Politkovskaya continued to write and in 2003 published *A Dirty War: A Russian Reporter in Chechnya*. She was also a co-contributor to *A Small Corner of Hell: Dispatches from Chechnya*, published in 2003. Her last book, published in 2006, was *Putin's War: Life in A Failing Democracy*. In 2002 Politkovskaya was one of the few outsiders allowed into a Moscow theatre in an attempt to negotiate with Chechen rebels the release of hundreds of hostages held there. In 2004, she fell seriously ill as she attempted to fly to Beslan to cover the hostage crisis there, leading to speculation that she had been deliberately poisoned to stop her from reporting on the crisis. Politkovskaya was the winner of numerous international awards for her courage, including the 2004 Olaf Palme Award that was set up by the family of the murdered Swedish prime minister. The prize was given to Politkovskaya to honour her work for the 'long battle for human rights in Russia'.

HONORARY MEMBER: PEN Canada

PEN ACTIONS: [RAN 8/11](#), 2 March 2011; PEN 50th anniversary campaign (case for 2006); [statement](#) 7 October 2011; [RAN 78/12](#) 21 December 2012; [PEN World Cup Campaign 2014](#); statement 22 May 2014; [statement](#) 7 October 2015, [statement](#) 7 October 2016.

KILLED: MOTIVE UNKNOWN

***Dmitry TSILIKIN:**

PROFESSION: arts and culture journalist and critic, author

DATE OF BIRTH: c.1961

DATE OF DEATH: 27 March 2016

DETAILS OF DEATH: A well-known Russian journalist and music and culture critic, Dmitry Tsiliikin was found dead in his St. Petersburg apartment on the 31 March 2016. Friends and family had reportedly been unable to contact him after he had returned from a trip to the Latvian capital of Riga.

DETAILS OF INVESTIGATION: St. Petersburg police stated that he died after suffering multiple stab wounds and severed tendons and that his laptop and mobile phone had been stolen. Investigators established that he had been killed at around 5pm on 27 March 2016. A murder investigation was opened the following day. On 7 April 2016 a university student was arrested in connection with his murder and admitted killing Tsiliikin. Investigators informed the media that the student had far right views and viewed the killing as part of a crusade against 'a certain group of people' (believed to be a euphemism for [LGBT people](#)).

BACKGROUND: Dmitry Tsiliikin had trained as an actor before turning to journalism. His writings had focused on art and culture, but he had also contributed to independent media outlets, where he had written about mainly social issues and civil rights. He had written for prominent Russian and international magazines such as Vedomosti, Kommersant, Vogue and Elle, and he had also worked on television, having been a host of two programmes on Russian channel RTR between 2001 and 2003.

AWARDS: He was posthumously awarded both the North-West Russian Golden Feather 2015 prize for journalism, and the Cultural Space prize.

BRIEF DETENTION

***Hussein BETELGERIEV:**

PROFESSION: poet, singer, writer, composer and university teacher

DATE OF ABDUCTION: 31 March 2016

DETAILS OF ABDUCTION: On 31 March 2016 Hussein Betelgeriev was abducted from his home in Grozny by two unidentified men dressed in black uniforms, believed to be Chechen law enforcement officials. According to [Amnesty International](#), the men took him away but refused to tell his wife where they were going. She reported her husband missing on 2 April and on 4 April the Investigation Committee for the Chechen Republic officially announced that it was looking into reports of his abduction.

DATE OF RELEASE: 11 April 2016

DETAILS OF RELEASE: Betelgeriev returned home on 11 April 2016, severely beaten and tortured. Human Rights Watch [tied his abduction](#) to his pro-Chechen separatist views. While he was still missing, local media reported that he had used lyrics written by the president of the unrecognised state of Ichkeria; it was also [reported](#) that he had written on social media about the president of Ichkeria on the day of his abduction and that he had previously posted an image of the flag of Ichkeria.

OTHER INFORMATION: The case had become one of public interest, since his musical works are popular in the Chechen Republic. Betelgeriev was also a member of the Journalists Union of Russia.

***Rizvan IBRAGIMOV, PROFESSION:** writer

***Abubaker DIDIEV, PROFESSION:** writer

DATE OF ARREST: 1 April 2016

DETAILS OF ARREST: The two writers were detained on 1 April 2016 by security forces in the Republic of Chechnya and kept at a police station for four days before resurfacing at the president's residence at a meeting with scientists and religious scholars.

DETAILS OF HARASSMENT: President Kadyrov [posted](#) on his Instagram page that the two writers were guests at his compound in order to receive criticism from scientists and religious scholars over claims that they had allegedly published thousands of copies of a book which, according to President Kadyrov, '[sought] to bad-mouth religion and cause inter-ethnic strife'. A video, broadcast on Grozny TV, since taken down, shows the two men standing and apologising to the religious and scientific leaders for their 'mistakes'. According to [media reports](#), Didiev left Chechnya soon afterwards. In July, a [court in Chechnya](#) upheld a motion by the prosecutor's office to ban as 'extremist' several of Ibragimov's books.

OTHER INFORMATION: In a post on his website, Ibragimov stated – but later deleted – that he had not been abducted but kept in custody because there was a fear that he would run away. He also added that 'coercive measures were not used'.

BACKGROUND: Ibragimov and Didiev are known for their unconventional interpretations of the history of the Chechen people and of Islam. Their disappearance came a day after Chechen poet and singer Hussein Betelgeriev was abducted before being returned home, beaten (see above). Ibragimov has [previously](#) been criticised by the official media in Chechnya. In 2014, he was also criticised for his alternative history of the Chechen people, including by the Speaker of Parliament.

HARASSED

***Sergei LOIKO:**

PROFESSION: journalist, worked with the Los Angeles Times and Novaya Gazeta, author

DATE OF HARASSMENT: 15 April 2016

DETAILS OF HARASSMENT: According to [Mapping Media Freedom](#), Sergei Loiko narrowly escaped being attacked by unknown assailants in Moscow. He was at the studios of the TV station Dozhd, where he was going to discuss his new book entitled *Airport*, a fictionalised account of the 2014 Donetsk airport siege. He was approached threateningly by four unidentified men who exited from a car with a hidden license plate. He took cover behind the door of the TV studio, which was held closed by security when the men attempted to break in. None of the men were carrying weapons.

BACKGROUND: In October 2015, Loiko said that he had received threats after the publication of *Airport*. He reported receiving verbal abuse and phone calls and that an anonymous person distributed a letter that slandered and denounced him, as well as encouraging others to do the same; this has led to friends and neighbours stopping communicating with him.

RUSSIA: CRIMEA

IMPRISONED – JUDICIAL CONCERN

When the Russian Federation annexed Crimea in March 2014, it became responsible – under the law of occupation – to maintain order, safety and ensure that the fundamental rights of the occupied population were protected. However, under the law of occupation (which Russia does not accept applies in Ukraine), the Russian authorities are obliged to imprison arrested persons in the occupied territory.

Since the annexation, the Russian authorities have also introduced Article 280.1 to the Russian Penal Code that penalises anyone making public calls which ‘harm the territorial integrity of Russia’ with up to five years in prison.

Oleg SENTSOV:

PROFESSION: filmmaker, best known for his 2011 film ‘Gamer’, author

SENTENCE: 20 years in prison

EXPIRES: August 2034

DATE OF ARREST: 11 May 2014

DETAILS OF ARREST: Sentsov said he was arrested by the Russian Federal Security Service (FSB) at his apartment in Crimea on 10 May 2014 adding that the officers beat him and suffocated him with a plastic bag to the point where he lost consciousness, then threatened with rape in an attempt to make him confess. To PEN International’s knowledge, the Russian authorities have yet to investigate his allegations of torture and other ill-treatment. His arrest was officially recorded on 11 May on the grounds of ‘suspicion of plotting terrorist acts’ and membership of a terrorist group (the Ukrainian rightwing group Pravyi Sektor, Right Sector), charges that he denies. He was transferred to Moscow on 23 May. On 26 June 2014, Russia’s presidential council for human rights appealed to the deputy prosecutor to review the circumstances surrounding the arrests of Sentsov and a fellow Ukrainian activist.

A reply, posted on the council's website, said that prosecutors found 'no grounds for altering the detention of either suspect'. On 7 July 2014, Sentsov's detention was extended until 11 October 2014 when it was again extended to 11 January 2015. In September 2014, his lawyer appealed to the European Court of Human Rights regarding Sentsov's arrest, pre-trial detention and ill treatment. He also asked for an interim measure requesting access to the case file. Current

PLACE OF DETENTION: Initially held in Moscow's Lefortovo pre-trial detention centre, a judge ruled in August 2015 that he would be held in SIZO (pre-trial prison) No. 4 in Rostov-on-Don until the judgment came into force. He is currently being held in Yakutia, Siberia.

DETAILS OF TRIAL: After spending over a year in pre-trial detention, Sentsov was eventually charged with the establishment of a terrorist group, politically-motivated arson and conspiring to blow up a statue of Lenin, all of which he denied. Following a trial that has been widely condemned outside of Russia, including where a key prosecution witness retracted his statement, saying it had been extracted under torture, Oleg Sentsov was found guilty of organised terrorist acts and sentenced to 20 years in prison by the military court of Rostov-on-Don on 20 August 2015. His sentence was upheld on appeal on 24 November 2015.

BACKGROUND: Sentsov was an activist in the Maidan movement that toppled former Ukrainian President Viktor Yanukovich. He helped deliver food to Ukrainian soldiers following Russia's annexation of Crimea.

OTHER INFORMATION: In July 2016, the Russian authorities published an updated list of 'terrorists and extremists' from Crimea that included Sentsov. In October 2016, they denied a request for extradition to Ukraine on the grounds that he had become a Russian citizen following Russia's occupation and annexation of Crimea. The Ukrainian authorities are still banned by their Russian counterparts from contacting Sentsov.

PEN ACTION: Mentioned in the 2014 [resolution on Russia](#) passed at PEN's annual congress, [Day of the Imprisoned Writer 2016](#).

PEN POSITION: PEN International fears that Oleg Sentsov was imprisoned for his opposition to the Russian annexation of Crimea. The organisation denounces serious flaws in judicial proceedings against him, including his lengthy pre-trial detention, the failure to investigate his allegations of torture as well as the fact that he is being held in Russia. Under international law, Crimea constitutes occupied territory and as the occupying power, Russia is obliged not to transfer civilian prisoners out of the territory. Trying civilians in military courts also violates international human rights norms. Bearing these breaches of international standards in mind, PEN International calls on the Russian authorities to release Oleg Sentsov. Should there be grounds for prosecution on charges of terrorism, these should be heard by a civilian court under Ukrainian law. PEN International further calls for an independent and impartial investigation into his allegations of torture and other ill-treatment. Anyone against whom there is sufficient admissible evidence of responsibility for torture or other ill-treatment should be brought to justice.

IMPRISONED: MAIN CASE

Natalia SHARINA (f) (Ukrainian national):

PROFESSION: director of the state-run Moscow Library of Ukrainian Literature

AGE: 58

DATE OF ARREST: 28 October 2015

DETAILS OF ARREST: On 28 October 2015, law enforcement officials took Natalia Sharina into custody and searched her apartment, raided the library and seized books and documents following a complaint by a former employee of the library who had been dismissed in 2010. In their search, officials found books they claimed were banned in Russia as 'extremist'. Sharina denied that the books were from the library and that they were not part of the library collection. While under interrogation, Sharina was told that she was being detained on suspicion of abuse of office, of inciting hatred between Russians and Ukrainians, after which Sharina collapsed leading emergency medics who arrived on the scene to recommend that she be hospitalised for 24 hours, yet she was held in detention for over two days. On 30 October 2015, Sharina was put under house arrest pending trial.

DETAILS OF TRIAL: Sharina was initially charged under anti-extremism legislation for allegedly distributing printed materials with 'anti-Russian and anti-Russian state propaganda'. In April 2016, she was charged with 'inciting enmity or hatred with abuse of office' (Article 282, part 2(b) of the Russian Criminal Code, which carries up to five years in prison) and 'embezzlement on an especially large scale' (Article 160, part 4, which carries up to ten years in prison). Her [trial hearing](#) began on 2 November 2016. She pleaded not guilty to the charges.

CONDITIONS OF DETENTION: In October 2016 her house arrest was extended until 28 April 2017. She is allowed to have daily walks in fresh air for two hours.

HEALTH CONCERNS: Sharina suffers from high blood pressure and needs both exercise and regular medical examinations.

OTHER INFORMATION: The Ukrainian government sent an official protest to the Russian authorities in connection with the search in Moscow's Library of Ukrainian Literature, describing the actions of Russian law enforcement as 'ruthless and unmotivated'. The Russian Memorial Human Rights Centre [recognised](#) Sharina as a political prisoner in November 2015; Amnesty International has adopted her as a prisoner of conscience.

SPAIN

ON TRIAL

***Josep Miquel ARENAS BELTRÁN (stage name Valtònc)**

PROFESSION: musician

DATE OF BIRTH: 18 December 1993

DETAILS OF TRIAL: Valtònyc was first [arrested](#) on 23 August 2012 after Jorge Campos Asensi, President of the nationalist foundation Círculo Balear, complained that one of his songs, Circo Balear, incited violence against him and other members of the foundation. Valtònyc was released that same day. In the course of his investigation, the public prosecutor charged him with ‘grave insults to the Crown’, ‘glorification of terrorism and humiliation of its victims’ and ‘threats’. Campos Asensi offered to drop the charges if Valtònyc issued a public apology; a proposition which the rapper declined as he pleaded not guilty. The charges brought up by Campos Asensi were eventually [dismissed](#) in 2015 but the additional charges went to the National Court. His [trial opened](#) on 27 October 2016.

BACKGROUND: A rapper from Mallorca, Valtònyc referred to himself as a [poet](#) and an artist, arguing that art should be provocative, and denied intending to threaten or humiliate anyone. In his songs, Valtònyc wished death upon Jorge Campos Asensi, claimed that he did not blame those who committed certain terrorist acts, made fun of members of the royal family, calling them a mafia, and said that he would like to show up at the Royal Palace carrying a weapon. [**STOP PRESS:** on 22 February 2017, the National Court [sentenced](#) Valtònyc to three years and six months in prison for ‘grave insults to the Crown’, ‘glorification of terrorism and humiliation of its victims’ and ‘threats’ in his songs. He was also ordered to pay a 3,000 Euro fine to Campos Asensi as compensation for the threats. He has lodged an appeal.]

***Alfonso LÁZARO DE LA FUENTE, PROFESSION:** puppeteer with the company Puppets from Below (Títeres Desde Abajo) (Spanish national)

***Raúl GARCÍA PÉREZ, PROFESSION:** puppeteer with the company Puppets from Below (Títeres Desde Abajo) (Spanish national)

DATE OF ARREST: 5 February 2016

DATE OF RELEASE: 10 February 2016

DETAILS OF TRIAL: Alfonso Lázaro de la Fuente and Raúl García Pérez were [arrested](#) by Spanish police on 5 February 2016 after conducting a puppet show entitled ‘The Witch and Mister Cristobal’ (La Bruja y Don Cristobal) as part of a public event organised for Madrid’s Carnival celebrations. The play represented a police set-up in which a character held up a poster with the words ‘Gora Alka-ETA’, a play on the words ‘al Qaeda’ and ‘Gora ETA’ (Basque for ‘Long live ETA’). Some members of the public complained, asked for the show to be stopped and called the police. De la Fuente and Pérez were brought before the Central Investigative Court in Madrid on 6 February and charged with glorifying terrorism (Article 578 of the Penal Code) and incitement to hatred or violence (Article 510 of the Penal Code). They were released pending trial on 10 February and subject to a number of restrictive measures, including a prohibition on leaving the country, a requirement to report daily to a court or police station and the confiscation of the offending material.

OTHER INFORMATION: In 2016, Ben Emmerson, the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, warned of the ‘troubling trend of criminalising the ‘glorification’ of terrorism’. Jorge Fernández Díaz, Spain’s Interior Minister at the time, had defended the detention of the puppeteers, describing as ‘an absurdity’ the idea that their act could be labelled satire. **[STOP PRESS:** On 5 January 2017, a Madrid court [dismissed](#) the case against both puppeteers, deeming that the evidence was insufficient.]

***César MONTAÑA LEHMAN (stage name César Strawberry):**

PROFESSION: musician, lead singer of the Madrid-based band Def Con Dos

DATE OF BIRTH: 2 March 1964

DATE OF ARREST: 19 May 2015

DETAILS OF TRIAL: César Montaña Lehmann was arrested by the Guardia Civil on 19 May 2015 and charged with ‘glorifying terrorism’ and ‘humiliating its victims’ under Article 578 of the Spanish Penal Code in relation to tweets he sent in 2013 and 2014. He was released four hours later. Among the tweets that were considered criminal were references to the armed separatist group ETA and the far-left militant group GRAPO as well as a joke that he was sending a ‘cake-bomb’ to the king of Spain for his birthday. Montaña Lehmann appeared before the National High Court on 12 July 2016, as the public prosecutor’s office asked for 20 months in prison. The court [cleared him](#) of all charges on 19 July 2016, a decision that the public prosecutor quickly appealed. In its [ruling](#), the court acknowledged that the tweets served the same function as the social and politically-critical lyrics of Montaña Lehmann’s songs. It also stated that Montaña Lehmann did not postulate support of terror groups or any kind of violence in both his professional and the private lives.

BACKGROUND: Def Con Dos makes many references to pop culture, news and cinema in its lyrics. After his arrest in May 2015, Montaña Lehmann released a statement expressing astonishment at his arrest and saying that he never intended to glorify terrorism or insult its victims.

OTHER INFORMATION: The UN Special Rapporteur on Freedom of Opinion and Expression and other international human rights bodies have specified that the criminalisation of speech relating to terrorism or acts of terrorism should be restricted to instances of intentional incitement to terrorism, understood as a direct call to engage in terrorism.

[STOP PRESS: On 19 January 2017, Spain’s Supreme Court [sentenced](#) Montaña Lehmann to one year in prison for ‘glorifying terrorism’ and ‘insulting its victims’, arguing that his intentions were irrelevant. It also banned him from holding public office for six years and six months. His lawyer said he would appeal to the European Court of Human Rights. Montaña Lehmann is currently out of prison (under Article 80 of the Spanish Penal Code, prison sentences of less than two years are usually suspended for those who do not have a criminal record).]

TURKEY

Since 2013, human rights and the rule of law have been seriously eroded in Turkey. In the summer of 2013, security forces violently suppressed protests in Istanbul's Gezi Park and thousands of peaceful protesters were subsequently criminally prosecuted. Further serious abuses have occurred after the end of the fragile two year peace process between the Kurdish Workers' Party (PKK) and the state forces in July 2015, with round the clock indefinite curfews in towns and cities in South-East Turkey affecting hundreds of thousands of people. The use of heavy weaponry in urban areas has caused an [estimated 2,000 deaths and the internal displacement of up to half a million people](#). Following the violent and contemptible coup attempt on 15 July 2016, the Turkish authorities have pursued an unprecedented crackdown on a range of human rights. At PEN International's World Congress in Ourense, Spain, 2016, the Assembly of Delegates adopted two resolutions on the [situation of freedom of expression in Turkey](#) and on the [conflict in the Kurdish-populated region in Turkey](#).

KILLED: IMPUNITY

Hrant DINK:

PROFESSION: author and editor of the Armenian language Agos magazine

DATE OF DEATH: 19 January 2007

DETAILS OF KILLING: Killed outside his office in Istanbul by an assassin on 19 January 2007.

DETAILS OF INVESTIGATION: In July 2011, 17-year-old Ogün Samast was sentenced to 22 years and 10 months in prison on 25 July 2011, for Dink's murder, the heaviest sentence that can be passed against a minor. He confessed to the killing and his sentence was upheld by the Supreme Court. Yasin Hayal, a criminal with a previous conviction for a bomb attack on a McDonald's restaurant, was sentenced to life in prison in solitary confinement and with no possibility of parole, for 'soliciting another person to wilfully commit a murder'; he earlier admitted to arming Samast and instructing him to murder Dink. Separately, Hayal was sentenced to three months in prison for threatening Nobel Laureate Orhan Pamuk and a year in prison for 'unauthorised possession of arms'. Two others, Ersin Yolcu and Ahmet İskender, were sentenced to 12 years and six months in prison each, for 'assisting in a felonious murder'. İskender was also sentenced to a year in prison for 'unauthorised possession of arms.' In May 2013, the Supreme Court of Appeal accepted Hrant Dink's lawyers' call for the case to be considered as an organised crime, overturning a January 2012 court ruling that this was not the case. This has opened the way for a new trial to be opened, which started on 17 September 2013. This meant that Yasin Hayal, whose sentence was already upheld by the Supreme Court, would now be tried for leading the criminal gang behind the murder. Osman Hayal, (brother of Yasin Hayal) who was earlier tried and acquitted of involvement, would also have his acquittal reviewed. He was reportedly caught on security cameras as being with Samast at the time of the murder.

Erhan Tuncel, another suspect acquitted of the murder, would be retried as being a member of a criminal organisation as would three other defendants acquitted when an earlier court ruled that no such organisation existed. Dink's lawyers were, however, disappointed that the retrial decision did not go further in defining the organisation as a 'terrorist organisation,' which would have given investigators greater powers. On 21 May 2014, the court lifted a non-prosecution order protecting Istanbul Deputy Governor Ergün Güngör, Istanbul Police Chief Celalettin Cerrah and seven other security officials from being prosecuted in relation to the Dink murder. On 29 June 2015, Istanbul's 5th Penal Court rejected Yasin Hayal's plea for a retrial. On 28 May 2015, the same court had ordered former Istanbul police intelligence chief Ali Fuat Yilmazer to be arrested on charges of aiding and abetting premeditated murder. On 7 October 2015, seven police officers were reportedly taken into custody after new evidence relating to Dink's murder came to light. They were suspected of 'helping kill a person intentionally in an organised way; forgery and cover-up of official documents.' In a letter dated 13 November 2015, Ogun Samast reportedly requested to be allowed to present his testimony for the 'criminal organisation' leg of the case into the murder, also asking to be transferred to a prison in Istanbul, from the high-security F-type prison in Kandira, Kocaeli province, where he is currently held. On 9 December 2015 the Istanbul Chief Public Prosecutor's Office approved the indictment prepared against 26 former officers, including police chiefs, into 'negligence on public duty' in the shooting death of Dink, although the court reportedly refused to join the two cases and therefore the prosecutor forwarded the indictment report to the Istanbul 14th High Criminal Court. According to reports, there are arrest warrants for two further suspects. **UPDATE:** In January 2016, the 5th Chamber of the Supreme Court of Appeal ordered the two cases to be joined together. The trial of 34 suspects on charges of running a criminal network, destroying evidence, dereliction of duty and official misconduct began in April 2016 and was continuing at the end of December 2016.

BACKGROUND: Dink had been convicted under Article 301 of the Penal Code for 'insulting Turkishness' for his writings on an Armenian Genocide. In October 2005, he was given a six month suspended sentence for a 2004 article entitled 'The Armenian Identity'. Dink's murder sparked debate on revision or repeal of Article 301, which many believe marked Dink out as a target for ultranationalists.

HONORARY MEMBER: PEN Vlaanderen, English PEN and Norwegian PEN.

PEN ACTION: He was one of the 50 writers chosen to represent the struggle for freedom of expression since 1960 for PEN International's Writers in Prison Committee's 50th Anniversary Campaign – [Because Writers Speak Their Minds](#), representing 2007.

Naji JERF: (Syrian National)

PROFESSION: founder and editor of opposition magazine Henta and documentary filmmaker

DATE OF DEATH: 27 December 2015

DETAILS OF DEATH: Jerf was shot dead in Gaziantep, southeastern Turkey where he had worked for the past three years documenting atrocities by Islamic State and the Syrian government. No group has claimed his murder as of 31 December 2016 although it is believed Islamic State is responsible.

BACKGROUND: Originally from Salamiyah, Hama province of Syria, Jerf covered human rights abuses and coordinated the work of citizen-journalists after the start of the Syrian uprising in 2011. When the government intelligence officers identified him and ransacked his office in October 2012 he went into hiding and fled Syria a month later. He had previously told Reporters Without Borders (RSF) that he had been receiving threats and had just obtained a visa for France where he planned to move next month. In his visa application letter, he said he feared for his safety and would like to live in a country that 'respects human rights.' In a letter to the French ambassador in Turkey sent in July 2015, in support of his application, he wrote: 'I now live in the Turkish city of Gaziantep and my safety is more and more difficult after an increase in the threats to me and my family, above all because I am a secularist and belong to the Ismaili minority, which is targeted by the Jihadis.' The threats against Jerf increased following his coverage of the atrocities by Islamic State, including film '[ISIL in Aleppo](#),' which documented the Islamic State's execution of many Syrian activists, released in December 2015. Jerf was also in contact with [Raqqa is Being Slaughtered Silently \(RBSS\)](#), a citizen-journalist collective whose members are being pursued by Islamic State, which has declared them to be 'enemies of God.'

IMPRISONED: MAIN CASE

Mehmet BARANSU:

PROFESSION: journalist for the daily Taraf and author of 3 books

SENTENCE: 1) 10 months in prison (also on trial for other charges) 2) 11 months and 20 days 3) 10 months in prison

DATE OF ARREST: 2 March 2015

DETAILS OF ARREST: Baransu was arrested along with journalist Murat Seki Çoban on charges of forming a criminal organisation and obtaining, distorting and stealing secret state documents. Baransu broke a story about an alleged military coup known as Sledgehammer in 2010 after having received CDs, tapes and documents from a source.

CURRENT PLACE OF DETENTION: Silivri Prison, Istanbul

DETAILS OF TRIAL: (1) The Istanbul chief public prosecutor's office launched an investigation against Baransu and Çoban in November 2013 on the grounds that they 'revealed confidential documents regarding Turkey's national security interests' in the article *Gülen'i Bitirme Kararı 2004'te MGK'de Alındı* (The Decision to Ruin the Gülen Movement Made at the National Security Council Meeting in (2004), which was written by Baransu and published by Taraf on 28 November 2013. Baransu and Çoban were officially charged on 22 May 2014 following a six-month investigation. (2) On 30 June 2014 Baransu was reportedly questioned for the first time in an investigation started by Turkey's National Intelligence Organization (MİT) in April. In that case, Baransu is reportedly being investigated over a series of articles and opinion columns published in Taraf in 2011 on the Uldere airstrike in December of that year, in which 34 Kurdish villagers were killed by Turkish fighter jets. Details of the MİT investigation are limited because it has been declared a state secret. Baransu is reportedly accused of 'collecting secret official documents on state's security and political interests'.

(3) On 5 October 2015 Baransu was charged with staging a coup against the Turkish government via news articles he reportedly published about genetically modified rice. The Mersin 2nd High Criminal Court accepted the indictment. The prosecution argued that Baransu attempted to create a negative perception about some government officials in the reports by stating that those officials had overlooked those who imported genetically modified rice. They added that Baransu had intended to put pressure on the government to resign by alleging that it had covered up the corruption. The first hearing took place on 14 October 2015; a ban on reporting the trial was imposed on 13 October 2015. Biosecurity Law No. 5977 prohibits the production of Genetically Modified Organisms (GMO) foods in Turkey and makes it mandatory to secure permission from the ministry to transport these products through Turkey. **(4)** On 30 June 2015 Baransu was handed a 10-month jail sentence by the Anadolu 2nd Civil Court of First Instance for insulting the then Prime Minister, President Erdoğan. The charges concerned Baransu's Tweets, which he denied had contained any insults. Whilst the indictment accused Baransu of insulting and blackmailing President Recep Tayyip Erdoğan, seeking a seven-year sentence, the court decided that the Tweets did contain insults and imposed a 10-month prison sentence. **(5)** On 2 February 2016, Baransu was imprisoned for a further 11 months and 20 days for his criticism of the head of the National Intelligence Agency. The court case against him is ongoing as of December 2016.

CONDITIONS OF DETENTION: According to his lawyer, Baransu was kept in isolation for nearly four months before being given a cell mate on 22 June 2015.

PEN ACTION: [Statement 5 March 2015](#).

Note on Anti-Terror Investigations in Turkey:

The majority of cases brought against writers in Turkey fall under the scope of various Anti-Terror investigations.

*The **KCK (Kurdistan Communities Union)**, is the alleged 'urban wing' of the outlawed PKK (Kurdistan Workers Party), which has been engaged in armed conflict with the Turkish army since 1984. The various waves of this investigation have targeted Kurdish and Turkish civilians with pro-Kurdish sympathies, including politicians, lawyers, human rights defenders, academics, translators, researchers, publishers, journalists and writers. Each investigation is aimed at targeting a separate alleged 'wing' of the organisation, such as the 'committee of leadership' (46 of the 50 under trial in this wave are lawyers), the 'political wing' (including publishers, academics and translators alongside politicians) and the 'press wing' (which implicates 46 journalists).*

*The **Ergenekon** investigation attempts to uncover an alleged, clandestine, ultranationalist organisation engaged in the plotting of a military-backed overthrow of the government. The early waves of this investigation largely targeted members of security and intelligence forces, as well as investigative journalists with alleged relationships to them. One of the latter waves of the investigation implicated online news outlet ODATV in the conspiracy, as well as a number of investigative journalists writing about the alleged infiltration of the police and judiciary by members of the liberal Islamic 'Gülen Movement'*

The **FETO** investigation relates to the widespread infiltration of various organs of state, including the police, military and judiciary of followers of Fethullah Gülen, a US-based cleric. Initially close to the ruling Justice and Development Party officially the AKP party, the two groups fell out and since December 2013, the government has been cracking down on alleged Gülenist sympathisers, designating the Gülen movement as a terrorist organisation (FETO). Since the failed coup of July 2016, this crackdown has massively increased, after the government declared a state of emergency and its derogation from the European Convention on Human Rights. Tens of thousands of state officials have been purged from the judiciary, police, military, education system and universities; thousands have been arrested, including well over 100 journalists and writers. Although initially those suspected of affiliation to the Gülen movement were targeted, Kurdish and pro-Kurdish journalists have also been arrested, along with others known to be critical of the government.

This list indicates those persons whose cases are linked to one of these investigations. Where there is no reference to either, these are cases which are not known to be linked to any particular investigation.

IMPRISONED: INVESTIGATION

PEN is seeking further information as to whether the writers below used or advocated violence.

Hamit DUMAN (alias DİLBAHAR):

PROFESSION: poet, politician and journalist for Azadiya Welat

SENTENCE: 16 years

DATE OF ARREST: 13 February 2010, as part of the KCK operation.

CURRENT PLACE OF DETENTION: Erzurum E-type prison

DETAILS OF TRIAL: Convicted of leadership of an armed organisation under Article 314/1 of the Turkish Penal Code and leadership of a terrorist organisation under Article 5 of the Anti-Terror Law in early 2013 and sentenced to 16 years in prison. Still imprisoned as of December 2016.

Sevan NİŞANYAN:

PROFESSION: Turkish language historian, writer and Agos columnist

SENTENCE: 1) Thirteen-and-a-half months (postponed until the outcome of an appeal) 2) 11 years (currently being served)

DATE OF ARREST: January 2014 Current

PLACE OF DETENTION: A prison in Torbali, Izmir province

DETAILS OF TRIAL: 1) Nişanyan was found guilty of religious defamation under Article 216/3 of the Turkish Penal Code on 24 May 2014 for comments he made regarding the Prophet Muhammad in his personal blog. He was handed a thirteen-and-a-half month prison sentence, with the court deciding not to suspend his sentence or commute it to a fine as a result of his prior convictions.

An appeal which had been placed on 25 October 2016 was rejected. **2)** Nişanyan is currently serving a prison sentence as a result of a long-standing legal battle with the state over planning permission. Nişanyan began his prison sentence in early January 2014. In April 2015, a court increased the length of this sentence from six years and six months to 11 years and one month after he was convicted of additional planning offences. No more information as of 31 December 2016.

PEN ACTIONS: [Interview with Sevan Nişanyan](#), 5 February 2015. Mentioned in PEN's 2015 report: Surveillance, Secrecy and Self-Censorship: New Digital Freedom Challenges In Turkey

Erol ZAVAR:

PROFESSION: poet and former editor in chief of Odak and Direniş magazines

DATE OF ARREST: January 2000

SENTENCE: life imprisonment

DETAILS OF TRIAL: Convicted of 'attempting to overthrow the constitutional order' in January 2001. Imprisoned ever since despite numerous campaigns for his release and several battles with cancer.

BACKGROUND: Zavar was editor-in-chief at Odak and Direniş in 1997 and 1998 and has had two books of poetry published during his time in prison. He remained imprisoned as of 31 December 2016.

DETAINED: INVESTIGATION

Hidayet KARACA (FETO):

PROFESSION: writer, former Zaman reporter and chairman of the Samanyolu Broadcasting Group

DATE OF ARREST: 14 December 2014

CURRENT PLACE OF DETENTION: Istanbul's Silivri prison.

DETAILS OF TRIAL: Karaca was one of 31 people arrested on 14 December 2014 'on suspicion of membership of an illegal organisation'. Among those arrested were high-ranking members of the Istanbul police force as well as journalists, screenwriters, producers and directors who have worked for newspapers and TV stations said to be affiliated with the Gülen movement. The arrests came against a backdrop of escalating political tensions between the ruling party in Turkey and the followers of Islamic cleric Fethullah Gülen. On 26 April 2015, the Istanbul 32nd Court of First Instance issued a verdict to release Karaca but the decision was overruled by the Istanbul 10th Court of Peace on the grounds that the former court had no authority to decide. On 12 December 2015 Istanbul police reportedly raided and searched Karaca's home. According to reports, police carried out a six-hour-long search and seized a computer used by Karaca's children. Karaca's lawyer said that the aim of the search was to disturb the family of the journalist and that 'it is impossible that the judge who took this decision does not know that he is already in jail.' His trial began in December 2015 and is ongoing as of 31 December 2016.

BACKGROUND: Karaca is also the author of one book, Bir Dizi Film.

PEN ACTIONS: [Statement](#) 15 December 2014

ON TRIAL

KCK - PRESS WING

46 journalists, mainly working for the pro-Kurdish media, have been on trial for forming the 'media committee' of the Kurdistan Communities Union (KCK) and taking orders from the outlawed Kurdistan Workers Party (PKK). All arrested in December 2011, many served more than two years in prison. Following the abolition of Special Authority Courts in the 4th Judicial Reform Package in February 2014, all suspected members of the KCK 'Press Wing' were freed pending trial. The case continues; sessions took place on [8 April](#) and [15 July 2016](#).

KCK – OTHER

At least a further 21 journalists and other writers were put on trial in other KCK-related cases. Some have been released, while others remain on trial. Below are key cases. For details of the others, please refer to previous case lists.

Ayşe BERKTAY (f):

PROFESSION: scholar, author, translator and woman's activist

DATE OF ARREST: 3 October 2011

DATE OF RELEASE: 20 December 2013

DETAILS OF TRIAL: Berktaý had been working with the Peace and Democracy Party (BDP) of which she is a member. She is being tried on charges of 'membership of an illegal organisation', with reference to her allegedly 'planning to stage demonstrations aimed at destabilising the state' and 'attending academic and human rights conferences outside Turkey on behalf of KCK.' Her trial at the Silivri Court in İstanbul is believed to be ongoing as of 31 December 2016.

BACKGROUND: Publications include: History and Society: New Perspectives, 2008; The Ottoman Empire and the World Around – with Suraiya Faroqhi, 2007. Berktaý is editor of Women and Men in the 75th 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. Berktaý, also writes numerous articles on feminism in Turkey.

HONORARY MEMBER: PEN Turkey, PEN American Center, PEN Canada

PEN ACTIONS: [RAN 22/13](#) 07/05/13 & [RAN 23/13](#) 23/05/13, Update 12/06/13, [International Women's Day Action 2014](#), [Interview with Ayse Berktaý](#) 8 March 2014

Professor Büşra ERSANLI (f):

PROFESSION: academic, expert on political science and author

DATE OF ARREST: 29 October 2011.

DATE OF RELEASE: 13 July 2012

DETAILS OF RELEASE: Ersanlı was released pending trial on 13 July 2012 along with 15 other KCK defendants in the first hearing of her case.

DETAILS OF TRIAL: She was charged under an indictment issued on 19 March 2012 with 'leading an illegal organisation' under Article 314/1 of the Turkish Penal Code, 'leading a terrorist organisation' under the Anti-Terror Law in connection with her participation in the Political Academy of the pro-Kurdish Peace and Democracy Party (BDP), a legitimate political party, including advising on lessons to be held within the Academy, proposals for a new constitution for Turkey and her participation in peaceful demonstrations. If convicted, she faces between 15 and 22.5 years in prison. Hundreds of supporters protested outside the court at an appeal hearing against the arrest on 31 October 2011. Her trial is believed to be ongoing as of 31 December 2016.

BACKGROUND: Professor Busra Ersanlı is an academic based at Istanbul's Marmara University's Faculty of Political Science and International Relations. She is an expert on political science and at the time of her arrest was working with the BDP's Constitutional Commission. She is also the author of Peace and History and Bulut Falı (Nephomancy) in which she narrates her nine months-long experience in prison. She is primarily known for her work towards finding non-violent resolutions to conflict.

HONORARY MEMBER: PEN Turkey

PEN ACTIONS: [RAN 23/13](#) 23/05/13, Update 12/06/13 [International Women's Day Action 2014](#)

Deniz ZARAKOLU:

PROFESSION: author and translator.

DATE OF BIRTH: 15 July 1975 Son of leading freedom of expression activist, also detained and now freed, Ragıp Zarakolu (see below).

DATE OF ARREST: 7 October

DATE OF RELEASE: Freed pending trial on 27 March 2014

DETAILS OF ARREST: Arrested at his home in Tarlabasi, Istanbul.

DETAILS OF RELEASE: Deniz Zarakolu was released pending trial on 27 March 2014.

DETAILS OF TRIAL: Charged with 'membership of an illegal organisation'. He faces 6-12 years in prison if found guilty. The indictment against him references a series of lectures that he gave at a pro-Kurdish Peace and Democracy Party (BDP) event. The lectures concerned political philosophy and the Kurdish movement in Turkey. First held in a prison in Edirne, and then transferred to Kocaeli Prison to be with his father, Ragıp Zarakolu who was released later. The trial is believed to be ongoing as of 31 December 2016.

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.

HONORARY MEMBER: German PEN, Danish PEN, Swiss Italian PEN.

PEN ACTION: RAN 23/13 23/05/13, Update 12/06/13

Ragıp ZARAKOLU

PROFESSION: publisher, freedom of expression and minority rights activist, member of PEN Turkey

DATE OF ARREST: 1) 29 October 2011 2) July 2016 – in absentia

DATE OF RELEASE: 1) 10 April 2012

DETAILS OF RELEASE: Zarakolu was released pending trial. The İstanbul 15th High Criminal Court cited the length of time he had already been imprisoned, 'the nature of the crime' and 'the state of the evidence' as reasons for his release. He has since left the country.

DETAILS OF TRIAL: (1) An indictment was issued on 19 March 2012, charging Zarakolu with 'aiding and abetting an illegal organisation' under Penal Code Article 220/7 and demanding between seven-and-a-half and 15 years in prison reportedly in connection with a speech he made at an event by the pro-Kurdish Peace and Democracy (BDP) party, and articles published in the newspaper Özgür Gündem (Free Agenda). His trial at İstanbul's Siliври Court is believed to be ongoing as of 31 December 2016. Details of Trial (2) Zarakolu is on trial under anti-terror legislation alongside Aslı Erdoğan (see below) and eight others for articles they wrote in the now banned Özgür Gündem newspaper. Specifically Zarakolu is charged for two articles: 'A Letter to Ocalan' [the leader of the banned PKK] published on the newspaper's website on 24 March 2016, and 'Cry, my Beloved Country', published in the print edition on 26 July 2016, shortly before the newspaper was shut down.

BACKGROUND: In the days running up to his arrest in 2011, Zarakolu had been campaigning for the release of his son, Deniz Zarakolu, (see above) who had been arrested three weeks earlier. Ragıp Zarakolu is a well-known political activist who has been fighting for freedom of expression in Turkey for over 30 years, publishing books on issues such as minority and human rights.

HONORARY MEMBER OF: PEN Turkey, German PEN, Netherlands PEN, San Miguel Allende PEN.

PEN ACTIONS: RAN 54/11 Update #5 10/04/12&RAN 23/13 23/05/13, Update 12/06/13. He was one of the 50 writers chosen to represent the struggle for freedom of expression since 1960 for the Writers in Prison Committee's 50th Anniversary Campaign – [Because Writers Speak Their Minds](#), representing 1991.

ERGENEKON – ODA TV

Nedim ŞENER:

PROFESSION: journalist and writer

DATE OF BIRTH: 1966

DATE OF ARREST: 7 March 2011

DETAILS OF ARREST: arrested alongside **Ahmet Şık** (below)

DATE OF RELEASE: 12 March 2012

DETAILS OF RELEASE: Şener and Şık were freed pending trial along with **Coşkun Musluk and Sait Çakır**. The presiding Judge Mehmet Ekinci cited that the time spent in pre-trial detention was a consideration for his release and also that there had been some changes to the charges.

DETAILS OF TRIAL: 1) Formally charged on 11 March 2011 with 13 others on charges related to the Ergenekon investigation. ODA TV, a news website, is described as its media wing. Charged with ‘membership of an armed organisation’ under Article 314/2 of the Penal Code. His trial began on 14 April 2011 and was still ongoing at the end of 2016. He is being tried jointly with journalist Ahmet Şık (see below). On 26 August 2011, it was announced that 14 people had been indicted in the case, including writer **Hüseyin Soner Yalçın**, and journalists **Coşkun Musluk and Sait Çakır**. Among the evidence produced at the trial are documents relating to state security, said to have been found on the ODA TV computers when they were seized. The defendants claim that they did not open or request these files. The evidence was sent to the government Scientific and Technological Research Council of Turkey (TÜBİTAK) that is responsible for research on information technology, among other issues. TÜBİTAK concluded that the files had been placed in the computers by a virus, and that there was no clear evidence that they had been opened or read by the recipients. This was confirmed by an independent report from a US data company. Defence lawyers refer to the publication of a book in August 2010 by **Hanefi Avcı**, a former police chief also implicated in ODA TV in which he claimed that members of the Gülen movement were involved in police activities. Şener and Şık had also written on similar issues, leading the defendants to claim to that the trial was initiated because of these revelations. The trial was continuing in December 2016. **2)** Nedim Şener is also on trial over his book titled Yasin El Kadi. Yasin El Kadi and Cuneyt Zapsu who are close to President Erdoğan sued Şener for criminal defamation, seeking compensation of up to 105,000 Turkish lira (c. US\$ 25,592). According to local news reports on 6 December 2015, Şener admitted he wronged former Istanbul Police Department Intelligence Bureau Chief Ali Fuat Yılmazzer in his book by attributing statements made by Yılmazzer’s deputy to Yılmazzer. No more information as of 31 December 2016.

BACKGROUND: Şener was tried and subsequently acquitted in 2010 for his book that implicates the Turkish security forces in the 2007 murder of the Turkish Armenian newspaper editor, Hrant Dink (see above). Şener has published over 12 books between 1994 and 2012. Since his 2010 acquittal, he has 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 which has many followers in Turkey.

It is thought that Şener's arrest is linked to his research into suggestions that the movement holds undue influence in the Ergenekon investigation. He remains on trial despite subsequent events that led to government accusations that Gülen followers were involved in an attempted coup and the resulting mass arrests. See FETO above.

AWARDS: Şener was awarded the 2011 Oxfam/Novib PEN Freedom of Expression Award; named World Press Freedom Hero by the International Press Institute 2011; CPJ International Press Freedom Award 2015, Sparkasse Leipzig Media Foundation's Prize for the Freedom and Future of the Media. He has also won numerous awards for his journalism in Turkey.

HONORARY MEMBER: PEN Turkey and Danish PEN.

PEN ACTIONS: [RAN 10/11 Update # 2 – 13/03/2012](#)

Ahmet ŞİK:

PROFESSION: journalist and writer, reporter for Cumhuriyet Daily

DATE OF BIRTH: 1970

1) DATE OF ARREST: 29 December 2016

DETAILS OF ARREST: arrested at his home in Istanbul as part of a government crackdown targeting critical voices in the press. Turkish authorities have reportedly brought a 'classified' case against Şık using state of emergency powers introduced since the coup attempt in July 2016. As a consequence of the classified status of the case against him, the grounds for Şık's arrest have not been officially disclosed and he faced questioning without access to legal counsel for up to five days. He claims he was refused access to water for 3 days. Although the information on the case is limited, the reason for his arrest are believed to be his reports concerning Turkey's alleged role in arming factions involved in the Syrian Civil War; an interview with the Kurdistan Workers' Party (PKK) senior leadership regarding the former peace process with Turkey; and a number of articles critical of the government's handling of the conflict with the PKK in the aftermath of the collapse of the peace process. Şık's arrest follows those arrests of the entire editorial staff of Cumhuriyet Daily as part of an investigation into the papers ties with FETÖ and PKK and its role in the failed coup attempt of July 2016.

PEN ACTIONS: [RAN 22/17](#)

2) DATE OF ARREST: Arrested 7 March 2011 alongside Nedim Şener (see above)

DATE OF RELEASE: 12 March 2012

DETAILS OF RELEASE: On 12 March 2012 Şener, Şık, Musluk and Çakır (Also see ODA TV case above) were freed pending trial. The presiding Judge Mehmet Ekinci cited that the time spent in pre-trial detention was a consideration for their release and also that there had been some changes to the charges.

DETAILS OF TRIAL: 1) Formally charged on 11 March 2011 on charges related to the Ergenekon investigation. ODA TV is a news website described as its media wing. He is charged with 'membership of an armed organisation' under Article 314/2 of the Penal Code. His trial began on 14 April 2011 and was still ongoing as December 2016 He is being tried jointly with journalist and writer Nedim Şener. On 12 March 2012, charges were brought by prosecutors alleging that comments made by Şık on 12 March 2012 as he left Silivri prison were 'threatening' to judges and prosecutors and depicted them as 'targets for terrorist organisations'.

Şık was indicted under Articles 106/2-d, 43/1, 53, 125/1, 125/3-a and 125/4 of the Turkish Penal Code (Law No. 5237) on 3 July 2012, with the prosecutor seeking between three and seven years in prison. The charges are said to be linked to the comment ‘The police, prosecutors and judges who plotted and executed this conspiracy will enter this prison.’ No further information as of December 2016.

BACKGROUND: Şık is a graduate of the Communications Facility Department of Journalists, Istanbul University. Reporter for Milliyet, Cumhuriyet, Evrensel, Yeni Yüzyıl, and Radikal over the period 1991 – 2005. Police are said to have seized his draft manuscript *İmamın Ordusu* (Imam’s Army), an investigation into the alleged affiliation of police to the Gülen movement. The book was subsequently published in November 2011 as an anti-censorship defiance with 125 writers, journalists and academics acting as co-authors and editors under the title *OOO Kitap* (OOO Book). Previously, in March 2011 he was acquitted of charges of breaching the confidentiality surrounding the Ergenekon trial in a two volume book published in 2010, before his arrest, entitled *Kırk katır, kırk satır* (40 mules, 40 cleavers). The first volume is entitled *Ergenekon’da Kim Kimdir?* (Who’s who in Ergenekon), and the second *Kontrgerilla ve Ergenekon’u Anlama Kılavuzu* (Guide to understanding contra-guerrilla and Ergenekon). His co-defendant Ertugrul Maviolu was also acquitted. In 2015 Şık was charged with defamation against former transport minister Binali Yıldırım in his book titled *Paralel Yürüdük Biz Bu Yollarda* (We Walked Paralel on this Road). The trial began in March 2015; on 15 December 2015, Şık was convicted of defamation and sentenced to pay a fine of 4,000 Turkish Lira (c. US\$ 5,118).

AWARDS: Awarded a number of prizes for his journalism in Turkey, including UNESCO’s 2014 Guillermo Cano World Press Freedom Prize.

HONORARY MEMBER: PEN Turkey and Danish PEN.

PEN ACTIONS: RAN 10/11 [Update # 2](#) – 13/03/2012, [Update #3](#) 28/03/12

*In addition to the cases of **Ahmet Şık and Nedim Şener** (above), three other journalists and writers are on trial in the ODA-TV case. They are **Coşkun MUSLUK** and **Cahit ÇAKIR**,*

PROFESSION: contributors to the ODA TV news website and Hüseyin Soner YALÇIN,

PROFESSION: owner of ODA TV news website and journalist for the Hürriyet newspaper, author of 12 books. Please see previous case lists for details.

ON TRIAL: OTHER

Details of some pending freedom of expression-related trials in Turkey are monitored by the Initiative for Freedom of Expression and can be found at: <http://www.ctl-tr.net/?dil=en>

The following are key cases:

***Ahmet NESIN:**

PROFESSION: journalist and writer

DATE OF ARREST: 20 June 2016

DETAILS OF ARREST: As part of a campaign launched on World Press Freedom Day 2016, Ahmet Nesin acted as editor-in-chief for a day for the pro-Kurdish newspaper Özgür Gündem, on 7 June. On 20 June 2016, he was detained alongside others on charges of ‘terrorist propaganda’ after testifying before the prosecutor for terror and organised crimes. He was released pending trial on 1 July 2016.

DETAILS OF TRIAL: On 22 June 2016, prosecutors issued indictments accusing Nesin of ‘openly provoking [the people] to commit crimes’, ‘praising a crime and a criminal’ and ‘making propaganda for a [terrorist] organisation’. He faces up to 14 years and six months in prison if found guilty. The trial is ongoing as of December 2016.

BACKGROUND: The Özgür Gündem campaign was launched on 3 May 2016 for World Press Freedom Day. It involved 44 writers and human rights activists who demonstrated solidarity with the newspaper by volunteering as editor-in-chief for a day. As of December 2016, 37 of 44 participating have had criminal investigations opened against them. Özgür Gündem has frequently been under pressure from the Turkish authorities; it was banned between 194 and 2011 and many of its reporters were arrested over the years on charges of supporting the PKK. Others were held for years as part of an investigation into the KCK. According to Bianet, some 80 cases are currently pending against Özgür Gündem.

***Aslı ERDOĞAN (f), PROFESSION:** novelist, advisory position in Özgür Gündem daily

DATE OF BIRTH: 8 March 1967

***Necmiye Alpay (f), PROFESSION:** linguist, advisory position Özgür Gündem daily

DATE OF BIRTH: 1946

DETAILS OF TRIAL: Erdoğan was detained on 17 August 2016, with more than 20 other journalists and employees including renowned writer/linguist **Necmiye Alpay** from Özgür Gündem, a pro-Kurdish opposition daily, which was shut down by decree as part of the state of emergency following the failed coup of 15 July 2016. Erdoğan, who serves as an advisory board member and columnist in the paper, was sent to a jail in Istanbul on preliminary charges of ‘membership of a terrorist organisation’ and ‘undermining national unity.’ On 31 August, Istanbul’s Eighth Criminal Court of Peace ordered the arrest of Alpay and Erdoğan on charges of being members of a terror organisation and disrupting the unity of the state; they deny all charges.

DATE OF RELEASE: Both Alpay and Erdoğan were subsequently released on 29 December 2016 following 133 days in detention. Their trial is ongoing as of 31 December 2016 (See also Ragıp Zarakolu above, being tried in absentia)

PEN ACTIONS: [RAN 18/16](#), [RAN 19/16](#)

Can DÜNDAR:

PROFESSION: former editor of Cumhuriyet, a writer, documentary filmmaker and member of PEN Turkey

DATE OF BIRTH: 16 June 1961

DATE OF ARREST: 26 November 2015

DETAILS OF ARREST: On 26 November 2015, the authorities detained Dündar and his Ankara bureau chief Erdem Gül on terrorism and espionage charges in relation to a news story published in June 2015.

DETAILS OF TRIALS: (1) In June 2015, President Erdoğan filed a criminal complaint against Dündar over a news story, alleging espionage and demanding an aggravated life sentence. The complaint accused Dündar of trying to manipulate justice with fabricated material and violating confidentiality by publishing the story. Dündar's paper, Cumhuriyet, had published photos of Turkish intelligence agency's trucks allegedly carrying arms to Syria. **(2)** In August 2015, the public prosecutor of Istanbul drafted an indictment against 18 journalists from nine newspapers for 'propaganda in favour of a terrorist -organisation' in relation to the 'Editors Watch' solidarity action with Özgür Gündem daily, seeking prison terms of between one-and-a half to seven-and-a-half years in prison. Dündar is among those indicted.

DATE OF RELEASE: 26 February 2016

DETAILS OF RELEASE: Dündar and Gül were released by a Supreme Court decision that their rights and that of the press have been violated. Following President Erdoğan's criticism of the Supreme Court, commenting 'he won't abide by the ruling', the lower court sentenced Dündar and Gül to five years in prison for revealing state secrets. The decision is on appeal whilst Dündar and Gül remain free with Dündar in exile in Germany as of December 2016.

ATTACK - DAY OF ATTACK: 6 May 2016

DETAILS OF ATTACK: Can Dündar was leaving the Istanbul Çağlayan Courthouse for an intermission of his trial where he was being accused of publishing secret state documents and trying to overthrow the government, when attacker Murat Şahin approached him with a gun and fired several shots in quick succession at Dündar whilst shouting 'traitor'. The assailant was neutralised by Dündar's wife, Dilek Dündar and a member of parliament from the Republican People's Party (CHP). Dündar was unharmed in the attack although NTV television reporter **Yağız Şenkal** was wounded in the leg. Accusing the Turkish President, Recep Tayyip Erdoğan, and the pro-government media of whipping up a climate of hatred against him, Dündar commented on the attack saying "We know very well who showed me as a target. This is the result of provocation. If you turn someone into so much of a target, this is what happens." On 21 October 2016, shooter Murat Şahin, who was jailed following the attack, was released pending trial by an Istanbul court.

BACKGROUND: Dündar was also tried for criminal defamation following an official complaint by Turkish President Recep Tayyip Erdoğan and his son Bilal Erdoğan on 7 August 2014. The charge related to two articles he wrote in July 2014, in which he criticised the handling of a major investigation into alleged government corruption in Turkey and discussed the ramifications of then Prime Minister Recep Tayyip Erdoğan's presidential candidacy. Erdoğan has previously attempted to have Dündar charged with defamation for an article he wrote. The public prosecutor questioned Dündar on 6 May

2014 following Erdoğan's complaint, but decided against pursuing charges against him, charges for the May 2014 case were dropped in April 2014.

OTHER INFORMATION: While imprisoned Dündar wrote a letter to the Washington Post entitled 'What's freedom worth? Less than three billion euros apparently', wherein he criticised Europe's dealings with Turkey with regards to managing the refugee crisis.

PEN ACTIONS: [RAN 08/14](#); 04/15 and updates, [statement](#) 3 June 2015, [press release](#) 23 December 2015 and [call to action](#). Mentioned in PEN's 2015 report: [Surveillance, Secrecy and Self-Censorship: New Digital Freedom Challenges In Turkey](#)

Ekrem DUMANLI (FETO):

PROFESSION: former editor-in-chief of Zaman and playwright

DATE OF ARREST: 14 December 2014

DATE OF RELEASE: 19 December 2014

DETAILS OF ARREST: Dumanli was arrested alongside journalist Hidayet Karaca (see above) and nine others on 14 December 2014 'on suspicion of membership of an illegal organisation'. Among those arrested were high-ranking members of the Istanbul police force as well as journalists, screenwriters, producers and directors who have worked for newspapers and TV stations said to be affiliated with the Gülen movement. The arrests came against a backdrop of escalating political tensions between the ruling party in Turkey and the followers of Islamic cleric Fethullah Gülen. He was released after questioning.

DETAILS OF TRIAL: 1) Dumanli was charged with membership of the Gülen movement (known as FETO in Turkish) which the authorities have designated a terrorist organisation.

BACKGROUND: **Ahmet Özel**, a lawyer representing Erdoğan, lodged a lawsuit against Dumanli and **Ibrahim Turkmen** (see below) claiming that a news article published on 9 January 2015 and titled 'Erdoğan slams terrorist attack launched by Boko Haram militants', intended to insult Erdoğan. At the time the article was published Dumanli was the general manager of the Zaman media group. Following Özel's criminal complaint in March 2015, the Bakırköy Chief Public Prosecutor's Office prepared an indictment against Dumanli and Türkmen, demanding up to four years in jail for each. The trial was due to start in December 2015 although no update as of December 2016.

PEN ACTIONS: Press release [15 December 2014](#) PEN is seeking confirmation of the trial statuses as of December 2016.

Sedat ERGIN:

PROFESSION: writer and editor-in-chief Hürriyet newspaper

DETAILS OF TRIAL: Ergin has been charged with insulting the President Recep Tayyip Erdoğan in a report by paraphrasing his 6 September 2015 remarks about an attack by the outlawed Kurdistan Workers' Party (PKK) in Dağlıca on the Iraqi border that killed 16 Turkish soldiers. According to Hürriyet Daily News, the prosecutor demanded up to five years and four months in jail for Ergin. The indictment said Hürriyet and Zaman published 'unreal, offending, and ill-intentioned' reports over Erdoğan's remarks about the Dağlıca incident. The indictment also said the reports should not be regarded within the right to freedom of speech.

Prosecutors have also launched an investigation into Hürriyet's owner, Dogan Media Group, on accusations of 'terrorism propaganda'.

UPDATE: He appeared before Istanbul's Bakırköy district 54th Penal Court of First Instance for a hearing on 25 March 2016; no further information as of December 2016.

BACKGROUND: Hürriyet has been singled out for criticism as the government struggles to control a surge in Kurdish militant violence in the southeast. After the article's publication, on 7 September, a pro-government mob attacked Hürriyet's Istanbul offices, accusing the newspaper of sympathising with the banned Kurdistan Workers Party (PKK). In October, a prominent Hürriyet journalist, **Ahmet Hakan** (see below under Attacked), was beaten up outside his home.

AWARDS: 2016 Deutsche Welle Freedom of Speech Award.

***Yılmaz ÖZDİL:**

PROFESSION: writer and journalist for Sözcü

DETAILS OF TRIAL: On trial for defamation of former Transportation Minister Binali Yıldırım who filed a compensation lawsuit of Turkish Lira 20,000 (c. US\$ 25,592) against Yılmaz Özdil and the Kırmızı Kedi Publishing House in the 29th Criminal Court of First Instance. He claimed that Özdil had insulted him in his 2015 book *Berberer Yürüttük Biz Bu Yollarda*. The trial opened on 5 March 2015 and is continuing as of December 2016.

SENTENCED

***Ali ÖZSOY:**

PROFESSION: writer

DETAILS OF TRIAL: Charged with defaming President Recep Tayyip Erdoğan in his book entitled *There's a Thief!* The trial opened in February 2015, and the first hearing of the case was held on 5 July 2015. The second was on 3 December 2015. He is also facing trial in a complaint by the President's son, Bilal Erdoğan, in relation to the same book.

SENTENCED: On 1 December 2016, while Özsoy was acquitted of insulting Bilal Erdoğan, he received a sentence of 11 months and 20 days for insulting President Erdoğan, plus 354 days in prison for insulting Prime Minister Binali Yıldırım. Both convictions were turned into fine of Turkish Lira 31, 620 (c. US\$ 8,672).

RELEASED

Gültekin AVCI: (FETO):

PROFESSION: writer and columnist for independent daily Bugün

DATE OF ARREST: 18 September 2015

DATE OF RELEASE: 10 June 2016

DETAILS OF ARREST: Prosecutors charged Avcı in connection with a series of columns he wrote in 2013 and 2014 for Bugün in which he reportedly alleged that the Turkish National Intelligence Organisation or MIT, the country's spy agency, had links to an Iranian-backed group called Tawhid-Salam, a group which the Turkish authorities declared a terrorist organisation in 2014.

DETAILS OF RELEASE: It Avcı was released on 10 June 2016 however other defendants were remanded in custody for an August trial.

DETAILS OF TRIAL: Avcı was first reportedly detained in Izmir and then taken to the 2nd Penal Court of Peace in Istanbul on 20 September 2015 where he was officially arrested. According to reports the court ordered Avcı to be imprisoned pending trial on charges including 'attempting to overthrow the government' and being a member of a terrorist organisation. Seven articles were submitted as evidence on charges that he 'relayed the orders of Fethullah Gülen to members of the Gülenist Terror Organisation' and that he 'moulded public opinion by way of the press. According to news reports dating 2 October 2015, Avcı submitted a request to appeal his arrest together with a recusal of the judge who had issued the arrest warrant. This request pointed out that the judge in question had previously filed a defamation suit against Avcı, claiming the Bugün columnist had insulted him in his 23 March 2015 column titled 'They Hand Me Lists'. Avcı went on trial at Istanbul's 14th Court for Serious Crimes on charges of 'attempting a coup', 'being a leader of a terrorist organisation' and 'revealing state secrets that could affect state security or the states domestic or international interests'.

CONDITIONS OF DETENTION: According to reports Avcı was kept in a solitary cell and denied warm meals. On his release he stated that he had not been treated 'as a human'.

BACKGROUND: Avcı is a former prosecutor and is also the legal representative for Hidayet Karaca (see above under Detained: investigation). On 17 December 2013, Istanbul police carried out early morning raids on several homes, detained 52 people and confiscated c. \$17.5 million in cash. The money was allegedly the proceeds of corruption and bribery (in the construction, bid-tendering and development sector of the economy), fraud, money-laundering and gold smuggling; 14 people were arrested, all of whom had close ties to the ruling AKP party; some of those suspected of wrongdoing included Erdoğan's own son and family members of cabinet ministers. Three cabinet ministers resigned, and Erdoğan immediately undertook a purge of the prosecutors and police leading the corruption investigation, specifically targeting individuals believed to be sympathisers of the faith based Gülen. No further information as of 30 December 2016.

Mustafa BALBAY(Ergenekon):

PROFESSION: writer and columnist for Cumhuriyet and MP of the Republican People's Party (CHP)

SENTENCE: 34 years and eight months in prison

DATE OF ARREST: early July 2008

DETAILS OF ARREST: Arrested as part of a series of arrests of members of the nationalist group Ergenekon. Released to stand trial but rearrested on 7 March 2009.

DETAILS OF RELEASE: Balbay was released on 9 December 2013 after the Constitutional Court ruled that his lengthy pre-trial detention violated his rights as an MP.

The Supreme Court of Appeal overturned his conviction and sentence in April 2016, citing lack of evidence.

DETAILS OF TRIAL: Trial opened on 21 July 2009. He was accused of membership of a terrorist organisation; attempting to overthrow the government; attempting to provoke an armed uprising; unlawfully obtaining, using and destroying documents concerning state security; disseminating classified information. Specifically, he was accused of taking part in secret meetings where leading figures, including generals, discussed plans for a coup. Evidence against Balbay were 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, and he consistently denied charges of inciting an armed uprising. He was sentenced on 5 August 2013 to 34 years and eight months in prison after conviction of ‘attempting to overthrow the government by force and violence’ and ‘unlawfully obtaining documents concerning government security’. Following the release of a reasoned verdict in April 2014, Balbay’s case was sent for review by the Supreme Court of Appeals.

HONORARY MEMBER: PEN Turkey.

PEN ACTIONS: [RAN 65/11](#); raised in meeting with President of Turkey in November 2012, press releases [8 August 2013](#) and [10 December 2013](#).

Fazil SAY:

PROFESSION: popular and internationally acclaimed pianist, composer, writer and EU Culture Ambassador

SENTENCE: 10 months suspended prison sentence; required not to commit a similar offence for two years in April 2013

DETAILS OF TRIAL: Accused of religious defamation for messages he posted on Twitter declaring himself an atheist and referring to an Omar Khayyam poem that suggests that the Islamic representation of Heaven, replete with wine and ‘hurus’ (virgins), is reminiscent of a pub or brothel. Say was accused of contravening sections one and two of Article 216 of the Turkish Penal Code (TCK), by allegedly ‘instigating religious hatred and hostility’ and ‘insulting religious values’. The trial was initiated following a complaint from a private individual, not uncommon in such cases. His trial opened on 18 October 2012 and on 15 April 2013, Say was sentenced to 10 months in prison, suspended for five years, during which time he is required not to commit a similar offence. On 26 April 2013, the 29th Criminal Court accepted his lawyers’ request to have the suspended sentence annulled, and that the case should return to court for reconsideration. The lawyer had argued that the conditions of the suspension were unclear and therefore did not enable his client to know what actions would constitute a breach of the suspension. On 20 September 2013, the Istanbul 19th Magistrates Court upheld his 10-month prison sentence, suspending it for two years. On 9 November 2013, Say’s lawyers applied to Turkey’s Supreme Court of Appeals to appeal the ruling. On 27 November 2014, the Chief Prosecutor of the Supreme Court of Appeals submitted an official request for Say to be acquitted of religious defamation charges. In October 2015, the Supreme Court ruled by a majority ruling of 4 to 1 that his tweets should be regarded as freedom of thought and opinion and should not be punished. However, unless the lower court accepts the Supreme Court ruling, the judicial process could continue. Say was finally acquitted on 7 September 2016.

AWARDS: 2015 International Secularism Prize (Prix de la Laïcité)

PEN ACTIONS: [Day of the Imprisoned Writer Action 2013](#).

Note: *At least 14 other journalists and writers sentenced under the scope of the Ergenekon trial who were freed on 5 August 2013 had their verdicts quashed by the Supreme Court of Appeal in April 2016. For details of the individuals, please refer to previous Case Lists.*

CASE CLOSED

Due to the number of cases of persecuted writers in Turkey, PEN International is closing cases of writers under suspended sentence or released under the judicial reform package pending appeal. They will be reopened should the writers be returned to prison in the future.

Doğan AKHANLI: (German national)

PROFESSION: writer and human rights activist

DATE OF BIRTH: 1957

DATE OF ARREST: 10 August 2010

DATE OF RELEASE: 8 December 2010

DETAILS OF TRIAL: Acquitted on charges of 'robbery' and 'membership of armed organisation' by the domestic court in 2011, yet the Supreme Court reversed this decision in February 2013 demanding life imprisonment. Akhanlı, who permanently lives in Germany as a German citizen was arrested in 2010 when he was visiting Turkey. Reportedly, Akhanlı was among the group who robbed an exchange office in 1989. Following the abolition of Special Courts, the case was delegated to the 3th High Criminal Court of Istanbul. (For more information see previous Case List)

BACKGROUND: Akhanlı contributes to projects and campaigns dealing with violence in history and human rights. His novel Madonna'nın Son Hayali (Last Fantasy of Madonna) was acclaimed by critics among the 10 best novels in Turkish in 2005. Akhanlı is also known for his efforts to clarify the circumstances of the murder of Hrant Dink (see above: killed - Impunity) and to keep his memory alive.

CASE CLOSED: no developments on the trial and Akhanlı is not at risk of arrest as he resides in Germany.

İsmail BEŞİKÇİ:

PROFESSION: author and sociologist

SENTENCE: one year and three months.

DETAILS OF TRIAL: Accused in June 2010 of 'making propaganda for the PKK' under anti-terror legislation for an article published in the Contemporary Lawyer's Association periodical titled 'Right to Self Determination and the Kurds'. On 4 March 2011, Beşikçi was sentenced by a court in Istanbul to one year and three months. Beşikçi is free while his appeal is ongoing.

BACKGROUND: Beşikçi spent many years in prison in the 1990s during which time he was a main case for PEN International.

AWARDS: In 2012, he was the recipient of the prestigious Hrant Dink Foundation Award.

CASE CLOSED: no information on development of the trial hearing. Presumed no longer in process.

Gökhan BULUT:

PROFESSION: editorial coordinator at Aram Publishing House

DETAILS OF TRIAL: Bulut edited and published three books written in Kurdish by Hayrettin Ekinci, Rodi Zinar and Hasan Hüseyin Deniz respectively. He was charged with ‘making propaganda for a terrorist organisation’, specified as PKK/KCK in the indictment. The books, written by Kurdish fighters, are described as being ‘guerrilla memoirs’. The public prosecutor has stated that he will drop the case if Aram Publishing House pays a fine.

BACKGROUND: Aram Publishing House has faced a number of high profile court cases over the years for its focus on publishing content related to the Kurdish issue. Noam Chomsky’s Interventions and Thomas Benedikter’s The World’s Regional Authorities are amongst the books that have prompted court cases against Aram Publishing House.

CASE CLOSED: no information on the development of the appeal hearing. Presumed no longer in process.

Ayşegül DEVECİOĞLU (f):

PROFESSION: Kurdish writer

SENTENCE: 23 months in prison; suspended for five years

DETAILS OF TRIAL: Charged with Articles 7/2 (‘making propaganda for a terrorist organisation’) and 5 (‘membership of a terrorist organisation’) of the Anti-Terror Law as well as Article 28/1 (‘illegal demonstrations’) of the Law on Meetings and Demonstrations. The indictment against her was delivered in March 2012 following Devicioğlu’s arrest along with 20 other BDP members for chanting slogans in support of imprisoned PKK leader Abdullah Öcalan at an illegal demonstration in Yalova, Western Turkey. At her last hearing held on 30 December 2013 she was sentenced to 23 months in prison, with the sentence suspended for a period of five years. No further information as of 31 December 2016.

BACKGROUND: Devicioğlu has received critical acclaim for two novels and two books of short stories.

AWARDS: In 2008 she was awarded the Orhan Kemal Prize for one of her novels.

İhsan ELİAÇIK:

PROFESSION: writer, theologian and publisher; owner of İnşa Publishing House

DETAILS OF TRIAL: On 21 June 2013, a petition was filed against Eliaçık in an Ankara court by Prime Minister Erdoğan’s legal representatives.

Charged with criminal defamation under Article 125 of the Turkish Penal Code, Eliaçık faces both a criminal trial and a civil suit in relation to 12 Tweets, nine of which concerned Erdoğan directly. The civil suit was settled on 20 January 2014 by the 23th Court of First Instance in Ankara, awarding Erdoğan Turkish Lira 2,000 (c. US\$ 548) in damages.

BACKGROUND: İhsan Eliaçık has written over 20 books since the early 1990s, including a series on revolutionary Islamic intellectuals and a number of books outlining a socialist interpretation of Islam. He is the ideological leader of 'the Anti-Capitalist Muslims', a group that strongly opposes the synthesis of capitalism and Islam on moral grounds. An outspoken critic of the incumbent AKP administration and Turkey's Directorate of Religious Affairs, Eliaçık and his group were present throughout the Gezi Park protests, and garnered significant attention for their condemnation of the heavy handed government response.

PEN ACTIONS: Featured in PEN's 2014 report [The Gezi Park Protest: The Impact on Freedom of Expression in Turkey](#).

CASE CLOSED: the case was dropped due to clemency offered by President Recep Tayyip Erdoğan on all criminal defamation cases involving him following the attempted coup.

Halit GÜDENOĞLU:

Cihan GÜN:

Musa KURT:

Kaan ÜNSAL:

Naciye YAVUZ (f):

PROFESSION: authors and reporters for Yürüyüş

DATE OF ARREST: December 2010

DETAILS OF TRIAL: The first hearing was held on 10 January 2012, after 13 months of pre-trial detention. Charges are apparently terror-related. The Yürüyüş magazine office in Istanbul was raided on 24 December 2010. The raid also included the publishing company Ozan Publishing. The five were released pending trial on 20 July 2012. It was reported in July 2013 that Ünsal had been re-arrested on 14 March 2013. It was also suggested that Kurt was similarly re-arrested on 18 September 2012. The two are reportedly no longer detained.

CASE CLOSED: No more information as of 31 December 2016; case closed.

Nuh GÖNÜLTAŞ (f), PROFESSION: journalist for Bugün
Hüseyin GÜLERCE, PROFESSION: former columnist for Zaman
Fahri SARRAFOĞLU, PROFESSION: journalist for Zaman
Makbule Çam ELMADAĞ
Ali KARA
Ali Samim NOYAN
Radiye Ebru ŞENVARDAR (f)
Hikmet TOMBULCA
Elif YILMAZ (f)

PROFESSIONS: screen writers

DATE OF ARREST: 14 December 2014

DETAILS OF ARREST: The nine people named above were arrested alongside editor Ekrem Dumanlı and journalist Hidayet Karaca (see above) on 14 December 2014 'on suspicion of membership of an illegal organisation'. Among those arrested were high-ranking members of the Istanbul police force as well as journalists, screenwriters, producers and directors who have worked for newspapers and TV stations said to be affiliated with the Gülen movement. The arrests came against a backdrop of escalating political tensions between the ruling party in Turkey and the followers of Islamic cleric Fethullah Gülen. An indictment has not been delivered as of 31 December 2014 although all of the above remain under investigation. All were released after questioning with the exception of Karaca.

CASE CLOSED: No further information as of 31 December

PEN ACTIONS: [Press release](#) 15 December 2014

Dr.Yalçın KÜÇÜK:

PROFESSION: writer, economist, historian and socialist. Author of numerous books on socio-economics

SENTENCE: 22 years and six months

DATE OF ARREST: early 2011

DETAILS OF ARREST: Arrested for investigation into the ODA TV news website case.

DATE OF RELEASE: 10 March 2014

DETAILS OF TRIAL: 1) Sentenced to 22 years and six months in prison. The court decided that he would be released on 10 March 2014 subsequent to a reform package abolishing the special authority courts and reducing the reasonable period of pre-trial detention to five years. His appeal is thought to be ongoing as of 31 December 2016. 2) On 10 December 2015 the Constitutional Court ruled that a decision by a lower court to order journalist Yalçın Küçük to pay damages to former President Abdullah Gül, who sued Küçük over his book 'Musa'nın Gülü' (The Rose of Moses), in which the journalist accused Gül of having secret ties to the Jewish lobby in the US and the US and British governments, constituted a violation of freedom of speech.

BACKGROUND: Accused of sympathies with the PKK and sentenced to two years in prison in the late 1990s for interview with its leader, Abdullah Öcalan

CASE CLOSED: No further information on trials as of December 2016. Presumed no longer in process.

Tuncay ÖZKAN:

PROFESSION: writer and journalist,

SENTENCE: Aggravated life imprisonment

DATE OF ARREST: 27 September 2008

DATE OF RELEASE: 10 March 2014

DETAILS OF ARREST: Detained in Silivri Prison, 50km outside Istanbul for nearly six years.

DETAILS OF TRIAL: Sentenced in August 2013 to life imprisonment. Özkan had an appeal for release from pre-trial detention turned down by the European Court of Human Rights on 14 February 2012. He was released on 10 March 2014 subsequent to a reform package abolishing the special authority courts and reducing the reasonable period of pre-trial detention to five years. He remained free pending appeal as of December 2015.

BACKGROUND: Özkan reportedly specialises in covering corruption, drug crime, and terrorism, specifically terrorism linked to religious extremism, and on international relations. His many articles appeared in newspapers including Milliyet, Radikal and Akşam. He has also authored some 17 books.

CASE CLOSED: No further information on trials as of December 2016. Presumed no longer in process.

Ergün POYRAZ:

PROFESSION: author of controversial books on the now banned Islamic Refah and Fazilet Parties, as well as on the key members of the ruling AKP. Evidence in his books is said to have led to the closure of Refah and Fazilet in the late 1990s/early 2000s.

SENTENCE: 29 years and four months in prison

DATE OF ARREST: 2007

DATE OF RELEASE: 10 March 2014

DETAILS OF TRIAL: Among the accusations against him is that he allowed books written by Ergenekon members to be published under his name, and that his books deliberately contributed towards the Ergenekon's policy of spreading chaos. On 5 August 2013, he was sentenced to 29 years and 4 months in prison. He was released on 10 March 2014 subsequent to a reform package abolishing the special authority courts and reducing the reasonable period of pre-trial detention to five years.

CASE CLOSED: no further information on his appeal.

Sedat ŞENOĞLU:

PROFESSION: writer and journalist for the newspaper Atılım

DATE OF ARREST: 10 September 2006

SENTENCE: seven-and-a-half years (under appeal)

DATE AND DETAILS OF RELEASE: September 2012 pending completion of the trial

DETAILS OF TRIAL: Trial proceedings against him and opened on 13 April 2007 under Article 6 of the Anti-Terror Law. Accused of being a member of the Marxist Leninist Communist Party (MKLP,) deemed by the authorities to be a terrorist organisation. There are concerns around the fairness of the trial. In September 2012, Şenoğlu was released pending trial due to a change in the nature and classification of the crime and the term spent behind bars already. He was sentenced on 5 November 2013 to seven and a half years in prison. He appealed the sentence.

BACKGROUND: Senoglu was also briefly detained in June 2013 (see 2013 Case List)

PEN ACTION: Mentioned in 8 November 2013 [press release](#).

CASE CLOSED: No further information as of 30 December 2016.

Deniz YILDIRIM:

PROFESSION: writer and former executive director of Aydınlık newspaper

DATE OF ARREST: 9 November 2009, held in Silivri Prison

SENTENCE: 16 years and 10 months

DATE OF RELEASE: 10 March 2014

DETAILS OF TRIAL: Accused of membership of an illegal organisation. Early reports suggest that evidence against him include that he secretly wiretapped the prime minister's telephone. Yıldırım was sentenced in August 2013 to 16 years and 10 months on charges of 'acquiring confidential documents concerning the security of the State,' 'obtaining and distributing personal data illegally,' and 'membership of an armed terrorist organisation'. He was released on 10 March 2014 subsequent to a reform package abolishing the special authority courts and reducing the reasonable period of pre-trial detention to five years.

BACKGROUND: He is the author of six books.

CASE CLOSED: No further information as of 30 December 2016.

UKRAINE

ATTACKED

***Svetlana KRYUKOVA (f):**

PROFESSION: freelance journalist and author

DATE OF ATTACK/THREAT: 11 January 2016

DETAILS OF ATTACK/THREAT: Svetlana Kryukova was conducting an interview in a hospital for her upcoming book when her car was [damaged](#), resulting in a smashed windscreen and punctured tyres, although nothing was stolen. On 10 November 2016 she [reported](#) being under surveillance by Ukraine's security services (SBU).

BACKGROUND: Kryukova is currently writing a book about a Ukrainian oligarch and believes the attack to be in reprisal for her journalist work.

MIDDLE EAST AND NORTH AFRICA

MIDDLE EAST AND NORTH AFRICA OVERVIEW

Freedom of expression under conflict, political crisis and instability

Writers and journalists in the Middle East and North Africa (MENA) are suffering from ongoing armed conflicts, political crises and instability across the region. Many of them have been subjected to arbitrary arrest and detention, enforced disappearance, kidnapping, torture, extra-judicial killings, harassment and threats. The oppression is conducted both by governments and armed non-state actors, among them religious extremists that emerged following the beginning of the Arab uprising in December 2010. They have taken control of areas, such as in Syria and Iraq, where they carry out systematic violations of human rights including closing the media and banning journalism activities. The types of writing that is criminalised ranges from criticism of religions, particularly Islam, through to commentary addressing government corruption and illegitimacy.

Criticising religion or government brings death sentences and prison terms

As for theocratic governments of the Middle East, more particularly Iran and Saudi Arabia, as well as other Gulf countries, the main charges affecting freedom of expression were implemented in the name of religion including blasphemy, atheism and apostasy. **Ashraf Fayadh**, a Palestinian poet and artist, is in prison in **Saudi Arabia**, on charges of 'insulting the divine self' due to the atheist content of his work. Originally sentenced to death, in February 2016 his sentence was commuted to eight years in prison and 800 lashes. The Iranian writer **Hesameddin Farzizadeh** faces a death sentence for apostasy, as well as seven years' imprisonment and 74 lashes, following a criminal court ruling in May 2015 for his book entitled *From Islam to Islam*, which reportedly examines the history of Islam and raises questions about Shi'a Islam. Such religious charges are also used in **Egypt** as in the case of the poet **Fatima Naoot** who was charged with 'contempt of Islam', 'spreading sectarian strife' and 'disturbing public peace' in connection with comments she made on Facebook about the celebration of Eid al-Adha in October 2014 and for which she was sentenced to three years in prison in January 2016. Furthermore, the legal apparatuses of Middle Eastern states criminalise writings and publications dealing with sexual orientation and sexuality such as in the case of the Egyptian writer **Ahmed Naji** who was charged in February 2016 with publishing 'obscene sexual content' and 'defaming public morals' after publishing his book *The Use of Life*.

Freedom of expression becomes enormously limited when writing addresses political change and the legitimacy of those in power. Many writers and political activists have been subjected to human rights violations for criticising their governments. **Arzhang Davoodi**, an **Iranian** writer and poet, remains imprisoned following his conviction on charges of 'spreading propaganda against the system' and 'establishing and directing an organisation opposed to the government'.

Davoodi is currently awaiting the application of a death sentence in relation to his alleged membership and support of banned group People's Mojahedin Organisation of Iran. On 14 August 2016, the **Omani** authorities arrested the writer **Hamood Al-Shukaily** for posts he made on Facebook, especially a poem about the arrests of three journalists, and another on corruption in Oman. One piece of good news is that **Mohammed Ibn Al-Dheeb Al-Ajami**, a **Qatari** poet, who was sentenced to life imprisonment on 29 November 2012 on charges of 'inciting the overthrow of the ruling regime' and 'criticising the ruler' was pardoned and released on 15 March 2016. According to the Arabic Network for Human Rights Information (ANHRI), **Kuwait** is at the forefront of countries that prosecute Twitter users. It has one of the highest numbers of 'insulting the Emir' cases, totalling some 160 cases over the last three years. According to a study conducted by ANHRI entitled [#Turn_around_and_go_back](#) Internet in the Arab World, most cases relate to Tweets, whereas others relate to speeches and articles. A number of [books were also banned](#) from the 40th Kuwait International Book Fair held in 2015.

Laws criminalise writers and writings

The challenge facing freedom of expression is complicated by Penal Codes, states of emergency and counter-terrorism legislation in the Middle East, which include vaguely worded provisions often used to arrest bloggers, journalists, writers and political activists expressing their views through peaceful means. The **Iranian** Islamic Penal Code, for example, includes charges such as 'Moharebeh' (waging war against God) and 'spreading Corruption on Earth', while the Syrian Penal Code includes provisions under which many political prisoners have been arrested such as 'spreading of false news', 'disseminating false information that could affect the morale of the nation', and 'ownership or membership of an organisation created to change the economic or social situation of the state'. In **Egypt** and **Syria**, state of emergency laws have been lifted in the context of the Arab uprising but were replaced by new counter-terrorism legislation that have absorbed into them previously abolished laws of emergency. These constitute a key threat to the right of freedom of expression, freedom of association and the right to fair trial and have been used to criminalise writers, human rights activists and intellectuals when they peacefully criticise the authorities. For example, Article 8 of the Syrian counter-terrorism law penalises 'any person that distributes printed materials or stored data of any form for such a reason to promote means or acts of terrorism' while Article 1 of this law provides a vague definition of terrorism which could extend to criticism against the government. According to [Human Rights Watch](#), the [Syrian](#) government has used the Counterterrorism Law and its recently established special court against human rights defenders and other peaceful activists. **Kuwait** has also adopted new legislation affecting the right to freedom of expression, particularly Law No. 37 of 2014 on communications, Law No. 63 of 2015 on cybercrime as well as the amendments of electoral law in June 2016, to prevent persons accused by courts of defamation or blasphemy from running for elections.

Killings and detentions under conflict

Internal armed conflicts within the region has placed ordinary citizens between two, and often more, deadly forces as starkly confirmed by the [Committee to Protect Journalists \(CPJ\)](#) whose statistics show **Syria** as the most dangerous place in the world for journalists in 2016 with 14 journalists killed, while **Iraq** was the second deadliest and **Yemen** the third with six killed journalists in each country.

Hundreds of thousands of individuals in **Syria** have been arbitrarily arrested and detained in conditions amounting to enforced disappearance. They include writers and journalists. Some have been referred to the Anti-Terrorism Court in Damascus, which began work shortly after its establishment on 26 July 2012. Torture and other ill-treatment in prison and detention centres are believed to have caused or contributed to the deaths of thousands of detained individuals since March 2011. Armed groups, including the group calling itself Islamic State, have taken control of parts of the country and are also carrying out unlawful killings, arbitrary detentions as well as torture and other ill-treatment. The conflict took an international dimension with the involvement of many foreign fighters and states, including airstrikes undertaken in the country by Russia, the United States, Bahrain, Jordan, Qatar, Saudi Arabia, and the United Arab Emirates, etc.

Similarly in **Yemen** the situation for freedom of expression has declined sharply since late 2014 amid an on-going conflict between Houthi rebels supported by Iran and forces loyal to President Abdrabbuh Mansour Hadi supported by a Saudi-led coalition. Many reporters have been forced to flee, following the Houthis' occupation of the capital, Sana'a, in September 2014. After forcing the resignations of the President and the government, the Houthi forces dissolved parliament and established a Revolutionary Committee in February 2015 to govern the country. Journalists still working in Sana'a have been forced to follow the Houthis' editorial line. Journalists have also been killed during clashes or during airstrikes by the Saudi-led coalition.

IRAN

Golrokh Ebrahimi Iraee

Six year sentence for unpublished story



A short story written by Golrokh Ebrahimi Iraee whose protagonist reacts angrily to a film depicting the real life story of a woman stoned to death for adultery, led to her being sentenced to 6 years in prison on charges of insult to religion. The story had not been published. She was temporarily released in January 2017.



SYRIA

Mohammad Bashir al- Aani

Murdered by so-called Islamic State

Bashir al-Aani, acclaimed poet & critic of Syrian President Bashar al-Assad, was murdered along with his son in March 2016 by members of the so-called Islamic State group. He had been identified as an 'apostate'.

BAHRAIN

RELEASED

Ghada JAMSHEER (f):

PROFESSION: writer, human rights defender and the president of the Women's Petition Committee, an organisation which campaigns for the rights and dignity of women in the Shari'ah family courts

DATE OF ARREST: 15 August 2016

DATE OF RELEASE: 12 December 2016

DETAILS OF ARREST: Jamsheer was reportedly arrested at Bahrain's International airport having just returned from London, where she had been receiving specialised medical treatment. No information was initially given as to the reason for her detention. It is believed that Jamsheer was detained in Issa Town Detention Centre in order to serve out combined sentences connected with Tweets deemed to be defamatory.

PLACE OF DETENTION: Issa Town Detention Centre for Women

DETAILS OF TRIAL: Jamsheer has been on trial since 2014 relating to 10 separate defamation cases all relating to postings on her Twitter account. On 22 June 2016, an appeals court reportedly upheld a total of 10 months in prison in relation to four separate defamation cases (for more information see previous case lists).

HEALTH CONCERNS: Jamsheer is reported to suffer from rheumatoid arthritis. Over the course of her detention, concerns were raised for the deterioration of her health.

DETAILS OF RELEASE: On 7 November 2016, Jamsheer requested to be released on medical grounds to serve out the remainder of her sentence as community service. In apparent compliance with her request, Jamsheer was [released](#) from prison on 12 December 2016 and substituted the remainder of her prison term with community service.

BACKGROUND: Author of *The Killer and the Victim in the Shari'a Courts* in which she examined the committee's movement and the cases of women who were aggrieved by Shari'a verdicts. Jamsheer has been persecuted for her activism and writings for over a decade. In 2005, she faced three separate criminal charges for allegedly criticising a number of family court judges. These charges were dropped on 19 June 2005, but she has been under permanent surveillance since 2006. Her blog <http://bahrain-eve.blogspot.co.uk/> has reportedly been blocked in Bahrain since 2009 and is reportedly prevented from appearing on public media. Jamsheer has been on trial since 2014 relating to 10 separate defamation cases all relating to postings on her Twitter account. (For more information see previous case lists).

PEN ACTION: [Joint statement](#) about the situation in Bahrain referring to her 2014 arrest

EGYPT

KILLED: IMPUNITY

Shaimaa EL-SABBAGH (f):

PROFESSION: poet and activist

DATE OF DEATH: 24 January 2015

DETAILS OF KILLING: El-Sabbagh reportedly died when shot by police during a peaceful flower laying protest in Tahrir Square, a day before the fourth anniversary of the January 2011 revolution in Egypt.

DETAILS OF INVESTIGATION: On 11 June 2015, a police officer was sentenced to 15 years in prison for killing el-Sabbagh. He was convicted of ‘action that led to the death’ of el-Sabbagh - a lesser charge than murder, as well as ‘deliberately wounding’ other protesters. According to [news reports](#), the police officer appealed his conviction, which was overturned and a re-trial was ordered. Salah Yassin, the officer accused of this crime, was released in 2016 pending his trial. The last hearing took place on 19 February 2017 at the Criminal Court of south Cairo, which postponed the trial to an unknown date.

OTHER INFORMATION: 17 witnesses to the killing were acquitted of participating in an illegal protest in October 2015. The charge had been brought after they testified against the police following the killing.

PEN ACTION: [statement](#) 13 February 2015

IMPRISONED - MAIN CASE

Alaa Abd EL-FATTAH:

PROFESSION: blogger, activist and writer. Writes a popular [blog](#) *Manalaa* established with his wife, Manal.

SENTENCE: Five years in prison

EXPIRY OF SENTENCE: October 2019

DATE OF ARREST: 28 October 2014

DETAILS OF ARREST: Rearrested at the start of his retrial on 28 October 2014.

CURRENT PLACE OF DETENTION: Tora Prison, Egypt’s notorious maximum security detention centre.

DETAILS OF TRIAL: Among 25 defendants to be sentenced to 15 years in prison in absentia on 11 June 2014 by the Cairo Criminal Court for violating the Protest Law issued by former president Adly Mansour on 24 November 2013 to regulate the right to peaceful assembly. The court also fined the defendants 100,000 Egyptian pounds (c. US\$ 5,500) each and ordered they be placed under police observation for five years in addition to serving their time in prison. In August 2014 Abd el-Fattah was granted a re-trial and he was released on bail along with two co-defendants on 15 September 2014. On 23 February 2015 Abd el-Fattah was again sentenced to five years in prison for violating the Protest Law. He was not included in a Presidential Pardon of political

prisoners in September 2015.

HEALTH CONCERNS: Abd el-Fattah was on a 100-day partial hunger strike before being sentenced, which ended on 11 February 2015. According to news reports, he has kidney problems that emerged after his first hunger strike in 2014.

OTHER INFORMATION: The United Nation's Working Group on Arbitrary Detention in its [opinion](#) delivered in June 2016 found that he was arbitrarily detained as a result of his exercise of his right to freedom of opinion and his participation in a peaceful demonstration on 26 November 2013.

BACKGROUND: Following the uprising of 25 January 2011, Abd el-Fattah continued to promote free expression through online platforms. He started a [nation-wide people's initiative](#) enabling citizen collaboration in the drafting of the Egyptian Constitution. He initiated and hosted Tweet-Nadwas ('Tweet-Symposiums'), that brought activists and bloggers from across the world into Tahrir Square, to participate in open format dialogue about issues ranging from [Islamism](#) to [economic](#) reform.

PREVIOUS POLITICAL CHARGES: Abd el- Fattah has been jailed or charged under successive governments in Egypt between 2006 and 2013. For details see previous case list. Also on trial with 24 others, including former President Mohamed Morsi (see below under On trial) [**STOP PRESS:** according to recent [reports](#), in February 2017, Abd El Fattah and other prisoners at Tora Prison Complex B (where Abd El Fattah is imprisoned) were not allowed to receive any books, apart from textbooks for study purposes. According to El Fattah's family, he was also not being allowed regular exercise and access to fresh air while in prison.]

HONORARY MEMBER: Austrian PEN

PEN ACTIONS: [Joint call for release](#), 23 January 2014; [Statement](#) welcoming release 24 March 2014, statement [23 February 2015](#), [Call to action](#) 3 March 2017.

DETAINED: MAIN CASE

Ismail ALEXANDRANI:

PROFESSION: freelance investigative journalist and researcher

DATE OF ARREST: 29 November 2015

DETAILS OF ARREST: Alexandrani was arrested on 29 November 2015 in Hurghada airport, when returning from Berlin. The prosecution seized his laptop, mobile phone and some personal belongings, which they took as evidence. Alexandrani's wife reportedly suggested that after his detention he was questioned in New Cairo for more than 10 hours. He was later detained for 15 days pending further investigation. According to [Al Jazeera](#), on 10 December 2015 Alexandrani was informed that his detention had been extended for another 15 days for investigation. On 27 December 2015, his detention was reportedly extended for a third time. In September 2013, regulations on pre-trial detention, previously set at a maximum of two years, were [amended](#) to allow for indefinite detention in some cases.

DETAILS OF TRIAL: According to news reports, he is accused of 'releasing false news and spreading terror' and 'joining a banned group'. On 12 January 2016, Alexandrani's hearing was postponed until 27 January. It was postponed once more and as of 31 December 2016 has still not taken place.

BACKGROUND: According to news reports, Alexandrani had allegedly attended a conference in Berlin regarding counterterrorism and he was considered an expert in ‘Sinai and Egypt’s extremities, Islamism and post-Islamism’. He is reported to have been critical of the Egyptian government and its policies aiming to defeat extremists in the Sinai. His wife also suggested that he had been critical of the Muslim Brotherhood.

AWARDS: At the time of his arrest, he was a Visiting Arab Journalist Fellowship, Middle East Program, Woodrow Wilson International Center for Scholars; Open Eye - Hany Darweesh Award for Exceptional Essay 2014; Global Winner in Youth Essay Contest on Democracy 2009 (World Youth Movement for Democracy); 2009 winner of the National Contest for Spreading Understanding and Mutual Respect of the Cairo Institute for Human Rights Studies. [**STOP PRESS:** on 1 January 2017, the Giza criminal court ordered his detention to be renewed for an additional 45 days, local media [reported](#). [According to his lawyer](#), as of 12 February 2017, Alexandrani’s detention had been renewed 25 times.]

ON TRIAL

Abdel-Halim QANDIL, profession: writer and editor-in-chief of Sawt Al-Omma Journal

Abdul Rahman Yusuf AL-QARADAWI, profession: poet

DETAILS OF TRIAL: The two are among 25 defendants (including former President Mohammad Morsi) as well as Alaa Abd El-Fattah (see above), accused since 2014 of ‘insulting the judiciary’, ‘attempting to influence public opinion’ and ‘attempting to influence the rulings of presiding judges’ via comments made on social media and in interviews with the press.’ All were banned from travel in January 2014; the ban was lifted in 2015. Qandil’s first hearing took place in May 2016, and on 14 June 2016 it was reported that the court had given him a fine of 10,000 Egyptian pounds (c. US\$ 1,120) on a charge of ‘negligence of his work’. [**STOP PRESS:** The 25 defendants’ trial has been adjourned several times, the latest one on 11 January 2017 when it was scheduled for 8 April 2017, according to [reports](#).]

BRIEF DETENTION

*Mina THABET:

PROFESSION: human rights activist and director of the Minority and Religious Groups Department at the Egyptian Commission for Rights and Freedoms (ECRF)

DATE OF ARREST: 19 May 2016

DATE OF RELEASE: 20 June 2016

DETAILS OF ARREST: Thabet was reportedly [arrested](#) in his apartment on the outskirts of Cairo in the early morning of 19 May. An officer from the National Security Agency (NSA) went to Thabet’s apartment, which he shares with his mother and brother, to arrest him. When he did not find Thabet there, he threatened to arrest his brother instead.

Thabet later returned home, despite receiving a phone call from his mother warning him not to return to the apartment, and was arrested at around 3 am. He was taken to an undisclosed location and questioned for 12 hours.

DETAILS OF RELEASE: On 20 June 2016, an Egyptian court rejected an appeal by the prosecution on Thabet's release order, ordering his [release](#) on a bail of 10,000 Egyptian pounds (c. US\$ 1,120 at time of bail order). He was released the following day. No date has been set for his next hearing.

DETAILS OF TRIAL: Thabet reportedly appeared in court on 22 May 2016, where a judge issued a temporary detention order against him, which was later extended for 15 days. He was held without bail in pre-trial detention on charges of, amongst others, inciting violence, spreading false information and possession of leaflets undermining national security and the ruling regime. It is thought that research and policy papers written by Thabet on religious minority groups and on the political party Bread and Freedom were used as evidence for these charges.

HEALTH CONCERNS: During his detention renewal session, Thabet reportedly requested the judge to release him on account of his declining health condition. His lawyer observed that Thabet attended the session with a walking stick, as the condition of his back and legs had worsened while in detention.

HARASSED

***Mahmoud AL-LAITHI, PROFESSION:** singer

BOSSI (f), PROFESSION: singer

DATE OF HARASSMENT: 18 April 2016

DETAILS OF HARASSMENT: According to [reports](#), al-Laithi and Bossi's song 'Bonbonaia' (meaning 'candy') was banned by the president of Cairo's Nagham FM radio station, Ahmed Sameer. The lyrical content of the song was reportedly deemed contrary to the customs and traditions of Egypt.

BACKGROUND: The song is a mahraganat, a musical form that often addresses social issues, and is growing in popularity, especially with young people. According to reports, since April 2016 incident, Sameer has directed his radio presenters to not broadcast mahraganat songs on their shows.

Omar HAZEK:

PROFESSION: poet.

DATE OF HARASSMENT: 14 January 2016

DETAILS OF HARASSMENT: Hazek was one of three writers to receive the 2016 Oxfam Novib/PEN Award for Freedom of Expression. He would have been the only one out of the three winners to be present at the award ceremony, but he was stopped by the authorities in Cairo at the airport. As of 31 December 2016 he was still facing a travel ban.

BACKGROUND: Omar Hazek is a writer of international acclaim and was formerly employed by the Library of Alexandria. His publications include a collection of poetry in Arabic and English entitled *Nota - Skies of Freedom* (Egypt 2011), which he co-published with Syrian poet Abdelwahhab Azzawi and two other poets from Italy and Portugal. Since the overthrow of President Mubarak in February 2011, Omar Hazek has been outspoken in his allegations of corruption in the Library of Alexandria, whose official head of the board of trustees was former first lady Suzanne Mubarak. On 23 September 2015, Hazek was released from prison under a Presidential pardon. Arrested in December 2013, he had been serving a two-year prison sentence for ‘protesting without permission’ (for more information, see previous Case List).

AWARDS: 2016 Oxfam Novib/PEN Award for Freedom of Expression, Omar Hazek previously won the title of ‘Poet of Romance’ in the TV classical poetry competition ‘Prince of Poets’ in 2007, organised by the Abu Dhabi Organization for Culture and Heritage.

HONORARY MEMBER: Austrian PEN and Danish PEN.

UPDATE: Hazek was chosen as the virtual writer-in-residence of the Nottingham Festival of Literature 2016.

PEN ACTIONS: [RAN 07/14](#) 19 March 2014; [featured writer](#) May 2014; PEN [statement](#) – 14 January 2016. **[STOP PRESS:** According to reports, on 8 February 2017, Hazek was [detained](#) alongside other human rights and political activists, by members of Abdeen Security service while they were at a coffee shop. He was questioned for five hours, before being released.]

JUDICIAL HARASSMENT

*Islam GAWISH

PROFESSION: cartoonist and blogger

DATE OF ARREST: 31 January 2016

DATE OF RELEASE: 1 February 2016

DETAILS OF ARREST: According to reports, Gawish was arrested during a police raid, which involved over 10 officers, at the headquarters of the Egypt News Network website, his place of work. Gawish’s laptop and other computers owned by the company were confiscated during the raid. Gawish was allegedly accused of ‘running a website without a license’, ‘disseminating false news’ and ‘illegally possessing pirated computer software’. He was detained overnight at Nasr City Police Station, and then interrogated before being released, following an order from the Nasr City Public Prosecution.

BACKGROUND: Gawish is a popular cartoonist, known for his satirical slant on political issues. He uses his cartoons to highlight human rights abuses committed by the police, as well as issues of corruption and repressive government policies. He publishes his comics on the ‘al-Waraq’ (The Paper) Facebook page, which has more than 1.6 million followers. In 2015 Gawish published a book of the same name containing a collection of his works. A book that he co-wrote, called *Film Al-Omer* (The Age Movie), is due to be published in 2017.

ON TRIAL

Fatima NAOOT (f):

PROFESSION: poet, chief-editor of Qaws Qazah and columnist for El-Masry El-Youm

DATE OF BIRTH: 18 September 1964

SENTENCE: Three years' imprisonment and a fine of US\$2,550.

DETAILS OF TRIAL: Naoot's trial began on 28 January 2015, in which she was charged with 'contempt of Islam', 'spreading sectarian strife' and 'disturbing public peace' in connection with comments she made on Facebook about the celebration of Eid al-Adha in October 2014. During her trial, Naoot acknowledged that she had written the post but denied that her intention was to insult Islam. On 26 January 2016, Fatima was sentenced to three years in jail and fined 20,000 Egyptian pounds (c. US\$2,550 US). Naoot remained free as an appeal was lodged. It was subsequently [dropped](#) on 31 March 2016 as Naoot was out of the country at the time. A new one was filed.

UPDATE: On 23 November 2016, it was [reported](#) that an appeal court reduced her sentence to a six-month suspended jail term. Naoot has since expressed her intention to appeal the sentence to get an acquittal.

BACKGROUND: According to news reports, in October 2014 Naoot expressed criticism of the traditional sacrifice of sheep for the Eid al-Adha feast in a Facebook post and in the Egyptian daily newspaper El-Masry El-Youm. Naoot subsequently deleted her post on Facebook and insisted that her remarks were not intended as an insult to Islam. Naoot is an award-winning poet and has published seven poetry collections so far including Finger's Pat, Upon a Woman's Palm and A Bottle of Glue. She is also a former parliamentary candidate.

PEN ACTIONS: [Action](#) for 2016 International Women's Day

Karam SABER:

PROFESSION: author and director of the Land Centre for Human Rights, which provides human rights assistance to farmers. Saber wrote a book of short stories in 2010 entitled Where is God?

SENTENCE: Five years in prison and a fine of 50,000 Egyptian pounds (c. US\$ 5,600)

DETAILS OF TRIAL: On 12 April 2011, a group of individuals in Beni Suef governorate filed complaint No. 600/2011 accusing Saber of insulting religion in his book Where is God? Under Article 98 of Egypt's Penal Code. The prosecution launched an investigation which included consulting the Coptic and Muslim authorities in Egypt. The case was referred to the Misdemeanour Court which issued a sentence of five years' imprisonment on 7 May 2013. The sentence was issued in absentia, and Saber was unaware of the hearing before the sentence was passed. He presented himself to the authorities after the sentence and was briefly detained, but was released on bail pending his appeal. According to press reports, Saber's defence team suggested the testimonies against the writer are a result of personal feuds between Saber and police and Ministry of Endowments representatives because of Saber's work defending farmers' rights.

The sentence was upheld by the Summary Court of Beba, Beni Suef, on 13 March 2014 and by the Court of Appeal on 5 June 2014, but he remained free at the end of December 2016 pending a further appeal to the Court of Cassation.

CONDITIONAL RELEASE

Ahmed NAJI (also NAGY or NAJE):

PROFESSION: writer

SENTENCE: On 6 February 2016, Naji was sentenced to two years in prison.

DETAILS OF TRIAL: On 31 October 2015, a case was referred to the Criminal Court relating to the serialisation of Naji's book *The Use of Life* in the literary magazine *Akhbar al-Adab* in 2014. Both Naji and al-TaHER, editor in chief of *Akhbar al-Adab* were charged with publishing 'obscene sexual content' and 'defaming public morals' after a complaint was lodged by a reader in relation to chapter six of the novel. The case falls under Article 178 of the Penal Code which criminalises content that violates public morals. Al-TaHER was also charged with failing to carry out his duties as an editor and was [sentenced](#) to a fine of 1,000 Egyptian Pounds (c. US\$ 1,200) by Boulak Abou-Alaa Appeal Court in February 2016. Ahmed Naji was acquitted at a hearing on 2 January 2016, which the prosecution subsequently appealed. On 6 February 2016, Naji was sentenced to two years in prison, and Tarek El TaHER, was fined 10,000 Egyptian pounds (c. US\$ 1,250). According to [reports](#), the court ruled that 'the essential constructs of society including religion, traditions and moral values are deeply rooted in Egyptian society. The defendant has gone against these values with his poisonous novel by publishing its chapters in a state-owned publication.' He has lodged an appeal which has yet to be heard. Article 67 of Egypt's Constitution protects writers, intellectuals and artists from being imprisoned for their work or for crimes committed by way of publication.

UPDATE: Two motions for a stay of implementation of Naji's sentence filed by his lawyers were rejected in July and August 2016. A third was successful. On 18 December 2016, Naji's sentence was temporarily suspended by the Court of Cassation, which led to his conditional release on 22 December 2016.

OTHER INFORMATION: Subject of a world-wide reading of his work on 12 May 2016, staged by writers around the world, including many PEN Centres.

BACKGROUND: *The Use of Life* (واحد يتصمق قايي حلا) is a hybrid novel comprising graphic, prose and fictional elements. The novel's major theme of sex and sexuality is narrated through the character of Bassam, a man lost inside a 'spider web of emotional frustration and failure'. Chapter 6 of the novel was published in the magazine *Akhbar al-Adab*, and includes a description of sex and drug use. As with any foreign printed book, it was approved by the Publications Censorship Authority before copies were permitted to enter Egypt. Chapter 6 can be read [here](#). The book has not been banned or taken off the shelves.

AWARDS: 2016 PEN/BARBIEY Freedom to Write Award

PEN ACTIONS: [RAN 05/16 and updates](#); [PEN Statement](#) [**STOP PRESS:** At the hearing on 1 January 2017 Ahmed Naji's appeal before the Court of Cassation was adjourned to 2 April. Naji remains out of prison although he faces a travel ban.]

CASE CLOSED

Karim AL-BANNA:

PROFESSION: engineering student

SENTENCE: Three-year prison sentence and a fine.

DETAILS OF ARREST: Al-Banna was in November 2014, then released on bail in January 2015. Convicted to three years in prison suspended on payment of a fine on charges of insult to religion for Facebook posts in early 2015. The suspended sentence was overturned on prosecution's appeal, and he was demanded to be detained. He subsequently went into hiding. He has the possibility of challenging this verdict before a Court of Cassation. No news since 2015.

CASE CLOSED: Case closed due to lack of information.

IRAN

IMPRISONED - MAIN CASE

Arzhang DAVOODI:

PROFESSION: writer and poet; Director of the Parto-e Hekmat Cultural Education Centre in Tehran

SENTENCE: Death

DATE OF ARREST: October 2003

DETAILS OF ARREST: Arzhang Davoodi was arrested for participating in a documentary Forbidden Iran in which he spoke out about human rights violations in Iran.

CURRENT PLACE OF DETENTION: On 13 August 2014, Arzhang Davoodi was transferred from the central prison of Bandar Abbas to section 12 ward 4 in Gohardasht (Rajai-Shahr) prison in Karaj where political prisoners are held.

DETAILS OF TRIAL:

SENTENCE 1): In March 2005 he was sentenced to 25 years' imprisonment, reduced to 10 years on appeal, on charges of 'spreading propaganda against the system' and 'establishing and directing an organisation opposed to the government.'

SENTENCE 2): Following another trial in 2005 he was sentenced to 15 years' imprisonment and 75 lashes by Branch 26 of the Revolutionary Court on charges of 'spreading propaganda against the system', 'establishing and directing an organisation [the Parto-e Hekmat Cultural Education Centre] opposed to the government', as well as for participating in the making of the documentary and because of his writings on a secular system of governance in Iran.

SENTENCE 3 – DEATH PENALTY): In 2012, a fresh charge of 'enmity against God' was brought against Davoodi. In November 2012, Branch 15 of the Revolutionary Court in Tehran ruled that the case fell outside the court's jurisdiction, apparently due to lack of credible evidence.

However, it is understood that the Ministry of Intelligence overruled this decision, leading to further hearings that ended with him being sentenced to death in absentia in July 2014 for his alleged membership and support of the banned group People's Mojahedin Organization of Iran (PMOI). Davoodi is believed to have been accused of having ties with the PMOI because in prison he insisted on calling the group by its official name, Mojahedin, rather than by the term used by the Iranian authorities, Monafeghin (hypocrites). Amnesty International considers him to be a prisoner of conscience, with no links with the PMOI or any armed groups. (For details see previous case lists.)

SENTENCE 4): On 14 May 2014, Davoodi was also sentenced to a further two years' imprisonment, on a charge of 'insulting the Supreme Leader', by a Revolutionary Court in Tehran. The charge was imposed, apparently in relation to a phrase he wrote on the walls of the prison's bathroom, implying that injustice and inequality are prevalent in Iran under the Supreme Leader Ayatollah Ali Khomeini. Davoodi has appealed the sentence.

CONDITIONS OF DETENTION: Following his arrest, Davoodi was held in solitary confinement for prolonged periods of time, during which he said he was tortured and denied access to a lawyer and to his family. During his subsequent years of imprisonment, Davoodi has frequently been subjected to torture and other ill-treatment. He has been repeatedly shuffled between numerous prisons in Tehran and the Central Prison of Bandar Abbas, which is far from his family, and subjected to prolonged periods of solitary confinement. According to news reports, Davoodi began a hunger strike on 8 December 2015, as a result his health deteriorated and he was transferred to hospital on 8 January 2016. He ended the hunger strike on 28 January 2016.

UPDATE: Davoodi reportedly renewed his hunger strike on 17 July 2016 to protest the treatment of fellow inmates at Gohardasht Prison. He also stopped taking his medication and was reported to still be on hunger strike as of 13 August 2016. No further information as of 31 December 2016.

HEALTH CONCERNS: Davoodi has suffered broken teeth and injuries to his eye, eardrum, shoulder and knee resulting from torture, and also suffers from renal failure.

BACKGROUND: The TV documentary Forbidden Iran was filmed in secret, and widely broadcast in northern Europe in December 2003 and in North America in January 2004. Davoodi assisted in the making of the documentary and was interviewed in the film, when he spoke about political prisoners and the death in custody of Canadian-Iranian photojournalist Zahra Kazemi in 2003.

***Golrokh EBRAHIMI IRAEE (f):**

PROFESSION: writer and activist

SENTENCE: Six years in prison.

EXPIRY DATE: October 2022

DATE OF ARREST: 24 October 2016

DETAILS OF ARREST: Ebrahimi Iraee was reportedly arrested from her home on 24 October 2016.

CURRENT PLACE OF DETENTION: Evin Prison, Tehran

DETAILS OF TRIAL: According to reports, Ebrahimi Iraee was tried and sentenced at two brief sessions by the Revolutionary Court in Tehran. She was convicted of ‘insulting Islamic sanctities’ and ‘spreading propaganda against the ruling system’. The conviction relates to an unpublished fictional story which she had written, focusing on the country’s practice of stoning to death. A lawyer was reportedly not present at her trials; the first lawyer she was appointed was reportedly put under pressures by security officials to withdraw from the case and a second lawyer was barred from representing her. Ebrahimi Iraee reportedly was unable to speak in her own defence; the first court session focused on the activism of her husband, Arash Sadeghi – who is currently serving a 15-year sentence in connection with his human rights activism – and she was unable to attend the second session as she was in hospital recovering from surgery. She was sentenced to six years in prison. According to reports, Ebrahimi Iraee received a phone call from judicial officials on 4 October 2016 ordering her to report to Evin prison by noon on 5 October; however, as she did not receive a written summons, as required by law, she did not comply with the order.

BACKGROUND: Ebrahimi Iraee’s unpublished story depicts the emotional reaction of a young woman who watches the 2008 film ‘The Stoning of Soraya M’, a true story based on a woman stoned to death for committing adultery. The protagonist becomes so enraged that she burns a copy of the Quran. According to reports, the authorities discovered this story in her diary in September 2014 when her residence, shared with her husband Sadeghi, was searched and laptops, notebooks and CDs were confiscated. At the time, Ebrahimi Iraee was detained for 21 days and during which she was reportedly subjected to extended interrogations. Arash Sadeghi, a prominent student activist, was sentenced to 15 years in Evin prison for alleged conspiracy and propaganda against the state. He reportedly began a hunger strike in October 2016 to protest his wife’s imprisonment. **[STOP PRESS:** According to reports, on 3 January 2017 Ebrahimi Iraee was granted a temporary release from prison to await a judicial review of her case by the Supreme Court; however, the Revolutionary Guard is reportedly obstructing this process. On Ebrahimi Iraee’s release, Sadeghi stopped his 71-day hunger strike; initially he was taken to hospital and fed intravenously. He has since returned to Evin hospital and is reportedly in very poor health, requiring urgent medical care. According to reports, Ebrahimi Iraee was re-arrested on 22 January 2017, while en route to visit her husband, and she was returned to Evin prison.]

Yousef EMADI:

Hossein RAJABIAN:

Mehdi RAJABIAN:

PROFESSION: musicians, founder of BargMusic, filmmaker and photographer, respectively.

DATE OF SENTENCE: December 2015

SENTENCE: Three years in prison and three years suspended

DETAILS OF SENTENCE: The trial started in May 2015 at Branch 28 of the Revolutionary Court in Tehran, and the three were reportedly sentenced to six years’ imprisonment and 200 million Rials fine (c. US\$6,650) for ‘insulting the holy sanctities’ and ‘spreading propaganda against the system’.

Their six-year prison sentence was commuted at an appeal hearing in February 2016 to three years in prison and three years' suspended, conditional on their 'good behaviour'. Their fine was upheld. They were summoned to begin their three-year sentences in Evin Prison on 4 June 2016.

UPDATE: According to reports, Mehdi and Hossein Rajabian embarked upon a hunger strike on 7 September 2016 to protest the prison officials' decision to separate them by assigning them to different wards. Their hunger strike reportedly led to the deterioration of the health of both brothers, and to Mehdi's hospitalisation at Buali hospital in the province of Mazandaran, where he is originally from. However, he was reportedly asked to return to prison before treatment was completed. On 26 December 2016, it was reported that Mehdi was transferred to Imam Khomeini hospital, where he was diagnosed with multiple sclerosis, for which his family claims he is not receiving appropriate medical care. His brother Hossein is reported to be suffering from a kidney infection.

CURRENT PLACE OF DETENTION: Evin Prison

BACKGROUND: The three men worked at BargMusic which is an online music distributor in Iran. Allegedly, they were accused of promoting underground music which promoted indifference towards religion. They had been arrested on this charge previously in October 2013 by the Revolutionary Guards Intelligence Organization. Their trial reportedly lasted 15 minutes and the charges were based on the confessions made under high pressure. They were held in Evin Prison in solitary confinement for two months.

PEN ACTION: Joint statement of [15 January 2016](#) [**STOP PRESS:** On 7 February 2017 the Rajabian brothers reportedly returned to Evin after a five-day medical leave.]

*Hesameddin FARZIZADEH:

PROFESSION: author

SENTENCE: Sentenced to death for apostasy as well as seven years' imprisonment and 74 lashes Date of arrest 21 November 2013 (news of his arrest received by PEN in 2016)

DETAILS OF ARREST: Farzizadeh was reportedly arrested in a raid on his house by plainclothes Ministry of Intelligence (MOI) agents and held incommunicado at the MOI facility for several days before being transferred to Meshgin Shahr Prison in Ardabil Province, north-western Iran.

CURRENT PLACE OF DETENTION: Meshgin Shahr prison

DETAILS OF TRIAL: Following a ruling from the Criminal Court of Meshgin Shahr in May 2015, Farzizadeh was reportedly convicted of apostasy and insulting the Prophet Muhammad, the Shi'a Imams, and Ayatollah Khomeini, the founder of the Islamic Republic of Iran. These charges stem from a book Farzizadeh wrote entitled From Islam to Islam, which reportedly examines the history of Shi'a Islam and raises questions about Shi'a Islam. In the book, Farzizadeh supposedly questions the existence of the Twelfth Imam, a messianic figure in Shi'a ideology who is supposed to reappear in the future as the savior of humanity. The charge of apostasy carries the death sentence in Iran, while the additional sentences of imprisonment and lashing were related to the content of the book. Conditions in detention: A source for Iran Human Rights Documentation Center (IHRDC) has claimed that Farzizadeh has been threatened and assaulted in prison. Farzizadeh's brother also raised concerns about his safety in Meshgin Shahr prison, where Farzizadeh has been beaten and stabbed, according to Oyan News.

HEALTH CONCERNS: The writer reportedly suffers from depression and obsessive-compulsive disorder. According to an Iranian news report, Farzizadeh's brother contested Farzizadeh's death sentence on account of his mental condition, though the court has not lifted the charge.

Mohammad Sadiq KABUDVAND:

PROFESSION: editor of Payam-e Mardom-e Kurdistan journal and Kurdish rights activist

DATE OF ARREST: 1 July 2007

SENTENCE: (1) 10 years' imprisonment (2) six months' imprisonment.

DETAILS OF ARREST: Security officers reportedly arrested Kabudvand at work in Tehran before confiscating computers, books, photographs, family films and personal documents from his home. He spent the first five months of his detention in solitary confinement.

CURRENT PLACE OF DETENTION: Section 350 of Evin Prison

DETAILS OF TRIAL: Kabudvand's trial began on 25 May 2008. On 22 June 2008, the Tehran Revolutionary Court sentenced him to 11 years' imprisonment for 1) establishing the Kurdistan Human Rights Organisation (10 years) and 2) propaganda against the system (1 year). The Tehran Appeal Court upheld and reduced the sentence to 10 years on 23 October 2008. Kabudvand was reportedly recommended for conditional release by the chief warden of Evin Prison in February 2016, which was subsequently denied by the prosecutor.

UPDATE: Reports indicate that Kabudvand was summoned for interrogation three times in March 2016 in connection with investigations into whether he has been 'spreading propaganda against the system'. On 24 May 2016, Kabudvand appeared before a revolutionary court in Tehran in relation to these allegations, which accused him firstly of sending a message to the people of Kobani in Syria, praising their struggle against ISIS and calling for peace between the Kurds and the Turkish government, and secondly of writing a university paper on human rights in Iran's prisons. It was reported on 10 June 2016 that a court had rejected these new charges against Kabudvand. Conditions in detention: Kabudvand was allegedly held incommunicado and suffered ill treatment.

HEALTH CONCERNS: Kabudvand suffers from high blood pressure, skin and kidney conditions and has lost considerable amounts of weight since his arrest. On 19 May 2008 he was denied medical care following a stroke; he suffered a second stroke in December 2008. In June 2011 an independent doctor stated that Kabudvand needed two operations for hardening of the heart arteries and an enlarged prostate, which is thought to be a result of cancer.

UPDATE: On 8 May 2016, Kabudvand began a hunger strike in protest at his continued imprisonment and the possibility of new charges being brought against him (see above). Having been admitted to hospital on 22 May after falling unconscious, possibly resulting from his hunger strike, he was returned to prison on 5 June 2016. According to reports from 10 June 2016, Kabudvand ended his hunger strike when he heard the new charges brought against him had been dropped. He was released on a short medical furlough on 13 June 2016 and returned to prison on 19 June.

BACKGROUND: Kabudvand and several other Kurdish human rights defenders and journalists were detained on 2 August 2005 following protests in the Iranian Kurdish region capital, Sanandaj. Kabudvand was sentenced to 10 months' imprisonment on 18 August 2005 for 'separatist propaganda', and held in solitary confinement for 66 days before being freed on bail. Kabudvand was allegedly ordered by the Office for the Execution of Sentences on 22 September 2006 to serve out the remainder of his sentence, but was released in April 2007.

OTHER INFORMATION: Kabudvand was Chair of the Kurdish Human Rights Organization (RMMK) and formerly Editor of Payam-e Mardom-e Kurdistan (Kurdistan People's Message), a weekly published in Kurdish and Persian, which was banned in 2004 for 'disseminating separatist ideas and publishing false reports'. Although the ban was subsequently lifted by the Supreme Court, the paper has not appeared again. He is also the author of three unpublished books, two on the subject of democracy and a third on the women's movement in Iran. The UN Working Group on Arbitrary Detention [found](#) his detention to be arbitrary, calling for his for release and right to compensation.

AWARDS: Recipient of the 2009 Hellmann/Hammett prize and the 2009 International Journalists Award.

HONORARY MEMBER: Austrian PEN and Swedish PEN.

PEN ACTION: RAN 30/07 – 18 July 2007; Update #2 – 4 June 2008; Update #3 – 2 July 2008; Update #4 – 4 November 2008; [Update #5 – 7 June 2016](#); [Update #6 – 14 June 2016](#)

Keywan KARIMI:

PROFESSION: filmmaker and member of Iran's Kurdish minority

DATE OF SENTENCE: 13 October 2015

SENTENCE: One year in prison and 223 lashes, following an appeal

DETAILS OF TRIAL: Karimi was accused of 'spreading propaganda against the system' in connection with his 2012 film 'Neveshtan Rooy-e Shahr' (Writing on the City) which has never been shown in public, apart from a trailer on YouTube. Karimi describes the film as containing "graffiti and wall paintings that date back to 100 years ago in Tehran. It is the story of a wall and how it reflects what happened in society." On 13 October 2015, he was sentenced by the Branch 28 of Tehran Revolutionary Court for 'insulting the holy sanctities', 'spreading propaganda against the system' and 'illegitimate relations'. Human rights organisations fear that he has been prosecuted because of some of the graffiti shown were connected to the unrest in the aftermath of the disputed 2009 presidential election. The charge of 'illegitimate relations' was brought because he shook hands with a woman to whom he was not related. His lawyer has also pointed out that according to article 134 of Iran's Islamic Penal Code, an individual who faces multiple charges should only be sentenced to the heaviest penalty in more than one of the charges, whereas Karimi has been given the maximum sentence for both charges. In February 2016, an appeals court reduced Karimi's sentence to one year in prison and 223 lashes, as per his original sentence.

PLACE OF DETENTION: Evin Prison.

UPDATE: Karimi was imprisoned on 23 November 2016 after being summoned to start serving his sentence. His health has since deteriorated rapidly; Karimi has reportedly suffered multiple episodes of pulmonary bleeding, but despite being diagnosed with bronchitis and an acute lung infection by doctors at Evin prison, the prison authorities reportedly refused to authorise his transfer to a specialised medical facility.

BACKGROUND: Karimi was arrested on 14 December 2013 and released on bail after 12 days in solitary confinement, during which he was accused of insulting the regime after a music clip and documentary were found on his hard drive, even though they had never been screened or shared online. The music clip was made for exiled Iranian singer Shahin Najafi and Karimi believes this video, which the authorities had learned about from other sources, led to his arrest. There is also concern that Karimi's situation may be endangered because of his Kurdish Sunni background, groups which are discriminated against in Iran.

OTHER INFORMATION: Karimi is a prominent documentary and fiction film maker. His documentary 'The Broken Border' was awarded the best short documentary at the Beirut International Film Festival in 2013. This documentary portrayed the poor conditions of Kurdish population near Iranian borders. His film 'The Adventure of a Married Couple' was presented at the San Sebastian, Freiburg and Zurich Film Festivals. This film tackles the challenges of a working-class couple, and was inspired by the short story of the same name by the noted Italian writer Italo Calvino. In December 2015, more than 135 Iranian filmmakers released a letter demanding the judiciary to acquit Karimi of his sentence.

PEN ACTION: [RAN 14/15](#) and updates [#1](#) and [#2](#); [joint letter](#) to Head of Judiciary.

Hossein RAFIEE:

PROFESSION: retired Tehran University chemistry professor and writer

SENTENCE: Six-year prison sentence, two-year ban on political and journalistic activities and a fine

DATE OF ARREST: 16 June 2015

DETAILS OF ARREST: Rafiee was reportedly arrested on 16 June 2015 by the Intelligence Ministry without an arrest warrant and taken to Evin prison prosecution centre. According to Amnesty International, one month after his arrest Rafiee was told that the reason for his arrest was a previous four-year sentence. In 2004 a Revolutionary Court had convicted him of being member of an 'illegal group' Melli Mezhabi (National Religious Alliance). He had been arrested in February 2001 with other members of the banned political party Melli Mazhabi, which advocates for social and political reform. He spent six months in solitary confinement before being released on bail.

CURRENT PLACE OF DETENTION: Section 8 of Evin prison

DETAILS OF TRIAL: On 25 May 2015, Branch 15 of the Revolutionary Court in Tehran sentenced Rafiee to five years in prison for 'membership of an illegal and anti-national security group' (Melli Mazhabi – National Religious Alliance), one year for 'spreading propaganda against the system' by giving interviews to media 'who are against the state' and for 'issuing statements against the state's security'. He was also fined for possession of a TV satellite dish and receiver, and was sentenced to a two-year ban on political and journalist activities.

CONDITIONS OF DETENTION: His family stated that Rafiee's 20-metre cell which he shares with 27 other prisoners is very crowded. He reportedly sleeps on the floor, as there are only six three-bunk beds in the cell. Evin prison is known for its dire conditions, including poor food, lack of ventilation, hygiene, medical provision and overcrowding, with a prevalence of life threatening infectious disease including hepatitis, HIV and TB. In addition, Rafiee is being held with drug traffickers and financial criminals, whilst Iranian law, establishes that inmates should be separated according to nature of their crimes.

HEALTH CONCERNS: According to his son, Rafiee is over 70 years old and suffers from a heart condition, high blood pressure, thyroid problems and severe allergies. Rafiee undertook a hunger strike following his arrest, also refusing to take medication.

UPDATE: Rafiee was reportedly hospitalised on 11 August 2016 due to the deterioration of his health, but after examination, despite medical advice, he was returned to prison. On 20 September 2016, he was reportedly granted a one-month medical furlough due to poor health in order to recuperate at home. No further updates as of 31 December 2016.

OTHER INFORMATION: Rafiee is a vocal supporter of the nuclear talks between Iran and the P5+1 (China, France, Russia, the United Kingdom, the United States plus Germany) which resulted in the lifting of sanctions against Iran. He is also a member of National Peace Council, founded in 2008 by Nobel Peace Laureate Shirin Ebadi. Rafiee believes that an agreement could reduce the threat of war and the easing of economic sanctions, outlined in a 120-page analysis of the nuclear situation (The Geneva Agreement). He sent the report to Iranian authorities and published it on his website; a few independent media also published a summary. He also stated that the release of political prisoners, free and fair elections and improvement of human rights in Iran were required for a sustainable future for Iran. According to his son, soon after the analysis was published, the Intelligence Ministry threatened Rafiee and started limiting his activities. In June 2014 his residences in Tehran and Damavand were raided and archives, papers and laptops confiscated. Rafiee was then arrested, later released on bail and banned from leaving the country. It is believed that the Intelligence Ministry pressured the judiciary to re-open his case.

Mahvash SABET (f):

PROFESSION: teacher and poet

DATE OF BIRTH: 1953

DATE OF ARREST: 5 March 2008

SENTENCE: 20 years in prison

DETAILS OF ARREST: Sabet was arrested on 5 March 2008 while on a trip to Mashhad. She was imprisoned without charge for 20 months, during which time she was held incommunicado for several weeks and denied access to legal counsel. Sabet reportedly suffered from maltreatment while in detention.

CURRENT PLACE OF DETENTION: Evin prison, Tehran

DETAILS OF TRIAL: Sabet's trial began on 12 January 2010 along with that of the six other members of the Yaran-i-Iran (see below). The charges against the seven were as follows: espionage for Israel, propaganda against the Islamic republic, the establishment of an illegal administration, sending secret documents outside the country, acting against the security of the country, and corruption on earth.

Some of the charges, including the last one which carries a death sentence, were later dropped. All the defendants categorically denied the charges against them. The trial ended on 14 June 2010 after six brief sessions, characterised by their lack of due legal process. Each of the defendants was initially sentenced to 20 years' imprisonment. One month later, the appeal court revoked three of the charges and reduced their sentences to 10-year jail terms. In March 2011, the prisoners were informed that their original 20-year sentences were reinstated. In spite of repeated requests, neither the prisoners nor their attorneys have ever received official copies of the original verdict or the ruling on appeal.

UPDATE: On 5 October 2016, Sabet was allowed to leave prison for the first time in eight years, on a five-day medical furlough. Her health has reportedly deteriorated as a result of her imprisonment; she is reported to have developed severe osteoporosis.

OTHER INFORMATION: Sabet is one of seven Baha'i leaders known as the 'Yaran-i-Iran' – or 'Friends of Iran' – the now-disbanded group which worked to support the spiritual and social needs of Iran's 300,000 Baha'is. The other six are Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naeimi, Saeid Rezaie, Behrouz Tavakkoli, and Vahid Tizfahm, all of whom were arrested on 14 May 2008 at their homes in Tehran. Like Sabet, all were imprisoned without charge for 20 months and held incommunicado for weeks and denied access to legal counsel. All suffered ill-treatment and deprivations during pre-trial detention. The Baha'i faith has been the focus of systematic, state-sponsored persecution in Iran since the 1979 revolution, when all Baha'i-elected and appointed institutions were banned. The 'Friends in Iran' group was then formed with the full knowledge of the government and served as an informal council for the Baha'i in Iran until its entire membership was arrested in 2008. Sabet began her professional career as a teacher and also worked with the National Literacy Committee of Iran. After the Islamic revolution, she was fired from her job and blocked from working in public education. Before her arrest, she served for 15 years as director of the Baha'i Institute for Higher Education, which provides alternative higher education for Baha'i youth. Mahvash began writing poetry in prison, and a collection of her [prison poems](#) was published in English translation on 1 April 2013. In 2008, the UN Working Group on Arbitrary Detention, in opinion [34/2008](#) found the imprisonment of the seven Baha'i leaders to be arbitrary and requested their immediate and unconditional release.

HONORARY MEMBER OF: Austrian PEN and Danish PEN.

PEN ACTION: [Day of the Imprisoned Writer case 2015](#), [Open letter from Alberto Manguel; International Womens' Day case 2016](#)

DETAINED - MAIN CASE

Zahra RAHNAVARD (f):

PROFESSION: academic, writer and politician

DATE OF ARREST: February 2011

DETAILS OF ARREST: Rahnavard has been held under unofficial house arrest in Tehran since February 2011 for her and her husband's political activism.

Rahnavard and opposition leaders Mir-Hossein Mousavi and Mehdi Karroubi were placed under house arrest after calling for popular demonstrations on social media in support of the people of Tunisia and Egypt. There have not been any official legal proceedings against them. They had alluded to vote fraud in the [disputed 2009 presidential election](#), which was followed by a widespread crackdown on protests against the result. In the wake of the protests and Karroubi and Mousavi's criticism both of the election and alleged human rights violations by state agents, the authorities began tightly monitoring and controlling their and their wives' movements, also suspending the presidential candidates' newspapers Etemad-e Melli and Kalame-ye Sabz.

UPDATE: In an article published on Kaleme website on 8 March 2016, Rahnavard's daughters reportedly said that her health is in decline under house arrest; Rahnavard is allegedly suffering from digestive and swallowing problems. Her daughters also expressed concern over Mousavi's heart complications, which are not being monitored.

OTHER INFORMATION: Rahnavard is a leading Iranian academic, writer, artist and politician. She served as the Chancellor of Alzahra University from 1998–2006, becoming the first female chancellor of a university since the Islamic Revolution in 1979. During this time, she also served as political adviser to then President Khatami. She is a member of the reformist opposition group, the Green Path of Hope, headed by her husband, Mir-Hossein Mousavi. Dr Rahnavard is also the author of 15 books. Born in 1945 Zahra Rahnavard is a committed women's rights activist. She broke convention by campaigning on behalf of her husband Mir-Hossein Mousavi's 2009 presidential campaign, becoming the first woman to do so in Iran. Her mantra on the campaign trail – that 'getting rid of discrimination and demanding equal rights with men is the number one priority for women in Tehran' – is credited with galvanising young women to vote. She is also a devout Muslim and [vocal supporter](#) of the hijab, arguing that it liberates women, though she has said it should be a woman's choice to wear it. On 30 March 2012, in its opinion [30/2012](#) the UN Working Group on Arbitrary Detention found the house arrest of the three to be arbitrary and requested that they be released and afforded compensation

PEN ACTIONS: [Day of the Imprisoned Writer case 2013](#)

CONDITIONAL RELEASE

Atena FARGHADANI (f):

PROFESSION: painter and women's rights activist

SENTENCE: 12 years and nine months in prison, reduced to 18 months on appeal

DATE OF ARREST: 10 January 2015

DATE OF RELEASE: 3 May 2016

DETAILS OF ARREST: On 10 January 2015, Farghadani was summoned to a Revolutionary Court, where she was arrested. Her parents told reporters that she had been subjected to beating in the courtroom before being taken to Gharchak prison.

DETAILS OF RELEASE: According to the International Campaign for Human Rights in Iran, Branch 54 of the Tehran Appeals Court reduced Farghadani's sentence to 18 months at an appeal hearing held in April 2016 and she was released on 3 May.

Farghadani was reportedly acquitted of undermining national security, while her three-year prison sentence for insulting the Supreme Leader was reportedly suspended for four years. Her nine-month prison sentence for 'insulting members of parliament through paintings', 'insulting the President' and 'insulting prison officials' was converted into a fine of one million Rials (c. US\$ 33).

DETAILS OF TRIAL: Farghadani was reportedly convicted of 'gathering and colluding against national security', 'insulting members of parliament through paintings', 'spreading propaganda against the system' and 'insulting the President and insulting the Supreme Leader', amongst other charges. According to Amnesty International, the trial lasted half a day and the 'evidence' against her was based on Farghadani's answers to long interrogations. In addition, she was charged with 'illegitimate sexual relationship short of adultery' and 'indecent conduct'. Amnesty International said that Farghadani and her lawyer were accused of this due to a handshake when they met to prepare her appeal. Her lawyer, Mohammad Moghimi, was arrested on 13 June 2015 and released on bail secured by a US\$60,000 payment three days later. In April 2016, Branch 54 of the Tehran Appeals Court reduced Farghadani's sentence to 18 months in prison and she was released on 3 May 2016

HEALTH CONCERNS: On 26 February 2015, Farghadani suffered a heart attack, briefly lost consciousness and was transferred to a hospital. She had previously undergone on a three-week hunger strike to protest against the poor conditions she was held in. Conditions in detention: In October 2015, Amnesty International reported that the Iranian authorities had confirmed that Farghadani was subjected to [virginity and pregnancy tests](#) in August 2015.

BACKGROUND: Atena Farghadani was first detained in August 2014 and held in solitary confinement for two weeks without access to her lawyer or family. She was released on bail after two months. She later published a [video on YouTube](#) in which she exposed how she had been mistreated physically in Evin prison, describing how she was beaten and interrogated for nine hours every day for six weeks. She also posted an open letter to Iran's Supreme Leader Ayatollah Khomeini on Facebook. Farghadani had also been in contact with some families of Iranians that had been killed during the unrest after 2009 elections; she was reportedly asked about these meeting during the interrogations. In addition, she was charged for an illustration in which she criticised parliament members that sought to criminalise voluntary sterilisation, as well as an art exhibition named 'Parandegan-e Khak' ('Birds of Earth') where she referred to those killed during the 2009 unrest and which was attended by relatives of political prisoners and members of the Baha'i community.

PEN ACTION: Mentioned in [resolution on Iran](#) adopted at 81st Congress in Quebec; mentioned in a January 2016 [statement](#) marking the anniversary of attack on Charlie Hebdo in Paris, and which referred to high profile attacks on freedom of expression globally..

Alireza ROSHAN:

PROFESSION: poet, writer and head of the book section of the Shargh newspaper. Also an administrator for the Gonabadi Dervish website Majzooaban-e Noor

DATE OF ARREST: 17 November 2012

SENTENCE: One year's imprisonment, plus four further years suspended

DATE OF RELEASE: 16 October 2013

DETAILS OF ARREST: Roshan was reportedly arrested at his home on 4 September 2011 after security forces raided the office of Majzooban Noor website, and was also one of Majzooban Noor's 11 administrators to be detained in early September 2011 following a violent incident on 2 September in the city of Kavar, in which security forces allegedly opened fire on dervishes, injuring many. He was released on bail on 3 October 2011. No further news as of 31 December 2016.

DETAILS OF RELEASE: Roshan was released on expiry of his one-year sentence.

DETAILS OF TRIAL: He was sentenced to five years in prison, four of which were suspended by Branch 26 of Revolutionary Court on charges of 'gathering and colluding with intent to harm national security'. The ruling was upheld by an appeal court on 16 October 2012.

BACKGROUND: Roshan is a poet who has published a collection of poems entitled There is no Book. His poetry has been translated into French.

AWARDS: He received the [Prix André Verdet du Poète Résistant in June 2013](#).

RELEASED

Mostafa AZIZI:

PROFESSION: filmmaker and author

SENTENCE: Eight years in prison, reduced to two years on appeal

DATE OF ARREST: 1 February 2015

DATE OF RELEASE: 9 April 2016

DETAILS OF ARREST: Azizi, a permanent resident of Canada, was detained when he returned to Iran to take care of his ailing father.

DETAILS OF TRIAL: On 8 June 2015, Azizi was sentenced to a total of eight years in prison: five years for 'gathering and colluding against national security', two years in prison for 'insulting the Supreme Leader', and one year in prison for 'acting against national security by spreading propaganda against the system in cyberspace'. It is believed that the charges stem from his social media posts.

DETAILS OF RELEASE: Azizi was pardoned under an amnesty granted to several prisoners by Iran's Supreme Leader Ayatollah Khamenei on 29 March 2016. Azizi was released from prison on 9 April 2016, 10 months before the expiry of his sentence.

BACKGROUND: Azizi is the author of a book of short stories entitled [My Name is Raymond Carver](#), and is a well-known screen-writer and television producer, who has lived in Canada for four years and is a prominent figure in the Iranian community there, (for more details, see previous case list).

PEN ACTION: [RAN 09/15](#)

Rouzbeh GILASIAN:

Elaheh SOROUSHNIA (f):

PROFESSION: writers

DATE OF ARREST: 14 December 2015

DATE OF RELEASE: January 2016

DETAILS OF ARREST: Gilasian and Soroushnia were reportedly arrested at their homes in Gorga on 14 December 2015 then freed on 2 January 2016. No information has been released regarding the charges laid against them.

BACKGROUND: Gilasian's published works include *Philosophy on Street* and *Human of Bahman month*, which gives an overview over the educational policies in Iran after the revolution. Like many of his other books, these were not approved by the ministry of culture.

Adnan HASSANPOUR:

PROFESSION: Iranian Kurdish journalist, writer and human rights activist

SENTENCE: 15 years in prison

DATE OF ARREST: 25 January 2007

DATE OF RELEASE: 10 September 2016

DETAILS OF ARREST: In April 2007, the Mehr News Agency, which is said to have close links with Iran's judiciary, alleged that 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.

DETAILS OF TRIAL: Hassanpour appeared before the Islamic Revolutionary Court in Sanandaj on 12 June 2007 and subsequently sentenced to death on charges of espionage and moharebeh ('waging war against God'). The sentence was confirmed on 22 October 2007, but was overturned by the Supreme Court in Tehran in August 2008 on procedural grounds. A re-trial led to his sentence being reduced to 15 years in prison on 1 July 2009.

BACKGROUND: Adnan Hassanpour is a former member of the editorial board of the Kurdish-Persian weekly journal, *Aso* (Horizon), which was closed by the Iranian authorities in August 2005, following widespread unrest in Kurdish areas. He had previously been tried in connection with articles published in the journal.

DETAILS OF RELEASE: After almost ten years in prison, Hassanpour was released on 10 September 2016, (for more details see previous case list).

OTHER INFORMATION: Hassanpour is a member of the Kurdish Writer's Association.

HONORARY MEMBER OF: Swedish, American and Basque PEN.

PEN ACTIONS: RAN 11/07 and updates.

Arash HONARVAR SHOJAEI:

PROFESSION: blogger, writer, cleric and author of the book Madar-e-Shari'at, about the dissident cleric Ayatollah Mohammad Kazem Shariatmadari, who opposed the principle of velayat-e faqih, or 'the rule of the learned cleric', which is the basis of the political system in Iran

SENTENCE: Five years and three months in prison, 50 lashes, a fine, and a ban on wearing the clothes of a cleric

DATE OF ARREST: 28 October 2010

DATE OF RELEASE: 2 January 2016 on completion of his sentence.

DETAILS OF TRIAL: On 2 October 2011 the Special Court for the Clergy convicted Shojaei on multiple charges of 'acting against national security', 'espionage' and 'cooperation with foreign Embassies' and sentenced him to four years in prison, 50 lashes and a ban on wearing the clothes of a cleric. Honarvar Shojaei reported in October 2013 during a prison furlough that he had also been charged with 'insulting Imam Khomeini' after expressing his personal opinions in an interview, and was sentenced to a further year in prison, as well as three months in prison for wearing the clothes of a cleric during a furlough. According to the Committee of Human Rights Reporters on 12 June 2013, Honarvar Shojaei was sentenced to 15 additional months in prison: one year for 'insulting the Imam' and 91 days for wearing the clothes of the clergy in violation of the ban, (for more details, see previous case lists).

*Homa HOODFAR (f):

PROFESSION: academic

DATE OF ARREST: 6 June 2016

DETAILS OF ARREST: Hoodfar was arrested and detained in Evin prison, Tehran

RELEASED: 26 September 2016.

REASON FOR ARREST: Although the exact reason for her arrest remains unclear, on 24 June 2016, the Tehran public prosecutor announced that Hoodfar was under investigation for 'dabbling in feminism and security matters.'

PLACE OF DETENTION: Evin Prison

CONDITIONS IN DETENTION: On her return to Canada, Hoodfar [wrote about](#) the poor conditions in prison including solitary confinement.

BACKGROUND: Hoodfar is a professor of anthropology at Concordia University in Montreal, Canada. A renowned anthropologist, her work has focused on the role of women and the family in Muslim societies. She has published extensively on diverse topics including poverty, development, women's labor force and political participation, family law, and refugees in many different countries in the Middle East, Canada, and South Asia. Hoodfar travelled to Iran in February 2016 to visit family members and to conduct research on women's participation in public life. Her visit happened to coincide with the national elections in Iran, during which many women candidates were elected to parliament. She had recently published an interview in Zanan magazine. In the weeks before her arrest, Hoodfar's family report that she had come under the scrutiny of the security forces of the Counter Intelligence Unit of the Iranian Revolutionary guards.

Shortly before she was due to return to Canada, the authorities are reported to have raided her home on 10 March 2016, confiscating all of her personal belongings, including her passports, research documents and computer. Hoodfar was required to provide surety and prohibited from leaving the country. She was subjected to at least 10 subsequent interrogations; her arrest on 6 June 2016 followed another such interrogation.

Saeed MADANI:

PROFESSION: sociologist and former editorial board member of the banned magazine Iran-e Farda and former editor-in-chief of the quarterly Refah-e Ejtemae (Journal of Social Welfare)

SENTENCE: Six years in prison

DATE OF ARREST: 7 January 2012

DATE OF RELEASE: 16 March 2016

DETAILS OF TRIAL: Madani was tried in January 2013 and sentenced to six years' imprisonment, to be spent in exile in prison in Bandar Abbas, a port city on the southern coast of Iran, and 10 years of enforced residency in Bandar Abbas city after a conviction of 'spreading propaganda against the system' and gathering and colluding with intent to harm national security. These accusations are believed to relate to his activities in the National Religious Alliance and in the opposition Green Movement.

DETAILS OF RELEASE: Madani was reportedly released into exile on 16 March 2016, according to the [Centre for Human Rights in Iran](#). He is required to reside in the port city of Bandar Abbas.

BACKGROUND: Madani is a well-known researcher and sociologist and member of the National Religious Alliance (Melli-Mazhabi, (for more details see previous Case Lists).

Saeed RAZAVI FAGHI:

PROFESSION: academic and journalist

SENTENCE: Three and a half years in prison

DATE OF ARREST: 5 March 2014

DATE OF RELEASE: 6 April 2016

DETAILS OF RELEASE: Faghi reportedly began a hunger strike in April 2016, during which he sewed his lips together in protest at the Iranian judiciary's lack of accountability. He was allegedly released following this, although the reasons for his release, as well as its conditions, are unknown. PEN is seeking further information.

DETAILS OF TRIAL: Faghi was sentenced to three and a half years in prison in September 2015 for 'insulting the Leader and the Assembly of Experts' and 'spreading propaganda against the system' for several speeches he gave and articles he wrote that were critical of government policy. The charges were brought after he had completed a separate one-year prison sentence for 'spreading propaganda against the system' in connection with the 2009 Green Movement. Conditions in detention: Faghi was wounded in a knife attack by other prisoners in November 2015 while trying to mediate a dispute.

He subsequently went on hunger strike to protest the lack of action from the prison authorities.

HEALTH CONCERNS: He underwent heart by-pass surgery in January 2015.

BACKGROUND: Saeed Razavi Faghi is a University Lecturer of International Relations and PhD student at the Tarbiat-Modarres University in Tehran. He is also a member of the steering committee of Iran's main student union, the Office for the Consolidation of Unity. Faghi also worked as journalist for Sobheh Emrouz, Bahar, Doraneh Emrouz, Bonyan, Nowruz, Yaseh No, Roozonline and Vagahyeh Etefaghieh.

CASE CLOSED

Fatemeh EKHTESARI (f):

Mehdi MOOSAVI:

PROFESSION: poets and activists

SENTENCE: 11.5 and nine years in prison respectively

DATE OF ARREST: 6 December 2013

DATE OF RELEASE: 14 January 2014

DETAILS OF ARREST: Poets and activists Fatemeh Ekhtesari and Mehdi Moosavi were due to travel to Turkey for a literary workshop. At the airport they were both informed that they had been placed under travel bans and were summoned for interrogation, which they chose not to attend. Within a few hours they had disappeared. There was no further news of them until 24 December 2014, when it was confirmed that they were being held in Evin prison where reports of torture and other ill-treatment of detainees is common. The reason for their detention is not known, although some reports suggest that they could have been held because of their lyrics, which have been performed by the Iranian singer in exile, [Shahin Najafi](#). The two had previously made statements critical of the government and in support of pro-democracy movements, and were under escalating pressure in Iran at the time of their arrest.

DETAILS OF RELEASE: Released on bail and have since left Iran

DETAILS OF TRIAL: The first session of Ekhtesari and Moosavi's trial took place at Branch 28 of the Tehran Revolutionary Court on 17 May 2014. The pair faced charges of cooperation with foreign media and artists and harming national security. Two additional charges of 'insulting the Supreme Leader' and 'preparation to carry out terrorism' have been laid against Ekhtesari and Moosavi. On 12 October 2015, Ekhtesari and Moosavi were sentenced to eleven-and-a-half years and nine years in prison respectively, for crimes including 'insulting the holy sanctities'. They were also sentenced to 99 lashes each for 'illicit relations'. An appeal against their sentence was heard on 23 December 2015. (For more details see previous case lists.)

PEN ACTION: [RAN 01/14](#) and updates [# 1](#) and [#2](#) and [#3](#), Statement 14 October 2015. Case closed.

ISRAEL

DETAINED- MAIN CASE

***Dareen TATOUR (f) (Palestinian):**

PROFESSION: poet, photographer and activist

DATE OF ARREST: 10 October 2015

DETAILS OF ARREST: Reports claim that Tatour was arrested at her home at 3 am by the Israeli authorities, who possessed neither search nor arrest warrants. Tatour spent three months in detention in different Israeli prisons before being placed under house arrest at a place outside Tel Aviv, where she was forced to wear an electronic surveillance device around her ankle. The immediate reason for Tatour's detention appeared to be a status she posted on Facebook in relation to a Palestinian woman who had recently been shot by Israeli police. Posting a picture of the injured woman, Tatour wrote underneath: 'I will be the next martyr'. On 2 November 2015, she was charged with 'support for a terrorist organisation' under articles 4(b) and 4(g) of the Prevention of Terror Ordinance (1948), and multiple counts of 'incitement to violence' under article 144(d)2 of the Penal Code, according to the indictment. These charges relate to a [YouTube](#) video posted on her own video channel in which Tatour recites a poem entitled 'Resist, my people, resist them'. In the video, the poem is set to music against a backdrop of video footage of Palestinian youths throwing rocks at Israeli soldiers. Charges also relate to three more Facebook posts. Tatour denies the charges and claims the authorities have fundamentally misconstrued the meaning of her post and the poem.

CURRENT PLACE OF DETENTION: House arrest in her home in the Arab village of Reineh, northern Israel.

DETAILS OF TRIAL: It has been reported that, during the first hearing of Tatour's trial on 13 April 2016, the policeman who translated her poem for the court was called as a witness to explain the alleged incitement contained in it. He reportedly cited his studies of literature at school and love of the Arabic language as the necessary qualifications for translating the poem. Tatour's 17 July 2016 hearing to have her transferred from house arrest in Tel Aviv to her home village of Reineh was postponed until 25 July, at which point Tatour was reportedly held in Jelemech detention centre until the court was provided with a report by the company that provided her ankle monitor. She was released back into house arrest the next day. Owing to difficulties obtaining a translator, Tatour was reportedly unable to testify at her scheduled 6 September 2016 hearing. The prosecution, however, presented its final witness. Tatour appeared in court again on two separate occasions in November, during which she confirmed that she was the author of the poem 'Resist, My People, Resist Them' and responded to questions regarding her writing. At these hearings the court relaxed some of the requirements of her house arrest; while she still has no access to the internet, she is no longer required to wear an ankle monitor and is now able to leave the house although she is required to be with a chaperone at all times.

OTHER INFORMATION: an editorial in the Israeli newspaper Ha'aretz has reportedly called for her release, calling her a 'political prisoner'. Tatour is the author of a book of poetry, *The Last Invasion*, which was published in 2010.

BACKGROUND: According to the US-based [Electronic Intifada](#) website that covers the Israeli-Palestinian conflict, Tatur is also the director of a short [documentary](#).

PEN ACTION: Mentioned in [25 April 2016 statement](#)

PEN POSITION: After reviewing the charge sheet and the evidence against her, including the video and Facebook posts, PEN has concluded that Tatur has been targeted for her poetry and activism and is calling for her immediate and unconditional release.

[STOP PRESS: Tatur testified again before the Magistrate's Court in Nazareth on 26 January 2017. On 19 March 2017, another hearing took place at Nazareth Court where the translator, Dr. Youni Mandel, was questioned about the content of Tatur's poem. The next hearings are expected to take place on 28 March and 5 April 2017.]

JORDAN

DETAINED – INVESTIGATION

Ahmed AL-TALAWI

PROFESSION: poet

DATE OF ARREST: 5 December 2015

DETAILS OF ARREST: Local news reports suggest that al-Talawi was arrested in the city of Irbid on 5 December 2015. The reasons behind his arrest are unknown. No further news as of 31 December 2016; PEN is seeking information as to whether he is still detained.

LEBANON

HARASSED

*Bachar MAR-KHALIFE:

PROFESSION: singer and composer

DATE OF BIRTH: 13 February 1983

DATE OF HARASSMENT: 12 April 2016

DETAILS OF HARASSMENT: According to reports, the censorship bureau of Lebanon's General Security Directorate banned Mar-Khalife's song 'Kyrie Eleison'. The song was reportedly deemed to contain 'offenses to God'; Mar-Khalife was viewed as addressing God in the song's lyrics 'have mercy on us and leave us alone'. The authorities also stated that some of the lyrics could be interpreted as sexual innuendo and that, if Mar-Khalife wished to promote his album in the country, he must delete the song from the album.

BACKGROUND: Mar-Khalife is a French-Lebanese singer who has collaborated on many projects that fuse jazz, world music, electronic and hip-hop. He has also composed soundtracks for films and released three solo albums; the most recent was his 2015 album 'Ya Balad', which contains the song 'Kyrie Eleison'. Mar-Khalife is the son of Marcel Khalife, a prominent Lebanese singer who has previously been accused of blasphemy due to the content of his song 'Oh Father, I am Yusuf'.

MOROCCO

ON TRIAL

Maati MONJIB:

PROFESSION: journalist, academic and historian

DATE OF TRIAL: 19 November 2015-ongoing

DETAILS OF TRIAL: Monjib was [charged](#) alongside six other journalists and human rights defenders with 'undermining state security' and 'failing to report foreign funding' for participating in a foreign-funded project to train people in citizen journalism. Trial hearings have been successively adjourned. According to [Amnesty International](#), he was thought to be the main target of the prosecution. Other harassment: Monjib was placed under a travel ban when he attempted to travel to Norway in early October 2015. He started a hunger strike that lasted until 29 October 2015, when the authorities lifted the travel ban. Monjib also faces a second charge of 'financial violations' in relation to his activities as director of the Ibn Rushd Institute.

BACKGROUND: Maati Monjib is the president of Freedom Now, an association that works to defend freedom of expression and journalism in Morocco and the founder of the Ibn Rochd Center for Studies and Communication, [**STOP PRESS:** On 25 January 2017, the Court of First Instance in Rabat again postponed the trial. The next hearing will take place on [25 May 2017](#).]

OMAN

ON TRIAL

*Hamood AL-SHUKAILY:

PROFESSION: writer and teacher

DATE OF ARREST: 14 August 2016

DATE OF RELEASE: 18 October 2016

SENTENCE: Three-years in prison and a fine of 1,000 OMR (c. US\$ 2,600)

DETAILS OF ARREST: Al-Shukaily was arrested on 14 August 2016 by the Internal Security Service (ISS). According to reports, the arrest was in connection with posts he made on Facebook, specifically a poem, about the arrests of three journalists working at the Azamn newspaper closed by the Omani authorities on 9 August 2016, as well as on charges of corruption. He was detained in Muscat at the Special Division of Oman Police General Command.

CONDITIONS OF DETENTION: According to reports, al-Shukaily did not have access to his family or a lawyer. On 27 September 2016, he reportedly went on hunger strike to protest his arrest and stopped in early October.

DETAILS OF TRIAL: On 6 September 2016, the Court of First Instance in Muscat held a first hearing on charges of ‘incitement to protest’ and al-Shukaily’s detention was extended until 27 September 2016. On 18 October 2016, the Court sentenced him to three years in prison and a fine of 1,000 OMR (c. US\$ 2,600). He was convicted of ‘incitement to protest’ under Article 19 of the Information Technology Crimes Act. The court set bail at 5,000 OMR (c. US\$ 13,000) to enable al-Shukaily to appeal; al-Shukaily was reportedly released on bail on 19 October 2016.

BACKGROUND: Al-Shukaily is a prominent writer and member of the Omani Society for Writers and Authors. In 2014, he published a novel One Cry is not Enough. He has also published five short stories and a book of children’s literature. Al-Shukaily also works as a teacher of Arabic language. He reportedly participated in peaceful protests calling for minimum wages and other changes in 2011. **[STOP PRESS:** On 18 January 2017, the Appeal Court in Muscat suspended al-Shukaily’s prison sentence; ruling ‘to accept the appeal in form and reject it in substance in addition to stopping the prison sentence.’]

BRIEF DETENTION

***Suleiman AL-MAAMARI:**

PROFESSION: writer and radio broadcaster

DATE OF ARREST: 28 April 2016

DATE OF RELEASE: 19 May 2016

DETAILS OF ARREST: Al-Maamari was reportedly summoned by the Omani Internal Security Service (ISS) via telephone to appear immediately for investigation before the Special Division of the Omani Police General Command. According to the Gulf Center for Human Rights, he was not given access to his family or lawyer following his summons. Al-Maamari was allegedly summoned in relation to his recent activity on social media, especially on Facebook, where he had shown solidarity with his friend and fellow writer Abdullah Habib (see below under ‘Sentenced’), who was also detained at the Special Division of the Omani Police General Command between 15 April 4 May 2016. According to the Arabic Network for Human Rights Information, al-Maamari was released without charge on 19 May 2016.

CONDITIONS OF DETENTION: It was reported that al-Maamari was held in solitary confinement.

BACKGROUND: Al-Maamari is an Omani novelist known in particular for his 2013 novel He Who Does Not Love Gamal Abdel Nasser. In 2007, he was the recipient of the Youssef Idris Prize for the Short Story for his collection of short stories entitled Things Are Closer Than They Look in The Mirror. He is also known within Oman for his work in radio, where he produces cultural programmes hosting prominent Arab artists.

PEN ACTION: [RAN 09/16 – 3 May 2016](#); [Update #1 to RAN 09/16 – 5 May 2016](#)

JUDICIAL HARASSMENT

*Mohammed AL-HARTHI

PROFESSION: writer and poet

DATE OF ARREST: 18 August 2016

DATE OF RELEASE: 19 August 2016

DETAILS OF ARREST: According to reports, al-Harthi was arrested by the Internal Security Service (ISS) on the morning of 18 August 2016. He was reportedly detained and interrogated at the Division of the Omani Police General Command in Muscat. No reason was given for his detention. However, it is believed to be in connection with his posts on Twitter expressing solidarity with three detained journalists from the newspaper Azamn and the detention of the writer Hamood al-Shukaily (see above). He also expressed his views against corruption in the country. He was released the following day.

BACKGROUND: Al-Harthi is a prominent writer and poet; his first poetry collection Eyes While it's Still Light was published in 1992 and his latest collection Back to Writing in Pencil was published in 2013. He has also published travel literature, including the 2004 book Eye and Wing. He reportedly participated in peaceful protests in 2011 calling for minimum wages and other changes.

AWARDS: Recipient of 2014 Award for Outstanding Cultural Achievement in Oman and the 2005 Ibn Battuta Award for geographical writing for his book Eye and Wing.

SENTENCED

*Abdullah HABIB

PROFESSION: author, film critic and director

DATE OF ARREST: (1) 15 April 2016 (2) 11 July 2016

DATE OF RELEASE: (1) 4 May 2016 (2) 28 July 2016

DETAILS OF ARREST: The Omani Internal Security Service (ISS) summoned Habib to appear for investigation before the Special Division of the Omani Police General Command in Muscat on 15 April 2016. He was allegedly arrested on account of a Facebook post he wrote in which he urged the Omani government to reveal the burial sites of 'Group 72' and 'Group 74', groups of rebels who were executed by the government during the Dhofar rebellion in the 1960s and 1970s. On 11 July 2016, Habib was reportedly arrested after he published comments and posts on his Facebook page during the month of Ramadan, relating to fasting and prayers in the Islamic faith.

DETAILS OF TRIAL: On 8 November 2016, Habib was reportedly sentenced to three years in prison and a fine of 2,000 OMR (c. US\$2,600), convicted on charges including contempt of religion, spreading hatred, blasphemy, and using the internet to publish material that prejudice religious values or public order. His appeal was due to be heard on 5 December 2016. No information as of 31 December 2016.

DETAILS OF RELEASE: (1) Habib was released without charge from detention on 4 May 2016. **(2)** Released pending appeal on 28 July 2016.

CONDITIONS OF DETENTION: He was detained incommunicado at Omani Police General Command, Muscat, and was not granted access to his lawyer.

BACKGROUND: Habib is reported as a prominent critic of the Omani government, as well as having taken part in the 2011 popular protests against poor living standards in Oman but he had not been arrested prior to 2016.

PEN ACTION: [RAN 09/16 – 3 May 2016](#); [Update #1 to RAN 09/16 – 5 May 2016](#); [Update #2 – 30 November 2016](#).

QATAR

RELEASED

Mohammed Ibn AL-DHEEB AL-AJAMI:

PROFESSION: poet

DATE OF BIRTH: 1975

SENTENCE: 15 years' imprisonment, reduced from life imprisonment on appeal.

DATE OF ARREST: 16 November 2011

DATE OF RELEASE: 15 March 2016

DETAILS OF ARREST: Al-Ajami was summoned on 16 November 2011 to the Qatari state security to be interrogated about his poem entitled 'Tunisian Jasmine', written in January 2011 and in which he criticised governments across the Gulf, stating that 'We are all Tunisia in the face of the repressive elite'. He previously recited a poem that criticised Qatar's Emir, which was posted online in August 2010. He was held incommunicado for four months before being allowed family visits.

DETAILS OF RELEASE: Al-Ajami was [pardoned](#) and released on 15 March 2016.

DETAILS OF TRIAL: Al-Ajami was sentenced to life imprisonment on 29 November 2012 on charges of 'inciting the overthrow of the ruling regime' and 'criticising the ruler'. According to his lawyer, he was subjected to an unfair trial, held behind closed doors in the capital Doha. The sentence was reduced on 25 February 2013 to 15 years' imprisonment, and upheld on appeal on 21 October 2013.

HONORARY MEMBER: Austrian PEN, German PEN and PEN American Center

PEN ACTIONS: RAN 72/12 and [Update #1, #2, #3](#). Delegates from PEN International and PEN American Center attempted to visit him in October 2013 during a visit to Qatar, but were denied access. [International Poetry Day](#) case 2014 and [2015](#). [16 March 2016 Statement](#)

SAUDI ARABIA

IMPRISONED - MAIN CASED

*Mohanna ABDULAZIZ AL-HUBAIL

PROFESSION: writer, scholar and Director of the Islamic Orient Studies Bureau in Istanbul

SENTENCE: Six years in prison and a six-year travel ban upon release

DATE OF ARREST: 21 April 2016

DETAILS OF TRIAL: In early March 2016, the Specialised Criminal Court (SCC) in Riyadh sentenced al-Hubail to six years in prison and a six-year travel ban upon release, and ordered the closing of his Twitter account. He was convicted on charges of insulting the state and its rulers' and 'being in solidarity with imprisoned members of the Saudi Civil and Political Rights Association' for comments he had made on Twitter which were critical of Saudi Arabia. The Association promotes greater understanding of human rights in Saudi Arabia. Two of its prominent members are serving 10 year prison terms for sedition.

BACKGROUND: Hubail was previously detained for two months in 2002 for leading a demonstration outside the US consulate in Dhahran, calling for a halt in oil exports to the United States. Moreover, in 2004 he was imprisoned for six months after publishing the founding document of the al-Ahsa National Islamist Forum, a group that he and fellow activist Dr Abdullah al-Hamid formed in 2004.

Ashraf FAYADH (Palestinian national):

PROFESSION: poet and artist

DATE OF ARREST: 1 January 2014

SENTENCE: Four years in prison and 800 lashes, converted to a death sentence following a re-trial which was then reduced to an eight-year prison sentence

DETAILS OF ARREST: Initial reports suggested that Fayadh was accused of 'blasphemy' due to the atheist content of his work as well as of 'having long hair'. Court documents later showed that he was first arrested in the summer of 2013 because of a complaint that a citizen submitted to the Saudi Committee for the Promotion of Virtue and the Prohibition of Vice. Allegedly, he was accused of 'misguided and misleading thoughts'. He was later released on bail and rearrested on 1 January 2014 on charges of 'insulting the divine self' and 'having long hair'.

CURRENT PLACE OF DETENTION: He has been held in a prison in the city of Abha in south west Saudi Arabia since his arrest.

DETAILS OF TRIAL: During his trial held over six hearings between February and May 2014, Fayadh stood accused of numerous blasphemy-related charges, including 'insulting the divine self' and the Prophet Muhammad, spreading atheism, refuting the Quran, and insulting the King and the Kingdom. Evidence compiled against Fayadh included at least 10 pages from his collection of poetry Instructions Within, published by the Beirut-based Dar al-Farabi in 2008 and later banned from distribution in Saudi Arabia.

Also used as evidence against him were Twitter posts, and conversations he had in a coffee shop in Abha, where he lived. Fayadh was also accused of having illicit relations with foreign women and for having images on his mobile telephone. Witness testimonies reportedly claimed that the complaint submitted to the Saudi Committee for the Prohibition of Vice and Promotion of Virtue was the result of a personal dispute. During the last trial session, Fayadh expressed repentance for anything in the book that religious authorities may have deemed insulting, stating, according to trial documents, 'I am repentant to God most high and I am innocent of what appeared in my book mentioned in this case'. According to court documents, on 30 April 2014, the General Court of Abha found proof of Fayadh having committed apostasy (ridda) and his repentance for it. The court therefore ruled to lift the penalty for apostasy, but sentenced him to four years in prison and 800 lashes – to be administered 50 at a time every 10 days – for storing images on his mobile telephone. On 17 June 2015, the General Court of Abha sentenced Fayadh to death for the crime of being an infidel (kufr), following a re-trial. The court argued that Fayadh's repentance for the crime of apostasy was a matter of the heart and should have no bearing in determining whether or not the crime had been committed. On 2 February 2016, Fayadh's death sentence was commuted to an eight-year prison term.

CONDITIONS IN DETENTION: According to PEN's information, Fayadh has been ill-treated in prison and denied family visits and phone calls.

BACKGROUND: Fayadh is a member of the Shattah group, which belongs to the new generation of artists in Saudi Arabia and which has been engaged in well-known exhibitions of contemporary art. He also curated London's [Edge of Arabia](#) exhibition and co-authored [Rhizoma](#), a book exploring the transformation of the arts scene in Saudi Arabia. English translations of the poetry used in evidence against him are available [here](#). Other examples of Fayadh's poetry are available [here](#) and [here](#). The work upon which his charges are based is a collection of poems published in 2008 entitled *Instructions Within*. Mona Karen, a Bedouin human rights activist from Kuwait who has been advocating for Fayadh's release, suggested that he may be imprisoned for also having published a video of Abha's religious police lashing a young man in public.

OTHER INFORMATION: On 11 February 2014, 100 intellectuals from the Gulf signed a [petition](#) demanding Fayadh's release. In addition, there has been significant support and campaigning through social media on his behalf. Mona Karen has also been engaged in a translation movement for Fayadh's work, and translated the poems '[Frida Kahlo's Moustache](#)' and '[Asylum](#)'. On 3 December 2015, the UN Office of the High Commissioner of Human Rights released a [statement](#) urging his release.

HONORARY MEMBER: German PEN, Palestinian PEN

PEN ACTION: RAN 13/15 press statement [27 November 2015](#), [joint letter](#) by writers worldwide, participation in global poetry reading of Fayadh's work on [14 January 2016](#); [17 June 2016 Action](#)

Zuhair KUTBI:

PROFESSION: prominent writer, commentator and critic

SENTENCE: Four years in prison (with two suspended), a five-year travel ban, a fine and a 15-year ban on writing and giving interviews

DATE OF ARREST: 15 July 2015

DETAILS OF ARREST: According to Amnesty International, Kutbi was arrested at his home in Mecca on 15 July 2015 by members of the security forces. It is believed that he was detained due to his appearance at [Fi al-Samim](#) (In depth), a television program, on 22 June 2015, where he criticised political and religious repression and called for reforms such as to the constitutional monarchy in Saudi Arabia.

CURRENT PLACE OF DETENTION: Mecca Prison

DETAILS OF TRIAL: According to Amnesty International, on 21 December 2015 the Specialized Criminal Court (SCC) in Riyadh sentenced Kutbi to four years in prison, followed by a five-year ban on overseas travel, a fine of 100,000 Saudi Arabian riyals (c.US\$ 26,600), and a 15-year ban on writing and giving interviews to the media. The court also ordered him to erase his social media accounts. It suspended two years of his four year sentence because of his health, but indicated it would re-impose them if he 'offended' again.

CONDITIONS OF DETENTION: Kutbi was reportedly beaten and ill-treated during interrogation.

HEALTH CONCERNS: Kutbi requires medical attention, as he is recovering from a cancer operation. He also has diabetes and high blood pressure.

BACKGROUND: Since the 1990's, Kutbi has been harassed, detained, fined and sentenced up to six times. The major reasons behind these attacks are his peaceful activism and his repeated demands for governmental reform and being critical of prison conditions in Saudi Arabia. He had reportedly already been asked to sign a pledge not discuss public issues in social, written and broadcast media. **[STOP PRESS:** According reports, on 2 January 2017 Kutbi was allowed to leave his prison for 3 days in order to attend to attend his mother-in-law's funeral]

SENTENCED

Mukhlif AL-SHAMMARI:

PROFESSION: writer and activist

SENTENCE: (1) Five years in prison (2) two years in prison and 200 lashes

DETAILS OF TRIAL: Al-Shammari was charged for articles he wrote and a video he allegedly posted on YouTube in which two girls, with whom he denies any connection, describe being coerced into sex work. (1) He was sentenced on 17 June 2013 by a Jeddah court that specializes in national security and terrorism cases. His sentence was upheld by a Riyadh criminal court on 4 March 2014. Al-Shammari stands convicted of trying to discredit the reputation of the Kingdom in the eyes of domestic and international public opinion, insulting the clergy and inciting divisions within the people.

As well as five years in prison, the sentence includes a ban on writing for newspapers or websites or appearing in the media, and a ten-year ban on travelling abroad. **(2)** Al-Shammari was reportedly sentenced by a special criminal court in Al-Khobar to two years in prison and 200 lashes on 3 November 2014. He was convicted and sentenced two weeks after being ordered to close his Twitter account in connection with a separate complaint. He was reportedly convicted of organising an unauthorised dinner with dissidents following his release from prison in 2012, associating with Shiite clerics, agitating public opinion and reminding the public of the importance of co-existence between Sunnis and Shiites. In a letter to Saudi Arabia's human rights commission, he confirmed having sent a Tweet calling for co-existence between Sunnis and Shiites. According to Amnesty International, al-Shammari was informed on 22 November 2015 that this sentence had been upheld by the court of appeal on 2 November 2015. He was believed to remain free at the end of June 2016, but at risk of arrest and flogging. No further updates as of 31 December 2016.

BACKGROUND: Al-Shammari has been the target of previous prosecutions and was arrested on 15 June 2010 for articles posted on the Saudiyoona and Rasid news websites criticizing political and religious leaders.

SYRIA

KILLED

***Mohammad Bashir AL-AANI:**

PROFESSION: poet

DATE OF DEATH: March 2016 Details of death: According to news reports, Mohammad Bashir al-Aani and his son Elyas were executed in Deir al-Zour city by the armed group calling itself Islamic State (IS). They are reported to have been accused of 'apostasy'.

BACKGROUND: Mohammad Bashir al-Aani, who was known for his opposition to the government of President Bashar al-Assad, had published three volumes of poetry admired for his lyrical style. According to family members interviewed by local media, Al-Ajani and Elyas had returned to the area to bury his wife who had died in Damascus.

PEN ACTION: [14 March 2016 statement](#)

KILLED: IMPUNITY

Kenji Goto JOGO: (Japanese national)

PROFESSION: author and freelance journalist

DATE OF BIRTH: 22 September 1967

DATE OF DEATH: 30 January 2015

DETAILS OF KILLING: Reportedly abducted by the group calling itself the Islamic State (IS) on 24 October 2015. Following failed attempts at a ransom and prisoner exchange, he was executed by IS near the city of Raqqa on 30 January 2015.

BACKGROUND: Jogo was known for his reporting from conflict zones; he especially aimed to publicise the suffering of civilians in these areas. He set up his own press agency based in Tokyo, the Independent Press, in 1996. He had also written several books; including the 2005 award winning *Daiyamondo yori Heiwa ga Hoshii* (I Want Peace Rather Than a Diamond), which was a true story of a former child soldier in Sierra Leone.

ENFORCED DISAPPEARANCE

Zaki CORDILLO:

PROFESSION: playwright and a leading figure of Puppet Theatre (Masrah Azil)

DATE OF ARREST: 11 August 2012

DETAILS OF ARREST: He was reportedly arrested by Syrian forces in Damascus on 11 August 2012 along with his son Mihyar, an actor. He is believed to be targeted for his writings about the current events taking place in Syria, more particularly his opposition to the violations committed in Syria by all sides.

BACKGROUND: Cordillo has written more than eight plays including *Shade and Light*, *Captain Caracoz* and *Alma'ar* and has directed and acted in his works. He has also written dramas for children such as *Watery Dreams*, *The Active Girl* and *The Kingdom of Ants*. Cordillo remains detained incommunicado at an unknown location as of December 2014, and is considered to be at serious risk of torture and other ill-treatment. No further news as of 31 December 2016.

PEN ACTIONS: [RAN 03/13](#) – 21 January 2013

Hussein ESSOU:

PROFESSION: writer from al-Hasakah, north-eastern Syria and member of the Kurdish minority.

DATE OF BIRTH: 1950

DATE OF ARREST: 3 September 2011

DETAILS OF DISAPPEARANCE: Essou was reportedly arrested from his home by Air Force Intelligence agents, and allegedly detained for actively participating in anti-government protests and advocating reform in his writings. He was detained prior to the 2011 uprising for his dissident activities. Reports from released detainees who had been held with him suggest he may have been transferred to an Air Force Intelligence branch in Damascus. They say his health condition is very poor. His family has not been allowed access to him, and has not been informed of his whereabouts or the reason for his arrest. Essou is still believed to be detained incommunicado as of 31 December 2016.

Abd al-Akram AL-SAKKA:

PROFESSION: Islamic scholar and the founder of Al-Sakka printing and publishing house

DATE OF BIRTH: 1944

DATE OF ARREST: 15 July 2011

DETAILS OF ARREST: On 15 July 2011, Air Force Intelligence arrested Abd al-Akram al-Sakka from his home without a warrant. His family has received no information about his fate or whereabouts, and official sources have never confirmed his detention. The only indication regarding his possible place of detention was received through a released detainee, who said he had seen al-Sakka at a military court in September 2012. This could indicate that he may be held at Saydnaya Prison, where detainees in military court cases are often held. No further information as of 31 December 2016.

BACKGROUND: Abd al-Akram al-Sakka, an imam from Daraya, a town on the outskirts of Damascus, has published several books and essays on a variety of topics, including feminism. He has a history of participating in awareness raising campaigns and community work framed by a group called Shabab Daraya (Youth of Daraya). As a result, security forces arrested him several times before anti-government protests began in March 2011.

Ali AL-SHIHABI:

PROFESSION: Syrian Palestinian political analyst and blogger

DATE OF BIRTH: 1955

DATE OF ARREST: 17 December 2012

DETAILS OF ARREST: Reportedly arrested on 17 December 2012 by the Palestine Branch of the Syrian Military Intelligence at a checkpoint between Al-Zahra district and Al-Yarmouk Refugee Camp. Remains detained in an unknown location as of 31 December 2016; there are unconfirmed reports that he may have been killed under torture. On 17 December 2015, several human rights organisations launched a campaign for his release or clarification of his situation on the third anniversary of his disappearance.

BACKGROUND: Al-Shihabi is a leading writer and has published several books including *The World New Structure and Syria, Where to?* He previously spent nine years in prison for his peaceful opposition activities. On 15 March 2013, his case was submitted to the UN Working Group on Enforced and Involuntary Disappearances (WGEID) and other UN Special Procedures for their urgent intervention. In December 2013, the Syrian authorities responded to the inquiry by WGEID, stating 'he was arrested on the base of suspicions about his activities, and he still under investigation by the competent judicial authorities.' No further information about his fate or whereabouts has been revealed since then.

REPORTED MISSING

Razan ZAITOUNEH (f):

PROFESSION: human rights defender and writer

DATE AND DETAILS OF ABDUCTION: Razan Zaitouneh, along with her husband, Wa'el Hamada, and two colleagues, Nazem Hamadi and Samira Khalil, were abducted by unknown individuals on 9 December 2013 from a joint office for the Violations Documentation Center (VDC) and the Local Development and Small Projects Support (LDSPS) in the Damascus suburb of Douma, part of Eastern Ghouta, an area under the control of a number of armed opposition groups then besieged by government forces. Zaitouneh was forced into hiding in 2011 after receiving threats from the Syrian authorities. In the last few months before her abduction, she received threats from at least one armed opposition group in the Eastern Ghouta area. No further information as of 31 December 2016.

AWARDS: Zeitouneh has received the International Women of Courage Award 2013. She also received the 2011 Anna Politkovskaya Prize and the 2011 European Parliament's Sakhorov Prize for Freedom of Thought

PEN ACTION: In December 2013 PEN International signed a [joint statement](#) calling for her release; [29 April 2016 joint statement](#).

DETAINED - MAIN CASE

Tal AL-MALLOUHI (f):

PROFESSION: student, poet and blogger

DATE OF BIRTH: 1991

DATE OF ARREST: 27 December 2009

DETAILS OF ARREST: Al-Mallouhi was detained on 27 December 2009 after being summoned for questioning.

CURRENT PLACE OF DETENTION: Branch 258 of the State Security Department, Damascus.

DETAILS OF TRIAL: On 5 October 2010 it was reported that al-Mallouhi had been charged with spying for a foreign country. She appeared before the State Security Court on 10 November 2010, and was sentenced to five years in prison by the State Security Court in Damascus on 14 February 2011, after conviction of 'revealing information to a foreign country'. The court session was closed, and al-Mallouhi's family were banned from attending; there was no possibility of appeal. The judge reportedly did not provide any evidence against her. On 19 October 2013, her name was included in a prisoner exchange agreement between the government and armed groups, and it was [reported](#) that she had been released after the State Security Court's decision, on 24 October 2013, ordering her release. However, she was taken from Douma prison to the State Security Department in Damascus, where she is still believed to be held incommunicado. Despite the expiry of her sentence and the above-mentioned decision, she has not been released. No further news as of 31 December 2016.

OTHER INFORMATION: For the first nine months of her arrest, Al-Mallouhi's family sought her release through diplomatic negotiations and therefore did not want any publicity on the case. However, on 2 September 2010, her mother published an open letter to the Syrian president, seeking information about her daughter's welfare and calling for her release. Al-Mallouhi has no known political affiliations, and sources close to the family are baffled by the charges. In its opinion No [38/2011](#), the UN Working Group on Arbitrary Detention found that al-Mallouhi was arbitrarily held and called for her immediate release and adequate reparation.

HONORARY MEMBER: PEN Canada and Danish PEN

DETAINED - INVESTIGATION

Adnan ZARRA'AI:

PROFESSION: playwright and script-writer

DATE OF ARREST: 26 February 2012

DETAILS OF ARREST: Zarra'ai was reportedly arrested on 26 February 2012 and detained incommunicado in the State Security detention centre in Damascus. He reportedly suffered a broken rib as a result of torture during his detention. He remained detained incommunicado without charge or trial as of 31 December 2014, when reports suggested he may have been moved to Saydnaya prison. No further information as of 31 December 2016.

BACKGROUND: On 19 April 2013, it was reported that Zarra'ai's wife was arrested by security forces in Damascus and later released on 14 May 2013.

CASE CLOSED

Dia'a AL-ABDULLAH:

PROFESSION: poet and blogger

DATE OF ARREST: 13 February 2012

DETAILS OF ARREST: Al-Abdullah was arrested from his home in As-Suwayda in south west Syria, close to the Jordan border, by the Air Forces Intelligence after writing an open letter entitled 'As A Syrian Citizen I Announce', in which he demanded that the Syrian president step down in order to prevent further bloodshed. He was released on 19 April 2012 facing charges for 'insulting the President'. No further news as of 31 December 2016.

CASE CLOSED: Case closed due to lack of information.

UNITED ARAB EMIRATES (UAE)

IMPRISONED – MAIN CASE

Mohammed AL-ROKEN:

PROFESSION: lawyer and author

DATE OF BIRTH: 26 September 1962

SENTENCE: Ten years in prison followed by three years of probation

DATE OF ARREST: 17 July 2012

CURRENT PLACE OF DETENTION: Al-Razin prison

DETAILS OF TRIAL: Tried as part of the 'UAE 94' trial. Ninety-four defendants, including eight tried in absentia were charged with (1) Creating a secret organisational structure 'whose initial aim was to turn public opinion against the Government and the leadership of the State'; (2) Communicating with 'individuals and international and foreign entities and establishments based outside the State in order to distort the image of the State'; (3) Communicating with the international Muslim Brotherhood organisation and other similar organisations based outside the State, and seeking from such organisations 'help, expertise and financial support to serve [the group's] undeclared goal of seizing power'; (4) Investing 'the funds raised from ... subscriptions, alms money, Zakat and contributions in the establishment of commercial and real estate companies, the selling and buying of residential and industrial property and agricultural land and shares registered in [the] names [of group members], with the aim of hiding the same from the authorities of the State'. The trial before the State Security Chamber of the Federal Supreme Court began on 4 March 2013. Al-Roken was convicted on 2 July 2013 and sentenced to ten years in prison. The trial failed to meet international fair trial standards, including the acceptance of evidence alleged to have been extracted as a result of torture, and was widely condemned by human rights organisations. There is no right of appeal. No further news as of 31 December 2016.

BACKGROUND: Mohamed Abdullah al-Roken is a well-known human rights lawyer representing some members of the 'UAE 5', five individuals sentenced to two to three years' imprisonment in 2012 for having expressed criticism of government policies. He also represented the 'UAE 7', a group of seven individuals whose United Arab Emirates citizenship the authorities attempted to revoke in 2011, owing to their membership of the Reform and Social Guidance Association (Al-Islah). He has written a number of books and articles on human rights, freedom of expression, and counter terror laws.

OTHER INFORMATION: The UN Working Group on Arbitrary Detention in its opinion 60/2013 found al-Roken's detention and that of 60 others of the UAE 94 to be arbitrary.

AWARDS: 2012 Alkarama Award for Human Rights Defenders.

DETAINED - MAIN CASE

*Nasser BIN GHAITH:

PROFESSION: academic and human rights defender

DATE OF ARREST: 18 August 2015

DETAILS OF ARREST: UAE security forces reportedly searched both Bin Ghaith's home and office on 18 August 2015 before arresting him that evening and taking him to an undisclosed location. He was allegedly arrested because of tweets he had posted which were critical of the UAE and Egypt.

DETAILS OF ARREST: Bin Ghaith was held in secret detention in conditions amounting to an enforced disappearance for around eight months after his arrest in August 2015 until his first trial hearing on 8 April 2016.

CURRENT PLACE OF DETENTION: al-Sadr Prison in Abu Dhabi

DETAILS OF TRIAL: According to Amnesty International, Bin Ghaith appeared before the State Security Chamber of the Federal Supreme Court in Abu Dhabi on 4 April 2016. He is charged with: 'committing a hostile act against a foreign state' for his Tweets criticising the Egyptian Government; 'posting false information in order to harm the reputation and stature of the State and one of its institutions', in relation to Tweets stating that he had not been given a fair trial in the 'UAE 5' case; 'posting false information' regarding UAE leaders and their policies; and 'offensively criticising the construction of a Hindu temple in Abu Dhabi and inciting UAE citizens against their leaders and government'. This charge brought against Bin Ghaith followed a Tweet which he told the court had been misinterpreted and had been intended to promote tolerance. His final charges are of 'communicating and cooperating with members of the banned al-Islah organization' because of meetings he had with individuals who were tried in the 'UAE 94' case, and 'communicating and cooperating with the banned Emirates Ummah Party'. The judge allegedly turned off Bin Ghaith's microphone in response to his claims of torture. The hearing is reported to have taken place behind closed doors, in breach of international law. Bin Ghaith was only allowed to see his lawyer for the first time while in court. According to reports, on 6 May 2016, Bin Ghaith reappeared before the State Security Chamber of the Federal Court and repeated his claims of enforced disappearance and torture received while in detention. His allegations were not acknowledged, and his case was adjourned until 23 May. A further hearing took place on 20 June 2016. On 5 December 2016, the case was reportedly transferred from the State Security Chamber of the Federal Supreme Court to the Federal Appeal Court. This means that Bin Ghaith now has the right to appeal his charges. No date has been set for this hearing, as of 31 December 2016.

CONDITIONS IN DETENTION: Bin Ghaith reportedly told the court how he had been physically tortured, beaten and deprived of sleep for up to a week while being held in detention. According to reports, he has been kept in solitary confinement since his transfer to the maximum security block in Al-Sadr prison on 18 May 2016.

HEALTH CONCERNS: Bin Ghaith reportedly suffers from high blood pressure and he has not always been provided with the relevant medication during his imprisonment.

BACKGROUND: Bin Ghaith was one of five Emirati men (known as the 'UAE 5') who were arrested and detained in April 2011, accused of 'publicly insulting' United Arab Emirates officials in comments posted on an online discussion forum. All five men were convicted on 27 November 2011, with Bin Ghaith receiving a two-year prison sentence, before being released under a presidential pardon one day later following international outcry. **[STOP PRESS:** According to reports, on 18 January 2017 a brief hearing of appeal was held during which Bin Ghaith was denied bail and the defence's statement was postponed to 22 February 2017. At this second session, a hearing for the verdict of the case was set for 29 March 2017. Bin Ghaith is reported to be in poor health due to ongoing mistreatment; he was reportedly denied access to winter clothing, his glasses were removed for several weeks and he did not receive immediate treatment for tooth pain.]

***Tayseer AL-NAJJAR (Jordanian national):**

PROFESSION: journalist and poet

DATE OF ARREST: 13 December 2015

DETAILS OF ARREST: Al-Najjar reportedly received a phone call on 13 December, summoning him to the Security Department in Abu Dhabi at 7pm. He was arrested shortly after arrival.

CURRENT PLACE OF DETENTION: al-Wathba prison in Abu Dhabi

DETAILS OF TRIAL: No formal charges have been brought against him as of 31 December 2016.

CONDITIONS OF DETENTION: Al-Najjar allegedly told his family that he was initially held in solitary confinement at the State Security Department, where he was subjected to 'heavy pressure'. On 28 February 2016, he told his family that he had been transferred to al-Wathba prison. He has since been able to call his family on a weekly basis. He has reportedly been denied access to a lawyer.

HEALTH CONCERNS: Amnesty International reports that al-Najjar that he is suffering from severe toothache, for which he has been given a mild painkiller but has not been referred to a dentist.

BACKGROUND: Al-Najjar has reportedly said he has been accused of having links to the Muslim Brotherhood, of collaborating with Qatar and of insulting the UAE in connection with a Facebook post written in 2014 in which he praised the Palestinian's resistance in Gaza and criticised Israel and the UAE. According to his wife, al-Najjar wrote the post almost a year before he moved to the UAE from Jordan in April 2015 to join Al Jewa, a large publishing house in the UAE, ahead of the launch of al-Dar weekly newspaper in January 2016 for which he was to write in the cultural pages. **[STOP PRESS:** According to reports, al-Najjar appeared in court on 18 January 2017 on charges of 'insulting the Emirati state'; the session was postponed to 1 February 2017 due to the absence of a defence lawyer. At this secondary hearing, a request by al-Najjar's lawyer was granted for the verdict to be postponed again, in order to adequately prepare a defence. On 15 March 2016, the Appeal Court has sentenced him to three years in prison and a fine of 500,000 dirham (c. US\$ 135,000) on charges of 'insulting symbols of the state' on social media.

[The ruling](#) has also ordered the deportation of Al-Najjar after serving his sentence. According to al-Najjar's lawyer, this court's ruling is open for appeal and he will shortly appeal it].

RELEASED

Muawiyah AL-RAWAHI (Omani national):

PROFESSION: writer, poet and blogger

DATE OF ARREST: 24 February 2015

DATE OF RELEASE: March 2016

DETAILS OF ARREST: Al-Rawahi was reportedly detained after driving up to a checkpoint between Oman and UAE. He was not allowed to enter the UAE and his travel documents were seized, according to news reports. He was missing, held in solitary confinement until 31 May 2015 when the Emirates State Security Apparatus transferred him to Al Wathba prison.

DETAILS OF TRIAL: He was charged with defaming the United Arab Emirates [UAE], its rulers and people on social media. His first court appearance was on 14 September 2015. On 14 March 2016, the Federal Supreme Court acquitted him of insulting state leaders on social media.

BACKGROUND: Al-Rawahi has published eight books, both novels and poetry. He had previously spent time in prison between July and August 2014 on similar grounds, (see [2014 Case List](#)).

YEMEN

ATTACKED

*Nabel SUBAYE:

PROFESSION: poet and journalist for several national newspapers

DATE OF ATTACK: 2 January 2016

DETAILS OF ATTACK: He was attacked by armed men on a motorbike while he was walking in a street in Sana'a. According to the International Federation of Journalists (IFJ), the men shot him twice in both legs, and beat him on his head and back for several minutes causing him to be hospitalised.

BACKGROUND: Since the late 1990s, Subaye's writings have focused on human rights and the fight against oppression, criticising power inheritance, the war in Sadaa, and the brutal crackdown on peaceful protests in South Yemen. He also published writings critical of the Transitional Process (2012-2014) and condemned the rise of armed groups in 2014 and their take over the state's institutions and capital in January 2015. Recently, Subaye became even more vocal against all sides to the Yemeni conflict, which has led to a humanitarian crisis.

ANNEXES

HONORARY MEMBERS

PEN America

China

Liu Xia

Liu Xiaobo

Ilham Tohti

Yang Tongyan

Eritrea

Amanuel Asrat

Temeshan Ghebreyesus

Dawit Isaac

Iran

Adnan Hassanpour

Morocco

Abdullah Habib

Turkey

Ayşe Berktaş

Austrian PEN

Egypt

Omar Hazek

Iran

Mahvash Sabet

Morocco

Abdullah Habib

Basque PEN

Iran

Adnan Hassanpour

PEN Canada

Angola

Luaty Beirao

Sedrick de Carvalho

Domingos da Cruz

Azerbaijan

Rashad Ramazadov

China

Liu Xiaobo

Yang Tongyan

Eritrea

Amanuel Asrata

Temeshan Ghebreyesus

Dawit Isaac

Russia

Anna Politkovskaya

Syria

Tal al-Mallouhi

Catalan PEN

China

Kunchok Tsephel Gopey
Tsang

Honduras

Dina Meza

Czech PEN

China

Liu Xiaobo

Danish PEN

China

Liu Xia

Ilham Tohti

Yao Wentian

Egypt

Omar Hazek

Iran

Mahvash Sabet

Syria

Tal al-Mallouhi

Turkey

Nedim Şener

Ahmet Sık

Deniz Zarakolu

English PEN

China

Liu Xia

Liu Xiaobo

Turkey

Hrant Dink

PEN Centre – Eritrean Writers in Exile

Eritrea

Abubeker Abdelawel

Amanuel Asrat

Temeshan Ghebreyesus

Dawit Isaac

Idris Said

Finnish PEN

Eritrea

Dawit Isaac

France

Viet Nam

Dang Phuc Tue

German PEN

China

Li Bifeng

Liu Xiaobo

Morocco

Abdullah Habib

Saudi Arabia

Ashraf Fayadh

Turkey

Deniz Zarakolu

Ragıp Zarakolu

Viet Nam

Dang Phuc Tue

Guatemala PEN

China

Guo Quan

Icelandic PEN

China

Liu Xiaobo

Independent Chinese PEN Centre

China

Chen Shuqing

Chen Wei

Chen Xi

Dong Rubin

Gongkye Drubpa Kyab

Drukhop

Fu Zhibin

Kunchok Tsephel Gopye
Tsang

Guo Quang

Huang Zerong

Gartse Jigme

Li Bifeng

Li Tie

Li Xianbin

Liu Xia

Liu Xiaobo

Lu Jianhua

Hailaite Nyazi

Pu Zhiaqiang

Ilham Tohti

Yang Maodong

Yang Tongyan

Yao Wentian

Italian PEN

China

Yang Tongyan

Japan PEN

China

Ilham Tohti

Melbourne PEN

Australia/Papua New Guinea

Behrouz Boochani

Netherlands

Turkey

Ragıp Zarakolu

Norwegian PEN

Australia/Papua New Guinea

Behrouz Boochani

Turkey

Hrant Dink

Palestinian PEN

Saudi Arabia

Ashraf Fayadh

Portuguese PEN

China

Liu Xia

Liu Xiaobo

San Miguel de Allende

Turkey

Ragıp Zarakolu

Scottish PEN

China

Liu Xiaobo

Swedish PEN

Cuba

Ángel Santiesteban Prats

Eritrea

Dawit Isaac

Iran

Adnan Hassanpour

Muhamad Sadiq
Kabudvah

Viet Nam

Dang Phuc Tue

Swiss Italian PEN

China

Liu Xiao

Liu Xiaobo

Turkey

Deniz Zarakolu

Sydney PEN

China

Liu Xiaobo

Viet Nam

Nguyen Van Ly

PEN Turkey

Turkey

Mustafa Balbay

Ayşe Berktaş

Büşra Ersanlı

Nedim Şener

Ahmet Sık

Ragıp Zarakolu

Uyghur PEN


China

Guo Quang

PEN Vlaanderen

Turkey

Hrant Dink



The Case List is compiled thanks to staff and volunteers at PEN International

Editor

Sara Whyatt

Authors

Aurélia Dondo
Ege Dundar
Nael Georges
Lianna Merner
Emma Wadsworth-Jones

Special thanks to

Ann Harrison
Veronika Radishevskaya
Daniel Howard – Schiff
Adeline Dubost
Elizabeth Hosier
Claudia Marinaro
Katie Holland
Annie Nisbet
Sahar Halaimzai
Josie O'Reilly
Romana Cacchioli


Published by PEN International

Unit A - Koops Mill Mews
162-164 Abbey Street
London SE1 2AN

United Kingdom PEN International promotes literature and freedom of expression and is governed by the PEN Charter and the principles it embodies: unhampered transmission of thought within each nation and between all nations. Founded in 1921, PEN International connects an international community of writers from its Secretariat in London. It is a forum where writers meet freely to discuss their work; it is also a voice speaking out for writers silenced in their own countries. Through Centres in over 100 countries, PEN operates on five continents. PEN International is a non-political organisation which holds Special Consultative Status at the UN and Associate Status at UNESCO.

International PEN is a registered charity in England and Wales with registration number 1117088.

WWW.PEN-INTERNATIONAL.ORG

A man in a dark jacket is seen from the side, looking out a window. The background shows a building with several tall, white columns. The entire image has a reddish-orange tint.

The 2016 Case List, published by PEN International, spotlights freedom of expression violations around the world, detailing 224 cases of harassment, arrests, attacks, killings and imprisonments of writers worldwide and highlights the worldwide deterioration of freedom of expression.

In 2016, writers – whether they were journalists, bloggers, novelists, or poets – faced extraordinary challenges around the world. Beset by wars, increasing surveillance powers of states, the growing threat of violence from non-state actors, cycles of violence and impunity, and the use of defamation and libel laws to silence critical voices, freedom of expression is under threat across the globe.