



PEN INTERNATIONAL
Writers in Prison Committee
Case List – January to June 2012

pen
INTERNATIONAL

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Writers in Prison Committee

HALF-YEARLY CASELIST
To 30 June 2012

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PEN INTERNATIONAL Writers in Prison Committee

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

Founded in London in 1921, PEN connects an international community of writers. It is a forum where writers meet freely to discuss their work. It is also a voice speaking out for writers silenced in their own countries.

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

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

PEN International has consultative status at the United Nations and with UNESCO.

For more visit www.pen-international.org

PEN INTERNATIONAL CHARTER

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

PEN affirms that:

1. Literature knows no frontiers and must remain common currency among people in spite of political or international upheavals.
2. In all circumstances, and particularly in time of war, works of art, the patrimony of humanity at large, should be left untouched by national or political passion.
3. Members of P.E.N. should at all times use what influence they have in favour of good understanding and mutual respect between nations; they pledge themselves to do their utmost to dispel race, class and national hatreds, and to champion the ideal of one humanity living in peace in one world.
4. P.E.N. stands for the principle of unhampered transmission of thought within each nation and between all nations, and members pledge themselves to oppose any form of suppression of freedom of expression in the country and community to which they belong, as well as throughout the world wherever this is possible. P.E.N. declares for a free press and opposes arbitrary censorship in time of peace. It believes that the necessary advance of the world towards a more highly organized political and economic order renders a free criticism of governments, administrations and institutions imperative. And since freedom implies voluntary restraint, members pledge themselves to oppose such evils of a free press as mendacious publication, deliberate falsehood and distortion of facts for political and personal ends.

Membership of P.E.N. is open to all qualified writers, editors and translators who subscribe to these aims, without regard to nationality, ethnic origin, language, colour or religion.

INFORMATION SOURCES

The WiPC gathers its information from a wide variety of sources. It seeks to confirm its information through two independent sources. Where its information is unconfirmed, it will either take no action, or send an appeal worded to reflect the fact that the information is as yet incomplete. Sources include press reports, reports from individuals in the region in question, reports from other human rights groups PEN members themselves, embassy officials, academics, prisoners' families, lawyers and friends, and exile groups. It also works with international NGOs, such as Amnesty International and Human Rights Watch. It is a founder member of IFEX – the International Freedom of Expression Exchange. IFEX is a collaborative, on-line service in which several groups involved in the campaign for free expression pool information. Other members include Article 19, the Committee to Protect Journalists, Index on Censorship, the International Federation of Journalists and Reporters sans Frontieres, as well as regional and national groups. For further details see the IFEX website www.IFEX.org

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

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

Explanation of Terms Used

Important: Please Read

Main Cases

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

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

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

Judicial concern

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

Investigation case

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

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

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

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

AFRICA

ANGOLA

Harassed

***Folha 8; Fernando BAXI, ANTÓNIO SETAS and William TONET:** journalists of the independent weekly *Folha 8*. Angolan police conducted a raid in connection with a politicized investigation into the publication of a satirical photo montage on March 12 2012. Officers confiscated all of *Folha 8*'s computers, effectively crippling the operations of one of the country's two remaining independent publications. According to the paper's editor-in-chief, Fernando Baxi, about 15 officers of the Angolan National Directorate of Criminal Investigations arrived at the Luanda offices of *Folha 8* at around 1pm. They forced him to remove the battery of his mobile phone during the seizure to prevent him from communicating with anyone. António Setas, the paper's deputy director, told that the officials took away about 20 computers from the newsroom. *Folha 8* editor William Tonet said the raid was connected to a public prosecutor's December 2011 criminal investigation into the paper's republication of an Internet photo montage lampooning President José Eduardo dos Santos and other government officials.

Case Closed

Armando José CHICOCA: freelance reporter for various private Angolan newspapers including *Folha 8*, *Agora* and *O Apostolado* as well as for the U.S. government-funded broadcaster Voice of America (VOA). On 4 March 2011, Chicoca was sentenced to one year in prison and a US\$2,100 fine on libel and defamation charges for reporting on sexual harassment allegations against the presiding judge of the Provincial Court of the coastal city of Namibe in 2007. The lawsuit was filed by the judge in question. The plaintiff also accused Chicoca of being the author of an anonymous comment accusing him of corruption posted below a story on the scandal on the popular Portugal-based Angolan critical news website *Club-K*. Chicoca was transferred to Comarca Prison in Namibe following sentencing. His defence lawyer was not present during his trial; it is not clear whether or not he was barred from attending. Chicoca intended to appeal the ruling. He was released on bail of US\$2,400 on 6 April 2011. As of 30 June 2011 his appeal had not been heard.. Chicoca spent a month in prison in 2007 after police arrested him while he was reporting on protests against the demolition of a street market. [RAN 11/11 and updates] No news further news at 30 June 2012: case closed.

BENIN

Harassed

***Boris TOUGAN:** editor of the daily *L'enquêteur* was banned from practicing journalism in June 2012 after Reckya Madougou, Benin's microfinance and labor minister, filed a complaint over articles that

reportedly accused her of involvement in drug trafficking. His newspaper was also banned.

CAMEROON

Detained: Investigation

François Fogno FOTSO: editor of the private bimonthly *Génération Libre* was detained on 5 September 2011 and interrogated for at least four days without the presence of a lawyer. He was pressured to identify the sources for an August 2010 story by reporter Boris Nembop that raised questions about a series of financial transactions by then public tax collector in the western city of Nkongsamba. Officers have also pressed the editor to disclose the whereabouts of Nembop. Fotso was taken to court on 9 September 2011, but was not charged, and was returned to the custody of the military police in the capital, Yaoundé, where he was also questioned, local journalists told CPJ. No further information as of 30 June 2012. **Background:** In a story headlined "Embezzlement of funds at the Treasury of Nkongsamba," *Génération Libre* claimed that it had received documents detailing a series of transfer of funds by Tabouli to his private accounts in amounts much larger than his salary as a government employee. The story challenged the tax collector to write a response to the allegations, but the latter filed a complaint instead. Military police have summoned Fotso at least four times since October 2010 over the article, but the editor has refused to comply with their demands.

Judicial Concern

Enoh MEYOMESSE: writer, historian and president of the National Association of Cameroonian Writers. He was arrested 29 November 2011, on his return from a trip to Singapore, and charged with robbery (of gold) and organizing a coup. He was held in solitary confinement and denied access to a lawyer for the first 30 days of his detention, and afterwards was moved into the general prison population in Yaoundé's main prison. He alleges that he was tortured and denies the charges. No date has been set for a trial, which will take place in a military court. PEN has no position on the charges of gold trafficking or of organising a coup, but the evidence against him does seem dubious. Meyomesse was a candidate for the presidential election on 9 October 2011, under the banner of the United National Front (UNF). [RAN 04/12 and updates] By June 2012, all charges against Meyomesse had been dropped, but his detention was extended until the end of 2012. He is also suffering from a degenerative eye condition provoked by 1 month in solitary confinement, in total darkness. His sight is reportedly at risk if he does not have an operation.

Case Closed

Germain S. ("Bibi") NGOTA NGOTA: founder and editor of the private bimonthly newspaper *Cameroon Express*, died in Kondengui prison in the capital Yaoundé on 22 April 2010. His health had deteriorated since he was imprisoned in February 2010 and according to his death certificate he died from a lack of medical attention. For details, see previous case list. **Background:** Ngota, who had worked as a journalist for 15 years, launched *Cameroon Express* in 2002-2003 and worked for several other publications on a freelance basis. He was reportedly well-known locally for his investigations on public corruption in the oil sector. He was survived by his wife and two children. **Awards:** Canadian Journalists for Free Expression (CJFE) awarded Ngota one of its 2010 International Press Freedom Awards for his courage. [RAN 32/10] Case closed due to lack of further information.

Robert MINTYA and Serge SABOUANG: editors of the newspapers *Le Devoir* and *La Nation* respectively, were conditionally released on 24 November 2010 on orders of the President pending a trial for allegedly forging the signature of a presidential aide. The trial date or place had not yet been announced. The editors reportedly faced up to 20 years in prison if convicted. For details, see previous case list. **Award:** Canadian Journalists for Free Expression (CJFE) awarded Sabouang one of its 2010 International Press Freedom Awards for his courage. [RAN 45/10] Case closed due to lack of further information.

Raphaël NKAMTCHUEN: editor of the periodical *La Boussole*, was charged with “unauthorized communication with a detainee” and “possession of administrative documents labeled confidential by a public prosecutor in Yaoundé on 24 February 2011. The charges are based on a 27 October 2009 letter that was allegedly leaked from the office of top presidential adviser Laurent Essou. Guards found the letter on Nkamtchuen as he left Yaoundé’s Kodengui Prison following an interview with a jailed former Finance Minister on 17 February 2011. Nkamtchuen was detained for six days by military police before being charged. He was freed pending trial on 24 March but reportedly went into hiding after receiving threatening phone calls. No further news as of 30 June 2012: case closed.

CENTRAL AFRICAN REPUBLIC

Tried/Released

***Ferdinand Samba:** editor of the private daily *Le Démocrate*, was arrested at the paper’s offices in Bangui on 16 January 2012. Samba was charged three days later with incitement to hatred, defamation, and insult based on a complaint filed by Sylvain Ndoutingai, finance minister and nephew of President François Bozizé, over a series of columns published between September and November 2011. The opinion pieces, written by Samba, criticized Ndoutingai’s management of public finances and reported allegations of abuse of power and embezzlement. The public prosecutor is seeking a one-year prison term, 50 million CFA franc (US\$97,000) in damages, and a six-month suspension of the newspaper, *Tiangaye* said. The requested prison term apparently contravenes the country’s 2005 press law (according to CPJ) which abolished imprisonment for alleged press offenses. Samba, originally jailed at the Central Office for Repression of Banditry, has been transferred to Bangui’s central prison, where he is to be held pending trial. His trial began on 19 January and was charged with defaming and insulting the finance minister and “inciting hatred” against him. On 26 January 2012 he was convicted and given a 10-month jail sentence by a Bangui court. The court also ordered Samba to pay 10 million CFA francs (15,000 euros) in damages to Ndoutingai and a fine of 1 million CFA francs (1,500 euros). *Le Démocrate* was banned from publishing for one year. On 3 May 2012: President François Bozizé pardoned and released Ferdinand Samba.

COMOROS

Harassment

Pétan MOUIGNIAZI: Managing director of state daily *Al Watan*. Comorian interior minister Ahamada Abdallah decided to withdraw the latest monthly supplement from distribution and to issue a decree suspending Mouignihazi. The supplement had a special report on corruption and waste in the state sector. The 9 April 2012 issue of *Al Watwan Magazine* featured a special report headlined “Public finances: chaos, waste and corruption.” One of its articles, an extract of which was published by Agence France-Presse, condemned “criminal practices” in

the management of the state’s finances.

Case Closed

Ali MOINDJIE and Hadji HASSAMALI: respectively editor of the private daily newspaper *Albalad* and editor of bimonthly *La Tribune des Comores*, were charged with “publishing false news” in the capital Moroni on 14 March 2011 in relation to their coverage of the handover of power between outgoing President Ahmed Abdallah Mohamed Sambi and President-Elect (now President) Ikililou Dhoinine. The charges are based on a news item, published in the 3 March 2011 edition of *Albalad* and in the 20 February 2011 edition of *La Tribune des Comores*, stating that the official swearing-in ceremony of the President-Elect could be delayed beyond the scheduled date of 26 May. The Presidential Chief of Staff denied the claim and the public prosecutor deemed the reports “of a nature to trouble public order.” The journalists reportedly face up to six months in prison if convicted. No further news as of 30 June 2012: case closed.

DEMOCRATIC REPUBLIC OF CONGO

Detention

***Sébastien MULAMBA, Mbuyi MUKADI:** respectively editor of the private monthly *Kisangani News*, and managing editor, were detained without charge by plainclothes policemen on 9 May 2012. They were questioned about their sources for an April 15 article alleging Alphonse Awenze, a member of the Congolese National Assembly under President Joseph Kabila’s ruling party, was involved in a sex scandal. Awenze did not publicly dispute the allegations but filed a complaint accusing the newspaper of “offending his personality,” Mulamba told CPJ. The journalist said he and Mukadi had gone to the restaurant to meet an aide of Awenze, who said he wanted to buy advertising in the paper. According to reports, the journalists are still in detention. PEN is seeking an update.

Attacked

***Frank FUAMBA:** managing editor of the Lubumbashi-based *Mining News* magazine. He was abducted on 6 June 2012 at about 6pm by a group of armed men in civilian dress who forced him into a jeep. Forced to wear a hood, the journalist was taken from place to place over the course of the night. These included a Katuba home where he was questioned at length about his personal relationships, the politicians he knows and the political news stories that appear in his magazine. They took all of his belongings and finally let him go near a school in the neighbouring town of Katuba at about 4am. That same night, *Mining News* journalist Sylvie Manda received a threatening phone call while seeking assistance for her abducted colleague. The caller promised to find her the next day. Fuamba told that back in March he received a series of anonymous threats over my article about energy problems in Katanga that negatively impact the functioning of mines in the region. He had notably criticized the National Electric Company.

ERITREA

Imprisoned: main cases

Detained in September 2001:

Emanuel ASRAT (editor-in-chief of *Zemen – ‘Time’*), **Temesken GHEBREYESUS** (sports reporter of *Keste Debena – ‘Rainbow’* - born

c. 1967), **Mattewos HABTEAB** (chief editor of *Meqaleh* - 'Echo' - born c. 1973), **Dawit HABTEMICHAEL** (assistant chief editor of *Meqaleh* - born c. 1973), **Dawit ISAAC** (co-owner of *Setit*, playwright and writer - born 1964), **Seyoum TSEHAYE** (b. 1952, freelance contributor to *Setit*, playwright, newspaper, TV and radio journalist). **Date of arrest:** in the days following 23 September 2001. **Sentence:** it is thought that none have been put on trial. **Details of arrest:** The detentions came in the wake of the closing down of all eight independent newspapers by the authorities on 18 September 2001 (these include the weeklies *Meqaleh*, *Setit*, *Tsigenay*, *Zemen*, *Wintana*, and *Admas*). Since then, only state-owned newspapers have been published. According to news reports, presidential adviser Yemane Gebremeskel stated that these journalists (and the four others who are thought to have subsequently died in custody - see below) may have been arrested for avoiding national service. **Official position:** The authorities have either denied that a clampdown took place, claiming instead that the journalists have merely been sent to carry out their national service, or that the closures and mass arrests were necessary for the sake of national unity or were effected because of the newspapers' failure to comply with laws covering media licences. However, a more likely explanation is that the crackdown was an attempt to stamp out criticism of the Eritrean government's treatment of students and political dissenters, and of its conflict with Ethiopia. In April 2003, President Isaias Afewerki told Radio France Internationale that the journalists listed as arrested or missing had been bribed by forces opposed to the government to cause division. He stated, "You cannot say a spy is a journalist...In the middle of the war we had to check them. We had to say enough is enough." In a 2004 interview, President Afewerki commented that there had never been any independent media in Eritrea, only journalists in the pay of the CIA. In a TV interview in June 2009, the President said that he did not know what crime Dawit Isaac had committed but that he had made a "big mistake". He added that the Eritrean authorities would not release Isaac or put him on trial and that they have their "own ways of dealing with that". **Health concerns/prison conditions:** It was reported in April 2004 that the journalists were being held in secret security sections of the 2nd and 6th police stations in the capital Asmara. It is believed that they have since been moved to prisons in various locations, where conditions are reputed to be brutal. There are serious concerns about severe ill treatment, possible torture, poor health and lack of access to medical care, as highlighted by the reported deaths of four journalists in custody (see below). In September 2009, Reporters Without Borders reported that many of the imprisoned journalists were being held in metal containers or underground cells in Adi Abeito military prison (northwest of Asmara), Eiraeiro prison (near the locality of Gahtelay) and in the Dahlak archipelago. **Reported deaths in custody:** In 2007, it emerged that four of the journalists who were arrested in September 2001 had reportedly died in custody between 2005 and early 2007: **Said Abdelkader** (*Admas*), **Medhanie Haile** (*Keste Debena*), **Yusuf Mohamed Ali** (*Tsigenay*), **Fesshaye Yohannes "Joshua"** (co-owner of *Setit*, playwright and poet). Their deaths were attributed to harsh conditions and lack of medical attention. Some sources indicate that that Yohannes had been tortured prior to his death, including having his fingernails ripped out. **ACPHR ruling:** In May 2007, the African Commission on Human and People's Rights (ACPHR) of the African Union ruled that the detention of the journalists was arbitrary and unlawful and called on the Eritrean government to release and compensate the detainees. **Information on Dawit Isaac:** Isaac, who spent a number of years in Sweden during the Eritrean war of independence and the border dispute between Eritrea and Ethiopia,

holds Swedish citizenship. In November 2001, the Swedish local consul held a brief meeting with Isaac in jail. In April 2002, it was reported that Isaac had been hospitalized suffering from injuries sustained through his torture. In November 2005, Isaac was briefly released for a medical check-up and was allowed to call his family and friends in Sweden. This was due to pressure by groups in Sweden but did not lead to Isaac's release: he was returned to prison two days later with no explanation. Since then Isaac has reportedly been moved to various prisons around the country. In January 2009, he was reportedly transferred from prison to an Air Force hospital in Asmara as a result of serious illness but was later returned to prison. The most recent reports indicate that Isaac is being held at Eiraeiro prison camp, 10 miles north of the capital Asmara, along with a number of the other detained journalists. As of January 2010, Isaac was reportedly being kept in solitary confinement, in a tiny cell with no windows and was in very poor physical and mental health. He and the other inmates are reportedly not allowed any contact with each other or the outside world, are routinely shackled and receive almost no medical care. Many are in a very poor psychological state. As of 27 October 2010, when Isaac turned 46, he had still not been formally charged with any crime, and his whereabouts remained unclear. A new collection of his writings, entitled *Hope- the Tale of Moses* and *Manna's Love*, was unveiled at Sweden's Goteborg book fair in late September 2010. **Update on Isaac:** On 18 May 2011, during the 21st Session of the African, Caribbean, Pacific - European Union (ACP-EU) Joint Parliamentary Assembly held in Budapest, EU and African countries decided that the Assembly's next report on human rights would focus on Isaac. This came about as a result of efforts by Swedish MEP Olle Schmidt, who has taken a special interest in Isaac's case. According to a 3 August 2011 report by the Committee to Protect Journalists, the whereabouts and health status of Isaac and the other detained journalists remain unknown. In July 2011, Isaac's brother, Esayas Isaac, reportedly filed a writ of habeas corpus with Eritrea's Supreme Court calling for information on the journalist's location and a review of his imprisonment. The writ was not supported by the Swedish government; Foreign Minister Carl Bildt reportedly said the country's goal was to have Isaac released on humanitarian grounds rather than stand trial. **Health Concerns:** Isaac reportedly suffers from a diabetic condition that requires medical supervision. In its 2011 report, Amnesty International reported that Isaac remained in detention, allegedly in Eiraeiro prison camp. He was reportedly in poor mental and physical health. 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." **Honorary Members:** American PEN, PEN Canada, Finnish PEN and Swedish PEN. **Awards:** Isaac was awarded the 2009 Tucholsky Award by Swedish PEN and the 2011 Golden Pen of Freedom, the annual press freedom prize of the World Association of Newspapers and News Publishers (WAN-IFRA). **Mahmud AHMED SHERIFFO**, **Haile WOLDETESNAE**, **Petros SOLOMON**, **Saleh Idris KEKIA**, **General Ogbe ABRAHA**, **Astier FESHATSION (f)**, **Berhane GHEBRE EGHZABIHER**, **Hamid HIMID**, **Estifanos SEYOU**, **Germano NATI** and **Beraki GHEBRE SELASSIE**: former Minister of Local Government, former Minister of Trade and Industry, former Minister of Fisheries, former Minister of Transportation and Communication, and former Chief of Staff of the Defence Force and Minister of Trade and Industry respectively (the final six were also former members of government), have been detained since 18 or 19 September 2001 after the publication in May

2001 of an open letter critical of the government addressed to members of the ruling People's Front for Democracy and Justice (PFDJ) party. All 11 were members of the so-called G-15, a group of 15 PFDJ senior officials who signed the letter. They were arrested in Asmara on 18 and 19 September 2001 and accused of crimes against national security and sovereignty. A twelfth G15 member was also arrested but was released when he recanted. The three remaining members were abroad at the time of the arrests and have not returned to Eritrea. In February 2002, in the first parliamentary session since 2000, President Issayas Afewerki declared that the G-15 members had "committed treason by abandoning the very values and principles the Eritrean people fought for". The National Assembly therefore "strongly condemned them for the crimes they committed against the people and their country". After such statements it seems highly improbable that the eleven currently held will receive a fair trial. They have been held incommunicado ever since and it is not known whether they have been formally charged. According to Amnesty International, their family and friends have faced persecution whenever they have tried to speak out against the detentions. In April 2009, Amnesty reported that at least one of the G-15 members, General Ogbe Abraha, had reportedly died in custody due to the harsh conditions and lack of access to medical treatment. Astier Feshatsion was said to be suffering from stomach ulcers. **Most recent information:** According to Amnesty International, in early 2009 there were unconfirmed reports that nine of the former government officials known as the G-15 had died in detention since 2002. In its 2011 report, Amnesty reported that the Eritrean government had failed to respond to these allegations in 2010.

Detained after 2001:

Yirgalem ASFHA (f) (essayist and journalist - staff member at Radio Bana, former art critic for the independent weekly newspaper *Zemen*; **Yirgalem FISSEHA MEBRAHTU (f)** (poet and journalist for Radio Bana); **Meles Negusse KIFLU:** (writer, poet and journalist - Radio Zara and Radio Bana, formerly worked for *Tsigenay*); **Bereket MISGHINA** ("Wedi Misghina") (playwright and actor and staff member at Radio Bana). **Date of arrest:** 22 February 2009, during a raid on Radio Bana, based in Addis Ababa, during which at least 50 employees were arrested by the security forces. By April 2009, most had been released but a number remain in detention. **Reasons for arrest:** No reason has been given for the journalists' arrest and they have apparently not been charged with any offence. However, it is thought that Asfha and Misghina might have been arrested due to their close working relationship with foreigners and a programme broadcast on Radio Bana in January 2009 about participatory government. Radio Bana produces educational programs for the Ministry of Education. **Place of detention:** May Srwa prison (Fisseha, Kiflu and Misghina); unknown (Asfha). **Other information:** Kiflu and Misghina were reportedly first held at the Doboito detention centre and then at the military prison in Adi Abeito, to the northwest of Asmara. Fisseha, who was 27 at the time of her arrest, was initially taken to Adi Abeito but was subsequently transferred to the nearby May Srwa prison. Misghina is said to come from a very prominent family in Keren in northern Eritrea. He was reportedly tortured in 2002 after a screening of his film *Fistametat*. Asfha, who was thought to be aged 30 at the time of her arrest, is from Adi Keyih in the south of the country. Kiflu is married with two children. Fisseha, Kiflu and Misghina were still detained as of 16 September 2011, according to Reporters Without Borders. No mention of Asfha. Yirgalem Fisseha Bantu was admitted to hospital in the Eritrean capital Asmara in serious condition in January 2012. She is under permanent guard and is allowed no visitors. Her family and friends have not been told of the nature

of her illness but her treatment requires the purchase of medication abroad. **Mulubrhan HABTEGEBRIEL:** journalist for the independent newspapers *Meqaleh* and *Setii*, as well as an essayist, commentator and translator for Radio Zara and the state-run newspaper *Hadas Eritrea*. **Date of arrest:** 2008. **Reason for arrest:** Not known. **Place of detention:** Adi Abeito military prison. **Other information:** Along with other prisoners (including Bereket Misghina and Meles Negusse Kiflu – see above), reportedly taken to an unknown destination in armoured cars on the night of 22 May 2009 before being sent back to Adi Abeito. No further news as of 30 June 2011. **Update:** Still detained as of 16 September 2011, according to Reporters Without Borders.

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

ETHIOPIA

Imprisoned: main case

Martin SCHIBBYE: reporter for the Sweden-based news agency *Kontinet*, was arrested by Ethiopian security forces on 30 June or 1 July 2011 while reporting on the activities of the Ogaden National Liberation Front (ONLF), armed separatists operating in the oil-rich province of Ogaden in eastern Ethiopia, and on alleged human rights abuses carried out by the Ethiopian security forces. Schibbye (30) was arrested along with a photojournalist for the same agency, **Johan Persson** (29). They were arrested following a battle between the ONLF and the Ethiopian army. Both men suffered light wounds. **Charges:** On 6 September 2011, Schibbye and Persson appeared before a court in the capital Addis Ababa and were charged with "terrorism and entering the country illegally." Their lawyers were reportedly not present at the hearing. The government claimed that the journalists were working with the ONLF, which it designates a terrorist group. On 10 October 2011, Ethiopian Prime Minister Meles Zenawi made public accusations that the two journalists were accomplices to terrorism. Schibbye and Persson were found guilty of 'supporting terrorism' on 21 December 2011, and sentenced to 11 years in prison. [RAN 64/11 and updates] **UPDATE:** According to Reporters Without Borders, the two Swedish journalists have decided to request a presidential pardon instead of appealing against their conviction. "In Ethiopia, there is a long tradition of pardons and we have chosen to leave it to this tradition," they said, announcing their decision on 10 January 2012 in Addis Ababa's Kality prison.

Woubshet TAYE and Reeyot ALEMU (f): respectively deputy editor of the independent weekly *Awramba Times* and contributor to the independent weekly newspaper *Feteh*, have been imprisoned pending trial on charges of terrorism since June 2011. **Details of arrest and detention:** Teye was arrested at his home in Addis Ababa on 19 June 2011 by security agents who confiscated various documents, cameras, CDs and copies of *Awramba Times*, which provides in-depth political coverage. Alemu was arrested two days later, on 21 June, at a secondary school where she teaches English in Addis Ababa; her home was also searched by police. Both were initially detained incommunicado without charge. **Reasons for arrests:** The authorities did not disclose the reason for the arrests, but it was suspected that both were detained under Ethiopia's 2009 anti-terrorism law. It was thought that Teye's detention could be due

to his alleged sympathy for the banned political party Ginbot 7, which the Ethiopian government recently designated as a terrorist organisation. Alemu's arrest was thought to be related to her articles criticising the ruling EPRDF party. Her 17 June 2011 column in *Feteh* was reportedly critical of the EPRDF's public fundraising methods for the Abay Dam project, and drew parallels between Prime Minister Meles Zenawi and the Libyan leader Muammar Gaddafi. **Charges:** On 6 September 2011, Taye and Alemu appeared before Ethiopia's High Court and were charged under the antiterrorism law. Their lawyers said they did not have any details about the charges as they were not notified of the hearing and as a result could not attend. **UPDATE:** on 19 January 2012, Taye and Alemu were convicted and sentenced to 14 years in prison for 'lending support to terrorist groups.' [Update #2 to RAN 34/11]. Terrorism charges were also filed in absentia against **Elias Kifle**, editor of the US-based antigovernment website *Ethiopian Review*; Kifle lives in exile in the USA. The journalists reportedly face life imprisonment if convicted. **Update:** On 19 January 2012, Kifle was sentenced to life imprisonment, in absentia. [Update #2 to RAN 34/11]. **Place of detention:** Both are being held at the federal investigation centre at Maekelawi Prison in the capital Addis Ababa. **Treatment in prison/ health concerns:** During a court hearing in August 2011, Taye said that he had been tortured by state officials while he was being interrogated in prison. As of early September he was reportedly suffering from pain in his ear and stomach as a result of beatings, but had not been given any medical treatment. Alemu's physical and psychological state of health was said to have seriously deteriorated in prison and as of early September she was said to be extremely weak. Her relatives had been allowed to visit her and bring her medicines but she had not received any treatment from doctors. Both journalists said they had been denied access to a lawyer during their interrogation. **Background:** The managing editor of *Awramba Times*, **Dawit Kebede** (see below), is reportedly the target of ongoing harassment by the authorities and by the pro-government media. [RAN 34/11 and updates] **Dawit KEBEDE and Wesenseged GEBREKIDAN:** editors of *Awramba Times* and *Harambe* respectively, are on trial for "incitement." **Arrest:** On 7 August 2008, Kebede and Gebrekidan were arrested and released on bail. **Charges:** The police were reportedly acting on orders from the Ministry of Justice, which had requested a criminal investigation into the two papers. *Awramba Times* was charged for an editorial, interview and opinion piece that had appeared in five different issues, while *Harambe* was charged for an editorial and opinion piece that had appeared in three separate issues. **Background:** At the beginning of August 2008, *Awramba Times* had been warned by police that they would block the distribution of the newspaper if it persisted in covering the political opposition movement, Ginbot 7. Ginbot 7, which is named after the day on which the disputed 2005 elections were held, is led by Berhanu Nega, a formerly imprisoned academic now in exile (see previous case lists). Kebede and Gebrekidan were jailed alongside Nega in 2005 and spent 21 months in jail before being released on a conditional pardon in August 2007. **Trial:** In late February 2009, it was reported that the public prosecutor had filed criminal charges against both Kebede and Gebrekidan at the federal court. Both were granted bail. Gebrekidan was unable to pay post bail and was imprisoned for a few weeks until local journalists raised the money. If convicted, the journalists face a possible prison sentence. **UPDATE:** Kebede went into exile in mid November 2011. He said that he was forced to leave the country after he received a tip about alleged government plans to re-imprison him. Kebede also said that the paper was unlikely to continue publishing. No further news on the trial as of 30 June 2012; PEN seeking an update. Awards: On 23

November 2010, Kebede was given the Committee to Protect Journalists' International Press Freedom Award for "risking his freedom and security to report the truth as he sees it in his country."

On Trial

***Eskindir NEGA:** respectively journalist for now-defunct political magazine, *Change*, was arrested on 9 September 2011 under Ethiopia's sweeping anti-terrorist legislation. He was accused of involvement with the banned political party Ginbot 7 and appeared before a court on 15 September where he was remanded in custody for 28 days. Local journalists suspect that some of Nega's latest writings criticizing the government's arrest of the famed Ethiopian actor Debebe Eshetu on terrorism charges, triggered his arrest. Police forbade visitors in the courtroom when Nega was in court. Eskindir was charged under terrorism legislation on 11 November 2011. He was accused of having a relationship with the leaders of Ginbot 7, plotting terrorist acts and inciting the public to overthrow the government, passing such information to Ginbot 7 and the enemy state of Eritrean, and calling/organizing and leading meeting that summoned for the purpose of terrorist goals.

Background: Nega was previously briefly arrested and detained by the federal police on 11 February 2011 after leaving an internet café in Addis Ababa. He was accused of attempting to incite protests similar to those that took place in Egypt and Tunisia in early 2011 in articles he had recently posted online, in particular one posted a week earlier in which he defended the right to peaceful protest. He was warned that this article was viewed as an attempt to undermine the army and that he would be held responsible for any protests that took place in Ethiopia. Nega was jailed along with his wife, journalist Serkalem Fasil, between 2005 and 2007 on treason charges for their coverage of protests that followed the 2005 legislative elections. **UPDATE:** Nega stood trial on 5 March 2012 for all of the terrorism accusations initially advanced by prosecutors. Nega was convicted on 27 June 2012 on terrorism related charges. The prosecutor asked for a sentence of life imprisonment. Sentencing was expected on 13 July 2012. PEN American Centre named Eskindir Nega as its 2012 PEN Freedom to Write Award Winner on 12 April 2012.

Sileshi HAGOS: former managing director of now-defunct political magazine, *Change*, was arrested on 14 September 2011 under Ethiopia's sweeping anti-terrorist legislation. He was accused of involvement with the banned political party Ginbot 7 and appeared before a court on 15 September where he was remanded in custody for 28 days. Hagos is the fiancé of journalist Reeyot Alemu, who has been imprisoned under terrorism charges since July 2011 (see above). Hagos was in police custody until October 12, in order to allow the police to carry out their investigations. No further news at 30 June 2012.

***Mesfin NEGASH and Abiye TEKELEMARIAM:** journalists for Addisnegeronline.com and based in Sweden and the UK respectively, were charged in absentia on 11 November 2011, with supporting terrorist organizations through allegedly giving them a platform via their website. Update: Trial ongoing at 28 March 2012. Update: both journalists were convicted in absentia on 27 June 2012 on terrorism related charges. The prosecutor has asked for a sentence of life imprisonment. Sentencing was expected on 13 July 2012

***Abebe GELLAW:** exiled journalist for the US-based Addis Neger Online, was tried in absentia and convicted of violating anti-terrorism legislation. The prosecutor has asked for a sentence of life imprisonment. Sentencing was expected on 13 July 2012

Case Closed

Akram EZEDIN: acting editor of the privately owned Islamic weekly newspaper *Al-Quds*, based in the capital Addis Ababa, has reportedly been detained without charge since 11 September 2010. Ezedin (17 at the time of his arrest) took over the running of the newspaper in January when his father, **Ezedin Mohamed**, editor of *Al-Quds*, was sentenced to one year in prison for a 2008 column criticizing statements made by Prime Minister Meles Zenawi during an interview with the British newspaper *The Guardian* (see previous case list). On 11 September 2010, Ezedin Mohamed was released and Akram Ezedin was arrested, reportedly on the basis of articles critical of the performance of Afar's local Islamic Council or Mejjilis, published by *Al-Quds* in July. Akram Ezedin was reportedly being held in a prison in Asaita, the regional capital of Afar and had reportedly appeared in Afar's court four times but was yet to be charged. Pre-trial detention is illegal under Ethiopia's Mass Media and Freedom of Information Proclamation. Moreover, as *Al-Quds* is a national newspaper, any case against it should be heard in a federal not a state court. As of October 2010, Akram Ezedin was still in detention. [Update #1 to RAN 07/10] Case closed due to no further information.

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

GABON

On trial

Guy Pierre BITÉGHÉ, Désiré ENAME (F), Maximin MEZUI, Jean de Dieu NDOUTOUME-EYI, Blaise Mengue MENNA (F), Marc Ona ESSANGUI: Five editors, Bitéghé for *Le Mbandja*, Ename for *Echos du Nord*, Mezui for *La Une*, Ndoutoume-Eyi for *Edzombolo*, Menna for *La Nation* and Essangui an independent journalist. Beginning in the first week of March 2012, police in the capital Libreville issued them summonses. They were based on articles raising critical questions about the use of a presidential plane by Maixent Accrombessi, chief of staff of Gabon President Ali Bongo Ondimba, for an unofficial trip to Benin in November 2011. None of the journalists have been formally charged. However, if State Prosecutor Sidonie Flore Ouwe were to authorise charges such as criminal defamation or contempt to the Republic, convictions would carry prison terms, according to the local journalists.

GAMBIA

Disappearance: main case

"Chief" Ebrimah MANNEH: reporter and sub-editor with the pro-government *Daily Observer*, was reportedly arrested by two National Intelligence Agency (NIA) officers on 7 July 2006 and has held been in incommunicado detention by the NIA at various sites ever since, seemingly without having been charged with any offence. The NIA has repeatedly denied that they have the journalist in their custody; the government also denies any knowledge of his case. It is believed that the reason for Manneh's arrest is that he is alleged to have had contact with a foreign journalist before the July 2006 African Union Summit held

in the Gambian capital Banjul. Manneh apparently gave this journalist information deemed by the Gambian government to have been damaging to the country's image. According to a former colleague, Ousman Darboe, Manneh reprinted a BBC story critical of President Yahya Jammeh's democratic credentials; his decision was later overruled by editors and the relevant issue of the *Observer* withdrawn. Manneh has reportedly been moved around the country throughout his detention and although the local media has reported seeing him on several occasions, the government remained silent on the subject until April 2009 (see below). **Last sighting:** Manneh was reportedly seen on 26 July 2007 at Gambia's main hospital where he was receiving treatment for high blood pressure. He was said to be very weak and was accompanied by members of the Police Intervention Unit (PIU), a paramilitary wing of the Gambian Police Force and Prison Service. Prior to the sighting Manneh had apparently been detained at Mile Two Central prison on the outskirts of Banjul, before being briefly admitted to Gamtel Ward Hospital and then being transferred to a military clinic in Banjul. **ECOWAS ruling:** On 5 June 2008, the Community Court of Justice of the Economic Community of West African States (ECOWAS) in Nigeria declared Manneh's arrest and detention illegal and ordered the Gambian authorities to release him. The court also awarded Manneh US\$100,000 in compensation from the Gambian government. The government refused to cooperate throughout the court proceedings and has yet to comply with the ruling. **Official position:** On 6 April 2009, the Gambian authorities finally broke their silence with regards to Manneh's disappearance when the Attorney General and Minister of Justice publicly stated that the journalist was not in police custody and rejected the ECOWAS ruling. **UN ruling:** In November 2009, the United Nations Working Group on Arbitrary Detention issued an opinion stating that the Gambian government's arrest and continued detention of Manneh are without legal justification and in violation of international law, and called for Manneh to be released immediately. **New information:** According to the Committee to Protect Journalists (CPJ), in a 16 March 2011 meeting with the Gambian media that was broadcast on state television, President Jammeh suggested that Manneh may have died. "Let me make it very clear that the government has nothing to do with the death of Chief Manneh or Deyda Hydara or the disappearances of so many people," said the President. He also suggested that Manneh may have disappeared after attempting to illegally migrate to Europe or the United States. On 6 July 2011, a Gambian National Police spokesman told CPJ that the police have no information about Manneh. Manneh's whereabouts remain unknown, though in an interview on 6 October 2011 with the *Daily News*, Gambia's justice minister, Edward Gomez, denied Manneh was in state custody and declared that he is alive. According to officials from the British Foreign and Commonwealth Office, there will be an investigation into the disappearance of Chief Ebrimah Manneh.

Detained

***Abdul Hamid ADIAMOH:** managing editor of privately-owned *Today* newspaper, was detained on 20 June 2012 by the Gambian Police on the orders of the Banjul Magistrates' Court over alleged contempt of court. Media Foundation for West Africa's (MFWA) sources reported that the arrest followed a complaint filed by Badou S.M. Conteh, defense counsel for a university lecturer standing trial for giving false information to a public officer. The sources said the defense counsel accused the editor of misreporting the cross examination of a witness in his newspaper. Following the request, the court ruled that Adiamoh be brought before it on June 28, when the case will be recalled. However, the sources said Adiamoh was picked up on June 20 and it remained unclear if he will be

released before then.

***Momodou S JALLOW:** reporter for the private *Daily News* was facing criminal defamation charges for allegedly defaming Mamadou Lamin Baldeh, a local chief in western Gambia. Jallow was charged on 9 January 2012, three days after he was arrested and detained for about five hours at the Bansang police station in Brikamaba, a town about 250 kilometres from Banjul, the capital of The Gambia. The charges reportedly stem from an article Jallow wrote for the Daily News headlined: “Presidential Hajj Package Scandal: Chief Baldeh Allegedly Bribes Lover”, which appeared on the front-page of the newspaper on January 4, 2012. In the article, Boto Fatojo, a rice farmer who was detained along with Jallow, accused Chief Baldeh of giving his Hajj ticket (a sponsorship from President Yahya Jammeh to embark on the annual pilgrimage to Mecca in Saudi Arabia) to his lover.

GHANA

Attacked

***Victor KWAWUKUME:** Volta Regional correspondent of the state-owned *Daily Graphic* newspaper, was on 10 June 2012 attacked by four policemen while covering their allegedly brutal treatment of demonstrating residents in Ho, the regional capital. The policemen allegedly slapped the journalist twice and then hit him on the head before taking his camera.

Attacked

***Kounkou MARA (f):** a journalist with *Le Lynx*, a privately-owned newspaper belonging to the Conakry-based Le Lynx-La Lance media group, was reportedly assaulted by gendarmes stationed at the Central Bank of Guinea on 27 February 2012. Mara had gone to the central bank to participate in a TV programme. The programme was part of activities marking the 52nd anniversary celebration of the bank. Mara alleges that she was ordered away from the entrance because she was not a member of the state press. She says: “At the gate, four gendarmes got hold of me and rained blows on me. They then threw me out and I fell down and hit my head against the wall. I injured my head.”

GUINEA-BISSOU

Brief Detention

***António ALY SILVA:** journalist, was detained by troops after the military coup in the second week of April 2012. During his arrest he was beaten, which left him with cuts on his head. He was released on 13 April 2012.

IVORY COAST

Killed: official investigation ongoing

Guy-André KIEFFER: writer and independent reporter with joint French and Canadian nationality, disappeared on 16 April 2004 and is assumed to have been killed. According to Reporters without Borders, he was “abducted from the car park of an Abidjan supermarket on 16 April 2004 after falling into a trap set for him by a member of [former] President Laurent Gbagbo’s entourage”. **Background:** Kieffer was the Abidjan correspondent for the French publication *La Lettre du Continent* and had written for French business publication *La Tribune* and other publications. He also reportedly wrote for the Ivorian press under a pseudonym and was collaborating on a book with Louis-André Dacoury-Tabley, foreign affairs coordinator for the Patriotic Movement of the Cote

d’Ivoire (*Mouvement patriotique de Cote d’Ivoire* – MPCI). In addition to his work as a journalist and writer, Kieffer has also worked as a cocoa and coffee trade expert for a firm of consultants and had conducted numerous investigations into the coffee and cocoa sectors, some of which have exposed corruption. **Investigation:** The investigation into Kieffer’s disappearance, led by French judge Patrick Ramaël, has dragged on since 2004 with no conclusion. Key suspects have included Michel Legré, the brother-in-law of former President Gbagbo’s wife, Simone Gbagbo. Legré was charged with ‘accessory to kidnapping’, ‘unlawful confinement’ and murder and held in an Abidjan detention centre for a year and a half before being granted provisional release in October 2005. Jean-Tony Oulaï, an Ivorian army captain who claims to have belonged to the Ivorian special services, was detained for two and a half years from 2007 on suspicion of kidnapping and illegally detaining Kieffer before being provisionally released in April 2010. Judge Ramaël has reportedly faced constant obstruction by the Ivorian authorities, although they have denied this. In October 2009, it was reported that a man claiming to be a soldier in the Ivorian army said that Kieffer had been killed by members of Simone Gbagbo’s entourage, without her knowledge, during a botched interrogation within the presidential compound. However, in apparent response to the new testimony, the Ivorian state prosecutor Raymond Tchimou stated that Kieffer had been taken out of the country and is still alive. Tchimou offered no other explanations or details on the journalist’s purported whereabouts. **New information:** On 14 April 2011, Kieffer’s wife and daughter met with the Ivorian ambassador in Paris to ask what possibilities there were of further investigation into Kieffer’s case following the departure of former president Laurent Gbagbo. After the meeting the ambassador reportedly stated that the “whole truth” would be revealed about Kieffer’s disappearance and that he would speak to the minister of justice about the matter the same day. He added that President Ouattara wanted to put an end to impunity and establish the rule of law in Côte d’Ivoire. Kieffer’s wife noted that President Ouattara had backed the family since from the time the journalist disappeared. No further information as of 30 June 2012.

Detained

***Ousmane SY SAVANE:** director of Cyclone, a company that publishes opposition dailies *Le Temps* and *LG Info* was reportedly arrested on 27 March 2012 by the Directorate for Territorial Surveillance DST (a police intelligence agency). According to witnesses agents confiscated computer equipment from Savané’s office when they arrested him. The reason for his arrest is unknown and the DST deny that he is in their custody. However, numerous witnesses say that he was taken to DST headquarters and that his car is parked in the building’s courtyard.

Briefly Detained

***Charles SANGA and Jean-Claude COULIBALY:** respectively managing editor of the daily *Le Patriote*, and reporter. Sanga was arrested by the Directorate for Territorial Surveillance (DST), an intelligence agency, on 31 January 2012. He was accused of “publishing confidential information.” The arrest was related to an exclusive published in *Le Patriote* by journalist Jean-Claude Coulibaly (who was arrested on 1 February 2012), which reported that the Constitutional Council had decided to annul the 11 December parliamentary elections in 11 districts where the results were disputed. The council had not yet announced its decision. They were both released without charge on the evening of 1 February 2012.

KENYA

Brief Detention

***Suleiman MBATIAH:** a reporter for the *Daily Nation*. At least 10 police officers in plainclothes surrounded Mbatiah after he took photographs of an undercover traffic operation in the western town of Nakuru on March 13 2012. The journalist said the men roughed him up, injuring his left arm, damaged his camera and took him in a police car to the station, where they detained him for about nine hours. The police accused him of assaulting and obstructing police officers, resisting arrest, and crossing a highway in an illegal area.

Attacked

***James GITAU:** journalist for the *Kenya News Agency*. He witnessed the arrest of Suleiman Mbatiah's (see above) arrest on March 13 2012 along with another journalist. He said that they were roughed up by the police and threatened with arrest. Afterwards they went to Nakuru's Central Police Station to demand Mbatiah's release, and he was released later that evening.

Threatened/In Hiding

Robert WANYONYI: journalist with the *East African Standard* received death threats in early December 2011. He had been reporting on a series of extra-judicial killings in Bungoma County. These killings involve the local Provincial Administration and the local police who clashed with villagers over a theft at a coffee shop. Seven people were killed in the violence that followed, and Wanyoni escaped the scene in his car. He told PEN International that he has evidence showing police murdering civilians. In January 2012, Wanyoni was still in hiding and was continuing to receive threats.

***Osinde OBARE:** reporter for the private daily *The Standard*, was threatened in April in connection with two stories he wrote. On 8 April 2012 he received a telephoned threat in connection with a report on a police raid on a market in Kitale which had allegedly been selling fake maize seeds. On 5 April a local District Commissioner allegedly made a death threat to Obare during a phone call. Obare had written that the Commissioner had allegedly stolen food aid intended for the poor in Pokot South District, Western Kenya. Obare also says that he has been followed by unidentified individuals. He is now in hiding.

Case Closed

Francis NYARURI: journalist for the independent newspaper *Weekly Citizen* (under the pen name Mong'are Mokuua), disappeared on 15 January 2009 and was subsequently found murdered. Nyaruri left his residence in Nyamira, western Kenya, on the morning of 15 January and travelled 30km to Kisii to purchase construction materials. His wife spoke to him later that morning; that was the last time he was heard from. His family reported his disappearance to the Nyamira police but it is understood that no missing person's report was circulated to other police stations or to the provincial headquarters. Nyaruri was found decapitated two weeks later, on 29 January 2009, with his hands bound and with marks on his body in Kodere Forest near Nyamira. Prior to his disappearance, Nyaruri had written a series of articles exposing financial and other malpractice by the local police department. The last article he wrote, which appeared two days before he disappeared, implicated local police in a public transport racket. He had reportedly received threats from police officers in the area as a result of the articles and had reportedly told friends and colleagues that he feared

for his life. A team of senior police officers was reportedly sent to Nyamira to investigate the murder. **Investigation:** On 8 June 2009 it was reported that two key witnesses, Nyaruri's family lawyer and a policeman, had had gone into hiding after receiving death threats. The lawyer had been pushing for the arrest of Nyaruri's suspected killers; the policeman had been providing protection to the lawyer and had been instrumental in the arrest of two key suspects. The threats warned them to drop the case. It is suspected that senior policemen from Nyamira may have masterminded the murder and be responsible for attempting to stall the investigation. The police officers in charge of investigating the murder had also received repeated threats; one of them reportedly filed a complaint to the police commissioner but this apparently caused the threats to intensify. As of 21 September 2009, one suspect, a member of a local gang, was reportedly facing murder charges, but the other, a taxi driver, had been released without explanation and had not been seen since. On 24 February 2010, it was reported that a suspect had been arrested in Kisii and transferred to Kisumu, where the case is being handled. Police said the suspect, a member of the Sungu Sungu group which is suspected to have been hired to kill the journalist, had been identified shortly after the killing but had gone into hiding. **Recent information:** The murder trial was reportedly postponed again on 4 November 2010. The judge investigating the case disqualified himself from the trial of the two suspects, stating that it was his last day hearing criminal cases and he could not initiate a new case despite the presence of five witnesses in court, including a key former police investigator into the murder, Robert Natwoli, who arrested the suspects. Despite being a crucial witness, Natwoli has not been given an opportunity to testify. He said he had left the police force that year after harassment and intimidation from fellow officers. No further information at 30 June 2012: case closed.

LIBERIA

On Trial

***Alfred F. SEBAH, Helroz ZORLEH:** managing editor and news editor respectively of the *Independent* newspaper, were, along with the paper's Board of Directors, called to appear in a civil court on 24 February 2012, to answer a libel suit against the paper. Former Senator of River Gee County, Nathaniel J Williams, the plaintiff, claims that the paper libeled him in an article published on 7 February 2012, entitled Nathaniel Williams Evicted for Owing 4 Months' Rent." The plaintiff is seeking US\$5 million.

Brief Detention

***Edward MORTEE:** editor of the *National Chronicle*, was arrested and held at the Monrovia Central prison for a few hours on 12 January 2012. The reason for his arrest was a complaint made by the Chief of Highway Patrol of the Liberia National Police, Victor Gboyah, over an article alleging that Gboyah was involved in an arrest at the Hotel Africa suburb of Monrovia. Gboyah had denied the newspaper story and called for a retraction, something the *National Chronicle* failed to do.

***Charles YATES and Francis NAH:** respectively, journalists for the *Inquirer* newspaper and the *Liberia Times.com* were briefly detained on 25 March 2012 on orders of the Acting City Mayor in Monrovia, Mary Broh. The mayor had been attending a road cleaning exercise and had ordered that no commercial motorbikes use the stretch that she was inspecting. The journalists questioned her and suggested that she did not have the legal powers to divert traffic, and she ordered her personal police escort to arrest the two men. They were thrown into the back of a pick up van. The local police chief intervened and released the journalists.

Attacked

***Mae AZANGO (f)**: reporter for the daily *FrontPage Africa* and the news website *New Narratives*, went into hiding in early March 2012 after receiving several threats for an article she published on 8 March 2012 about Liberian tribes practicing female genital mutilation. “They left messages and told people to tell me that they will catch me and cut me so that will make me shut up,” Azango told CPJ. “I have not been sleeping in my house.” Her newspaper has also received threatening calls. Liberia’s deputy police director, Al Karley, told CPJ that the investigators would look into the threats.

MALAWI

On Trial

***Clement CHINOKO**: journalist with one of Malawi’s major publishing houses, Blantyre Newspapers, was arrested on the evening of Saturday 26 May 2012 for writing a story that appeared in *The Sunday Times* on 20 May 2012. The story stated that two women from Malawi’s southern city of Blantyre were engaged to be married. According to reports, a Police spokesperson for the southern region confirmed the arrest saying Chinoko has been charged with “conduct likely to cause breach of peace” and that he would be taken to court soon. He alleged that the article was fabricated. The journalist was still in custody 48 hours his arrest. PEN is seeking an update.

Threatened

***Gregory GONDWE**: freelance journalist was allegedly verbally threatened on 5 March 2012 by the Information and Civic Education Minister, Patricia Kaliati, following an article published by online news site Biz Community, and which Gondwe himself shared with Malawian journalists on a dedicated and exclusive e-mail discussion forum moderated by the Media Institute of Southern Africa’s Malawi Chapter (MISA-Malawi). The journalists received a series of calls from the minister, starting at 5AM, in which she told him that she had journalists monitoring the forum and reporting back to her. She allegedly accused Gondwe of having a vendetta against her and reportedly abused him verbally and said that it would be the last time he ‘stepped on her toes.’ The article in question told of the Malawi government’s dismissal of a cabinet assessment report published by *The Sunday Times*, a prominent newspaper in Malawi. Kaliati had received a poor rating in the report.

***Anthony KASUNDA**: Chairperson of the Media Institute of Southern Africa (MISA) Malawi Chapter, and media analyst at National Publications Limited, received threats via text message on 11 March 2012 from unknown people over the chapter’s stance on the Malawi government’s repeated attacks on the media.

MALI

Detained

***Habi BABY**: editor of the newspaper *Caravane*, was arrested by soldiers on 12 June 2012, exactly a month after his previous arrest by State Security. The soldiers went to his Bamako home at around 8:30 p.m. and took him away to an unknown location. His latest arrest came one day after the monthly *Aujourd’hui-La Résistance* published an article by Baby in which he gave a detailed description of his previous arrest. He said State Security claimed he had been “promoted to minister of Azawad,” the northern part of the country now controlled by various rebel groups. He described the claim as “false” and attributed it to his Arab origins. After criticizing State

Security’s activities, his article ended with condemnation of the conditions in which prisoners are held. “We have to talk about it,” he wrote. “Horrible things go on in these secret locations - isolated cells, terrifying dark corridors in which you hear awful screams and calls for help.”

Attacked

***Abdramane KEITA**: managing editor of privately-owned bi-weekly *L’Aurore* newspaper was violently attacked by unknown armed men in the capital Bamako on the 2 July 2012. The men accused him of ‘causing confusion in the country.’ Keita’s assailants reportedly also abducted him and abandoned him at Senou, a town located in Bamako after seizing all his possessions including an unspecified amount of money. The editor had gone to meet a supposed informer who had promised to give him information about the conflict situation in the north of the country. According to reports, the supposed informer took the victim to a nearby place and immediately a pick-up truck pulled up with masked men who stepped out of the vehicle, forcibly pushed Keita in and sped off.

MAURITIUS

Imprisoned: Main Case

***Dharmanand DOOHARIKA**: editor-in-chief of the private weekly *Samedi Plus* was sentenced to three months in prison on 20 October 2011, owing to stories he ran in the newspaper reporting corruption allegations made about the judiciary. Dooharika is in the main prison in the town of Beau-Bassin. The conviction stems from press coverage in July and August 2010 of the activities of a businessman and disbarred lawyer, who represented a car leasing company in a fraud lawsuit against the local subsidiary of the United Kingdom-based global financial services provider Barclays. The Supreme Court ruled against him. He then made public allegations of partiality against Supreme Court Chief Justice Bernard Sik Yuen. In response to the accusations, the chief justice asked the Mauritian president to take steps to sanction the businessman/disbarred lawyer, according to news reports. The government’s Director of Public Prosecutions then brought complaints against *Samedi Plus* for covering the remarks. In its complaint against Dooharika, the Director of Public Prosecutions cited an August 14, 2010, editorial that suggested the allegations against the chief justice should be given credence. *Samedi Plus* devoted extensive coverage to the case and the allegations, including the front page, the complaint said. The director accused the journalist of “publicly scandalizing the Supreme Court,” “bringing the administration of justice into disrepute,” and “thereby committing a contempt of court.” Shortly after the announcement of the verdict Dooharika reportedly suffered a stroke and was hospitalized under police guard. **Update**: According to reports, the editor’s lawyers made a request to appeal before the Privy Council in May 2012, seeking to suspend the sentence. This request was rejected.

NIGERIA

Detained

***Gbenga SHOYELE, Wahab ABDULLAH, Paul DADA**: journalists for the *Nigerian Compass, Vanguard* and *Leadership Newspapers* were detained and beaten alongside other TV journalists on 4 April 2012, allegedly on the orders of a magistrate at Ikeja Magistrate’s Court. The journalists were at the court to cover the verdict on a coroner’s inquest into the cause of deaths resulting from a series of accidents in Lagos in 2010. According to reports, the reporters got into an argument with a

prosecutor who had ordered that they leave the premises. The journalists were arrested and taken to Ikeja Police Command. They were allegedly beaten and then released.

Briefly Detained

***Oluwole ADEBOYE, Patience OGBO, Emmanuel OSHODI, Benjamin EZEAMALU, Eniola AKINKUOTU, Albert AKPOR, Wisdom PATRICK:** journalists for, respectively, *The News* magazine, *Daily Times Online*, *The News*, *Premium Times Online*, *The Punch* newspapers, Vanguard newspapers and the *Daily Independent*, were briefly locked in an office for 15 minutes on 3 May 2012 by an assistant to the Special Fraud Unit Police Commissioner. The seven journalists turned up at the police Special Fraud Unit in Lagos, to interview the former state governor and current parliamentarian, Bukola Saraki, whom police had summoned to respond to allegations of involvement in a multimillion dollar fraud. Police officials directed the journalists to the office of the police spokesperson, Ngozi Isitume, in an adjacent building. But as the politician emerged, preparing to leave, the personal assistant to SFU Commissioner of Police Tunde Ogunsakin rushed to the office door and reportedly locked the journalists inside together until Saraki and his entourage departed.

Death threat

***Ahmad SALKIDA:** an independent journalist who has extensively covered the conflict between the government and Islamist sect Boko Haram. He began receiving threats, according to a CPJ report, in early 2012. Salkida claimed that the threats came from government security agents in connection to his contacts with Boko Haram. Salkida has been reporting on the activities of Boko Haram since mid-2006. In July 2011, death threats coming from individuals identifying themselves as Boko Haram members forced Salkida to relocate from his home after he published a story on Boko Haram's first suicide bomber.

Harassed

***Abubakar Adam IBRAHIM:** journalist with the *Daily Trust* was denied a visa to enter South Africa in March 2012. He was supposed to visit the country at the invitation of the Caine Prize Committee was billed to attend a workshop in Johannesburg. He reportedly had all his papers in order. There has recently been a row between South Africa and Nigeria which has seen 125 Nigerians denied entry into South Africa due to allegations of faked yellow fever vaccination certificates.

RWANDA

Imprisoned: main cases

Agnes UWIMANA (f) and Saidati MUKAKIBIBI (f): respectively editor and assistant editor/ reporter of the now-defunct independent weekly tabloid newspaper *Umurabyo*, are serving long prison sentences on charges of sedition, inciting public disorder, ethnic "divisionism" and promoting genocide ideology. The charges were based on a series of articles that were critical of President Paul Kagame. **Details of arrests:** Uwimana was arrested on 8 July 2010 while Mukakibibi was detained the following week, allegedly for comparing the President with Adolf Hitler. The authorities denied that the journalists' arrest was linked to elections scheduled for August 2010. *Umurabyo*, which rose to prominence in April 2010 following the government's closure of leading private newspapers *Umuseso* and *Umugizi*, had in its recent editions raised questions about a number of sensitive topics, including the murder of

journalist **Jean-Léonard Rugambage** (see above), the fallout between Kagame and two now-exiled military leaders, as well as reports alleging extravagant government spending on luxury aeroplanes. **Sentence:** On 4 February 2011, Uwimana was sentenced to 17 years in prison and Mukakibibi to seven years. According to Amnesty International, Uwimana acknowledged that some of her articles may have lacked professionalism. However Amnesty also said that the government had failed to adequately demonstrate how the articles could be interpreted as a threat to national security or were intended or were likely to incite violence. Both journalists are detained in a prison in Kigali. At 30 June 2012, both women were still in prison and in ill health. **Background:** In June 2010, the chairman of Rwanda's Media High Council Board accused Uwimana of publishing "defamatory articles and falsehoods" in an article that suggested that all Rwandans were both victims and perpetrators of the 1994 genocide. In 2007-08, she served a one-year prison sentence on charges of ethnic divisionism and libel after she published an opinion piece on ethnic violence in Rwanda. [RAN 06/11]

SENEGAL

Attacked

***Aminatou AHANE (f) and Adama Aidara KANTÉ (f):** female reporters with Senegalese daily *le Populaire* were allegedly assaulted by the police on 27 January 2012 during the dispersal of political protests that occurred during the presidential campaign.

***Malick Rokhy BÂ:** Agence France-Presse correspondent, was allegedly assaulted by police, while covering the presidential elections and connected protests. On 27 January 2012, two police officers beat Bâ during the violent dispersal of protests in the capital Dakar.

***Bocar DIENG:** a correspondent for private media group Walfadjiri in the central town of Fatick, claims that he was assaulted on 26 February 2012 by a pro-President Wade group over a report on alleged ballot stuffing on election day.

Suspended Sentence

***Mamadou Biaye and Mamadou Ticko Diatta:** editor and reporter respectively for the private daily *Le Quotidien* were handed suspended three-month prison terms on 17 January 2012 over a story alleging that the deputy mayor of the district of Goudomp (280 miles southeast of Dakar), had links to armed separatists of the Movement of Democratic Forces of Casamance (MFDC).

SOMALIA

Arrested/Beaten

***Mohamed ABDIRAHMAN:** journalist for the local news site Subulahanews in the semi-autonomous republic of Somaliland. He was arrested on 21 February 2012 and beaten up by police whilst in custody. Abdirahman was detained in the northwestern town of Borama, and was allegedly accused of publishing a false story that claimed Ethiopian separatists with the Ogaden National Liberation Front had settled in the northwestern town of Lughaya. Whilst in custody, Abdirahman was beaten with sticks and the butt of a gun until he lost consciousness, according to local journalists. Police took the journalist to Borama Hospital, where he was treated in the intensive care unit for his internal injuries. He was later moved to Hargeisa Hospital so he could receive more advanced treatment. It is unclear if he has been released from custody.

Detained

***Abdullahi Hussein DARWISH:** journalist for Waaheen newspaper in northern Somalia was arrested on 24 April 2012 and was accused of ‘spreading false news’. PEN is seeking more information.

***Mohamed Abdi HASSAN (nicknamed “Boosh”) and Hassan Oman HASSAN:** respectively reporter for the online publication *Ramaas News*, and reporter with the independent newspaper *Ogaal*, were arrested on 20 February 2012 in Hargeisa by Somaliland police. Police allegedly accused the journalists of “spreading false news,” a standard charge made by the authorities for the publication of news they do not like.

Brief detention

***Mohamed OMAR:** journalist for independent newspapers *Sahafi* was arrested on 11 January 2011 in Boorama, Awdal region. He was released on 12 January, without knowing the reason behind his arrest.

SUDAN

Imprisoned: Investigation

Jamal Osman HAMAD: Eritrean journalist and editorial writer for the opposition website www.adoulis.com, was detained by Sudanese security forces in Khartoum on 24 October 2011. He is being held at an unknown location in the capital and since his arrest friends and family have not been able to obtain any news of him. Hamad has worked in Sudan for a number of years and is known for his criticism of President Afeworki and for his articles on the political situation in the Horn of Africa. No further news at 30 June 2012.

On trial

Abuzar AL-AMIN: deputy editor of the opposition daily newspaper *Rai al-Shaab*. **Date of arrest:** 16 May 2010. **Sentence:** one year. **Expires:** 3 July 2011 – remains detained for further investigation. **Details of arrest:** Al-Amin was arrested along with *Rai al-Shaab* reporter and political editor **Ashraf Abdelaziz** and **Altahir Ibrahim** (known as Abo Jawharah) during a raid by the National Intelligence and Security Services (NISS) on the newspaper’s offices in Khartoum on 16 May 2010. NISS agents confiscated equipment and copies of the latest issue of the paper and closed the newspaper down until further notice. Two other *Rai al-Shaab* employees were reportedly also arrested. All three journalists were detained incommunicado. **Charges:** On 25 May 2010, Al-Amin was charged with “undermining the constitution,” “terrorism and espionage,” “publishing false news,” “undermining the prestige of the State” and “inciting sedition”, crimes that can carry the death penalty. **Trial/ sentences:** The trial of the three journalists began on 11 June 2010. On 15 July 2010 they were convicted of “undermining the constitutional system” and “publishing false information”. Al-Amin was sentenced to five years in prison while Abdelaziz and Ibrahim received two-year sentences. A fourth *Rai al-Shaab* reporter on trial, **Ramadan Mahjub**, was acquitted. The court also ordered the newspaper’s closure and the seizure of all the assets of the company that owns it. Both Abdelaziz and Ibrahim were subsequently released on 6 February 2011 after their sentences were reduced on appeal (see below). **Allegations of torture and ill treatment:** During his initial detention, **Al-Amin** was reportedly tortured and otherwise ill treated by NISS agents, including being given electric shocks. When his family was allowed to visit him five days after his arrest, he was injured and complained of back pain, blood in his urine and insomnia. Ibrahim was also reportedly tortured and ill treated. **Further charges:** In May 2011, Al-Amin’s prison sentence was reduced from five

years to one year, meaning he should have been released on 3 July 2011. However, in late June 2011 prison officials informed him that he would instead be transferred to the custody of State Security Prosecution for further investigation. Two new complaints have been brought against him by the NISS. The first relates to articles written for *Rai al-Shaab* before his imprisonment, for which he faces the same charges on which he has already been convicted: criminal conspiracy (article 21 and 24 of the criminal code), criminal offences (article 26), attacks on the state aimed at undermining the constitutional system (article 50) and publishing false information (article 66). He is also reportedly facing charges under article 24 of the press law (on the responsibilities of editors) and article 26 (on the duties of journalists). The charge under article 50 of the criminal code carries a possible death sentence. The second complaint was lodged by a security officer whom Al-Amin claimed had tortured him during his pre-trial detention in May 2010. The officer says that Al-Amin inflicted “grievous bodily harm” upon him. According to Al-Amin’s family, the journalist was simply defending himself. The torture allegations were denied by the security forces and were reportedly never investigated. Al-Amin is being held in Kober Prison in Khartoum, which is notorious for its abusive treatment of detainees. **Background:** The raid on *Rai al-Shaab* was apparently triggered by a 14 May 2010 article alleging that Iran had built a weapons factory in Sudan to supply insurgents in Africa and the Middle East. The ruling National Congress Party dismissed the report as false and a scheme by the opposition Popular Congress Party (PCP) - which publishes *Rai al-Shaab* - to damage relations between Sudan and the United States. The day before the raid on *Rai al-Shaab*, the authorities had arrested the PCP leader Hassan al-Turabi, who is a vocal critic of President Omar Hassan al-Bashir, accusing al-Turabi of “stirring up hatred, disseminating malicious lies and abuse of Sudan’s foreign relations”; he was released without charge on 1 July 2010. There were further raids on several other newspapers on 19 May, including on another opposition newspaper, *Ajras Alhurria*, which was ordered to remove an article on the journalists’ arrests, among others. Sudanese President Omar al-Bashir, accused of war crimes and crimes against humanity in Darfur, was re-elected in national elections in April 2010. According to rights groups, the election process was seriously flawed and marred by widespread repression and human rights violations. *Rai al-Shaab* was suspended for one year on 6 February 2011 following the hearing at which the sentences against Abdelaziz and Ibrahim were reduced. **Other details:** Amnesty International considered Al-Amin, Abdelaziz and Ibrahim to be prisoners of conscience, detained solely for expressing their opinion without advocating violence. [RAN 36/10 and updates] **Released:** Al-Amin was released on bail on 22 August 2011; however the new charges brought against him have not been dropped at 30 June 2012. As a result, he still faces the death penalty if found guilty.

Detained

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

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

***Abdelmoniem RAHAMA:** writer, artist, activist, and former state adviser on cultural affairs, was arrested on 2 September 2011 as part of a series of mass arrests that took place around the end of August. He was arrested by national security officials in Damazin, Blue Nile. **BACKGROUND:** Armed conflict between government and armed opposition broke out in Southern Kordofan on June 5 and spread to Blue Nile on September 2, when President al-Bashir declared a state of emergency and dismissed the state's governor, Malik Agar, who is the head of SPLM-North, and replaced him with a military commander. The two states, which lie north of the border with South Sudan, are home to historically marginalized populations with longstanding links to the former rebel SPLM, which is now the ruling party in South Sudan. Sudanese authorities have cracked down on the Sudan People's Liberation Movement-North (SPLM-North) - the successor to the southern SPLM party that shared power with the ruling National Congress Party (NCP) until the South's independence. Authorities have arrested hundreds of suspected party members, banned political parties, and restricted media coverage. The clampdown started when a new conflict broke out between Sudanese forces and armed opposition groups on the northern side of the border with newly-independent South Sudan. **UPDATE:** According to an Amnesty International report in December 2011, Rahma was been convicted on unknown charges and **sentenced to death**. PEN is seeking further information.

Brief Detention

Ali Zain AL ABIDEEN: rights activist known for his critical opinions of the Sudanese regime. He arrested on 20 February 2012. Reports indicated that he was arrested following the publication in the daily paper *Al Tayar* of an article in which he was critical of the government. He was held in prison and released on 4 March 2012.

Tried/Briefly Detained

***Faisal SALEH:** independent journalist was arrested on 8 May 2012 by the National Intelligence and Security Services (NISS) who took him to an unknown location where he was denied access to his family or a lawyer. His condition is unknown. On 25 April 2012 Saleh was summoned for questioning by the NISS after he made comments about President Omar al-Bashir during an interview with Al-Jazeera. On 31 May 2012 Saleh was acquitted on a charge of refusing to cooperate with the authorities. He is due to appear in court on another unknown charge on 11 June.

***Salma EL-WARDANY (f), Maha EL-SENUSS (also spelt Maha El-Sanusi), Simon MARTELLI:** respectively an Egyptian business reporter for Bloomberg and co-founder of the Egyptian daily news website Aharn Online, a Sudanese blogger and contributor to citizen media website Global Voices Online, and a British reporter for Agence-France Presse. All were detained briefly during mid June 2012 and interrogated by the Sudanese authorities while covering recent protests against rising fuel prices in Khartoum. El-Wardany and el-Senuss were taken to the office of the National Intelligence and Security Services (NISS), and released after a few hours. Authorities deported el-Wardany on 26 June. Martelli was detained for 12 hours and released without charge.

Case Closed

***Fathia TINGA (f):** journalist with *Al-Midan* newspaper, was arrested along with six other *Al-Midan* reporters during a raid on the newspaper offices by security forces on 3 February 2011 (see below). The arrests followed the paper's coverage of street protests on 30 January 2011. The six other journalists have since been released; PEN is seeking to determine whether or not Tinga is still detained. Her whereabouts were unknown as of March; no further news as of 30 June 2012: case Closed.

Omar AL-GERRAI and Abdullah SHAIKH: journalist and editor with the pro-opposition daily newspaper *Ajras al-Huriya*, were put on trial on 8 March 2011 for writing an article titled "Rape...under Sharia Law". The article also looked critically at the Sudanese justice system and the tens of thousands of detainees that have been subjected to it. On 29 May, prosecutors charged Al-Gerrai and Shaikh with defamation in a North Khartoum court; the trial was adjourned till 21 June 2011. According to Sudanese human rights groups, seven separate complaints have been filed against Shaikh by the National Intelligence and Security Service, the military and other organs of the state. No further news as of 30 June 2012: case closed.

Nahid AL-HASSAN (f): a doctor who has frequently written for the pro-opposition daily newspaper *Ajras al-Huriya* about torture and other forms of abuse that occur in police custody, is being prosecuted for writing about the case of Sofia Ishag, a Sudanese woman who was raped. Al-Hassan was scheduled to appear in court to defend herself against undetermined charges on 6 July 2011. No further news as of 30 June 2012: case closed.

SWAZILAND

Case Closed

Bheki MAKHUBU: editor of the privately-owned magazine *Nation*, was charged with criminal defamation on 14 December 2010 in a case brought by the Attorney General. The case, postponed until May 2011, stems from two articles published by the magazine in February 2010. The first criticized a judgment by a High Court full bench on a political case brought by progressive groups, and the other criticized the Chief Justice for a speech in which he referred to himself as a "makhulu baas", slang for "big boss". Makhubu denied that the articles he was charged for constituted contempt of court or criminal defamation. No further news as of 30 June 2012: case closed.

TANZANIA

On Trial

***Absalom KIBANDA, Theopil MAKUNGA, Samson MWIGAMBA:** respectively senior editor of daily tabloid *Tanzania Daima*, senior editor at Mwananchi Communications, and feature writer, were charged on 8 March 2012 with sedition. The charges relate to an article published on 30 November 2011, which the prosecution said was published "with intent to excite disaffection against the lawful authority of the United Republic of Tanzania." Kibanda and Mwigamba pleaded not guilty to the charge and are all out on bail. The case was adjourned to 26 March 2012. The charge against Makunga was read in his absence. Apparently, another charge was also added to those against Makunga, but it could not be read in court as he was in absence. PEN seeking further information.

Detained

***Ananilea NKYA (f):** Tanzania Women Journalists Association Director, and 16 human rights activists were briefly detained on 9 February 2012 in Dar es Salaam for allegations of illegal assembly and breach of peace. Nkya said that they had been in their car heading for the hospital to see whether what they asked the government to do during their demonstration the day before was being implemented. The activists had organised a city-wide demonstration on 8 February to pressure the government to respond to the doctors' demands and end a nation-wide strike that has brought medical services in major hospitals to a near complete halt for several weeks.

TOGO

Harassed

***Max Savi CARMEL:** journalist for the regional bimonthly *Tribune d'Afrique* was interrogated by the police for six hours on 9 February 2012 in Lomé. During his arrest, the police reportedly tried to make him drop a story he had been investigating and to reveal his sources. Carmel reportedly has a chronic illness and was allegedly denied his medicine during his detention. A Lomé court suspended the magazine's distribution in Togo in August 2010 for alleged defamation and dissemination of false information.

UGANDA

On trial

Kizito SSERUMAGA, Alex LUBWAGA, Patricia SEREBE: respectively managing editor, coordinating editor and reporter of the Luganda-language weekly newspaper *Gwanga*, were arrested on criminal libel charges on 24 May 2011 after police raided the newspaper's building. They were released later the same day and reported back to the police on 25 May. The raid reportedly came after police received a tip-off that the paper planned to publish materials that could lead to riots and further protests. The police decided to arrest the journalists after recovering materials they considered of possible use for inciting citizens to insurrection. These included copies of a newsletter published by Action for Change, a civil society group that helped organise the ongoing protests against high commodity prices in the country. Police accused the *Gwanga* staff of printing the leaflets and later surrounded the printing press *Gwanga* normally uses. Police also accused the staff of inciting violence by publishing a column on the ongoing economic crisis in the country. No further news as of 30 June 2012.

***Perez RUMANZI:** freelance reporter for the Daily Monitor in Ntungamo District was arrested on 1 May 2012 by the Special Forces Group (SFG) that was responsible for guarding the first lady Janet Museveni. He was detained for 2 days and then released on a bond. He reportedly risks being charged with sedition. SFG claimed that he was interfering with the security of the first lady while he was covering the installation of the members of the South Ankole Diocese synod at the St Matthew Cathedral Kyamate in Ntungamo District, where the first lady was a guest. Update: Rumanzi was released from jail on 24 May on a non-cash bail. He said that he had been beaten three times in jail by other inmates and that he thought that they had been ordered to attack him. He was to return to court on 19 June for a hearing of the case.

Attacked

***Siraje LUBWAMA:** journalist for the independent *Observer* was allegedly beaten up on 28 March 2012 by police officers outside the High Court in Kampala. The journalist had been covering the release on bail of opposition leader Dr. Kizza Besigye (charged in connection with the murder of a police officer). According to Lubwama, he was slapped when police officers saw him taking notes of a conversation between Besigye and another officer. Although he identified himself as a journalist he was repeatedly beaten by a number of officers.

***Anatoli LUSWATA:** a reporter for the private weekly *Eddobozi*. He was beaten by police officers as he was trying to cover the arrest of opposition leader Kizza Besigye at Kira Road Police Station in the capital, Kampala, on March 21 2012. According to local journalists police officers beat Luswata on his back with batons outside the gate of the police station. They said they suspect police attacked Luswata because he was the first to arrive at the scene and there were no other reporters to cover the incident.

Released

Patrick OTIM: freelance journalist for the government vernacular newspaper Rupiny and a radio station in Gulu District, was on trial for treason, but in May 2012 a high court judge ruled that there was no evidence to support the treason charges that were brought against him and ordered his immediate release. **Background:** Otim was arrested by plainclothes policemen from the Chieftaincy of Military Intelligence (CMI) along with seven supporters of opposition political parties in May 2009, while local council by-elections were taking place. He was held incommunicado without charge for more than four weeks, during which time officials denied that Otim was in government custody. The journalist finally appeared in court on 15 June 2009 in response to a habeas corpus application filed by human rights lawyers. He was charged with treason, along with 10 others, for allegedly forming an armed rebel movement named the Popular Pacific Front (PPF) with the aim of overthrowing the government. Two of the 10 other defendants are reportedly former members of the Lords Resistance Army (LRA). Otim's case passed to the High Court on 18 November 2009. On 5 January 2010, it was reported that he was facing a possible death sentence.

Daniel KALINAKI and Henry OCHIENG: managing editor of the Daily Monitor and editor of the Sunday Monitor respectively, were reportedly charged with forgery in August 2009 after the newspapers printed a reproduction of a leaked presidential memorandum. On 7 February 2012, a court in Kampala threw out the case against Kalinaki and Ochieng on grounds that the prosecution failed to produce sufficient evidence to sustain the charge. **Background:** The Monitor had acknowledged some errors in the reproduction of the document (relating to the misspelling of the name of an ethnic group) and published a correction on 4 August.

ZAMBIA

Case Closed

Mwala KALALUKA: reporter with the daily newspaper *The Post*, is on trial for sedition after reporting on events in Mongu, western province (also known as Barotseland), where the Lozi ethnic group is calling for a breakaway. He was arrested on 17 January 2011 and accused of "inciting violence" by discussing Barotseland with the Americans (i.e. giving an interview on Voice of America). Kalaluka had condemned alleged police brutality in the repression of disturbances in Barotseland, during which

two people reportedly died. He was questioned, detained overnight and freed on 19 January. He was scheduled to appear in court on 21 February, but the hearing was adjourned until 23 February as the prosecution was not ready. He reportedly faces a possible seven-year jail sentence or a fine of 1 million Zambian kwachas (about 150 Euros). No further news as of 30 June 2012: case closed.

ZIMBABWE

On trial

Nevanji MADANHIRE and Nqobani NDLOVU: respectively editor and reporter for the newspaper *The Standard*, are on trial for criminal defamation relating to an article on the cancellation of police examinations. Ndlovu was arrested in Bulawayo on 17 November 2010 and released on bail after spending nine days in Khami prison. Madanhire was arrested on 30 November 2010, and was released on bail on 1 December 2010. On 28 February 2011, the presiding judge removed them from remand and granted an application for referral to the Supreme Court submitted by the journalists after the state failed to oppose the application. Madanhire and Ndlovu are being charged under Section 31 of the Criminal Law (Codification and Reform) Act. Section 31 deals with the publication of statements that “undermine public confidence in law enforcement agencies.” No further news as of 30 June 2012; presumably, the case is still pending. **Background:** The charges stem from the publication of a story in the 14 November 2010 edition of *The Standard* that said that police promotional exams were being scrapped to facilitate the absorption of war veterans and retired police officers into the police force ahead of the 2011 elections. Madanhire is also facing another criminal defamation lawsuit relating to a 2011 article about the police’s alleged detention of the minister of state in the prime minister’s office (see below).

Nevanji MADANHIRE and Patience NYANGOVE (f): respectively editor and reporter for the independent weekly newspaper *The Standard* were arrested on 29 June 2011 following the publication of an article by Nyangove about the police’s alleged detention of the minister of state in the prime minister’s office. Nyangove was released later the same day while Madanhire was released on 30 June. Both were released on bail of \$100. On 1 July Madanhire and Nyangove were charged with criminal defamation against the head of the Harare Central Police Station’s Law and Order unit for “publication of false statements prejudicial to the state” and “communicating statements that undermine public confidence in law enforcement agents.” They were expected to return to court on 29 July. Madanhire is also facing another criminal defamation lawsuit relating to a 2010 article on the cancellation of police examinations and again on a November 2011 article (see above and below). **Update:** on 31 August 2011, the Attorney General’s Office decided not to proceed with the charges under Section 31(a) (iii) of the Criminal Law (Codification and Reform) Act. The section criminalizes the “publishing or communication of false statements prejudicial to the State and statements undermining public confidence in a law enforcement agency, the Prison Service or the Defense Forces of Zimbabwe. The State, however, is said to be proceeding with the charge of criminal defamation. No further information at 30 June 2012.

Nevanji MADANHIRE and Nqaba MATSHAZI: editor and reporter for *The Standard* were arrested in mid-November 2011 by Detectives in connection with a story about businessman Munyaradzi Kereke’s medical aid company, Green Card Medical Aid Society. The story alleged that the Harare-based company was facing financial collapse. The two were arrested and detained overnight by police on charges of criminal

defamation and theft of documents from the company. Madanhire and Matshazi were released on US\$100 bail each by Harare Magistrate Sandra Mupindu. They were ordered to surrender their passports, refrain from interfering with witnesses and reside at their given addresses of residence as part of their bail conditions. They were remanded until 20 December 2011 when their trial was expected to commence. Madanhire and Matshazi have both denied ever being in possession of original documents or on the premises of the Green Card Society and have signed warned and cautioned statements denying the charges of theft. No further information at 30 June 2012.

Case Closed

Mzwandile NDLOVU: reporter for *Weekly Agenda*, a news bulletin published by the civil society organization Bulawayo Agenda, was arrested on 10 May 2011 after being summoned to police headquarters in Hwange and was charged with reporting a fictitious story under section 31 of the Criminal Law Code and Reform Act. The charge stemmed from a 23 April article about the Organ on National Healing, Reconciliation and Integration which said that a meeting scheduled to take place between the Organ and a coalition of organizations was cancelled because the main participants had failed to turn up. No further news as of 30 June 2012: case closed.

Brief Detention

***Sidney SAIZE, Andrew MAMBONDIANI, Chengetai MURIMWA and Admire MATENDE:** journalists, were arrested and briefly detained on 9 March 2012 while covering a story on pollution in Nyanyadzi, Manicaland Province. They were released the same day but were ordered back to the station on 10 March, and then again on the 12 March. The charges against them are unknown.

AMERICAS

ARGENTINA

Death Threat

***Hernan LASCANO:** head of crime reporting at the newspaper La Capital, received death threats in March 2012, due to his reporting on the prosecution of a convicted drug trafficker. On 26 March a letter intended for Lascano was delivered to a neighbour by mistake. The letter said: “Be warned: there is a before and an after to covering this issue; you are being judged too, and you will know what it is to lose.” The letter also said that Lascano was being followed and made veiled threats regarding his 13 month old daughter. Lascano has been receiving threats since 2010; the first ones arrived via email and Facebook.

Attacked

***Adrián SUBELZA, Julio MOSLE, Federico MOLINARI, Florencia DOWNES (f) and Ignacio VASCHETTO:** Subelza is a journalist for

the newspaper *Crónica*, Mosle, Molinari and Downes work for for the state news agency *Télam* and Vaschetto of the website *Malvinoticias*. They were attacked on 5 June 2012 in the Malvinas Argentinas district of Buenos Aires. The journalists were covering a demonstration outside the Caludio Zin Hospital over the death of a young girl through alleged medical negligence when they came across a hostile group. The assailants claimed to be supporters of the mayor of the district. A police patrol that arrived at the scene took no action according to journalists who spoke to Reporters Without Borders. Mosle was thrown on to the hood of a police car and beaten with sticks. He lost two teeth and suffered multiple injuries.

Threatened

* **Omar MILLALONCO**: journalist for infoplatense.com and his partner **Lilen MERCADO** (f), a journalism student, were threatened on 13 February 2012 by five armed individuals on motorcycles and wearing hooded tops. Millalongo and Mercado were saying goodbye to friends at the entrance to their home in La Plata, when they were approached by the armed individuals. One of them yelled, “Stop messing around. If you keep talking we’ll shoot you.” They entered the hallway to Millalongo’s apartment and broke a glass in the door, but the journalist and Mercado were able to take shelter inside without being physically attacked. Millalongo said that he did not know why he had been threatened, but that he had reported the incident to the Number 9 police station in La Plata.

Harassed

* **Laura VILCHE** (f): reporter for the daily newspaper *La Capital de Rosario*, in Santa Fe province, was threatened on 15 February 2012 by a group of individuals who were connected with an unauthorized racetrack that she was reporting on, and where a young man had recently died during a race. On leaving the scene in her car, the journalist and her camera man were prevented from driving away by groups of men in other cars who proceeded to intimidate them. Police later arrived and detained those who were harassing the journalist.

BOLIVIA

Killed (Motive Unknown)

* **Verónica PEÑASCO LAYME** (f) and **Victor Hugo PEÑASCO LAYME**: journalists and brother and sister, were murdered on 25 February 2012 in La Paz, Bolivia. Both were strangled. The motive for the killings is unknown, although it has been suggested that they might have been the victims of a gang from El Alto (a neighboring city to La Paz) because of the manner in which they were killed: there have been a number of strangulation attacks in El Alto, the city where both journalists lived. The two were Aymara Indians and reported in their native language. **Update**: On 7 March 2012, two men were arrested as suspects: Félix Yupanqui, nicknamed “El Matón”, and Adalid Mamani, alias “El Botija.” They allegedly led a gang that was known to rob and strangle its victims. A third man is also sought.

On trial

* **Rogelio PELÁEZ**: editor of monthly *Larga Vista*. A judge has sentenced him to two years and six months in jail for the crimes of “defamation, libel and spreading insults” for his use of metaphors in his articles about a lawyer who had collected excessively high legal fees in March 2012. The journalist had used expressions such as “un robo con la ley en la mano” –roughly meaning “using the law to steal” – on the cover page of the paper referring to the lawyer.

Judicial concern

* **Alfonso PRUDENCIO CLAURE**: a columnist and humorist known under a pseudonym ‘Paulovich’ who was given an award (Premio Libertad by Asociación Nacional de la Prensa) for his work in 2008. He was threatened in April 2012 with an offence of “defamation and slander” by an ex-minister Walter Delgadillo for questioning the use of state resources in social housing. Delgadillo was offended by Claure’s satirical column that referred to “social housing that was never built.” This satirical piece was based on an investigation conducted on social housing by an UN representative. The investigation found out that only 5% of the planned 3,757 flats were completed in three years despite the 7.8 million dollars that were invested in the project.

BRAZIL

Killed

* **Paulo Roberto Cardoso Rodrigues** (known as **Paulo ROCARO**): editor of the local daily *Jornal Da Praça* and the news website Mercosul News, was shot to death in Ponta Porá on the night of 12 February 2012. He had been driving home when he was attacked by two armed men riding a motorcycle. They fired at least five bullets into him. Rocaro, 51, reported on politics. According to reports, he had been critical of the local mayor and had publicly lent his support to a rival mayoral candidate. On the night he was killed, the journalist had been returning home after a meeting with the opposition candidate. The killing took place near the Paraguayan border, a region of Brazil known for organized criminal activity and for political corruption. Police are reportedly investigating the crime as a possible contract killing, and are looking into political motives, among others.

* **Mario RANDOLFO MARQUES LOPES**: editor-in-chief of the news website *Vassouras na Net*, was abducted from his home on 8 February 2012 in the city of Barra do Pirai in Rio de Janeiro state (along with his companion). Both were found dead the following day. They had been shot to death. Randolfo reported on local corruption and had survived at least one attempt on his life in recent years. Randolfo, 50, had frequently accused local officials of corruption in articles on his website, according to news reports. His most recent article on his website accused local judges and courts of being corrupt and too powerful. Randolfo had been attacked before. In July 2011, an unidentified gunman entered the *Vassouras na Net* newsroom, in the city of Vassouras, and shot Randolfo five times in the head, which left him in a coma for three days.

* **Décio SÁ**: reporter for local newspaper *O Estado do Maranhão* and blogger at *Blog do Décio*, was shot to death in a bar on 23 April 2012 in what police say was a contract killing. Sá reported on politics and crime. He was shot 6 times in the head and back. According to colleagues at *O Estado do Maranhão*, Sá’s reporting, both for his newspaper and for his blog, had made him several enemies. His blog was one of the most popular in Maranhão. The police arrested seven people in June 2012, including a businessman (a former local councillor), and a police officer. Jhonathan Silva, one of those arrested, reportedly confessed to the killing. Police believe that the motive for the killing was Sá’s reporting, especially his reports on the businessman’s alleged connection to loan-sharking and racketeering. It is unclear whether the others arrested have been charged or released. PEN is seeking an update.

Death Threat

***Cándido FIGUEREDO:** a Paraguayan correspondent for the daily *ABC Color* in the northern department of Amambay, was warned in January 2012 that he was the target of an assassination plot hatched by drug traffickers. He was told of the plot by a special police unit in the neighbouring Brazilian state of Mato Grosso do Sul that was set up to fight organized crime. Figueredo told Reporters Without Borders that he had no doubt who was behind the threat since he had reported in his newspaper on the destruction of two underground routes used to smuggle marijuana and cocaine into Brazil and Bolivia. His home was attacked twice and Figueredo now does not venture out without an armed escort. Four police officers take turns guarding the journalist, which he believes is a necessary but insufficient measure. He is hoping to leave Amambay for a period of time to seek shelter abroad.

CANADA:

Harassed

***Eric-Yvan LEMAY:** reporter for *Journal de Montréal*. Officers of Sureté du Québec (Québec Provincial Police) arrived at his home on March 15 2012 with a search warrant. They seized his computer and some of his clothing, and obtained fingerprints. Lemay published a series of articles exposing the lack of privacy surrounding patients' hospital records in Québec. They included information from, and photographs of, patient files that had been left open in public view. Canadian Journalists for Free Expression believes this raid to be an attempt to intimidate Lemay and other journalists.

COLOMBIA

Imprisoned – Main Case

***Luis Agustín GONZÁLEZ:** journalist for the newspaper *Cundinamarca Democrática* was on 29 February 2012 found guilty by the supreme court of offending the honour of the ex governor of Cundinamarca, Leonor Serrano de Camargo, but was absolved of libeling him. González had been found guilty in September 2011 of both charges earlier, based on an article he wrote in 2008 questioning the political aspirations of the then governor. The article was entitled 'NO MAS!' (No More). The supreme court modified a previous sentence, and González will now serve 18 months and 18 days in prison, with a fine of 17 months' salary.

On trial

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

She says she was not interrogated even once during her three months' detention, and also questions the fact that she was detained in Cucuta when the case has been brought in Cartagena, more than 400 km away. **Update:** Her trial began on 15 February 2012, in Cartagena de Indias. **Possible reasons for arrest:** Gaona's supporters claim the real reason for her arrest is her outspoken support for the demands of a labour union in the district where she lives. Her detention has been linked to that of three other student activists in the region, **Julián Aldoni Domínguez, William Rivera Rueda** and **Aracely Cañaverl Vélez**. The arrests reportedly took place in the context of a wave of attacks against human rights defenders in the Santander region, including attempted assassinations and forced disappearances and death threats, and against informal economy workers affiliated to the Colombian Trades Union Congress (Central Unitaria de Trabajadores, CUT) in Bucaramanga. It is feared that the arrests are intended to silence their legitimate human rights activism. **Trial Concerns:** 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 recordings of allegedly incriminating telephone conversations as evidence against her. Her defence deny that it is Gaona's voice in the recordings. **Background:** Born in Bucaramanga on 21 May 1980, Gaona's poems have been published in anthologies and other print and internet publications in Colombia and abroad. In 2009 she published her first book, *Nacimiento Volátil* (Volatile Birth) (Editorial Rizoma). Until her detention a student of languages and literature at the Universidad Industrial de Santander, Bucaramanga, Gaona is a former organiser of the Medellín International Poetry Festival and in 2001 organised the International Exhibition of Experimental Poetry, also in Medellín. Prior to her arrest, she organised poetry events in Bucaramanga. She is also said to work as a journalist for community media. Gaona is the mother of a young child.

Edinson LÚCIO TORRES: internet journalist (author of the blog "Lucio y sus notas") based in Cartagena, Bolívar, is on trial for allegedly defaming a former senator. The senator sued Lucio Torres for criminal defamation in October 2006 after the journalist reported on his blog and radio programme that the former senator was one of eight people shown to have links with paramilitary groups. Lucio Torres, who is also the Bolívar head of the opposition Polo Democrático political party, reportedly based his comments on reports from national newspaper *El Tiempo*, the regional Ombudsman's Office and a non governmental organisation. The charges against him were admitted on 14 February 2008 and the Prosecutor's Office subsequently ruled that Lucio Torres did not have sufficient proof for his allegations and had slandered the plaintiff. The initial hearing commenced on 19 February 2010, having reportedly been postponed six times. On 26 April 2011 Lucio Torres was found guilty of aggravated defamation and sentenced to 14 months in prison and a fine. He appealed the sentence. At 31 December 2011, Lucio Torres was still waiting for his appeal to be heard before the Tribunal Superior de Cartagena (High Court of Cartagena). No further news at 30 June 2012.

Kidnapped

***Roméo Langlois:** former *Le Figaro* journalist and documentary maker was kidnapped by members of the FARC at the end of April 2012 while he was filming soldiers destroying cocaine laboratories. FARC described him as a prisoner of war and said that he would be released only if the government engaged in public talks about freedom of information. The government said that it will not negotiate with terrorists. The journalist was released a month later on 30 May 2012.

CUBA

Brief detention

***David ÁGUILA MONTERO, Idalberto ACUNA CARABEO, Yosbel RAMOS (f):** independent journalists, were reportedly detained for a short time by police on 6 June 2012 as they tried to report on the arrest of a person in a street in Havana.

***Ernesto AQUINO, Calixto R. MARTÍNEZ and Magaly NORVIS OTERO SUÁREZ:** respectively editor, reporter and correspondent of independent news agency *Centro de Información Hablamos Press*. They complained on 26 June 2012 through a video posted on its website, and Youtube, of an increase in repression of its journalists. Aquino had been summoned by local police on June 11; Martínez was detained on June 16 and June 25, having been warned that if she continued with her journalistic activities and “enemy propaganda” she would be jailed. In the video the director of Hablamos Press explained that since they began two months ago the weekly publication and distribution of a news bulletin “the repression has become even more intense.” Martínez was previously arrested on 10 May 2012 and was held in a police detention centre in Havana, prior to being deported three days later to his home town of Camagüey. This was the 10th time he had been arrested and deported in two years.

***Dania Virgen GARCÍA (F):** Independent journalist, was reportedly detained on 6 April 2012 for nine hours by the police, allegedly in order to stop her attending *Vía Crucis*.

***Billy Joe LANDA LINARES, Yasmany NICLES ABAD (f), José DÍAZ SILVA, Lourdes ESQUIVEL VIEYTO (f), Inés Antonia QUESADA LEMUS (f), Pedro Pablo GARCÍA CÁRDENAS, Leydi Coca QUESADA, Osvaldo RODRÍGUEZ ACOSTA, Javier JIMÉNEZ HERNÁNDEZ, Noslien de la Caridad QUICUTIS GÓMEZ (f), Norley QUICUTIS GÓMEZ, Ignacio MARTÍNEZ MONTERO:** members of the Red Cubana de Comunicadores Comunitarios, were detained on 7 March 2012 and prevented from attending a press workshop in Havana. All were released later the same day except for Yasmany Nicles Abad, who remained in custody. **Note:** PEN has no further information regarding Nicles Abad, but given the current pattern of brief detentions, it seems likely that she was released. However, PEN is seeking an update.

***José NEIRA BLUSÓN, Veizant BOLOY GONZÁLEZ:** journalists, were reportedly detained for a few hours on 19 June 2012 by police in Havana shortly after the journalists had departed a graduation ceremony.

***Roberto VALDIVIA HERNÁNDEZ:** journalist, was reportedly detained by the police in Ciego de Ávila on 11 June 2012 for his activism.

Harassed

***Yoani SÁNCHEZ (f):** dissident blogger, was denied permission to leave Cuba. It is reportedly the 19th time that the government has turned down her request to be allowed to travel abroad. She writes a popular blog that is very critical of the Communist authorities in Cuba. She had been granted a visa to Brazil. Sánchez is a former PEN case. She was reportedly detained and beaten, along with two other writers, by plain clothes security agents in 2009 [RAN 57/09] and was harassed in 2011 (see previous case list).

DOMINICAN REPUBLIC

Harassed

***Guillermo GÓMEZ:** owner of the electronic newspaper *El Siglo 21* and presenter of a current affairs show on *Color Visión*. On 10 February 2012, police confiscated his editing equipment and other items connected to his journalistic activities. *El Siglo 21's* connection to the internet was also suspended. According to police, the motive for the confiscation of equipment was the recent hacking of Margarita Cedeño de Fernández' (the First Lady) email account. The main suspect is Gómez' son, José Ángel. However, Gómez claims that the confiscation was related to a series of recent articles suggesting financial irregularities in Funglode (The Global Democracy and Development Fund), created by the president and managed by his government.

ECUADOR

On trial

Juan Carlos CALDERON: author (with **Christian ZURITA**) of the book *El Gran Hermano* (“Big Brother”) which reveals information about contracts between the brother of President Rafael Correa and the state. On 7 February 2012, an Ecuadorean court ordered the two journalists to pay \$1 million each to President Rafael Correa after finding them guilty of defamation for reporting on contracts the president's brother was accused of having with the state. On 15 February, lawyers for President Correa appealed the sentencing. Some reports suggested Correa might be seeking the full amount of damages originally sought, US\$10 million. Following public advocacy by PEN International and other free expression and press groups, on 27 February 2012, Correa announced that he would withdraw the sentences against the two men. In March 2012, the lawyer representing the two men rejected the pardon, saying that there had been no obligation to pay. According to reports, the trial, which is currently on appeal after receiving a first instance sentence, will now continue. **Background:** the two writers face a lawsuit for “moral damages” filed in a personal capacity by the Minister of Transport and Public Works. The complaint was presented on 25 March 2011. The Minister raised concerns about a caption published with a photograph which mentions her part in the concession of a contract to the President's brother. On 1 September 2010, the authors and their publisher, Editorial Paradiso, received a letter from the Minister demanding that the caption be changed and requesting that the book be withdrawn from circulation or she would take legal action. On 6 and 13 September 2010 officials attacked the authors on state television and threatened to prosecute them. The authors maintain that everything included in the book is true and that their investigation is backed up by evidence. This is the second lawsuit for moral damages faced by the journalists. The President previously filed for a case seeking US\$10 million. In October 2011 Calderon reportedly received a telephoned threat from an unidentified individual who warned him that he “will be next.” Calderón said that a message left on his home answering machine said: “This is where Calderón lives, the arrogant writer. Get ready because it's your turn now.”

***Peter TAVRA FRANCO:** journalist with the newspaper *El Universo*. On 19 July 2011, Judge Angel Rubio ordered the arrest of the journalist and issued a warrant for his home to be searched. Tavra is accused of damaging the “good name, honour and reputation” of Mónica Carrera in a February 2009 article which described her alleged escape from a clinic after she was arrested for human trafficking. According to Tavra, the

article was based on police documents that supported the information. He faces damages of up to US \$10 million if convicted. Tavra had previously been sentenced to six months in prison on 15 January 2010 on defamation charges relating to the article and was ordered to pay US\$3,000 in damages. However, this sentence was subsequently overturned in January 2010. The case has been brought forward again by Carrera's siblings. No further news at 30 June 2012.

Diego OQUENDO: journalist, wrote the editorial "Fregundo la Pita" ('Bothering someone'), which appeared in the daily newspaper *Hoy* on 27 June 2011. On 13 July 2011 President Rafael Correa's lawyer Alembert Vera submitted a request to the prosecutor's office calling for proceedings to be initiated against the journalist. Vera is accusing Oquendo of slander over the editorial, which speculated on the amount of lawyers' fees which could be generated in a lawsuit filed by President Correa against the newspaper *El Universo* (see above). No further news at 30 June 2012.

Death threat

***Orlando PÉREZ:** editor-in-chief and feature writer of the state newspaper *El Telégrafo*, reported in his column on 28 March 2012 that he received several email death threats because of critical comments he made against the political right wing. In the article "Mea Culpa", Pérez affirms that the threats originated after he wrote an opinion piece titled "Cynthia, the mayor?", in regard to Cynthia Viteri, assembly member for the right wing movement Madera de Guerrero. The journalist stated in his article that "the email threat uses adjectives and a foul word, as well as demanding my departure to the other side." The chief editor claims that that have identified the sender; the threats were reported to the police.

Released

Carlos Eduardo PÉREZ BARRIGA, César Enrique PÉREZ BARRIGA, Carlos Nicolás PÉREZ ENRIQUE (co-directors of the Guayaquil-based daily newspaper *El Universo*) and Emilio PALACIO (columnist for *El Universo*): All were sentenced to three years in prison and US\$40 million on 20 July 2011 for allegedly libelling President Rafael Correa in an article published in February 2011. Palacio appealed the ruling, but in September 2011 his appeal was rejected. The paper's directors also appealed. On 8 February 2012 Palacio also made an asylum application in Miami. He said that the criminal libel judgment against him in his homeland showed that he was "being severely punished in Ecuador for expressing legitimate opinions and subjective interpretations of factual events." On 16 February 2012, the Supreme Court upheld the original sentences for all concerned. There were also grave allegations regarding the legal process. On the same day that the Supreme Court upheld the ruling of 20 July 2011, a lower court judge responsible for this original ruling released an affidavit saying that the decision had been written for her in advance by President Correa's lawyer. This judge also alleges that another judge was offered \$750,000 to rule in President Correa's favour. [RAN update #1 to 42/11] Carlos Pérez was granted asylum by the president of Panama on 16 February 2012. On 21 February 2012, the IACHR ordered Ecuador to suspend enforcement of the sentences, pending a hearing between the two parties scheduled for 28 March 2012. Following a public advocacy campaign by PEN International and other press and free expression groups, on 27 February 2012, Correa announced that he would pardon the 4 men and void the fines. **Background:** In March 2011, President Rafael Correa brought criminal libel charges against Emilio Palacio columnist for the Guayaquil-based daily *El Universo*, and the newspaper's co-directors Carlos Eduardo Pérez Barriga, César Enrique Pérez Barriga and Carlos

Nicolás Pérez Enrique over a 6 February 2011 article entitled 'No to Lies'. In the article, Palacio refers to President Correa as "the dictator", and accuses him of wanting to pardon three policemen who were behind an uprising on 30 September 2010 during which several people were killed. He also insinuates that the President may be guilty of crimes against humanity by allegedly ordering troops to open fire on a police hospital where he sought refuge after being attacked by protesters. The President asked the court to sentence each of the defendants to the maximum of three years in prison and to fine them US\$50 million under Article 493 of the Ecuadorian Criminal Code. He also sought US\$30 million in damages from the newspaper's parent company. The trial began on 19 July, attended by the President in person. That day, the co-directors of *El Universo* offered to print a correction drafted by the President, an offer which he rejected despite having previously said he would drop the case if such a correction were published. On 20 July 2011, less than 24 hours after the trial started, the four journalists were sentenced to three years in prison each and fined a total of US\$30 million. The paper's parent company was also ordered to pay an additional US\$10 million in damages. [RAN 42/11 and updates].

Case Closed

Juan ALCÍVAR RÍOS: correspondent of the newspaper *Diario La Hora*, was subjected to multiple legal and physical attacks in the second half of 2010 (see previous case list). The threats and attacks seem to have been related to Alcivar's coverage of the activities of the Mayor of La Concordia. The journalist has been beaten, his property destroyed, and the subject of law suits from public officials associated with the mayor who have accused the journalist of terrorist activities. Alcivar reported that these threats were still ongoing in June 2011. Case closed due to lack of further information.

Víctor VIZCAÍNO LUZURIAGA: internet writer, was arrested in Guayaquil on 3 May 2011 by police officers who informed him that a warrant for his arrest had been issued for the purposes of an investigation. The warrant was issued on 19 April following a complaint filed by a prosecutor of the Pichincha Public Administration's Specialized Unit. Vizcaíno was accused of having offended the State Prosecutor General through material posted on his blog (<http://www.laplegariadeunpagano.com>). He was released on 4 May 2011 pending trial. Case closed due to no further news at 30 June 2012.

EL SALVADOR

Threatened

***Carlos DADA:** editor of the news website *El Faro*. He claims that his staff members have been followed and photographed by unidentified persons after the site reported on a criminal network involving politicians in May 2011. In addition to this, he said a senior government official told the staff that gang members were angered by coverage of alleged ties between law enforcement officials and local gangs, and that they might retaliate. Dada said he suspected the police were following staff members to identify the sources of the article. In May 2011 *El Faro* published an article titled "El cartel de Taxis", which described an organised crime network in northeast El Salvador.

GRENADA

Harassed

***Rawle TITUS:** reporter from the *Grenada Advocate*, was dismissed from his job on 23 March 2012 as a result of political pressure applied to the newspaper because of an article, according to Reporters Without Borders. The newspaper reportedly received letters from the Prime Minister's office complaining about the article written by Titus on 9 March 2012. The article said that the prime minister had selected the ruling National Democratic Congress' candidates for the next general elections without bothering to consult the party's leaders.

HONDURAS

Killed: Motive Unknown

***Erick MARTÍNEZ ÁVILA:** 32-year old Honduran journalist and gay rights activist, was found dead and dumped in a ditch in Guascalule, north of Tegucigalpa, on 7 May 2012. He had been strangled. Martínez was a well-known spokesman for the lesbian and gay rights group Kukulnan and was politically active in Libertad y Refundación, the party of Manuel Zelaya, the former Honduran president who was deposed by a military coup in 2009. The motive is unknown.

Death Threat

***Elvis GUZMÁN:** journalist and spokesman for the public prosecutor in San Pedro Sula claimed on 15 March 2012 to have received death threats from a lawyer working for the children's special prosecutor. Guzmán claims that the lawyer demanded photographic and video evidence relating to a recent police raid, which Guzmán says does not exist. Guzmán claims that there have been three threats.

Threatened

***Dina MEZA ELVIR (f):** journalist and human rights defender who works for the Committee of Relatives of the Detained and Disappeared in Honduras reportedly received telephoned threats of sexual violence on 14 April 2012. In February 2012 she noticed two men taking photos of her while she was out walking with her child.

MEXICO

PEN is monitoring the cases of more than 44 print journalists and writers killed in Mexico since December 2006. PEN's Day of the Dead campaign, which highlighted the 35 killings of individuals and 8 disappearances since 2006, was launched in November 2011. A list of these cases is available on request. The following list gives details of killings from January to June 2012 ('Killed: motive unknown') as well as cases from previous periods where there have been developments during the period January to June 2012 ('Killed: official investigation ongoing').

Killed: motive unknown

***Marco Antonio ÁVILA GARCÍA:** reporter for newspapers *Diario Sonora de la Tarde* and *El Regional de Sonora*, was abducted and murdered on 17-18 May 2012 in Obregon, Sonora State. Witnesses say that he was approached at a car wash by armed men and asked if he was a journalist. After replying that he was, he was then bundled into a waiting truck. His body was discovered dumped on a road hours later. He had been tortured and then strangled to death. Police say that a note,

reportedly signed by a cartel, was found near his body. They have not revealed the contents of this note. According to communications with the Special Prosecutor for Crimes Against Freedom of Expression, the case is being investigated by the attorney general of Sonora. [RAN 26/12]

***VÍCTOR MANUEL BÁEZ CHINO:** crime reporter for the daily newspaper *Milenio El Portal de Veracruz* and editor of the website www.reporterospoliciacos.mx was found dead in a street in Xalapa, the state capital, during the early hours of 14 June 2012. According to reports, Báez Chino was kidnapped by a group of armed men as he was leaving his office late at night on 13 June. His body was later found dumped in a street near where the offices of the newspapers *Oye Veracruz*, *Gráfico de Xalapa* and *Diario de Xalapa* are located. Local and federal authorities have said they believe Báez Chino to be a victim of organized crime. According to reports, the drugs cartel, Los Zetas, are suspected of the murder. [RAN 30/12]

***Guillermo FERNÁNDEZ GARCÍA:** poet and translator, 79, was murdered on 31 March 2012 at his home in Toluca. He was bound up and killed with a blow to the head. Neighbours discovered his body. Nothing was stolen by the killer or killers and the motive for the murder it 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. According to official correspondence with the Mexican authorities, the case has been referred to Mexico's Attorney General. PEN is seeking more information. [RAN 16/12]

***Raúl Régulo GARZA QUIRINO:** reporter for the weekly newspaper *La Última Palabra*, was gunned down on 6 January 2012 by a gang in Cadereyta, state of Nuevo León. He was the first journalist in Mexico to be murdered in 2012. Garza, who also worked for the local government's department of social development, had been driving his car on the evening of 6 January when another car began pursuing him. Although he sought refuge in a garage owned by a relative, Garza was unable to escape, and his assailants shot him numerous times. At least sixteen shots were fired during the attack. So far, no clear motive for the attack has been identified. However, Cadereyta is a hotbed of violent crime; it is a stronghold of Los Zetas, a violent drug cartel implicated in the murders of other journalists. After a preliminary investigation, police are speculating that the killing might have been a case of mistaken identity. [RAN 02/12]

***Regina MARTÍNEZ (f):** journalist for investigative news magazine *Proceso*, was found murdered at her home in the state of Veracruz on 28 April 2012. She had been beaten and strangled. The journalist had reported on drug trafficking and organised crime. According to communications with the Special Prosecutor for Crimes Against Freedom of Expression, the state attorney general of Veracruz is investigating the crime, but the Attorney General of the Republic will also take part. No motive is known, although a possibly link with her writing is being investigated. [RAN 23/12]

***René ORTA SALGADO:** political activist and ex- *El Sol de Cuernavaca* journalist with 20 years' experience, was reported missing by his family on 12 May 2012; his body was discovered dumped in the boot of his car in Cuernavaca, Morelos State, 24 hours later, on 13 May. A scarf had been taped across his face. Reports suggested that he had been strangled. According to the Mexican authorities, Orta had not received any death threats previously. The Morelos State Attorney's Office will be carrying out the investigation into his death. Orta was a vocal supporter of the PRI political party. [RAN 25/12]

***Héctor Javier SALINAS AGUIRRE** and **Javier MOYA MUÑOZ:** journalists and respectively director of local news website Futuro.mx and press spokesman for the city of Chihuahua, were shot to death in a massacre

at a bar in Chihuahua on 20 April 2012. Salinas had worked in radio and was a former press chief for the opposition Institutional Revolutionary Party. Moya Muñoz was a veterinarian, and was chief news officer for a local radio station. The two were killed when gunmen burst into La Colorada bar, demanded to know the whereabouts of particular individuals, and then opened fire, killing 15 people. The motive for the attack is unknown.

Killed: Investigation Underway

***Ana María Marcela YARCE VIVEROS (f)**: founder, reporter and head of public relations of the bimonthly political magazine *Contralínea*, was found dead near a cemetery in a park in a poor neighbourhood of the capital Mexico City on 1 September 2011, along with freelance journalist and former Televisa reporter **Rocio González Trápaga (f)**. Yarce and González, both 48, were reportedly abducted as they left their office in the city centre the previous night and strangled. Their bodies were found naked with nooses around their necks and their hands tied behind their backs. **Investigation:** The Mexico City attorney general's office is investigating the murders. Two men, Oscar Yair Quiñones Emmer and Lázaro Hernández Ángeles, were arrested on 30 September and 1 October, suspected of killing the journalists. A third man is also thought to be under arrest. According to Federal District prosecutor Miguel Ángel Mancera, the motive for the murders was robbery. The two named suspects reportedly confessed they had attacked the two women to rob them of a large sum of money. Yair Quiñones had known Yarce for three years since working as a parking attendant at the offices of the weekly *Contralínea*, which Yarce co-founded. Yarce wasn't involved in any specific journalism projects at the time of her death. González, who owned a currency exchange point at Mexico City's international airport, apparently withdrew a large amount of money on the afternoon of 31 August, reports Article 19. [Printable version](#) According to a letter to PEN from the Mexican Presidency dated 13 September 2011, the case has been referred to the federal attorney general. However, according to another letter from the Special Prosecutor for the Attention of Crimes against Freedom of Expression (FEADLE) also dated 13 September, the case is being investigated by the Mexico City attorney general's office although FEADLE has offered its assistance. [RAN 47/11] **Update:** According to a conversation that members of PEN's delegation to Mexico (January 2012) had with the mayor of Mexico City, the suspects were convicted of the crime. PEN is seeking clarification.

Threatened

***STEPHANÍA RODRÍGUEZ CARDOSO (F)**: reporter for Coahuila-based newspaper, *Zócalo Saltillo*, disappeared with her two-year-old son on 8 June 2012. She had been celebrating Freedom of Expression Day and returned home late. When she did not turn up for work, concerned family went to her home and found it in disarray. Her camera had been smashed and her car was missing. The state prosecutor opened an investigation. The journalist reappeared one week later, very frightened, and has not spoken publicly about her experience. She has been awarded protection by the federal government.

Death threats

***Adela NAVARRO BELLO (f)**: Co-editor of *Semanario Z* received a threat (along with the other journalists at the publication), thought to be from the Arellano Félix Cartel. Navarro made the threat public in her column on 24 February 2012. Navarro said that the threat had come from Melvín Gutiérrez Quiroz ('El Melvín'), a member of the aforementioned cartel and currently on the run from US authorities.

Attacked

***Esteban MARCIAL, Jesús CRUZ PORRAS, Othón GARCIA, Alexander VILLAFañe, Jose LUIS LOPEZ, Connie BALGORRIA (f), Esteban RAMÓN HERNÁNDEZ**: respectively journalists for *Noticias*, the weekly *Proceso*, *Rotativo*, *El Imparcial*, *Diario del Istmo* and *Meganoticias*, were all attacked by police in Oaxaca between 26 February and 5 March 2012. All had been attempting to cover protests. Police beat the journalists and sprayed tear gas onto them while evicting protesters from the streets, despite the journalists identifying themselves as such. Villafañe was hospitalized after the beating.

***Antonio HERAS SÁNCHEZ**: correspondent for *La Jornada*, was attacked by two unknown men on 23 February 2012 in Mexicali, Baja California, following his attendance at two press conferences. At one of these meetings, the ex-governor Eugenio Elorduy (of the PAN party) spoke about accusations made by the PRI about supposed links between his party and narcotrafficantes. When the journalist was on his way home, he was followed by a white Cherokee jeep, which cut him off and made the journalist pull over. The driver of the jeep and another beat him severely. He suffered injuries to his face, ribs, hip and skull. The state Attorney General announced on 14 March 2012 that the attack had nothing to do with the journalist's work.

***Gerardo PONCE DE LEÓN**: director of the website, *Marquesina Política* and columnist for the site (writing under the pseudonym Dr Shivago), was attacked on 10 May 2012 at his office in Sonora. Two men hit him in the face with a piece of pipe and warned him to leave the state. They said they were connected to the Zetas drug cartel. The journalist has said that he doesn't believe that the men came from the cartel. On 16 December 2011, the journalist wrote that he was being pressured by the town hall and mayor of Hermosillo to stop writing about corruption and drug trafficking.

***Rafael SAID HERNÁNDEZ**: journalist and director of the political weekly magazine *Revista Tucán*. He was stabbed on June 24 2012 before entering his house in the city of Oaxaca. He was in a critical condition after receiving a wound close to his artery, which caused an uncontrollable hemorrhage. The police detained three of the attackers but the motive of the attack is still undetermined. The magazine maintains a critical editorial line favouring leftist politics. Recently, the magazine published an article about serious human rights abuses that took place in 1996.

Threatened

***Ricardo ALEMÁN, Carlos MARÍN**: respectively columnist for *La Otra Opinión* and director general of the *Milenio* editorial Group, were reportedly harassed and threatened on the 23 and 27 June 2012 by unknown men.

***Verónica JIMÉNEZ (f)**: correspondent of the newspaper *Reforma*. On 20 June 2012, was threatened while covering a political campaign and was detained by local police for more than an hour by orders of an Institutional Revolutionary Party (PRI) campaign coordinator in the central state of Hidalgo.

On Trial

María de Jesús BRAVO PAGOLA (f) and **Gilberto MARTINEZ VERA**: local journalist and teacher from Veracruz City, respectively. The two were accused of causing panic and circulating false information via social networking sites after they allegedly posted rumours of planned attacks by criminal gangs on local schools on 25 August 2011. The rumours resulted in the temporary closure of several schools. They were

reportedly held incommunicado for more than 60 hours, during which time they were put under severe pressure to make statements admitting their guilt. They were also denied access to a lawyer. If found guilty they could face up to thirty years in prison. No further news at 30 June 2012.

***Arcelia GARCIA ORTEGA (f):** reporter for *Realidades de Nayarit*, is being sued by a politician for libel and slander. If found guilty she faces a prison sentence of between 3 days and 1 year, or a fine of ten days' salary. On 21 July 2011, Garcia published comments made by Ivideleza Reyes Hernández, deputy of the Partido Acción Nacional (PAN), in which Reyes accused Omar Reynoso Gallegos, deputy of a rival party (Partido Revolucionario Institucional (PRI)), of financial embezzlement during his time as state secretary for health. Garcia has written to various government authorities and journalistic organisations denouncing her 'intimidation' by the politician, claiming that in the state of Nayarit, legal charges of libel and defamation are regularly used to censor journalists. She also points out that the comments which she published were also published by other news sources, and yet she and a colleague are the only ones who face charges. Principle 10 of the IACHR's Declaration of Principles of Free of Expression says that 'the protection of reputation of a government worker or public person must be protected only using civil sanctions.' It also says that it must be proved that the journalist/communicator published information with the intention of causing harm, of that they did so knowing that it was untrue. No further news at 30 June 2012.

Harrassed

***Arturo SANTAMARÍA GÓMEZ:** political columnist for the daily newspaper *El Noreste* and professor of journalism at the Universidad Autónoma de Sinaloa (UAS) was allegedly harassed and was also the alleged victim of a smear campaign in January 2012. An anonymous article appeared in the newspaper *El Debate*, accusing Santamaría of 'putting his students' lives at risk' and of being a 'murderer of journalism.' Around this time a number of unidentified men in cars without number plates began driving around the journalist's home and questioning his neighbours. Santamaría believes that these acts of intimidation are linked to his political column, in which he denounced the allegedly corrupt practices of the past UAS administration under Hector Ojeda Cuén Melesio, who is now the mayor of Culiacan, Sinaloa.

Judicial concern

Enrique ARANDA OCHOA: university teacher and writer, has been imprisoned along with his brother, Adrián Aranda Ochoa, since 1996 for allegedly kidnapping the daughter of a politician. **Details of arrest and detention:** Arrested on 25 June 1996, the Aranda brothers were accused of several crimes, including kidnapping and carrying weapons. They were later charged with kidnapping Lorena Pérez-Jácome F., a television presenter and the daughter of an Institutional Revolutionary Party (PRI) politician who has been a senator and presidential spokesman. They were also charged with robbery. The brothers were allegedly tortured while in the custody of the police and Public Ministry and forced to sign confessions. **Sentence:** In August 1997, both brothers were sentenced to 57 years in prison, confirmed in December that year. The allegations of torture were not taken into account. **Torture allegations:** The brothers filed a complaint against the state for torture and abuse of authority. In May 1999, a medical certificate was issued showing that they had been tortured. In 2002, the Human Rights Commission of the Federal District (CDHDF) issued a recommendation calling for those responsible for torturing the Aranda brothers to be brought to justice and that the brothers should be awarded reparations. The recommendation was accepted by the

Attorney General however has yet to be implemented. **Retrial:** Following a retrial, the brothers' sentence was reduced to 40 years in January 2005. This was further reduced to 32 years in March 2007 after the robbery charge was dropped, and in December 2008 to 24 years and six months. As of July 2010, the brothers were hoping to be released on parole (*beneficios de preliberación*). They were still detained in Reclusorio Sur prison in Mexico City as of October 2010. Apparently still imprisoned as of 30 June 2012. **Possible reasons for arrest:** The reasons for the brothers' arrest are not clear. However, Enrique Aranda believes his arrest and conviction were due to his political activism and open criticism of the former PRI administration. When he was initially detained he was questioned about his political activities. He claims that the legal process has been marred by political pressure throughout. **PEN position:** PEN holds no position on Aranda's guilt or innocence. It is concerned by the allegations that he was tortured and calls on the Mexican authorities to implement CDHDF's recommendation. **Background:** Enrique Aranda lectured for several years in political psychology at the Iberoamerican University in Mexico and is a former President of the Mexican Association of Psychologists. Since his imprisonment, he has been a prolific writer, having produced six books of poems, short stories, plays, novels and non fiction, all unpublished to date. His work has reportedly earned him some 11 national awards. Adrián Aranda is an accountant. No further news at 30 June 2012.

PERU

On trial

Melissa Rocío PATIÑO HINOSTROZA (f): poet and university student, is a member of the 'Círculo del sur' (Southern Circle) poetry group in Lima and runs a poetry programme on radio and cultural activities with young people. Patiño (21) is on trial for terrorism, based on her alleged involvement with a leftwing political organization, Bolivarian Continental Coordinator (Coordinadora Continental Bolivariana – CCB), which the Peruvian authorities claim is linked to terrorist groups. She denies any political affiliations and to date no concrete evidence has been produced to back up the charges. Patiño was detained from 29 February to 8 May 2008, when she was released pending trial. She potentially faces 20 years in prison if convicted. **Arrest and detention:** Patiño was arrested along with six others in Tumbes, on the border with Ecuador, on 29 February 2008. The seven were returning by bus from Quito, where they had attended the second congress of the CCB from 24 to 28 February 2008, which was reportedly held with the knowledge and consent of the Ecuadorian authorities. They were subsequently charged with 'Affiliation and Collaboration with Terrorism', apparently on the basis of their attendance at the CCB meeting. Initially detained in Tumbes and the Counterterrorism Division (División Contra el Terrorismo – DINCOTE), on 15 March 2008 Patiño was transferred to Santa Monica maximum security prison in Chorrillos, Lima, where she was held until 8 May 2008. **Background:** The government alleges that the Peruvian chapter of CCB has links with Peruvian Marxist rebel group Movimiento Revolucionario Túpac Amaru (MRTA) and the FARC guerrilla group in Colombia. It also reportedly accused CCB members of planning to sabotage the 2008 Asia-Pacific Economic Cooperation (APEC) meetings in Peru. Two of the six individuals who were detained along with Patiño are said to be former MRTA members; one has served a prison sentence for belonging to the MRTA and since his release has reportedly been organizing workshops and events at the university where Patiño studies (Universidad Mayor de San Marcos, Lima). However, Patiño's presence in the bus carrying

former MRTA members appears to have been circumstantial. She denies that she belongs to or has ever had any involvement in any political groups. She reportedly attended the CCB congress after a colleague at the radio station where she works passed the invitation on to her as he could not himself attend, and her main motivation for attending was the opportunity to travel to Ecuador. **Charges:** According to Patiño's lawyer, the accusations of terrorism against Patiño have been made on the basis of her alleged membership of the Peruvian chapter of the CCB, her attendance of the CCB congress in Ecuador and her participation in a march at the end of conference. During the march, she is said to have partially covered her face and shouted anti-imperialist and pro-socialism slogans, and to have been linked to graffiti criticizing Alan García, the Peruvian president, according to a 13 March 2008 document issued by the Public Prosecutor. None of these activities can be said to amount to terrorist activities. **Conditional release:** On 8 May 2008, after almost two and a half months' incarceration, Patiño was released on bail of 1,000 Soles (approx. \$240) and allowed to return home. Her release is conditional and she remains on trial. Peru's antiterrorist prosecutor, Julio Galindo, appealed against the decision to release Patiño, but this was rejected on 12 September 2008, meaning that Patiño will remain free on bail for the duration of her trial. **Legal process:** According to Patiño's lawyer, in December 2009 her file was forwarded to the chief Prosecutor (Fiscal Superior) who would decide whether or not to go ahead with the prosecution. In early May 2010, it was confirmed that the Prosecutor had decided not to pursue the case. As of July, Patiño's lawyer was waiting for a final decision from the Criminal Court (Sala Penal) and thought that it was "highly likely" that the case would be dropped. **New information:** As of January 2011, Patiño's case was pending before the Supreme Court of Justice, where it had been unexpectedly referred by the Criminal Court in order to validate the latter's decision not to proceed. According to Patiño's lawyer, this turn of events is due to the fact that although Patiño is not being prosecuted, another person arrested at the same time as her, Roque Gonzalez, is due to go on trial. Patiño's lawyer says the delay in Patiño's case is entirely irregular and she has requested that the Criminal Court's decision be implemented as soon as possible. No further news as of 30 June 2012. [RAN 20/08 and updates].

Uri Ben SCHMUEL: editor of the newspaper *La Razon*, was, in July 2011, facing a lawsuit filed by the National Elections Council (Jurado Nacional de Elecciones, JNC). It was claimed that he had failed to include all the technical information associated with a survey printed in the paper. The JNC had controversially amended the requirements for the dissemination of survey result in December 2010. No further information at 30 June 2012.

***Jaime Antonio VÁSQUEZ VALCÁCEL and Jorge Martín CARRILLO ROJAS:** director and editor respectively of Iquitos newspaper *Pro & Contra* said that they received several threatening e-mails from an e-mail account they believe was been created by somebody close to the mayor of Maynas, Charles Zevallos. These threats took place on 13 May 2012 in the Loreto region of northeastern Peru. The emails threatened the journalists that if they didn't stop reporting on the mayor, they would be killed. One of the e-mails even names the *Pro & Contra* director's children. The journalists believe the death threats are a response to the newspaper's critical position regarding the presence of some consultants, officials and a group of powerful businessmen close to Mayor Zevallos. Vásquez Valcarcel and Carrillo Rojas have requested guarantees for their welfare from the Government of Iquitos said they would soon make a formal complaint before the Police and the Public Prosecutor's Office.

Attacked

***Oscar David RODRIGUEZ MARTINEZ:** writer for the newspaper *El Sol de los Andes* in Huancayo, was attacked by two individuals who took his documents and his cell phone on 7 February 2012. The journalist believed the attack to be connected to his reports about a group of police officers who were being prosecuted for their alleged connection to organized crime. Two of the officers have filed lawsuits against him. The incident took place in the Junín region of central Peru. According to the journalist, he had been waiting at a bus stop to return home after work, when one of his attackers distracted him while the other took his belongings. The journalist has been the victim of attacks and harassment since 25 November 2011 when he started publishing the reports about the four police officers. The policemen appear to be connected to a motorcycle-taxi driver gang, as well as car traffickers.

***Ramiro SÁNCHEZ:** editor of local newspaper *El Mercurio* was beaten with batons by police on 5 June 2012 in the city of Cajamarca. He was one of a group of journalists (the rest being TV and radio reporters) who suffered violence at the hands of the police while covering violent protests against a proposed mine in the northern Cajamarca region. The government declared a state of emergency in three of the region's provinces in response to the protests.

Threatened

***Lenin QUEVEDO BARDÁLEZ:** news editor of the digital newspaper *Voces* reported on 26 March 2012 that he had been threatened by police officers who he had written about in connection with a robbery at a mobile phone shop. On 24 March 2012, Bardález wrote in an article that the owner of the shop had reported members of the National Police Criminal Investigations Unit had stolen USB memory sticks from the shop while investigating another theft. Bardález was reportedly told by sources in the police that the officers had admitted to the crime but that they would also take revenge on the journalist. Bardález asked for protection from the Public Prosecutor's Office.

***Rosario ROMANÍ, Esther VALENZUELA (f), Gudelia MACHACA (f):** journalists for the newspaper *La Calle*, were reportedly followed and threatened in January 2012, following publication of a series of reports that involved the regional president Wilfredo Oscurima in the controversial purchase of heavy machinery for the Ayacucho region, in central Perú. The journalists told IPYS that after they published the reports, mass circulation emails were sent in which their reputations were damaged and they were accused of belonging to the terrorist group Sendero Luminoso.

Harassed

***Carlos INFANTE:** editor of the magazine *Con Sentido* in Ayacucho, was reportedly harassed by police in January 2012 (exact dates not known). He said that he had been hassled by police ever since publishing an interview with the Sendero Luminoso member Osmán Morote, who has been imprisoned for his terrorist activities since 1988. After the interview was published, the former defense minister, Rafael Rey, allegedly accused Infante of belonging to Sendero Luminoso and using his position as a journalist to act as a sounding board for terrorism. According to the journalist, Ayacucho intelligence sources told him that the National Anti-Terrorism Department (DINCOTE) was investigating him for the alleged crime of terrorism and that they have even put up photographs of him in their offices, taken by agents who received the order to follow him. The journalist also said that intelligence agents who were inquiring about the magazine's political slant have visited some "Con Sentido" journalists.

Conditional Release/Suspended Sentence

***Roberto MORE CHÁVEZ, Juan Carlos TAFUR:** Chávez, a reporter of the daily *Diario 16* and Tafur, editor of the paper were both sentenced in Lima to two-year suspended prison sentences and a fine of 60 000 nuevos soles (22 200 US dollars) in damages on 6 June 2012. The case stemmed from More's January 2011 article in *Diario 16* that linked a prominent retired general to a family with alleged connections to drug trafficking. More reported in the article that *Diario 16* had accessed a police document linking Gen. Antonio Ketín Vidal Herrera, the country's former Minister of the Interior, to the Sanches Paredes family, several members of whom have been indicted for money laundering, according to news reports. After the article was published, Vidal filed a complaint, saying the report was false and that it had damaged his honour and reputation. The defendants' lawyers denounced alleged procedural irregularities during the trial, including the fact that More and Tafur had been prohibited from testifying in their own defence, according to *Diario 16*.

TRINIDAD AND TOBAGO

Harassed

***Andre BAGOO:** journalist for *Newsday* newspaper. His home (and the paper's offices) was raided by police on 9 February 2012. They police were reportedly searching for unlawfully-acquired information which had been connected to a December 2011 newspaper report on high-level conflict within the country's Integrity Commission. The police had in December sought disclosure of the source of the information following a complaint from Integrity Commission Chairman Ken Gordon. The newspaper refused to cooperate.

UNITED STATES

Detained

***Gavin ARONSEN, John OSBORN, Vivian HO (f), Kristin HANES, Yael CHANOFF, Susie CAGLE (f):** respectively journalists for Mother Jones, Bay Area Reporta, San Francisco Chronicle, ABC News San Francisco, San Francisco Bay Area Guardian and freelance journalist were arrested at Occupy Oakland on 28 January 2012 despite identifying themselves as journalists and despite the Police Department policy that members of the media never be targeted because of their status as journalists. All were arrested while covering the forced dispersal of the Occupy protests, and all remained detained for a few hours, except for Chanoff, who was held overnight.

VENEZUELA

On Trial

Sara Carolina D AZ (f): journalist with the newspaper *El Universal*. On 5 August 2011 Latin American Parliament representative Pedro Lander filed a defamation complaint against Díaz with the Attorney General's office in Caracas, claiming that the journalist was trying to 'damage his image as a public representative'. The charges relate to the publication of an article on 3 August 2011 which described how a passerby in the vicinity of the Federal Law Courts told the journalist that Lander had assaulted a street person. No further news at 30 June 2012.

***Dinorah GIRON (f) and Leocenis GARCIA:** respectively publisher and editor of *Sexto Poder* were charged with 'inciting hatred, insulting officials and offending women,' a criminal offence under Venezuela's

penal code. The charges related to a satirical photomontage published on 20 August 2011, which showed the heads of senior female officials imposed on the bodies of cabaret dancers. García handed himself in to the authorities in the Western city of Maracaibo on 30 August and was immediately transferred to the headquarters of the Bolivarian Intelligence Service (SEBIN). On 1 September 2011 the court decided that García was to be incarcerated pending the start of his trial. García was held in solitary confinement. He was given conditional release in late November 2011. Girón was arrested and released pending trial, although she was required to attend court every 15 days, and was prohibited from leaving the country and from attending public gatherings. No further news at 30 June 2012.

Brief Detention

***Abrahán CARVAJAL and Jesús GARCÍA:** journalists for *Ultimas Noticias* newspaper were briefly detained by members of the Bolivarian Militia (pro-government armed troops) inside the Perez Carreño Hospital, west of Caracas on 8 February 2012. Carvajal said that members of the militia entered the room where they were interviewing a patient, and ordered them to leave and head to the Security Office located in the first floor. The journalists were at the hospital working on a campaign to reduce traffic accidents. The head of security at the hospital, allegedly took away their equipment saying that they had breached security. He forced them to take off their pants because "they were concealing memory cards" in their clothing. The journalists were kept there incommunicado for about three hours, as their mobile phones had been taken away and turned off. They were eventually freed by two officers of the militia who walked them to the exit of the hospital.

Threatened

***Arturo FRANCIS:** a journalist and columnist for *La Prensa de Barinas* newspaper, reported on 9 May 2012, that his family was threatened with being kidnapped. Allegedly, a person close to the regional government of the state of Barinas told him that the government was trying to scare him. Francis says that the threat is due to his reporting of corruption among state officials, including activities in relation to a local construction union.

***María ISOLIETT IGLESIAS (f), Devis RAMÍREZ, Tomás RAMÍREZ, GONZÁLEZ, Luis GARCÍA:** journalists for Caracas-based newspaper *EL Universal*, allegedly received threats from unknown sources in early June 2012, following their coverage of a jail riot. The Venezuelan Attorney General's Office ordered protection for the journalists who had written a series of special reports for *El Universal* on internal conditions in prisons. Their reports were inspired by events at the La Planta jail in the downtown Caracas neighborhood of El Paraíso, where in late April prisoners staged a two-week-long riot, in which nine persons died.

Case Closed

Orel ZAMBRANO: editor of the political weekly *ABC de la Semana* and columnist for the regional daily *Notitarde*, in Valencia, Carabobo state, was shot dead on 16 January 2009. The motive of the crime was not known, although it was thought that Zambrano may have been targeted for a recent article on drugs trafficking (for details, please see previous case list). A former police officer was arrested in 2009 and charged with conspiracy charges related to the murder; in May 2010, he was sentenced to 25 years in prison. In April 2011 it was reported that an agreement had been reached to extradite a number of individuals from Venezuela who are believed to be connected with the killing. Case closed at 30 June 2012 due to no further information.

Gustavo AZOCAR: freelance journalist based in Táchira state, was due to appear before Táchira court on 7 February 2011 on a charge of libelling an army officer in 2004. The case was prompted by an article Azócar wrote for the national daily newspaper *El Universal* on 12 September 2004 about alleged trafficking in identity papers at the National Office for Identification and Foreigners (now the Autonomous Service for Identification, Migration and Foreigners). The libel suit was filed in January 2005 by a colonel named in the article. The colonel subsequently agreed to use his right of reply instead as soon as the defence ministry gave him permission but this has not been forthcoming despite numerous court hearings. If convicted, Azócar could face one year in prison and a fine of up to US\$30,000. **Background:** Azócar spent almost nine months in pre-trial detention in 2009-10 for posting information on his blog about a long-running legal case against him for alleged corruption and fraud in the assignment of a 2000 radio and TV advertising contract. In March 2010, he was sentenced to two and a half years in prison, but was released on parole. An outspoken critic of President Hugo Chávez, Azócar has been active in Venezuela's opposition movement and had reportedly expressed an interest in running for the National Assembly in September 2010. No further news as at 30 June 2012: case closed.

Leocenis GARCÍA: editor of *Sexto Poder* magazine and journalist for the daily newspaper *Reporte Diario de la Economía*, is on trial for allegedly causing damage to property, carrying a gun without a permit and resisting arrest. He was imprisoned for more than two years, from 3 May 2008 to 6 July 2010. It is feared that the case may be linked to his legitimate activities as a journalist. **Details of arrest:** On 3 May 2008, García was arrested along with his assistant and his driver after being accused of causing damage to property at the offices of another newspaper, *El Periódico*, carrying a gun without a permit and resisting arrest. According to his lawyer, García had gone to *El Periódico*'s offices in order to collect payment for an advertisement for an airline (reportedly linked to one of *El Periódico*'s shareholders) that had been published in *Sexto Poder*, and to interview the vice-president of *El Periódico* about one of the newspaper's owner's alleged links to drug trafficking. Initially held at the Intelligence and Prevention Services headquarters (Dirección General de los Servicios de Inteligencia y Prevención, DISIP) in Valencia, Carabobo, García was transferred to Tocuyito prison in Carabobo at the end of May 2008. **Concerns:** García was reportedly beaten and given electric shocks while in the custody of the Carabobo police. There are fears that the case against him may in fact stem from his critical reporting. It is understood that over the year prior to his arrest, García had been investigating alleged corruption at the state-owned petroleum company *Petróleos de Venezuela (PDVSA)*, and was being sued for defamation by an influential businessman who is close to PDVSA and whom García had denounced as having links to drugs trafficking. García denies ever possessing a gun and has stated that he believes his case is political and is being used to send a warning to Venezuelan journalists. His lawyer has alleged a series of irregularities in the legal case against García, including inconsistencies in police statements on how his arrest came about. On 20 May 2010, García's detention was extended by one year, following a request by the Public Prosecutor's Office. His preliminary hearing had been suspended more than 70 times. **Release:** On 6 July 2010, the court ordered García's release after 26 months' detention without trial. According to García's lawyer, the release came as a result of an injunction. García was reportedly transferred to a health centre on his release from prison as he had spent seven days on hunger strike, during which time he had reportedly not received any medical attention. **Trial:** In April 2011, García's lawyer claimed that the judge presiding over the case is biased

against his client and requested that he be replaced. On 10 June it was reported that the judge had eventually agreed to step down after repeated requests. Trial ongoing. No further news as at 30 June 2012: case closed.

ASIA and PACIFIC

BANGLADESH

Killed – investigation

***Jamal UDDIN:** Journalist for the *Gramer Kagoj* daily, based in Jessore. Reportedly killed on 15 June 2012 after being kidnapped from a tea stall at Kashipur Bazar by a group of about ten men. Uddin had been investigating drug-smuggling prior to his death. The authorities have opened a murder investigation.

On trial, free on bail

Mohammad Ekramul HAQUE: Owner and editor of the online newspaper *Sheershanews.com* and the weekly *Sheersha Kagoj*. Was arrested at his home on 31 July 2011, by plain-clothes officers on a charge of extortion which is believed to be fabricated. His colleagues believe that the charge is a reprisal for the newspapers' reports on corruption issues. Haque was released on bail on 25 November 2011. WiPC seeking an update.

Attacked

***Fazlur RAHMAN:** Journalist for the daily *Samakal*, was reportedly attacked on 19 May 2012. Early on the day of the attack, Rahman received a phone call urging him to go to the university campus to obtain information on irregularities in the college; once there, four individuals attacked Rahman with machetes, injuring his right arm.

***Abdullah Al-MAMUN:** Reporter for the daily *Kaler Hantho*, was reportedly assaulted on 15 May 2012. The attacker, a relative of the current Home Affairs Minister, allegedly beat up Al-Mamun for publishing reports on corruption in a humanitarian relief programme.

CHINA

Imprisoned: Main cases

CHEN Wei

D.o.b.: 21 February 1969 **Profession:** Freelance writer and activist. **Date of arrest:** 21 February 2011 **Sentence:** Nine years in prison **Expires:** 20 February 2020 **Details of arrest:** Reportedly arrested on 21 February 2011 as part of a crackdown on human rights defenders and activists across the country, apparently in response to anonymous calls for 'Jasmine Revolution' protests. Formally arrested on 28 March 2011, by the Public Security Bureau of Suining City, Sichuan Province, on charges of "suspicion of inciting subversion of state power" for several essays published online on overseas websites calling for freedom of speech and

political reform. **Details of trial:** Convicted of 'inciting subversion of state power' at a closed two-hour trial on 23 December 2011 for seven passages in four essays criticizing the Chinese political system and praising the development of civil society. **Place of detention:** Detention Center of Suining City, Sichuan Province. **Treatment in prison:** Chen was granted his first family visit in January 2012 after being held for eleven months in prison. **Previous political imprisonment/problems:** Chen Wei was a first year student at Beijing University of Technology in 1989 and was dismissed from the university for his involvement in the pro-democracy movement. In 1999, he was sentenced to 5 years imprisonment on "counter-revolutionary" offences for his involvement in the China Liberal Democracy Party. He is a signatory of Charter 08, a manifesto for democratic reform. (RAN 66/11 – 26 December 2011) **Honorary member of:** Independent Chinese PEN Centre (ICPC).

CHEN XI (aka CHEN Youcai)

D.o.b.: 1954 **Profession:** Freelance writer and prominent human rights activist. **Date of arrest:** 29 November 2011 **Sentence:** 10 years in prison **Details of arrest:** Chen is a member of the Guizhou Human Rights Forum, which was declared an 'illegal organisation' by the Guizhou authorities on 5 December 2011, prior to International Human Rights Day (10 December). At least ten other members of the group were arrested since 28 November but all have since been released without charge. **Details of trial:** Sentenced by a Guiyang court for 'inciting subversion of state power' at trial which lasted less than three hours on 26 December 2011. The speed of the legal process of Chen's case is unprecedented. According to the court verdict, his conviction is based on several quotations from over thirty of his articles published on overseas Chinese websites. He has decided not to appeal the verdict. **Place of detention:** On 17 January 2012 Chen Xi was transferred to the Xingyi Prison, Guizhou province, to serve his sentence. **Treatment in prison:** In early February 2012, Chuen's wife reported that she was allowed to visit him in prison and he has serious frostbite in his fingers. Prison officers refused to accept the extra pieces of clothing she had brought for Chen. **Previous political imprisonment/problems:** Chen Xi has already served a total of thirteen years in prison on "counter-revolutionary" offences for his peaceful activism, three years from 1989-1992 and ten years from 1995-2005. (RAN 1/12 – 6 January 2012)

GUO Quan

D.O.B.: 8 May 1968. **Profession:** Internet writer and activist. **Date of arrest:** 13 November 2008. **Sentence:** 10 years in prison. **Expires:** 12 November 2018 **Details of arrest:** Reportedly arrested at his home in Nanjing, capital of Jiangsu province for 'suspicion of subversion of state power'. At the time of his arrest, the police confiscated Guo Quan's articles and his computer. He was held incommunicado at Nanjing City Public Security Bureau. **Details of the trial:** Guo Quan was formally charged with 'subverting the State power' on 19 December 2008. On 16 October 2009 a court in Jiangsu province sentenced Guo Quan to ten years in prison and three years of deprivation of political rights for his pro-democracy activities and critical writings. Guo was charged for a series of articles entitled 'Herald of Democracy' posted online between mid-2007 and November 2008, and for founding the opposition China New Democracy Party (CNDP). His sentence was upheld on appeal on 25 December 2009. **Place of detention:** Pukou Prison, Nanjing, Jiangsu Province. **Previous political imprisonment/problems:** Guo is a former criminal-court judge and literature professor at Nanjing Normal University, however, due to his political activities he has been banned

from teaching. He wrote several open letters to Chinese leaders and was frequently briefly detained by police, most recently in May 2008 when he spent ten days in prison after criticising the government's response to the 12 May 2008 Sichuan earthquake. (RAN 63/08 – 2 December 2008; Update #1 – 2 November 2009). **Other information:** Recipient of the 2011 Hellman/Hammett award. **Honorary member of:** Independent Chinese PEN, Uighur PEN and Guatemalan PEN.

HADA

Profession: Owner of the Mongolian Academic bookstore and founder and editor-in-chief of *The Voice of Southern Mongolia*. **Date of arrest:** 10 December 1995 **Details of arrest:** Hada completed a fifteen-year prison term for his dissident writings on 10 December 2010 but has apparently not been released. A family source confirmed on 4 May 2011 that Hada's wife and son have also been held since early December 2010, apparently on politically motivated charges. Thought to have been charged on 17 January 2011 but no date has been set for the trial. WiPC seeking further details of the charges. **Health concerns:** Hada reportedly suffers from stomach ulcers and coronary heart disease, and his health is said to have deteriorated significantly as a result of abuse and ill-treatment during his many years of detention. There are serious concerns for his welfare. **Previous political imprisonment/problems:** Hada was arrested on 10 December 1995 for his activities as founder and publisher of the underground journal *The Voice of Southern Mongolia* and for his leading role in the Southern Mongolian Democracy Alliance (SMDA), an organisation that peacefully promotes human rights and Mongolian culture. He was convicted in 1995 of inciting separatism and espionage and sentenced to fifteen years in prison and four years deprivation of political rights. His sentence expired on 10 December 2010, when he was reportedly transferred to another prison in Inner Mongolia. **Professional details:** Hada received a degree in 1983 from the department of Mongolian language and Literature at the Inner Mongolian Teacher's College for Nationalities. In October 1989, he opened the Mongolian Academic Bookstore in Hohhot, the Inner Mongolia capital. The bookstore was closed down immediately after his arrest in 1995, and all the books, research papers and other properties were confiscated as criminal utilities and evidence. Hada, who co-founded the SMDA in 1992, published the organisation's underground journal, *The Voice of Southern Mongolia*. He also published a book, *The Way Out for the Southern Mongols*, which reported alleged ill-treatment of the Mongols of Inner Mongolia at the hands of the Chinese authorities, including mass killings, deprivation of social and political rights, and suppression of Mongol culture. **Other information:** Recipient of the 2011 Hellman/Hammett award. **Honorary member of:** PEN Canada, PEN America and Independent Chinese PEN Centre.

Tursunjan HEZIM

D.o.b.: 1973. **Profession:** Former history teacher and founder of the now closed popular Uyghur history website *Orkhun* (www.orkhun.com). **Date of arrest:** July 2009 **Sentence:** 7 years in prison **Expires:** July 2016 **Details of arrest:** Reportedly arrested shortly after the 5 July 2009 protests in Urumchi, which turned violent after police cracked down on peaceful protesters. Hezim's family was never informed of the charges against him and his whereabouts remain unknown. No official reason has been given for his detention though he is believed to be targeted for his peaceful cultural activism and writings. **Details of trial:** Reported in March 2011 to have been sentenced in July 2010 to seven years in jail by the Aksu district court at a closed trial. According to Amnesty

International, the *Orkhun* website mainly featured scholarly articles on Uyghur history and culture and was an important resource for Uyghur intellectuals and students.

KONG Youping

D.o.b.: 1952 **Profession:** Internet writer and factory worker. **Date of arrest:** 13 December 2003 **Sentence:** 15 years in prison, reduced to 10 years in prison on appeal. **Expires:** 12 December 2013 **Details of arrest:** Kong Youping was reportedly arrested with fellow worker and internet writer Ning Xianhua (see 'case closed' below) after posting five articles and seven poems on an overseas website challenging the official version of the "Beijing Spring" and alleging official corruption. The pair was also accused of posting online essays supporting the establishment of trade unions and the China Democratic Party (CDP). It is thought that the heavy sentences against them are related to growing workers' unrest in Northeast China. **Details of trial:** Sentenced on 16 September 2004 by the Shenyang Intermediate People's Court, Liaoning province, north-eastern China, on charges of 'subverting state power' to 15 years in prison reduced to 10 years on appeal. Ning Xianhua was sentenced to 8 years on appeal, and was released on expiry of his sentence on 13 December 2011. **Place of detention:** Lingyuan No.2 prison, Lingyuan City, Liaoning Province. **Health concerns:** Said to be suffering from high blood pressure and deteriorating eyesight. **Other information:** Kong Youping is said to be detained far from his home, and his wife is unable to afford to visit him. **Honorary member:** Independent Chinese PEN.

LI Tie

D.o.b.: March 1962 **Profession:** Human rights activist and dissident writer **Date of arrest:** 15 September 2010 **Sentence:** 10 years in prison **Expiry:** 14 September 2020 **Details of arrest:** Arrested by the Wuhan City Public Security Bureau. **Details of trial:** Li was initially arrested on suspicion of 'inciting subversion of state power' for his critical articles. The charge was changed to the more serious 'subversion of state power' on 22 October 2010. He was sentenced to ten years in prison by the Wuhan Intermediate People's Court on 18 January 2012. The evidence against him included membership of the banned political group, the China Social Democracy Party, and a series of critical online essays and writings, in particular an article entitled "Human Beings' Heaven Is Human Dignity." His trial has not been conducted in accordance with due process or international standards of fairness, and Li has been prevented from appealing the verdict. At a hearing on 18 April 2011 his lawyer was rejected by the court and two court-appointed lawyers were assigned. **Place of detention:** In February 2012 Li was transferred to Guangzhou Prison. **Other details:** During the past decade, Li has written many online articles promoting democracy, constitutional government, and direct local elections. He has also organized activities to honor the memory of Lin Zhao, the well-known Beijing University student jailed in the 1950s and executed by the government in 1968 for her views and writings. He is also a signatory of Charter 08. **Honorary member of:** Independent Chinese PEN Centre (ICPC). [RAN 07/12 – 1 February 2012]

LU Jianhua

D.o.b.: 03 July 1960. **Profession:** Research Professor at the Chinese Academy of Social Sciences, Deputy Director of Public Policy Research and Executive Director of the China Development Strategy. **Date of arrest:** April 2005. **Sentence:** 20 years in prison. **Expires:** April 2025. **Details of trial:** First arrested in April 2005 on charges of 'leaking state secrets'. Convicted on 18 December 2006 to 20 years in prison for

leaking state secrets to a Hong Kong reporter (Ching Cheong, who was sentenced to five years in prison for spying and was a main case of PEN International). Human rights groups have questioned the evidence in the reporter's case, but Lu's trial was held in secret and reportedly only lasted for 90 minutes. **Place of detention:** Beijing City jail. **Treatment in prison:** Reportedly held incommunicado. His wife is not allowed access to him. **Honorary member:** Independent Chinese PEN Centre (ICPC).

LIU Xiaobo

D.o.b.: 28 December 1955. **Profession:** Prominent dissident writer, and former President and Board member of the Independent Chinese PEN Centre. Awarded Nobel Peace Prize in 2010. **Date of arrest:** 8 December 2008 **Sentence:** Eleven years in prison. **Expires:** 21 June 2020. **Details of arrest:** Arrested for signing Charter 08, a declaration calling for political reforms and human rights. Held under Residential Surveillance, a form of pre-trial detention, at an undisclosed location in Beijing, until he was formally charged with 'spreading rumours and defaming the government, aimed at subversion of the state and overthrowing the socialism system in recent years' on 23 June 2009. The charge is said to be based on his endorsement of *Charter 08* and over twenty articles published between 2001-2008. **Details of the trial:** On 25 December 2009 Liu was sentenced to eleven years in prison and two years deprivation of political rights on charges of "incitement to subversion of state power. In early February 2010 a Beijing Court rejected his appeal. **Place of detention:** Jinzhou Prison, Nanshan Road 86, Taihe District, 121013 Jinzhou City, Liaoning Province. **Other information:** Liu Xiaobo is among a large number of dissidents to have been detained or harassed after issuing an open letter calling on the National People's Congress Standing Committee to ratify the International Covenant of Civil and Political Rights (ICCPR), and launching Charter 08, a declaration calling for political reforms and human rights. These activities formed part of campaigns across China to commemorate the 60th Anniversary of the Universal Declaration of Human Rights (10 December), and the Charter has now been signed by more than 8000 scholars, journalists, freelance writers and activists. Recipient of American PEN 2009 Freedom to Write award and the 2010 Nobel Peace Prize. His wife was unable to travel to Norway to receive the Nobel Prize on his behalf and has been placed under house arrest. Many of his supporters have been arrested or harassed since the prize was announced. **Previous political imprisonment/problems:** Liu Xiaobo first received support from PEN in 1989, when he was one of a group of writers and intellectuals given the label the "Black Hands of Beijing" by the government, and arrested for their part in the Tiananmen Square protests. Liu has since spent a total of five years in prison, including a three year sentence passed in 1996, and has suffered frequent short arrests, harassment and censorship. **Honorary member:** Honorary President of Independent Chinese PEN Centre (ICPC), and Honorary Member of Scottish, German, American, Czech, Sydney, Iceland, English and Portuguese PEN Centres.

LU Zengqi and YAN Qiuyan

Profession: Falun Gong members and Internet writers/publishers. **Date of arrest:** Not known. **Sentence:** 10 years in prison respectively. **Expires:** 2014 **Details of trial:** Sentenced by Court No.1 in Chongqing, western China, on 19 February 2004 to ten years in prison each for writing and publishing respectively an online publication which according to the court verdict "tarnished the image of the government by broadcasting fabricated stories of persecution suffered by cult members". The newsletter alleged the ill treatment in prison of a fellow Falun Gong member. Their place of detention is not known.

LIU Xianbin:

D.o.b.: 1968 **Profession:** Dissident writer and activist. **Date of arrest:** 28 June 2010 **Sentence:** 10 years in prison **Expires:** 27 June 2020 **Details of arrest:** Arrested on 28 June 2010 after police interrogated him and searched his home. Fourteen police officers from the Suining City Public Security Bureau confiscated hard drives, USB devices, his bank card, and six notices from his editors regarding remuneration for several articles he published on overseas web sites. **Details of trial:** Charged on 5 July 2010 with 'inciting subversion of state power' in a series of articles calling for political reform published in overseas Chinese-language websites from August 2009 to June 2010. Sentenced on 25 March 2011 by the Suining Intermediate People's Court at a trial which reportedly did not comply with international standards of fairness. **Place of detention:** Chuanzhong Prison, Nanchong City, Sichuan Province. **Treatment in prison:** It is reported that he has been forced to labour for 13 hours daily. **Previous political imprisonment/problems:** Liu previously served nine years of a thirteen-year jail sentence from 1999 to 2008 for his part in organising the Sichuan branch of the outlawed China Democratic party. After his release, he was one of the first signatories of Charter 08. **Other information:** Recipient of the 2011 Hellman/Hammett award. **Honorary member of:** Independent Chinese PEN Centre (ICPC).

LIU Yonggen

D.o.b.: 7 August 1963 **Profession:** Internet writer and county official of Communist Party of China **Date of arrest:** 10 September 2009 **Sentence:** 3 years' imprisonment **Expires:** 9 September 2012 **Details of arrest:** Reportedly arrested by the Xinyang City Public Security Bureau (PSB), Henan Province, on the 10 September 2009 and formally arrested on 28 September 2009. Charged on 'suspicion of inciting subversion of state power' for a number of critical articles published on overseas Chinese websites such as *Epoch Times*. **Details of trial:** Tried on 18 January 2010 by the Xinyang City Intermediate People's Court, the verdict was announced on 27 April 2010. **Place of detention:** Henan No.1 Prison, Kaifeng City, Henan Province. **Honorary member of:** Independent Chinese PEN Centre (ICPC).

Hailaite NIYAZI (aka Hairat or Gheyret Niyaz)

D.o.b.: 1960 **Profession:** Freelance journalist and former editor of the website *Uighur Online* (www.ughurbiz.net). **Date of arrest:** 1 October 2009 **Sentence:** 15 years in prison **Expires:** 30 September 2024 **Details of arrest:** According to PEN's information, Hailaite Niyazi was taken from his home in Tianshan District, Tacheng Prefecture, Xinjiang Uygur Autonomous Region (XUAR), on 1 October 2009. It is believed that his arrest stems from critical interviews given to foreign media following the unrest which broke out in Urumqi, the capital of Xinjiang Uygur Autonomous Region, on 5 July 2009. **Details of trial:** The prosecution reportedly used as evidence essays written by Niyazi highlighting mounting ethnic tension in the region prior to the riots, and interviews he gave to Hong Kong media after the violence. Niyazi was convicted by the Urumqi Intermediate People's Court on charges of 'endangering national security' on 23 July 2010. He is appealing the sentence. **Place of detention:** Changji Prison, Changji Hui Autonomous Prefecture, XUAR, PR China. **Professional details:** Hailaite Niyazi is a former reporter and columnist for Xinjiang Economic Daily and Xinjiang Legal News. Until June 2009 he edited and managed [ughurbiz.net](http://www.ughurbiz.net), the website owned by the academic, writer and Uygur PEN member Iham Tohti, himself arrested in July 2009 and held for six weeks for allegedly 'promoting

separatism'. **Honorary member of:** Independent Chinese PEN. [Update #1 to RAN 56/09]

Dilishat PAERHAT (aka Dilixiati Paerhati):

Profession: Editor of the Uighur-language website *Diyarim.com* **Date of arrest:** 7 August 2009 **Sentence:** 5 years in prison **Expires:** 6 August 2014 **Details of arrest:** Reportedly taken from his home in Urumqi, capital of the Xinjiang Uighur Autonomous Region (XUAR), by unidentified men on 7 August 2009. Paerhati had been previously arrested on 24 July 2009 and interrogated for eight days about the 5 July 2009 unrest in Urumqi before being released without charge. According to relatives, the website Paerhati edits is a social networking site, which includes information on local amenities, and has a message board. Some of the organisers of the Urumqi protests reportedly used this message board to publicise their demonstration. Paerhati's relatives said that when he saw these messages, he deleted them and reported the incident to the police. **Details of trial:** Reportedly tried by the Intermediate People's Court of Urumqi and sentenced to five years in prison for 'endangering state security' on 21 July 2010. Two other men who ran Uighur-language websites were tried and convicted in separate trials on the same day, also for 'endangering national security'. **Nureli**, who administered the website *Salkin*, was sentenced to five years in prison and **Nijat Azat** who ran the website *Shabnam* received an eight-year prison sentence. Little more is known about these two cases. **Treatment in prison:** Held at an unknown location without access to family visits since his arrest. Feared to be at risk of ill-treatment in prison.

QI Chonghuai

D.o.b.: 7 February 1965. **Profession:** Journalist. **Date of arrest:** 25 June 2007 **Sentence:** Four years in prison, with an additional eight years added on 9 June 2011. **Expires:** 24 June 2019. **Details of arrest:** Reportedly arrested from his home in Jinan, the capital province of Shandong, eastern China, on 25 June 2007 following the publication of an article alleging corruption in the Tengzhou Communist Party, which was published in June 2007 on the *Xinhuanet* website. Qi was charged with blackmail and extortion on 2 August 2007 for allegedly accepting bribes from local officials whilst researching the article. Qi was held incommunicado for the first two months of his detention, and claims to have been repeatedly assaulted and threatened by security guards throughout his eleven-month pre-trial detention. The case was turned back to the police in mid-February 2008 for lack of evidence. **Details of trial:** The trial on 13 May 2008 at the People's Court of Tengzhou City, Shandong Province, reportedly did not comply with international standards of fairness. The appeal was rejected without any hearing by the Intermediate People's Court of Zaozhuang City on 24 July 2008. On 9 June 2011 Qi was sentenced to a further eight years in prison, two weeks before the end of his four-year sentence for extortion and blackmail. It was widely believed that he has been additionally sentenced for letters smuggled out of prison in 2009 alleging ill-treatment in prison. **Place of detention:** Tengzhou Prison, Tenzhou City, Shandong Province. **Treatment in prison:** Qi has reportedly been subject to repeated severe beatings and ill-treatment by prison guards and fellow in-mates throughout his detention, including one attack in May 2009 which he claims left him unconscious for three days. This particularly harsh treatment at the hands of prison guards appears to be a response to Qi's attempts to report on the appalling prison conditions at Tengzhou. Letters smuggled out of prison document that he has been forced to work over ten hours a day in a coal mine, without adequate food, water or rest, and his health has

seriously deteriorated. **Health concerns:** Qi reportedly suffers from a number of ailments resulting from forced labour and poor treatment in prison, including pneumoconiosis, a lung infection caused by inhaling coal dust. He also claims to have suffered permanent injuries to his left thumb, knees and waist, and has difficulties walking. He has also been denied access to his family, leading to heightened concerns for his well-being. **Professional details:** Qi Chonghuai has been a journalist for 13 years before his arrest. From 2004-6, he worked for various publications, including the *Shangdong Zhoukan (Shandon Weekly)*, the *Renmin Gong'an Bao (People's Public Security News)*, and the *Zhongguo Anquan Shengchan Bao*. In June 2006, he started work as director of the newspaper *Fazhi Zaobao (Legal System Morning News)*, which ceased publishing in December 2006 and was reformed with its existing staff as the *Fazhi Ribao (Weekend edition of the Legal System Daily)*. He has also worked as special correspondent with the *Fazhi Zhoubao (Legality Weekly)* and the *Jizhe GuanCha (Journalist Observer)*, and is known for his reporting on corruption and social injustice in Shangdong province. He is said to have been repeatedly warned by the authorities to cease such reporting prior to his arrest. **Honorary member of:** Independent Chinese PEN Centre.

SHI Tao

D.o.b.: 25 July 1968 **Profession:** Journalist and poet. Member of Independent Chinese PEN Centre (ICPC). **Date of Arrest:** 24 November 2004. **Sentence:** 10 years' imprisonment. **Expires:** 25 November 2014 **Details of Arrest:** Arrested at his home in Taiyuan, Shanxi Province, northwest China, by police from Changsha National Security Bureau, southern China. They also confiscated his writings, computer and other personal belongings. According to Xinhua, the government run news agency, he had been found guilty of posting online his notes based on a government document that was read out at an editorial meeting of *Dangdai Shang Bao (Contemporary Trade News)* in April 2004. **Details of Trial:** Shi Tao was sentenced on 30 April 2005 to ten years' imprisonment and two-year deprivation of political rights for "revealing state secrets". Information supplied by the Internet Service Provider Yahoo! Inc. was used to convict him. The sentence was upheld on appeal on 2 June 2005. He was not allowed to attend the appeal hearing, and his mother has applied for a review of the appeal on procedural grounds. **Professional Details:** Shi Tao has worked as a freelance journalist for several newspapers including the Changsha-based daily *Dangdai Shang Bao (Contemporary Trade News)*, which he left in May 2004 in order to return to his home city of Taiyuan. He has also written a number of articles, including political commentaries, for online forums, in particular the overseas Chinese web site *Min Zhu Lun Tan (Democracy Forum)*. He has published several books of poetry. Recipient of the Committee to Protect Journalists (CPJ) International Press Freedom Award 2005. **Place of Detention:** Yinchuan Prison, Yinchuan City, Ningxia Hui Autonomous Region. **Other information:** Recipient of CPJ's 2005 International Press Freedom Award, PEN America's 2006 Freedom to Write Award, WAN's 2007 Golden Pen of Freedom. **Honorary member of:** Sydney, German, Canada, New Zealand, Swiss Italian, Swiss German, American, English, San Miguel, Independent Chinese PEN Centre, Scottish and USA PEN.

TAN Zuoren

D.o.b.: 15 May 1954 **Profession:** Literary editor, freelance writer and environmentalist. **Date of arrest:** 28 March 2009 **Sentence:** Five-year prison sentence **Expires:** 27 March 2014 **Details of arrest:** Reportedly detained by police in Chengdu City, province of Sichuan, on suspicion

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

WANG Xiaoning

D.o.b.: 7 January 1950 **Profession:** Internet writer and dissident. **Date of arrest:** 1 September 2002 **Sentence:** 10 years in prison. **Expires:** 31 August 2012 **Details of arrest:** Arrested on 1 September 2002 and charged on 30 September 2002 with subversion for articles published on-line between 2000 and 2002. **Details of trial:** Sentenced to ten years in prison and two-year deprivation of political rights on 25 July 2003 by the Beijing Municipal First Intermediary People's Court. Thought to be specifically charged for articles published in the on-line journals *Democratic Reform Free Forum* and *Current Political Commentary* between 2000 and 2002. The journals reportedly included articles written by Wang under his real name and pen name advocating democratic reform and criticising the authorities. The journals were reportedly distributed by email through Yahoo! groups that Wang established anonymously in mainland China and Hong Kong. Wang published his articles on a number of web sites in China and overseas. Wang was also accused of advocating the establishment of the 'China Third Road Party' and communicating by email with the leader of the China Social Democratic Party, which is banned in China. **Place of detention:** Beijing No 2 Prison, Postbox 2357-16, Chaoyang District, 100121 Beijing City. **Treatment in prison:** Reportedly tortured. **Honorary member:** Independent Chinese PEN Centre.

YANG Tongyan (aka Yang Tianshui)

D.o.b.: 12 April 1961 **Profession:** Dissident writer and member of Independent Chinese PEN Centre (ICPC). **Date of arrest:** 23 December 2005 **Sentence:** 12 years in prison **Expires:** 22 December 2017 **Details of arrest:** Reportedly detained without a warrant on 23 December 2005 in Nanjing. Yang was held incommunicado at Dantu Detention Centre in Zhenjiang, Jiangsu Province, without access to his family until his trial. **Details of trial:** Convicted of subversion for posting anti-government articles on the Internet, organizing branches of the (outlawed) China Democracy Party and accepting illegal funds from overseas. Sentenced by the Zhenjiang intermediate court in eastern China's Jiangsu province at a three-hour trial on 16 May 2006. Yang Tongyan is known for his critical writings published on dissident news websites such as Boxun.com and Epoch Times. **Health concerns:** Yang suffers from a number of illnesses including intestinal tuberculosis, diabetes, kidney inflammation and high blood pressure. His health is reportedly worsening in prison due

to lack of medical care, and he has been reportedly hospitalised since mid-September 2009. His family are appealing for medical parole. **Place of detention:** Nanjing Prison, Ningshuang Road 9, Box 1215-12, Nanjing City, Jiangsu Province. **Previous political imprisonment/problems:** He spent a decade in prison from 1990 to 2000 on “counter-revolution” charges for his involvement in the 1989 pro-democracy protests. He was also previously held incommunicado from 24 December 2004 - 25 January 2005. **Other information:** Recipient of Independent Chinese PEN Centre’s 2006 Writer in Prison Award, and the 2008 PEN/Barbara Goldsmith Freedom to Write Award. **Honorary Member of:** PEN Canada, Italian PEN.

Nurehamet YASIN

D.o.b.: 6 March 1974. **Profession:** Freelance Uighur writer. **Date of arrest:** 29 November 2004. **Sentence:** 10 years in prison. **Expires:** 30 November 2014. **Details of arrest:** Nurmehamet Yasin was arrested in Kashgar on 29 November 2004 for the publication of his short story *Wild Pigeon (Yawa Kepter)*, which was first published in the bi-monthly Uighur-language Kashgar Literature Journal, issue No. 5, November 2004. Authorities also confiscated Yasin’s personal computer containing an estimated 1,600 poems, commentaries, stories, and one unfinished novel. Yasin’s story was widely circulated and recommended for one of the biggest Uighur literary websites in the Uighur Autonomous Region for outstanding literature award. It also attracted the attention of the Chinese authorities, who apparently consider the fable to be a tacit criticism of their government in the Xinjiang Uighur Autonomous Region. **Details of trial:** After a closed trial in February 2005 at which he was not permitted a lawyer, Yasin was sentenced by the Maralbesh Country court to 10 years in prison for “inciting Uighur separatism” in his book *Wild Pigeon (Yawa Kepter)*. The Kashgar Intermediate Court upheld his sentence on appeal, and Yasin was transferred on 19 May 2005 to Urumchi No. 1 Jail, where he remains detained. **Place of detention:** Xinjiang No.1 Jail, Siping Road 5, Urumqi City 830013, Xinjiang Uyghur Autonomous Republic, P.R.China. **Treatment in prison:** Yasin has been permitted no visitors since his arrest and there are serious concerns for his well-being. **Professional details:** Nurmehamet Yasin is an award-winning and prolific freelance Uighur writer. He has published many highly acclaimed literary works and prose poems in recent years, including the poetry collections *First Love*, *Crying from the Heart*, and *Come on Children*. He is said to be a mature writer with an established literary credential among Uighur readers. He is married with two young sons. **Honorary member of:** American, English and Independent Chinese PEN Centre (ICPC).

ZHU Yufu

D.o.b.: 13/02/53 **Profession:** Dissident poet **Date of arrest:** 5 March 2011 **Details of arrest:** Reportedly detained 5 March 2011 and charged on 10 April 2011 by the Public Security Bureau of Hangzhou City, Zhejiang Province, on suspicion of “inciting subversion of state power” for his critical writings, in particular his poem *‘Its time’*. The poem appears to have drawn the authorities’ attention for its timing around the Jasmine Revolution controversy. **Sentence:** Seven years in prison. **Expiry:** 4 March 2018 **Details of trial:** He was convicted of ‘inciting subversion of state power at a hearing on 31 January 2012. On 10 February a court in Hangzhou sentenced Zhu to seven years in prison. Zhu’s wife and son were present at the hearing. He announced he would appeal the verdict. **Place of detention:** Transferred to Zhejiang Provincial No.4 Prison, Zhejiang Province, on 10 May 2012. **Previous political imprisonment/problems:** Zhu Yufu, who is a member of the Independent Chinese PEN

Centre (ICPC), 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. [RAN 05 – 25 January 2012; Update #1 – 14 February 2012] **Other information:** Recipient of the 2011 Hellman/Hammett award.

Imprisoned investigation

- ***GAO Yingpu:** Journalist who has worked for publications such as the Guangdong-based *Asia Pacific Economic Times*. Reported on 23 March 2012 to have been arrested in July 2010 and sentenced in a secret trial to a three-year prison term for criticising disgraced Chongqing City Communist Party Secretary Bo Xilai on his blog. According to the journalist’s wife, he was sentenced on charges of endangering state security. WiPC seeking confirmation of the charges and Gao’s whereabouts.
- ***HU Lianyou:** Activist and blogger, was sentenced to two years in prison on defamation charges on 24 April 2012 for online comments he made about a local police chief. The case stems from an incident in September 2010, after Hu had been arrested and taken to a police station in Dong’an county, where two policemen allegedly beat him while he was being interrogated. Hu wrote posts on popular websites accusing the two officers of corruption and torture, and one of these officers filed a defamation case against him. WiPC seeking further information.
- ***LI Bifeng:** Activist, prolific novelist and poet. Reportedly arrested on 12 September 2011 after being summoned for questioning by police in Mianyang city, Sichuan province, over his so-called “economic problems”. A close friend of Li, Liao Yiwu, himself a writer currently in exile, has publicised Li’s current detention, and reports that the Chinese authorities suspect Li Bifeng of funding Liao’s escape from China (an allegation which Liao Yiwu strongly refutes). WiPC seeking further details about the charges against him. **Previous imprisonment:** Li, now aged 47, has spent a total of over twelve years in prison since 1990 for his activism and critical writings. He was first imprisoned for five years for taking part in the 1989 pro-democracy movement, and then served a seven-year jail term from 1998-2005 for reporting on a workers’ protest in the Sichuan city of Mianyang in 1998. While in prison, Li produced some poetry and kept a diary. (RAN 31/12 – 20 June 2012).
- ***LU Jiaping:** Writer on military history and a retired soldier. Lu is in his seventies, and is said to have been charged for ‘inciting subversion’, and sentenced to ten years in prison by the Beijing First Intermediate Court in early May 2011. His imprisonment is believed to be linked to articles written and distributed by him. Two other activists are said to have been arrested with Lu back in September 2010, and tried in the same court case. WiPC is seeking more information on Lu’s current situation.

Conditional release

WANG Rongqing:

D.o.b.: 9 December 1943 **Profession:** Magazine editor and dissident. **Date of arrest:** 25 June 2008 **Sentence:** Six years in prison. **Expires:** 9 May 2014 **Details of arrest:** Reportedly taken from home in June 2008, but not formally charged until 31 July 2008. Thought to be charged for his membership of the banned China Democracy Party (CDP), for editing a publication called *Opposition Party* and posting articles on the Internet. **Details of trial:** Wang was sentenced to six years in prison on 8 January 2009 by the Hangzhou city Intermediate People’s Court in the eastern province of Zhejiang, for ‘subversion of state power’. **Health concerns:** Wang suffers

from renal failure and requires haemodialysis three times a week. He has been hospitalised since 10 February 2009, and was diagnosed with kidney failure in March 2009. In November 2009 he was reported to be critically ill. **Conditional release:** He was released on six months' medical parole on 12 January 2010, which has now been extended indefinitely. His health has reportedly stabilized as the authorities have provided him with medical insurance as well as a minimum living allowance. **Previous political imprisonment/problems:** A veteran pro-democracy activist, Wang has suffered harassment and brief detentions by the authorities since the late 1970's when he joined the Democracy Wall movement. He later became a leader member of the banned CDP, and in 2005 he was detained for six months for organising the CDP in Zhejiang. In 2006 he was arrested for one month for his writings calling for religious freedom.

Released

***GAO Chunlian:** Blogger and elementary school teacher based in Hubei province. Reportedly arrested in February 2011, and tried for 'inciting subversion of state power' on 19 October 2011 for his online writings and for participating in the February 2011 protests known as 'Jasmine Revolution'. His family did not make his detention public until December 2011. Despite being tried, the court did not issue a verdict in Gao's case. On 15 February 2012 Gao Chunlian was released on bail.

Released – sentence expired

YUAN Xiachen: Human rights activist and dissident writer. Arrested on 29 May 2008 by the Public Security Bureau of Jixi City, Heilongjiang Province, for writing and distributing dissident articles, and giving interviews with overseas media. Sentenced on 4 March 2009 to four years in prison and five years of deprivation of political rights, for 'Inciting subversion of State power' under Article 105(2) of the Chinese Criminal Code. Released on expiry of sentence on 28 May 2012.

ZHANG QI: Internet writer and activist. Arrested on 26 June 2008 whilst travelling in the area affected by the earthquake in Sichuan province which struck on 12 May 2008. Zhang was tried in a one-hour closed trial by the Intermediate People's Court of Chongqing City on 15 June 2009 and convicted of 'inciting subversion of state power' for his online dissident writings. He was sentenced to 4 years in prison on 8 July for eight articles published online. Released on expiry of sentence in June 2012.

TIBET AUTONOMOUS REGION (TAR)

Imprisoned: Main cases

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

Profession: Writers. **Date of arrest:** 21 June, 26 June and 19 July 2010 respectively. **Sentence:** Four years, four years and three years in prison respectively. **Expires:** 20 June 2014, 25 June 2014 and 18 July 2013 respectively. **Details of arrest:** Reportedly detained in June and July 2010 after they published essays about the 2008 crackdown in Tibet in the Tibetan-language journal *Shar Dungri (Eastern Snow Mountain)*. This collection of writings was the first known material in Tibetan on the 2008 protests to have been published in the People's Republic of China. The magazine was quickly banned, but not before copies had circulated in areas of Qinghai and Gansu provinces and beyond. **Details of trial:**

The 'Eastern Snow Mountain' writers were put on trial by the Ngaba Intermediate People's Court, Sichuan Province, on 21 October 2010 on charges of 'splittism'. The families were informed that they could not have lawyers of their choice, although the writers did have some legal representation. On 30 December 2010 Dhonkho and Bhudha were sentenced to four years in prison, and Kelsang Jinpa to three years, for "incitement to split the nation". **Professional details: Bhudha,** aged 34, is a medical doctor by profession who works as an editor and writer in his spare time. He has published poems and short stories in the journal *Panggyen Metok (Pasture Adorning Flowers)* and edited the Tibetan-language journal *Duerab Kyi Nga (Modern Self)*. Believed to be charged for the essay 'Hindsight and reflection' published in *Shar Dungri* in 2008. **Dhonkho** is a prize-winning poet and writer, born in 1978. He is a member of the Sichuan Writers Guild and has published several collections of poetry including *Lharson (Revitalisation)* and *Thablam (Means)*. Believed to be charged for the essay 'What human rights do we have over our bodies?' published in *Shar Dungri* under the pen name 'Nyen' (the 'Wild One') in 2008. **Kelsang Jinpa,** a poet and writer originally from Sangchu county, Amdo, Gansu province. Has reportedly published poetry and stories in the journal *Panggyen Metok Pasture Adorning Flowers* and co-edited the *Modern Self* periodical. Believed to be charged for his article written under the pen name 'Garmi' ('the Blacksmith'), 'The case for lifeblood and life-force', published in *Shar Dungri* in 2008. **Honorary members of:** Independent Chinese PEN Centre (ICPC) and Suisse Romand PEN Centre.

Kunchok Tsephel GOPEY TSANG

D.o.b.: 1970 **Profession:** Internet writer and editor of the Tibetan language website *Chomei* <http://www.tibetcm.com> **Date of arrest:** 26 February 2009 **Sentence:** Fifteen years in prison **Expires:** 25 February 2024 **Details of arrest:** Arrested by Chinese security officials at his home in the town of Nyul-ra, Gannan Tibetan Autonomous Prefecture, Gansu Province. At the time of his arrest, Gopey Tsang's house was searched and his computer confiscated. **Details of trial:** On 12 November 2009 he was sentenced for 'disclosing state secrets'. His family was not told of his whereabouts until he was summoned to court to hear the verdict. The trial was held at the Intermediate People's Court of Kanlho, in a closed hearing. **Professional details:** *Chomei* website, which promotes Tibetan culture and literature, was created by Gopey Tsang and Tibetan poet Kyab-chen De-drol in 2005 and since then has been closely monitored by the authorities. It is said that the site was shut down several times during 2007 and 2008. Gopey Tsang also worked as an environmental officer for the Chinese government. **Health concerns:** There are fears for his health. **Previous political imprisonment/problems:** In 1995 Kunchok Tsephel Gopey Tsang was held for two months by Public Security Bureau officials on unknown charges, and was reportedly ill-treated in detention. (RAN 16/09 – 17 March 2009; Update #1 – 23 November 2009).

Dawa GYALTSEN

D.o.b.: 1969. **Profession:** Studied banking and accountancy, and worked for a bank. **Date of arrest:** November 1995 **Sentence:** 18 years imprisonment. **Expires:** November 2013 **Details of arrest:** Arrested for writing pro-independence pamphlets which were posted in April 1995 as part of a widespread protest against the Chinese authorities. The pamphlets reportedly contained a brief history of Tibet as an independent nation and pro-independence slogans. **Details of trial:** In May 1996, Nagchu Prefecture Intermediate People's Court sentenced Gyalsten to eighteen years' imprisonment on charges of carrying out "counter-

revolutionary propaganda". His brother Nyima Gyaltzen was sentenced to thirteen years' imprisonment for leading the protest. Three other monks co-accused with the Gyaltzen brothers were sentenced to lesser terms ranging from two-six years for their participation in the protest, and have now been freed on expiry of their sentences. **Place of detention:** Tibet Autonomous Region Prison (formerly Drapchi Prison), Lhasa. **Treatment in prison:** Said to have been severely tortured whilst under interrogation. **Honorary member:** PEN America.

JANGTSE Dhonkho

D.o.b.: 1978. **Profession:** Poet, member of the Sichuan Province Writers Association. **Date of arrest:** 21 June 2010. **Sentence:** 4 years in prison. **Expires:** 21 June 2014. Reportedly arrested at his home on 21 June 2010. **Details of trial:** Tried by the Ngaba Intermediate People's Court on 3 October 2010, for "inciting activities to split the nation". Sentenced on 30 December 2010 to four years in prison. Lawyers and family members were reportedly not permitted to speak in court. It is thought that Jangtse Dhonkho may be convicted for his articles on the 2008 Tibetan unrest in the literary magazine *Shar Dugri (Eastern Snow Mountain)*, which is now banned in Tibet (see **DHONKHO, BHUDHA and KHELSANG Jinpa** in 'main cases' above). **Professional details:** Has reportedly published a collection of poetry and is the recipient of several Tibetan literary awards. **Honorary member of:** Independent Chinese PEN Centre (ICPC).

Dolma KYAB

Profession: Writer and teacher. **Date of arrest:** 9 March 2005. **Sentence:** Ten and a half years in prison. **Expires:** 8 October 2015. **Details of arrest:** Dolma Kyab was reportedly arrested in the city of Lhasa for allegedly endangering state security in his book. The charges against Dolma Kyab appear to be based on his unpublished book *Sao dong de Ximalayasha (The Restless Himalayas)*. In another book, Dolma Kyab reportedly gives sensitive information on issues such as the location and number of Chinese military camps in Tibet. Following his pre-trial detention at the Tibetan Autonomous Region Public Security Bureau Detention Centre, also known as the 'Seitru', Dolma Kyab reportedly contracted tuberculosis and was transferred to Chushul Prison in March 2006 after receiving medical treatment for his condition. **Details of trial:** Dolma Kyab was charged with 'espionage' and 'illegal border crossing'. His trial was conducted in secrecy. **Place of Detention:** Reportedly transferred to Xi'ning Prison, Qinghai Province, north-western China on 19 July 2007. **Health concerns:** Said to be in very poor health and has to do hard labour. **Honorary member of:** English, American and German PEN.

Paljor NORBU (aka Panjue Ruobu)

D.o.b.: 1927 **Profession:** Printer. **Date of arrest:** 31 October 2008 **Sentence:** 7 years in prison **Expires:** 30 October 2015 **Details of arrest:** Reportedly arrested from his home in Lhasa for allegedly printing 'prohibited material', including the banned Tibetan flag. His family were not informed of his arrest. **Details of trial:** Reportedly tried in secret in November 2008, possibly on charges of 'inciting separatism', and sentenced to seven years in prison. His family were informed of the sentence in writing but have not been allowed to visit him. His whereabouts are unknown. **Other information:** According to Human Rights Watch, Norbu comes from a family with a long history of printing and publishing Buddhist texts for monasteries. He is said to be an internationally renowned master printer. He used both modern and traditional woodblock printing techniques in his workshop, which employed several dozen workers. In

addition to religious texts, the shop also printed prayer flags, folk reproductions, books, leaflets and traditional literature. After his arrest the shop was closed down and books and woodblocks confiscated.

Tashi RABTEN (pen-name Te'u rang)

Profession: Writer and university student. Co-editor of the banned literary magazine *Shar Dugri (Eastern Snow Mountain)*. **Date of arrest:** 6 April 2010 **Sentence:** Four years in prison **Expires:** 5 April 2014 **Details of arrest:** Reportedly arrested with fellow student editor **DRUKLO (pen-name Shokjang)** because of their critical writings and activism. Reports say that about sixteen policemen approached the students' residence at the Northwest National Minorities University, where they seized Rabten and Druklo's books, mobile phones, laptops and course material. Druklo was reportedly released on 8 May 2010. **Details of trial:** Tried behind closed doors at a court in Aba prefecture on 2 June 2011. Details of the charges against him have not been officially confirmed, although he is thought to be convicted of inciting separatism for a collection of political articles entitled *Written in Blood* on the suppression of the March 2008 protests in Lhasa and surrounding regions. **Treatment in prison:** Said to be held without access to his family since his arrest, although a delivery of food and clothes were allowed in autumn 2010. Feared to be at risk of torture in detention. **Professional details:** Tashi Rabten edited the banned literary magazine *Shar Dugri (Eastern Snow Mountain)* on the 2008 protests in Tibet, and co-authored a collection of writings on democracy, freedom and equality called *Written in Blood*. Prior to his arrest Tashi Rabten, aged twenty-five, was a student at the Northwest Minorities University in Lanzhou, and had reportedly been under surveillance for some time.

***Ugyen TENZIN**

D.o.B.: 1987 **Profession:** Singer and songwriter **Date of arrest:** mid-February 2012 **Sentence:** Two years in prison **Expiry:** 19 March 2014 **Details of arrest:** Tenzin was arrested a month after the release of his album *An Unending Flow of my Heart's Blood*, in which he sings a song dedicated to the Tibet's exile prime minister. **Details of trial:** Reports say that Tenzin was sentenced for his patriotic songs and for being one of the leaders in a protest in Nangchen, Yulshul prefecture. **Treatment in prison:** Tenzin has been reportedly beaten in custody. **Previous political imprisonment/problems:** In 2008 Tenzin was imprisoned for one year for his activism against mining operations in Tibet.

Kunga TSEYANG (aka Gangnyi 'Snow Sun')

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

Imprisoned: investigation

DROKRU Tsultrim: Tibetan writer from Ngaba county, was reportedly arrested on 24 May 2010 after police searched his room at the Gomang

Monastery, eastern Tibet, took documents and his laptop. There was allegedly no warrant for the raid or Tsultrim's arrest. It is said that he is being held at the detention centre in Barkham, in Ngaba, and that his family has not been allowed to visit him. A relative in exile reported that Tsultrim was planning to publish a compilation of writings by young Tibetan writers prior to his arrest. There are no details of any charges he may be facing. Thought to remain detained at an unknown location without access to family visits. **Previous detention:** Previously detained in early April 2009 while working as the magazine editor of *Khawai Tsesok* (Soul of the Snow). Held for a month for his alleged anti-government articles in support of 'separatist forces' of the Dalai Lama before being released. The authorities have suspended the publication of the magazine. **Honorary member of:** Independent Chinese PEN Centre (ICPC).

***GANGKYE Drubpa Kyab:** Writer, has been held incommunicado at an unknown location since 15 February 2012. Gangkye, aged 33, was arrested without a warrant by a team of 20 police officers from his home in Serthar county, Sichuan Province, just before midnight on 15 February 2012. His present condition and place of detention remains unknown as of end of June 2012. His arrest came amidst escalating tensions in Tibetan areas in recent months, following a series of self-immolations and protests against Chinese rule which have been violently suppressed by the security forces. Drubpa Kyab is said to be a well known and popular writer, his popular compositions include "*Call of Fate*", "*Pain of This Era*" and "*Today's Tear of Pain*". He has worked as a teacher in Serthar for almost a decade. The WiPC is seeking information about his whereabouts, wellbeing and any charges against him. (RAN 10/12 – 22 February 2012)

***Lo LO:** D.o.B.: 1983. Singer. Lo was reportedly arrested on 19 April 2012, a few months after the release of his album *Raise the Flag of Tibet, Sons of the Snow*. Reports say that some of the lyrics call for independence for Tibet and for the return of the Dalai Lama. Lo is originally from Dhomda town in Yulshul county. WiPC seeking further details about his status and any charges against him.

***PHULCHUNG:** Singer and songwriter, has gone into hiding after authorities have reportedly issued an order or his arrest in early June 2012. Phulchung is said to have written songs praising the Dalai Lama and protesting the living conditions of the Tibetan community under Chinese rule.

SHERAB Gyatso: Monk and writer. Reportedly arrested on 16 March 2011 whilst en route to the region of Tsongon, Qinghai province, to publish his second book. His whereabouts remained unknown until May 2011, when he was reported to be detained in Chengdu, the capital of Sichuan province. Said to be a skilful writer and debater, whose first book *Time to Wake Up* was published in 2009 and was very popular. Known for his writing on the issues of Tibetan culture and education. Previously detained in 1998 and held for 4 years for putting up posters protesting Chinese authorities' 're-education' programmes in many monasteries in Tibetan regions. WiPC seeking further details of his current detention.

On trial

***SHANG Laicheng:** Blogger and online editor for *Tiantian Xin* news forum, reportedly on trial for 'spreading false information'. The case is said to be linked to a message posted in the news forum, related to a story of two prosecutors who allegedly used the services of prostitutes. Shang was held for ten days by the local police in Foshan, Guangdong province; he was released on bail on 27 February 2012. WiPC is seeking an update on the trial.

Case closed

SONAM Rinchen, SONAM Dhondup, YARGAY and DAKDEN: Students and editors of the Tibetan student magazine *Namchak*. Reportedly arrested on 17 March 2010 and charged with separatism and inciting separatism in their writing. All four were registered as students at the University of Barkham (Sichuan province). According to an exiled Tibetan monk, they had published comments about China's policies towards minorities, including Tibetans. Sonam Richen and Sonam Dhondup were reportedly sentenced to two years in jail on 30 August 2010. Yargay and Dakden are thought to also have been sentenced to two years. Case closed for lack of further information.

Pema RICHEN: 25-year-old Tibetan writer from Drango County, Kardze TAP, Sichuan Province. Reportedly arrested and severely beaten on 5 July 2011. The following day his family were handed a notice of his detention for 'inciting ethnic enmity'. Said to be held at Drango County Detention Centre. Known for his self-published book *Look* which is said to be a critique of Chinese government policies and practices in Tibetan regions. Prior to his detention he had travelled around Tibet distributing copies of the book. No further details as of 30 June 2012. Case closed.

INDIA

Killing – investigation

***Rajesh MISHRA:** Editor for the Hindi weekly *Media Raj*, died on 2 March 2012, after being beaten the day before, in Madhya Pradesh region. Mishra received death threats before the attack which are believed to be linked to reports about mismanagement in a chain of schools, reportedly owned by the proprietor of another newspaper. The authorities are investigating the case.

***Chandrika RAI:** Freelance journalist and contributor to the Hindi-language dailies *Navbharat Times* and *The Hitavada*, was found dead at his home, together with his wife and two children, on 18 February 2012. His colleagues believe that Rai's murder was linked to his investigative journalism. Rai, aged 43, had recently exposed illegalities in coal trade in the Madhya Pradesh region. The authorities are investigating the case.

Imprisoned: investigation

Sudhir DHAWLE: Activist and editor of the bi-monthly Marathi magazine *Vidrohi*. Reportedly arrested on 2 January 2011 in Wardha railway station, Maharashtra state, after participating in a literary conference. Charged with sedition (sec 124) and under Secs 17, 20 and 39 of the Unlawful Activities Prevention Act (UAPA). These sections relate to: raising funds for terrorist acts; being a member of a terrorist organisation and providing support to a terrorist organisation. Thought to be targeted for his alleged links to banned Maoist groups. WiPC seeking further details.

***Lingaram KODOPI:** Journalist for the *Teelka* magazine, based in New Delhi, has been reportedly detained since 10 September 2011 without charges. His colleagues believe his arrest is linked to his reporting on police violence, although other reports allege he is linked to an insurgent Maoist group in Chhattisgarh. Still detained as of 30 June 2012.

Attacked

***Kamal SHUKLA:** Local bureau chief of the daily *Rajasthan Patrika*, was reportedly attacked on 11 April 2012 when three men broke into his office and assaulted him with a metal bar. The attack is believed to be in retaliation for three reports about environmental issues in which Shukla exposed the irregular clearing of protected forests.

INDONESIA

Killed - investigation

***Darma SAHLAN:** Journalist for the weekly publication *Monitor Medan*, was found dead in Lawe Two, northern Sumatra, on 5 February 2012. His body was found in a ditch and his motorbike was near by. The authorities are investigating the case.

Attacked

***Joseph DERVISH:** Journalist for *Bongkar Daily*, was reportedly attacked on 23 May 2012 by the head of the North Lampung fisheries department. The assault is said to be linked to the publication of a piece about alleged corruption in the fisheries department.

MALDIVES

Attacked

***Ismail RASHEED:** Freelance journalist and blogger. Reportedly stabbed near his home on 5 June 2012, in the Maldives capital Malé. The assault is believed to be linked to posts on his blog. There are reports that Rasheed's blog was blocked by the authorities in November 2011, because of allegedly anti-Islamic material. Rasheed has also reportedly received threats in the past.

MONGOLIA

On trial

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

MYANMAR (BURMA)

Imprisoned: Main cases

AUNG Than, Zeya AUNG, and MAUNG Maung Oo:

Profession: Poet, publisher and distributor respectively. Student activists. **Date of arrest:** 29 March 2006 **Sentence:** 19 years in prison (Aung Than and Zeya Aung), 14 years in prison (Maung Maung Oo) **Expires:** 28 March 2025 (Aung Than and Zeya Aung), 28 March 2020 (Maung Maung Oo). **Details of arrest:** Reportedly arrested near the Thai-Burmese border town of Myawaddy for publishing an 'anti-government' book of poems entitled *Dawn Mann (The Fighting Spirit of the Peacock)*. The peacock is the symbol of the pro-democracy movement in Myanmar. Also charged with associating with outlawed organisations and illegally crossing an international boundary. **Details of trial:** Convicted by a criminal court in Pegu, north of Rangoon, on 9 June 2006 under the Printers and Publishers Registration Act. The appeals filed by Aung Than and Zeya Aung against their 19 year prison sentences were rejected by the Rangoon high court the same day it was presented, in late November 2006. Printer **SEIN Hlaing** was also arrested and sentenced to seven years in the same case, but was freed under a general amnesty on 13 January 2012 (see 'released' below). **Place of detention:** Insein jail, Rangoon **Health concerns:** In November 2008 it was reported that detained poet **Aung Than** may be suffering from HIV Aids after being allegedly forcibly injected in Insein prison hospital in 2006. Several months later, he reportedly became ill with symptoms

typical of HIV AIDS, although this cannot be confirmed as his request to be tested for the disease has been refused. He strongly asserts that he was not suffering from the disease prior to his imprisonment. Sources close to the poet say that he is now in a critical condition. **Honorary member of:** American PEN.

Nyi Nyi TUN:

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

On trial

***WAI Hlyan and THET Su Aung:** Managing editor and journalist, respectively, for the *Modern Journal*. Reportedly arrested in early March 2012 after being accused of libel. The case was brought by a government construction officer after being named in an article about the bad condition of some roads in Thabeikkyin Township. On 6 March 2012, Wai and Thet were freed on bail.

Released

On 13 January 2012, the Government of Myanmar released hundreds of political prisoners, many of whom had languished in prison for decades. This followed another wave of releases in October 2011. Those released include:

MIN Ko Naing (aka Paw Oo Htun): Poet and political activist. Arrested on 21 August 2007 with thirteen other leading political activists for organising peaceful protests against food prices in mid-August 2007. These protests led to widespread peaceful anti-government protests led by Buddhist monks which began on 18 September 2007 known as the 'Saffron Revolution', and were violently suppressed by the military authorities on 26 September 2007. Sentenced with twenty others on 11 November 2008 to sixty-five years in prison for his role in organizing the August 2007 demonstrations. Released on 13 January 2012 under a general amnesty.

NAY Phone Latt: Blogger and poet, was arrested on 29 January 2008 and sentenced to twenty years and six months in prison, reduced on appeal to twelve years, for critical writings published in his blog (<http://www.nayphonelatt.net/>) under section 5 (J) of the 1950 Emergency Provision Act. On 13 January 2012 Nay Phone Latt was released under a general amnesty.

SEIN Hlaing: Printer. Reportedly arrested near the Thai-Burmese border town of Myawaddy for publishing an 'anti-government' book of poems entitled *Dawn Mann (The Fighting Spirit of the Peacock)*. The peacock is the symbol of the pro-democracy movement in Myanmar. Convicted by a criminal court in Pegu, north of Rangoon, on 9 June 2006 under the Printers and Publishers Registration Act. Sentenced to seven years in prison. **AUNG Than, Zeya AUNG, and MAUNG Maung Oo** (see 'main

case' above) were arrested and sentenced in the same case. On 13 January 2012 Sein Hlaing was released under a general amnesty.

WIN Maw: Musician and composer, was arrested on 27 November 2007, and sentenced to 7 years in prison, with an additional 10 years added while in prison. He was charged under article 5 (j) of the penal code with 'threatening national security' after sending news reports and video footage to the Norway-based Democratic Voice of Burma (DVB) radio station during the protests in August and September 2007. Win Maw is lead guitarist in the music group Shwe Thansin, which was one of the top bands in Burma in the 1990's. Win Maw was released under a general amnesty on 13 January 2012.

U Zeya (aka Thargyi Maung Zeya): Poet, writer and political activist, and video journalist for the Oslo-based Democratic Voice of Burma (DVB). Was arrested on 10 April 2010 and sentenced to 13 years in prison for leading a team of DVB journalists inside Burma. On 13 January 2012 U Zeya was released under a general amnesty.

Zaw Thet HTWE: Journalist, arrested on 13 June 2008, was sentenced to 19 years in prison, reduced to 11 years. Zaw Thet Htwe had been working with comedian Zargana and other leading Burmese figures to deliver aid and support to the victims of Cyclone Nargis which struck on 2 May 2008. He was charged with two offences under section 505(b) of the Criminal Code, sections 33(a)/38 of the Video Act and section 17(2) of the Unlawful Associations Act. On 13 January 2012 Zaw Thet Htwe was released under a general amnesty.

NEPAL

Killed – investigation

***Yadav POUDEL:** Executive editor for the *Mechi Times*, and journalist for the Rajdhani newspaper, was found dead in Birtamod, Jhapa, eastern of the country, on 4 April 2012. The journalist, aged 38, also worked for a TV station and other media outlets. His colleagues believe that Poudel was killed for his recent reporting on prostitution in the Birtamod area. The authorities are investigating the case.

Death threat

***Rajendra ADHIKARI:** Publisher and editor for the Dawn News newspaper. Reportedly received a death threat on 12 April 2012 from a member of the workers' union which is associated to the Maoist party. Adhikari is said to be targeted for a critique article he had recently published about the transport union.

***Sashi BICHITRA:** Editor-in-chief for the weekly *New Highway*. Reportedly received two death threats on his mobile phone on 22 March 2012. Bichitra believes the threats are linked to his recent reports on organized crime on Sarlahi district. The authorities are investigating the case.

***Kanak Mani DIXIT:** Editor of the *Himal Southasian* regional magazine, publisher of the Nepali-language *Himal Khabarpatrika* news magazine, and author of a number of children's books. He is said to be among three leading figures to have been declared 'people's enemies' in an article published in the 30 January 2012 edition of the monthly magazine *Lalrakshak (Red Guards)*, the mouthpiece of the ruling Unified Communist Party of Nepal-Maoist (UCPN-Maoist). Also targeted are **Kul Chandra Gautam**, a former U.N. assistant secretary-general and a longstanding deputy executive director of the U.N. children's agency UNICEF, and human rights activist **Subodh Raj Pyakurel**, executive director of Informal Services Sector (INSEC), the largest non-governmental human rights organisation in Nepal. All three men are

believed to be threatened for their outspoken criticism of the Chairman of the UCPN-Maoist, Pushpa Kamal Dahal 'Prachanda', in particular their calls for him and his party to renounce the use of violence. (RAN 13/12 – 20 March 2012)

***Rupa SHARMA (aka Neha):** Journalist. Reported on 10 February 2012 to have received a death threat after publishing an article on women's issues in a Kathmandu-based weekly magazine.

PAKISTAN

Killed – investigation

***Tariq KAMAL:** Journalist for the newspaper *Sindhi*, was found dead in Karachi on 9 May 2012. Kamal had been kidnapped three days before, together with a friend of his, with whom he had travelled to Baluchistan to investigate an exclusive report. The authorities are investigating the case.

***Murtaza RAZVI:** Senior editor at *Dawn Media Group* and writer, was found dead in a friend's apartment in Karachi, on 19 April 2012. His body showed signs of torture. Razvi was a columnist and political editor, and had over twenty years experience in journalism. He published a book about the former president of Pakistan, entitled *Musharaf: The Years in Power*. The motive for his killing is not known. The authorities are investigating his death.

PHILIPPINES

Killing - investigation

***Michael CALANASAN:** Columnist for the daily *Laguna Courier*, based in San Pablo city, was killed in Laguna province on 24 April 2012. Reports say that he and his wife were on their way to the town hall, when someone called his name and shot at him in the face. Calanasan's column dealt with local issues. He was also a traffic enforcer. The authorities are investigating this case.

***Christopher GUARIN:** Publisher and editor-in-chief of the local newspaper *Tatak News*, was killed in General Santos, on 5 January 2012. The editor was in his car, together with his wife and daughter when two unidentified men shot at him. According to his colleagues and his wife, Guarin had received death threats via text messages before his murder. He was also a radio broadcaster. The authorities are investigating the case.

Imprisoned: investigation

Ericson ACOSTA: Activist, journalist, songwriter and poet. Aged 39. He is a former editor of the student publication *Philippine Collegian*, and chairperson of the student cultural group Alay Sinin. He also worked as cultural writer for the *Manila Times*, and has acted in and directed a number of theatre plays. On 13 February 2011, Acosta was arrested by the military, in San Jorge, Samar, east of the country, on suspicion of being a member of the New People's Army (NPA). At the time of his arrest, Acosta was said to be unarmed and conducting research on human rights and environmental issues in the area. He was reportedly held incommunicado for three days, during which he was ill-treated, tortured and threatened with death. On 16 February 2011, the charge of illegal possession of explosives was filed against Acosta at the Regional Trial Court Branch 41 in Gandara, Western Samar. Under Philippine law, this is a non-bailable offence. Acosta remains in custody pending action by the investigating prosecutor. Under Philippine law, the time limit from an arraignment to trial is set at 180 days by the Speedy Trial Act (RA 8493). However, over one year after Acosta's arrest and arraignment, the prosecutor has yet to file a formal

complaint to the court. Acosta is currently detained at the Calbayog sub-provincial jail, which is a civilian detention facility. Since Acosta's arrest, there has been a constant presence of officers from the 8th Infantry Division of the Philippine Army outside the prison, who reportedly intimidate his family and other visitors. His defense team filed a complaint about this matter before Philippines' Commission on Human Rights (PCHR), but has received no response. In September 2011, Acosta filed a petition for the review of his case before the Philippines' Department of Justice (PDOJ), alleging irregularities and rights abuses; however, despite the 60 days deadline to respond to the petition, the PDOJ's decision remains pending. **New information:** On 18 May 2012, Acosta's defense team filed a second motion before the Department of Justice urging for a resolution of his case review. (RAN 14/12 – 22 March 2012)

Death Threat

***Ronald Allan MASCARDO:** Publisher and editor of the community newspaper *Dadiangas Balita*, based in General Santos, reportedly received a death threat via text message on 17 January 2012. Marscargado linked the threat with a statement he read at journalist Christopher Guarin's funeral on 15 January 2012. (See above Killing – investigation for more on Guarin)

Attack

***Fernan ANGELES:** Journalist for the Manila based *The Daily Tribune*. Reportedly shot at seven times near his home in Pasig City, on 11 March 2012. At the time of the attack, Angeles was reporting on political issues, and was investigating illegal drugs trade. Despite being badly injured, the journalist has returned to work. Three men have been charged in the case and remain free on bail.

Case closed

Edgardo MALIZA: Correspondent for the Mindanao-based newspaper *Gold Star Daily*. Reportedly arrested on 4 March 2011 at Cagayan de Oro city on criminal defamation charges for allegedly maligning a former Department of Environment and Natural Resources (DENR) staff officer. Maliza was released on bail of \$230 in the same day. No further progress in his case as of 30 June 2012, Maliza remains free. Case closed.

SRI LANKA

Disappeared – motive unknown

Pregeeth EKANALIYAGODA: Political analyst, journalist and visual designer for the *Lanka eNews*, has been reported missing since 24 January 2010, and his whereabouts remain unknown. He was last seen leaving his office on the evening of 24 January 2010, and it is widely believed that he was abducted by pro-government forces and subsequently killed. Government sources have denied the allegation. Ekanaliyagoda is a leading columnist, and reportedly published articles in favour of the defeated opposition candidate General Sarath Fonseka ahead of the Sri Lankan presidential elections that took place on 26 January. The *Lanka eNews* website was reportedly blocked during the elections, and its offices were searched by unidentified individuals on 28 January 2010. Previously, on 27 August 2009, Ekanaliyagoda had been abducted and held blindfolded overnight, and was released after being told that he was not the correct target. Family and colleagues have expressed increasing concern that the authorities have done very little to investigate Pregeeth Ekanaliyagoda's disappearance, and they fear for his safety. (RAN 09/10 - 26 February 2010)

THAILAND

Killed – investigation

***Wisut TANGWITTHAYAPORN:** Publisher and journalist of the newspaper *Phuket Wan*, and editor for the *Phuket E-news*. Reportedly shot dead in the resort island of Phuket on 12 January 2012. His attacker, an unknown individual, fled on a motorcycle. His reports exposed corruption in the local Land Department Office involving some politicians and businesspeople. Tangwitthayaporn was also a local leader of the United Front for Democracy Against Dictatorship, also known as 'Red Shirts'. The motive is unknown and an official investigation is ongoing.

Imprisoned – Main case

Surapak PHUCHAISAEENG:

Profession: Dissident internet writer and computer programmer. **Date of arrest:** 2 September 2011. **Details of arrest:** Reportedly arrested on 2 September 2011 for posting messages on Facebook said to be insulting to the Thai King. The police searched his home and confiscated several items, including computers and his mobile phone. Phuchaisaeng, age 40, was indicted on 25 November 2011 on the charge of lèse-majesté. His request for conditional release was rejected and he remains detained as of 30 June 2012.

Somyot PRUKSAKASEMUSK

Profession: Independent journalist, editor of the magazine *Voice of Taksin*, and prominent labour activist. **Date of arrest:** 30 April 2011 **Details of arrest:** Reportedly arrested by the Department of Special Investigation (DSI) on 30 April 2011 and charged with two counts of lèse-majesté under Article 112 of the Criminal Code for publishing two allegedly offending articles written by an anonymous author in his magazine. Pruksakasemus, aged 50, was reportedly charged after refusing to reveal the identity of the writer of the articles, which are deemed to be defamatory to the King. It is believed that Pruksakasemus could be targeted for his campaign calling for the repeal of the lèse-majesté law. **Details of trial:** His trial started on 21 November 2011. Pruksakasemus could face up to 30 years in prison if convicted. He has been denied bail and remains detained as of 30 June 2012. **Place of detention:** Petchaboon Prison, 31 Praputabat Rd, Ni-Muaeng Sub-district, Muaeng District, Petchaboon 67000, Thailand.

On trial

Norawase YOSPIYASATHIEN: Blogger and accountant, who graduated recently from Kasetsart University. Reportedly arrested on 5 August 2011 and charged with lèse-majesté for allegedly offensive writings against the monarchy posted on Yospiyasathien's blog when he was in his fourth-year of accounting studies. He was released on bail on 8 August 2011. Reports say that the university deputy director filed the charges against Yospiyasathien, aged 23, in response to pressure from the university council to protect its reputation. In November 2011 the Department of Criminal Cases reportedly set up a commission to consider Yospiyasathien's case, because of the public attention it has attracted.

Suspended sentenced

Chiranuch PREMCHAIORN (f): Editor of the independent website *Prachatai*. Reportedly arrested on 6 March 2009, and charged with violations of article 15 of the Computer Crimes Act for allegedly endangering national security in comments published on the website. The

website is said to publish issues that Thai newspapers refuse to report. Days after her arrest, Premchaiporn was freed on bail. **Sentence:** On 30 May 2012 the Criminal Court found Premchaiporn guilty of allowing third party comments made in the website she edits; comments which were reportedly offensive to the Thai monarchy, which she failed to delete for about 20 days. Premchaiporn was initially sentenced to one year in prison and a fine of 30,000 Thai Baht (approx US\$1,000). At the time of the sentence, the judge reduced its length to eight months imprisonment; and finally, due to her cooperation in the trial, he decided to impose a one-year suspended sentence in condition of good behaviour and 20,000 Thai Baht fine.

Released

Joe GORDON

Profession: Blogger and salesman. Arrested on 26 May 2011 by the Department of Special Investigation (DSI) during a visit to Thailand. Sentenced to two and a half years in prison on the charge of lèse-majesté for being the owner of a website in which the book *The King Never Smiles*, by Paul Handley, is available for downloading. The book is banned in Thailand as it is said to be offensive to the Thai King. The DSI also allege that Gordon translated some articles or parts of Handley's book. On 10 July 2012 Joe Gordon was released from prison after receiving a royal pardon.

VIETNAM

Imprisoned: Main cases

CU Huy Ha VU:

D.O.B.: 1957 **Profession:** Dissident writer, artist and activist. **Date of arrest:** 5 November 2010 **Sentence:** 7 years in prison and 3 years of house arrest. **Expires:** 4 November 2017 **Details of arrest:** Arrested after publishing critical articles online and giving interviews to foreign media. **Details of trial:** Sentenced by a court in Ha Noi city on 4 April 2011 to a seven-year jail sentence and three years' probationary detention for "conducting propaganda against the state", under Article 88 of the Criminal Code. On 2 August 2011 the Supreme People's Court upheld the sentence against the writer. His trial reportedly did not comply with international standards of fairness. **Place of detention:** Labour camp #5, Yen Dinh, Thanh Hoa, Vietnam. **Other information:** Vu is the son of a celebrated poet and confidante to late president Ho Chi Minh. Vu is known for his environmental activism and had previously twice sued the Prime Minister in an attempt to stop controversial bauxite mining project which he believed would be harmful to the environment. He holds a Doctorate in law from the Sorbonne University, and is the recipient of the 2011 Hellman/Hammett award.

DANG Phuc Tue (religious name: Thich Quang Do)

D.o.b.: 1928 **Profession:** Buddhist monk, writer, scholar. Secretary General of the outlawed Institute for the Propagation of the Dharma, United Buddhist Church of Vietnam (UBCV). **Date of arrest:** 9 October 2003 **Details of arrest:** Part of a delegation of nine UBCV leaders who were all arrested on 9 October 2003. The delegation had left Binh Dinh at 5.00 a.m. on 8 October 2003 en route for Ho Chi Minh City when security services blocked their departure. After a protest in which over two hundred monks formed a human shield around their vehicle, the delegation was allowed to continue its journey, only to meet another police barricade on the following day, when all nine UBCV leaders were arrested and taken away for interrogation. Thich Quang Do was placed

under house arrest. **Place of detention:** Thanh Minh Zen Monastery in Ho Chi Minh City. **Previous political imprisonment/problems:** On 27 June 2003 he was released from a twenty-seven month detention order. Has spent most of the last twenty years in detention or under residential surveillance because of his campaign for religious freedom and free expression. **Other information:** The UN Working Group on Arbitrary Detention declared his imprisonment as 'arbitrary' in May 2005. **Awards:** Laureate of 2002 Czech Human Rights Homo Homini Award and 2006 Norwegian Rafto Human Rights Prize.

HO Thi Bich Khuong (f)

D.o.b.: 1967 **Profession:** Prolific Internet writer and human rights activist. **Date of arrest:** 15 November 2011 **Sentence:** 5 years in prison and 3 years' probationary detention. **Details of arrest:** Ho was arrested by the public security police after a search 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 Vietnam' under Article 88 of the Criminal Code. The accusation alleged that Ho and Nguyen Trung Ton, a priest and activist who was present at her house at the time of Ho's arrest (see 'main case' below), had been collecting documents and writing several online articles which tarnished the reputation of the Republic of Vietnam. Ho Thi Bich Khuong was also accused of giving interviews to foreign radio stations criticizing the government's abuse of power and belonging to illegal human rights organizations. During the trial, she openly criticized the Communist Party. It has been reported that her sentence was read after she was taken out of the courtroom. On 30 May 2012 the Appeal Court in Hanoi confirmed the sentence against Ho and Nguyen. The trial, reportedly, did not comply with international standards. **Place of detention:** Detention camp at Thanh My village, Thanh Chuong district, Nghe An province, Vietnam. **Previous imprisonment/problems:** Ho Thi Bich Khuong served two imprisonment sentences, in 2005 and 2007, under article 245 of the Criminal Code (Causing public order), and article 258 (Abusing democratic freedoms to infringe upon the interest of the State), respectively. She has also been attacked, threatened and subject to brief detentions. **Health concerns:** There are concerns that Ho's health is deteriorating as a result of the conditions of her detention. According to his family, Ho is said to have been attacked on four occasions by other inmates and that the prison authorities turned a blind eye. **Other information:** Ho's writings urged the release of prisoners of conscience and political detainees, and promoting freedom of expression, religion and association. She wrote a memoir of her time in prison which was published in 2009 by *Nguoi Viet Online*, a Vietnamese-American newspaper in the United States. She has also written some satirical poems and was a member of the prodemocracy movement Bloc 8406. Ho is recipient of the 2011 Hellman/ Hammett 2011 award.

LE Cong Dinh:

D.o.b.: 1968. **Profession:** Lawyer and dissident writer. **Date of arrest:** 13 June 2009. **Sentence:** Five years in prison and three years' probationary detention. **Expires:** 12 June 2014. **Details of arrest:** Reportedly arrested by the security police in Saigon and charged with 'Conducting propaganda against the Socialist Republic of Viet Nam' under Article 88 of the Criminal Code. His home and his office were searched and his documents seized. Official reports state that Le Cong Dinh was arrested for allegedly reporting 'distorted' facts to foreign media and offending the country's Prime Minister. **Details of trial:** Tried and convicted on 17 January 2010 for "activities aiming to overthrow

the people's government" under article 79 of the Criminal Code. **Place of detention:** Detention camp Chi Hoa, So 1 duong Hoa Hung, Phuung 13, Quan 10, Ho Chi Minh City, Vietnam. **Other information:** Le Cong Dinh has been working as a lawyer defending journalists, human rights activists and internet writers prosecuted in for their reporting, including lawyers and dissident writers Le Thi Cong Nhan and Nguyen Van Dai and the renowned blogger Dieu Cay. Le Cong Dinh has also written for various international media outlets, including the British Broadcasting Corporation (BBC) and Radio Free Asia (RFA), and banned overseas websites such as the "Democracy Movement", "Vietnam Reform", "New Horizon", "Thorough Discussion", and "Democratic Freedom", which Vietnamese authorities view as "subversive". According to Reporters Without Borders, sources said that Le Cong Dinh's arrest might be related to a libel case brought by several lawyers against the Vietnamese Prime Minister Nguyen Tan Dung. Reportedly denied access to family visits since his arrest. (RAN 25/09 – 16 June 2009)

LU Van Bay

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

***NGUYEN Huu Cau**

D.o.b. 1945. **Profession:** poet, songwriter, human rights defender and anti-corruption activist. **Date of arrest:** 9 October 1982. **Sentence:** Death sentence, commuted to life imprisonment. **Details of arrest:** Reportedly arrested at his residence by public security police of Kien Giang province on 9 October 1982 for being author of a "incriminating" manuscript of songs and poems. In his original book, Nguyen Huu Cau noted on the back of the pages allegations of rape and bribery committed by the two high level officers. The original manuscript was not used as evidence in the trial, in order to protect the two officers concerned. **Place of detention:** Forced labour camp K2 Z30A Xuan Loc, Dong Nai province, Viet Nam. **Details of trial:** Nguyen Huu Cau was accused of committing "Destructive acts" that were supposedly "damaging" to the government's image. On 23 May 1983, he was sentenced to death. Nguyen Huu Cau

pleaded not guilty and his mother submitted an appeal on his behalf. On 24 May 1985, the Court of Appeals commuted his capital sentence into life imprisonment. **Treatment in prison:** During many consecutive years, Nguyen Huu Cau has been placed in harsh solitary confinement. He has lost most of his vision and is almost completely deaf. He is in very poor health, according to his daughter returning from an authorized periodical visit to the camp deep in the jungle. There are serious concerns about his well-being. [Note: this case was first brought to PEN's attention at its annual congress held in Tokyo in September 2010.]

NGUYEN Phong

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

NGUYEN Manh Son

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

***NGUYEN Thanh Long (religious name Nguyen Cong Chinh)**

D.o.b. 10 October 1969. **Profession:** pastor, online writer, head of the Evangelical Lutheran Church of Viet Nam, member of the banned human rights defenders network Bloc 8406 and the Vietnamese Political and Religious Prisoners Friendship Association. **Date of Arrest:** 28 April 2011. **Sentence:** 11 years in prison. **Expires:** 27 April 2022 **Details of arrest:** Arrested at his house where security police seized a dozen of his writings and documents. **Details of trial:** He was accused of writing and spreading online his texts (about 19 titles) that 'slandered Communist authorities' and 'distorted the situation of freedom of opinion and religion' in Viet Nam. He was also accused of sending to NGOs, foreign medias and international institutions his online critical writings and complaints about human rights and the persecution of ethnic minorities, and for giving interviews to foreign radio and newspapers. **Details of**

trial: On 26 March 2012, the People's Court of the Gia Lai province sentenced Nguyen Thanh Long to 11 years in prison for "undermining the unity policy" under Article 87 of the Criminal Code. No defence lawyer, even court-appointed ones, were present at Nguyen Thanh Long's trial. **Place of detention:** Camp Gia Trung - T20, Gia Lai province, Viet Nam. **Treatment in prison:** Reportedly attacked and ill-treated in prison. His family is seriously concerned for his well-being. **Other information:** Nguyen Thanh Long has long been subject to harassment, interrogations and arbitrary detention by public security police, and has also been attacked and beaten. His family is currently facing harassment, intimidation and threat. His house is permanently kept under surveillance by the public security police.

*NGUYEN Trung Ton

D.o.b.: 1971. **Profession:** Pastor, Internet writer, human rights defender and former member of the banned human rights defenders network Bloc 8406. **Date of arrest:** 15 November 2011. **Sentence:** 2 years in prison and 2 years' probationary detention. **Expires:** 14 November 2013 **Details of arrest:** Arrested at the home of fellow internet writer Ho Thi Bich Khuong (see 'main case' above) on 15 November 2011. His house was searched on 17 November 2011 and personal documents and a computer were confiscated. **Details of trial:** Convicted at a one-day trial with Ho Thi Bich Khuong (f) on 29 December 2011 at Nghe An people Court. The trial had been announced as "open to the public" but in reality, only plain clothes security police agents and authorized individuals were admitted into the court house. Accused of "making, storing and circulating documents and cultural products with contents against the Socialist Republic of Viet Nam", in violation of the Article 88 of the Criminal Code. Sentenced to 2 years in prison and 2 years' probationary detention, under Article 88 of the Criminal Code (*Conducting propaganda against the Socialist Republic of Viet Nam*) for collecting documents, and writing and publishing several online articles which allegedly tarnished the reputation of the Communist Party and the Socialist Republic of Viet Nam". **Place of detention:** Forced labour camp at Thanh My village, Thanh Chuong district, Nghe An province, Viet Nam. **Other information:** Nguyen Trung Ton's writings called for the release of prisoners of conscience and political detainees, and denounced the repression of religious freedom and freedom of speech. Since July 2009, Nguyen Trung Ton, head of the Full Gospel Church in Thanh Hoa Province, and his family reportedly have been victims of frequent harassment and beating by local public security police and individuals hired to carry out the physical attacks.

NGUYEN Tien Trung

D.o.b.: 1983. **Profession:** Dissident writer and poet. **Date of arrest:** 7 July 2009. **Sentence:** Seven years in prison and three years' probationary detention **Expires:** 6 July 2016 **Details of arrest:** Reportedly arrested by the security police in Ho Chi Minh City and charged with 'plotting to overthrow the government of Vietnam' and 'conducting propaganda against the Socialist Republic of Vietnam' under Article 88 of the Criminal Code. **Details of trial:** Sentenced on 20 January 2010 for endangering national security and "organizing campaigns in collusion with foreign-based reactionary groups aimed at overthrowing the people's government with the Internet's help". Believed to be charged for his online writings on the issues of freedom of opinion, religion and media, and alleged official corruption. He is known for several open letters and petitions to communist party leaders and government. His letters, essays and poems have been published online and relayed by many forums in and outside

Viet Nam. He has also given many interviews to overseas media including BBC, RFA, New Horizon Radio, Paltalk. **Honorary member of:** Suisse Romand PEN Centre **Place of detention :** Public security detention camp, 4 Phan Dang Luu, Phuong 14, Quan Binh Thanh, Ho Chi Minh city, Vietnam. [RAN 49/09 - 15 September 2009].

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

D.o.b.: 1952. **Profession:** Independent journalist and blogger **Date of arrest:** 19 April 2008. **Sentence:** Two and a half years in prison. **Expiry date:** His sentenced expired on 18 October 2010 but he has not been released. **Details of arrest:** Reportedly arrested for 'tax fraud' in Dalat city, south of the country, after he participated in protests against the police in Ho Chi Minh City, earlier in 2008. There are reports that he had been closely watched by the police and threatened with death prior to his arrest. **Details of trial:** Sentenced on 10 September 2008 to two and a half years-imprisonment by the Vietnamese People's Court at Ho Chi Minh city for alleged tax fraud, although he is widely believed to be targeted for his criticism of Vietnamese government policy. He is known for his internet postings calling for greater democracy and human rights in Vietnam and his participation in protests against Chinese foreign policy. Dieu Cay was one of the founding members of the Free Journalist Network in Vietnam (Cau Lac Bo Nha Bao Tu Do) in 2006. **Place of detention:** Trai tam giam Cong an, So 4 Phan Dang Luu, Phuong 14, Quan Binh Thanh, Ho Chi Minh city, Vietnam. **Continued imprisonment:** Nguyen Van Hai should have been released on 20 October 2010 on completion of his sentence. However, he was reportedly transferred to a Public Security detention camp in Ho Chi Minh city on 18 October 2010, on charges of 'Conducting propaganda against the Socialist Republic of Vietnam' under Article 88 of the Criminal Code. The charges are said to be based on his online writings for the Free Journalist Network in Viet Nam before he was arbitrarily arrested in April 2008. [Trial is due to be heard on 7 August 2012]. **New information:** In early April 2012 it was reported that Nguyen Van Hai and two other bloggers (PHAN Tranh Hai and TA Phong Tan, see below) were accused of 'distorting the truth' and 'denigrating the state' in the website *Free Journalists Club*, co-founded by them. This first hearing of the trial was due on 15 May 2012, but was postponed. Dieu Cay faces up to twenty years in prison under Article 88 of the Vietnamese Criminal Code for 'Conducting propaganda against the state' if found guilty. **Treatment in prison:** Since 18 October 2010, Dieu Cay has been held incommunicado, without access to family visits, letters or medical and food supplies. In early May 2012 his son was allowed to visit him briefly, under constant supervision. He could confirm that Dieu Cay's health was very poor, but that he had not lost an arm as an unconfirmed report in June 2011 had previously stated. **Other information:** Recipient of the 2009 Hellman/Hammett award. (RAN 47/08 Update #1 - 9 April 2009)

NGUYEN Van Ly:

D.o.b.: 1946. **Profession:** Priest, scholar, essayist and co-editor of the underground online magazine *Tu Do Ngon luan (Free Speech)*. **Date of arrest:** 19 February 2007. **Sentence:** eight years in prison and five years of probationary detention. **Expires:** February 2015 **Details of arrest:** Reportedly arrested on 19 February 2007 during an "administrative check" at the archdiocesan building where he lives in the city of Hue. Two other editors of *Tu Do Ngon luan*, Father Chan Tin and Father Phan Van Loi, were reportedly also placed under house arrest. **Details of trial:** On 30 March 2007 a People' Court in Hue (Central Vietnam)

sentenced Father Nguyen Van Ly to eight years in prison and five years of probationary detention under Article 88 of the Criminal Code for 'conducting propaganda against the Socialist Republic of Vietnam' (Article 88). A video footage of his sentencing is available on the Internet: <http://www.youtube.com/watch?v=bUSJeAakoXI>. **Place of detention:** Labour camp Trai K1 Ba Sao Nam Ha, Huyen Kim Bang, Thi Xa Phu Ly, Tinh Ha Nam, Vietnam. **Temporary release:** On 15 March 2010 Nguyen Van Ly was released provisionally on medical grounds. The decision was taken by the Supreme Judge of the People's Court on Ha Nam province, who ordered to temporarily defer Nguyen Van Ly's imprisonment for one year as he was in urgent need of medical treatment which is unavailable in prison. **Return to prison:** On 25 July 2011, Ly was returned to the labour camp to continue serving his sentence. His health is said to be still very poor. **Other information:** In September 2010, the United Nations Working Group on Arbitrary Detention called for the immediate and unconditional release of Nguyen Van Ly, who it said had been arbitrarily and illegally detained and denied access to legal counsel by the Vietnamese authorities. **Previous political imprisonment/problems:** Ly is a leading member of the pro-democracy movement "Bloc 8406". He was previously detained from 1977-1978, and again from 1983-1992 for his activism in support of freedom of expression and religion. He was sentenced again in October 2001 to 15 years in prison for his online publication of an essay on human rights violations in Vietnam, and was a main case of PEN International. The sentence was commuted several times and he was released under amnesty in February 2005. **Award:** In July 2008 Nguyen Van Ly received the Hellman/Hammett award in recognition of his work in the face of persecution. He was nominated for the Sakharov Prize for Freedom of Thought 2009 and 2010. **Honorary member of:** Sydney PEN. (RAN 12/07 - 28 February 2007; update #1 - 7 March 2007; updates #2 - 3 April 2007).

NGUYEN Van Tuc

D.o.b.: C. 1964 **Profession:** Farmer, poet and human rights defender, known for his numerous writings on social injustice and satirical poems published on overseas websites. **Date of arrest:** 10 September 2008 **Sentence:** Four years in prison and 3 years' probationary detention. **Expires:** 9 September 2012 **Details of arrest:** Amongst dozens of activists to have been arrested since September 2008 as part of an ongoing crackdown on peaceful dissent. **Details of trial:** Charged under Article 88 of the Penal Code for 'Conducting propaganda against the Socialist Republic of Vietnam'. Tried and convicted by the Hanoi People's Court on 9 October 2009. Sentence upheld on appeal on 21 January 2010. **Place of detention:** Labour camp Nam Ha, Kim Bang, Ha Nam, Vietnam. (RAN 47/08 - 23 September 2008, update 1 - 9 April 2009)

NGUYEN Xuan Nghia

D.O.B.: 1949 **Profession:** Poet, journalist and novelist, member of the Hai Phong Association of writers and founding member of the banned democracy movement known as Block 8406, author of several online poems and articles. **Date of arrest:** 11 September 2008 **Sentence:** Six years in prison and 3 years' probationary detention. **Expires:** 10 September 2014 **Details of arrest:** According to PEN's information, dissident writer Nguyen Xuan Nghia was arrested and charged with conducting anti-government propaganda under article 88 of Vietnam's penal code for his pro-democracy writings and activities, in particular for being a leading member of the banned pro-democracy group Block 8406. Other members of the group were also arrested and sentenced. The indictment dated 3 July 2009 cited fifty-seven pieces written by

Nguyen Xuan Nghia from 2007 until his arrest in 2008, including poetry, literature, short stories and articles, which allegedly sought to "insult the Communist Party of Vietnam, distort the situation of the country, slander and disgrace the country's leaders, demand a pluralistic and multiparty system ... and incite and attract other people into the opposition movement." He is amongst dozens of activists to have been arrested since September 2008 as part of an ongoing crackdown on peaceful dissent. **Details of trial:** Tried and convicted by the Hanoi People's Court on 9 October 2009. His conviction was upheld on 21 January 2010. **Place of detention:** Labour Camp nr6 K1, Cell A, Village Hanh Lam, District Thanh Chuong, Province Nghe An, Vietnam. **Treatment in prison:** In March 2012 Nguyen was transferred to a new detention facility, nearer to the Laos border, about 400 km from his family home. This will make his wife's visits even more difficult and costly. **Health concerns:** Reportedly suffering from a number of health complaints. **Honorary member of:** American PEN. **Other information:** Recipient of the 2008 and 2011 Hellman/Hammett awards. [RAN 47/08 - 23 September 2008, update 1 - 9 April 2009]

PHAM Thanh Nghien (f)

D.O.B.: 1977 **Profession:** Internet writer and independent journalist. **Date of arrest:** 18 September 2008 **Sentence:** 4 years in prison and 3 years' probationary detention. **Expires:** 17 September 2012 **Details of arrest:** Arrested on 11 September 2008, released later that day but remained under residential surveillance until her re-arrest on 18 September 2008. Held under Article 88 of the Criminal Code on charges of 'propaganda against the state'. **Details of trial:** Tried by the Hai Phong People's Court on 29 January 2010 and sentenced under Article 88 of the Penal Code. There was no appeal. **Treatment in prison:** Pham Thanh Nghien's family was not able to visit her for many months after her arrest. **Health concerns:** Her family is seriously concerned for her health. **Place of detention:** Labour camp 5 Lam Son, Yen Dinh, Thanh Hoa, Vietnam. **Other information:** Recipient of the 2009 Hellman/Hammett Award. [RAN 47/08 - 23 September 2008; Update #1 - 9 April 2009]

PHAM Van Troi

D.o.b.: 1972. **Profession:** Dissident writer and activist, known for his contributions to the underground dissident review *Tu Do Dan Chu (Freedom and Democracy)*. **Date of arrest:** 10 September 2008 **Sentence:** 4 years in prison and 4 years' probationary detention. **Expires:** 9 September 2012 **Details of arrest:** Amongst dozens of activists to have been arrested since September 2008 as part of an ongoing crackdown on peaceful dissent. **Details of trial:** Charged under Article 88 of the Penal Code for 'Conducting propaganda against the Socialist Republic of Vietnam'. Tried and convicted by the Hanoi People's Court on 8 October 2009. His sentence was upheld on appeal on 18 January 2010. **Place of detention:** Labour Camp nr 6, K1, Cell A, Village Hanh Lam, District Thanh Chuong, Province Nghe An, Vietnam. (RAN 47/08 - 23 September 2008, update 1 - 9 April 2009)

***PHAN Ngoc Tuan**

D.o.b. 1959. **Profession:** Dissident poet, writer and human rights defender. **Date of arrest:** 10 August 2011. **Sentence:** 5 years in prison and 3 years in probationary detention. **Details of arrest:** Arrested by the public security police when he took refuge with one of his acquaintances in Ho Chi Minh city. He was then escorted back to his place of residence for interrogation. **Details of trial:** On 6 June 2012, Phan Ngoc Tuan was sentenced by the Ninh Thuan province's people court to 5 years in prison

and 3 years in probationary detention under Article 88 of the Criminal Code (*Conducting propaganda against the Socialist Republic of Viet Nam*). No defence lawyers, even court-appointed ones, were present at Phan Ngoc Tuan's half-day trial. Phan Ngoc Tuan did not plead guilty. **Place of detention:** Public Security Police Cong An detention camp Ninh Thuan province. **Other information:** Phan Ngoc Tuan is the author of several satirical texts, lampoons, pamphlets and documents criticizing the communist authorities for their human rights violations and denouncing corruption, social injustice and ideological discrimination in the regime's legal system. The indictment alleged that Phan Ngoc Tuan's writings "slandered" the government and its leaders.

TRAN Anh Kim

D.o.b.: 1949 **Profession:** Internet writer and dissident. Former army officer. Author of more than 60 articles and essays focusing in human rights and social injustice, secretary of the banned Vietnamese Democratic Party and member of Bloc 8406. **Date of arrest:** 7 July 2009. **Sentence:** Five and a half years in prison and three years' probationary detention. **Expires:** 7 January 2015. **Details of arrest:** Reportedly arrested and charged with 'Conducting propaganda against the Socialist Republic of Viet Nam' under Article 88 of the Criminal Code. Among five activists who were arrested in June 2009. Convicted of the more serious charge of subversion for his pro-democracy activities on 29 April 2010. Prosecutors asked for a lighter sentence in view of the military background of Mr. Kim, a wounded veteran. **Previous political imprisonment/problems:** Tran Anh Kim was known for drafting and circulating petitions protesting injustice and corruption in the Vietnamese Communist Party. In 1991, he was briefly detained and accused of "abuse of power to steal public wealth." He was arrested again in 1994 and sentenced to two years in prison. He was released after one year. In 2006 he joined the pro-democracy movement Bloc 8406. He was member of the editorial board of the underground journal *Fatherland*. Recipient of the 2009 Hellman/Hammett Award. **Place of detention:** Labour Camp nr 6, K1, Cell A, Village Hanh Lam, District Thanh Chuong, Province Nghe An, Vietnam. [RAN 49/09 - 15 September 2009].

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

D.o.b.: 1966 **Profession:** Businessman, poet and prolific Internet writer **Date of arrest:** 24 May 2009 **Sentence:** Sixteen years in prison and three years of probationary detention. **Expires:** 23 May 2025 **Details of the arrest:** Reportedly arrested at his home by the Security Agency and was originally charged with 'Conducting propaganda against the Socialist Republic of Viet Nam' under Article 88 of the Criminal Code. There are reports that in August 2009, Tran was compelled to make a public confession. **Details of trial:** Tried and convicted on 17 January 2010 for "activities aiming to overthrow the people's government" under article 79 of the Criminal Code. The trial lasted one day, and neither Tran's relatives or the press were allowed into the courtroom. Said to be convicted for his dissident activities and writings. **Professional details:** Tran is said to be the director general of the company One Connection Internet Inc., and Founder of the Studies Group for Improving and Promoting Vietnam. He has various web blogs, the most prominent being 'Change we need', where he publishes his articles on the social and political situation in Vietnam, as well as his poems. He is said to be the co-author of the clandestine book *The Way for Vietnam*. **Place of detention:** Labour camp Z30A K1, Xuan Loc, Dong Nai, Vietnam. **Treatment in prison:** He said to be able to receive family visits and food supplies once a month.

Vi Duc HOI:

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

Imprisoned – investigation

***LE Thanh Tung: (pen-name Le Ai Quoc)**

D.o.b. 1968. **Profession:** Independent reporter, member of the banned human rights defenders network Bloc 8406. **Date of arrest:** 1 December 2011. **Details of arrest:** Reportedly arrested by public security police after searching his house, seizing his computers and camera, and confiscating underground publications of the Bloc 8406, letters and articles. **Place of detention:** Public Security Police Cong An detention camp nr1 (Hoa Lo Moi), Xuan Phuong village, Tu Liem district, Hanoi, Viet Nam. **Other information:** Under the pen-name Le Ai Quoc, he wrote several online articles denouncing violations of human rights, freedoms of opinion and religion, and defending farmers whose land has been confiscated by local authorities. In 2008, he was briefly arrested and denounced as a traitor at a so-called "people's tribunal" for writing and publishing online several articles on the situation of human rights and democracy, and an account of his life, entitled *Memoir of a Former Volunteer Fighter in the Vietnamese People's Army*'. Detained pending trial as of 30 June 2012.

***NGUYEN Kim Nhan**

D.o.b. 1949. **Profession:** Human rights defender. Known for dissident writings concerning illegal land expropriation and abuses of authority in Bac Giang province, and contributing to the underground review *Tô Quốc (Fatherland)*. **Date of arrest:** 7 June 2011. **Details of arrest:** Nguyen Kim Nhan was arrested on 7 June 2011 after public security policemen searched his residence and confiscated a number of personal effects including a computer and several documents. Accused of 'conducting propaganda against the Socialist Republic of Viet Nam'. **Place of detention:** Public Security police Cong An detention camp, Bac Giang province, Viet Nam. **Treatment in prison:** Since his arrest, he has no direct access to his family. **Previous imprisonment/problems:** Nguyen Kim Nhan has previously served 2 prison sentences for his dissident activities and writings, from 24 September 2008 to 22 January 2009 and from 8 May 2009 to 20 December 2010, under Article 88 of the Criminal Code 'Conducting propaganda against the Socialist Republic of Viet Nam'. He was a PEN main case. [Reportedly sentenced on 16 July 2012 to five and a half years in prison by the Bac Giang Provincial People's Court for publishing critical articles and letters online, reporting

human rights violations and giving interviews to overseas Vietnamese-language media.]

***NGUYEN Van Khuong: (pen name Hoang Khuong)**

D.O.B.: 1989. Journalist for the daily newspaper *Tuoi Tre* (<http://tuoitre.vn>), was reportedly arrested on 2 January 2012 in Ho Chi Minh City. Thought to be arrested following articles published in *Tuoi Tre* exposing alleged police corruption. In 2011 Nguyen worked in an undercover investigation on traffic police corruption in Binh Thanh District. On 3 December 2011, Nguyen was suspended from the daily, allegedly after pressure from the authorities. Nguyen is currently held at the Public Security police Cong An detention camp, Phan Dang Luu street, Ho Chi Minh City, Vietnam. He denies the charges. Remains detained pending trial as of 30 June 2012.

PHAN Thanh Hai: (aka Anh Ba Sai Gon)

D.o.b: 1969. **Profession:** Lawyer, independent journalist and blogger. **Date of arrest:** 18 October 2010. **Details of arrest:** Reportedly arrested by Public security police at his residence without any charges being made known. Thought to be held for posting 'false information' on his blog, in which he writes about Vietnam's territorial disputes with China and the issue of bauxite mining. He has also expressed his support for other Vietnamese dissidents. His wife claims he is facing a possible four-month jail sentence for 'propaganda against the state' under article 88 of the Penal Code. **Other information:** Phan Thanh Hai was known as an active member of the Free Journalist Network in Vietnam (Cau Lac Bo Nha Bao Tu Do) since 2007. His blog <http://anhbasg.multiply.com> is known for its social and news reports about Vietnam. His blog recently was hacked and erased completely three times by professional hackers. Public Security police frequently harassed and interrogated him about his blogging. He was intimidated and threatened during several brief detentions. Phan is a graduate from law school, but cannot practice his profession because his application has been denied by the Ho Chi Minh Bar Association because of his blogging and activism. **Details of the trial:** In early April 2012, it was reported that Phan Tranh Hai, together with Nguyen Van Hay (blogger Dieu Cay) and Ta Phong Tan, were accused for postings on the website *Free Journalists Club* co-founded by them. The first hearing of the trial was due for 15 May 2012, but was suspended. The three bloggers face up to twenty years in prison, if found guilty under Article 88 of the Vietnamese Criminal Code for 'Conducting propaganda against the state'. **Place of detention:** Public security police detention centre at Ho Chi Minh city. He remains in detention as of 30 June 2012. **Other information:** Recipient of the 2011 Hellman/Hammett award.

Paulus Le Van SON: D.O.B.: 1985. Blogger and Christian activist, was arrested in Hanoi on 3 August 2011. He has reportedly been charged under article 79 of the Vietnamese Criminal Code for trying to overthrow the government, and is held by the Public Security Police in Cong An Detention Camp B14, in Hanoi. Son writes for his blog paulusleson.wordpress.com/ and contributes to the collective blog *Baokhongle and Vietnam Redemptorist News*. Previously, Son signed a petition for the release of the activist Cu Huy Ha Vu (see above), and covered his trial in April 2011. Remains detained pending trial as of 30 June 2012.

TA Phong Tan (f): (Aka Cong Ly Va Tu Su), is a blogger for *Conglyuthat (Justice & Truth)*, jurist and former police officer. Co-founding member of the banned Free Journalist Club in Vietnam. She was arrested on 5 September 2011, reportedly for her critical postings about the detention of blogger Paulus Le Van Son (see above). Ta is currently being held at public security police Cong An detention camp, Phan Dang Luu street,

Ho Chi Minh City. Ta is a popular blogger among dissidents in Vietnam; she has written articles about corruption, abuse of power, confiscation of land, among other issues. Her articles have been published in many mainstream media outlets in Vietnam, including *Tuoi Tre* (Youth), *Nguioi Lao Dong* (Laborer), *Vietnam Net*, and the *Vietnamese Service of the BBC*. She is also a member of the Free Journalist Club in Vietnam, and a recipient of the 2011 Hellman/Hammett Award. Remains detained as of 30 June 2012, WiPC seeking further details about any charges against her. [Due to stand trial with bloggers Nguyen Van Hai and Phan Thanh Hai (see 'main case' above) on 7 August 2012 on charges of 'conducting propaganda against the Socialist Republic of Viet Nam' under Article 88 of the Criminal code. On 30 July 2012 her mother died after self-immolating outside government buildings following months of harassment from Public Security officials.]

VO Minh Tri (aka Minh Tri and Viêt Khang)

D.o.b.: 19 January 1978 **Profession:** Songwriter and performer. **Date of arrest:** 23 December 2011 **Details of arrest:** Reportedly arrested on 16 September 2011 and held for a week. Rearrested in December 2011 at his home, by public security police for allegedly 'Conducting propaganda against the Socialist Republic of Vietnam'. His computer and recording equipment were seized by the police. Remains detained pending trial as of 30 June 2012. **Other information:** In April 2011 Vo and other young professionals, students and activists founded the organisation *Tuoi Tre Yeu Nuoc* (*Young Patriots*), a human rights defenders' group. Vo's lyrics and writings have been published in the group's websites www.tuoiireyeunuoc.com and www.tuoiireyeunuoc.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. **Place of detention:** Trai tam giam Cong An (Public security police's temporary detention camp), 4 duong Phan Dang Luu (street), Phuong 14 (ward), quan Binh Thanh (district), Ho Chi Minh City. **Treatment in prison:** Held in solitary confinement.

Released

LE Thang Long: Businessman and Internet writer, the founder of the website *Improving and Promoting Vietnam*. Arrested on 4 June 2009 and sentenced to three and a half years in prison and three years of probationary detention. Le was tried and sentenced on 17 January 2010, for 'carrying out activities aimed at overthrowing the people's administration'. Said to be charged for his dissident writings and activities. His initial sentence of five years was reduced by the Appeal People's Court of Ho Chi Minh City. On 4 June 2012 Le Thang Long was released from prison, six months before the expiry of his sentence. The reason for his early release remains unknown. Le has been placed under probationary detention for three years.

Case closed

TRAN Quoc Hien : Internet writer and human rights lawyer, arrested on 12 January 2007 and sentenced to five years in prison. He was charged with 'spreading anti-government propaganda' on the Internet and 'endangering state security'. Tran Quoc Hien is known for his critical writings published on the Internet, including a short story 'The Tail' about the experience of life under surveillance. He is a member of the pro-democracy movement 'Bloc 8406'. He is also a human rights lawyer, known for his work defending farmers whose land has been confiscated by local authorities. On 12 January 2012, Tran was released

from prison on completion of his imprisonment sentence. He remains under probationary detention for two more years.

PHAM Minh Hoang: (aka Blogger Phan Kien Quoc): University professor and blogger, was arrested on 13 August 2010, and sentenced to three years in prison, reduced to 17 months. He was convicted under Article 79 of the Criminal Code for ‘attempting to overthrow the government’ in his critical online writings. The judge at the trial stated that Pham’s articles had ‘blackened the image of the country’. Also thought to have been charged for his alleged affiliation to Viet Tan, a US-based Vietnam Reform Party which is not known to use violence to achieve change. He has dual French and Vietnamese nationalities. On 13 January 2012 Pham was released from prison on the expiry of his sentence. Case closed.

TRUONG Minh Duc: Freelance journalist and political activist, member of Bloc 8406 and the Vietnamese Populist party. He was arrested on 5 May 2007 and sentenced to five years in prison for ‘taking advantage of democratic rights to act against the state’s interest’ and ‘receiving money from abroad to support complaints against the state’, under Article 258 of the Criminal Code. Duc is known for his articles on corruption and abuse of power since 1994 for various newspapers, under different pseudonyms. On 6 May 2012 Truong Minh Duc was released from prison on expiry of his sentence.

EUROPE and Central Asia

ARMENIA

Imprisoned - Investigation

Murad BODJOLYAN: d.o.b. c. 1947. Former diplomat and journalist. Arrested January 2002. **Trial details:** Trial started on 24 October 2002 under Article 59 of the Criminal Code (treason). Subsequently convicted to ten years in prison on 16 December 2002. Accused of passing on military and economic information to the Turkish military intelligence, as well as details of Kurdish Workers Party exiles in Armenia. Lawyers argue there is little evidence and suggest that his writings are the basis of the charges. The conviction was upheld in early 2003 and is now final. Bodjolyan has brought his case to the European Court of Human Rights. **Background:** Bodjolyan is a freelance journalist for the Turkish NTV television network. Until 1998 he worked in the Armenian foreign ministry and acted as interpreter for former president Ter-Petrosian. There are suggestions that the conviction may be linked to the February 2003 presidential elections and is aimed at undermining Ter-Petrosian who is standing for re-election. He is married with children. Last information dated August 2009 reported that Bodjolyan was still in prison, despite several petitions to the authorities asking for his early release. No further information as of June 2012.

Brief detention

***Hayk GEVORGIAN:** veteran editor and correspondent with the pro-opposition daily *Haykakan Zhamanak*. He was arrested on 3 February 2012 for allegedly running over another man in his car on January 13. The Armenian police say he did not help the middle-aged man and instead verbally abused him before fleeing the scene. Nikol Pashinian, the paper’s editor, dismissed those claims, saying that the incident was a police provocation organised in retaliation for Gevorgian’s scathing articles about Vladimir Gasparian, the chief of the national police. Facing uproar from Armenia’s leading press freedom groups and independent media outlets, law-enforcement authorities released Gevorgian on 6 February 2012.

Harrassed

***Hovhannes ISKHANYAN:** The author of a book that is said to defame the Armenian Army. He has been charged with dissemination of pornographic material and his book *Demob Day / The Day of Discharge* was removed from bookstores following pressure from the Military Police on 23 March 2012. He says he wrote the book in part before he joined the army and completed it after his service and that the language in the book – while fictional – is based on his experiences. Nonetheless, Military Police attorney says Ishkhanyan’s work of fiction distorts truth, defames the military, is offensive to religion and Armenian mothers. Ishkhanyan was prosecuted under Article 263 of the Criminal Code of Armenia (Illegal dissemination of pornographic materials or items). Those who are charged with this crime “are punished with a fine or with arrest for the term of up to two months, or with imprisonment for the term of up to two years.” The procurator’s office rejected the criminal case presented by the investigators on 25 April 2012.

AZERBAIJAN

Killed: investigation under way

Rafiq TAGI: journalist, died in hospital on 23 November 2011 after he had been attacked as he was returning home from work on 19 November 2011. Tagi received six stab wounds and needed emergency surgery to remove his spleen. He was also reported at the time to have suffered broken ribs, a fractured soldier blade and injuries to his stomach and diaphragm. The attack was reportedly carried out by two unidentified male assailants, aged approximately 30-35 years, who had their faces concealed and did not say anything. Tagi underwent four hours of emergency surgery and was believed to have been in a stable condition in hospital in Baku before he died. However, he died in hospital on 23 November 2011 after reportedly choking on vomit mass. Although the motive for the attack remains unknown, it is alleged that it may have been related to an article Tagi published on 10 November 2011 entitled ‘Iran and the Inevitability of Globalisation’ in which he criticized the Iranian regime and described threats made against Azerbaijan by Iran as “ridiculous”. A criminal investigation has been launched by the Khatai District Prosecutor’s Office. **Update:** Law enforcement officials have ruled in February 2012 that medical personnel were not to blame for the death of the writer. Tagi’s brother Rafael Tagiyev rejected the official ruling, saying doctors had been “negligent” in their treatment. Mehman Aliyev, a member of a public investigation group on Tagi’s death, says the writer was not provided with sufficient security and that his food and medication were not properly monitored. **Background:** Tagi, a former PEN main case, was previously arrested in November 2006 for an article

entitled 'Europe and Us', published in *Sanat* newspaper, for which he was accused of insulting the Prophet Mohammad. Following the publication of the article Grand Ayatollah Fazil Lankarani of Iran issued a fatwa calling for Tagi's death. He was sentenced to three years in prison for the article under Article 283 of the Azeri Criminal Code for "inciting national, racial and religious enmity". Following significant international pressure, Tagi was granted amnesty on 28 December 2007.

Imprisoned – Investigation

***Nijat ALIYEV:** editor-in-chief of *azadxeber.az* website. Detained 20 May 2012 near Memar Ajami metro station and taken to Yasamal District police office. He was charged under Article 234.1 (Illegal manufacturing, purchase, storage, transportation, transfer or selling of narcotics/psychotropic substances) and sentenced to 2 months pre-trial detention. He is currently held in Kurdakhani investigative prison. His lawyer Anar Gasimli reported to the Institute for Reporters' Freedom and Safety (IRFS) on 29 May that Aliyev was beaten by the officers while in custody. According to Gasimli they also tried to blackmail him. The police told Aliyev that if he does not admit to drug-related charges, they will sentence him to more than 5 years in prison, under more serious charges. They allegedly warned him that they could plant drugs in his apartment, which would put his family members at risk, said the lawyer, and added that they will take legal measures regarding the case.

***Ramin BAYMAROV (BAYRAMLI):** editor of the *Islamazeri.az* website. A court in the Baku district of Absheron sentenced him to 18 months in prison on charges of illegal possession of drugs and firearms on 8 March 2012. He has been detained since 11 July 2011. There have been doubts about the reasons for his arrest from the outset. He extensively covered issues of interest to Muslim communities in Azerbaijan. He was arrested on the same day as one of the leaders of the Azerbaijani Islamic Party (IPA), Arif Ganiyev, and it was initially reported that the National Security Ministry suspected Bayramov of having links with the Iranian Cultural Centre in Baku and belonging to the radical Shiite group *Jafari*. **Nazim GULIYEV:** Founder and editor-in-chief of the newspaper *Ideal*, currently closed, was reportedly sentenced to thirteen years in prison and confiscation of his property by the Grave Crimes Court on 15 January 2010. The charges against him are: extortion (under Article 182 of the Criminal Code); hooliganism (under article 221); and illegal manufacturing, purchase, storage, transportation, transfer or selling of narcotics, psychotropic substances (under Article 234). Gulyev is serving his sentence in a special penitentiary. **Previous conviction:** Gulyev was arrested in late April 2009 and sentenced to six months in prison. Convicted regarding a criminal case filed in September 2008 by a Nagorno-Karabakh war veteran, who alleged that two articles published in *Ideal* in August 2008 harmed her dignity. Gulyev was sentenced to pre-trial detention during a hearing in the Nasimi District Court on 30 October 2008; however by then he had gone into hiding. In late April 2009, Gulyev was arrested and on 26 May 2009 he was sentenced to six months on defamation charges (see previous caselist). PEN is seeking clarification of the current criminal charges so as to ascertain whether he is in fact detained for his writings.

***Ayudin JANIYEV:** regional correspondent for *Xural* newspaper. He was detained by police on 8 September 2011 after complaints from members of the religious community in the village of Sarpakaran. Leader of the Sahib az-Zaman mosque claimed that on 7 September Janiyev went to the house of a local woman and after a dispute, broke the windows of her house and then went to the nearby mosque, broke its windows and insulted members of village who attempted to stop him. The leader of the mosque claims he was physically assaulted and as a result lodged a complaint with the police.

Janiyev was initially sentenced to twelve days of administrative detention for hooliganism and resisting a state employee preventing violation of social order. The journalist was reported to have rejected legal representation in favour of defending his own rights. On 20 September 2011 Lenkeran Regional Court sentenced him to two months of pre-trial detention, later handing down a three year prison term upon conviction on 21 November. Janiyev wrote a series of articles critical of the activities of the religious authorities in the southern region, particularly Gani Akhundzade, a representative of the Caucasus Muslim Department. An independent investigation by local journalists, cited by the independent Azerbaijani news agency *Turan*, concluded that Janiyev's charges stemmed from his reporting on authorities' alleged involvement in drug trafficking in Lenkeran.

***Taleh KHAMMAMADOV:** Blogger, human rights defender and founder of 'Law and Rights 2010', a legal consulting office. On 11 November 2011 Khammammadov was approached by two men claiming to be policemen. They asked him to give over material that he had collected pertaining to illegal actions carried out by police officers. Khammammadov complied with the request but was called to the regional police department the following day. There he was charged with 'hooliganism', resisting arrest and using force against a government representative. It is said that he was assaulted by police during his arrest. Khammammadov's home and office were searched and a computer and other possessions confiscated by police. Initially sentenced to two months pre-trial detention, criminal proceedings were opened against Khammammadov on 7 March 2012 at Kurdamir Regional Court. Khammammadov stated in court that the police officers had targeted him as a result of his work as a human rights defender and blogger. Khammammadov was sentenced on 20 April 2012 to four years in jail at the Kurdamir Regional Court. The blogger's lawyer Asabali Mustafayev stated that they would appeal against the decision.

***Hilal MAMEDOV:** editor-in-chief of *Tolishi Sado (Voice of the Talysh)* independent newspaper and human rights activist. Arrested for alleged illegal drugs possession. The non-governmental Baku Institute for Peace and Democracy said on 22 June 2012 that Hilal Mamedov was abducted by unknown individuals on 21 June. Mamedov's relatives say he has never used drugs and that they believe the arrest is politically motivated. No response to this allegation was immediately available from police. Mamedov's newspaper is printed in the Talysh language, a branch of 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 sentenced to 10 years in prison. **Update:** Mamedov was charged in a Baku court on 4 July 2012 with separate counts of treason, incitement to ethnic and religious hatred, and drug possession. If convicted, he faces a life term in prison. If convicted, he faces a life term in prison.

Avaz ZEYNALLI: editor-in-chief of the *Khural* newspaper; Arrested 28 October 2011 by members of the Anti-Corruption Fight Office and, on the same day, sentenced to three months of pre-trial detention by the Nasimi District Court and transferred to the Kurdakhani Investigation Prison the following day. The detention was extended to 20 May. **(1)** Charged under Article 306.2 of the Azeri Criminal Code (contempt of court). The case is reported to be the result of Zeynalli's non-adherence to a court decision which ordered *Khural* to pay over US\$18,000 to two men who had accused *Khural* of 'insulting their honour and dignity'. The newspaper had appealed for the termination of the fines due to lack of funds. **(2)** On May 4, 2012 another charge was brought against Zeynalli under article 213.1 (evasion of taxes or other obligatory payments in significant amount). His trial is currently ongoing at the Baku Grave Crimes Court. **Trial:** Opened 2 July 2012 at Baku Grave Crimes court during which the head of Azerbaijan

Publishing Company Agabay Asgarov for the prosecution, said the *Khural* newspaper had repeatedly published untrue information about him and this was the reason why he had appealed to Narimanov District Court. Asgarov stated that the court ruling demands the newspaper to apologise and to pay him 1000 AZN in compensation, but none of these demands had been fulfilled by the newspaper. When MP Gular Ahmadova was called to testify as a witness, Zeynalli objected to it, saying that it was a violation of the agreed-upon sequence of hearing witness and that he was ready for this testimony for this testimony. As the judge insisted on hearing the witness, lawyer Elchin Sadigov declared that he no more wanted to take part in the case and left the courtroom. At this point, Gular Ahmadova physically attacked Zeynalli who was behind bars. After a brief interlude, Gular Ahmadova testified and said that when *Khural* newspaper threatened to disclose shocking information about her, she met with Avaz Zeynalli, and offered him 10 000 AZN not to publish that information. Lawyer Mansum Bayramov filed a motion with the court asking to postpone the meeting as Zeynalli had health problems. The judge granted the motion and postponed the hearing for 11 July. **Previous harassment:** Zeynalli had previously reported receiving a threatening phone call on 26 June 2011 from someone claiming to be Binagadi District Police Department Chief Agalar Maharramov. The caller insulted Zeynalli and threatened to kill him. The call followed an article Zeynalli had published which claimed that Maharramov had taken bribes from business institutions run by high-ranking officials in the district. Maharramov has denied that the call came from him.

On Trial

Idrak ABBASOV: journalist. Attacked by the security guards on 18 April 2012 while a group of journalists were reporting on the demolition of houses by the State Oil Company of Azerbaijan Republic (SOCAR) in the Sulutapa settlement, in the Binagadi district of Baku. Abbasov was left with severe trauma to his right eye and concussion. He was unconscious for several hours after the incident and was hospitalised. SOCAR president Rovnag Abdullayev subsequently brought charges against Abbasov. He stated that SOCAR has conducted a fair investigation into the Sulutapa events and found that some of his employees exceeded their power to some extent and will be punished. According to him, Abbasov did not have journalist ID on him. He also accused Abbasov and his family of having illegal houses and land in Sulutapa, and that there are some circles in Sulutapa that illegally misappropriate land and then sell it on. **Update:** On May 30 Idrak Abbasov was summoned to the Ministry of Internal Affairs. He gave testimony for three hours before proceedings were stopped due to his ill health. **Update:** SOCAR president Rovnag Abdullayev brings new charge against Abbasov. He stated that SOCAR has conducted a fair investigation into the Sulutapa events and found that some of our employees exceeded their power to some extent and will be punished. According to him the person who claims he was beaten during that event did not have journalist ID on him. He added that they know that this person and his brothers have illegal houses and land in Sulutapa, and that there are some circles in Sulutapa that illegally misappropriate land and then sell it on. **Update:** On May 30 Idrak Abbasov was summoned to the Ministry of Internal Affairs. He gave testimony from 11am until 2pm, when he became unwell. **Previous attack:** was allegedly attacked by two unidentified men as he was returning from work on 20 September 2011. Previously, on 9 September 2011, several members of Abbasov's family had reportedly been severely beaten and their home in the suburbs of Baku was partly destroyed. The attack was allegedly carried out by security personnel working for the state-owned Binagadi Oil Company. Abbasov had been investigating alleged illegal activity carried out by

the company. It was reported that the company had been threatening Abbasov's father and brother for several months with the destruction of their home if he did not stop investigating.

***Mehman HUSEYNOV:** pro-democracy photographer and blogger. He was summoned to the Sabayil District Police station and was taken into police custody on 12 June 2012 in Baku, for 48 hours after three hours of questioning. Initially he was charged with "hooliganism". He was released a day after his arrest but with the charges against him increased. After his release he was charged with "assaulting" police during an unauthorised opposition rally on the eve of last month's Eurovision Song Contest in Baku. The assault charge could result in up to five years in jail if he is convicted.

Brief detention

***Anar GARAYLI:** correspondent of *gunxeber.com* website, was sentenced to 10 days in prison on 22 May 2012 by Nasimi District Court for resisting police (Article 306 of the criminal code.) No information regarding his trial has been provided. When he was arrested, he was wearing Sing for Democracy campaign tee-shirt marking the 2012 Eurovision Song Contest held in Baku that month and was carrying pamphlets about a local youth movement.

***Bayram ISGANDARLI:** reporter for *Gundalik Telegraf*. He was detained during a demonstration by Public Chamber activists on 24 May 2012. Police and plain-clothed agents prevented journalists from reporting. Public Chamber activists were forced into police cars and buses, and taken away when they tried to approach the Public TV building. The picket was planned in protest against Public TV's violation of the principles of political pluralism and freedom of expression. The Public Chamber believes that the Public TV is breaching the principle of freedom of expression, undertaken before the European Broadcasting Union. It is failing to operate in compliance with the obligations set by the Council of Europe. The Public Chamber has demanded more airtime for the opposition, and they condemned the Public TV for serving for the authorities rather than the public.

Attacked

***Gunay MUSAYEVA (f):** journalist for the newspaper *Yeni Musavat*. He was assaulted along with Idrak Abbasov by the security guards on 18 April 2012 while they were reporting on the demolition of houses by the State Oil Company of Azerbaijan Republic (SOCAR) in the Sulutapa settlement, in the Binagadi district of Baku. (see Abbasov above)

Threatened

***Khadija ISMAILOVA (f):** journalist known for her investigations into high-level corruption, including secret, offshore businesses of President Ilham Aliyev's family. On 7 March 2012 Ismailova received photos of an intimate nature and a threatening mail, which warned her to stop investigating or be "defamed", the journalist announced in Facebook. She released a public statement, saying "after receiving a letter today, I am convinced and determined that I can withstand any blackmail campaign against me. I will continue my professional activity." Khadija Ismailova has fallen foul of the Azerbaijani authorities several times in the past. According to a US embassy cable leaked by Wikileaks, in January 2009 President Aliyev complained about her at a meeting with a senior US official, describing her as "a long-time opposition activist who considers herself an enemy of the government". **Update:** A video of a personal nature, purportedly depicting Ismailova, was published on March 14 2012 on a website that had been created on March 11. Links to the video were then distributed to the social media.

Released

Bakhtiyar HAJIYEV: blogger and activist, sentenced to two years for evading military service. The charge was originally brought against him in January 2011 after he posted videos online highlighting alleged fraud during the November 2010 parliamentary elections. He was arrested on 4 March 2011 after calling for an anti-government protest on social networks. Hajiyev was remanded into pre-trial detention for two-months pending his trial. While in pre-trial detention, Hajiyev was beaten and threatened with rape. Hajiyev's local attorney filed a complaint about his client's treatment, but authorities have failed to investigate the abuses. On May 18 2011, a district court in Ganja sentenced Hajiyev to two years in prison for draft evasion. Hajiyev's attempts to appeal his sentence and be released on parole have been unsuccessful. **Update:** Bakhtiyar was granted an early release by the Supreme Court on 4 June 2012. He will not be able to travel abroad without special permission for another nine months, until the period of his two-year jail sentence is over.

BELARUS

Imprisoned - Main Case

Ales BYALYATSKI (BIALIATSKI): writer and prominent human rights activist, sentenced to four and a half years imprisonment on 24 November 2011 on charges of tax evasion. Balyatski, head of the *Vyasna (Spring)* human rights centre, was a founding member of the Belarusian literary organization *Tutejshyja (The Locals)* and served as a former head of the Maxim Bahdanovich Literary Museum in Minsk. He was arrested on 4 August 2011 and charged with tax evasion, charges which stemmed from his reported use of personal bank accounts in Lithuania and Poland to receive funding from international donors for *Vyasna's* human rights activities in Belarus. *Vyasna* had campaigned for scores of opposition activists persecuted by the government of President Alexander Lukashenko. The organization had been stripped of its official registration in 2003, making it extremely difficult under Belarus's economic laws to raise funds for its activities. **Update:** Balyatski has been transferred from a detention centre in Minsk to a labour camp in the eastern city of Babruysk on 17 February 2012.

On Trial

***Ogtay GULALIYEV:** editor-in-chief for *Transparency* magazine and the coordinator of the Kur Civil Society, which works to alleviate the damage caused by the 2010 Kur River floods. He was detained on 8 April 2012 at a meeting with Minbashi village residents. On April 9 Sabirabad Regional Court sentenced him to an administrative arrest under Article 296 (minor hooliganism) based on a lawsuit brought by the head of Minbashi village municipality, Rufulla Gojayev. Shortly before the expiry of the 12-day detention, on 19 April, Ogtay Gulaliyev was further charged under Article 220.2 of the Criminal Code of Azerbaijan for "active resistance to orders from the authority" and "incitement of mass riots and violence towards citizens". These charges may result in three years imprisonment. On 2 May 2012, Ogtay Gulaliyev was examined by Dr. Bayali Mammadov of the Ministry of Justice's Medical Department, who found serious problems with his intestines and recommended surgery. When Ogtay Gulaliyev requested that the surgery be carried out only in the presence of his personal doctor, this was refused by the investigation body, who are required to give their permission. According to some sources he has been subject to ill-treatment and abuses by officials of the Sabirabad Region Police Department.

Andrzej POCZOBUT: a correspondent for the Polish daily *Gazeta Wyborcza*. Arrested on 21 June 2012 for libel against the president. Police raided the Grodno apartment of Poczobut, confiscated at least one computer and detained him for questioning, the independent news website *Charter 97* reported. Poczobut is the target of a criminal case over articles he wrote for *Charter 97* and *Belarussky Partizan*, another independent website, in which he criticised President Aleksandr Lukashenko and his domestic and international policies. It is unclear when authorities opened the case. He is being held at a Grodno prison. He faces up to five years in prison if convicted, according to Radio Free Europe/Radio Liberty. CPJ research shows that Belarusian authorities have long targeted Poczobut for his critical publications. In 2011 alone he faced detention, imprisonment, raids on his apartment, confiscation of his equipment, politicised prosecution and suspended prison term sentence on charges of libel against the president, all in connection to his critical journalism. See previous caselists. Poczobut was formally indicted on criminal charges of libelling Aleksandr Lukashenko through a series of articles critical of administration policies on 30 June. He was released from custody on that day pending trial, but he was banned from leaving Grodno.

Non-Custodial Sentence

Pavel SEVERINETS: is an opposition activist, author of several books, and a member of Belarus PEN which recently awarded him their book of the year prize. He was arrested on 19 December 2010 and charged under Article 293 of the Criminal Code of Belarus ('Organization of riots'). He was reported to have been sentenced on 17 May 2010 to three years of restricted freedom, without being sent to a correctional institution (so-called "chemistry"). **Update:** Severinets was denied release on parole again on 27 April 2012. The administration of the special detention facility confirmed his certificate of good conduct, but he was denied the release on parole because he did not admit his guilt. Severinets said that the sentence and the order are illegal.

Harassment

***Zhanna LITVINA (f):** head of the Belarus Association of journalists, a media-freedom watchdog. She told that border guards at Minsk airport prevented her from taking a flight to the Polish capital, Warsaw, on 15 March 2012. A number of other critics of the President Aleksandr Lukashenko have also been blocked recently from taking foreign trips. Officials have declined to comment on reports that the government has compiled a list of journalists, opposition activists and human rights defenders who are forbidden to leave Belarus. Another journalist, Andrey Dunko, editor of the '*Nasha Niva*' newspaper also found out that he is among blocked from exiting when he was turned back near Lithuanian border on March 14.

Released

Dimitri BONDARENKO: journalist with Charter 97, sentenced on 27 April 2011 to two years in prison under Article 342 of the Criminal Code of Belarus for 'preparation of activities that disrupt the public order' and ordered to pay a fine for damages to public transport. He was arrested on 19 December 2010, during the mass arrests which followed protests against the flawed presidential elections, and originally charged with 'Organization of riots'. He was also accused of using the internet to call for participation in the protest and 'expressing false statements about undemocratic elections'. Bondarenko admitted his participation in the mass demonstrations, but pleaded not guilty to the other charges. It was also reported that Bondarenko was denied access to his lawyer during his detention. Released on 12 April 2012 under amnesty.

BULGARIA

Attacked

***Lidia PAVLOVA (f)**: investigative journalist, who specialises in reporting on organised crime in southwest Bulgaria for *Struma*. Pavlova's family car was set on fire on 25 May 2012 in the town of Dupnitsa, where she resides. The incident marked the second time her car has been destroyed and her 22-year-old son, Ivan, who has been attacked several times, reportedly as a form of pressure on Pavlova, was driving the car on the night of the latest incident. She has received a number of threats since trials against two mafia men known as the "Galevi brothers" and their alleged accomplices began in 2008. Pavlova is the recipient of a 2010 SEEMO-CEI diploma for Outstanding Merits in Investigative Journalism and the 2009 Award for Courage in Journalism presented by the WAZ Media Group and the International Journalists Federation. A reporter for more than 15 years, she has investigated the so-called "Galevi brothers," local businessmen who have been the subject of several criminal trials.

FRANCE

On trial – investigation

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

GEORGIA

Case closed

Viktor LAZIC: Serbian travel writer for the Belgrade-based daily *Press*, was detained on 3 September 2011 on the border between Georgia and South Ossetia. According to the journalist he was detained because he had allegedly crossed the border of the disputed territory of South Ossetia. He is reportedly being held in solitary confinement. The Georgian authorities reported that he was freed some days later. No further details.

GREECE

Death threat

***Xenia KOUNALAKI (F)**: foreign editor of *Kahimerini*, Greece's leading broadsheet. Her death threat was published by anonymous commentators on the website of far-right party "Golden Dawn" at the beginning of May 2012. Also on 14 May at a press conference in Athens a thuggish-looking militant ordered journalists to stand as a sign of respect for the Golden Dawn 'leader' Nikolaos Michaloliakos. Most journalists did so; those that refused were expelled from the room.

HUNGARY

Facing charges

***Attila MONG**: journalist, who published a leaked letter from EU Commission President José Manuel Barroso to Prime Minister Viktor

Orbán on his blog. The Hungarian Interior Ministry has alleged that the 19 December 2011 letter, in which Barroso criticises Hungary's new central bank law for being incompatible with EU legislation, should not have been published as it constitutes a violation of the privacy of correspondence of the Prime Minister. Interior Minister Pintér is reported to have said that the journalist Attila Mong could face several years' imprisonment for this criminal offence.

KAZAKHSTAN

Imprisoned - investigation

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

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

***Vladimir KOZLOV, Zhambolat MAMAI, Bolat ATABAEV and Serik SAPARGALI**: Kozlov is a journalist, who has also held the post of the chairman of the Coordination Committee of the 'Alga!' opposition party. Mamai is also a journalist and leader of the Kazakhstani organisation 'Rukh pen til'. Amongst two others, journalists Bolat Atabaev and Serik Sapargali, are accused of inciting social hatred. On 26 January 2012 the Almalinski court of the city of Almaty sanctioned the arrest for Igor Vinyavski, Vladimir Kozlov, Zhambolat Mamai and Serik Sapargali at a closed court hearing. They were detained on the 23 January by the National Security Committee of Kazakhstan. Earlier that day, searches in the office of the editorial staff of the 'Respublika' newspaper, the office of the 'Alga' party as well as in the men's houses were undertaken. The appeals of Kozlov and Sapargali were rejected on 3 February. Bolat Atabaev, a film director and a member of the 'Khalkyk Maidany' movement received a decision on the change of his status from the 'suspect' to that of 'accused'. He is charged with delivering a speech in a city of Zhanaozen. **Update:** Charges against Bolat Atabaev were dropped on 3 July 2012. Following his release, Atabaev reported that he had been severely beaten on the day of his arrest by an officer of the National Security Committee (KNB). On 4 July the bruises on his face were still visible as he gave a press conference in Almaty. There he also stated that he had refused to give evidence against others, including Vladimir Kozlov currently facing similar charges, as the authorities had wanted.

Non-custodial sentence

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

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

Attacked

***Lukpan AKHMEDYAROV:** journalist with the independent newspaper *Uralskaya Nedelya* in Uralsk. He got shot and stabbed by unidentified assailants on 19 April 2012 as he returned home from work at around 10:30pm. Akhmedyarov’s recent articles had criticized President Nursultan Nazarbayev’s government and had condemned the regional authorities’ unwillingness to address the December clashes between police and oil workers in the town of Zhanaozen. Uralsk police were investigating the attack. It was not immediately clear whether the assault was related to the journalist’s work.

Tamara Yeslyamova, the editor of *Uralskaya Nedelya*, said he had come under increasing pressure since January after he associated himself with the “malcontents’ demonstrations” movement. On several occasions he had unsuccessfully sought permission from the local authorities to organize demonstrations and had continued to muster support among opposition supporters through social networks. The day before the attack, his wife, who works at the Certification and Standardisation Centre, was called in by her manager who tried to intimidate her. He told her to persuade her husband to stop criticising the authorities in his articles and to halt his militant activities. Akhmedyarov has been targeted for his reporting in the past. By late 2009, at least three defamation lawsuits had been filed by Kazakh authorities against the journalist. **Update:** Akhmedyarov who sustained serious injuries went on trial in absentia on April 27 in a libel case. He received a subpoena to attend the trial from hospital but was unable to do so due to his health condition. Akhmedyarov says both the lawsuit and the attack against him are politically motivated. **Update:** One of the suspects in the attempted murder has reportedly confessed his guilt on 18 May. The lawyer for the 20-year-old suspect, Bagdagul Azhigaliev, said the suspect “confessed voluntarily” to being part of group that tried to kill Akhmedyarov. Kazakh police are holding two men in connection with the vicious attack.

Harassed

***Oksana MAKUSHINA (F):** deputy editor of the independent newspaper *Golos Respubliki* was summoned for questioning at the head office of the National Security Committee (KNB) on 1 February 2012. Her interrogation continued also the following day. At the same time the paper’s editorial offices were searched and computers and technical equipment seized. She came under suspicion because she chaired a press conference a couple of days before in support of the jailed journalist Igor Vinyvsky. Other participants were also summoned.

Released

***Igor VINYAVSKY (VINYAVSKIY):** editor of the independent weekly *Vzglyad* was imprisoned in pre-trial detention on 26 January 2012. The Almalinsky District Court in the city of Almaty indicted Vinyavsky on criminal charges of “making public calls to violently overthrow Kazakhstan’s constitutional regime”, an offence punishable by a seven-year prison term. He ordered his pre-trial imprisonment for two months. The Kazakh security service (KNB) detained Vinyavsky after KNB agents raided his apartment as well as *Vzglyad*’s offices, and confiscated all computers and reporting equipment. The KNB opened a criminal case against Vinyavsky on the same day. **Background:** This incident took place in the context of riots that took place in the oil city of Zhanaozen 16 December 2011. Thousands of oilmen took to the streets demanding higher wages and torched the offices of the local administration, the oil company and a hotel. Fourteen people were killed and more than 100 injured when police opened fire on protestors. **Update:** Vinyavsky was unexpectedly pardoned and released from jail on March 15 2012. Vinyavsky told that his case was re-classified and he was pardoned because the new charge against him was not as serious as inciting social hatred. Instead, he said he was charged with “calling for the overthrow of the constitutional order with the help of other people” which only carries a maximum punishment of five years. Vinyavsky’s release came the same day that the European Parliament adopted a resolution expressing deep concern about the events in Zhanaozen.

Case closed – expiry of sentence

Ramazan YESERGEPOV (Esergepov): Editor-in-chief of the weekly *Alma-Ata Info* arrested 6 January 2009 and sentenced to three years in prison. Yesergepov was being treated for hypertension at the Cardiology Institute in Almaty, when armed and masked security officers entered the hospital and arrested him. Convicted of illegally obtaining and divulging state secrets related to an entitled ‘Who rules the Country - The President or the Committee for National Security (CNS)?’ which is said to deal with a tax fraud allegation. Since December 2008, *Alma Ata Info*, has been investigated for the disclosure of two leaked memos which were published alongside the cited article. During the trial Yesergepov maintained his innocence and stated that the facts in his article were of public interest. Esergepov was released on 6 January 2012 on completion of his sentence.

KOSOVO

Threatened

***Leonard KERQUKI:** editor of Pristina-based daily *Express*. After publishing an article on fuel quality and distribution in Kosovo several journalists from the paper started receiving threatening phone calls on 28 March 2012. One caller threatened to bomb the paper’s offices.

KYRGYZSTAN

Imprisoned: investigation

***Nurgazy ANARKULOV:** owner of the pro-opposition *Maidan.kz* newspaper. He was detained in Bishkek on 30 May 2012 in connection with a lawsuit filed against him by a local citizen. No further details about the case were given. The chief editor of *Maidan.kz*, Gulzada Turdalieva, has confirmed that Anarkulov was detained. She said officials have not yet provided his relatives and colleagues with details about the reasons for his arrest. According to Turdalieva, the newspaper has recently published several articles critical of President Almazbek Atambaev and other officials. But it was not immediately clear if there was any link between those pieces and Anarkulov's arrest.

Azimjon ASKAROV: Journalist and head of the human rights group Vozdukh, was sentenced to life imprisonment on 15 September 2010. He was convicted on a wide range of charges, including complicity to commit homicide and murder of a police officer (two separate counts related to the same incident), possession of ammunition and extremist literature, and attempted kidnapping. The Kyrgyzstan-based ethnic Uzbek was detained on 15 June on charges of inciting ethnic violence during the violent, inter-ethnic disturbances that took place in Kyrgyzstan in May and June 2010. He was arrested in the village of Bazar-Korgon, where, on 12 June, a police officer was killed and several other wounded in the clashes. In August, prosecutors extended the charges to include complicity to commit homicide and murder of a police officer, possession of ammunition and extremist literature, and attempted kidnapping. Reports of Askarov's torture in police custody and of intimidation of his lawyer have gone uninvestigated. Askarov's lawyer claims that his client was not present at the riots. This claim is supported by news reports. CPJ claims that the charges are unfounded and that Askarov may have been targeted for revenge by Jalal-Abad law enforcement because of his documentation of human rights violations, including by local police, in southern Kyrgyzstan. Askarov's lawyer and witnesses cited by Human Rights Watch say that Askarov has been beaten repeatedly whilst in custody. On 20 December 2011 it was reported by the news website *Fergana News*, that Askarov's sentence had been upheld on appeal by Kyrgyzstan's Supreme Court.

***Vladimir FARAFONOV:** independent journalist who was charged by Kyrgyzstan's security service (KNB) on 12 February 2012 with "inciting ethnic hatred" through media, a count that carries a penalty of up to three years' imprisonment according to news reports. Farafonov denied the accusations and said that was being prosecuted in retaliation for his journalism. He had written a series of analytical articles in which the journalist criticised Kyrgyz politics and the spread of nationalism in the Kyrgyz-language media, and commented on the potential outcomes of the October 2011 presidential vote on the lives of ethnic minorities, including Russians, in Kyrgyzstan. In late February, the UN Committee to Protect Journalists called on the Kyrgyz authorities to drop the extremism charges against Farafonov. **Update:** Farafonov's trial started on 17 March. He denies the charges raised against him and questions their veracity. His trial is postponed to 27 March 2012 due to the absence of witnesses who had apparently forgotten to show up.

Case closed

Ulugbek ABDUSALOMOV: Editor-in-chief of the newspaper *Diydor*, was arrested in the Jala-Abad region on 14 June 2010 in connection with the May 12-15 protests by ethnic Uzbeks in Jalal-Abad that sparked

violent retaliation from the ethnic Kyrgyz population. In August 2010, he was charged with organising and participating in mass disorder, promoting separatism, and incitement of ethnic hatred through an article published in *Diydor*. This article quoted reports from Uzbeks saying that they'd suffered ethnic discrimination living in southern Kyrgyzstan. According to his colleagues, Abdusalomov was actually in the capital, Bishkek, at the time of the protests, and was taking part in meetings of the government-sponsored Constitutional Council. An official transcript of the meeting confirms this. Case closed due to lack of further information. **Moldosali IBRAIMOV:** human rights activist and journalist, was detained by police in the Jalal Abad region on 4 May 2011. Ibraimov took part in the trial of four officers accused of torture and use of prohibited methods in their work on 03 May 2011 in the Suzak district court. The suspects were acquitted and demanded the immediate detention of Ibraimov. His lawyer requested on 5 May 2011 that Ibraimov be taken out of detention as he is undergoing chemotherapy for cancer and it would therefore not be safe to keep him in prison. He was been placed under house arrest. Case closed due to lack of further information.

LATVIA

Attacked

Leonidis JAKOBSONS: owner and editor of the news website *Kompromat* and winner of the 2009 National Journalism Prize for 'Defence of Media Freedom'. At least two unidentified assailants attacked Leonidis Jakobsons in the stairwell of his apartment building in Riga as he returned home with his 9-year old son on 29 March 2012. Jakobsons, who was attacked with a knife, was hospitalised with multiple bruises on his head and a three-inch-long cut on his cheek. Now he is stable. Jakobsons told local journalists he believes the attack was connected to his work, but could not say which of his articles may have provoked it. *Kompromat* has published sensitive information in the past, including reports on alleged connections between Latvian nationalists and the Chechen diaspora, and a probe into the attempted murder of former customs official. **Previous attack:** In December 2011 police had raided his apartment, seizing two computers and several data storage devices. It was reported that the police also seized the servers which hosted the *Kompromat* website from the Internet Service provider. It is believed that Jakobsons was accused of "illegally acquiring electronic communications data". The allegations are reported to stem from Jakobsons' posting of a series of emails on his website that had been sent or received by Nils Ušakovs, mayor of Riga and a former member of the Latvian parliament. The emails, which Jakobsons began posting on 17 November 2011, indicated that the mayor had been involved in suspicious correspondence with a member of the Russian embassy. PEN is seeking an update on this case.

MOLDOVA

On trial – investigation

Eduard BAGIROV: Russian blogger and writer, detained on 16 June 2011 and questioned over his role in street violence which broke out in April 2009 following a contested election won by the Communist Party. The authorities' only confirmed that Bagirov had been arrested on 27 June 2011 when they denied his request to be released while an investigation is being carried out. There have been unconfirmed reports that Bagirov is being held in poor conditions and denied the right to receive visits, talk to his lawyer, or to see a doctor. On 13 September 2011 a Moldovan court extended his arrest for 30 days. On 7 October 2011 the Russian embassy

expressed concerns about the arrest of Bagirov and his prison conditions, stating that the Moldovan investigative bodies had not provided any evidence of his guilt. Bagirov was reportedly released on 11 October 2011 and placed under house arrest. PEN is seeking further information.

MONTENEGRO

Attacked

***Olivera LAKIC:** journalist with the daily newspaper *Vijesti*. Lacic was attacked and beaten up by an unknown assailant in front of the building she lives in on 7 March 2012. She suffered a brain concussion and was hospitalised. The *Vijesti* team and Lacic had been threatened before for their reporting on the Tara tobacco plant. Last summer vehicles belonging to *Vijesti* were set on fire and *TV Vijesti* crew were physically assaulted while working on an assignment in the town of Niksic. Police in Montenegro have said they have arrested a suspect of the attack on 12 March 2012.

ROMANIA

Attacked

***Catalin LUPASTEANU and Lucian NEGREA:** two journalists who were targets of assaults by the police during the anti-government protests that generated into violence in Bucharest between 15 and 16 January 2011. They were both allegedly beaten up by the riot police. In Negrea's case the scene was filmed. Some other reporters, including Radu Lungu, were briefly detained. It appeared that the journalists were deliberate targets. The exact number of journalists assaulted, either by protesters or the police, is not known.

RUSSIA

Killed: Motive unknown

***Viktor YEZHOKIN:** Poet, writer and journalist for *Zabakalsky Rabochiy* (until he was sacked a few years ago). He was severely beaten and died at Chita's city hospital No.1 after what the police described as "household conflict" on 17 March 2012. "The fact of grievous bodily harm inflicted on Viktor Yezhtokin", the police protocol said, "was registered at 6 a.m. at the home of a male suspect who was detained and then later released with a written pledge to not to leave the town. According to the victim's family, Viktor received screwdriver stabs in his head, lung and stomach. After a brain surgery he lived with a few hours, supported by an artificial lung.

Killed – investigation/trial under way

Natalia ESTEMIROVA (f): Journalist and human rights defender, was abducted as she left her home for her office in Grozny, and was murdered on 15 July 2009. Her body was in woodland in neighbouring Ingushetia. She had been shot in the head and chest. Estemirova, of Russian-Chechen descent, worked at the Grozny office of Memorial, Russia's best known non-governmental organisation. She investigated torture, killings and other abuses in Chechnya, and was the first recipient of the annual Anna Politkovskaya Award given by the Reach All Women in War campaigning group. Estemirova was also awarded for her courage by the Swedish and European parliaments. She worked with Politkovskaya from 2001 until 2006, exposing abuses carried out by Russian armed forces in Chechnya and by Moscow-backed Chechen officials. Russian President Dmitry Medvedev condemned the murder and ordered an inquiry. The Chechen

President Ramzan Kadyrov also called for those responsible to be brought to justice. The organisation Memorial, has since closed its Grozny office, fearing for the safety of its staff. **Update on the investigation:** In late February 2010, the agency investigating Estemirova's death confirmed that it had identified the murder suspect, who was said to be in hiding. Estemirova's supervisor at Memorial told new agency Interfax that, after gaining access to some of the case's investigative materials, it was discovered that the suspected murderer had already been killed. Russian investigators deny this. On 12 July, the Moscow newspaper, *Novaya Gazeta*, published an article criticising the investigation for a series of flaws. These included a failure to interview key witnesses, a failure to thoroughly analyse DNA material collected from Estemirova's body, and a failure to place at-risk witnesses under protection. The article also criticised the investigation for allegedly focusing on a single, suspect who was already dead. **Other information:** The Chairman of the Memorial Centre, Oleg Orlov, is on trial on charge of slander against the Chechen president. He reportedly suggested that the Chechen president was responsible for Estemirova's death. If convicted, Orlov could face up to three years in prison. (RAN 28/09 – 16 July 2009; Update #1 – 23 July 2009) **UPDATE:** In September 2010, Russian investigators, following a meeting with a delegation from the Committee to Protect Journalists (CPJ), pledged to pursue 19 cases or murdered journalists, of whom Estemirova is one. The investigators provided the delegation with the following update: authorities said they are trying to locate and arrest a Chechen guerrilla fighter who they allege murdered Estemirova. Investigators maintained that the suspect is alive and in Russia. They told CPJ that they have questioned Kadyrov, but found no evidence of his involvement. **Update:** An investigation carried out by *Novaya Gazeta*, the Russian human rights organisation Memorial, and the International Federation for Human Rights, published on 15 July 2011, reiterated that the official investigation into Estemirova's death had been mistaken in focusing its suspicion exclusively on the rebel Chechen leader Alkazar Bashayev. It reported that that the time of her murder Estemirova was working on a more sensitive case investigating the possible involvement of Chechen police officers in the public execution of local resident Rizvan Albekov. Estemirova was the first person to report on the killing. The report claimed that investigators inexplicably stopped pursuing the possible link between this case and the journalist's murder in early 2010. Human Rights Watch claimed that "there were very strong circumstances around Estemirova's murder that suggest that there could have been some official involvement".

Khadzhimurad KAMALOV: influential journalist and founder of the independent Dagestan-based weekly newspaper *Chernovik*, was shot dead by a masked assailant on 15 December 2011. Kamalov was reportedly shot up to 14 times by the unidentified assailant as he was leaving the offices of *Chernovik* in the capital of the southern republic of Dagestan, Makhachkala, shortly before midnight. The gunman reportedly fled the scene by car. There has been a long history of harassment towards the staff of *Chernovik*, with five of its journalists being arrested on trumped-up charges of "extremism" between 2008 and 2011. The newspaper has frequently addressed highly sensitive topics in the southern republic of Dagestan, in particular reports of police abuses in neighbouring Chechnya. The Centre to Protect Journalists (CPJ) also stated that, in a recent television interview, Kamalov had made critical comments about alleged regional government corruption. **Update:** The Investigative Committee of the Russian Prosecutor-General's Office has decided to take over the reportedly stalled investigation into the death of Khadzhimurad Kamalov on 28 May 2012. Investigative Committee

spokesman Vladimir Markin told journalists that the decision was made in reaction to a request by about 100 deputies of the Russian parliament's lower chamber, the State Duma, that federal investigators take charge of the probe.

Anna POLITKOVSKAYA(f): leading journalist and author, shot dead in the elevator of her apartment on 7 October 2006. Covered the war in Chechnya and had been receiving threats since 1999 after she wrote articles claiming that the Russian armed forces had committed human rights abuses in Chechnya. Despite these threats she continued to write and in 2003 published *A Dirty War: A Russian Reporter in Chechnya*. She was also a co-contributor to *A Small Corner of Hell: Dispatches from Chechnya*, published in 2003. Her most recent book, published in 2006, was *Putin's War: Life in A Failing Democracy*. In 2002 Politkovskaya was one of the few outsiders allowed into a Moscow theatre in an attempt to negotiate with Chechen rebels the release of hundreds of hostages held there. In 2004, she fell seriously ill as she attempted to fly to Beslan to cover the hostage crisis there, leading to speculation that she had been deliberately poisoned to stop her from reporting on the crisis. Politkovskaya was the winner of numerous international awards for her courage, including the 2004 Olaf Palme Award that was set up by the family of the murdered Swedish prime minister. The prize was given to Politkovskaya to honour her work for the "long battle for human rights in Russia". **Investigation into murder:** On 27 August 2007, the prosecutor general announced that ten suspects had been arrested in connection with the murder including Chechen criminals, former and serving members of the Russian Federal Security Services and police forces. (International monitors have voiced concerns about lack of transparency in the proceedings and conflicting statements that could undermine the investigation.) On 18 June 2008, the Investigative Committee announced that it had charged three men, a former police officer and two ethnic Chechen brothers. Two other investigations were opened, one suspect tried in absentia, and another into the intellectual authors of the crime. **Trial:** On 17 November 2008 the trial of Politkovskaya's alleged murderers began, at first open to the public, but then behind closed doors. On 19 February 2009, the men accused of assisting Politkovskaya's murder were acquitted by a twelve-member jury for lack of evidence. After prosecutors appealed the non-guilty verdict, the Supreme Court overturned this decision and ordered a retrial **Update:** On 24 August 2011 Russian authorities arrested Lt. Col. Dmitry Pavlyuchenkov in connection with the case and named convicted criminal Lom Ali Gaitukayev as the organiser of the murder. The Investigative Committee alleged that Gaitukayev had been approached by an unidentified person in July 2006 and asked to carry out the murder. Gaitukayev had formed a gang with his nephews Rustam and Dzhabrail Makhmudov (who had previously been acquitted on 19 February 2009, see above) and Ibragim Makhmudov, along with Pavlyuchekov and former police officer Sergei Khadzhikurbanov (also acquitted). The agency claimed that Pavlyuchenkov – then head of surveillance at Moscow's Main Internal Affairs Directorate – had ordered his subordinates to follow the journalist to identify her schedule and commuting routes, and had then shared this information with the other members of the gang. Pavlyucheko also allegedly passed the murder weapon from Gaitukayev to the suspected gunman, Rustam Makhmudov. It is unclear whether the Investigation Committee plans to charge Gaitukayev, who is currently serving a lengthy jail term on unrelated charges of attempted murder, with the killing. **Honorary member:** PEN Canada

Main Cases

***Nadezhda TOLOKONNIKOVA (f), Mariya ALKEHINA (f), Yekaterina SAMUTSEVICH (f):** all members of the ten-member female punk group **Pussy Riot**. They face up to seven years in jail for hooliganism after storming the altar of the Christ the Saviour Cathedral on 21 February 2012 in short dresses and colorful masks to sing a "punk prayer". The lyrics of the song harshly condemn the then Russian Prime Minister, now President, Vladimir Putin and Russian Orthodox Church. **Arrest:** Tolokonnikova and Alkekhina were arrested on 3 March, and Samutsevich on 16 March. The women say that although they are members of Pussy Riot, they were not those who staged the event. (Pussy Riot members perform wearing bright coloured balaclavas, hiding their identities.). On 19 April, Tagansky Court in Moscow extended their detention to 24 June saying that more time was needed to find further witnesses and participants at the event. **Charges:** "hooliganism" under Article 213 of the Russian Criminal Code. **Trial opened:** 20 July 2012. **Previous arrests:** Detained by Russian police after they performed a protest song criticising Vladimir Putin on 20 January 2012. Police stood by while the band performed the song before detaining all the members and taking them to the nearby police station. Four members were later charged with non-criminal public order offences and disobeying police, carrying a maximum of 15 days behind bars. The band earlier in December 2011 gave a roof-top concert next to the police cell where protest leader and blogger Alexei Navalny was serving a short sentence. **Background:** the arrests have become an international cause celebre with unprecedented levels of protests from musicians, artists, human rights organisations and politicians within Russia and world wide. See PEN website www.pen-international.org for regular updates.

Disappeared: Motive Unknown

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

Brief detention

***Alexander ALYOSHIN, Ilya BARABANOV, Alexander CHERHYKH, Alexander SAVELYEV:** Alyoshin of the *Russian News Service*, Barabanov of *The New Times*, *Kommersant's* Chernykh and *Lenta.ru* journalist Savelyev were detained among many other reporters were detained during the protests in Moscow on 6-9 May 2012. Alyoshin was apprehended near the Kitai-Gorod metro station on 7 May without explanation. Barabanov was detained the same day in Tverskoy Boulevard, where activists of the For Fair Elections were holding a peaceful action against Putin's third inauguration. Chernykh was arrested during an 8 May rally in Chistoprudny Boulevard that brought together several hundred protesters. Savelyev was detained after the dispersal of the Bolotny Square action; police escorted him into the paddy wagon as he was reporting from Bolshaya Ordynka Street. All in all, more than

50 journalists were detained on 6-9 May in the protests against Putin's inauguration.

***Arkady BABCHENKO, Maria KLIMOVA (F) and Pavel NIKULIN:** blogger (Babchenko) and three journalists (Klimova - reporter with the site *Ridus*, Nikulin - reporter with the *Moskovskiy Novosti* daily) covering Russia are being held without charge in a Moscow police station since 6 March 2012. They were rounded up when covering an opposition protest near Lubyanka metro station, and according to Glasnost Defence Fund Nikulin was beaten up by the police special unit OMON.

***Alexei NAVALNY:** opposition figurehead and a blogger, he was released after 15 days of custody over protests on 21 December 2011. He was detained on 5 December during an opposition protest in central Moscow attended by thousands of people. Navalny's blog examining alleged corruption at state companies was seen as a key influence on demonstrators who protested against alleged vote rigging in parliamentary elections. **Update:** Navalny's home was searched on 11 June 2012 by investigators and police. A team of investigators remained in his house for 13 hours, while dozens of journalists and supporters waited outside for Mr. Navalny to emerge. The Investigative Committee under the President posted on its website that it is conducting these searches as part of its criminal investigation into the riots and violence against government officials on 6 May in Moscow during mass protests. The searches come in the wake of President Putin signing the Law on Meetings, Rallies, Demonstrations, Processions and Pickets, which violates the right to freedom of assembly, as enshrined in Article 31 of the Russian Constitution and in international human rights law.

Death threat

***Sergei SOKOLOV:** deputy-editor of *Novaya Gazeta*. Without providing any explanation, Alexander Bastrykin, the head of the Russia's investigative committee, which has powers similar to those of the FBI in United States, ordered his guards to drive himself and *Novaya Gazeta's* deputy editor, Sergei Sokolov, to a forest outside Moscow on 13 June 2012 and told them leave them alone. Bastrykin then in the privacy of his car, expressed his opinions about *Novaya Gazeta's* journalism and threatened the life of Sokolov, suggesting he would himself oversee the editor's assassination. As a result of the alleged threats to his life, Sokolov temporarily left Russia. The incident was brought to public by Dmitry Muratov, editor-in-chief of *Novaya Gazeta*. In an open letter to Bastrykin, published in the paper on 13 June, Muratov writes that Bastrykin was angered by a *Novaya Gazeta* article that accused him of failing to punish the perpetrators of a 2010 mass killing of 12 people, including four children, by a gang in southern Russia. One member of the gang, a former municipal deputy from the ruling United Russia party, got away with a fine of 150,000 rubles (approx. £3,000) last month after being found guilty of covering up the murders. The sentence prompted Sokolov to write an article titled "A Little More Than 10, 000 Rubles per Life: That's the State's Price List" which dubbed the Investigative Committee and other state officials "the foundation of power" of such gangs. Sokolov later apologised to Bastrykin, who refused to accept the apology and said the journalist's words would have merited a duel in tsarist times. **Update:** On 19 June Sokolov announced that he will return to Russia this week following an apology from Bastrykin. Bastrykin and Dmitry Muratov publicly apologised to each other during a meeting in the presence of representatives of leading news media on 14 June and Bastrykin gave a guarantee that both Sokolov and *Novaya Gazeta's* reporters in the Russian Caucasus would be safe. Muratov said the important thing was that the demands he made in his open letter had been satisfied. But many

aspects of the case are still unexplained. Bastrykin has admitted "flying off the handle" but still denies taking Sokolov to a forest outside Moscow to intimidate him.

Attacked

***Dododzhon ATOVULLOYEV:** exiled publisher and editor-in-chief of the Tajik pro-opposition newspaper *Charogi Ruz*. On 12 January 2012 he was at a restaurant in Moscow when an unidentified man approached him, stabbed him twice in the stomach and fled, witnesses told the local press. Atovulloyev underwent surgery. *Charogi Ruz (Daylight)* is known for its sharp criticism of the Tajik government and accused the head of state Emomali Rahmon and the Tajik ruling elite of corruption and embezzlement of international aid. When Atovulloyev's newspaper was banned in Tajikistan in 1992 in relation to his criticism, he relocated it to Moscow and continued to publish it. Russian authorities announced day later that they had detained a suspect, a man of Tajik nationality who matched the witnesses' descriptions, but later released him. **Previous attack:** In April 2001, Tajik officials charged Atovulloyev with "insulting the president", "supporting the violent removal of the constitutional order" of Tajikistan, and inciting "ethnic, racial and religious hatred". The Tajik government asked Russian authorities to extradite Atovulloyev, but the Russian government refused. In September 2008 Tajikistan issued an arrest warrant for Atovulloyev on similar charges that carried up to 15 years in prison if convicted, and a state prosecutor declared the journalist an "information terrorist."

***Alexei FROLOV, Roman SIVTISOV and Sergei YEZHOV:** Three staffers (editor, deputy editor and columnist respectively) of the Ryazan office of *Novaya Gazeta* were attacked by three unidentified assailants in the city centre late on 2 May 2012. While suffering some bodily harm the journalists offered active resistance; moreover, they managed to detain the attackers and hand them over to a police patrol. The police told the journalists that they would take the detainees to the Sovetsky police headquarters, but they were later released en route without any explanation according to Yezhov. The journalists recognised one of the assailants identifying him as the same young man who had attempted to disrupt a news conference in the Ryazan office of the Golos Association (a watchdog group monitoring compliance with electoral law) in December 2011. According to the victims the attack must have been linked with the privatisation of five municipal industrial plants in Ryazan. The assailants evidently targeted Yezhov, an organiser of picketing protest actions and leader of the regional branch of the Other Russia party, who suffered the most and had to turn to the regional clinic for medical assistance. Yezhov reported the beating to the police and demanded a thorough investigation to it. On 4 May, however, Yezhov was detained by the police when he was about to leave to Moscow and later charged with inflicting light bodily harm on one of the participants in the 2 May attack. He was later released with a written pledge not to leave the town.

***Ruslan GEREYEV:** reporter for the Dagestani weekly newspaper *Nastoyashcheye Vremya*. He was attacked by unidentified persons in Makhachkala on 24 April 2012. Several men attacked him not far from his newspaper's office in Akushinsky Avenue in the evening and proceeded to beat him right on the street, Gereyev said adding that he does not know why. He underwent a medical examination and was diagnosed with an elbow injury, numerous bruises and a haematoma near the temple that might result from a blow with brass knuckles or a pistol butt, medics said. He reported the beating to the Kirovsky district police department in Makhachkala. The law enforcement agencies have confirmed the attack and see it possibly connected with his professional work.

Gereyev engages in research in such areas as conflict settlement, religion and youth strategies.

***Ivan KOLPAKOV, Grigory NEKHOROSHEV, Vadim KANTOR, Yevgeny SHIPILOV:** *Lenta.ru* correspondent Kolpakov, deputy editor of the newspaper *Sovershenno Sekretno* Nekhoroshev, *Moscow News* correspondent Vadim Kantor and *Gazeta.ru*'s Shipilov were attacked among many others in 6-9 May 2012 during protests in several public locations in Moscow. Kolpakov was hit in the face by a policeman; Nekhoroshev received a club blow on the head. Kantor also got the back of his head smashed with a rubber club. Shipilov suffered the most: police officers pushed him onto the ground and proceeded to beat him with clubs; after a severe blow on the head, the journalist lost conscience.

***Nikolai KUZNETSOV:** reporter for the newspaper *Oka Info*. Kuznetsov was attacked in Serpukhov, Moscow Region, on 6 May 2012. On his way home from the office late in the evening, the journalist dropped into a grocery store to buy some food. As he was walking out, he received a heavy blow on the back of his head and fell unconscious. As he recovered consciousness he found his food bags and documents missing. The doctors diagnosed a concussion and some cranio-cerebral injury. Kuznetsov is unsure whether the attack was connected to his writings.

***Pavel NIKULIN:** reporter for the daily *Moskovskiy Novosti*. According to him, he was roughed up by the police during an opposition protest near the Lubyanka metro station on 5 March 2012. A commanding officer seized his press card and ordered him placed in a police van. Nikulin was detained for a couple of hours before being freed.

***Alexander MIKHALENKOV:** journalist for the opposition newspaper *Bryanskoye Obozreniye*. He got beaten up while video-recording procedural violations on 4 March 2012 while covering the 4 March presidential elections. To the law enforcers' merit, the young man in camouflage uniform who attacked the journalist was detained. The use of photo and video cameras was forbidden throughout Russia, but duty policemen in Bryansk displayed 'extra vigilance', banning the cameras not only inside but also near the polling stations.

***Yelena MILASHINA (f):** independent journalist for the Russian daily *Novaya Gazeta*. She and her friend, Freedom House Representative Ella Asoyan, were beaten and robbed outside of Moscow on 5 March 2012. Milashina said on her Facebook site that unknown assailants "viciously beat" her and her friend as they were returning home after work. The attackers primarily targeted the journalist, repeatedly hitting her on the head, and stopped only when passerby intervened. She had multiple bruises, including a dozen hematomas on her head, and she lost a tooth. The assailants took Milashina's money and stole Asoyan's laptop. Milashina said that police who arrived an hour later "were no help." Officials of *Novaya Gazeta* said that so far they have no reasons to link the attack with Milashina's professional activities. The newspaper, however, has accused the police of being slow to respond to the attack. Milashina has been honoured by Human Rights Watch for her work in covering human rights violations in Russia. She was friends with Anna Politkovskaya and was one of the last people to see rights activist Natalya Estemirova in Chechnya.

***Ivan SHUMKOV:** Reporter for the newspaper *Moskovsky-Komsomlets-Ural*. He was assigned by the editor on 31 May 2012 to check reports about the Kor market's illegal seizure by raiders. Several security guards detained him near the administrative headquarters, took him aside and beat him. Preliminary reports say he was left with three broken ribs, a lung contusion and facial bruises. Police are conducting an investigation on charges of beating; the attackers may be in for up to two years in prison. Kor market security guards could not comment to Novy Region

on this incident right after it occurred. They were heard hastily conferring among themselves on the matter as a news agency called them on the phone.

Brief detention

***Mikhail LOBANOV:** journalist, who was the target of a violent attack last year, was detained by the police in Perm on 1 February 2012. He believes that the police officers' actions were aimed at putting physical and psychological pressure on him in the wake of an open letter to Vladimir Putin that he published in the Perm-based newspaper '*Novy Kompanyon*' on 17 January 2012 under the heading 'NO to Dirty Practices and Lies'. He was attacked and beaten on 24 June 2010 and insisted on having the attack fully investigated. The law enforcement authorities responded to this slowly which sparked him to write the letter to Mr. Putin. After this his treatment by officers grew worse.

***Alexander TOLMACHEV:** human rights activist and editor of the newspaper *Upolnomochen Zayavit* has been detained in connection with an extortion case in Rostov-on-Don. The formal reason for the detention was that the journalist failed to come to an investigator's office, the paper told on 21 December 2011. Tolmachev earlier said he was being persecuted for criticising the judicial community, in particular, the Rostov region's Court Chairman Viktor Tkachev.

Threatened

***Vitaly TITOV:** founder of the regional news agency *Mangazeva*. He informed the Glasnost Defence Foundation on 5 May 2012 that he and his family are under surveillance – evidently in connection with a series of publications criticising the vice-president of the oil company TNK-BP. He first saw a dark car with heavily tinted windows following his car and trying to be inconspicuous on 26 April. He first thought that he is just paranoid, but decided to make sure it was not a coincidence decided to drive around Nizhnevartovsk and saw the car following. On the following day the car was parked near his house with two other men sitting inside. They drove after him all day long again.

Harassed

***Marina BELOVA (f):** critically-minded blogger from Chelyabinsk region who reported in February 2012 that her blog was blocked. This happened after she posted a story about hired commentators or "trolls" browsing the internet from the regional administration's IP address. Belova is a committed opposition activist who has also reported on her blog about the purchase of Bentley by the Zlatoust mayor and a Mercedes by the head of the municipal sports committee at around the same time. Neither of the two officials nor their relatives were known to engage in any business in Zlatoust which would allow for such purchases.

***Yulia POZDEYEVA (F):** journalist from Chelyabinsk region well-known for her investigative reporting on misappropriation of government funds and incompetence by regional administration officers. Her e-mail account was hacked in February 2012. Pozdeyeva has published such stories as the purchase by the governor's office of urinals equipped with user detectors and the hiring of a security team for the governor at double the cost of the security services of two major sport complexes. She has also report extravagant receptions for foreign VIPs.

SERBIA

Harassed

***Sreten UGRICIC:** director of Serbia's National library was sacked on 20 January 2012 for calling for freedom of speech and a Montenegrin writer's right to hold controversial views. Andrej Nikolaidis, advisor to Montenegro's parliamentary president, was the author of a controversial article called "What's Left of Great Serbia", which was published on 11 January on the regional web portal *E-novine* and republished on a pro-government site in Podgorica, "*Analitika*". The article prompted claims from major media outlets in Serbia and Republika Srpska that the article was a call for terrorism. The Serbian daily *Politika* published the article on January 17 with the headline "Hate speech from Podgorica" and one day later journalistic associations in the Republika Srpska filed a criminal complaint against Nikolaidis.

SPAIN

Imprisoned - Investigation

Javier SALUTREGI: sub-editor for *Egin*, that was forcibly closed in 1998 by a court order, which was subsequently lifted in 1999. *Egin* was accused of printing coded messages for ETA and thus supporting "terrorism". Salutregi was charged alongside Teresa Toda (below) and 15 admin staff of the newspaper. Salutregi was Arrested on 22 July 1998 and freed on €150,000 bail on 20 November 1998, reduced to 6000 in December 1999. He received a 12- year sentence on 19 December 2007 on charges of membership of an armed organisation, and was arrested on 30 November 2007 to start serving his sentence. The sentence was subsequently reduced to seven years and six months. On 3 July 2008 he was released on bail from the Picassent prison, reportedly on health grounds. However he was re-arrested in April 2009 and remains in prison. He is expected to be released at the end of 2014.

Teresa TODA (f): (dob 1950) journalist and sub-editor for *Egin* that was forcibly closed in 1998 by a court order, which was subsequently lifted in 1999. *Egin* was accused of printing coded messages for ETA and thus supporting "terrorism". Charged alongside Teresa Toda was Javier Salutregi (see above) and 15 admin staff of the newspaper. Toda was arrested on 19 September 1998 and freed on bail of €6000 that day. She received a ten year sentence on 19 December 2007 and was imprisoned on conviction of co-operating with an armed organisation. Her sentence was reduced to six years in prison in April 2009. **Professional background:** Teresa Toda is a Board Member of the Basque PEN Centre. Born in Brazil into a diplomatic family she lived in North and South America and the UK before going to Spain where she became a correspondent for *Egin* in 1984. She then moved to the Basque region to work for a trade union publication, taking leave of absence from *Egin* in 1998, and unable to return when it was closed down. She is known for her anti-Franco and left wing activism for which she was expelled from university. She is currently in prison in Cordoba.

TAJIKISTAN

Attacked

***Khurshed ATOVULLO:** editor-in-chief of the weekly newspaper *Farazh*, was reportedly attacked in Dushanbe, the news service Asia Plus announced on 31 August 2011. The journalist was reportedly on his way to Eid al-Fitr when he and his relatives were attacked by the

unknown assailants. The attackers, who were armed with baseball bats, reportedly did not make any demands or threats and the motive for the attack remains unknown. Atovullo was hospitalised following the attack. He has reportedly been disappointed by the indifference shown to him by the authorities after he informed the police about the attack. The police claimed to be waiting for the results of the journalist's medical examination before launching an investigation

TURKEY

Killed: Trial under way

Hrant DINK: editor of the Armenian language *Agos* magazine. Killed outside his office in Istanbul by an assassin on 19 January 2007. Dink had been convicted under Article 301 of the Penal Code, accused of "insulting Turkishness" for his writings on the Armenian genocide. In October 2005 he was given a six month suspended sentence for a 2004 article entitled "The Armenian Identity". Dink's murder sparked debate on revision or repeal of Article 301, which many believe marked Dink out as a target for ultra nationalists. **Threats:** Following Dink's murder it has been revealed that he had informed and warned the authorities about the plans to kill him but was not taken seriously. **Trial:** 17-year-old Ogun Samast was arrested on accusation of manslaughter, affiliation to an armed group and possession of illegal firearms. In March 2007 it was reported that 30 people had been interrogated in connection with Dink's murder, 20 of whom were subsequently brought to trial that opened in July 2007. A separate investigation was opened into 8 police accused of "dereliction of duty" following claims that they had been warned several times that Dink was in danger. In July 2008, the Turkish Parliamentary Human Rights Commission reported that there was negligence and lack of coordination on the part of the security services that led to a failure to prevent the murder. **Trial progress:** The final trial hearing against Samast was held on 17 June 2011. At this hearing, he described himself as a "victim of circumstances." On 25 July, he was sentenced to 22 years and 10 months in prison, the longest he could receive as he was still a minor at the time of the crime. The trial against the nineteen other defendants also allegedly involved in the killing concluded on 17 January 2012. Yasin Hayal was sentenced to life in prison in solitary confinement and with no possibility of parole, for 'soliciting another person to willfully 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 Orhan Pamuk and a year in prison for 'unauthorised possession of arms.' Ersin Yolcu and Ahmet Iskender were sentenced to 12 years and six months in prison each, for 'assisting in a felonious murder.' Iskender was also sentenced to a year in prison for 'unauthorised possession of arms.' The Dink family lawyers submitted an application on 14 February 2012, calling for a new trial against 24 named individuals and various unnamed others who hold positions in various Turkish security departments. **Investigation Controversies:** After his arrest, Samast was pictured holding a Turkish flag as he posed with the officers questioning him. During the trial, suspect testimonies and police files were expunged, and much evidence was destroyed or lost according to Dink family lawyer Erdal Dogan. **Honorary Member:** Belgium (Fl), England, and Norway

For ease of reporting, detentions, arrests and trials are grouped into three sections: 1) Ergenekon 2) Kurdistan Democratic Confederation (KCK) and 3) Other

Ergenekon Case

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

Ergenekon – Imprisoned: Main Cases

Mustafa BALBAY: writer and columnist for *Cumhuriyet*. Among eight people arrested in early July 2008 as part of a series of arrests of members of the nationalist group Ergenekon. Released to stand trial. Balbay was re-arrested on 7 March 2009 and taken to Metris prison. *Bianet* reports that the reasons for their re-arrest is unknown but that they face life sentences if convicted. *Cumhuriyet* editor in chief, Hikmet Çentinkaya, told the media “What happened in the past 8 months to cause these arrests? We don’t know if there is new evidence or not. ... [Balbay] is a Kemalist and Republican. If those constitute crimes, I wouldn’t know.” Other commentators consider the arrests of those such as Balbay are a warning to the opposition. Trial opened on 21 July 2009. At a hearing on 19 November 2009, Balbay made a statement in which he denied charges of inciting an armed uprising. Specifically he is accused of taking part in secret meetings where leading figures, including generals, discussed plans for a coup. Evidence against Balbay are notes that he says he took as part of his journalistic activities during meetings with various figures who were subsequently also arrested in the Ergenekon trial. If convicted, he faces between 16-80 years in prison. He told the court that random notes had been rearranged by the prosecution in way that they had not been written down, given dates (he says he does not date his notes), and to form a diary that would then incriminate him and serve to strengthen the claim that a coup was being staged. He stated that he does not believe that the government can be overthrown in a coup, and that he was acting only as a journalist “witness of the era he or she is living in”. **Update:** on 23 June 2011 Balbay’s request for release was dismissed by the Istanbul 13th High Court, and a further appeal dismissed by the 14th High Court the following week, on 29 June, was also dismissed. **Place of Detention:** as of June 2012 held at Silivri No 1 L Type Prison. **Honorary member:** PEN Turkey

Tuncay ÖZKAN: writer and journalist. Arrested on 27 September 2008, and whose trial is ongoing. A journalist since the mid-1990s, working for print and broadcast media, he reportedly specialises in covering corruption, drug crime, and terrorism, specifically that linked to religious extremism, and on international relations. His many articles appeared in newspapers including *Milliyet*, *Radikal* and *Aksam*. Detained in Silivri Prison as of June

2012. Ozkan had an appeal for release turned down by the European Court of Human Rights on 14 February 2012. He is scheduled to have a release hearing in early July.

Ergenekon – Imprisoned: investigation

Dr Yalçın KÜÇÜK: writer, economist, historian and socialist. Known critic of the AKP. Author of numerous books on socio-economics. Accused of sympathies with the PKK and sentenced to two years in prison in the late 1990s for interview with its leader, Abdullah Ocalan. Arrested on 7 January 2009 for investigation in the ‘Ergenekon’ case. Released 22 January 2009 to face trial as part of the third wave of indictments, opening 7 September 2009. As of August 2011 he was held in Silivri No. 2 L Type prison. On 22 November 2011 he appeared before Istanbul 16th High Criminal Court to appeal against his sentence. The trial was postponed to 14 September 2012. Not clear if freed pending appeal.

Hüseyin Soner YALÇIN: journalist for Oda TV and the *Hürriyet* newspaper. Held under the Ergenekon investigation for, among others, membership of an armed organisation (Ergenekon) and holding classified information. Held in Silivri No 1 L Type prison as of September 2011. The next hearing will be held on 14 September 2012.

Ergenekon – On Trial: Main cases

Nedim SENER: journalist and writer.

Details of arrest: Arrested 7 March 2011 alongside Ahmet Sik (below) **Sentence:** not yet sentenced. **Details of Charges:** formally charged on 11 March 2011 on charges related to the *Ergenekon* investigation **Details of trial:** First trial hearing held on 14 April 2011 and still ongoing. Appeal for release refused. Trial hearings attended by numerous supporters, carrying candles and chanting. A hearing on 22 November 2011 against the detention was refused. Again journalists and writers groups gathered outside the court room in support of the defendants. **New charges jointly against Sener and Ahmet Sik (see below):** and others. On 26 August 2011, it was announced that 14 people had been indicted on charges connected to the *Ergenekon* investigation of “aiding an illegal armed organisation”. This indictment followed a raid on a TV station Oda TV. Among the defendants are **Ahmet Sik**, **Nedim Sener**, **Yalçın Küçük** – writer, see below, and journalists **Coskun Musluk** and **Sait Çakir**. On 5 January 2012, Orhan Erinc the President of Turkey Journalist Association (TGC) emphasized that the existence of the Ergenekon Terrorist Organisation was not definite yet the writers were ‘definitely’ alleged and detained for their involvement in the ‘Media Structure of the Ergenekon Terrorist Organisation’. The most recent hearing of this case was held on 12 March 2012 when the court made the decision to release **Sener** and **Sik** (along with **Musluk** and **Çakir**) and continue their trials without detention. Judge Mehmet Ekinci ruled that the four should be freed due to the ‘possibility of a change of the quality of crime’ and on ‘considering the period of time the defendants had remained under detention’. The next hearing was scheduled for 18 June 2012. **Background:** Sener was awarded the 2011 Oxfam/Novib PEN Freedom of Expression award and also named World Press Freedom Hero by the International Press Institute in 2010. He was tried and subsequently acquitted in 2010 for his book that implicates the Turkish security forces in the 2007 murder of the Turkish Armenian newspaper editor, Hrant Dink (see above). He has since written two other books on related issues: *Red Friday - Who Broke Dink’s Pen?* and *Fetullah Gülen and the Gülen Community in Ergenekon Documents*. The Gülen movement is an Islamic organisation that promotes inter-faith dialogue. It is thought that Sener’s arrest is linked to his research into suggestions that the movement holds undue

influence in the Ergenekon investigation. Furthermore, earlier in 2011, Sener had written that he had received death threats for his comments that suggested police accused of negligence into the inquiry into Hrnt Dink's death were also linked to Ergenekon. **Other trials against Sener:** 1) on 19 April 2011 Sener appeared in court on charges under Article 285 of the Penal Code relating to violation of confidentiality in an article on a police chief himself accused of connections to Ergenekon. 2) On 2 June 2011 he was due to appear in court alongside **Hasan Çakkalkurt** (see elsewhere) on charges of for an article on bribery published in *Milliyet* in October 2010. This trial was adjourned to 1 November 2011. PEN is seeking an update. 3) Another trial is under way, this time for disclosing details of a closed trial in an article published November 2010 titled 'The black bag was not in the room' referring to a bag allegedly containing cassettes containing information on politicians, journalists and bureaucrats in the 1990s said to have been found in a former police chief's possession. Other trials are said to be ongoing against him. **Honorary member:** PEN Turkey and Danish PEN.

Ahmet SIK:

Profession: journalist and writer. **D.o.b:** 1970 **Details of arrest.** Arrested 7 March 2011 alongside Nedim Sener (above) **Sentence:** not yet sentenced. **Details of Charges:** formally charged on 11 March 2011 on charges related to the *Ergenekon* investigation **Details of trial.** First trial hearing held on 14 April 2011 and still ongoing. Trial hearings attended by numerous supporters, carrying candles and chanting. **Charges jointly against Sener and Sik:** and others. On 26 August 2011, it was announced that 14 people had been indicted on charges connected to the *Ergenekon* investigation of "aiding an illegal armed organisation". This indictment followed a raid on a TV station Oda TV. Among the defendants are **Ahmet Sik, Nedim Sener, Yalçın Küçük** – writer, see below, and journalists **Coskun Musluk** and **Sait Çakir**. The most recent hearing of this case was held on 12 March 2012 when the court made the decision to release **Sener** and **Sik** (along with **Musluk** and **Çakir**) and continue their trials without detention. Judge Mehmet Ekinci ruled that the four should be freed due to the 'possibility of a change of the quality of crime' and on 'considering the period of time the defendants had remained under detention'. The next hearing is scheduled for 18 June 2012. (3) **New Charges** were brought by prosecutors alleging that comments made by ik as he left Silivri prison were "threatening" to judges and prosecutors and depicted them as "targets for terrorist organisations". ik is expected to be indicted for these charges on 3 July 2012, with the prosecutor expected to seek up to 7 years in prison. **Background:** Police are said to have seized the draft manuscript of a book by **Ahmet Sik**, who, like Nedim Sener, is the author of books investigating Ergenekon. He too is said to have looked into the alleged affiliation of police to the Gülen movement in his book *Imam's Army*. Although unpublished, the book has been banned. **Other trials against Ahmet Sik:** He is already on trial for two books on Ergenekon, co-authored with journalist **Ertugrul Maviolgu**. **Other information:** ik is a graduate Communications Faculty Department of Journalists, Istanbul University. Reporter for *Milliyet*, *Cumhuriyet*, *Everensel*, *Yeni Yüzl*, and *Radikal* over the period 1991 – 2005. Awarded a number of prizes for his journalism in Turkey **Honorary member:** PEN Turkey and Danish PEN.

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

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

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

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

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

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

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

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

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

Ergün POYRAZ: author of controversial books on the now banned Islamic Refah and Fazilet Parties, as well as on the key members of the ruling AKP. Evidence in his books is said to have led to the closure of Refah and Fazilet in the late 1990s/early 2000s. Among the accusations against him is that he allowed books written by Ergenekon members to be published under his name, claims said to be unsubstantiated, and that his books deliberately contributed towards the Ergenekon's policy of spreading chaos, including through unfounded suggestions that certain leaders were of Jewish or Armenian backgrounds, considered defamatory. One such book could be Poyraz's *The Children of Moses* which claims that Prime Minister Recep Tayyip Erdoğan is part of a "Zionist conspiracy" concocted by JITEM, a clandestine organization said to be the military wing of Ergenekon accused of being responsible for bombings and assassinations. Some news reports suggest that material seized from his home suggested Poyraz was collecting information on senior military and other officers.

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

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

Kurdistan Democratic Confederation (KCK) Cases

What is known as the Democratic Society Congress (Koma Civaken Kurdistan – KCK) operation has been under way since 2009 leading to several hundred, some say over 1,000, arrests and trials. The KCK is seen as its civil/political wing front for the outlawed Kurdistan Workers Party (PKK), and thus also illegal. Human rights groups monitoring the operation have reported concerns over a number of areas including lengthy pre-trial detention without bail (some have been held pending trial since the start of the operation in April 2009), that the charges may be politically motivated, and that fair trial standards are being ignored. Among those arrested are reported to be scores of writers and journalists. Below are listed those about whom PEN has some details.

KCK - Imprisoned: Main Cases

Ayşe BERKTAY (f)

Profession: scholar, author, translator and woman's activist. **Date of arrest:** 3 October 2011 **Sentence:** not yet sentenced **Arrest:** arrested at her home at 5 am. No arrest or seizure warrant issued. Papers and other materials were taken by police during the raid on her home. **Charges:** Berktaş had been working with the Peace and Democracy Party (BDP) of which she is a member. She is being tried under the Anti Terror Law with reference to her allegedly "planning to stage demonstrations aimed at destabilising the state, plotting to encourage women to throw themselves under police vehicles so as to create a furore and attending meetings outside Turkey on behalf of KCK." **Professional details:** Publications include: *History and Society: New Perspectives*, 2008; *The Ottoman Empire and the World Around – with Suraiya Faroqhi*, 2007. Editor of *Women and Men in the 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. Also writes numerous articles on feminism in Turkey. **Place of detention:** Bakırköy Women's Prison, Istanbul. **Honorary member:** Turkey PEN

Muharrem ERBEY

D.o.b.: 1970 **Profession:** human rights lawyer and writer **Date of arrest:** 24 December 2009 **Sentence:** not yet sentenced. **Details:** On 24 December 2009, human rights lawyer, writer and PEN Turkey member Muharrem Erbey was arrested in Diyarbakir, south eastern Turkey. He was among 80 people arrested on accusation of having links with an organisation said to be affiliate to the banned Kurdistan Workers Party (PKK). Muharrem Erbey is a highly respected human rights lawyer, and Vice President of the Human Rights Association (IHD) who has conducted research into disappearances and extra-judicial killings in and around the Diyarbakir region. Muharrem Erbey has since the late 1990s worked on human rights issues for which he has gained international respect. He has represented a number of individuals whose cases have come to the European Court on Human Rights. In 2008 he became Vice President of the IHD, one of Turkey's most reputable human rights associations. He is also President of the Diyarbakir Branch of the IHD. **Charges:** According to reports, members of the Anti-Terror Unit of the Diyarbakir Security Directorate took Erbey from his home in the early hours of 24 December 2009. Erbey is charged under Article 220/6 of the Penal Code with "membership of

an illegal organisation", the Kurdistan Democratic Confederation (KCK), said to be affiliated to the banned Kurdish Workers Party (PKK). **Possible reasons for arrest:** Commentators have referred to recent visits by Erbey to various European parliaments, including in Sweden, Belgium and the UK, where he spoke on Kurdish rights. He had also participated in a Kurdish film festival staged in Italy in late 2009. In September 2009 he had taken part in a workshop on minority rights in Diyarbakir. At the time of his arrest, the offices of the IHD were searched and documentation seized, including archives on serious human rights violations over the past two decades, including extra judicial killings and disappearances. **Other details:** Erbey's collection of short stories, *My Father, Aharon Usta*, is due to be published shortly. In 2007 he was a co-editor of a collection of Turkish and Kurdish language stories by 35 authors, distributed by the Diyarbakir Metropolitan Municipality free to local people. The Mayor who organised the publication was subsequently brought to trial under a law that prohibited the use of the Kurdish alphabet (since annulled). Erbey defended the Mayor who was subsequently acquitted, and after Erbey had gathered 300 writers' signatures against the court hearing. Another short story collection, *Missing Pedigree* was published in 2004. He has written many articles on culture, children's and human rights that have appeared in arts and culture magazines, newspapers and websites. He is a member of PEN Turkey and the Kurdish Writers' Association. **Place of detention:** Diyarbakir D Type Prison **Honorary Member:** PEN Turkey

Deniz ZARAKOLU; author, translator and son of leading freedom of expression activist, also detained, Ragip Zarakolu. (See below). **Details of arrest:** Arrested 7 October 2011 at his home in Tarlabasi, Istanbul. **Charges:** Anti Terror Law **Reasons for arrest:** Said to be for a lecture on political philosophy from Aristotle at pro Kurdish Party for Peace and Democracy (BDP) meeting. **Place of detention:** First held in a prison in Edirne, then transferred to Kocaeli Prison to be with his father, Ragip Zarakolu, was also detained. Now in Sivilri Prison **Professional details:** Civil Engineer and PhD student at Bilgi University, Istanbul. Author of a book on Thomas Hobbes, and translated Hobbes *De Cive* among others. Also translated a book on the Turkish justice system in 1999 (*The Independence of Judges and Lawyers in the Republic of Turkey: Report of a Mission 1999*, published by the Centre for the Independence of Judges and Lawyer, Geneva.) He also acted as interpreter for European human rights delegations to Turkey.

KCK - On Trial: Main Cases

Professor Busra ERANLI (f): academic, expert on constitutional law and author. **Details of Arrest:** Arrested 29 October 2011. **Sentence:** not yet sentenced. **Charges:** indictment was issued on 19 March 2012, charging Eranli with "leading an illegal organisation" and demanding/ (charge) between 15 and 22.5 years in prison. **Reasons for arrest:** believed to be "leadership of an illegal organisation" under the Anti Terror Law. Eranli was advising the BDP on constitutional reform at the time of her arrest. Apparently she has been questioned about notes she made at various academic meetings. **Local and international reaction:** hundreds of supporters protested outside the court at an appeal hearing against the sentence on 31 October. Amnesty Turkey wrote to the Ministry of Justice in mid-November 2011 citing lack of evidence of criminal activities. **Release pending trial:** Eranli was released pending trial on 16 July 2012 along with 15 other KCK suspects in the first hearing of her case. The next hearing is scheduled for 1 October 2012. **Professional details:** Professor Busra Eranli is an academic based at Istanbul's Marmara university's Faculty of Political Science and International Relations. She

is an expert on constitutional law and at the time of her arrest was working with the BDP's Constitutional Commission. Author of *Peace and History*. She is known for her work towards finding non-violent resolutions to conflict. **Honorary Member** PEN Turkey

Ragıp ZARAKOLU: publisher, freedom of expression and minority rights activist, member of PEN Turkey. **Details of Arrest:** Arrested 29 October 2011. **Sentence:** not yet sentenced. However, an indictment was issued on 19 March 2012, charging Zarakolu with 'aiding and abetting an illegal organisation' and demanding between 7.5 and 15 years in prison. At the hearing on 10 April 2012, Zarakolu was **released** pending trial. The Istanbul 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. The next hearing is scheduled for 2 July 2012. **Reasons for arrest:** believed to be under the Anti Terror Law for "membership of an illegal organisation" under the Anti Terror Law reportedly related to a speech he made at an event by the pro-Kurdish Peace and Democracy (BDP) party, and articles published in the newspaper *Özgür Gündem* (Free Agenda). **Local and international reaction:** hundreds of supporters protested outside the court at an appeal hearing against the sentence on 31 October. **Professional details:** 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. As one of the 50 writers chosen to represent the struggle for freedom of expression since 1960 for the Writers in Prison Committee's 50th Anniversary Campaign – Because Writers Speak Their Minds. In the days running up to his arrest, he had been campaigning for the release of his son, **Deniz Zarakolu**, (see above) who had been arrested three weeks earlier on 7 October 2011. **Honorary member of:** PEN Turkey, German PEN, Netherlands PEN, San Miguel Allende PEN

KCK Imprisoned: Investigation

PEN has names of over 60 writers and journalists arrested in the KCK cases, most of which have few accompanying details. The cases listed below are those where there is information that confirms that they are writers but where there remains a need for more information on the nature of the charges against them and their present trial status.

Abdülnaef DüZENCI: publisher *Yuksekoa Gündem* and general manager *Hakkarinews*. *Düzenci* reported arrested as part of the KCK operation c. early 2021. Not clear if still detained.

N. Mehmet GÜLER: author. On 13 February 2012, Güler and six others were arrested in Van, south east Turkey, under the scope of further KCK operations. He was imprisoned three days later on 16 February 2012 on charges of 'being a member of a terrorist organisation'. Not clear if still detained. **Previous trials:** 1) In June 2010 sentenced to one year and three months under Article 7/2 of the Anti Terror Law for his book *More Difficult Decisions than Death*. Accused alongside publisher Ragıp Zarakolu under article 7/2 of the Anti Terror Law of "spreading propaganda" for the banned Kurdish Workers Party (PKK). The charges related to three fictional characters, "Siti", "Sabri" and "Siyar". Specifically a section of the book where a PKK member on trial says "This court has no right to judge me. I fight for freedom. I do not recognise this court". The fictional judge's response and following passages are subject to the indictment. The prosecutor stated that some parts of the novel evokes sympathy for the PKK in its readers. The trial was adjourned to 10 June 2010 when Zarakolu was acquitted, yet Güler was sentenced. He is free on appeal. PEN is seeking an update. On 10 March 2011 Güler received a 15-month suspended sentence alongside publisher **Ragıp Zarakolu** who received a fine. Both had been convicted

of spreading "propaganda" for the publication of Güler's book *The KCK File/The Global State and Kurds Without a State*.

***Osman İçi:** Researcher, translator and former Human Rights Association (İHD). On 25 June 2012, İçi and 27 others were arrested under the scope of KCK operations targeting trade union members affiliated with the Confederation of Public Workers (KESK). He was placed on pre-trial detention for 'membership of an illegal organisation' under Article 314 of the Turkish Penal Code (TCK).

Cengiz KAPMAZ: author of *Öcalan's Days on Imrali* arrested on 22 November 2011 in Istanbul as part of a mass arrest, mainly of lawyers, related to the KCK operation. Not known if still in detention. On 10 December 2011, around 50 journalists and intellectuals gathered in Istanbul's Taksim Square calling for an end to attacks on *Özgür Gündem*, for which Kapmaz also wrote, and specifically for his release.

***Eser SEVGÜL, Turabi KISIN:** reporter for *Halkın Gınlugu (Agenda of the People)*, and former editor of *Ozgur Gundem (Free Agenda)* respectively. The parties were among 16 arrested on 3 January 2012. Kisin was arrested on charges of being part of the KCK press committee and 'membership of an illegal organisation'. Not clear if still detained.

KCK – On trial: investigation

***Müjde ARSLAN (f):** movie director/writer. Among 140 people arrested 13 February 2012 under the scope of the KCK operation. She was among 34 that were released on 16 February 2012. Arslan has worked as a journalist for DIHA (Dicle News Agency) *Yedinci Gündem* and I newspapers. Allegedly, her father was a PKK guerilla and this has been a source of inspiration for her latest film 'I Flew, You stayed'. Not clear if on trial.

***Hatice BOZKURT (f):** editor *Ozgur Gundem (Free Agenda)*. Taken into custody on the 16 January 2012 under the scope of the KCK operations. Bozkurt had previously been taken into custody on 23 December 2011 and was released after interrogation at the prosecutor's office. Not clear if on trial.

***Arzu DEMİR (F), Evrim KEPENK (F):** editor Etkin News Agency, DiHA reporter respectively. Demir and Kepenk were taken into custody and released in the course of a KCK operation. Not clear if on trial.

***Mehmet ÖZER:** artist/ poet. Among 140 people arrested 13 February 2012 as part of the KCK operations. He was among 34 that were released on 16 February 2012. The arrests of the artists said to be significant because it brought into mind Idris Naim Sahin, Interior Minister's comments that some artists were 'in the back garden of terrorism' and that 'terrorism can also be supported by poetry, painting and arts'. Not clear if on trial.

Dursun YILDIZ: author and lecturer at the Free University in Istanbul. Arrested early October 2011 under a crackdown against the Party for Peace and Democracy (BDP). Author of *A Pedagogic View on Freedom, 2003 and A Pedagogic View on Migration, 2011*. Not clear if still on trial.

Imprisoned Investigation cases

(excluding KCK and Ergenekon above)

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

Bedri ADANIR: d.o.b. 1983. owner of the Aram Publishing House and representative of *Hawar* newspaper. Arrested on 5 January 2010 on charges under Article 7/2 of the Anti Terror Law for publishing *On Culture and Arts*, a collection of speeches by the leader of the banned Kurdish Workers' Party (PKK), Abdullah Öcalan. The book is said

to refer to Ocalan as “chairman” and PKK members as “guerillas” and “martyrs”. He is accused of “spreading propaganda for an illegal organisation”. The publishing house had originally been raided in October 2008 and charges made against Adanir in May 2009. However Adanir has been out of the country, and was arrested on his return from Iraqi Kurdistan. Initially he faced three separate trials, but these have now been merged into one. One relates to the book, the other two to articles he wrote for his newspaper. The first hearing was held on 25 February 2010. He was ordered to remain detained due to the “quality of the crimes” he is accused of. His publishing house is described by the authorities as an outlet for PKK publications. **Trial:** In the hearing on 6 May 2010, the prosecutor stated that 38 books were confiscated in a raid on the publishing house on 14 September 2008 which were either banned or decided to be seized. The prosecutor furthermore claimed a four count charge of “propaganda for an illegal organization” based on articles and contents published in May 2009. The prosecutor demanded a seven count sentence for Adanir according to article 7/2 of the Anti-Terror Law (TMY) and punishment under allegations of “committing a crime on behalf of a terrorist organization without being a member of the organization” based on articles 314/3 and 220/6 of the Turkish Criminal Code plus article 5 of the ATL related to an increase of the penalty. In summary, Adanir faces prison sentences of up to 50 years. **Update:** at a hearing on 6 May 2011, the prosecutor explained that the materials seized contained interviews with families of killed PKK members, as well as statements praising the PKK leadership. The next hearing is scheduled for 13 September 2012. **Present situation:** Adanir remains detained following a refusal of his request for release pending trial in June 2012. The prosecutor repeated the legal opinion in the November 2011 trial and demanded aggravated sentence for ‘membership of an illegal organisation’.

***Irfan BABAĞLU:** controversial author who has spent over 20 years in prison. Babaoglu was sentenced to 1 year 3 months in prison on 1 June 2012 for a line in his prison memoirs, *From Auschwitz to Diyarbakir Prison Number 5*, which commemorated those who lost their lives in the prison. The line was considered ‘propaganda’ for the PKK.

Ali BULUS: *DIHA* Mersin representative. Reported in September 2011 to still be detained serving a six year and three month sentence. PEN is seeking further information.

Ali ÇAT: *Azadiya Welat* journalist said to be detained in September 2011 serving a seven year one month sentence. PEN is seeking further information.

Ersan ÇELİK: journalist for the DIHA news agency. 1) Sentenced with 26 other people on 14 January 2010 to six years in prison on accusation of membership of the Kurdish Workers Party (PKK) by the Malatya High Criminal Court no 3. In March 2008 some 100 people were arrested for their alleged membership of the Patriotic Democratic Youth Council (PDYC) linked to the PKK. 30 were arrested of which 26 were freed after two months in pre trial detention. They were accused on the testimony of one man who claims to have recognised them as members (not clear who this person is). Lawyers point out that he did not recognise them at previous hearings and had given incorrect names. With reference to Çelik, his lawyer pointed out that at the defence witness had clearly stated that he knew Çelik as a DIHA journalist and that he did not have connections with the PDYC. 2) On 13 May 2011 he was sentenced to ten months in prison by the Diyarbakir 6th High Criminal Court on another charge of having “disclosed the identity of a police officer on anti-terror duties” in an article on the death of a student killed during a demonstration in 2009. Çelik cited the names of the officers accused of the shooting in his article. He was unable to attend the hearing because of his detention. An appeal

has been launched. PEN is seeking further details.

Ibrahim ÇİÇEK, Bayram NAMAZ, Sedat SENOĞLU: editor in chief, journalist, journalist, journalist, deputy editor and journalist respectively for the newspaper *Atilim*: Also among those detained is **Fusun Erdoğan (f)** a radio journalist. Arrested under Article 6 of the Anti Terror Law on 10 September 2006. Trial proceedings against them opened on 13 April 2007. Accused of being members of the Marxist Leninist Communist Party (MKLP) deemed to be a terrorist organisation. Concerns centre on the non-disclosure by the authorities of the reasons for their arrest. **Trial:** The first trial was marked by clashes between supporters and police, during which tear gas was used. At a hearing held on 26 October 2007 at the Istanbul 10th Heavy Penal Court, there were protests when it was announced that all the defendants in this case would continue to be held in pre-trial detention. Around 24 May 2011 lawyers questioned the veracity of a document said to have been seized during “Operation Gaye” during which the defendants were arrested. They requested a review of the evidence. They also pointed out that the defendants had been held for almost five years without conclusion of their trial, flouting the European Convention on Human Rights. Scuffles broke out at this hearing after one of the defendants attempted to make a speech commemorating a person who had been killed by the military in 1995. The next hearing is due on 13 October 2011. **Place of Detention.** Namaz and Senoglu, are held in Edirne F Type Prison. Çiçek and Ulsuoy were detained in Tekirdag F Type Prison until their release in May 2011. **Update: Sedat Senoglu and Fusun Erdogan** had their detention terms extended. No news on Bayram Namaz. In May 2011, **Ibrahim Çiçek** and **Ziya Ulsuoy** were freed pending trial after 5 years behind bars. However, on 24th June 2012 both journalist were detained in relation to terrorism charges.

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

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

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

Ruken ERGÜN: editor of *Azadiya Welt*. Detained as of November 2011. See Ozan Kiliç and Vedat Kursun below. PEN is seeking further details.

Mustafa GÖK: *Emek ve Adalet* journalist said in September 2011 to be still on trial. PEN is seeking further details.

Abdülcebbar KARABEG: *Azadiya Welat* journalist said in September 2011 to be detained serving a seven year and one month sentence. PEN is seeking further information.

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

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

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

Deniz KILIÇ: journalist for *Azadiya Welat* in Batman. Reported detained in November 2011. PEN is seeking further information.

Ozan KILINÇ: chief editor of the Diyarbakir based Kurdish language *Azadiya Welat*. **Sentence:** Sentenced 11 February 2010 to 21 years in prison under the Anti Terror Law for membership of the Kurdish Workers Party (PKK). Said to be linked to his publication of 12 editions of his newspaper containing references to the PKK. Each edition attracted a 15-month sentence, making the total 21 years. He got a six year and three month additional sentence for “committing a crime for an illegal organisation without himself being a member of the illegal organisation”. His defence said that the newspaper had only referred to the PKK leader Abdullah Ocalan (now imprisoned) as the “leader of the Kurdish people” and failed to call Turkish soldiers killed in battle as “martyrs”. Kilingç was not present at the trial and an arrest warrant was issued. Reuters reports that *Azadiya Welat* has had to replace 6 editors in 3 years because they have been arrested or have had to flee the country. **Re-arrest:** Kilingç was arrested on 22 July 2010 during a police raid on his home in Diyarbakir five months after his conviction. **Appeal:** In February 2011 his previous 21 year sentence was overturned as being too high. **Sentence:** On 11 April 2011 he was sentenced to six years and nine months in prison. His request for his trial to be held in Kurdish was refused. **Imprisoned:** Diyarbakir. PEN is seeking further information.

Vedat KURSUN: editor and owner of *Azadiya Welat* newspaper. Sentenced in May 2010 to a total of 166 years and six months in prison (which was later reduced to 10 years and six months) for having published a series of articles between September 2006 and August 2007 seen to be supporting and promoting the PKK. Convicted under Articles 220/6 and 314/2 of the Penal Code for making propaganda for an illegal organisation (the PKK) and Article 7/2 of the Anti Terror Law for sending directions to the PKK through the press. 12 years of his sentence relate to alleged membership of an illegal organisation, the maximum sentence that can be made. The remaining sentences have been made under the anti terror law which has been applied to each of 103 articles written by Kursun and seen to be PKK propaganda. Kursun was arrested in January 2009 in relation to another trial. Lawyers are baffled by the sentences, pointing out that Kursun has never committed violence, only expressed his views. They will appeal the sentence. Kursun has been in detention since September 2009. Reported still detained as of November 2011. **Update:** In July 2012, Kursun was released following the ratification of the Third Judicial Package which stipulates the suspension of prison sentences incurred for ‘making propaganda on behalf of a terrorist organisation’ via the press.

Bayram PARLAK: *Gündem* Mersin representative said in September 2011 to be detained serving a six year and three month sentence. PEN is seeking further information.

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

Azia TUNÇ: author. Arrested in early October 2011 as part of a crackdown related to the Party for Peace and Democracy (BDP) Author of *Analysis and Background to the Marash Massacre* and at the time of his arrest working on *Marash History and Multiculturalism*. [The Marash Massacre was an incident in early 1920 during the Franco Turkish War. French forces who had occupied this south eastern city, fled under attack

by the Turkish National Forces headed by Pasha Mustafa Kemal, later to become President. Previously the French had repatriated thousands of Armenians to perceived safety in Marash, 5,000-12,000 of whom were killed by Turkish forces after the occupiers left.] PEN is seeking further information.

Faysal TUNÇ: *DIHA* journalist reported in September 2011 to still be detained serving a six year and three month sentence. PEN is seeking further information.

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

On Trial/Charged (not detained)

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

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

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

Erdogan ALTAN, Kadri KAYA: Batman reporter, and Diyarbakir reporter respectively for Dicle News Agency (DIHA) Arrested and imprisoned on 17 April 2011. Among a number of people arrested for their alleged involvement in an “illegal organisation”. Altan and Kaya are being charged under Articles 220/7 and 314/4 of the Turkish Criminal Law (TCK) (“willingly and knowingly aiding an illegal organization),

Article 314/2 (membership of a terrorist organisation) and under Article 7/2 of the Anti Terror Law (propaganda for a terrorist organisation). At the hearing on 28 March 2012, the court took into consideration the time they had spent under detention and ruled that the reporters should be released pending trial. The next hearing is scheduled for 14 May 2012.

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

Ilkem Ezgi ASAM (f): journalist for *Birgün* sentenced to one year in prison on 13 December 2011 for a “boxed” comment alongside another news item in which she referred to a human rights organisation accusing a general of involvement in two massacres in the early 1990s. [Another source suggests the sentence was 10 months.] A complaint was made by the said general, under the Anti Terror Law Article 6 that penalises writings that could identify people as possible targets for terrorist attacks.. Asam is free on appeal. PEN seeking further information.

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

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

Ismail BESİKÇİ: sociologist and author. Accused in June 2010 of “making propaganda for the PKK” under the Anti Terror Law for an article published in the *Contemporary Lawyer’s Association* periodical.

Zeycan Balci Simsek, editor of the periodical, was accused alongside Besikçi. The article’s title is ‘Right to Self Determination and the Kurds’. Both first appeared at the Istanbul High Criminal Court on 28 July 2010 at a trial attended by hundreds of supporters. Sentences of up to 7.5 years each were suggested. In the court Besikçi stated that if Turkey wished to gain influence in the Balkans and Caucasus, it would first have to deal with the Kurdish problem, which should not be the tackled by prosecutors and business people, but by academics, journalists and philosophers. Simsek argued that the aim of the articles was to promote debate and that at the time the article was published, there were no armed conflicts in the region. **Sentence:** On 4 March 2011, Besikçi was sentenced by a court in Istanbul to one year and six months in prison, reduced to one year and three months. Simsek was sentenced to a fine. It is presumed that Besikçi is free on appeal. **Background:** Besikçi spent many years in prison in the 1990s during which time he was a main case for International PEN. PEN seeking further information.

Haci BOGATEKIN: The editor of local “*Gerger Fırat*” newspaper which is said to have a circulation of only around 200 copies. **1)** On trial on 15 October 2008 for an article ‘Feto and Apo’ published January 2008. Charged with insult to a public official and attempting to influence a trial. Hearing held on 5 February 2009 led to a walk out by the defence

lawyers, claiming that they did not believe that a fair trial was possible and recommended that another judge preside the case and that a new defence counsel be provided. PEN has since learned that he subsequently spent 109 days in prison under this charge. On 8 March 2010, he was sentenced to five years and five weeks in prison. He is free pending appeal.

2) In December 2008, he was sentenced to two years in prison on charges of “insulting” public officials for articles in his newspaper on a corruption trial that led to the imprisonment of a mufti in Adiyaman for having misused money collected by mosques aimed at helping the families of seasonal workers who had lost their lives. Free on appeal. **3)** On 27 October 2009, Bogatekin was sentenced in absentia to two years and two months in prison under Article 125 of the Penal Code for “insult to public officials”. Relates to an article by Bogatekin published on 28 February 2008 in which he states that a prosecutor and several police officers had conspired to force his newspaper out of business. Despite that he had informed the court that he was in Istanbul receiving medical treatment on the day of the trial, the trial went ahead without him present. Free on appeal. **4)** In February 2010, a member of the ruling AKP party filed against Bogatekin for an article that he saw attacked his “personal rights” published in September 2009, entitled “Mercy Miro Mercy Piro”. If convicted, Bogatekin faces a fine. PEN seeking further information.

Mustafa Kemal ÇELİK: publisher of the *Batman Postasi* newspaper was on trial at the Batman 2nd Magistrate’s Court on 12 May 2011 under Penal Code Articles 215 and 218 for an article on a member of a guerilla group. PEN is seeking further information.

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

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

decision annulled as being interference in the independence of the judiciary was heard on 12 May 2009 and its outcome to be announced later. Next hearing of Demirer's case will be on 26 June 2012.

Rüstü DEMIRKAYA, Tayip TEMEL, Orhan MIROGLU: two journalists and a writer respectively. Said in November 2009 to have been sentenced under the Anti Terror Law to one year 10 months, one year and two years and four months in prison respectively. Appeal hearings under way in Ankara with next set for 1 November 2011. PEN is seeking an update.

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

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

* **Halit GUDENOGLU, Kaan Unsal, Cihan GUN, Naciye YAVUZ (f):** reporters for *Yuruyus*. The first hearing was held on 10 January, after 13 months of pre-trial detention. Charges not clear. *Yuruyus* magazine office in Istanbul was raided on 24 December 2010. The raid also included the publishing company Ozan Publishing.

Mehmet KARABAS: journalist for the *Batman Post*. Arrested in April 2011 along with Erdogan Altan and Kadri Kaya (see above) for their alleged involvement in an "illegal organisation". The writers are being charged under Articles 220/7 and 314/4 of the Turkish Criminal Law (TCK) ("willingly and knowingly aiding an illegal organization), Article 314/2 (membership of a terrorist organisation) and under Article 7/2 of the Anti Terror Law (propaganda for a terrorist organisation). Karabas was released pending trial.

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

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

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

Semra PELEK (f), Mustafa DOLU: editor of *Aksam* (no longer in operation) and its editorial manager respectively. Both are accused for articles on the Ergenekon investigation (see below). Pelek for editing an article 'Questions to Firtina from Aydin Dogan, Rahmi Koç and Akçakoca'

published on 5 January 2010. The case has been taken by retired general Ibrahim Firtina who has provided evidence to the Ergenekon prosecutors. First hearing held 1 November 2010. Both are accused under Article 285 of the criminal code that relates to disclosing secret information relating to an investigation and Article 288, for attempting to "influence" the outcome of a trial. Both face up to 8 years in prison. The next trial hearing was set for 13 December 2011. PEN is seeking an update.

Irfan SANCI, Suha SERTABOGLU: publisher, Sel Publishing house and translator respectively. On trial on charges of obscenity under Article 226 of the Penal Code for publishing in Turkish the US author, William Burroughs' *Soft Machine* first published in English in 1961. The Board for the Protection of Minors from Obscene Publications pronounced the book as "not compatible with the morals of society and the people's honour", "injurious to sexuality" and "generally repugnant". The first hearing was held on 6 July 2011, and several hearings have since been held. At the latest trial on 13 March 2012 it was announced that the book had been sent to two experts at the Istanbul University Department of Comparative Literature and Western Languages as well as a criminal law expert. Sanci argued that the literary value of a book could not be evaluated in any court room by means of a report. However, the judge stated that it needed to be investigated whether the translation had been done properly. The trial was postponed to 8 May 2012 and subsequently to 2 July, along with *Snuff* trial. **Background:** In 2010 Sel publishing house was similarly tried for obscenity for publishing several books in translation including Guillaume Apollinaire's *Adventures of the Young Don Juan* for which he was acquitted. Sanci was the winner of the 2010 International Publishers' Association Freedom Prize.

Halil SAVDA: owner of website savaskarsitlari.org website. Trial opened in July 2010 for articles published on the site, before a court in Beyoglu, Istanbul. The charges are said to relate to an article 'Agar: Claims and more' that had been previously published on another website. No further information. He is also among five people to be brought to the same court on the same day for having protested outside the military court in Eskisehir against the trial of a conscientious objector whose case was made famous for the slogan "Everyone is born a baby" a play on an Ataturke slogan "Everyone (Turk) is born a soldier". The next hearing for both charges was to be held on 19 April 2012. PEN is seeking an update.

* **Fazıl SAY:** pianist, composer, writer and EU Culture Ambassador. In April 2012, Istanbul's Prosecutor's Office launched an investigation over tweets declaring himself as an atheist and retweeting a controversial Omar Khayyam poem that suggests that the Islamic representation of Heaven, replete with wine and 'huris' (virgins), is reminiscent of a pub or brothel. Say is accused of contravening sections one and two of Article 216 of the Turkish Penal Code (TCK), by allegedly "instigating religious hatred and hostility" and "insulting religious values". The trial is scheduled for 18 October 2012.

Ismail SAYMAZ: reporter for *Radikal* who stands accused of the "attempt to influence a fair trial" and "violating the secrecy of an investigation", under Article 288 of the Turkish Criminal Code. The journalist faces a prison sentence of up to nine years. Saymaz is being tried for his article "What they asked Cihaner" published in *Radikal* newspaper on 18 February 2010. The first hearing was held at the Bakırköy (Istanbul) 2nd Criminal Court of First Instance on 23 June 2010. Journalist Saymaz and editorial manager **Hasan Çakkalkurt** (see elsewhere) may face imprisonment of up to 36 years in total. The defendants were acquitted at the hearing on 5 April 2012. **Update:** A total of six trials have been filed against Saymaz on the grounds of his news about the interrogations

of İlhan Cihaner, detained Chief Public Prosecutor of Erzincan (north-eastern Anatolia), and İbrahim ahin, former Deputy Head of the Special Operations Department. The cases were opened in April 2010 at the 2nd Criminal Court of First Instance in Bakırköy, İstanbul. Saymaz faces imprisonment of up to 54 years under charges of “attempting to influence a fair trial” and “violating the secrecy of an investigation” according to articles 285 and 288 respectively of the Turkish Criminal Code (TCK) 2) On 20 April 2011 a case was filed against Saymaz by a prosecutor in Erzurum for referring to him as a ‘post modernist’ in his book *Postmodern Jihad*. First hearing set for 8 June led to the case being sent on to the İstanbul Magistrate’s Court. 3) A hearing was held on 15 February 2012 for an article published with **Hasan Çakkalkurt** titled ‘Love Games at Ergenekon’ and ‘Ergenekon Prosecutor Listens to Judge’. Accused of insult, breach of confidentiality, attempt to affect the outcome of a trial and intercepting judge Koksal Sengun of 13th High Criminal Court of İstanbul and Kadir Ozbek, member of Supreme Judges and Prosecutors Council (HSYK).

Pinar SELEK (f): writer, academic and women’s rights activist. Also a member of PEN Turkey. At the trial on 7 March 2012, the new prosecutor Mehmet Ali Uysal reiterated the pleas made seven years earlier and demanded aggravated life sentence for Selek, in relation to her involvement in the Mısır Çarşısı (Spice Bazaar) blast, over 14-years ago. The case was adjourned until 1 August 2012 for the completion of statements and defences concerning the other defendants.

Background: In 1998, an explosion at a crowded marketplace in İstanbul led to the deaths of seven people and injured 127 others. Selek was among a number of people arrested and imprisoned in July 1998 on accusation of causing the explosion. In December 2001 an expert investigation concluded that there was not enough information to confirm that the explosion was a bomb, the suggestion being that it had been a tragic accident caused by a leak from a gas canister. Selek and the other defendants were freed after serving two and a half years in prison. However, in December 2005 a new trial was opened, which in June 2006 was again dismissed due to lack of evidence that the explosion was a bomb. However in March 2009 the Appeal Court requested a review of the case and reversed the acquittal. Again this went to consideration in May 2009, and Selek was again acquitted. The appeal court once again objected and sent the case to the İstanbul High Criminal Court for review once again on 9 February 2010. Pinar Selek is now resident in Germany. There are concerns that she may be extradited to Turkey where she faces a life sentence. In August 2010 Selek’s case was raised at the European parliament, and the European Commission accession unit confirmed that it was aware of the case and it would discuss it with the Turkish authorities. An arrest warrant was requested in early June 2011, now under consideration by the Supreme Court of Appeals. On 22 June 2012 a court hearing was postponed to 28 September 2011 as not all testimonies had been collected to enable a decision to bring the appeal against the third acquittal to the Supreme Court

Semih SÖKMEN, Müge SÖKMEN (f): Directors of the Metis Publishing House. Trial opened on 25 November for publishing in a calendar *İllallah* (I’ve had enough) agenda was published by Metis Publishing and printed in 2009. When it was introduced to the market, it touched upon the subject of protection of the right to believe from organized religions, state budgets and police or military force. In its introduction it read, “We, as the ones who prepared this agenda, respect the right to believe. Yet we have to mention that we have a slightly deeper respect for the right not to believe”. The document is said to include quotations from world famous writers and thinkers including George Bernard Shaw, Einstein, Joyce and

others. The case was brought under Article 216 – incitement to religious hatred, by an individual complainant, Ali Emre Buka ılı, known for having taken similar cases against other publishing houses, such as that which published Stephen Hawkin’s *God Delusion* and Nedim Güzel’s *Daughters of God* which were not successful in securing sentences. The next hearing is set for October 2012.

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

Ferhat TUNÇ, Mehmet ÇOLAK: singer and editor-in-chief of *Özgür Gündem* respectively. 1) Trial started on 2 December 2004 at the Beyoğlu Criminal Court on charges under article 159 of the Penal Code for insulting the judiciary in an article Tunç wrote for the daily *Gündem* on 19 January 2004 entitled “A Revolutionary Leyla and a Song”. They face 1-3 years in prison if convicted. Hearings continued through to 2009. The case was referred to the Ministry of Justice for approval to continue as prescribed under the amended Article 301. 2) On 27 June 2012, Malatya Specially Authorized Third Court for Serious Crimes sentenced **Ferhat Tunç** to two years behind bars on the charge of “making propaganda for a terrorist organization” due to his invocation of the names of deceased Turkish leftists Deniz Gezmi, Mahir Çayan and İbrahim Kaypakkaya during a speech he gave on 1 May 2011 in the eastern province of Dersim.

Funda UNCU (f) and Hasan Basri CIPLAK: translator and publisher, Ayrıntı Publishing, respectively. The pair were indicted on charges of ‘interceding the publication of obscene publications’, after the Board for the Protection of Minors from Obscene Publications issued a complaint that against US author Chuck Palahniuk’s *Snuff*. If convicted, the parties face imprisonment between six months and three years each under Article 266 of the Penal Code. Ciplak had previously requested an expert to investigate assess the literary quality of the work. At the third hearing on 13 March 2012 an expert still could not be found and the court is currently waiting for a reply from the Bosphorus University Department for Literature. The trial was postponed to 8 May 2012, along with the *Soft Machine* trial and subsequently to 2 July 2012.

Baris YARKADAS: journalist. On trial for insult to President Gül under article 299 held before the Kadıköy 2nd Criminal Court in İstanbul. Opened on 21 June 2011 with next hearing set for 3 November 2011. PEN is seeking an update.

Halim YAZICI: poet and member of PEN Turkey. Arrested in his home town of İzmir on 22 November 2011 allegedly on charges of financial corruption and membership of a criminal group. Among 40 others were

arrested. He is a cultural advisor to the Izmir Greater municipality. Izmir's mayor is a member of the opposition CHP and there are suggestions that the arrests may be politically motivated. He was arrested earlier in the year, 2 May 2011, and held for four days for being a member of a criminal gang, then released when it was concluded that there was no evidence. However, he was re-arrested for the same reason when a new District Attorney took up the post and made the decision to re-detain Yazici. The poet was released in July 2012 but the trial continues.

Possible Prosecution

50 writers: contributors to the online *Sour Dictionary* (Eksi Sözlük) Arrested for questioning on 20 June 2011 after a private citizen, believed to be Adnan Oktar, a well known Turkish “creationist”, issued a complaint about a topic discussion on the site about the Prophet Mohammed. The website, which has been in existence for around 12 years, is one of Turkey's largest online discussion forums known for its “frequently witty, occasionally irreverent user-generated knowledge”. It is believed that the contributors may be charged with insulting religion. All the contributors to the discussion write anonymously and there has been some concern that the website had provided IP addresses to police. The Dictionary's owner explained that he had been required to give IP addresses under Turkish law. The site's lawyer further explained that by forcing them to give IP addresses, the writers were no longer anonymous, adding that his client is targeted by police for its content, around four times a year on average. However, this is the first time that contributors have been arrested. There is criticism that under Turkish law, any person who thinks that a web site is “suspicious” can call the police, and the owner may be taken in for questioning and their computer seized. Eight violations can lead to a website closure: articles on prostitution, child pornography, gambling, obscenity, promotion of suicide, drug abuse, provision of unapproved health care substances, and insult to the memory of Mustafa Kemal Atatürk. For more read: <http://www.hurriyetdailynews.com/n.php?n=8216eksi-users8217-raids-sour-web-freedom-2011-06-26> PEN is seeking an update.

Released/Acquitted

Adnan DEMIR: director of *Taraf*. On trial along with **Sebnem KORUR** (f) for an article published on *Taraf*'s website. There are reportedly 80 cases against *Taraf*. Both defendants were acquitted in April 2012.

UKRAINE

Killed (update in investigation)

Georgy GONGADZE: 31, editor of the independent Internet newspaper *Ukrainska Pravda*--which often criticized the policies of then President Leonid Kuchma--was kidnapped sometime around 16 September 2000, and murdered. His headless body was discovered in November 2000 in a forest outside the town of Tarashcha. An investigation plagued by irregularities began soon after and in 2008 three police officers were convicted of his murder. In 2009, a key suspect, Interior Minister General Aleksei Pukach was arrested an also accused of the murder. In November 2010, prosecutors changed the status of the case from contract killing to ‘killing on verbal order’. The new status of the case, in effect, pegs the responsibility for commissioning the crime on a single culprit—a dead interior minister and technically precludes investigators from going after a larger circle of suspected masterminds. Prosecutors have failed to investigate former and current high-ranking officials--including former President Leonid Kuchma and then-head of presidential administration

and current Parliament Speaker Vladimir Litvin--who have long been suspected of being involved in Gongadze's killing. Ukrainian prosecutors indicted former President Leonid Kuchma on 24 March, on abuse-of-office charges in connection with the murder. **Trial:** The trial of Alexsei Pukach began on 7 July 2011 and is being conducted entirely in private. On 15 August 2011 a request by Valentina Telychenko, a lawyer for Gongadze's widow, to have the trial opened to the public was denied. It was reported that Pukach allegedly testified on 30 August 2011 that he had carried out the killing in a plot orchestrated by President Kuchma. The defendant claimed that the direct order to carry out the murder was issued by the now deceased Interior Minister Yuri Kravchenko. It was further reported that several other senior officials had been implicated in the murder, including the current Parliament speaker Vladimir Litvin, and two of Kravchenko's deputies, Nikolai Dzhiga and Eduard Free. However, Kuchma and Dzhiga have denied involvement, claiming that Pukach fabricated the account to avoid a potential life sentence. **Update:** On 14 December 2011 the Kyiv court dropped all charges against Kuchma. On the same day a judge ruled that secret tape recordings by Kuchma's former bodyguard, in which he allegedly talks about his annoyance with Gongadze and desire to ‘silence him’, could not be used as evidence as they had been acquired by illegal means. Gongadze's wife is to appeal the decision to dismiss the charges against Kuchma.

Disappeared: Motive Unknown

Vasyl KLYMENTYEV: Deputy editor-in-chief of *Noviy Stil* newspaper, disappeared on 11 August 2010 after getting into a car with an unidentified individual. He has not been seen since. Police began criminal proceedings for ‘premeditated murder’ after receiving a report of his disappearance by his wife. On 17 August, they discovered Klymentyev's mobile phone on a boat on the Pechenizhske Lake in Kharkiv. On 19 August, Interior Minister Anatoly Mogilyov said that the police had not ruled out that Klymentyev's disappearance might be related to his reporting. On 20 August, AP reported that President Viktor Yanukovich would take personal control of the case. **Background:** Klymentyev's newspaper is widely-known for focusing on corruption issues in the region and for its criticism of law enforcement agencies. According to the Associated Press (AP), Klymentyev had been threatened after refusing money to quash a story about a regional prosecutor with alleged connections to organised crime. **Other information:** a witness in the case has also disappeared, according to Petro Matvienko, deputy editor-in-chief of *Noviy Stil*. According to reports, Matvienko has refused to name the witness, but claims that the disappearance is due to failures by the police to protect witnesses. Kharkiv police said they had not been informed of the disappearance. **Update:** The *Noviy Stil* lawyer, Vyacheslav Ismaylov, claims that the police planted drugs in his apartment during a search relating to another case. Ismaylov claims that he had a judge's ruling forbidding any investigative operation of this type at his home and that both he and his son suffered injuries during the incident. The police say that the operation was carried out in connection to the alleged criminal activity of Ismaylov's son. In April 2011 Ukrainian police claimed that they had interviewed over 3,000 local people who might help in providing a lead in the case. Investigators have also examined the cases of over 200 unidentified bodies in local morgues.

UZBEKISTAN

Disappearance - investigation

Dzhamshid (Jamshid) KARIMOV: journalist for the London-based Institute of War and Peace Reporting (IWPR) until May 2005 and subsequently for a number of other publications, disappeared on 12 September 2006. Two weeks later his friends were able to ascertain that Karimov was held in a psychiatric hospital in Samarkand until his release on 6 November 2011. Karimov is a nephew of the President Islam Karimov and, according to CPJ, is said to have been openly critical of his uncle and to be living in poverty. Karimov worked for IWPR until May 2005 when many protestors were killed at a protest in Andijan. He subsequently went on to work for a number of independent newspapers as a freelancer. **Release:** Karimov was reportedly released just before the Muslim festival of Eid al-Adha. It was alleged that his release was a consequence of pledges given by the Uzbek authorities to U.S. Secretary of State Hilary Clinton when she visited Uzbekistan on 22 October 2011. Karimov is reported to have suffered serious damage to his health due to the forced administration of psychotropic drugs. **Honorary member:** English PEN. PEN is seeking further information. (RAN 61/11 – 30 November 2011) **Update:** According to *uznews.net* Karimov has disappeared again on 18 January 2012. Only a week before he was still in touch with his friends and colleagues, but suddenly has stopped responding to their e-mails and his phone is disconnected. According to his colleague there are three possible options for what has happened; he may have been taken back to the psychiatric hospital, he may be under house arrest or he may have gone to ordinary hospital due to the psychotropic drugs he was forced to take. PEN is seeking further information.

Imprisoned - Main Case

Salidzhon (Salijon) ABDURAKHMANOV

D.o.b.: 1950 **Profession:** Journalist for the independent German-based Uzbek agency *Uznews.net* which is blocked in Uzbekistan, reporter for Radio Free Europe Radio Liberty, Voice of America, the Institute of War and Peace Reporting and chairperson of the Committee for the Defense of the Rights of the Individual. **Date of arrest:** 7 June 2008 **Sentence:** Ten-year prison sentence. **Expires:** 6 June 2018 **Details of arrest:** Arrested by traffic police in Nukus, on the Turkmen border, who stopped and searched his car and then claimed to have found packages, allegedly containing marijuana and cocaine. He was not questioned about where they came from, which would be normal procedure in such cases. On the same day police searched his home and his workplace and confiscated a laptop, books, and notes, amongst others. Later, Abdurakhmanov was questioned about a biography of the exile leader of the banned opposition party Erk, found by police amongst his belongings. **Details of the trial:** The trial started on 12 September 2008, and only Abdurakhmanov's relatives were allowed to be present. The charges against him are 'selling drugs in large consignment' under Article 25-273, Part 5 of the Uzbek Criminal Code. According to Uzbek laws, attempting to commit a crime envisages the same punishment as committing the crime. On 10 October 2008, he was given a ten-year prison sentence, which was upheld in November, when his appeal was overturned by the Supreme Court. On 25 March 2009, the Karakalpak Supreme Court for the second time upheld the ten-year prison sentence against Abdurakhmanov, without explaining the basis of its decision. **Professional details:** Abdurakhmanov is well known for his reporting and monitoring of human rights, economic and

social issues in the region. **Place of detention:** He is currently held in Karshi prison. A relative was able to visit who reported in late March 2009, that although he has been held in isolation, he is not being ill-treated. In late April 2009 Abdurakhmanov was visited by his father and wife, and they said he is in good spirits and maintains his innocence. His brother and lawyer announced an appeal is being prepared to demand the Supreme Court to reconsider the conviction. **Other details:** Prior to his arrest Abdurakhmanov had expressed concerns that he may suffer reprisals for his writings. He had apparently written an article that criticised local traffic police shortly before his arrest. Organisations including Amnesty International and Human Rights Watch state that the sentence is clearly aimed stopping his critical reporting. **Government' response to the UN:** In May 2009 the Special Rapporteur on Freedom of Expression and Opinion of the United Nations (UN), published its report, including communications with the Uzbek government regarding Abdurakhmanov's case. In these communications, the Uzbek government claimed that Abdurakhmanov's car had been stopped, and that he had been found to be driving without a licence. It also said that officers had searched his car, had found marijuana and opium, and that Abdurakhmanov had been indicted under Article 276, paragraph 2(a) of the Criminal Code. The Ministry of Internal Affairs claimed not to have received any complaint regarding the use of unauthorised methods during the investigation, and that the criminal proceedings were 'not connected with his human rights activities'. On 5 August 2009 the charges were amended to 'intent to sell' a large quantity of narcotics. Abdurakhmanov was found guilty and sentenced to ten years' imprisonment. On 19 November 2009 this judgment was upheld by the Supreme Court of Karakalpakstan. PEN continues to be concerned that Abdurakhmanov is being held for his human rights monitoring. (RAN 40/08 – 14 August 2008; Update #1 – 14 October 2008; Update #2 – 20 January 2009)

Update: A report on 1 April 2011 stated that Abdurakhmanov has been prohibited by the colony administration from filing a complaint - in which he gave details of his arrest, frame-up and unfair conviction - with the Uzbek Supreme Court. The colony officials seized the letter of complaint from his lawyers and said the document would be mailed to him, but it has not been. **Prison Conditions:** Abdurakhmanov has been accused twice between June and August 2011 of breaking the rules of the prison in which he is incarcerated. His relatives have claimed the prison authorities have also tried to frame the journalists on a third charge. The charges are believed to significantly reduce Abdurakhmanov's chances of being released under a prisoner amnesty expected to accompany the celebrations marking the 20th anniversary of Uzbek independence.

Muhammad BEKZHON (BEKJANOV)

D.o.b.: c. 1955 **Profession:** former journalist **Date of arrest:** 15 March 1999 **Sentence:** 15 years, reduced to 12 years **Expires:** January 2012 **Second sentence:** Five years. Due to expire c. January 2017 – see below. **Details of arrest:** Deported from Ukraine in March 1999 on accusation of involvement in a series of explosions in Tashkent. Several others arrested in connection with these events. (see Makhmudov, below) **Trial details:** It is thought that his arrest is linked to his association with the exiled opposition leader Muhammed Salih and that the charges are linked to his work on *Erk*, the opposition party's newspaper, although it has been banned since 1994. Some of the defendants have testified to having been tortured under interrogation including beatings, electric shock and threat of rape of female family members. In August 1999, Bekjanov was sentenced to 15 years in prison, convicted 'of publishing and distributing a banned newspaper containing slanderous criticism

of President Islam Karimov; participating in a banned political protest; and attempting to overthrow the regime'. In addition, the court found them guilty of 'illegally leaving the country and damaging their Uzbek passports'. **Professional details:** Former contributor to *Erk*. Brother of exiled opposition leader, Muhammad Salih **Place of detention:** Kasan prison, southwestern Uzbekistan **Health concerns:** reports of torture lead to concern for well being. The UN Special Rapporteur on Torture in his 2003 report referred to allegations of torture resulting in Bekjanov's leg being broken. It referred to Bekjanov contracting TB, for which he received treatment. The Uzbek government had responded to the Rapporteur informing him that the sentence had been reduced by a fifth, and giving details of the TB treatment being given. It denied that "moral or physical pressure" had been applied. In October 2006, his wife was able to visit him in prison and reports that he was still suffering beatings, and that he had lost most of his teeth. Concerns for his health remained acute. **Other Details:** Wife resident in the USA. **Honorary Member:** English, American PEN, USA, Canadian PEN Centres) **Update:** He is serving an additional five-year term. After weeks of uncertainty over what had happened to Bekjanov, his lawyer eventually informed relatives on 23 January 2012 that a mobile court had held hearings at the labour camp over the weekend of 21-22 January and found Bekjanov guilty of beating three other inmates. He was sentenced to an additional five years in jail as a result.

Mamadali MAKHMUDOV

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

Dilmurod SAIDOV (pen name SAYYID)

Profession: journalist for a number of independent websites and activist.

Date of arrest: 22 February 2009 **Sentence:** 12 and a half years **Expires:** August 2021 **Charges:** Extortion and forgery **Details of the trial:** The trial was heard at the Taylak District Court, where the sentence was announced in a closed session, in the absence of his defence and family, as they had not been informed of the date of the trial. There are reports that the trial was riddled with procedural violations, and that various witnesses withdrew their testimonies. There is an account, for instance, that a witness testified against Sayid saying that she was forced by the journalist to extort money from a local businessman. However, afterwards the witness retracted in full her statement, but the trial continued. In the case on extortion charges, two farmers were included together with Sayid, one was sentenced to eleven years in prison and the other to twelve. His defence announces they would appeal the verdict. **Professional details:** Sayid's reports have been published in various local newspapers and news websites in Central Asia, including *Voice of Freedom*. There are reports that Sayid's conviction is linked to his reports on abuse of power and corruption in some local government offices, such as his articles on alleged illegal confiscations of farmers' land by local authorities. Sayid is also an activist of the Tashkent regional branch of the human rights organisation Ezgulik. **Family:** In early November 2009 Saidov's wife and daughter, aged 6, were killed in a car accident while on their way to visit him in prison. **State of health:** He suffers from tuberculosis and requires regular medical treatment. **Prison Conditions:** Saidov was reportedly put in a penal colony in Navoi from 26 to 29 April 2011 for allegedly breaking prison rules, although details of the alleged violation remain unknown. **Update:** According to his brother Obid Saidov by August 2011 he had been found guilty of breaking prison rules five times. According to him, this means that the amnesty announced in Uzbekistan in December last year to mark the 19th anniversary of Uzbekistan's constitution could not be applied to Dilmurod. Dilmurod's health is poor – he suffers from tuberculosis. In mid August 2011 he spent 27 days in a hospital. (RAN 32/10 – 10 August 2009)

Imprisoned – investigation

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

Hayrulla HAMIDOV (Khayrullo Kamidov)

D.o.b.: 1975 **Profession:** Football commentator and radio-host, poet and deputy editor-of the newspaper *Chempion* (Champion). **Date of arrest:** 21 January 2010 **Sentence:** Six years in prison **Expires:** 20 January 2016 **Details of arrest:** Officers of the Tashkent Region police department entered Hamidov's home, seized his books, computer, a copy of the Koran, and audio and video material, and detained Hamidov. **Details of the trial:** Tried under Article 216 of the criminal code concerning 'the organisation or active participation in a proscribed social or religious movement' and 'dissemination of prohibited material', under articles 216 and 244-1 of the Criminal Code. In a closed hearing held on 11 May 2010,

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the prosecutor demanded for Hamidov to be sentenced to seven years in prison. The criminal court in Guibakhor, near Tashkent, postponed the sentencing until 28 May then convicted Hamidov to six years' imprisonment. **Other information:** Hamidov is reportedly a prolific poet. He was also a popular radio-host on Islam of the show 'Kolislik Sari' (Voice of Impartiality) broadcasted by the Tashkent-based Navruz FM. According to Radio Free Europe/Radio Liberty (RFE/RL), Hamidov was tried with 18 other people who were found to be members of the Islamic group Jihadchilar (Jihadists). **Previous political persecution:** In 2007 Hamidov's newspaper *Odamlar Orasida* (Among the People), that dealt with issues including infant mortality, corruption, and homosexuality. The newspaper was closed down by the authorities. **PEN position:** PEN considers this case as an investigation pending information that Hamidov has not advocated violence.

Vasily MARKOV and Ruslan KARIMOV: independent Tashkent journalists; were detained without explanation in the Kashkadarya district on 05 May 2011. They were in the region to conduct an investigation into suicide among local residents. They were detained en route to Nishansky to collect information when their car was stopped by traffic police. PEN is seeking confirmation of their continued detention.

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

Shavkat ISMOILOV and Davron TAJIYEV: Director and editor respectively of the magazine *Yetti Iklim* (*Seven Dimensions*), were sentenced to eight years in prison for allegedly 'creating, leading or participating in religious extremist, separatist, or other banned organisations', according to Criminal Code's Article 244 Part 2, on 6 April 2009. It is said that the charges against both were related to both journalists links to the religious organisation Nur (Light), based in Turkey. Reported to still be detained as of June 2012.

On trial

***Viktor KRYMZALOV:** investigative journalist. On 26 March 2012 he was found guilty of defamation and imposing a 1350 US dollar fine. He has exposed shortcoming in the judicial system, and the prosecution system in particular, over many years. He has managed to get investigative articles on legal injustices published in newspapers like *Pravda Vostoka* and *Chastnaya Sobstvennost*. The article that landed him in court was not, however, one he wrote. Judges claimed that there were "indications" he wrote the piece concerning a pensioner evicted from his home, and published by the *Centrasia.ru* news site last year, and that seemed to be enough to secure a conviction. No evidence was presented to support the assumption. **Update:** Ordinary citizens have filed a statement to the Tashkent city administrative court in defence of the journalist, uznnews.net reported on 18 April 2012. Krymzalov's lawyer admitted that these statements do not have any legal force but they are valuable as a testimony of the journalist's personality. Krymzalov on 7 May sent an appeal to Uzbek President Islam Karimov calling for measures to stop his conviction. He also sent copies of his appeal to the prime minister, the Senate Chairman, the National Security Service, the Supreme Court, the prosecutor general and the interior minister.

ALGERIA

On Trial

***Manseur Si MOHAMED:** bureau chief of the French-language newspaper *La Nouvelle République* and head of the Mascara branch of the Algerian Journalists' Union, received a two month prison sentence in mid June 2012 and a fine of 50,000 dinars (approx. 500 euros) for "libellous comments" in one of the articles he published. The article, headlined: "Council of State - What Is It For?" was written as a criticism of the failure to apply rulings by the Supreme Court and the Council of State penalizing public authorities. Mohamed's article criticized the Mascara district tax inspector for refusing to reinstate a senior official whose demotion had been overruled by the Council of State. Mohamed's lawyer filed an appeal on 18 June. He said he was being victimized and the verdict showed that "double standards" were applied to journalists in Algeria.

Assault

***Hanane DRISS (F):** journalist for the French-language daily *Tribune des lecteurs*. He was beaten up by a police officer while she was covering the pensions protest by former soldiers outside the People's National Assembly building on 20 March 2012. Since the appointment of a new head of the National Police official procedures are meant to be more respectful towards those who work for the media. However, besides lip service and a slight relaxation by the authorities, intimidation and assaults continue.

BAHRAIN

Main Case - imprisoned

Abdulhadi Al-KHAWAJA

Profession: Human rights defender **Date of arrest:** 9 April 2011 **Sentence:** Life imprisonment **Details of arrest:** He was arrested from his home and charged under national security and counter-terrorism legislation for his role in the pro-democracy protests that begun in February 2011. He was badly beaten during his arrest. **Details of trial:** Among twenty-one opposition activists to be convicted by a special security court on 22 June 2011 of 'plotting to overthrow the government' following a wave of protests which swept the country in February and March that year (see below Abdul Jalil Al-Singace). On 28 September 2011 the military-run National Safety Court of Appeal confirmed the conviction of Abdulhadi Al-Khawaja, and his sentence of life imprisonment. The trial did not meet with international standards of fairness, and there has been no independent investigation into allegations of tortured in pre-trial detention. On 30 April 2012 the Court of Cassation ordered a retrial in the case. The first hearing took place on 21 May 2012 at a civil court, and the trial is ongoing. All

defendants remain detained. [The latest hearing scheduled for 17 July 2012 was cancelled without reason.] **Treatment in detention:** There were allegations of torture during pre-trial detention, while Al-Khawaja and the other detainees were held incommunicado. In one of the earlier hearings at court, prior to the sentence, when Al-Khawaja and others tried to speak out about having been tortured in detention, they were removed from court, taken outside and beaten resulting in Al-Khawaja having to be taken to the military hospital. **Health concerns:** Abdulhadi Al-Khawaja is still suffering the effects of the repeated beatings to his face with problems with his jaw and teeth and is expecting to have further medical treatment to assess the extent of the long term damage. He staged a hunger strike from 8 February 2012–28 May 2012. **Professional details:** Al-Khawaja is a leading human rights defender in Bahrain. **Previous political imprisonment/problems:** Abdulhadi Al-Khawaja has a long history of political persecution. After twelve years in exile he returned to Bahrain in 1999 following wide-ranging political reforms that allowed independent human rights groups to operate in the country. In 2002 he co-founded the Bahrain Centre for Human Rights (BCHR), a member of the International Freedom of Expression Exchange (IFEX), and has since worked in numerous roles for various regional and international human rights organisations. Most recently, he was the Middle East and North Africa regional campaigner with Front Line Defenders. In 2004 he was held for two months for his political activism, and has been subject to regular threats, travel restrictions and harassment. [RAN 46/10 Update #4 – 29 September 2011]

Abdul-Jalil Al-SINGACE

Profession: Activist and internet writer. **Date of arrest:** 13 August 2010 **Sentence:** Life imprisonment **Details of arrest:** Dr Al-Singace was arrested at Bahrain International Airport on his return from London on 13 August 2010, where he had been attending a conference at the House of Lords during which he had criticised Bahrain's human rights practices. He was initially accused of 'inciting violence and terrorist acts', before being formally charged under national security and counter-terrorism legislation. He and 21 other opposition activists on trial with him were freed in February 2011 following widespread calls by anti-government protestors for political reform and the release of political prisoners. He was re-arrested on 16 March 2011 after publicising the deteriorating human rights situation in the country, and was later placed under house arrest. **Details of trial:** Dr Al-Singace was among twenty-one opposition activists to be convicted by a special security court on 22 June 2011 of 'plotting to overthrow the government' following a wave of protests which swept the country in February and March that year. Eight of those convicted received life sentences, including Dr Al-Singace. A further ten were sentenced to fifteen years in prison, two received five-year terms and one a two-year prison sentence. The trial did not meet with international standards of fairness, and there has been no independent investigation into allegations of torture in pre-trial detention. On 28 September 2011 the military-run National Safety Court of Appeal confirmed the conviction. On 30 April 2012 the Court of Cassation ordered a retrial in the case. The first hearing took place on 21 May 2012 at a civil court, and the trial is ongoing. All defendants remain detained. [The latest hearing scheduled for 17 July 2012 was cancelled without reason.] **Treatment in prison:** Dr Al-Singace was held incommunicado and in solitary confinement for six months, during which he was reportedly ill-treated. **Place of detention:** Gurayn Military Prison, Manama, Bahrain. **Health concerns:** Dr Al-Singace is disabled, and relies on a wheel-chair for his mobility. There are serious concerns for his welfare in detention. **Professional details:** Dr

Al-Singace taught engineering at the University of Bahrain and authored his own blog (<http://alsingace.blogspot.com/>). He is head of the human rights office of the Haq Movement for Liberty and Democracy. [RAN 46/10 Update #4]

***Nabeel RAJAB**

Profession: Leading human rights defender. President of Bahrain Centre for Human Rights (BCHR) and Gulf Centre for Human Rights (GCHR). **Date of arrest:** 6 June 2012 **Sentence:** 3 months in prison. **Expires:** 27 August 2012 **Details of arrest:** Rajab was arrested on 6 June 2012 following a complaint made against him by the people of al-Muharraq area, north of Bahrain, for "publicly vilifying the al-Muharraq people and questioning their patriotism with disgraceful expressions posted via social networking websites". The charges against Rajab relate to a 2 June tweet addressing the Prime Minister, Shaikh Khalifa Bin Salman Al Khalifa, following his visit to the area. Rajab wrote: "Khalifa: Leave the al-Muharraq alley ways, their sheikhs and their elderly, everyone knows that you have no popularity there; and if it was not for their need for money they would not have come out to welcome you - when will you bow out?" **Details of trial:** He was charged with libel on 14 June and released on bail on 27 June. He was sentenced (in absentia) on 9 July 2012 by a court in Manama and taken to prison to serve out the remainder of his three-month sentence. His lawyer has lodged an appeal which is scheduled to be heard on 18 July. Rajab still faces three further court cases, relating to charges of taking part in an "illegal gathering" and "disturbing public order" during an anti-government protest in Manama on 6 February 2012, an ongoing trial relating to charges of "illegal gathering" brought against him on 6 June, and an appeal against his 28 June conviction of "insulting a national institution" (the Ministry of Interior) in his tweets. **Place of detention:** Held in al-Jaw prison, Manama. **Other information:** Rajab is a well-known human rights activist working with human rights organisations worldwide. He has been harassed and briefly detained on many occasions for his human rights activism and reporting.

Imprisoned: investigation

***Ahmed RADHI:** Freelance journalist, who contributes to local websites and writes his own blog 'Silahi Qalami' ('My Weapon is my Pen'). Previously worked as a reporter for the pro-government daily *Al-Ayyam* and as a correspondent for the Hezbollah-owned Al-Manar TV before the government withdrew his accreditation. Reportedly arrested from his home on 16 May 2012 by security forces who broke down his door in an early morning raid. Arrested following critical comments he made to BBC Arabic radio about Bahrain's proposed union with Saudi Arabia, and posted on his Twitter and Facebook accounts. His whereabouts and any charges against him are unknown. Still detained as of 30 June 2012.

Sentenced in absentia

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

Brief detention

***Zainab Al-KHAWAJA (f):** Prominent blogger and activist, reportedly arrested by security forces in Manama, the Bahraini capital, on 21 April 2012, whilst taking part in a peaceful protest a day before the Formula 1 Grand Prix, demanding the cancellation of the race, the release of her father and his fellow defendants, and the end of the repression of peaceful protests. She was charged with illegal gathering, obstructing traffic, assaulting an officer, and swearing at an officer. She was sentenced to one month in jail for taking part in an illegal assembly and was fined separately 200 dinars (\$530) for insulting a government employee. Released on 27 May 2012. Previously arrested on 12 February 2012 and held for 7 days for her participation in a peaceful protest. Zainab is the daughter of human rights defender Abdulhadi Al-Khawaja, who is serving a life sentence for his peaceful opposition activities (see above: main case). (RAN 62/11 – 16 December 2011, Update #1 – 21 December 2011)

EGYPT

Sentenced: free on bail

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

On trial

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

***Austin MACKELL:** Australian freelance journalist based in Cairo. Known for his reports on Egyptian politics and the labour movement. Reportedly arrested on 12 February 2012 in Mahalla el-Kubra while reporting on an attempted general strike. Released after a two-day detention but thought to be still facing charges.

***Nawara NGEM, Wael GHONEIM and Alaa AL-ASWANI:** Bloggers

and writer respectively. All well-known activists. Reportedly charged with 'attempting to overthrow the state' and 'damaging the reputation of the armed forces' on 7 March 2012 for critical comments about the military authorities made to the media. Their cases have been referred to military courts. No further information as of 30 June 2012.

Released

Michael (Maikel) Nabil SANAD: Blogger and owner of blog *Ibn Ra*, was arrested on 28 March 2011 and sentenced to three years in prison, reduced to two years on appeal. His arrest was due to an article in his blog discussing the relationship between citizens and the Egyptian army in the aftermath of the anti-government protests which began on 25 January 2011 and culminated in the resignation of President Hosni Mubarek on 11 February 2011. The article was critical of the abuses committed by the military police and cited a number of news reports published in newspapers and websites. Sanad was prosecuted by a military court on charges of "insulting the military institution, dissemination of false news and disturbing public security". On 24 January 2012 Sanad was released from prison after the Supreme Council of the Armed Forces announced an amnesty for around 2,000 political detainees who had been convicted by military courts in the last year. [RAN 18/11 – Update #2, 1 February 2012]

IRAN

Imprisoned: Main Cases

Bahman Ahmadi AMOUEE

Profession: Journalist. Contributor to several reformist newspapers including *Mihan*, *Hamshahri*, *Jame'e*, *Khordad*, *Norooz*, and *Sharq*. Former editor of the now banned leading economic newspaper *Sarmayeh*. **Date of arrest:** 19 June 2009 **Sentence:** Seven years and four months, reduced to five years on appeal. **Expires:** 18 June 2014 **Details of arrest:** Reportedly arrested with his wife, Zhila (Jila) Baniyaghoub, editor-in-chief of the *Iranian Women's Club*, a news Web site focusing on women's rights, on 19 June 2009 in Tehran. She was released on bail on 19 August 2009 (see below). **Details of trial:** On 5 January 2010, Amouee was sentenced to seven years and four months in jail, and 34 lashes, on security charges. In early March 2010, the sentence was reduced to five years in prison. Amouee was released on bail for the Iranian New Year, on 21 March. He returned to Evin prison on 30 May 2010. **Place of detention:** Evin prison. **Other information:** Recipient of the 2011 Hellman/Hammett award.

Massoud BASTANI

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

prison guard on 2 June 2011. Reported to have been transferred to a prison hospital on several occasions in late 2011 due to severe headaches, and to be in urgent need of tests and CT scans not available in prison. In January 2012 his health was said to be critical, and he had been denied necessary hospital treatment. **Other information:** Bastani had been editor-in-chief of the now-banned *Neda-ye Eslahat* (Voice of Reform) weekly.

Mohammad DAVARI

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

Hossein DERAKHSHAN

D.o.b.: c.1975 **Profession:** Internet writer. **Date of arrest:** 1 November 2008. **Sentence:** 19 and a half years in prison. **Expires:** 30 April 2028 **Details of arrest:** According to PEN’s information, Hossein Derakhshan was arrested from his family home in Tehran on 1 November 2008 shortly after returning to Iran from several years living in Canada and the United Kingdom. The authorities did not officially acknowledge his detention until 30 December 2008. He is thought to be accused of ‘spying for Israel’, apparently for a highly publicised trip he made to Israel – with whom Iran has no diplomatic relations - in 2006, travelling on a Canadian passport. He declared that this trip was to show his “20,000 daily Iranian readers what Israel really looks like and how people live there”. He also wanted to “humanise” Iranians for Israelis. **Details of trial:** His trial reportedly began on 23 June 2010 on charges of ‘conspiracy’ and ‘acting against national security’. **No verdict** was made known till late September when it was reported on the Farsi news website *Mashreq* that he had been convicted on charges of ‘propagating against the regime’, ‘promoting counter-revolutionary groups’, ‘insulting Islamic thought and religious figures’ and ‘managing an obscene website’. He was sentenced to nineteen and half years in prison. In June 2011 an appeals court upheld his sentence. **Place of detention:** Evin prison, Tehran. **Treatment in prison:** Hossein Derakhshan is held incommunicado in Evin prison, with very limited access to his family. He is said to have been ill-treated and under pressure to make a ‘confession’. On 9 December 2010, Derakhshan was released conditionally, on two days parole, after posting a bail of \$1.5 million. After less than two days, he was taken back to prison. **Health concerns:** There are serious concerns for his physical and psychological well-being. **Other information:** Nicknamed ‘the Blogfather’, Hossein Derakhshan is known for pioneering ‘blogging’ in Iran with his Internet diaries, in both English and Farsi, which have been critical of the Iranian authorities though more recently have been sympathetic to President Ahmadinejad.

***Manijeh Najm ERAGHI (f)**

Profession: Translator and secretary for the Iranian Writers Association (IWA). **Date of arrest:** 3 June 2012 **Sentence:** One year in prison **Expires:** 2 June 2013 **Details of arrest:** Reportedly arrested on 3 June 2012 after being summoned by Tehran’s State Security police, and transferred to Evin Prison to serve out a one-year prison sentence. She is charged with membership of the IWA, transmitting the association’s statements and participating in peaceful gatherings. Najm Eraghi was first arrested on 16 October 2010 and released on bail after three days. **Professional details:** Manijeh Najm Eraghi is a leading translator from English to Farsi, specializing in books on women’s rights. She has been translating books and articles regularly since the early 1990’s, and her publications include *An Introduction to Sociology: Feminist Perspectives* by Pamela Abbott and Claire Wallace (first edition 2001, latest edition 2011), *Feminist Thought: A Comprehensive Introduction* by Rosemarie Tong, and most recently *Capitalism, the Family and Personal Life* by Eli Zaretsky. She has two further publications forthcoming, of Juliet Mitchell’s *Psychoanalysis and Feminism* and Virginia Woolf’s *Three Guineas*.

***Mehran FARAJI**

Profession: Reporter for the reformist daily newspaper *Sharq*. **Date of arrest:** 4 April 2012 **Sentence:** 6 months in prison **Expires:** 3 October 2012 **Details of arrest:** Reportedly arrested on 7 December 2010 and held for two months before being released on bail. Amongst a number of reformist journalists from the *Sharq* newspaper to be arrested for reporting on the crackdown in the aftermath of the disputed presidential elections of June 2009. **Details of trial:** Sentenced in July 2011 to one year in prison for ‘propagating against the regime’. His sentence was reduced to six months in prison on appeal in November 2011, and a five-year suspended term. On 4 April 2012 he was summoned to Evin prison to serve out his sentence. **Place of detention:** Evin prison, Tehran.

Ahmad GHABEL

Profession: Iranian religious scholar and writer. **Date of arrest:** 20 December 2009 **Sentence:** 20 months in prison **Expires:** 30 March 2013 **Details of arrest:** Reportedly arrested on 20 December 2009 en route to the funeral of the late Grand Ayatollah Montazeri. Held until his release on bail on 10 June 2010 but re-arrested on 8 September 2010 after being summoned to the Mashhad Revolutionary Courts for questioning about his activities since his release. It is believed he was arrested in response to published reports and interviews he had given since his release regarding his trial, prison and interrogations. Ghabel also published information regarding alleged secret mass executions in Vakilabad prison. **Details of trial:** Tried on charges of acting against national security in November 2010 and sentenced to three years imprisonment, three years of exile from his city of residence and a three-year ban on speeches. Ghabel was released on \$50,000 bail by Branch 5 of Mashhad Revolutionary Courts on 4 January 2011. On 29 July 2011 the appellate court confirmed his 20-month prison sentence, and he was reported to have been re-arrested on 31 July 2011 to serve out his term. **Place of detention:** Vakilabad Prison, Mashhad. **Treatment in prison:** Said to be held in solitary confinement and to be denied medical care for heart disease, for which he was being treated prior to his arrest. **Previous political imprisonment/problems:** Known for his strong criticism of the conservatives, Ghabel was also imprisoned in 2001 and spent 125 days in solitary confinement in Tehran’s Evin prison after writing an open letter critical of Supreme Leader Ayatollah Ali Khamenei.

***Siamak GHADERI**

Profession: Journalist. **Date of arrest:** 27 July 2012 **Sentence:** 4 years imprisonment. **Details of arrest:** Reportedly detained in connection with entries he posted on his blog, IRNA-ye maa, or Our IRNA, a reference to the Islamic Republic's official news agency. In the entries, he reportedly wrote about street protests and other developments after the contested 2009 presidential election. **Details of trial:** In January 2011, Ghaderi was sentenced to four years in prison and 60 lashes on charges of "propagating against the regime," "creating public anxiety," and "spreading falsehoods". **Professional details:** Ghaderi was an editor and reporter for IRNA for 18 years until he was dismissed for writing about the 2009 election on his blog. Ghaderi's blog was repeatedly blocked by authorities before he was detained. Among the entries that authorities reportedly found objectionable was a piece in which Ghaderi interviewed several Iranian homosexuals. The article was an apparent reaction to President Mahmoud Ahmadinejad's public assertion that "there are no homosexuals in Iran." The lashes in his sentence were for "cooperating with homosexuals," the BBC reported. **Place of detention:** Held in Section 209 of Evin prison.

Adnan HASSANPOUR

Profession: Iranian Kurdish journalist, writer and human rights activist. **Date of arrest:** 25 January 2007 **Sentence:** Death penalty, commuted to ten years in prison. **Expires:** 24 January 2017 **Details of arrest:** Reportedly detained on 25 January 2007 in Marivan, a small city in the northwestern province of Kurdistan, apparently for expressing his views on the Kurdish issue. He was reportedly held incommunicado without charge in a Ministry of Intelligence facility in Marivan, and transferred to Marivan prison on 26 March 2007. In April 2007, the *Mehr News Agency*, which is said to have close links with Iran's judiciary, apparently alleged that Adnan Hassanpour had been in contact with Kurdish opposition groups and had helped two people from Khuzestan province, who were wanted by the authorities, to flee from Iran. However, it is thought that he may be held for a phone conversation he had with a staff member of *Radio Voice of America* shortly before his arrest. **Details of trial:** He appeared before the Islamic Revolutionary Court in Sanandaj on 12 June 2007, in the presence of his lawyer. On 16 July 2007 he was told that he had been sentenced to death on charges of espionage and *Moharebeh* ('fighting God'). The sentence was confirmed on 22 October 2007, but was overturned by the Supreme Court in Tehran in August 2008 on procedural grounds. The case was returned to Sanandaj for a re-trial and heard on 6 September 2008 and 30 January 2009. He was sentenced to ten years in prison on 1 July 2009. **Previous political imprisonment/problems:** Adnan Hassanpour is a former member of the editorial board of the Kurdish-Persian weekly journal, *Aso* (Horizon), which was closed by the Iranian authorities in August 2005, following widespread unrest in Kurdish areas. He had previously been tried in connection with articles published in the journal. **Other information:** He is a member of the Kurdish Writer's Association. (RAN 11/07 and subsequent updates). **Honorary member of:** Swedish, American and Basque PEN.

***Saeed JALALIFAR:**

Profession: Journalist for the Committee of Human Rights Reporters. He had reported on child labour and political prisoner issues was first arrested in December 2009. **Date of arrest:** 31 July 2011 **Sentence:** 3 years in prison **Expires:** 30 July 2014 **Details of trial:** He was free on bail for more than a year before being summoned back to Evin Prison on 31 July 2011 after being sentenced to three years in prison on charges

of "assembly and collusion against the regime." Numerous journalists working for the Committee of Human Rights Reporters have been detained for varying periods of time since 2009 in connection with their work in exposing human rights violations and government malfeasance.

***Nader KARIMI JUNI:** Journalist and chief editor with publications *Gozaresh*, *Fekr*, *Jahan Sanat*, *Siasat Rooz*. **Date of arrest:** November 2008 **Sentence:** Ten years, commuted to five years in prison on appeal. **Expires:** November 2013 **Details of trial:** Reportedly sentenced to ten years imprisonment in January 2009 by Branch 28 of the Revolutionary Court of Tehran for acting against national security, conspiracy and spying. The sentence was reduced to five years on appeal. The charges are believed to be politically motivated. **Place of detention:** Section 350 of Evin prison **Previous political imprisonment/problems:** He was reportedly previously detained twice due to his press activities. **Health concerns:** Said to be in need of constant medical supervision due to the injuries that he sustained during the Iran-Iraq war.

Mohammad Sadiq KABUDVAND:

Profession: Editor of the journal *Payam-e Mardom-e Kurdistan* and Kurdish rights activist. **Date of arrest:** 1 July 2007. **Sentence:** 11 years in prison. **Expires:** 30 June 2018 **Details of arrest:** Reportedly arrested at his place of work in Tehran by plain-clothed security officers. Following his arrest, he was first taken to his house where three computers, books, photographs, family films and personal documents were confiscated. He spent the first five months of his detention in solitary confinement. His family was unable to raise the bail that could have enabled him to be freed pending trial. **Details of trial:** Kabudvand's trial began on 25 May 2008, and he was sentenced at a closed court on 22 June 2008 to eleven years in prison by the Tehran Revolutionary Court for forming a human rights organisation in Iran's Kurdish region. The sentence was upheld on 23 October 2008 by the Teheran Appeal Court. **Place of detention:** Intelligence Ministry's Section 209 of Evin Prison. **Treatment in prison:** Held incommunicado and said to be ill-treated. **Health concerns:** Suffers from high blood pressure, skin and kidney conditions. On 19 May 2008 Kabudvand reportedly suffered a stroke in Evin prison and has been denied access to adequate medical care. Said to have suffered another stroke in December 2008. In December 2010 he was said to be in a critical condition and to be denied the specialist medical treatment he needs. In June 2011 Mohammad Sadiq Kabudvand was seen by an independent doctor who reportedly stated that he needed to undergo two operations for hardening of the heart arteries and an enlarged prostate. Since his imprisonment Mohammad Sadiq Kabudvand has lost about 20 kgs. In May 2012 he started a hunger strike in protest at being denied permission to visit his sick son, who suffers from a rare blood condition. [On 27 July 2012 he ended his hunger strike after 59 days when he was granted leave to visit his son]. **Previous political detention:** Among several prominent Kurdish human rights defenders and journalists to be detained on 2 August 2005 following protests in the city of Sanandaj, capital of Kurdistan. Kabudvand was reportedly sentenced to 10 months in prison on 18 August 2005 for "separatist propaganda". Reportedly held in solitary confinement for 66 days before being freed on bail. For reasons unclear to PEN, Kabudvand was summoned by the Office for the Execution of Sentences on 22 September 2006, and ordered to serve out the remainder of his sentence. Released in April 2007. (RAN 30/07 -18 July 2007; Update #1 -15 November 2007; Update #2 - 4 June 2008). **Professional details:** Mohammad Sadiq Kabudvand was Chair of the Kurdish Human Rights Organization (RMMK) based in Tehran, and former editor of *Payam-e Mardom-e Kurdistan* (*Kurdistan People's*

Message) a weekly published in Kurdish and Persian, which was banned on 27 June 2004 after only 13 issues for 'disseminating separatist ideas and publishing false reports'. He has also reportedly written two books on democracy and a third on the women's movement in Iran, which were not given publishing licences. **Other information:** Recipient of the 2009 Hellmann/Hammett prize and the 2009 International Journalists award. **Honorary member of:** Swedish PEN. (RAN 30/07 – 18 July 2007; Update #2 – 4 June 2008; Update #3 – 2 July 2008; Update #4 – 4 November 2008).

***Mehdi KHAZALI:**

Profession: Blogger. Editor of website *Baran* (www.drkhazali.com). **Date of arrest:** 9 January 2012 **Sentence:** 14 years in prison **Details of arrest:** Reportedly arrested on 13 October 2010 after responding to a summons. **Details of trial:** Thought to be charged with 'activities contrary to national security' and 'publishing false information aimed at disrupting public order' for articles critical of President Ahmedinejad and his government published on his website *Baran*. Reportedly released on bail pending trial on 12 November 2010, and re-arrested on 18 July 2011 for an unknown period. **Health concerns:** Reported to have started a hunger strike in protest against his detention.

***Nazanin KHOSRAVANI (f):**

Profession: Journalist for the newspapers *Norooz*, *Bahar*, *Dorane Ernuz*, *Kargozaran*, *Sarmayeh* and the *Aftab* news agency. **Date of arrest:** 5 March 2012 **Sentence:** 6 years in prison. **Details of arrest:** Arrested in November 2010 and held for 132 days in solitary confinement before being released on bail. Thought to be charged in connection with her critical reporting. **Details of trial:** Branch 26 of Tehran Revolutionary Court, under Judge Pirabbasi, tried Nazanin Khosravani in April 2012 and found her guilty of "assembly and collusion to act against national security and to propagate against the state." Khosravani was arrested on 3 November 2010 at her home and spent 132 days inside the Intelligence Ministry's Ward 209 at Evin Prison. She was released on bail in March 2011. **Place of detention:** Evin prison, Tehran.

Saeed LAILAZ (LAYLAZ)

Profession: Editor of the now-banned daily business journal *Sarmayeh* and a vocal critic of President Mahmoud Ahmedinejad's economic policy. **Date of arrest:** 17 June 2009 **Sentence:** Nine years in prison. **Expires:** 16 June 2018 **Details of arrest:** Reportedly arrested at his home in Tehran on 17 June 2009. **Details of trial:** Among 140 opposition figures and journalists who faced a mass, televised trial on 1 August 2009 on vague anti-state accusations for their alleged participation in protests following the disputed presidential elections of 12 June 2009. Sentenced on 18 November 2009 on charges of 'congregation and mutiny against national security', 'propagation against the regime', 'disrupting public order', and 'keeping classified documents'. Most of the evidence against him reportedly related to articles published in *Sarmayeh*, and an investigation into the Iranian judiciary published online. **Place of detention:** Evin prison. **Treatment in prison:** Reportedly held for three months in solitary confinement and denied reading and writing materials.

Mehdi MAHMOUDIAN

Profession: Freelance journalist and blogger. **Date of arrest:** 16 September 2009. **Sentence:** Five years in prison **Expires:** 15 September 2014 **Details of arrest:** Reportedly arrested on 16 September 2009 after he had made statements to foreign media about the disputed 2009

presidential election results. **Details of trial:** Convicted in 2010 of 'mutiny against the regime' for his role in documenting the alleged rape and abuse of detainees at the now-closed Kahrizaj Detention Centre in 2009. **Place of detention:** Held at the notorious Rajaei Shah prison in Karaj, west of Tehran, known for housing many violent criminals who abuse drugs and transmit diseases. Reported to have been transferred to Ward 2-A of Evin prison on 6 January 2012 for unknown reasons. **Treatment in prison:** In September 2010 Mahmoudian reportedly sent a letter to Iran's Supreme Leader Ayatollah Khamenei, detailing alleged torture and ill-treatment at the prison and highlighting drug abuse and sexual abuse amongst prison inmates and other forms of degrading treatment. After the letter's publication, Mahmoudian was reportedly sent to solitary confinement and banned from having visitors for three months. Reportedly severely beaten during his transfer to Evin Prison on 6 January 2012. **Health concerns:** Since 2010 his health is said to have sharply deteriorated and he has developed epilepsy and suffered collapsed lungs and heart disease. His health is reported to have worsened since late May 2011, following a dry hunger strike to protest his treatment in prison. **Other information:** Member of the Committee for the Defence of Freedom of the Press and of the 'Association for the Defence of Political Prisoners and Human Rights in Iran'.

Hossein Ronaghi MALEKI

D.o.b.: 1985 **Profession:** Blogger. **Date of arrest:** 13 December 2009 **Sentence:** 15 years in prison **Expires:** 12 December 2024 **Details of arrest:** Arrested for discussing politics in a series of critical blogs which were blocked by the government. Founder of an anticensorship group known as 'Iran Proxy', launched in 2003. Held in pre-trial detention in solitary confinement for 10 months after his arrest. **Details of trial:** Sentenced on charges of 'membership of the Internet group 'Iran Proxy' and propagating against the regime', 'insulting the Supreme Leader' and 'insulting the President'. An appeals court upheld his sentence. **Place of detention:** Evin prison, Tehran. **Health concerns:** Has developed kidney disease whilst in prison and has been suffering from related complications since April 2010. He was hospitalised in March 2011 and underwent a kidney transplant in May 2011. He was returned to prison within 14 days of the operation, and requests for medical leave have been denied. Said to have been transferred again to hospital in June 2012, and to have started a hunger strike to demand medical leave from prison. Concerns for his health are mounting. **Treatment in prison:** Denied access to his family.

Said MATINPOUR

Profession: Journalist with the Azeri-language weekly *Yarpagh*. **Date of arrest:** 28 May 2007 **Sentence:** Eight years in prison. **Expires:** 27 August 2014 **Details of arrest:** Reportedly arrested on 28 May 2007 at his home in the northwestern city of Zanjan. Reportedly held incommunicado in pre-trial detention in section 209 of Evin prison, without access to family visits, until 26 February 2008 because his family was unable to raise the bail sum. Released on bail, but reportedly taken into detention again on 11 July 2009 to serve the remainder of his sentence. **Details of trial:** Convicted by a Tehran revolutionary court behind closed doors on 11 June 2008 on charges of 'maintaining relations with foreigners' and 'publicity against the Islamic Republic'. His lawyer was not present at the hearing. His sentence was upheld on appeal in June 2008. **Health concerns:** Said to suffer from digestive and back problems as a result of ill-treatment in prison. Calls for him to be granted temporary leave to seek medical care have been denied for the past two years.

***Nargess MOHAMMADI (f)**

D.o.b.: 1972 **Profession:** Prominent activist and journalist. Director of the Defenders of Human Rights Centre (DHRC) founded by Nobel peace laureate Shirin Ebadi. **Date of arrest:** 10 June 2010 **Sentence:** 11 years in prison, reduced to six years on appeal. **Expires:** 9 June 2016 **Details of arrest:** Arrested from her home without a warrant and held in Evin prison until she was released on bail on 1 July 2010 following a severe deterioration of her health. After her release on bail she spent a month in hospital. Re-arrested from her home on 21 April 2012 to serve out her prison sentence. **Details of trial:** On 26 September 2011 a court in Tehran sentenced her to eleven years in prison for 'acting against the national security', 'membership of the DHRC' and 'propaganda against the regime' for her reporting on human rights violations, cooperation with Shirin Ebadi and visiting political prisoners. She remained free on bail, but on 4 March 2012 an appeals court confirmed the conviction, reducing the sentence to six years. **Health concerns:** Nargess Mohammadi's health has deteriorated rapidly since her arrest on 21 April 2012. Relatives who visited her recently report that she is in a very serious condition, and that they could barely recognise her. They found her in a wheelchair, with visible bruising to her face and hands; she spoke with difficulty and was extremely weak. Mohammadi suffers from a debilitating wasting condition in her muscles, and as a result she has fallen on many occasions, once needing treatment in the prison hospital. **Place of detention:** Nargess Mohammadi has recently been transferred from Evin prison in Tehran, where her family and her young children live, to a small village jail in Zanjan. There, she is held in an overcrowded conditions. **Other information:** Mohammadi is a mother of two young children and winner of the 2009 Alexander Langer award for her human rights activities. She is the wife of prominent journalist and activist Taghi Rahmani, who has spent a total of seventeen years in prison. **Honorary member of:** Danish PEN.

***Morteza MORADPOUR**

Profession: Contributor to *Yazligh*, a children's magazine. **Date of arrest:** 26 August 2011 **Sentence:** 3 years in prison **Expires:** 2014 **Details of arrest:** Moradpour was first arrested in 2009 along with several family members during a protest over Azeri-language rights in Tabriz in northwestern Azerbaijan province. Two issues of *Yazligh* were reportedly used as evidence in the trial against him. Moradpour was re-arrested based on the original conviction on 26 August 2011, after taking part in protests related to the environmental degradation of Lake Urmieh in northwestern Iran. **Details of trial:** On 10 November 2009, Moradpour was sentenced to three years in prison on charges of "propagating against the Islamic Republic of Iran," "mutiny," and "illegal congregation". He was released on bail in late 2010, and re-arrested based on the original conviction on 26 August 2011. **Place of detention:** Tabriz Central Prison

***Abolfazl Abedini NASR:**

Profession: Reporter for the provincial weekly *Bahar Ahvaz*. Known for his articles about labour issues. **Sentence:** 11 years in prison **Expires:** 2 March 2021 **Date of arrest:** 3 March 2010 **Details of arrest:** Reportedly arrested in Ahvaz on 3 March 2010 and transferred to Evin Prison in Tehran. **Details of trial:** In April 2011 an Ahvaz court reportedly sentenced Abedini to 11 years in prison on antistate charges that included having 'contact with enemy states'. Abedini was not represented by a lawyer at trial. When Abedini appealed, a Khuzestan provincial appellate court would not allow a defense lawyer to present arguments. The appeals court upheld the verdict. On 4 May 2011, a Revolutionary Court

judge sentenced Abedini to an additional year in prison on the charge of 'propagating against the regime'. The basis for the additional charge was not disclosed. **Place of detention:** Evin prison, Tehran. **Treatment in prison:** In September 2010, it was reported that Abedini had been beaten at Ahvaz Prison. He was transferred to Tehran's Evin Prison later that same month.

Mohammad Reza NOURBAKSHSH

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

***Mohammad Reza POURSHAJARI (aka Siamak Mehr):**

Profession: Freelance journalistic blogger who wrote under the penname Siamak Mehr. **Date of arrest:** 12 September 2010 **Sentence:** 3 years in prison **Expires:** 11 September 2013 **Details of arrest:** Reportedly arrested at his home in Karaj, outside Tehran, in connection with articles he published on his blog *Gozarash be Khaak-e-Iran (Reports to the Soil of Iran)*, which were critical of Iran's theological state. Intelligence agents reportedly confiscated a computer hard drive, satellite receiver, and numerous documents. Pourshajari was taken to Rajae Shahr Prison, where he claims that interrogators tortured him and subjected him to a mock execution. He was not allowed visitors, phone calls, or access to a lawyer. **Details of trial:** In December 2010, Pourshajari was sentenced to three years in prison on charges of 'propagating against the regime' and 'insulting the supreme leader'. **Place of detention:** In October 2011, Pourshajari was transferred to Ghezel Hessar Prison, where common criminals are confined. On 21 December 2011 was tried on an additional count of "insulting sanctities," a charge that could bring the death penalty, according to news reports. The basis for the new charge was not disclosed.

***Fereydoun Seydi RAD**

Profession: Journalistic blogger **Date of arrest:** 2 March 2011 **Sentence:** 3 years in prison **Expires:** 1 March 2014 **Details of arrest:** Reportedly arrested in Arak in March 2011, although his detention was not disclosed for several months. Family members had maintained silence because they feared further reprisals. **Details of trial:** In August 2011, a Revolutionary Court in Tehran sentenced Seydi Rad to one year in prison for "propagating against the regime" in his blog, *Arak Green Revolution*. Seydi Rad is known for articles about the pro-democracy movement, student protests, and labour strikes in the city of Arak. The court also sentenced him to two years in prison for taking part in a 2010 protest and attending the 2009 funeral of Ayatollah Hossein-Ali Montazeri, the cleric who had criticized President Mahmoud Ahmadinejad. **Treatment in prison:** Reportedly spent 43 days in solitary confinement under interrogation during pre-trial detention. Also has very limited access to family visits.

***Dr Fariborz RAEIS-DANA**

Profession: Economist, writer and leading member of the banned Iranian Writers Association. **Date of arrest:** 19 December 2010

Sentence: One year in prison **Details of arrest:** Reportedly arrested at his home following an interview he gave to the BBC Persian service about Ahmadinejad's economic policies. Held for one month before being released on bail pending trial. **Details of trial:** Sentenced on 15 June 2011 by branch 28 of the Islamic Revolutionary court to one year in prison for a series of charges including "membership of the Iranian Writer's Association, preparing seditious announcements against the regime, giving interviews to BBC and Voice of America, and accusing the Islamic Republic of abusing prisoners and holding show trials.". Remained free on bail pending appeal until 21 May 2012, when he was summoned to jail to serve out his sentence. **Place of detention:** Evin prison. **Other information:** Dr. Raisdana is a leading intellectual and reformist known for his outspoken criticism of the Iranian government's economic and social policies, and has been subject to repeated harassment by the security services. Raisdana is a member of the Board of the IWA, and has published numerous books and articles on political economy and sociology, including *Applied Development Economics, Money and Inflation, Political Economy of Development, and Globalization*. The IWA has been working for the rights of writers for over four decades, and has been under increasing pressure from the government in recent years.

Isa SAHARKHIZ

D.o.b.: 1955 **Profession:** Prominent reformist journalist and commentator. Former press director at Ministry of Guidance and Islamic Culture. **Date of arrest:** 7 July 2009 **Sentence:** 3 years in prison, with an additional two years added in August 2011. **Expires:** 6 July 2014 **Details of arrest:** Arrested for his journalistic activities during the unrest following the disputed presidential elections of 2009. He has said that his ribs were broken as a result of beatings sustained during his arrest on 7 July 2009. **Details of trial:** Sentenced to three years' imprisonment in September 2010 on charges of "insulting the leadership" and "propaganda against the system" and "spreading lies through interviews with foreign media". He has also been banned from journalistic and political activities for five years and is forbidden to travel abroad for one year. An additional two years were added to his sentence in August 2011 allegedly for his previous journalistic activities. **Health concerns:** Since December 2010 his health has been rapidly deteriorating in prison and he has been denied the specialist medical care he requires. He was reportedly transferred to the Imam Khomeini hospital in Tehran on 14 December 2011 for surgery following internal bleeding. He was transferred back to prison in early January 2012. **Treatment in prison:** Isa Saharkhiz has endured much stress in prison caused by ill-treatment from prison and judicial officials. In July 2011 Saharkhiz wrote a letter to the new United Nations Human Rights Rapporteur for Iran, Ahmad Shaheed, urging him to visit Iranian prisons and adding that "what is now going on in Iranian prisons is a crime against humanity and is just as bad as Stalin's inhumane forced labour camps in Siberia." The full text of the English translation can be read [here](#). **Other information:** In May 2010, the UN Working Group on Arbitrary Detention found Isa Saharkhiz's detention to be arbitrary and requested that the Iranian Government release Isa Saharkhiz immediately and unconditionally. **Place of detention:** Raja'i Shahr Prison, notorious for its inhumane conditions.

Keyvan SAMIMI-BEHBEHANI

D.o.b.: 1945 **Profession:** Editor of the banned *Nameh* magazine and human rights defender. **Date of arrest:** 14 June 2009 **Sentence:** Six years imprisonment and fifteen years of deprivation of political, social and cultural activities. **Expires:** 13 June 2015 **Details of arrest:**

Reportedly arrested at his home in the unrest following the disputed presidential elections of 2009. **Details of trial:** Reportedly sentenced to six years imprisonment and fifteen years of deprivation of political activities on 2 February 2010 on charges of 'Propaganda against the system, congregating and conspiracy to undermine the national security'. Reportedly granted 10 days' leave from prison on 9 December 2009 in order to attend his daughter's wedding. He has since returned to prison. **Place of detention:** Rajaieshahr prison **Treatment in prison:** Said to have been ill-treated in detention. **Health concerns:** Said to be suffering from a risky liver ailment, although prison authorities are refusing to take him to hospital. **Other information:** He is a member of the National Council for Peace and the Committee for the Defense of Freedom in the Press, member of the Committee for Investigation of Arbitrary Detentions and member of the Committee for the Defence of the Right to Education.

Hengameh SHAHIDI(f)

Profession: Journalist and opposition activist. Worked for Mehdi Karroubi's 2009 presidential campaign and has written about Iranian and international politics, human rights, and specifically women's rights. She was known as a reformist journalist who had written many articles condemning the practice of stoning. **Date of arrest:** early July 2009 **Sentence:** 6 years in prison **Expires:** July 2015 **Details of arrest:** Reportedly arrested in early July 2009 and held for 50 days in solitary confinement at Section 209 of Evin prison, which is controlled by the Ministry of Intelligence, where she was reportedly subjected to torture and ill-treatment. Her lawyer said she had been facing pressure to admit to "immoral relations" with men. Reportedly charged with several antistate counts, including "propagating against the regime". **Details of trial:** In November 2009, a Revolutionary Court sentenced her to six years and three months in prison. On appeal, on 24 February 2010, the verdict was upheld and a fine of 500,000 rials (approx. 46,000 US\$) was imposed. Shahidi was taken into custody the next day. **Place of detention:** Evin prison, Tehran. **Health concerns:** In May 2010 Shahidi reportedly spent several days at Evin Prison's infirmary after a fellow prisoner beat her as prison authorities stood by. Shahidi was briefly released on bail so she could have medical care, but she was taken back into custody in mid-November 2010 before her treatment was completed.

Mashallah SHAMSOLVAEZIN

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

Shamsolvaezin has been imprisoned multiple times for his journalism, including a sentence of thirty months in April 2000 for article criticising the death penalty.

*Arash Honarvar SHOJAEI

Profession: Blogger, writer and cleric **Date of arrest:** 28 October 2010 **Sentence:** 4 years in prison **Expires:** 27 October 2014 **Details of trial:** On 2 October 2011 a special clerical court sentenced him to four years in prison and 50 lashes on multiple charges of “acting against national security,” “espionage,” and “cooperation with foreign embassies,”. Shojaei was author of the book, *Madar-e-Shari’at*, about the dissident cleric, Ayatollah Mohammad Kazem Shariatmadari, who had opposed the principle of *velayat-e faqih*, which seeks to convey unlimited power to the supreme leader. **Place of detention:** Evin Prison. **Treatment in prison:** Reportedly held for several months in solitary confinement, and tortured. **Health concerns:** Reportedly suffering from a number of ailments including epilepsy. Granted medical leave in November 2011, but returned to prison on 9 January 2012 before being able to complete his medical treatment.

*Mohammad SOLEIMANI NIA:

D.o.b.: 1972 **Profession:** Literary translator. **Date of arrest:** 10 January 2012 **Details of arrest:** Reportedly detained on 10 January 2012 after responding to a summons to report to the Revolutionary Court in Tehran. After arriving at court, he was accompanied by security guards to his home in Karaj, outside Tehran, which he shares with his parents. The guards searched the house and seized computer equipment and documents before taking him away. Soleimani Nia has been under pressure since late November 2011, when he was questioned by security and intelligence officers and banned from leaving Iran. He is believed to be targeted for developing the professional social networking website U24, launched by Soleimani Nia in April 2007 to help Iranian professionals build links with one another. **Professional details:** Soleimani Nia is translator of the book *Funny in Farsi* by Iranian American writer Firoozeh Dumas. **Place of detention:** He is held in solitary confinement in Tehran’s Evin prison, notorious for its harsh conditions. **Health concerns:** Prior to the start of his hunger strike on 2 April 2012 he was said to be in a fragile condition, leading to mounting concerns for his well-being.

Nasrin SOUTADEH (f)

D.o.b.: 1963 **Profession:** Prominent writer, journalist and lawyer. **Date of arrest:** 4 September 2010. **Sentence:** Eleven years in prison, reduced to six years on appeal. **Expires:** 3 September 2016 **Details of arrest:** Nasrin Sotoudeh, aged 47 and a mother of two young children, was arrested on 4 September 2010 when she was summoned to the special court in Evin prison on charges of “propaganda against the state”, “cooperating with the Human Rights Defenders’ Centre” and “conspiracy to disturb order”. The arrest followed a raid on her home and office by security officers on 29 August 2010, who confiscated her files and documents. Her lawyer was not allowed to represent her in court or accompany her client during questioning. **Details of trial:** The eleven-year sentence was delivered by Branch 26 of the Revolutionary Court on 9 January 2011. She was also banned from practicing law and from leaving the country for twenty years. The sentence comprises one year imprisonment for “propaganda against the regime”, and ten years for “acting against national security”. Sotoudeh was given a heavy fine for “violating the Islamic dress code (Hijab) in a filmed speech”. She is believed to be charged for critical interviews she gave to overseas media following the

disputed June 2009 presidential election, and for her membership of the Human Rights Defenders’ Centre (see below for more details). After the sentence was delivered her husband was summoned for questioning by Branch 1 of the Revolutionary Court, allegedly for interviews he had given to the media. The sentence was reduced to six years on appeal in mid-September 2011. The twenty-year ban on Soutadeh practising law was also reduced to ten years. **Place of detention:** The Women’s Ward of Tehran’s Evin Prison. **Treatment in prison:** Since her arrest Nasrin Sotoudeh has been allowed very limited access to her family, and her family have been harassed during prison visits. While on trial, Sotoudeh was held in solitary confinement. **Professional details:** Nasrin Sotoudeh is best known as a human rights lawyer and activist, but has also worked as a journalist for several reformist newspapers including *Jame’e*. Since qualifying as a lawyer in 2003, she has specialised in women’s and children’s rights, and has continued to write articles on these issues. Many of her articles have been rejected for publication, including a report written for a special issue of *Daricheh* on women’s rights for the occasion of 8 March (Women’s Day) 2010. Following the launch of the One Million Signatures Campaign for the Repeal of Discriminatory Laws in August 2006 by several leading Iranian women activists (<http://www.iranianfeministschool.org/english/spip.php?rubrique3>), and the widespread growth of the women’s rights movement in Iran, she has represented many women’s rights activists including Parvin Ardalan, a well-known PEN case. She is a close associate of exiled lawyer and Nobel Peace Prize laureate Shirin Ebadi, and has represented many imprisoned Iranian opposition activists arrested in the crackdown on dissent following the disputed presidential elections of 12 June 2009, and many of whom have been handed down lengthy sentences. **Other information:** Recipient of the 2011 American PEN Centre’s Barbara Goldsmith award. **Honorary member of:** Swedish, Canadian, Finnish and Scottish PEN. [IRAN 54/10- Update #1].

Ahmad ZAID-ABADI

D.o.b.: 1967 **Profession:** Journalist who wrote a weekly column for *Rooz Online*, a Farsi- and English-language reformist news Web site. **Date of arrest:** 21 June 2009 **Sentence:** Six years in prison **Expires:** June 2015 **Details of arrest:** Reportedly arrested in Tehran during the crackdown on protests following the disputed June 2009 presidential elections. **Details of trial:** Zaid-Abadi was reportedly among more than 100 opposition figures and journalists who faced a mass, televised trial in August 2009 on vague anti-state accusations. In November, he was sentenced to six years in prison, five years of exile in Gonabad, Razavi Khorasan province, and a lifetime deprivation of social and political activities. Sentence upheld on appeal in early January 2010. **Place of detention:** Reja’i Shahr prison, notorious for its harsh conditions. **Treatment in prison:** His wife reports that he is being held in inhumane conditions, alongside common criminals. **Health concerns:** His wife reports in July 2011 that he has lost a lot of weight and is seriously concerned for his health.

Imprisoned: investigation

***Hadi AHMADI:** Economics reporter for the Iranian Students News Agency (ISNA). Security forces in Karaj reportedly arrested Ahmadi in mid-September 2011. Ahmadi had worked for the semi-official ISNA since 2006. Ahmadi contacted his family by telephone after his arrest, but said he did not know the basis for his arrest. No formal charges were immediately disclosed. WiPC seeking an update.

***Farid HUSEYN and Shahriyar HAJIZADE:** Poets and journalists from Azerbaijan. Huseyn, aged 24, covers cultural, social and literary

issues for the Azerbaijani newspaper 525 and the Azerbaijani daily *Kaspiy*; Hajizade, aged 22, is known for articles published online on social networks about youth issues and the highly sensitive issue of Iran's Azeri minority. Reportedly arrested in Tabriz, northwestern Iran, on 2 May 2012. They are said to have been kidnapped by a group of eight men in civilian dress when their bus arrived in the city. They had gone to Tehran on 29 April 2012 to participate in a poetry festival on 1 May, and were arrested on their way back home on 2 May 2012. On 16 May 2012, a spokesperson from the Azerbaijani Foreign Ministry reported that the two poets were being held by the Iranian security forces. Unconfirmed reports on some Iranian websites allege that they are accused of 'espionage and drug trafficking' although no official information has been made known about the reason for their detention or any charges against them and it is thought that their detention may be politically motivated. Tensions between Iran and its neighbour Azerbaijan have escalated in recent months over a number of political issues. The two men remain detained incommunicado at an unknown location, without access to a lawyer or their families, as of 30 June 2012. There are serious concerns for their well-being.

***Davood KHODAKARAMI:** Journalist for the Azeri-language newspaper *Bayram Monthly*. Reportedly detained in the northwestern province of Zanjan on 18 November 2011. He had gone to a Zanjan bus terminal to ship copies of his publication to the city of Tabriz. Khodakarami was being held at Zanjan's intelligence office; no charges were immediately disclosed. *Bayram Monthly* is the only publication in the city of Zanjan that covers cultural and social issues. Security forces had reportedly gone to Khodakarami's home several times since August 2011, threatening his family and searching the premises and confiscating his computer and personal items. WiPC seeking an update.

***Saeed MADANI:** 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*). Aged 75. Reportedly arrested on 7 January 2012 and detained in section 209 of Tehran's Evin prison in solitary confinement. Still believed to be detained as of 30 June 2012. Feared to be at risk of ill-treatment. WiPC seeking further information about the reason for his arrest and any charges against him.

***Simien NEMATOLLAHI (f):** Contributor to the pro-Sufi website *Majzooban* (www.majzooban.org). Reportedly arrested at her home by Intelligence Ministry officials on 11 January 2012 on a charge of anti-government propaganda. Reportedly released on bail on 5 February 2012, WiPC seeking further information about any charges still pending against her.

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

***Mehrdad SARJOU:** International news reporter for the English-language daily *Iran News* and other publications. Reportedly arrested at his home in July 2011 and transferred to the Intelligence Ministry's Ward 209 at Evin Prison. Sarjoui had previously worked in the international relations department of the government's Strategic Research Centre,

according to the U.S. government-funded Radio Free Europe/Radio Liberty. Staff members for the research agency have access to politically sensitive material, which has placed them under intense scrutiny by government security agents. Still believed to be detained without charge as of 30 June 2012.

***Ali Dini TORKAMANI:** Economist and author of several books. Reportedly arrested on 27 July 2011 after writing articles critical of government policies for a number of publications, particularly the energy trade journal *Danesh-e-Naft*. He also gave interviews to the U.S. government-funded Radio Farda and other media outlets in which he criticized government plans to eliminate consumer subsidies. He had also participated in an academic debate that challenged the plans. Still thought to be detained incommunicado without charge as of 30 June 2012.

Sentenced – not imprisoned

Mahbubeh ABBASGHOLIZADEH (f), Parvin ARDALAN (f), Zhila BANI-YAGHOUB (f) and Shadi SADR (f): Prominent women writers and journalists. Arrested on 4 March 2007 along with thirty other women activists. All four were released on bail in March 2007 but are still facing charges of 'acting against national security', 'participating in an illegal demonstration' and 'publicity against the Islamic Republic' for organising a demonstration in Tehran on 4 March 2007. **Parvin Ardalan**, winner of Olof Palme Prize 2007 and honorary member of Swedish PEN, is facing two terms of six-month imprisonment. Other women journalists and internet writers facing possible imprisonment in connection with the protest include **Nusheen Ahmadi Khorasani** (6 months), **Jelveh Javaheri** (6 months), **Maryam Hosseinkhah** (6 months), **Nahid Keshavarz** (6 months) and **Delaram Ali** (30 months and 10 lashes (RAN 13/07, 12 March 2007; Update #1, 26 March 2007). Mahbubeh Abbasgholizadeh was sentenced in absentia to two-and-a-half years in prison and thirty lashes. Shadi Sadr was sentenced to six years in prison and seventy-four lashes in absentia. Both are said to be currently abroad. **Shiva Nazar AHARI (f):** Reporter for the Committee of Human Rights Reporters. Aged 27. Reportedly arrested on 14 June 2009 in her office following the disputed presidential elections. Charged with 'moharebeh' ('waging war against god'), 'propagation against the regime' and 'actions against national security' for her alleged participation in political gatherings in 2009. She was released on 13 October 2009 on bail of \$200,000 but re-arrested on 19 December 2009 on her way to Qom to attend the funeral of the Grand Ayatollah Montazeri. According to her mother, in April 2010, Shiva Nazar Ahari was charged with "causing unease in the public mind through writing on the CHRR's website and other sites" and "acting against national security by participating in [anti-government] demonstrations on 4 November 2009 and 7 December 2009." Shiva Nazar Ahari denied attending the demonstrations, saying that she had been at work on those days. Released on bail on 12 September 2010. In a lower court hearing on 4 September 2010, she was sentenced to six years in prison, exile to township of Izeh, and 74 lashes. In January 2011, it was reported that Branch 36 of the Tehran Appeals Courts had acquitted Shiva Nazar Ahari of the charges of "assembly and collusion against the regime," reducing her sentence to four years in prison and also changed her exile location from the township of Izeh to one of the prisons in Karaj. Remains free on bail awaiting her prison re-call as of 30 June 2012.

Jila (Zhila) BANİYAGHOUB (f): Editor-in-chief of the *Iranian Women's Club*, a news web site focusing on women's rights, has been reportedly sentenced to one year in prison and 30-year ban from journalism on 8 June 2010. She was arrested on 19 June 2009, with her husband journalist

Bahman Ahmadi Amoue, who is serving a five-year prison sentence on security charges (see above 'main cases'). Baniyaghoub was released on bail on 19 August 2009; however, the trial against her continued on charges of 'propaganda against the regime', for her reports in relation to the June 2009 presidential elections in Iran and the protests that occurred afterwards. Her defence filed an appeal on 27 June 2010, but the sentence was upheld. She is at risk of arrest.

***Ahmad GHOLAMI:** Editor-in-Chief of the daily newspaper *Sharq*. Reportedly arrested on 7 December 2010 with several other journalists from the newspaper in connection with reports on the crackdown in the aftermath of the 2009 disputed presidential elections (see **Rayhaneh TABATABAEE** (f) below and **Mehran FARAJI** above). Released on bail on 29 December 2010. His trial started on 8 March 2012 and he has reportedly been sentenced to one year in prison. WiPC checking whether detained.

***Dr Mohammad MALEKI:** Founding member of the Iranian Association for the Defence of Liberty and Human Rights (IADLHR). Reportedly summoned to Evin prison on 23 January 2012 to serve out a one-year prison term in a case which dates back to 22 August 2009, when he was arrested following the contested 2009 presidential election. He was released on bail in March 2010 after six months of solitary confinement. While in prison, the 78-year-old was hospitalised several times owing to a heart attack and other health problems. During his trial in July 2011, he declined to defend himself and said he would not appeal the court ruling because he considered the whole procedure to be illegal. He was sentenced to one year in jail on the charge of "propaganda" against the system. Maleki previously spent five years in prison from July 1981 to August 1986. He was arrested again in March 2001 and spent more than six months in solitary confinement without trial. Still thought to remain free but at serious risk of arrest.

Badressadat MOFIDI (f): Journalist who was formally the secretary-general of the banned Association of Iranian Journalists in Tehran. On 3 August 2010, she was reportedly sentenced to 6 years in jail and banned from working on 'press activities' for 5 years. She was sentenced by the Islamic Revolutionary Court for "assembly and collusion to commit a crime" and "propagating against the regime" for her work with the Association of Iranian Journalists. Mofidi was arrested on 29 December 2009 after she discussed the government's press policies in an interview with the Persian service of the German public broadcaster Deutsche Welle. She was held in Evin Prison until her release on bail pending trial in June 2010. She remains free on bail pending appeal. No further information as of 30 June 2012.

***Rayhaneh TABATABAEE** (f)

Political reporter for the reformist daily newspaper *Sharq*. Reportedly arrested on 7 December 2010 and held for one month before being released on bail. Sentenced to one year in prison on 2 April 2012 on charges of 'propaganda against the state' and 'weakening the pillars of the Islamic Republic' for her reports on the crackdown in the aftermath of the 2009 disputed presidential elections. Has not yet been summoned to serve out her sentence, remains free on bail.

Dr. Kian TAJBAKHS

D.o.b.: c.1962 **Profession:** Iranian-American scholar, sociologist and urban planner. **Date of arrest:** 9 July 2009 **Sentence:** 15 years in prison, reduced to five years on appeal. Free on bail. **Expires:** 8 July 2014 **Details of arrest:** According to PEN's information, Dr Tajbakhsh was arrested on charges including 'acting against national security' and espionage for his

subscription to Gulf/2000, a cultural and academic internet organization sponsored by Colombia University's School of International and Public Affairs. The organization reportedly aimed to increase the availability of information about countries in the Gulf region, and is run by Gary Sick, who the prosecution claims to be a CIA agent. The indictment also cited Dr Tajbakhsh's previous position as a consultant for the Soros Foundation's Open Society Institute (OSI), which was formerly approved by the Iranian authorities but which he discontinued following his 2007 arrest. **Details of trial:** Among over 140 defendants including prominent politicians, writers, academics and journalists to be tried for allegedly 'fomenting a velvet revolution' in a widely-condemned mass-trial which began on 1 August 2009. All the defendants had been detained in a mass crackdown following the disputed 2009 presidential elections. On 20 October 2009, he was sentenced to 15 years in prison on charges of espionage, "contacting foreign elements" and acting against national security. Initially denied a request to file an appeal. On 10 February 2010 his lawyer reported that his sentence had been reduced to five years on appeal. He was released on bail on 14 March 2010 and remains free on 'temporary release' from prison, but is prohibited from leaving Iran. **Other information:** Tajbakhsh's academic research reportedly examines Iranian state institutions and the policy-making process in Iran. In 2006, he completed a three-year study of the local government sector in Iran. He is the author of two books, *The Promise of the City: Space, Identity and Politics in Contemporary Social Thought* (Berkeley and Los Angeles: University of California Press 2001), and *Social Capital: Trust, Democracy and Development* (Tehran: Shiraze Publishers 2005, in Farsi). He has also published numerous scholarly articles, as well as non-academic writings on cinema and culture. **Previous political imprisonment/problems:** Previously arrested at his home in Tehran on 11 May 2007, one of four Iranian-American scholars to be detained in that year. Believed to be targeted for his work as an advisor to the Open Society Institute (OSI). He was held without charge in Evin Prison for more than four months before being freed on 19 September 2007.

On trial

***Kouhyar GOUDARZI:** A veteran journalist for the Committee of Human Rights Reporters. Reportedly seized by suspected government agents on 31 July 2011. Thought to be held in connection with his reporting on human rights abuses. Sentenced on 26 February 2012 by Branch 26 of the Islamic Revolutionary Court to five years in prison, to be served in internal exile in the remote south-easter city of Zabol. Convicted on charges of 'propaganda against the regime' for an interview with the German magazine *Der Spiegel*, and 'assembly and collusion against the regime'. Detained in Evin prison, much of the time in solitary confinement and without contact with family members, until his release on bail on 12 April 2012. He had completed a one-year prison term in December 2010. Remains free on bail pending appeal.

Maryam BAHREMAN (f): Womens Rights activist and blogger. Member of the Campaign for 'One Million Signatures'. Reportedly arrested on 11 May 2011 at her home in Shiraz on charges of 'acting against national security'. Her home was searched and her computer, mobile phone, books and documents seized. On 15 September 2011 Maryam Bahreman was released on bail. No further information as of 30 June 2012.

Abdoleza TAJIK: Political editor of many banned reformist newspapers, including *Fat'h* (banned in 2000), *Bahar* (banned in 2001), *Bonyan* (banned in 2002), *Hambastegi* (banned in 2003) and *Shargh* (banned in 2008). Known for his articles critical of the state of freedom

of expression in Iran and the arbitrary arrests of journalists. Cooperated with the Human Rights Defenders Centre founded by Nobel laureate Shirin Ebadi. Reportedly detained on 12 June 2010 for his human rights activism and released on bail on 22 December 2010. Recipient of the Reporters Without Borders 2010 Press Freedom Prize. On 17 March 2011 he was sentenced to six years in prison for alleged “membership of illegal groups” and “propaganda against the regime.” According to his lawyer he was sentenced to five years for “membership of the Human Rights Defenders Centre”, and one year in prison for “propaganda against the regime”. In addition to these charges, Abdolreza Tajik is also accused of “publishing falsehoods in order to ignite public opinion.” The court has not yet issued a sentence related to that charge. Thought to remain free on bail as of 30 June 2012.

Death threats

***Shahin NAJAFI:** Rapper. The Iranian religious website *Shia-Online* started an online campaign calling for his execution after the release of his song ‘Naqi’ on 7 May 2012 which satirized the Islamic regime. Najafi lives in exile in Germany.

Case closed

Mohammad POUR ABDOLLAH: Freelance journalist, Tehran university student and a blogger. Arrested on 13 February 2009 and sentenced to three years in prison for “propagating against the Islamic Republic of Iran and assembly and collusion to disrupt the national security”. Known for his critical writings posted on his blog about the political, social, and economic conditions in Iran and elsewhere. Presumed freed on expiry of sentence in February 2012.

IRAQ

Imprisoned: investigation

***Hamin ARY:** Editor of the Erbil-based Kurdish and Arabic monthly *Chirpa (Al-Hamsah)* in Arabic). He has been held since 7 May 2012 for reprinting an allegedly blasphemous article by Goran Halmat, a controversial Kurdish writer living in self-exile in Norway. According to Erbil police chief Abdullah Khaliche Talate, Ary was arrested under article 372 of the Iraqi criminal code, which punishes “offences that violate religious sensibilities” and carries a maximum sentence of three years in prison. No further information as of 30 June 2012.

Brief detention

***Aly ALFAYAD:** Journalist for the *Al-Zaman* newspaper and editor of Al-Solta AlKhamisa News Agency. Reportedly arrested 18 January 2012 for publishing news about ‘the termination of 36 policemen in Wasit governorate’. Still detained as of 23 January 2012. No further information as of 30 June 2012, presumed freed.

***Sherwan SHERWANI:** Editor of the monthly publication *Bashur Magazine*, based in Dohuk, Kurdistan region, was arrested by the police on 20 April 2012 and held for six days. Sherwani’s arrest came after a complaint made by the Akre municipal authority, based on a report about embezzlement of public funds at the municipality; the report was published in the March 2011 issue of the magazine and allegedly provided some evidence. After being questioned in two different locations, Sherwani was freed on bail.

ISRAEL

Main case

Anat KAMM (f)

D.o.b.: 1988 **Profession:** Journalist with the Israeli news portal Walla. **Date of arrest:** 23 November 2011 **Sentence:** Four and a half years in prison. **Details of arrest:** Reportedly charged in December 2009 with espionage after she allegedly leaked classified evidence of illegal assassination orders by the Israeli army to journalist Uri Blau of the newspaper *Haaretz*. The charges against Kamm included two counts of aggravated espionage, including passing classified information with the intent to harm state security, which is punishable by a life sentence, and collecting and holding classified material with the intent to harm state security, for which she could have received up to 15 years in prison. The charges derive from Kamm’s military service, when she allegedly copied over 2,000 classified military documents and leaked them to *Haaretz* reporter Uri Blau. Blau used the documents to publish a report in October 2008 that found that the army had carried out targeted killings against three wanted terrorists in the West Bank, in violation of a 2006 Supreme Court ruling that said wanted men must be taken into custody if there were a possibility of doing so. Although the article was apparently cleared for publication by the army censor, Kamm was arrested by the Shin Bet (secret police) and placed under house arrest. Blau has since been living in London while his lawyers negotiate a way for him to return to Israel without facing charges. **Details of trial:** Kamm’s trial started on 20 July 2010. After a plea bargain, the initial charges against Anat Kamm were changed to ‘leaking classified materials’, and on 6 February 2011, she was sentenced to four and a half years in prison and 18 months probation. Kamm started serving her sentence on 23 November 2011. **Place of detention:** Neve Tirza Prison in Ramla.

Imprisoned: Investigation

Dr Ahmad QATAMESH: Prominent Palestinian writer and academic. Reportedly arrested on 21 April 2011 by the Israeli authorities in the occupied West Bank. He was taken to Ofer Detention Centre in the West Bank where he was questioned by the Israeli Security Agency (ISA) about his alleged connection to the Popular Front for the Liberation of Palestine (PFLP). Thought to be held for his peaceful political activities and views. At a hearing on 3 May 2011 Qatamesh was handed an administrative detention order, which can be renewed indefinitely. Qatamesh was previously arrested in the 1992 by the Israeli Defense Forces (IDF) for the same reason. On 5 March 2012 Qatamesh’s administrative detention was extended for further six months, as ordered by the Military Commander in the West Bank.

JORDAN

Brief detention/On trial

***Sahar Al- MUHTASAB (f) and Jamal Al- MUHTASAB:** Parliamentary affairs correspondent and publisher respectively, for the news website *Gerasa News*, were arrested and charged on 23 April 2012, with ‘subverting the system of government in the kingdom’ under article 149 of the penal code. The charges are said to be linked to one of Sahar’s reports about corruption allegations concerning King Abdullah and a parliamentary committee. Sahar was freed on bail on the date of her arrest, but her brother Jamal was detained for 14 days, and then released from Balqa Correction and Rehabilitation Centre, west of Amman.

Attacked

***Enass MUSALLAM (f):** Blogger and university student, was reportedly stabbed in the stomach in Amman, on 21 February 2012. The attacked occurred after Musallam, aged 21, posted critical comments on her blog about the Jordanian Prince Hassan's remarks on local protests. The blogger was also threatened with death if she does not stop writing. An investigation by the police is ongoing.

Threatened

***Ammar MA'AMARI:** Prominent Omani blogger and university professor, was reportedly threatened with deportation by the Jordanian authorities in early April 2012. In his popular blog *I wish I had wings*, Ma'amari has written critically about the Omani security services operations during the protests in Oman in 2011. The blogger also teaches law at Irbid University in Jordan.

KUWAIT

Main Cases

*Mohamed AL-MELIFY

Profession: Writer and blogger. **Date of arrest:** 20 February 2012
Details of arrest: Al-Melify was detained pending investigation on 20 February 2012, and held for 40 days before being released on bail.
Details of trial: Convicted on 9 April 2012 by the Kuwait Criminal Court of spreading false news through his personal Twitter page about sectarian divisions in the country and publishing insults against Shiism in addition to charges of libel and defamation of the MP Ahmed Lari. Sentenced to 7 years' imprisonment and a fine of US\$18,000, on charges of spreading false statements via Twitter.

*Hamad AL-NAQI

Profession: Blogger **Date of arrest:** 27 March 2012 **Sentence:** 10 years in prison **Expires:** 26 March 2022 **Details of arrest:** Arrested on 27 March 2012 on charges of insulting the Prophet Muhammad, his wives and companions, and harming the interests of the country by allegedly mocking the rulers of two countries of the Gulf Cooperation Council (GCC) and publishing false news abroad through his mobile phone via Twitter. Al-Naqi denied all charges and stated that his twitter account had been hacked. His mobile records were searched and it was confirmed that he did not use Twitter from the mobile. However, security forces claimed that he has another mobile in his possession which he had used to access a Twitter account. **Details of trial:** A criminal court in the capital, Kuwait City, sentenced Hamad Al-Naqi to ten years in prison on 4 June 2012 for "insulting the prophet Muhammad" and also insulting the rulers of Bahrain and Saudi Arabia in comment he wrote on his blog. He is appealing the sentence. **Place of detention:** Kuwait Central Jail **Treatment in prison:** On 18 April 2012, Al-Naqi was stabbed in his neck by another prisoner who had apparently objected to what Al-Naqi had written. According to Al-Naqi's lawyer, the incident took place after the prison's administration spread the news that Al-Naqi had insulted the Prophet.

*Lawrence AL-RASHIDI

Profession: Blogger **Date of arrest:** June 2011 **Sentence:** 10 years in prison **Details of arrest:** The case began in June 2011, when the general prosecution accused al-Rashidi of "spreading false news and rumors about the situation in the country", "uploading visual and audio recordings prepared by him on YouTube", "calling for the demolition

of values and ethics", and "calling on tribes to appoint a Prince of the country, demonstrate, confront the ruling regime, and bring down its transgressions". Al-Rashidi is also being tried because of his posts on Twitter, deemed by the authorities as "an insult to the princely identity".
Details of trial: Sentenced on charges of "insulting the Prince and his powers in poems uploaded on YouTube".

On trial

***Nasser ABEL:** Blogger. Reportedly on trial at the Kuwait Criminal Court for 'offending the identity of the Emir of Kuwait' on Twitter. The case opened on 14 March 2012 and Abel is thought to remain free. He was previously detained from 7 July -27 September 2011 on state security charges for a series of Tweets in support of Arab spring protestors in Bahrain. WiPC seeking an update and further information.

***Abdul Hussein AL-SULTAN:** Editor of the pro-Shiite daily *Al-Dar*. Reportedly sentenced to six months in prison on 12 March 2012 for two articles allegedly inciting violations of public order and expressing hatred toward certain religious and social groups. The newspaper was also suspended from publication for three months. Al-Sultan remains free on bail pending appeal. No further information as of 30 June 2012.

LEBANON

Attacked

***Alif DIAB:** Journalist for the *Al-Akhbar* newspaper, was reportedly attacked by four men while at a coffee shop in Chtoura, on 2 June 2012. On that same day, the newspaper published Diab's report entitled 'To Ziad Al-Homsy: you are a traitor'. Al-Homsy is said to be an Israeli agent who spent time in prison and had recently been released after a court reduced his sentence. Reports say that Al-Homsy's family had previously harassed the journalist when he first started investigating and writing about Al-Homsy. After the incident, Diab went to Chtoura police station to file a complaint, but the authorities decided not to take any action.

***Mustafa GEHA:** Freelance writer and political activist. Reportedly suffered an assassination attempt on 14 April 2012, when he was shot at several times whilst driving by a masked man following a car chase. Geha has written as a freelancer for various media outlets and is the coordinator of the 'Lebanese Sovereignty Movement'. The incident is being investigated by the authorities.

MOROCCO

Imprisoned: main case

Rachid NINI: editor of the daily newspaper *Almasae*, one of Morocco's leading newspapers, and owner of Al-Massae Media Group. Sentence: one year. Charges: "undermining a judicial decision", "attempting to influence a judicial decision" and "reporting on untrue criminal offences" under various articles of the penal code. Expires: June 2012. Prison: Okasha prison, Casablanca. Arrest and detention: Arrested on 28 April 2011, Nini was sentenced to one year in prison and a 1,000 dirham (88 euro) fine on 9 June 2011. Reasons for arrest: Nini's arrest followed his publication of several articles criticizing the counter-terrorism practices of the Moroccan security services, including prison sentences handed down after unfair trials against Islamists. He is frequently critical of government policies in his articles and has written about widespread corruption among government officials. He has often called for the repeal of Morocco's anti-terrorism law and for increased political freedom. Trial and appeal: the Court of Appeal assigned 11 August 2011 as the date of the first appeal session in Casablanca. The

appeal hearing was adjourned until 25 August 2011 at the request of the defence lawyers who asked for additional time to study the case. The court refused Nini's provisional release, where he could have been tried whilst free. The Court of Appeal adjourned the appeal again, until 27 September 2011. On 24 October 2011, the Court of Appeal upheld a one-year prison sentence and fine of 1,000 dirhams (90 euros). Prison conditions: The editor began a hunger strike on 13 June 2011 in protest at prison conditions. He was demanding access to the mosque to pray, to paper and pen and to be able to call his family. He also complained of constant searches of his personal belongings by prison authorities. The General directory of Moroccan Prisons refused on 9 August to grant permission to several local human rights NGOs and Unionists to visit Nini. Nini's requests to be moved to the Student Ward and also to have access to writing tools and to a telephone, were denied. Background: Nini's prosecution comes despite promises of political and human rights reforms made by King Mohammed VI in March in response to demonstrations since 20 February inspired by the events in Tunisia, Egypt and Libya. According to Nini's sister, Noura, the editor is the main breadwinner for his family, including six siblings, his mother and his 11-year-old daughter. [RAN 32/11 and updates] Nini won the Oxfam/PEN award in January 2012. Update Jan 2012: US Secretary of State Hillary Rodham Clinton urged Morocco's new chief of government Abdelilah Benkirane to free Nini, Update May 2012: According to reports, Nini was released during the week 14-18 May.

Imprisoned: investigation

*Mustapha ABD DAIEM: writer and journalist and Saharawi activist from the Western Sahara (territory disputed between Morocco, which has controlled most of the region since 1976, and the Algerian-backed Polisario Front). Abd Daiem is a former reporter for Moroccan newspapers *El Watan*, *Al Alam Assiyasi* and *Al Ahdath* and a member of the Saharawi Journalists and Writers Union (UPES) and the Assa-Zag Branch of the Moroccan Association for Human Rights. Arrest and detention: Abd Daiem was arrested without a warrant at his home in the city of Assa in southern Morocco on 27 October 2008. His arrest followed anti-government protests in Assa earlier that day by Sahrawi members of the population calling for the creation of employment opportunities and the right of the Sahrawi people to self-determination. Abd Daiem says he did not take part in the protests but that when he heard that Moroccan law enforcement officers had broken up the protests and raided some Saharawi homes in the city, he lowered the Moroccan flag in the secondary school where he worked as a security guard as a mark of solidarity with the victims. He also says he released the pupils from the school in order to allow them to go and help their families. According to Abd Daiem, his interrogation by the police included questioning about his writings and political views. Trial and sentence: On 4 November 2008, Abd Daiem was found guilty of offending the Moroccan flag, rebelling and inciting an armed gathering, participating in the destruction of public property and participating in the contempt of public officials on duty. He was sentenced to three years in prison and was also fined 50,000 dirhams (approx. US\$6,220) and banned from teaching or working in any educational institution for 10 years. Abd Daiem claims that the record of his questioning by the police (*procès-verbal*), on which his conviction was largely based, was falsified. The sentence was confirmed on appeal on 11 December 2008 in the absence of his lawyers, who said they had not been informed of the date of the hearing. In December 2008, Amnesty International expressed concern that Abd Daiem's trial proceedings did not meet international fair trial standards. Treatment in prison: Abd Daiem has reportedly been ill treated in detention and repeatedly transferred to different prisons. Update: On 4 June 2011, Abd Daiem was removed from his cell in

Tiznit prison and moved to an unknown place. Four days later, on 8 June, his family found him in Sale Prison (near Rabat), 1,000 km from the family home in Assa. The Moroccan authorities reportedly refused to say why he had been moved. Two days before the transfer, Abd Daeim told the UPES that he feared a possible attack from the Moroccan authorities because of his writings published on the union's website in which he expresses his political views. In these articles and short stories, he often writes of his opposition to Morocco's occupation of Western Sahara and his criticism of human right abuses allegedly committed by the Moroccan authorities in Western Sahara. His family reported that his health situation is deteriorating as he is suffering from high blood pressure and diabetes. He is reportedly kept in solitary confinement and denied any access to medication or clothes and blankets. No further news as of 31 December 2011.

On trial

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

***Mohamed SOKRATE**: blogger, 31, was sentenced on 14 June 2012 to two years in jail by a Marrakech court on, what free expression groups describe as 'trumped-up charges' of drug possession and trafficking. He was also fined 5,000 dirhams (450 euros). The blogger was arrested on 29 May as he was leaving an Internet café, and he was tried and convicted with unusual speed. Sokrate is well known for his defence of secularism and civil liberties as well as his criticism of the government. He was a member of the 20 February Youth Movement in 2011 and was one of the young people to be invited to participate in the Institutional Reform Committee. A solidarity campaign is being waged online and many Moroccan fellow-bloggers have expressed their support for Sokrate. His lawyer is appealing the decision.

Detained/On Trial

***Mouad BELGHOAT (aka al Haked)**: rapper and activist in the 20 February movement was arrested on 29 March 2012 by the Moroccan security forces on Thursday, who claimed that one of his songs was offensive to a public institution, the Casablanca Court of First Instance. In one of his songs, El Haked criticized the political situation in Morocco, which authorities considered a defamatory insult against public officials. The activist is expected to stand trial on Wednesday 4 April and the authorities refuse to provisionally release him. El Haked has been arrested before for his songs. He was imprisoned for in late 2011 four months before being released in January 2012. **Update**: on 11 May 2012, Belghouat was sentenced to one year in prison for 'insulting the police.'

Attacked/Harassed

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

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

***Mohamed Ayache BUIHI, Hamid BOUFFOUS**: respectively reporter for the Moroccan daily *Al-Massae* and editor of the *Saharanow.com* website, and reporter for the newspaper *Risalat Al-Oumma* and for the *Sahara Press* and *Hespress* websites, were attacked on 12 August 2011 by members of the Moroccan security forces. The journalists had been covering a demonstration in El Aaiún (Western Sahara). Buihi was beaten with a baton on the back and legs. After showing his press card, the security forces tried to take his camera, and then threw him to the ground and insulted him. Bouffous was treated in a similar manner, despite wearing a vest with the word "Press."

Case Closed

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

OMAN

Imprisoned: investigation

***Mona Suhail HARDAN**: Student. Sentenced on 29 June 2012 for writings published on her Facebook page which is named '*AlWard AlDhofari*' (*Dhofar Flowers*). Sentenced to one year in prison for insulting the Sultan and a further six months for violating information technology law. WiPc seeking further details.

Brief detention

***Muawiyah Al-RAWAHI**: Prominent blogger and activist, was arrested by the Omani security services on 6 February 2012, after posting on his blog 'Finally I am free'. Al-Rawahi has written critically about the current situation in Oman and his frustration with the Omani regime. He was released without charge on 16 February 2012.

Case closed

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

published on 14 May 2011. The sentence also imposed a suspension of the publication for a month. Case closed, sentence expired.

PALESTINE AUTHORITY

Imprisoned: investigation

Amer Abdel Halim ABU ARFA: Correspondent for *Al-Shihab*, a Hamas-affiliated news agency based in Gaza. Reportedly arrested by the Palestinian Authority security services from his home on 21 August 2011. He had previously been briefly detained after being sentenced by an Israeli court on 27 July 2010 to three months in prison. Reported in April 2012 to remain detained. WiPC seeking further information about any charges against him.

***Asmat Abd Al-KHALEQ (f)**: Journalist, was arrested on 22 March 2012 for critical comments she made on Facebook. The charges against her are posting insults and 'lies' that attack the national unity, the Palestinian Authority and President Mahmud Abbas. Reports say that early on her detention, she was denied bail and that the prosecutor ordered she should be held in solitary confinement for fifteen days. The WiPC is seeking updated information on her case.

***Amin Abu WARDEH (WARDA)**: Correspondent for the *Palestinian News Network* and UAE based newspaper *Al-Khaleej*, was arrested from his home on 28 December 2011 by the Israeli Occupation Force (IOF). His administrative detention has been reportedly extended four times, most recently on 20 February 2012, and ordered he should remain held for five months. Wardeh is currently believed to remain detained in Ofer Israeli military prison as of 30 June 2012. There are no reports about the charges against Wardeh. WiPC is seeking further information on his case.

Brief detention

***Tareq KHAMIS**: Journalist for *Zaman Press*, reportedly arrested while at work in Al-Bireh, on 1 April 2012. He was held for several hours and questioned about comments he wrote online about another journalist's arrest.

On trial

***Yusuf Al-SHAYEB**: Journalist. Reportedly detained on 26 March 2012 and charged with slander and defamation for making allegations of official spying and corruption in a report published in the Jordanian newspaper *Al-Urdani*. He was released on bail on 2 April.

Harassed

***Rasim OBIATA**: Columnist for various media outlets, reportedly received a six-month exclusion order on 31 January 2012. Obiata was summoned by Israeli Intelligence services and was given the order by the Commander of the Israeli Occupation Army. The order prevents Obiata from leaving Jerusalem and entering the West Bank until 9 July 2012. Some reports suggest that he is targeted his work.

SAUDI ARABIA

Main cases

*Hamza KASHGARI

Profession: Poet and former columnist with the daily newspaper *Al Bilad*, known for his reformist views. **Date of arrest**: 9 February 2012 **Details of arrest**: According to PEN's information, Kashgari, a 23-year-old writer from Jeddah, tweeted a series of messages addressed to the Prophet Mohammed on the anniversary of the Prophet's birth on 4 February 2012,

some of which conveyed questions about his faith. Twitter registered more than 30,000 responses to his tweets, many of which accused him of blasphemy and called for his death. On 5 February 2012 Nasser al-Omar, an influential cleric, called for Kashgari to be tried in a Sharia court for apostasy, which is punishable by death, and the Saudi King Abdullah called for his arrest, vowing to seek extradition if Kashgari left the country. On 6 February Kashgari issued an apology and deleted his feed, but to no avail. Someone posted his home address in a YouTube video, and people searched for him at his local mosque. On 7 February 2012, Kashgari fled to Malaysia. He was arrested two days later in Kuala Lumpur on 9 February as he was trying to continue his journey to New Zealand, where he planned to request asylum. He was deported to Saudi Arabia on 12 February 2012. Still detained as of 30 June 2012. **Other information:** On 7 February 2012 *Al-Bilad* issued statement saying that they had fired Kashgari five weeks earlier “because of the inadequacy of his general views for the approach of the newspaper.”

***Habib Ali Al-MAATIQ:**

D.o.B.: 16/04/1973 **Profession:** Poet and journalist **Date of arrest:** 22 February 2012 **Details of arrest:** Security forces arrested Al-Maatiq at his workplace in the city of Jubail, eastern Saudi Arabia, for his coverage of pro-reformist protests in the heavily restricted Eastern Province in the news website *Al-Fajr Cultural Network*. Thought to remain detained without charge at a prison in Dammam, the capital of Eastern Province. The website, which has also published sermons by Shiite clerics who support the protests, has been closed down. Another photographer for the *Al-Fajr Cultural Network* has also been arrested for attempting to cover the issue, as well as the manager of another news website, *Al-Awamia*. All three men remain detained as of 30 June 2012. **Other information:** Habib Ali al-Maatiq is a published poet, journalist and photographer who supervised the news website *Al-Fajr Cultural Network*, known for its critical coverage of political unrest in the country’s Eastern Province. The predominantly Shiite region has consistently faced discrimination and repression, and pro-reform protests are taking place. [RAN 19/12 – 24 April 2012]

On trial

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

SYRIA

Killed

***Marie COLVIN:** Veteran war correspondent for the *Sunday Times*. Killed on 22 February 2012 in a rocket attack on a makeshift media centre in the besieged Syrian city of Homs. It is widely believed that the media centre was deliberately targeted by regime forces.

Main case: imprisoned

Tal AL-MALLOUHI (f):

D.o.b.: 1991 **Profession:** student, poet and blogger. **Date of arrest:** 27 December 2009 **Sentence:** 5 years in prison **Expires:** 26 December 2014

Details of arrest: Al-Mallouhi was detained on 27 December 2009 after being summoned for questioning about her blog entries. Thought to be held on charges of espionage although no charge has officially been made known. **Details of the trial:** Reportedly appeared before the State Security Court on 10 November 2010. Tal was sentenced to 5 years in prison by the State Security Court in Damascus on 14 February 2011. The verdict is final and there is no possibility for appeal. The court session was closed, and Al-Mallouhi’s family were banned from attending. No evidence has been presented against her. **Place of detention:** Duma Womens Prison, on the outskirts of Damascus. **Treatment in detention:** Reportedly held in solitary confinement and feared to be at risk of ill-treatment. **Other information:** For the first nine months of her arrest Al-Mallouhi’s family sought her release through diplomatic negotiations and therefore did not want any publicity on the case. However on 2 September 2010 her mother published an open letter to the Syrian president seeking information about her daughter’s welfare and calling for her release. On 5 October 2010 it was reported that Al-Mallouhi had been charged with spying for a foreign country. Al-Mallouhi has no known political affiliations, and sources close to the family are baffled by the charges. It is feared that she could be targeted for comments and poems published in her blog.

Honorary member of: PEN Canada and Danish PEN.

Since February 2011, when widespread protests erupted calling for an end to the regime of President Bashar al-Assad, the human rights situation in Syria has continued to deteriorate, and thousands of protestors have been killed by security forces including at least 56 journalists. At least thirty-six journalists have been killed, apparently in targeted attacks, since January 2012. An unknown number of writers and journalists are amongst to have been attacked, arrested or disappeared. They include the following:

Nizar ADLEH and Miraal BROUDA: Journalist for various news websites; writer and poet. Reportedly arrested by the Syrian authorities in September 2011. They continue to be held but there is no information on the circumstances of their arrest or the charges against them.

***Mazen DARWISH, Abdelrahman HAMADA, Hussein GHREER, Mansour AL-OMRI, and Hani ZETANI:**

Profession: Mazen Darwish is a journalist and the head of the Damascus Centre for Freedom of Expression (SCM); the other four men are bloggers and members of the SCM. **Date of arrest:** 16 February 2012. **Details of arrest:** Reportedly arrested on 16 February 2012 after the office of SCM was raided by the Air Forces secret services. The detainees have been charged by a Military Court with “processing recorded materials” which call for protests. Despite several hearings, none of the detainees have been brought before the court and there has been no explanation by the Air Force secret services which is holding them. There are mounting concerns for their welfare. The next hearing is scheduled for 6 August 2012. The detainees remain held incommunicado and their whereabouts are unknown.

***Jihad JAMAL (AKA Milan):** a freelance journalist. Reportedly arrested on 21 May 2012 and remains detained at a secret detention centre. The reason behind his arrest and his whereabouts are still unknown. This is his fourth arrest since the Syrian protests started in March 2011. Previously detained without charge from 14 October-30 December 2011, and on 4 August 2011 when he spent 60 days in detention. He was also arrested in March 2011 and held for one month in a solitary confinement at the Military Intelligence security centre in Damascus. Jamal writes about the current events in Syria.

Muheeb Al-NAWATHY: a Palestinian journalist, arrested in Syria on 5 January 2011, nine days after arriving in Damascus to do research for a book he is writing about Hamas (the Palestinian Islamic group). On 9 January 2011 Al-Nawathy had been due to return to Norway, where he has resided as a political refugee since 2007. He is a former Gaza resident and is said to be a supporter of Fatah (a rival Palestinian group). He used to work as a correspondent to *Al-Arabiya.net*, a Dubai based website. Remains detained as of 30 June 2012.

On trial

***Dia'a AL- ABDULLAH:** Poet and blogger. He was arrested on 13 February 2012 from his home in Asswaida by the Air Forces secret services after writing an open letter entitled *As A Syrian Citizen I Announce* in which he demanded that the Syrian President step down in order to prevent further bloodshed. He was released on 19 April 2012 but faces charges. Dia'a is waiting to appear before a Military Court after being charged with "disdaining the President". The date of the trial has not been set yet. According To Dia'a, he was subjected to torture in detention and all his front teeth were broken. Al-Abdullah was previously detained for his writing on 29 June 2011, and held incommunicado until his release on 13 January 2012.

***Yara BADR (f), Razan GAZZAWI (f), Mayada KHALIL(f), Thannaa AL-ZITANI (f), Jwan SAID Ahmad (aka Jwan Farso), Bassam Ahmed AL-AHMAD and Ayham GHAZZOUL:** Bloggers and members of the Damascus Centre for Freedom of Expression (SCM). Reportedly arrested on 16 February 2012 after the office of SCM was raided by the Air Forces secret services. Charged by a Military Court with "processing recorded materials" which call for protests. Released on bail after one week and the trial continues. Five others were arrested and charged in the case, who remain detained at an unknown location (see **Mazen DARWISH, Abdelrahman HAMADA, Hussein GHREER, Mansour AL-OMRI, and Hani ZETANI**, 'main case' above). The next hearing is scheduled for 6 August 2012.

***Hanadi ZAHLOUT (f):** Writer and journalist. Reportedly arrested on 4 August 2011 and held for alleged involvement in anti-government demonstrations. She was subjected to physical and psychological mistreatment, and confessed under duress to involvement in the demonstrations. Later released, but re-arrested on 16 February 2012 and held for one week. She is on trial and appeared before a court on 24 June 2012. The next hearing is scheduled for 6 August 2012.

Brief detention

***Omar Al-ASA'AD:** Writer, blogger and journalist with several newspapers including *Al-Hayat*, *Aljazeera.net* and *Assafir*. Reportedly arrested on 15 September 2011 after writing an article in a newspaper about the killing of a protester in Damascus. Released after several weeks in detention and he fled the country in early 2012.

***Ebtsam CHAKOCH:** a published novelist and writer. Reportedly arrested by the Syrian security forces in April 2012 for her critical views, and held for 20 days. She fled to Turkey on 20 June 2012, following an attack by the Syrian army on her town of Alhaffa, a suburb of Lattakia city. Her home was also raided by the Syrian army. Ebtsam has been arrested on several occasions by the security forces since the start of the revolution for her writing and political views.

***Klester CAVALCANTI: journalist with the Brazilian magazine ISTOÉ was arrested on 19 May 2012 by the Syrian army. He entered Syria with a visa and he was planning to report on the conditions in the city of Homs. After his arrival in the bus station in Homs, he was picked**

up by the Syrian army who ignored his journalist visa and took him to a police station where he was held for interrogation and ill-treated. He was released on 25 May 2012 without charge.

***Firas JOUNDI:** journalist who worked on documenting the events of the Syrian revolution. He has published his reports on various websites and newspapers in Lebanon and other Arab countries. Reportedly arrested in February 2012 and held for two months, during which he was tortured. He arm was broken during his interrogation. After his release in May 2012, Firas continued working and writing for several websites. In mid-June 2012, Firas had to flee Syria after his house was raided by the Air Force secret Services who confiscated all his belongings and arrested his brother as a hostage. He is living now in Cairo.

***Khalid KHALIFA:** Novelist. Reportedly arrested on 25 May 2012 whilst attending the funeral of a musician protester who was killed by the army. The security services broke his arm during the arrest. He was released after three days.

***Alaa Al-KHUDUR:** Journalist and director of *Syrian News Agency* (SANA). Reportedly arrested on 17 November 2011 after writing an article in which he criticised the Syrian media. He was released on 29 January 2012.

***Salama KILA** (Of Palestinian origin): writer, thinker and journalist. Reportedly arrested in Damascus on 23 April 2012 for his writings about the recent events in Syria. The security forces raided his home after midnight and confiscated his computer and disks. He was released on 13 May 2012 and immediately deported to Jordan.

***Amir MATAR:** Journalist with several Arabic newspapers, and a writer. Reportedly arrested on 4 September 2011 and detained without charge in Adra prison, Damascus. He was released on 3 January 2012 and later fled the country.

***Rody OTHMAN:** Journalist and blogger. Reportedly arrested on 3 August 2011 after giving an interview to a French newspaper. Rody was the editor of a blog known for its writings on the Syrian uprising. He was released in May 2012.

Najati TAYARA: Writer and editor. Reportedly arrested on 12 May 2011 for covering the Syrian protests. He was held incommunicado for two weeks before being transferred to Homs city prison. His arrest stemmed from an interview with *Aljazeera* on the crackdown by Syrian forces on peaceful protesters in Homs. Reports said that Tayara has been under continuous threat inside prison and he was repeatedly beaten up by prisoners who were supported by the prison administration. In September 2011 there were reports of the journalist being beaten by prison guards. Released on 17 January 2012.

TUNISIA

On Trial

***Ghazi Ben Mohamed BEJI and Jaber Ben Abdallah MAJRI:** writers, were handed seven-year prison sentences and fines of 1,200 Tunisian dinars (US\$ 790) on 28 March 2012 for publishing writings perceived as offensive to Islam. Beji was tried in absentia (he has fled to Europe); Majri has been in prison since 5 March. Beji published an excerpt in July 2011 entitled, "The Illusion of Islam," taken from an essay he wrote on www.scribd.com, a free "social publishing" website. In the introduction, he says his intent is to show "the ugly face of Islam." The essay satirizes aspects of the Prophet Muhammad's biography, crudely deriding his sexual life. Majri published photos on his Facebook page containing caricatures of the Prophet drawn from Beji's book, along with satirical writings about Islam and the Prophet. Marji has appealed his sentence.

Should Beji return to Tunisia, it is his right under Tunisian law to request a new trial.

***Nasreddine BIN SAID:** owner and publisher of the daily *Attoumissia*, was arrested on charges of disrespecting public morality, on 15 February 2012. The daily had printed an image on the front page the paper of German model Lena Gercke posing naked with her boyfriend Sami Khedira, a German-Tunisian soccer player. The photo was a reprint of the March 2012 cover of the German edition of *GQ* magazine. The three journalists are being held in Bouchoucha prison in Tunis' outskirts pending trial, news reports said. This is the first incident CPJ has documented of journalists being arrested since the regime of Zine El Abidine Ben Ali was overthrown last year. **Update:** Ben Saïda faces trial on March 8 for offenses against "public morality. He was freed on 23 February pending the trial. Ben Saïda faces a prison term of up to five years and a fine of up to 1,200 dinars (US\$801) if convicted. **Update:** found guilty on 8 March 2012 and fined 1000 dinars (500 Euros).

Arrested

***Anis Al-MARABTY (aka Volcanis):** rapper, was arrested at his home in Tunis on 1 February 2012 by six plainclothes police officers. After asking him if he was the author of the song "Shy Matbadel" (Nothing has changed), they confiscated his computer and took him to an unknown location. His family located him 24 hours later at the Shousha security detention centre. He was charged with using drugs. The Ministry of Interior has updated the statement on its Facebook page to say that Al-Marabty and 10 other people, including two girls, were charged with using and dealing drugs. Al-Marabty's song calls most of the political parties "militias", sees the electoral victory of Al-Nahda's party, and Moncef Al-Marzouqy's election as interim president as a repetition of the scenario of Ben Ali's regime. The song also talks about unemployment, the increasing number of the sit-ins and the raising of prices.

Al-Habib al-QUIZANI, Hedi HIDHRI: respectively daily *Attoumissia* editor-in-Chief, and editor of the paper's world section, were arrested (with Nasreddine BIN SAID see above), on charges of disrespecting public morality, on 15 February 2012. The daily had printed an image on the front page the paper of German model Lena Gercke posing naked with her boyfriend Sami Khedira, a German-Tunisian soccer player. The photo was a reprint of the March 2012 cover of the German edition of *GQ* magazine. The three journalists are being held in Bouchoucha prison in Tunis' outskirts pending trial, news reports said. This is the first incident CPJ has documented of journalists being arrested since the regime of Zine El Abidine Ben Ali was overthrown last year. **Update:** The other two journalists were freed on February 17 and have not been charged.

Conditional Release

Samir FERIANI: senior police commissioner. **Arrest and detention:** Feriani was arrested on 29 May 2011 after a vehicle crashed into his car, forcing him to stop. He was then reportedly kidnapped by the "anti-terrorist brigade" and beaten. Feriani's arrest stemmed from a letter he wrote to the Interior Minister in which he criticised the Tunisian intelligence agency and Ministry of Interior, blaming current officials for allowing protesters to be killed during the January 2011 revolution and stating that "notorious torturers" are still at large. In his letter he also alleged corruption within the Ministry and claimed that he had been intimidated after he sent a petition to the Minister about the destruction of official records, including some taken from the residence of the late Palestinian Liberation Organisation (PLO) leader Yasser Arafat. Feriani

later contacted the Prime Minister and the Police High Commissioner with the same concerns and also wrote two articles for *Al-Khabir* newspaper. **Charges:** A military judge investigated Feriani on charges "harming the external security of the state", distributing information likely to harm public order" and "accusing without proof, a public agent of violating law". He faced a prison sentence if convicted of any of the charges. He was held in Aouina military barracks until his release on 29 September, without access to his family and his lawyer had limited access to his case file. Feriani was freed and acquitted of charges of "harming the external security of the state." The charges of distributing information "likely to harm public order," and "accusing, without proof, a public agent of violating the law," will be heard in a civilian court.

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

Attacked

***Zohra ABID (f) and Fatma RIAHI (f):** respectively reporter for the French Language Tunisian news website, Kapitalis, and blogger on website *Arabicca*, were allegedly beaten by police on 10 April 2012 while covering a Martyr's Day demonstration in Tunis. The demonstrators were protesting a ban on demonstrating in the city centre, and police dispersed then using tear gas and batons. Riahi was reportedly beaten by security forces, and suffered a fractured hand and shoulder. Abid was beaten on the neck.

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

***Sana FARHAT (f) and Maha OUELHEZI (f):** journalists, physically assaulted by plainclothes police in Tunis on 4 January 2012 as they were covering a demonstration organised by university teachers outside the Ministry of Education. The teachers from Manouba University were protesting the month-long sit-in organised by Salafists campaigning for the right of *niqab*-clad women students to attend classes at the university.

***Rajab AL-MAQARY:** playwright, was allegedly attacked by Salafists in El Kef City on 27 May 2012. He reportedly received injuries to his head and chest. According to reports, at 25 June, he was still receiving treatment in hospital in Tunis.

Harassed

***Sami Ben ABDALLAH:** blogger, resident in France, was banned from leaving Tunisia at Tunis-Carthage international airport on 6 September 2011. As he was about to board a flight to Paris at 6:45 p.m., airport officials told him that they could not let him leave without clearance from the interior ministry. The ministry then said he could not leave and, at 9:30 p.m., sent him a summons to report "as soon as possible" to the judicial police in response to a complaint filed against him on 3 September. Abdallah was interrogated for eight hours the next day without being allowed access to his lawyer. Officially, he was questioned for allegedly

sending insulting SMS messages. The messages were in fact his replies to threats and insults which he had received, and which were the subject of a complaint that he had himself just filed. His family said the real reason for his arrest was the acerbic criticism of the country's current rulers that he had posted in his blog. He has also posted a series of investigative reports about Kamel El-Taief, a businessman close to former President Zine el-Abidine Ben Ali.

YEMEN

Imprisoned: Main Case

Abdulelah SHAEA

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

Death threat

- ***Fathi Abu Al-NASR:** Freelance journalist for various publications, reportedly received death threats over his telephone on 24 April 2012. Believed to be targeted for his reports and commentaries in support of the opposition groups and has been critical of the Shiite rebels.
- ***Fakri QASSAM and Mohssein AEYD:** Intellectual and editor of a local newspaper based in the southern town of Taiz, and satirical writer, respectively. Reportedly received death threats by way of a fatwa, issued in early February 2012. The fatwa was issued by senior clerics who called for Qassam and Aeyd's deaths and demanded the closure of their publications. The threats came ahead the Yemeni national elections held on 21 February 2012.
- ***Samir Al-YUSSOUFI:** Editor of the newspaper *Al-Jomhuryah*, based in the city of Taiz. Reportedly received a death threat on 4 February 2012. The threatening message allegedly said that the newspaper's offices will be shelled with its staff in it. Reports say that the day before the threat,

the office of *Al-Jomhuryah* in the city of Sana'a was stormed by a group of armed men. It is believed that the threats and harassment were linked to the reporting line of the newspaper.

Threat

- ***Abdelqadir Al-MANSOUB:** Editor of the news website *Hshdin*, based in Al-Hudaydah city, reported received a threatening phone call in late April 2012. The call came after the publication of a report that dealt with alleged corruption in a local oil company.
- ***Mohamed SHABITA:** Journalist for the daily newspaper *Al-Thawra*, was reportedly threatened and insulted on 27 May 2012, by the Director General of the civil service of the ministry's information service over a critical front page article. Shabita is also an active member of the Yemeni journalists union.

Attacked

- ***Adnan Al-AJAM:** Editor of *Al-Oumana* newspaper. Two unidentified men reportedly shot at his home on 25 May 2012. There are fears that the attack was linked to coverage on corruption in the newspaper.
- ***Muhammad Al-MAQALEH:** Editor of the news website *Aleshteraki*. Reportedly attacked while visiting the Defence Minister's house in Sana'a, on 7 April 2012. Al-Maqaleh was pushed and beaten by armed men, his car was smashed and he was threatened. In his recent articles, the journalist has been reporting on military factions affiliated to tribal groups in Yemen. Al-Maqaleh has suffered harassment by the authorities in the past and spent months in detention in 2009 without charges. It is believed that this pressure against him is linked to his long standing criticism of the Yemeni government.

Brief detention

- ***Nasser Al-DHUBAIBI:** Editor of the weekly newspaper *Al-Hurra*, was reportedly arrested in mid-December 2011 and held without charge until 11 January 2012. Reports say that Al-Dhubaibi was questioned about the paper's line of reporting and its sources of funding.

Sentenced in absentia

- ***Majed KAROUT:** Journalist for the news website *Masdar Online*, was sentenced to one year in prison by a court in Al-Bayda after being found guilty of posting lies in Facebook, on 4 June 2012. The lawsuit was filed by the financial director of the official communication agency in Al-Bayda, after a photo and a letter were published on the internet. The letter, signed by employees of the agency denouncing alleged corruption at their workplace, was posted on Facebook by another person in February 2011. Karout was tagged in the accompanying photo, despite not being its author. The journalist was not notified by the court about the charges against him or the hearings in this trial. An appeal was filed against the imprisonment sentence. There are fears that the reason for this trial and conviction is an attempt to stop Karout from continuing investigating and reporting on issues of local corruption.

There are 79 PEN Centres with Writers in Prison Committees. The following have elected writers referred to in this caselist as Honorary Members.

List of Centres with Honorary Members

American PEN

China	HADA LIU Xiaobo SHI Tao Nurehamet YASIN
China/Tibet	Dawa GYALTSEN Dolma KYAB
Iran	Adnan HASSANPOUR
Ethiopia	Dawit Isaac
Myanmar/Burma	AUNG Than
Uzbekistan	Muhammad BEKZHON Mamadali MAKHMUDOV
Vietnam	NGUYEN Xuan Nghia

Basque PEN

Iran	Adnan HASSANPOUR
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Belgian (Dutch Speaking)

Turkey	Hrant DINK
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Canadian PEN

China	HADA SHI Tao YANG Tongyan
Eritrea	Dawit ISAAC
Iran	Nasrin SOTOUDEH
Syria	Tal al-MALLOUHI
Uzbekistan	Muhammad BEKZHON Mamadali MAKHMUDOV

Czech PEN

China	LIU Xiaobo
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Danish PEN

Iran	Nargess MOHAMMADI
Syria	Tal Al-MALLOUHI

English PEN

China	LIU Xiaobo SHI Tao Nurehamet YASIN
China/Tibet	Dolma KYAB
Turkey	Hrant DINK
Uzbekistan	Muhammad BEKZHON Dzamshid KARIMOV Mamadali MAKHMUDOV

Finnish PEN

Ethiopia	Dawit Isaac
Iran	Nasrin SOUTADEH

German PEN

China	LIU Xiaobo SHI Tao
China/Tibet	Dolma KYAB
Turkey	Ragip ZARAKOLU

Guatemala PEN

China	CHEN Wei
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Icelandic PEN

China	LIU Xiaobo
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Independent Chinese PEN Centre

China	CHEN Wei GUO Quan KONG Youping LI Tie LIU Xiaobin LIU Xiaobo LIU Yongyen Hailaite NIYAZI LU Jianhua QI Chonghuai SHI Tao WANG Xiaoning YANG Maodong Nurehamet YASIN
China/Tibet	BHUDHA DHONNKHO DROKRU Tsultrm KHELSANG

Italian PEN

China	YANG Tongyan
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Lithuanian PEN

Belarus	Aleksandr FIADUTA Vladimir NEKLAYEV
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Netherlands PEN

Turkey	Ragip ZARAKOLU
Uzbekistan	Mamadali MAKHMUDOV

New Zealand PEN

China	SHI Tao
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Norwegian PEN

Turkey	Hrant DINK
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Portuguese PEN

China	LIU Xiaobo
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San Miguel de Allende PEN

China SHI Tao
 Turkey Ragip ZARAKOLU

Scottish PEN

China LIU Xiaobo
 SHI Tao
 Iran Nasrin SOUTODEH

Swedish PEN

Ethiopia Dawit Isaac
 Iran Adnan HASSANPOUR
 Mohammad Sadiq KABUDVAND
 Nasrin SOTOUDEH
 Turkey Muharrem Erbey

Swiss German PEN

China SHI Tao

Swiss Italian PEN

China SHI Tao

Swiss Romande

China/Tibet BHUDHA
 DHONNKHO
 DROKRU Tsultrm
 KHELSSANG
 Vietnam LU Van Bay

Sydney PEN

China LIU Xiaobo
 SHI Tao
 Vietnam NGUYEN Van Ly

Turkey PEN

Turkey Mustafa BALBAY
 Muhammed ERBEY
 Nedim SENER
 Ahmet SIK
 Ragip ZARAKOLU

Uighur PEN

China GUO Quan

USA PEN

China SHI Tao
 Uzbekistan Muhammad BEKZHON
 Mamadali MAKHMUDOV

Half-year Figures

January to June 201

Killed	4
Killed – Motive Unknown	21
Disappeared	9
Imprisoned - Main Case	156
Imprisoned - Investigation	132
Judicial Concern	3
On Trial (not imprisoned)	176
Non Custodial Sentence	6
In Hiding	3
Brief Detention	69
Death Threat	17
Other Threat/Harassment	38
Attacked/Ill-treated	64
Kidnapped	1
Total	699
Released	22