



PEN INTERNATIONAL
Writers in Prison Committee
Case List – July to December 2012

PEN INTERNATIONAL
Writers in Prison Committee

HALF-YEARLY CASELIST
to December 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 June 2012.

Caselist July to December 2012
PEN International *Writers in Prison Committee*
Details current up to 31 December 2012

AFRICA

BURKINA FASO

Imprisoned: main case

***Roland OUÉDRAOGO and Lohé Issa KONATÉ:** respectively contributor to and editor of the private weekly newspaper *L'Ouragan*. On 31 October 2012, it was reported that both journalists had been convicted on charges of criminal defamation. They were sentenced to 12 months in prison, a fine of 1.5 million CFA (US\$2,900) and ordered to pay a total of 4 million CFA (US\$7,800) in damages to the state prosecutor. The judge also banned the paper from circulation for six months. On 1 and 8 August 2012, *L'Ouragan* published articles which detailed alleged abuse of power by the prosecutor's office. Both journalists were taken straight to prison following sentencing. According to their defence lawyer, the journalists intended to appeal their sentences.

CAMEROON

Imprisoned: main case

Dieudonné Enoh MEYOMESSE: writer of books critical of President Paul Biya, historian and president of the National Association of Cameroonian Writers. Meyomesse is also a political activist who aspired to be a candidate for the 9 October 2011 presidential election under the banner of the United National Front (Front National Uni, FNI). **Sentence:** Seven years. **Place of detention:** Kondengui prison, Yaoundé. **Details of arrest:** Meyomesse was arrested at Yaoundé airport on 22 November 2011 on his return from a trip to Singapore and was charged with armed robbery (of gold) and organising a coup. He was accused along with three other men who had accompanied him on the trip. According to Amnesty International, on 18 November 2011, while Meyomesse was in Singapore, gendarmes broke into his house without a search warrant and took documents, compact discs, flash drives, photographs and other personal property. Several days after their arrest, Meyomesse and his three co-accused were transferred in the middle of the night to Bertoua, the capital of Eastern region, where they were held incommunicado. While there, all four were reportedly deprived of food and water for several days at a time and made to sleep on the bare floor in a dark cell infested with insects. A judicial interrogator put a gun on a table and threatened to shoot them in the thigh if they did not admit to having been involved with plotting to overthrow the government and an armed robbery. Fearing for their lives, Meyomesse and the others reportedly signed statements that they were not allowed to read. Meyomesse also says that during interrogation he was told to call his business partners and ask for 15 million euros which he would in turn give to investigators; he did not make the call. On 19 December 2011, while Meyomesse's family was still searching for his whereabouts, the news broke that he was being held in Bertoua. On 22 December 2012, Meyomesse and his three co-accused were presented as

armed robbers at a press conference in Bertoua. The accusation of plotting to overthrow the government was not mentioned at the press conference. All four subsequently appeared before Yaoundé military court before being transferred to Kondengui maximum security prison in Yaoundé. **Details of trial:** The trial of Meyomesse and his three co-defendants began in July 2012 at Yaoundé military court. On 14 December 2012 they were found guilty of armed robbery and illegal sale of gold. The Government Commissioner requested a sentence of seven years in prison for Meyomesse and a fine of 200,000 CFA (£247), which was confirmed on 27 December 2012. His three co-defendants were reportedly sentenced to terms of between two and nine years in prison. According to Amnesty International, the alleged victims of the armed robbery were not presented or even named during the trial and were only referred to as 'Koreans' by the military prosecutor. Meyomesse's lawyer lodged his appeal the same day. **Treatment in prison:** See details of arrest above. Meyomesse was held in solitary confinement and denied access to a lawyer for the first 30 days of his detention. He suffers from a degenerative eye condition provoked by the month spent in solitary confinement, in total darkness. **Background information:** According to Amnesty International, Meyomesse says he travelled to Singapore to meet potential business partners there. His three co-accused are personal friends who have been involved in his political campaigns. Before travelling to Singapore, Meyomesse had asked them to travel to the Eastern region to gather information about opportunities, including gold mining, for prospective Australian business partners he was going to meet in Singapore. Meyomesse was reportedly carrying samples of gold when he was arrested. He was previously arrested at Yaoundé airport on 30 January 2011 when returning from Ivory Coast. Meyomesse was reportedly unable to run in the 9 October 2011 presidential elections because the Supreme Court did not validate his candidacy. **PEN position:** In the light of new information received about Meyomesse's arrest and initial detention as well as irregularities in his trial, PEN believes that it is likely that the charges against him are politically motivated and that his imprisonment is linked to his writings critical of the government and his political activism. His case has therefore been moved from the category of 'Judicial concern' to 'Main case'. **Awards:** Meyomesse was awarded a 2012 Oxfam Novib / PEN Freedom of Expression Award. [RAN 04/12 and updates]

On trial

***Baature EDUA MVOCHOU:** editor of magazine *African Drum*, reportedly faces a charge of unlawful assembly following his arrest on 1 October 2012 in Buea. Edua was arrested along with **Martin Yembe Fon**, editor of local newspaper *The Frontier Telegraph*, when they tried to cover a secessionist gathering at a local church. Police officers reportedly stopped the journalists and seized their press cards before ordering them to go inside the church. According to Fon, a large number of policemen entered the church and rounded up those gathered there. After 10 hours of detention the journalists were taken to court and charged with unlawful assembly. On 8 November 2012 it was reported that Fon had since been cleared of all charges and Edua was free on bail. According to Edua's lawyer, the court had heard his defence and the case was adjourned until 14 March 2013. If convicted, Edua faces a maximum sentence of six months in prison and a fine of 100,000 CFA (US\$200).

Harassed

***Aaron KAH:** editor of the bimonthly *Kilum 24*, was reportedly arrested and threatened with charges of defamation by a state prosecutor on 7 December 2012. He was released on bail on 10 December and report-

edly had until 28 December to reveal his sources for a series of articles published in *Kilum 24* in October and November 2012 that questioned the hiring and personnel practices of the management of a missionary-run health institution in Bamenda. If he did not reveal his sources, the journalist would reportedly be re-arrested and charged with defamation. The journalist refused to reveal his sources, but said he would instead publish a rebuttal.

Suspended sentence

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 editors reportedly faced up to 20 years in prison if convicted. For details, see previous case lists. **Update:** Mintya and Sabouang were sentenced to a three-year and two-year suspended prison sentence respectively on 3 December 2012. A third journalist, **Simon Hervé Nko'o**, reporter for the weekly *Bebela*, was sentenced in absentia to 15 years in prison. The judge also ordered each journalist to pay a fine of 119,421 CFA (US\$238) and gave them 10 days to appeal. Sabouang reportedly announced that he would appeal, however it was not immediately clear if Mintya and Nko'o would. **Award:** Canadian Journalists for Free Expression (CJFE) awarded Sabouang one of its 2010 International Press Freedom Awards for his courage. [RAN 45/10 and updates]

Case closed

François Fogno FOTSO: editor of the private bi-monthly *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 the then public tax collector in the western city of Nkongsamba. Officers 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. No further information as of 31 December 2012. Case closed.

CHAD

Suspended sentence

***Jean-Claude NEKIM:** editor-in-chief of the opposition newspaper *N'Djaména bi-hebdo*, was convicted of defamation on 18 September 2012. Nekim was given a suspended sentence of one year in prison and a fine of one million CFA (€1,500). In addition, the newspaper was suspended for three months. The charges came in response to the newspaper's publication of a news brief under the headline 'The UST launches a petition against poor governance.'

Attacked/ Threatened

***Franck Mbaidje MBAIDOGOTAR:** journalist for the popular bi-monthly *Abba Garde*, was reportedly kidnapped by men wearing gendarmes' uniforms on 26 December 2012. The men beat him before releasing him, leaving him with several fractured phalanges. In the days leading up to the attack, the director of *Abba Garde*, **Moussaye Avenir de la Tchiré**, had received a number of threatening calls. Both the threats and the attack followed the publication of an issue of *Abba Garde* that was particularly critical of the president of the ruling party, Mouvement patriotique du salut (MPS). On 28 December, unidentified individuals

entered Moussaye Avenir de la Tchiré's house at night; he believes they were sent by politicians, apparently to kill him. The director is frequently threatened and harassed by politicians due to the freedom with which he allows his reporters to express themselves. In June 2012 he was one of a group of Chadian journalists who said they had been threatened by a government minister.

DEMOCRATIC REPUBLIC OF CONGO

Brief detention

***Jean MOLEKI:** editor of *The Fax*, a private newspaper based in Kinshasa, was released on bail on 19 November 2012 after having been detained for three days in Kinshasa. Moleki was reportedly being sued for defamation by the minister of youth, sports, leisure, arts and culture following an article his newspaper published denouncing the ministry's alleged misuse of public funds. The plaintiff has reportedly dropped the lawsuit.

Death threat

***Solange LUSIKU (f):** editor of the independent monthly newspaper *Le Souverain*, based in Bukavu, reportedly received a telephone call from a blocked number on 21 November 2012, in which she was told that she would be killed. She also said that on 23 November 2012 an unidentified man and soldiers visited a cyber café that she frequents, demanding to know her whereabouts. Lusiku has since fled Bukavu. In the most recent edition of *Le Souverain*, Lusiku had written an editorial blaming Rwanda for fueling instability in the Eastern Congo. The Bukavu police superintendent announced that he would investigate the threats made against Lusiku.

Threatened

***Baudry ALUMA:** editor-in-chief of the independent monthly newspaper *Le Souverain*. In late November 2012 it was reported that Aluma had been receiving threatening telephone calls since the publication of his editorial in the October 2012 edition of *Le Souverain*. His story discussed alleged in-fighting within the local ruling party and allegations of mismanagement brought by some politicians against members of the ruling administration. Aluma went into hiding. As a result of the threats, the Bukavu police superintendent announced that he would investigate.

Case closed

Sébastien MULAMBA and Mbuyi MUKADI: respectively editor and managing editor of the private monthly *Kisangani News*, were detained without charge by plainclothes policemen on 9 May 2012. They were questioned about their sources for a 15 April 2012 article alleging that a member of the Congolese National Assembly under President Joseph Kabila's ruling party was involved in a sex scandal. The politician in question did not publicly dispute the allegations but filed a complaint accusing the newspaper of "offending his personality". Mulamba said he and Mukadi had gone to a restaurant to meet an aide of the politician, who said he wanted to buy advertising in the paper. **Update:** Both journalists were reportedly freed on 23 May 2012 after Awenze dropped his lawsuit. Case closed.

DJIBOUTI

Conditional release

***Houssein Ahmed FARAH:** journalist for news website La Voix de Djibouti, was arrested on unknown charges on 8 August 2012 and detained without trial until his release on 18 November 2012. He was detained incommunicado at Djibouti's central police station before being transferred to Gabode prison in the capital city. Farah is reported to be accused of evading judicial control and distributing 'forged' voter cards on behalf of a political party dissolved by presidential decree. According to reports, Farah's release is conditional and he is still under judicial control. There have also reportedly been attempts to intimidate Farah's lawyer. **Background:** Around the time of Farah's arrest in August 2012, Djibouti's authorities blocked access to five Somali news websites: Waagacusub.com, Sunatimes.com, Galmudugnews.com, Halbeegnews.com and Qurbejoog.com. Waagacusub.com was blocked after posting confidential documents about transfers of money between Djibouti's intelligence services and officials in Somaliland, a breakaway Somali territory that adjoins Djibouti.

ERITREA

Imprisoned: main case

Detained in September 2001:

SAHMUD AHMED SHERIFFO, Haile WOLDETESNAE, Petros SOLOMON, Saleh Idris KEKIA, General Ogbe ABRAHA, Astier FESHATSION (f), Berhane GHEBRE EGHZABIHER, Hamid HIMID, Estifanos SEYOUM, Germano NATI and Beraki GHEBRE SELASSIE: former Minister of Local Government, former Minister of Trade and Industry, former Minister of Fisheries, former Minister of Transportation and Communication, and former Chief of Staff of the Defence Force and Minister of Trade and Industry respectively (the final six were also former members of government), have been detained since 18 or 19 September 2001 after the publication in May 2001 of an open letter critical of the government addressed to members of the ruling People's Front for Democracy and Justice (PFDJ) party. All 11 were members of the so-called G-15, a group of 15 PFDJ senior officials who signed the letter. They were arrested in Asmara on 18 and 19 September 2001 and accused of crimes against national security and sovereignty. A twelfth G15 member was also arrested but was released when he recanted. The three remaining members were abroad at the time of the arrests and have not returned to Eritrea. In February 2002, in the first parliamentary session since 2000, President Issayas Afewerki declared that the G-15 members had "committed treason by abandoning the very values and principles the Eritrean people fought for". The National Assembly therefore "strongly condemned them for the crimes they committed against the people and their country". After such statements it seems highly improbable that the eleven currently held will receive a fair trial. They have been held incommunicado ever since and it is not known whether they have been formally charged. According to Amnesty International, their family and friends have faced persecution whenever they have tried to speak out against the detentions. In April 2009, Amnesty stated that at least one of the G-15 members, General Ogbe Abraha, had reportedly died in custody due to the harsh conditions and lack of access to medical treatment. 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 2012

report, Amnesty reported that the Eritrean government had again failed to respond to these allegations in 2011.

Emanuel ASRAT (editor-in-chief of *Zemen* – 'Time'), **Temesken GHE-BREYESUS** (sports reporter of *Keste Debena* – 'Rainbow' – born c. 1967), **Mattewos HABTEAB** (chief editor of *Meqaleh* – 'Echo' – born c. 1973), **Dawit HABTEMICHAEL** (assistant chief editor of *Meqaleh* – born c. 1973), **Seyoum TSEHAYE** (freelance contributor to *Setit*, playwright, newspaper, TV and radio journalist – born 1952). **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. **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 affected 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. **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. **Actions by intergovernmental bodies:** In May 2007, the African Commission on Human and People's Rights (ACPHR) of the African Union ruled that the detention of the journalists was arbitrary and unlawful and called on the Eritrean government to release and compensate the detainees. In September 2011, the European Parliament adopted a strongly worded resolution urging Eritrea to "lift the ban on the country's independent press and to immediately release independent journalists and all others who have been jailed simply for exercising their right to freedom of expression." **More reported deaths in custody:** According to Reporters Without Borders on 30 August 2012, Dawit Habtemichael and Mattewos Habteab died in Eiraeiro prison camp, Habtemichael in the second half of 2010. PEN is seeking confir-

mation of these reported deaths. **Honorary Members:** (All) American PEN, PEN Canada.

Dawit ISAAC (co-owner of *Setit*, playwright and writer – born 1964). Isaac, who spent a number of years in Sweden during the Eritrean war of independence and the border dispute between Eritrea and Ethiopia, holds Swedish citizenship. **Date of arrest:** In the days following 23 September 2001, along with **Emanuel Asrat, Temesken Ghebreyesus, Mattewos Habteab and Seyoum Tsehaye** (see above). **Sentence:** It is thought that Isaac, like his colleagues, has yet to be put on trial. **Details of arrest:** See case listing above. **Official position:** As above. In a TV interview in June 2009, President Afewerki said that he did not know what crime Isaac had committed but that he had made a "big mistake". He added that the Eritrean authorities would not release Isaac or put him on trial and that they have their "own ways of dealing with that". **Prison conditions/ health concerns:** Isaac reportedly suffers from a diabetic condition that requires medical supervision. 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. In May 2011, Amnesty International reported that Isaac remained in detention, allegedly in Eiraeiro prison camp. He was reportedly in poor mental and physical health. However in May 2012, Amnesty stated that it had received reports in October 2011 that Isaac may have died in detention, as he was no longer in the prison where he had been held. The Eritrean government did not confirm these reports. **Legal action:** 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. **New information:** In September 2012, Swedish Foreign Minister Carl Bildt said that the Swedish government was working for Isaac's release, but that it could not reveal details of its diplomatic efforts. However, a few months earlier, in an interview with Swedish newspaper *Aftonbladet* in May 2012, President Afewerki reportedly denied that Sweden was using any form of silent diplomacy to get Isaac out of prison and refused to comment on suggestions that Isaac may be dead. On 27 October 2012, Reporters Without Borders reported that three European jurists had referred Isaac's case to the African Commission on Human and People's Rights; this followed the Eritrean Supreme Court's lack of response to the habeas corpus writ for Isaac filed in 2011 (see under 'Legal Action' above). **Honorary Member:** American, Canadian, 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).

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:** various (see below). **Other information:** Kiflu and Misghina were reportedly first held at the Doboziro detention centre and then at the military prison in Adi Abeito, to the northwest of Asmara. Fisseha, who was 27 at the time of her arrest, was initially taken to Adi Abeito but was subsequently transferred to the nearby May Srwa prison. Misghina is said to come from a very prominent family in Keren in northern Eritrea. He was reportedly tortured in 2002 after a screening of his film *Fistametat*. Asfha, who was thought to be aged 30 at the time of her arrest, is from Adi Keyih in the south of the country. Kiflu is married with two children. Fisseha, Kiflu and Misghina were still detained as of 16 September 2011, according to Reporters Without Borders; no mention of Asfha. Yirgalem Fisseha Mebrahtu was admitted to hospital in the Eritrean capital Asmara in a serious condition in January 2012. She was under permanent guard and was allowed no visitors. Her family and friends were not told of the nature of her illness but her treatment requires the purchase of medication abroad. **Update:** According to a 30 August 2012 report by Reporters Without Borders, a journalist identified only as Bereket has reportedly died as a result of appalling conditions in Adi Abeito military prison and this journalist may be Bereket Misghina, but this has not been confirmed. The same report stated that Meles Negusse Kiflu was still being held at Adi Abeito and that Yirgalem Fisseha Mebrahtu was still detained at a hospital in Asmara. **Mulubrhan HABTEGEBRIEL:** journalist for the independent newspapers *Meqaleh* and *Setit*, as well as an essayist, commentator and translator for Radio Zara and the state-run newspaper *Hadas Eritrea*. **Date of arrest:** 2008. **Reason for arrest:** Not known. **Place of detention:** Adi Abeito military prison. **Other information:** Along with other prisoners (including Bereket Misghina and Meles Negusse Kiflu – see above), reportedly taken to an unknown destination in armoured cars on the night of 22 May 2009 before being sent back to Adi Abeito. **Update:** According to a 30 August 2012 report by Reporters Without Borders, Habtegebriel was still being held at Adi Abeito. **Sahle TSEGAZAB** (previously listed under pen name of **Wedi ITAY**): freelance journalist, former journalist for *Keste Debena*; writer and essayist. **Date of arrest:** October 2001. **Place of detention:** Eiraeiro prison camp. **Other information:** Itay was in his 40s at the time of his arrest and as of 2009 was said to be seriously ill. He is reportedly a former member of the Eritrean People's Liberation Front (EPLF). **Update:** According to a Reporters Without Borders report dated 30 August 2012, Itay died in Eiraeiro prison camp from an unidentified illness and from the lack of medical treatment. PEN is seeking confirmation.

ETHIOPIA

Imprisoned: main case

***Yusuf GETACHEW:** editor of the *Ye Muslimoch Guday* (Muslim Affairs), was arrested in the capital, Addis Ababa on 20 July 2012 following a raid on his house and taken to the Maekelawi Federal Detention Centre. The police reportedly confiscated four of Getachew’s mobile telephones, his wife’s digital camera, some books and 6,000 birr (US\$334). Getachew was charged on 21 July 2012 under the Anti-Terrorism Law with treason and incitement to violence; the state prosecutor reportedly did not cite any *Ye Muslimoch Guday* articles as evidence. Getachew told the court that he had been beaten while in custody. Local journalists believe that Muslim journalists and newspapers were being harassed as part of an attempt to quell media coverage of protests by Ethiopian Muslims relating to government policies that they said interfered with their religious practices. *Ye Muslimoch Guday* provided extensive coverage of the protests. Other *Ye Muslimoch Guday* journalists have gone into hiding, and the publication ceased operations following Getachew’s arrest. **Update:** Still imprisoned as of 5 October 2012; PEN is seeking an update.

Eskinder NEGA: 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 2011 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. Eskinder 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 Eritrea and calling, organizing and leading a meeting that was summoned for the purpose of terrorist goals. **Trial:** Nega stood trial on 5 March 2012 for all of the terrorism accusations initially brought by prosecutors. On 27 June 2012 he was convicted on terrorism related charges; the prosecutor asked for a life sentence. **Update:** On 13 July 2012, Nega was sentenced to 18 years in jail. At the beginning of November 2012 he appeared briefly in court to appeal the charges of terrorism against him. According to reports, his appeal was cut short and he was not allowed to read his defence statement. The appeal was rescheduled to 19 December 2012. On 18 December 2012, 16 members of European Parliament (MEPs) wrote an open letter to the Ethiopian prime minister calling for Eskinder’s immediate release. On 19 December 2012, the appeal was again postponed to 18 January 2013. **Background:** Nega was previously briefly arrested and detained by the federal police on 11 February 2011 after leaving an internet café in Addis Ababa. He was accused of attempting to incite protests similar to those that took place in Egypt and Tunisia in early 2011 in articles he had recently posted online, in particular one posted a week earlier in which he defended the right to peaceful protest. He was warned that this article was viewed as an attempt to undermine the army and that he would be held responsible for any protests that took place in Ethiopia. Nega was jailed along with his wife, journalist **Serkalem Fasil**, between 2005 and 2007 on treason charges for their coverage of protests that followed the 2005 legislative elections. **Awards:** PEN American Centre named Eskinder Nega as its 2012 PEN Freedom to Write Award Winner on 12 April 2012. **Honorary member:** PEN USA.

Woubshet TAYE and Reeyot ALEMU (f): respectively deputy editor of the independent weekly *Awramba Times* and contributor to the independent weekly newspaper *Feteh*, have been imprisoned pending trial on charges of terrorism since June 2011. **Details of arrest and detention:** Taye was arrested at his home in Addis Ababa on 19 June 2011 by security agents who confiscated various documents, cameras, CDs and copies of *Awramba Times*, which provides in-depth political coverage. Alemu was arrested two days later, on 21 June 2011, at a secondary school where she taught English in Addis Ababa; her home was also searched by police. Both were initially detained incommunicado without charge. **Reasons for arrests:** The authorities did not disclose the reason for the arrests, but it was suspected that both were detained under Ethiopia’s 2009 anti-terrorism law. It was thought that Taye’s detention could be due to his alleged sympathy for the banned political party Ginbot 7, which the Ethiopian government recently designated as a terrorist organisation. Alemu’s arrest was thought to be related to her articles criticising the ruling EPRDF party. Her 17 June 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. Terrorism charges were also filed in absentia against **Elias Kifle**, editor of the US-based anti-government website Ethiopian Review; Kifle lives in exile in the USA. **Trial:** On 19 January 2012, Taye and Alemu were convicted and sentenced to 14 years in prison for ‘lending support to terrorist groups.’ Kifle was sentenced in absentia to life imprisonment. **Place of detention:** Both Taye and Alemu were held at the federal investigation centre at Maekelawi Prison in the capital Addis Ababa, before being transferred to Kality prison, on the outskirts of Addis Ababa. **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 2011 he was reportedly suffering from pain in his ear and stomach as a result of beatings, but had not been given any medical treatment. Alemu’s physical and psychological state of health was said to have seriously deteriorated in prison and as of early September 2011 she was said to be extremely weak. Her relatives had been allowed to visit her and bring her medicines but she had not received any treatment from doctors. 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. **Update:** On 3 August 2012 it was reported that an appeals court in Addis Ababa had reduced the 14-year prison sentence given to Alemu in January to five years and dropped most of the terrorism charges against her. The court upheld one of the charges against her, that of participating in the promotion or communication of a terrorist act. Her lawyers said that they were seeking to have her acquitted of this final charge. She and Taye were reportedly still being held in Kality Prisonas of 31 December 2012 [RAN 34/11 and updates].

On trial

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. **Update:** On 13 July 2012, Gellaw was sentenced in absentia to 15 years in jail.

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 post bail and was imprisoned for a few weeks until local journalists raised the money. If convicted, the journalists face a possible prison sentence. **Update:** Kebede went into exile in mid-November 2011. He said that he was forced to leave the country after he received a tip about alleged government plans to re-imprison him. Kebede also said that the paper was unlikely to continue publishing. No further news on the trial as of 31 December 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.” **Mesfin NEGASH and Abiye TEKELEMARIAM:** journalists for Ad-disnegeonline.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. Both journalists were tried in absentia and found guilty on 27 June 2012 of terrorism related charges. The prosecutor has asked for a sentence of life imprisonment. **Update:** On 13 July 2012, both journalists were sentenced in absentia to eight years in jail.

Brief detention

***Temesgen DESALEGNE:** editor of Amharic-language weekly newspaper *Feteh*, was jailed on 24 August 2012 in connection with articles published in *Feteh* which criticized Prime Minister Meles Zenawi. The company that publishes *Feteh* was also charged with inciting the public to violence. On 28 August 2012, Desalegne was released and all charges against him and the publishing company were dropped. The authorities did not explain why the charges were dropped.

Released

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), following a battle between the ONLF and the Ethiopian army. 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 21 December 2011, Schibbye and Persson were found guilty of ‘supporting terrorism’ and sentenced to 11 years in prison. The two Swedish journalists reportedly decided to request a presidential pardon instead of appealing against their conviction. **Release:** Both journalists were pardoned and freed on 11 September 2012. [RAN 64/11 and updates]

Case closed

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 2011 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 held in police custody until 12 October 2011, in order to allow the police to carry out their investigations. No further news as of 31 December 2012 €case closed due to lack of information.**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 of *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 the chief of staff of Gabon President Ali Bongo Ondimba for an unofficial trip to Benin in November 2011. None of the journalists had been formally charged. However, if the state prosecutor were to authorise charges such as criminal defamation or contempt to the Republic, convictions would reportedly carry prison terms. No further news at 31 December 2012.

Harassed

***Olivier NDEMBI:** reporter for the pro-government daily *L’Union*, was questioned by the General Directorate for Investigation on 18 October 2012 in relation to articles published earlier in the year. On 14 April 2012, Ndembi published an article on ritual killings, a subject considered taboo in Gabon, in which he claimed that the identity of the instigators of such acts was allegedly being concealed at a high government level. According to reports, the justice ministry ordered the Libreville prosecutor’s office to arrange for Ndembi to be questioned and threatened with prosecution for “obstructing justice” if he did not co-operate by identifying the persons allegedly involved. The reports claim that Ndembi had refrained from naming any of the alleged instigators for fear of libel action. According to Reporters Without Borders, Ndembi’s is not the only case of harassment in recent months in connection with journalists who attempt to cover the alleged involvement of politicians in ritual killings.

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 been held in

incommunicado detention by the NIA at various sites ever since, seemingly without having been charged with any offence. The NIA has repeatedly denied that they have the journalist in their custody; the government also denies any knowledge of his case. It is believed that the reason for Manneh's arrest is that he is alleged to have had contact with a foreign journalist before the July 2006 African Union Summit held in the Gambian capital Banjul. Manneh apparently gave this journalist information deemed by the Gambian government to have been damaging to the country's image. According to a former colleague, Ousman Darboe, Manneh reprinted a BBC story critical of President Yahya Jammeh's democratic credentials; his decision was later overruled by editors and the relevant issue of the *Observer* withdrawn. Manneh has reportedly been moved around the country throughout his detention and although the local media has reported seeing him on several occasions, the government remained silent on the subject until April 2009 (see below). **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. **Recent 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 had no information about Manneh. In an interview on 6 October 2011 with the *Daily News*, Gambia's justice minister, Edward Gomez, denied Manneh was in state custody and declared that he is alive. According to officials from the British Foreign and Commonwealth Office, there will be an investigation into the disappearance of Chief Ebrimah Manneh. **Update:** On 28 September 2012 it was reported that President Jammeh has given the United Nations permission to investigate Manneh's disappearance.

Brief detention

***Sidiq ASEMOTA:** legal affairs correspondent of the pro-government *Daily Observer*, was arrested while he was on assignment at the High Court in Bangus on 10 July 2012 and released the next day. Judge Em-

manuel Nkea of the Special Criminal Court had issued an arrest warrant for him on 4 July 2012. Asemota told the press that security agents were arresting him because of his 9 June story headlined "Two sentenced for forgery", about two Gambian citizens who the same judge had convicted of "economic crime and forgery of official documents." Asemota was held at a prison outside Banjul and was due to appear in court on 13 July but was reportedly released on 11 July.

***Lamin NJIE:** deputy editor-in-chief of *The Daily News*, was arrested on 22 June 2012 on contempt of court accusations for allegedly incorrectly reporting that a judge had denied bail to an official accused of tax-related offences. The journalist was released without charge on 25 June 2012.

Death threat

***Abubacarr SAIDYKHAN:** freelance journalist for several news websites, was threatened by four unknown men outside his home in Ebo on 13 November 2012. Saidykhan was near his compound gate with his brother when men in an unmarked vehicle with tinted windows pulled up and threatened to kill him the next time they saw him. The journalist reported the incident to the police, but said he was no longer staying at his home. **Background:** Saidykhan had been the victim of several threats and intimidation over the previous few months, along with fellow journalist **Baboucarr Ceesay**, following their attempt to organise a peaceful demonstration in September 2012 against a recent wave of executions. The journalists were charged with conspiracy and inciting violence following this incident but the charges were dropped on 23 October 2012. Both journalists had also written articles opposing the president's decision to execute death row inmates. On 25 October 2012 the journalists received a death threat by email from a team of "patriotic killers". The threat accused the "unpatriotic citizens" of wanting to destroy the image of the government and the president. The journalists received police protection in the days following the threat; however, they reported that the police had little effect in deterring the intimidation. It was not clear whether this threat was connected to their journalism or to their attempts to organise a demonstration. **Update:** Saidykhan's brother Ousman was arrested on 8 December 2012, and released without charge on 11 December 2012 under a bail bond. It is thought that he was detained due to his inability to determine the whereabouts of his brother, who has reportedly fled the country following the threats on his life.

Harassed

***Bintah BAH (f):** blogger, senior court journalist with *The Daily News* and vice-president of the Women Journalists' Association of the Gambia, was reportedly barred from covering a court case in the capital Banjul by state security agents on 15 October 2012. Bah was attempting to cover a hearing of a Supreme Court case of seven prisoners on death row. According to *The Daily News*, Bah had identified herself as a journalist before a security agent at the court told her to leave the premises on orders from the president's office. Bah reported that the guard told her that she had been barred on the order of the president's press director because her newspaper had been shut down and her blog was not registered. The press director has since denied giving such an order. *The Daily News* was reportedly shut down by agents from the National Intelligence Agency without explanation on 14 September 2012. Local journalists suggested that the closures were in connection with the paper's coverage of the president's decision to execute every prisoner on death row in August 2012. The newspaper released a press statement after its ban saying the paper would cease operations for only one week before resuming publishing.

Case closed

Abdul Hamid ADIAMOH: journalist and managing editor of privately-owned *Today* newspaper, was arrested on the orders of the Banjul Magistrates' Court on 20 June 2012 over alleged contempt of court. The journalist was held in prison for more than a week, beyond the legal limit, before being convicted in connection with an article that was critical of a cross-examination in the criminal trial of a former university lecturer. Adiamoh was ordered to pay a fine of 100,000 dalasi (US \$ 3,100) or serve six months in jail with hard labour.

Momodou S JALLOW: reporter for the private *Daily News*, faced criminal defamation charges for allegedly defaming a local chief in western Gambia. Jallow was charged on 9 January 2012, three days after he was arrested and briefly detained in Brikamaba. The charges reportedly stemmed from a 4 January 2012 front-page story that Jallow wrote for the *Daily News* in which a rice farmer, who was later 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. The charges against Jallow were reportedly withdrawn on 6 February 2012.

GUINEA

Attacked

***Oumar Tely DIALLO:** a trainee-reporter for the privately-owned satirical newspaper *Lynx-Lance*, was attacked while covering a political riot on 21 September 2012. Diallo was covering a riot between opposition militants and government supporters when he was surrounded and beaten, reportedly by a group of angry pro-government militants. The assailants left Diallo with torn clothes and took his camera, pen-drive, mobile telephone and money. The incident coincided with the vandalism of a Conakry-based radio station and there had reportedly been a recent spate of attacks targeted at the media.

IVORY COAST

Imprisoned: Investigation

Ousmane SY SAVANÉ: 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 was unknown and the DST denied that he was in their custody. However, numerous witnesses said that he was taken to DST headquarters and that his car was parked in the building's courtyard. As of 24 July 2012, Savané was still detained, in Abidjan's main prison, the MACA, on a charge of endangering state security. The authorities had yet to produce hard evidence of any involvement by Savané in activities aimed at destabilizing the country and "everything suggests that he is being held because of his close association with Nady Bamba, Cyclone's former sponsor and former President Gbagbo's second wife." **New information:** As of 18 December 2012, Savané remains detained in the 'VIP' wing of the MACA, where he receives regular visits from family members and colleagues. He had still not been brought before an investigating judge for questioning on the substance of the charge against him. Savané reportedly continues to suspect that the authorities have no evidence in support of the charges against him and that his arrest is related to his association with Nady Bamba.

Attacked

***Anderson DIÉDRI:** journalist for the daily newspaper *Le Nouveau Courrier*, was reportedly attacked by a government security detail while covering the eviction of a senior official's family on 7 September 2012. Diédri was attacked as he interviewed and photographed the wife of a government minister as she was being evicted from her home in Abidjan. The minister had sought the eviction after filing for divorce in June and had sent the security detail "consisting of a police officer, a military soldier and agents in plainclothes" to oversee the process, even though an appeals court had reportedly nullified the eviction order. According to news reports, Diédri identified himself as a journalist to his assailants but they continued to punch and kick him, leaving him with a bloody lip and bruises to his body. The men also seized his mobile phone and his camera, which was returned to him once the photographs were deleted. According to local journalists, no one has been arrested for the assault. The newspaper intended to file an official complaint.

Case closed

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". For information on Kieffer's journalistic work, see previous case list. **Investigation:** The investigation into Kieffer's disappearance, led by French judge Patrick Ramaël, has dragged on since 2004 with no conclusion. Judge Ramaël has reportedly faced constant obstruction by the Ivorian authorities, although they have denied this. Key suspects have included Michel Légré "the brother-in-law of former President Gbagbo's wife, Simone Gbagbo – who was detained for a year and a half in connection with the case before being granted provisional release in October 2005. Jean-Tony Oulaï, an Ivorian army captain who claims to have belonged to the Ivorian special services, was detained for two and a half years from 2007 on suspicion of kidnapping and illegally detaining Kieffer before being provisionally released in April 2010. In October 2009, it was reported that a man claiming to be a soldier in the Ivorian army said that Kieffer had been killed by members of Simone Gbagbo's entourage, without her knowledge, during a botched interrogation within the presidential compound. However, in apparent response to the new testimony, the 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. On 14 April 2011, Kieffer's wife and daughter met with the Ivorian ambassador in Paris to ask what possibilities there were of further investigation into Kieffer's case following the departure of former president Laurent Gbagbo. After the meeting the ambassador reportedly stated that the "whole truth" would be revealed about Kieffer's disappearance and that he would speak to the minister of justice about the matter the same day. He added that President Ouattara wanted to put an end to impunity and establish the rule of law in Côte d'Ivoire. Kieffer's wife noted that President Ouattara had backed the family from the time the journalist disappeared. **Update:** No further news as of 31 December 2012; case closed due to lack of information.

KENYA

Attacked

Okiya Omatatah OKOITI: writer, journalist, human rights activist and member of Kenyan PEN, was severely assaulted by two unknown men in the capital Nairobi on the evening of 8 November 2012. Okoiti had recently filed a petition with the High Court courts relating to alleged irregularities in the Kenyan government’s procurement of Biometric Voter Registration (BVR) kits. He believes that his assailants followed him from the moment he left his office to when he got off a bus in the central business district of Nairobi. The two men, who were dressed in business suits, greeted Okoiti and asked him to drop the BVR case. When Okoiti refused they beat him about the head until he collapsed, then they fled the scene. Okoiti suffered serious injuries to his face and the back of his head, heavy blood loss and the loss of six teeth, and required hospitalisation and surgery following the assault. It seems highly likely that the attack was politically motivated given the circumstances surrounding the incident and because nothing was stolen from Okoiti, despite the fact that he was carrying money and two mobile phones. **Investigation:** As of late November 2012, there had apparently been no serious police investigation into the attack. According to Okoiti, the police did not ask for a description of his assailants. **Background:** Okoiti has previously faced numerous law suits for taking part in demonstrations against the Kenyan government, and was arrested on four occasions between July 2007 and December 2009. In 2011, he was acquitted by a Mombasa court of three counts of incitement, behaving in a disorderly manner towards the police and refusing to allow his finger prints to be taken after the police prevented him from leading a rally against corruption, drug trafficking and bad governance in Mombasa.

***Erasto Agwanda SAYE:** journalist based in Kisumu, was attacked on 28 July 2012 by three men wielding a machete. His face was slashed, damaging the optic nerve, and his camera and phone were taken. His attackers were arrested and charged with beating the journalist. Saye had recently received threats after writing an article alleging that an ‘Overseer’ (or pastor) in the ‘Power of Jesus Around the World Church’ was engaged in adultery. Saye reported that church-goers were criticising the appointment of the new Overseer, who they claimed was a serial ‘wife-inheritor’ and adulterer. When Saye asked for comment from the Bishop who made the appointment, he was warned of ‘dire consequences’ should he report the story. In a text message to Saye the Bishop wrote, ‘Try and write the story, you will know who I am.’

LIBERIA

Threatened

Mae AZANGO (f): reporter for the daily newspaper *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 practising 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 had also received threatening calls. The police reportedly intended to investigate the threats. **Update:** Azango is reportedly still receiving threats relating to her article as of 31 December 2012.

MALAWI

On trial

Clement CHINOKO: journalist with one of Malawi’s major publishing houses, Blantyre Newspapers, was arrested on 26 May 2012 for writing a story that appeared in *The Sunday Times* on 20 May 2012. The story stated that two women from Blantyre were engaged to be married. According to reports, a police spokesperson confirmed the arrest, saying Chinoko had been charged with “conduct likely to cause breach of peace” and that he would be taken to court soon. He also alleged that the article was fabricated. **Update:** The journalist was reportedly released on bail on 29 May 2012. In a press statement, President Banda reportedly said that she regretted that Chinoko was not charged and brought before the courts within the 48-hour period as prescribed by law.

MALI

Attacked

***Abdramane KEITA:** managing editor of privately-owned bi-weekly newspaper *L’Aurore*, was violently attacked by unknown armed men in the capital Bamako on 2 July 2012. He 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 Keita 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. The men accused him of “causing confusion in the country” and abandoned him in another place after seizing all his possessions, including an unspecified amount of money.

Released

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 agents. The soldiers went to his Bamako home and took him away to an unknown location. His latest arrest came the 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.” **Update:** Released without charge on 20 June 2012.

MAURITIUS

On trial

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. 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 Jus-

tice Bernard Sik Yuen. In response to the accusations, the chief justice asked the Mauritian president to take steps to sanction the businessman/disbarred lawyer, according to news reports. The government’s Director of Public Prosecutions then brought complaints against *Samedi Plus* for covering the remarks. In its complaint against Dooharika, the Director of Public Prosecutions cited a 14 August 2010 editorial that suggested the allegations against the chief justice should be given credence. *Samedi Plus* devoted extensive coverage to the case and the allegations, including the front page, the complaint said. The director accused the journalist of “publicly scandalizing the Supreme Court,” “bringing the administration of justice into disrepute,” and “thereby committing a contempt of court.” Shortly after the announcement of the verdict Dooharika reportedly suffered a stroke and was hospitalized under police guard. 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. **Update:** In August 2012 it was reported that Dooharika had applied to the Judicial Committee of the Privy Council for permission to appeal against his sentence. PEN is seeking an update.

MOZAMBIQUE

On trial

***Falume CHABANE:** former editor of the online news journal O Autarca (The Mayor), was sentenced to a 16-month suspended prison term on 20 July 2012 and ordered to pay damages of 150,000 meticais, according to news reports. He was convicted on charges of criminal libel after he wrote about a disagreement between a private school and the family of a disabled student. **Background:** Chabane published a series of columns in the spring of 2011 that reportedly criticised the Beira International Primary School. The parents of a fourth-grader who is in a wheelchair, had complained that the school had not built a handicapped access ramp in compliance with a 2008 Mozambican children’s rights law. The school later expelled the student, citing academic performance and other reasons. The parents have said the expulsion was in retaliation for their complaint about the school’s lack of handicapped access. A lawyer for the primary school filed a complaint accusing Chabane of defaming both the school and himself and for “abusing freedom of the press.” The trial took place behind closed doors. Chabane is reportedly appealing.

NIGERIA

Brief detention

***Aliyu SALEH and Musa Muhammad AWWAL:** reporter and editor, respectively, for the weekly Hausa-language newspaper *Al-Mizan*, were arrested at their homes in Rigasa on 24 December 2012. The journalists were reportedly arrested by 40 armed agents and were detained at the headquarters of the State Security Service in Abuja. The agents reportedly confiscated the journalists’ phones, money and briefly detained their wives. Whilst the reason for their arrest is unclear, Editor-in-Chief Ibrahim Musa believes that they were being targeted for the lead story in the latest edition in the paper, which alleged that the federal government’s Joint Task Force had abducted 84 individuals in the state of Yobe. Musa himself has since fled into hiding following a raid on his home on the same day. **Update:** The journalists were released on 1 January 2013 after being held incommunicado without charge for over a week. Their laptops and mobile telephones remained confiscated.

Attacked

***Kazeem IBRAHYM:** journalist with *The Nation* newspaper, was reportedly attacked by the governor’s security staff on 9 December 2012 as he attempted to cover the governor’s birthday celebration. Ibrahim was trying to gain access to the Akwa Ibom State Government House in Uyo when security staff denied him entry. His request to know why he was being refused despite his identifying himself and having an invitation to the event prompted other security agents to beat him. According to the journalist, his assailants came from behind him, held his neck, and, pulling him to the ground, beat him. Ibrahim was beaten unconscious and suffered bruising to his back. Those who attempted to intervene, including the governor’s chief press secretary, were threatened.

***Abubakar Sadiq ISAH:** reporter for the *Daily Trust* was attacked by three unidentified men outside the Kwali town hall on 10 November 2012. The journalist was covering a public hearing when men began to beat him on his face, chest and back. Isah sustained no serious injuries from the attack, but reported that the attack had occurred in front of police officials. He said that upon intervening, the police took him to the police station but his attackers were not arrested. Isah has filed a complaint with the police chief. According to reports on 15 November 2012, Isah believes the attack to be linked to threats he received in relation to an article published in the *Daily Trust* about a Kwali official’s son who was accidentally killed at a political rally. The council official reportedly telephoned Isah and warned him that the next time he returned to Kwali he would be attacked. The police chief denied any knowledge of threats made against Isah, despite the latter’s insistence that he personally reported the threats to the official. **Background:** Isah has been threatened before. In October 2011, assailants seized his reporting equipment while he was photographing unfinished buildings in Abaji. He was advised to leave and not to publish anything in connection with the buildings.

Harassed

***Ozioma UBABUKOH:** correspondent for *The Punch* newspaper, was reportedly harassed by State Security Service (SSS) agents at his home in Trans-Ekulu on 15 December 2012. According to the journalist, men in plainclothes identifying themselves as SSS agents seized his telephone before ordering him to give them access to his home. According to reports, two of the men threatened to “rough him up” if he didn’t cooperate. The men reportedly confiscated his laptop and detained him in his home until the early hours of the following morning. The men told Ubabukoh that their mission was to prevent him from filing a story about the Enugu state governor’s apparent absence. The journalist had reported previously on the governor’s alleged ill health.

RWANDA

Imprisoned: main cases

***Stanley GATERA:** editor of the private weekly newspaper *Umusingi*, was sentenced to one year in prison and fines of 30,000 Rwandan francs (US\$50) on 14 November 2012 for inciting divisionism and gender discrimination in an opinion column he published in the paper in June. The article, which reportedly suggested that men may regret marrying Tutsi women solely for their beauty, led to Gatera’s arrest on 1 August 2012 after police received complaints from women’s groups. The state prosecutor argued that the article broke the nation’s laws about referring to ethnic identities. The paper reportedly ran an apology from Gatera in a subsequent issue, but the police dismissed the apology as “denial of

wrongdoing”. The journalist was being held at Kimironko Prison in Kigali. He has appealed the sentence.

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 previous case list), 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. In April 2012, Uwimana and Mukakibibi’s sentences were reduced to four and three years respectively. 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] **Update:** On 11 December 2012 it was reported that, having exhausted domestic appeals, a team of defence lawyers is pursuing a complaint with the African Commission on Human and People’s Rights (ACHPR) on the grounds that Rwanda has violated its obligations to ensure freedom of expression and the right to fair trial. Whilst the ACHPR’s ruling is not binding, their lawyer argues that a decision in the women’s favour would “send a clear signal to the Rwandan government”.

Brief detention

***Idriss Gasana BYIRINGIRO:** political reporter for the private weekly newspaper *Chronicles*, was arrested on 17 July 2012 on suspicion of providing false information and detained for two weeks. He was initially denied access to his family or a lawyer. Christopher Kayumba, the managing consultant of *Chronicles*, said Byiringiro was being held at Kicukiro police station in Kigali. Police had reportedly invited Byiringiro to follow up on allegations against the Rwandan security police for interrogating him illegally in June 2012. According to Byiringiro, on 15 June 2012 he was interrogated by four individuals who claimed to work for Rwanda’s security services. The men confiscated his phone and laptop and detained him overnight in Nyamata, south of Kigali. Kayumba said the men forced Byiringiro to open his emails and questioned him about his sources and the funding of his newspaper. The newspaper wrote a letter of complaint to concerned authorities and Kayumba met with the Inspector General of Police to request an investigation. Byiringiro was reportedly released on bail on 31 July 2012 while the investigation continued.

SENEGAL

Suspended Sentence

***El Malick SECK:** editor of the weekly news magazine *L’Exclusif*, was convicted of criminal defamation on 18 December 2012 over a 5 June 2012 column alleging that the chief executive of private media group Walf had blackmailed a series of Senegalese heads of state. Seck was sentenced to a suspended six-month prison term and ordered to pay 100 million CFA (US\$201,000) in damages.

SOMALIA

Killed

***Warsame Shire AWALE:** poet, playwright, radio actor and singer-song-writer, was shot several times by unidentified armed men near his home in the capital Mogadishu on 29 October 2012. He was taken to hospital but was declared dead on arrival. According to the National Union of Somali Journalists (NUSOJ), he had recently received threats in connection with comments he had made about gunmen who targeted civilians. At the time of his death Warsame, who was in his 60s, was working at Radio Kulmiye where his plays were known for their criticism of the extremist Islamist group Al-Shabaab. According to NUSOJ and other sources, he was the eighteenth media worker to be killed in Somalia in 2012.

Killed: motive unknown

***Abdirahman Mohamed ALI:** reporter for the sports news website *Ciyaarahamaanta*, was found murdered in Mogadishu on 27 September 2012. According to local journalists, unknown gunmen had abducted Ali (26) on the evening of 26 September 2012 as he was visiting his mother’s house. Ali was found with his hands tied behind his back and his severed head on his chest. The motive for the killing was not clear; no group has claimed responsibility.

Imprisoned: investigation

Abdullahi Hussein DARWISH: journalist for *Waaheen* newspaper in northern Somalia was arrested on 24 April 2012 and was accused of ‘spreading false news’. **Update:** Not clear if still detained. 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. **Update:** Not clear if still detained. PEN is seeking more information.

SOMALILAND

On trial

***Mohamud Abdi JAMA:** editor-in-chief of the newspaper *Waheen*, was arrested on 13 December 2012 after reportedly being summoned by the Central Investigations Department (CID). Jama was expected to attend court on 15 December 2012 facing charges of publishing unsubstantiated allegations. According to reports, the charges relate to allegations of corruption made against the son-in-law of the president of Somaliland. Jama has reportedly been ordered to provide evidence substantiating the allegations alleged to have been made at a press conference held by hu-

man rights defenders on human rights violations in Somaliland and in the newspaper’s human rights report.

SUDAN

Imprisoned: investigation

***Abdadal Mahmoud HIABU and Haroun ADAM:** Eritrean journalists for the Sudan-based Eritrean Centre for Media Services, an online resource that analyses Eritrean news coverage targeting the Eritrean diaspora in Sudan, have been detained without charge since 24 December 2012. The journalists were reportedly summoned to Sudan’s National Intelligence Security Services on 24 December and have not been seen since. According to reports, Hiabu called his brother to tell him that he was inside a police car and his telephone was about to be confiscated; his phone has since been turned off. The journalists’ whereabouts are unknown. Both journalists are in Sudan seeking asylum.

Disappeared: motive unknown

***Adam Ali ADAM:** Chadian journalist for the newspaper *N’Djamena Al Djadida*, based in N’Djaména, the capital of Chad, was reportedly kidnapped in the Sudanese capital Khartoum, where he was studying at university, on 15 December 2012. Adam’s family and friends have not heard from him since. In the months leading up to his disappearance he had reportedly received threats linked to his writings critical of the Chadian government. At 31 December 2012 Adam’s whereabouts and the identity of his kidnappers remained unknown, but there were rumours that he had been taken to N’Djaména.

On trial

Abuzar AL-AMIN: deputy editor of the opposition daily newspaper *Rai al-Shaab*, was imprisoned between 16 May 2010 and 22 August 2011 and remains on trial for supposed anti-state and press crimes. He faces a possible death sentence. **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. For background, see previous case lists. Al-Amin and Ibrahim were reportedly tortured and otherwise ill-treated by NISS agents while in detention. **Trial/ sentence:** On 15 July 2010 the three journalists 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. **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 had 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 was also reportedly facing charges under article 24 of the press law (on the responsibilities of editors) and article 26 (on the duties of journalists). 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. **Release:** Al-Amin was released on bail on 22 August 2011; however the new charges brought against him had not been dropped at 30 June 2012. As a result, he still faces the death penalty if found guilty. No further information at 31 December 2012; PEN is seeking an update. [RAN 36/10 and updates] **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. He had been summoned for questioning by the NISS on 25 April 2012 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 was due to appear in court on another unknown charge on 11 June 2012. No further news at 31 December 2012.

Brief detention

***Shaimaa ADEL and Marwa AL-TIGANY:** respectively Egyptian editor for *El-Watan*, a private Egyptian daily and Sudanese freelance journalist who writes for a local news website, were arrested at an internet café on 3 July 2012. Adel and Tigany had been covering protests in Sudan that began on 16 June 2012 at the University of Khartoum. Protests had spread to other parts of the country and security forces responded harshly, dispersing demonstrators with tear gas and rubber bullets, arresting and beating hundreds and attacking journalists. The whereabouts or charges against the journalists were not disclosed. Adel was reportedly released on 16 July 2012 after almost two weeks of detention and flown back to Egypt. On 22 August 2012 it was reported that Tigany had also been released.

*Nasir FAZOL: reporter and printing technician for the independent daily newspaper *Citizen*, was reportedly briefly detained by the National Intelligence and Security Service (NISS) on 5 September 2012 and released without charge three days later. Fazol, who was denied access to a lawyer during his detention, was released after his wife and the chief editor of the *Citizen* visited the NISS. No reason was given for the detention, however the chief editor reportedly believes it was an attempt to stop the production of the newspaper since Fazol assisted in the printing process. *Citizen* was published despite Fazol’s absence and did not contain any politically sensitive articles.

Attacked

***Somaia Ibrahim ISMAIL “Hundosā” (f):** freelance journalist who has covered human rights violations in the western Darfur and the South Kordofan regions, was kidnapped near her home on 29 October 2012 whilst visiting her family over Eid Al-Adha. Hundosā was reportedly detained and tortured for three days before being found on the side of a road in Khartoum on 2 November 2012. Reports indicate that she was subjected to physical torture, including beating with whips and her head was shaved. While held captive, she was accused of opposing and disre-

specting the regime of President Omar al-Bashir. Hundosa reportedly believes the NISS are responsible for her kidnap and torture; the NISS have neither confirmed nor denied involvement in the attack. Hundosa’s family planned to file a criminal complaint against the NISS. The journalist was recovering at her family home where she was reportedly kept under close surveillance. On 7 November 2012 it was reported that she had fled the country the previous night.

Released

Abdelmoniem RAHAMA: writer, journalist, artist, activist and former government adviser on cultural affairs for Blue Nile state from the end of 2010 until his arrest in September 2011, was released on 17 August 2011 after being detained incommunicado for almost a year. **Details of arrest:** Rahama was arrested by national security officials in Damazin, capital of Blue Nile state, on 2 September 2011, as part of a series of mass arrests that took place around the end of August that year. He was reportedly tortured following his arrest. **Trial:** According to Amnesty International, Rahama was tried in a military court on unknown charges and sentenced to death in Sinja, Sennar State, in November 2011, along with 18 alleged members of the Sudan People’s Liberation Movement-North (SPLM-N). In March 2012 the Attorney General’s office announced that it had completed investigations against Rahama and 131 other detainees and accused them of crimes against the state and espionage. Their lawyers and families had been denied access to the prisoners or to information on the specific charges against them. **Update:** Rahama was released along with a number of other political prisoners on 17 August 2012. He denies any involvement with the SPLM-N and said that he was not detained or tried along with alleged SPLM-N members. Rahama believes his detention was in fact linked to his publication of *Al Zargar*, a monthly magazine which he had started up seven months prior to his arrest and which covered issues relating to marginalized groups and the co-existence of different ethnicities in Sudan. Following his arrest, he was interrogated about the magazine and two peace conferences he had organized in July and September 2011 to bring together representatives of civil society, students’ groups and from different political parties and religions. His laptop was seized when he was arrested and has not been returned to him since his release. According to Rahama, his conviction and sentence have not been dropped, meaning that he could be re-arrested at any point. As of 31 December he was effectively under house arrest. [RAN 28/12 and updates]

Case closed

Jamal Osman HAMAD: Eritrean journalist and editorial writer for the opposition website adoulis.com, was detained by Sudanese security forces in Khartoum on 24 October 2011 and detained for eight weeks. He was held incommunicado at an unknown location in the capital Khartoum. 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. **Update:** Released without charge in Khartoum on 16 December 2011. Case closed.

SOUTH SUDAN

Killed: motive unknown

***Isaiah Diing Abraham Chan AWUOL**: contributor to news websites including Sudan Tribune, Gurtong and SudaneseOnline, was shot dead by unidentified men at his home in the capital Juba on 5 December 2012. The gunmen arrived at Awuol’s house, asked him to step outside, then

shot him dead and took his mobile telephone. Awuol had reportedly been threatened several times in the past and been warned to stop writing. Local journalists believe that he could have been targeted in connection with his online columns. Awuol was known for his opinion articles critical of the South Sudanese leadership and their relationship with the Sudanese authorities. In his most recent article, published on 27 November 2012 in the *Sudan Tribune*, Awuol had urged the authorities to foster a better relationship with Sudan and refrain from supporting Sudanese rebel groups. The police said that they would investigate the murder.

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 with sedition on 8 March 2012. 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 were released 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 not present. No further news as of 31 December 2012; PEN is seeking an update.

UGANDA

Brief detention

***David CECIL**: British playwright and theatre producer was arrested on 13 September 2012 for staging a play about gay people without permission. Charged with “disobeying lawful orders” for staging *The River and the Mountain* by Beau Hopkins, he was released on bail on 17 September 2012 and ordered to surrender his passport. He was due to return to court on 18 October. If convicted, he faced up to two years in prison. However, on 2 January 2013 a Ugandan court dropped all charges filed against Cecil. The magistrate declared the case dismissed as the prosecution had failed to disclose any evidence. **Background:** On 1 October 2012, it was reported that the Ugandan authorities banned the State of the Nation, a play that is critical of the president’s government, highlighting alleged corruption and poor governance in the country.

Attacked

***Robert MUHEREZA**: correspondent for the *Daily Monitor*. Muhereza’s home was set alight by unknown assailants on 8 December 2012. Muhereza reported awaking in the early hours of the morning to find someone pouring a combustible liquid on his doorstep before fleeing the scene. The assailants had to jump over a 10-metre-high perimeter wall opposite the area police station in order to reach the house. The fire burnt a curtain and part of the main door before it was brought under control. Muhereza had not been involved in reporting on anything critical apart from his previous reporting on events at the Uganda-Congo border where fighting had occurred between M23 rebels and DR Congo forces. The Regional Police Commander for the Kigezi Region has confirmed that investigations are ongoing and that one suspect has been arrested.

***Nicholas MWESIGWA**: reporter for the private daily *Red Pepper*, was reportedly punched by a police officer on 4 October 2012 while attempting to cover the arrest of opposition leader Kizza Besigye outside the

Kampala Central Police Station. The reporter did not suffer any serious injuries. A local television reporter and photographer were also attacked by police while attempting to cover the story. A spokesman for the Kampala police announced that an investigation would take place into the assaults.

Case closed

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 two days and then released on a bond. 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 reportedly risked 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. He was to return to court on 19 June 2012 for a hearing of the case. **Update:** On 28 November 2012 the director of public prosecutions announced that he was dropping the criminal proceedings brought against Rumanzi on charges of incitement to violence. Case closed. **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 2011. 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 on-going protests against high commodity prices in the country. Police accused the *Gwanga* staff of printing the leaflets and later surrounded the printing press *Gwanga* normally uses. Police also accused the staff of inciting violence by publishing a column on the ongoing economic crisis in the country. No further news as of 31 December 2012; case closed due to lack of information.

ZIMBABWE

On trial

Nevanji MADANHIRE and Nqaba MATSHAZI: editor and reporter for *The Standard*, were arrested in mid-November 2011 in connection with a story alleging that a Harare-based medical aid 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, before being released on bail. 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 medical aid company and have signed warned and cautioned statements denying the charges of theft. No further information at 31 December 2012; PEN is seeking an update.

Nevanji MADANHIRE and Patience NYANGOVE (f): respectively editor and reporter for the independent weekly newspaper *The Standard*, are on trial for criminal defamation. They 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 on bail later the same day while Madanhire was

released the next day. On 1 July 2011 both were charged with criminal defamation against the head of the Harare Central Police Station’s Law and Order unit for “publication of false statements prejudicial to the state” and “communicating statements that undermine public confidence in law enforcement agents.” On 31 August 2011, the Attorney General’s Office decided not to proceed with the charges under Section 31(a) (iii) of the Criminal Law (Codification and Reform) Act. The section criminalises the “publishing or communication of false statements prejudicial to the State and statements undermining public confidence in a law enforcement agency, the Prison Service or the Defense Forces of Zimbabwe.” The State, however, was said to be proceeding with the charge of criminal defamation. **Update:** The pair reportedly appeared at the Harare Magistrates Court on 1 August 2012 where they were remanded out of custody until 4 December 2012, when they were expected to stand trial. Their appeal was expected to be heard at the Supreme Court, which is reportedly still to make a constitutional ruling on the matter. No further news at 31 December 2012.

Harassed

***Stanley GAMA and Chris GOKO**: editor and deputy editor, respectively, of the privately owned *Daily News*, were arrested and detained at the Harare Central Police station on 8 October 2012. Their arrest followed the publication of a story that alleged that the disappearance of a local businessman’s family was a hoax; the businessman concerned found the accusations defamatory. The journalists denied the allegations of defamation. They were detained for four hours and released once they had signed warned and cautioned statements.

Case closed

Nevanji MADANHIRE and Nqobani NDLOVU: respectively editor and reporter for the newspaper *The Standard*, were on trial for criminal defamation relating to an article on the cancellation of police examinations. Ndlovu was arrested in Bulawayo on 17 November 2010 and released on bail after spending nine days in Khami prison. Madanhire was arrested on 30 November 2010, and was released on bail on 1 December 2010. On 28 February 2011, the presiding judge removed them from remand and granted an application for referral to the Supreme Court submitted by the journalists after the state failed to oppose the application. Madanhire and Ndlovu are being charged under Section 31 of the Criminal Law (Codification and Reform) Act. Section 31 deals with the publication of statements that “undermine public confidence in law enforcement agencies.” No further news as of 31 December 2012; case closed due to lack of information. Madanhire is still 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 above).

AMERICAS

ARGENTINA

Attacked

***Silvio NOVELINO**: director of the monthly newspaper *El Pepirí*, was attacked on 20 August 2012. Unidentified individuals threw Molotov cocktails at Novelino’s car, which was parked in the garage adjacent to his house in Bernardo de Irigoyen in Misiones province. He was not injured in the attack, but the fire damaged his car. Novelino said that his newspaper frequently published critical articles on issues such as local corruption and that he believed the assailants could be among a number of people upset by his reporting. According to the local chief of police, Novelino’s house is now under police protection.

BOLIVIA

On trial

Rogelio PELÁEZ: editor of monthly *Larga Vista*, was sentenced to two years and six months in jail on 8 March 2012 for “defamation, libel and spreading insults” The charges reportedly related to his use of metaphors in his articles about a lawyer who had collected excessively high legal fees in March 2012. Paláez had used expressions such as “*en 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. On 15 March 2012, it was reported that Peláez would appeal the sentence and that the Association of La Paz Journalists (Asociación de Periodistas de La Paz, APLP) would provide him with legal assistance. No further update as of 31 December 2012.

Death threat

***Tuff ARÉ**: editor for the daily newspaper *El Deber*, was reportedly threatened in public by the mayor of Santa Clara on 1 September 2012. The threat was allegedly made during the city’s annual celebrations, when the mayor is reported to have said: ‘I will not rest until Tuffi Aré and the other journalists are two metres underground. All journalists are animal manure. We will find a way to bury them.’

Attacked

***Ghilka SANABRIA (f)**: editor of *El Diario* newspaper who also works in the freedom of expression monitoring unit of the National Press Association (Asociación Nacional de la Prensa, ANP), was badly beaten while returning home on the evening of 5 November 2012. Her assailant, a man whose face was hidden, reportedly knocked her down and smashed her head into a wall. It is thought that the assailant was attempting to make her lose consciousness. Sanabria suffered a serious head injury with bleeding and bruises to her body as a result of the attack. She ruled out attempted robbery as a motive, instead believing that her attacker had intended to cause her serious harm and wished to frighten her. The incident has been reported to the authorities.

***Humberto VACAFLOR GANAM**: columnist for a variety of media outlets in Bolivia, was attacked at his home in Tarija on 11 October 2012. Vacaflor Ganam reported finding a copper bullet from a military-style

weapon that had pierced the door of his home. He reported that police officials made a number of excuses when asked to investigate and failed to collect evidence at his home. The police reportedly asked the journalist to bring any suspects to the police station himself. This was the second attack against the journalist in two years; in 2010 another projectile was launched at his home. Vacaflor Ganam is known for questioning government policies and actions.

Harassed

***Wilson GARCÍA MÉRIDA**: founder, owner and editor of the bi-weekly newspaper *Sol de Pando*, reportedly fled Cobija, Bolivia, for Brasileia, Brazil, on 13 October 2012, fearing arrest following alleged harassment by investigators claiming to be from the police and prosecutor’s office. García Mérida was in Cobija along with a colleague to distribute the latest edition of *Sol de Pando* when investigators began to follow the pair and photograph them. Later in the day the investigators came to their hotel with an order to leave. García Mérida fled, returning to his home in Cochabamba three days later. *Sol de Pando*, which covers the indigenous population, government, and social affairs in the department of Pando, has reported on government corruption in the past; both the paper and García Mérida have reportedly been targets of previous harassment.

BRAZIL

Killed: motive unknown

***Eduardo CARVALHO**: editor and owner of the website Última Hora News, was shot dead in Campo Grande, capital of Mato Grosso do Sul state, on 21 November 2012. Carvalho (52) was arriving home with his wife when an unidentified man on a motorcycle shot him three times before fleeing. According to Última Hora News, Carvalho, a retired military police officer, often criticised the local police and politicians and denounced local corruption in his articles. He had reportedly been receiving threats since last year in connection with his journalism and had also survived an assassination attempt, as a result of which he was authorised to carry a gun. According to the police, Carvalho had been the subject of many libel lawsuits related to his reporting. His last article, published on the day of his murder, accused an unnamed military police official of abusing his authority to intimidate local citizens. The police reportedly intend to focus their investigation on whether the murder was related to Carvalho’s journalistic work.

Killed: investigation ongoing

Paulo Roberto CARDOSO RODRIGUES (known as **Paulo ROCARO**): editor of the local daily *Jornal Da Praça* and the news website Mercosul News, was shot dead in Ponta Porã on the night of 12 February 2012. He had been driving home when he was attacked by two armed men riding a motorcycle, who fired at least five bullets into him. Rocaro (51) reported on politics. According to reports, he had been critical of the local mayor and had publicly lent his support to a rival mayoral candidate. On the night he was killed, the journalist had been returning home after a meeting with the opposition candidate. The killing took place near the Paraguayan border, a region of Brazil known for organized criminal activity and for political corruption. Police are reportedly investigating the crime as a possible contract killing, and are looking into political motives, among others. **Update**: The owner of *Jornal Da Praça*, **Luis Henrique Georges**, was reportedly shot dead by unknown individuals on 4 October 2012. One of the newspaper’s employees was also killed in the incident, while another member of staff

remained in a critical condition in hospital. *Jornal Da Praça* had recently published articles highly critical of candidates for the municipal elections held in Ponta Porã on 7 October 2012.

Mario Randolfo MARQUES LOPES: editor-in-chief of the news website Vassouras na Net, along with his companion, was abducted from his home in Barra do Pirai, Rio de Janeiro state, on 8 February 2012. Both were found the following day, shot dead. Marques (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. Marques had been attacked before. In July 2011, an unidentified gunman entered the Vassouras na Net newsroom in Vassouras, and shot him five times in the head, which left him in a coma for three days. **Update**: An investigation is underway, but the case remained unsolved as of June 2012. No further news as of 31 December 2012.

Décio SÁ: reporter for local newspaper *O Estado do Maranhão* and blogger at Blog do Décio, was shot dead in a bar on 23 April 2012 in what police said was a contract killing. Sá, who reported on politics and crime, was shot six times in the head and back. According to colleagues at *O Estado do Maranhão*, Sá’s reporting, both for his newspaper and for his blog, had made him several enemies. His blog was one of the most popular in Maranhão. 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. **Update**: The trial of 11 suspects was reportedly due to begin in late January 2013.

On trial

***José Cristian GÓES**: journalist and blogger. In December 2012, a high court judge in Sergipe brought civil and criminal proceedings against the journalist for libel and defamation following the publication of a short fictional story on his blog on 29 May 2012. Whilst Góes’ fictional story mocking nepotism and corruption in local politics is written in the first person and no names or dates were mentioned, the judge concerned believes that the story defames his brother-in-law, the governor of Sergipe; the governor himself has not filed charges. Góes faces a possible four-year jail sentence and payment of damages.

Threatened

***André CARAMANTE**: journalist for the daily newspaper *Folha de São Paulo*, has been receiving threats since the 14 July 2012 publication of an article critical of a former police commander’s candidacy in the October 2012 municipal elections. The threats came from the candidate himself and his supporters. The former São Paulo military police commander and, since the elections, city councillor, called on his supporters to contact *Folha de São Paulo* and attack Caramante. Threats were subsequently sent through *Folha’s* social networks, blogs and website and directly to the journalist’s family. Caramante, who specialises in investigating the São Paulo military police and its alleged human rights abuses, was forced to into temporary exile while his family left their home. **Update**: On 16 December 2012 Caramante reportedly returned to Brazil after three months in exile.

***Mauri KÖNIG**: investigative journalist for the newspaper *Gazeta do Povo* and director of the Brazilian Association for Investigative Journalism (Abraji), reportedly received threats on 17 December 2012 following his

recent work on police corruption in Paraná state. The newspaper received several anonymous telephone calls warning them about attacks planned against König and other journalists. In one such call a man, identifying himself as a policeman, alleged that five police officers from Rio de Janeiro planned to attack König’s home with machine guns. Earlier that day, the newspaper had published a follow-up article by König and a team of journalists to a May report into police corruption. The journalist reports receiving threats immediately following the report in May, but that he felt the recent threats were more serious. König and his family have reportedly fled their home in Curitiba and are now at an undisclosed address, accompanied by private security.

CHILE

Harassed

***Pedro CAYUQUEO MILLAQUEO**: editor of *Azkontuwe* and *Mapuche Times* magazines, was briefly detained by two policemen on 24 November 2012. The journalist was travelling in a car on the outskirts of the Teodoro Schmidt commune when the police detained him, citing an arrest warrant against him. According to reports the arrest warrant related to a case from October 2003 in which Cauqueo Millaqueo was sentenced to and served 61 days in prison and a fine for charges of land invasion and covering up the theft of wood from lands expropriated from the Mapuche communities of the region. This was reportedly the second time that the journalist had been arrested in relation to the 2003 case. During the latest arrest the police refused to release the journalist until they had a written order from a judge in Traiguén Cauqueo Millaqueo was eventually released at midnight the same day.

***Mauricio WEIBEL**: correspondent of the German news agency DPA and Reporters Without Borders, president of the South American Press Correspondent’s Union and co-author of a book on the military dictatorship, was victim of a series of intrusions and burglaries at his home between 14 and 16 December 2012. Weibel’s car was reportedly stolen from outside his home on 14 December 2012 and found completely dismantled later that day by police. The following day, intruders in Weibel’s home targeted his laptop, which contained the files from his investigation into the role played by Chile’s military intelligence agencies during the 1973-1990 military dictatorship. Another break-in occurred on 16 December 2012 while he was under police protection. According to Reporters Without Borders, Weibel had complained of receiving threats whilst researching archives recently opened to the public. **Background**: Weibel has reported that some of his colleagues have faced similar harassment linked to their investigative work on the military dictatorship. **Carlos Dorat Guerra**, co-author of Weibel’s recent book on the military dictatorship, has reportedly received phone calls in which unidentified persons say nothing when he answers. **Javier Rebolledo**, author of a book about human rights violations by the secret police, had his computer hard disk stolen. **Cristóbal Peña**, author of a political thriller set during the dictatorship, had his computer and some CDs stolen. **Pascale Bonnefoy (f)**, *New York Times* correspondent and author, had a computer, external hard drive and a digital camera stolen.

COLOMBIA

Killed

***Guillermo QUIROZ DELGADO**: freelance journalist and contributor to the daily newspaper *El Meridiano*, died of a heart attack in a hospital in Sincelejo, Sucre department, on 27 November 2012; he had spent a week

in intensive care after an altercation with police. Quiroz (31) was arrested on 20 November while covering a protest against an energy company in San Pedro, on the grounds that his motorcycle documents were not in order. According to an interview with Quiroz on 21 November, he was put into a police vehicle, then beaten and thrown from the moving vehicle. He suffered severe injuries, particularly to the head, and subsequently lapsed into a coma, before dying of a heart attack on 27 November. Three officers present in the vehicle at the time of the incident have been suspended pending further investigation. According to Quiroz’ colleagues, the journalist said that the police had told him he was targeted because of his news coverage. He had previously reported on cases of police brutality in San Pedro as well as on the theft of cattle that were later found on a farm owned by a former San Pedro politician. Quiroz reportedly received a death threat on his mobile telephone in October 2012 which he reported to the police and the local office of the Attorney General. On 14 December 2012, the Director General of UNESCO called on Colombian authorities to investigate Quiroz Delgado’s death.

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 2011, 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 2011, two days after her release; her lawyer attended but Gaona was not obliged to appear in court. The arrest warrant against her had not yet been revoked and the Attorney General 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 left-wing sympathies. She says she was not interrogated once during her three months’ detention, and also questions the fact that she was detained in Cucuta when the case has been brought in Cartagena, more than 400km away. Her trial began on 15 February 2012, in Cartagena. **Possible reasons for arrest:** Gaona’s supporters claim the real reason for her arrest is her outspoken support for the demands of a labour union in the district where she lives. Her detention has been linked to that of three other student activists in the region, **Julián Aldoni Domínguez**, **William Rivera Rueda** and **Aracely Cañaverall Vélez**. The arrests reportedly took place in the context of a wave of attacks against human rights defenders in the Santander region, including attempted assassinations and forced disappearances and death threats, and against informal economy workers affiliated to the Colombian Trades Union Congress (Central Unitaria de Trabajadores, CUT) in Bucaramanga. It is feared that the arrests were 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. **Update:** As of 31 December 2012, Gaona reported that there was still no date for the preliminary hearing and that the Attorney General had not yet made public all the evidence against her, a violation of due process. Her lawyers were therefore preparing a petition requesting that the matter be dropped. Gaona also said the arrest warrant against her had still not been cancelled, meaning she could be re-arrested at any point.

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 but was absolved of libelling him. González had been found guilty of both charges in September 2011, based on an article he wrote in 2008 questioning the political aspirations of the then governor. The Supreme Court modified a previous sentence to 18 months and 18 days in prison, with a fine of 17 months’ salary. **Update:** González’ fine was later reduced to 18 days. In October 2012, representatives from the Colombian Attorney General and Prosecutor’s Offices asked the Supreme Court to overturn González’ conviction on the grounds that it violated his right to freedom of expression. As of mid-November 2012 the matter was pending before the Supreme Court.

Edison LUCIO TORRES: internet journalist (author of the blog ‘Lucio y sus notas’) based in Cartagena, Bolivar, is on trial for allegedly defaming a former senator. The former senator sued Lucio Torres for criminal defamation in October 2006 after the journalist reported on his blog and radio programme that the politician 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. **Update:** On 14 August 2012, magistrates reportedly rejected Lucio Torres’ application to move his appeal from the Tribunal Superior de Cartagena to Bogotá. Torres had cited concerns about the impartiality of the judge overseeing his appeal, but the magistrates reportedly stated that there was insufficient evidence to support his claim.

CUBA

Imprisoned: main cases

***Calixto Ramón MARTÍNEZ ARIAS:** journalist for the independent news agency Hablemos Press, was arrested on 16 September 2012 after writing about a cholera and dengue fever epidemic before the government had issued a statement on the subject. He faces a sentence of up to three years in prison on a charge of insulting the president. On 21 September it was reported that he had been transferred to hospital for treatment for blows he had received to the left eye. On 10 November, he reportedly began a hunger strike in protest against at conditions at Valle

Grande prison, where he had been transferred that day. On 4 December it was reported that Martínez Arias’ hunger strike continued, in the Combinado del Este prison in Havana. On 12 December it was reported that Martínez Arias had succeeded in calling Hablemos Press, defying an order by prison authorities forbidding him to use the telephone. During the call, he reportedly informed his colleagues of the poor conditions inside the prison. Following the call, the Hablemos Press telephone line was temporarily disconnected and Martínez Arias was placed in solitary confinement. **Background:** Martínez Arias is one of a number of Hablemos Press journalists who have been arrested in 2012 and is himself a victim of repeated arrests this year. On 10 May 2012, he was arrested in Havana, detained for three days, and deported to his home town of Camagüey for what was reportedly the tenth time in a two-year period. He was also detained twice in June 2012 having been warned that if he continued with his journalistic work he would be arrested.

***José Antonio TORRES:** correspondent for the government newspaper *Granma* was reportedly arrested in February 2011 following writing articles about the mismanagement of an aqueduct project in Santiago de Cuba and the installation of fibre-optic cable between Venezuela and Cuba. In July 2012, Torres was reportedly convicted of espionage and sentenced to 14 years in prison and the withdrawal of his university degree in journalism. On 16 November 2012 it was reported that Torres had appealed against his conviction, but feared that his sentence could be increased as a result. No further news as of 31 December 2012; PEN is seeking an update.

On trial

***Ángel SANTIESTEBAN PRATS:** award-winning writer and author of the blog ‘The Children Who Nobody Loved’ (*‘Los Hijos que Nadie Quiso’*), was reportedly sentenced to five years in prison on 8 December 2012 for alleged assault and trespassing. The case reportedly dates back to 2009, when a number of charges were filed against him including charges of a hit and run and aggravated robbery. Santiesteban was found guilty of having broken into his ex-wife’s house and physically assaulted her; all of the other charges were dropped. The writer maintains that the charges are fabricated and politically motivated, retribution for his blog which is critical of the Cuban government. According to Santiesteban, seven people testified at his trial that he was not at the scene at the time that the crimes are alleged to have taken place. He also claims that he was informed of what the outcome of the trial would be on 8 November 2012, a month before the sentencing took place, when he was arrested along with 15 others (see under ‘Brief Detention’ below) following the detention of **Yaremis Flores Julián** and beaten (see ‘Brief Detention’ below) Details of the case against Santiesteban have not been made public. PEN is seeking to clarify whether his conviction relates to his writings. **Appeal:** Santiesteban is free pending the outcome of his appeal, which was filed with the Supreme Court on 20 December 2012.

Brief detention

***David ÁGUILA MONTERO:** independent journalist, was reportedly briefly detained by police in Havana on 22 September 2012 for his participation in what has been described as a “civic-patriotic act”. **Background:** On 6 June 2012, Águila Montero was briefly detained by police along with journalists **Idalberto Acuna Carabeo** and **Yosbel Ramos (f)** as they tried to report on an arrest in Havana.

***Enyor DÍAZ ALLEN:** correspondent for the independent news agency Hablemos Press, was arrested in Guantánamo on 6 November 2012 and detained for three days. All of his work equipment, including a computer,

two cameras and a mobile telephone, was confiscated. Díaz Allen is one of a number of journalists for Hablemos Press who have been the victims of detention in 2012.

***Guillermo FARIÑAS HERNANDEZ (aka ‘El Coco’):** internet journalist and dissident was reportedly briefly detained and assaulted by police on 24 July 2012. Fariñas was attending the funeral of the activist Oswaldo Paya, when he was arrested along with up to 50 other activists who were protesting against the Cuban regime at the burial. **Update:** Fariñas was among a number of journalists, writers, bloggers and human rights activists who were arrested and briefly detained on 7-8 November 2012 following protests against the detention of lawyer Yaremis Flores Julián on 7 November (see entry above). On 27 November 2012, Fariñas was reportedly attacked after attending meeting of Alianza Democrática Cubana (ALDECU), a civil society platform group, in Havana. Fariñas was hit on his right arm with a piece of wood after two men in civilian clothes stopped him in the street calling him a ‘mercenary’ and a ‘counter-revolutionary’. The assailants then got into a car driven by a third person, of the type reportedly used by state security personnel. Fariñas won the European Parliament’s Sakharov Prize in 2010.

***Yaremis FLORES JULIÁN (f):** lawyer, former judge and reporter, was arrested and charged with anti-state crimes on 7 November 2012 in connection with news articles critical of the government. Flores Julián had reported on recent detentions of journalists and detailed local criticism of the government’s response to Hurricane Sandy in articles published by the news website Cubanet. She was eventually released without charge on the evening of 9 November, however she remains under investigation. She reported that she had not been physically mistreated, but had been interrogated and warned that she should not continue to report so ‘aggressively’ ++. Flores Julián’s arrest sparked waves of protest and the detention of 37 journalists and dissidents in both Havana and Camagüey (see below).

***Dania Virgen GARCÍA (f):** independent journalist, was reportedly detained by the police on 12 August 2012 and held for over 48 hours on the suspicion that an opposition activist was staying at her home. García had reportedly been briefly detained earlier in the year, on 6 April 2012. She has been detained on many previous occasions.

***Roberto de Jesús GUERRA PÉREZ:** editor of the independent news agency Hablemos Press, was reportedly subject to repeated arrests and harassment in November 2012. On 1 November 2012, he was briefly detained by state police along with Hablemos Press journalist **Magalys Norbis Otero Suárez**. On 8 November, he was reportedly interrogated, threatened and beaten by Cuban state security forces 2012. Guerra Pérez had been accused by a state security agent of ‘inciting disorder’ and was ordered to report to a police station, which he refused to do, citing insufficient notice of the summons as required by law. He was then picked up by state security officers and taken to a police station, where he was reportedly subject to interrogation and beatings and had his mobile telephone confiscated. On 28 November 2012, Guerra Pérez was detained by police for four hours and threatened over his recent journalistic activity. **Background:** Otero Suárez, along with colleagues at Hablemos Press, complained of the increased repression of the agency’s journalists in a video posted on the Hablemos Press website and YouTube on 26 June 2012.

***Eugenio LEAL, Yoani SÁNCHEZ (f), Orlando Luís PARDO, Ángel SANTIESTEBAN PRATS, Guillermo FARIÑAS, Iván HERNÁNDEZ CARRILLO, Julio ALEAGA, Arabel VILLAFUERTE (f), Camilo OLIVERA, Laritza DIVERSENT (f):** journalists, writers and bloggers, were detained along with human rights activists on 7-8 November 2012

following protests against the detention of lawyer **Yaremis Flores Julián** on 7 November (see above under ‘Brief detention’). The journalists were detained having gone to police stations across Cuba to find out the lawyer’s status. Santiesteban was reportedly violently beaten when arrested. On 9 November it was reported that all those journalists and writers detained had been released apart from Fariñas, who was released at an unspecified later date (see also under ‘Sentenced’ above).

***Alberto MÉNDEZ CASTELLÓ:** Cuban correspondent for Spain-based news website Diario de Cuba, was arrested in Las Tunas on 12 September 2012 and detained for two days on charges of public disorder. For over 30 hours his whereabouts were unknown to his family owing to the fact that the police refused to confirm that they had detained him. Méndez Castelló was on his way to interview a delegate of Poder Popular when he was arrested. He has reportedly been under constant surveillance and has received numerous threats of imprisonment if he did not stop his journalistic activities. This was the second time he had been detained this year. In March 2012, he was arrested when he attempted to go to Santiago de Cuba to report on Pope Benedict XVI’s visit.

***Carlos RÍOS OTERO:** independent journalist, was reportedly detained for 12 hours on 29 September 2012 by police in Havana for his promotion of the anti-governmental campaign “No Voto”.

***Antonio RODILES:** blogger and activist, was arrested along with 15 of his colleagues at a Havana police station where they had gone on 7 November 2012 to enquire about **Yaremis Flores Julián** (see above). He reportedly faced a sentence of three months to a year in prison on charges of resisting the authorities. However, he was released without charge on 26 November after spending 19 days in detention. Rodiles was reportedly forced to pay an “administrative” fine and issued with an official warning informing him that if he continued with his activism he would face arrest and criminal charges.

***Yoani SÁNCHEZ (f):** dissident blogger, was detained by the authorities in Bayamo along with her husband on 4 October 2012 while on route to cover a trial. Sánchez reported that the incident had the scale of an arrest against a gang of drug traffickers or the capture of a prolific serial killer. After 30 hours of detention, having suffered a broken tooth, Sánchez and her husband were released. Sánchez was briefly detained again on 8 November 2012 along with other journalists and human rights activists in what has been reported as a wave of protests and detentions that arose in relation to the arrest of lawyer and reporter **Yaremis Flores Julián** (see above). Sánchez, who writes a popular blog that is very critical of the Communist authorities in Cuba, also suffered harassment in 2011 and was reportedly detained and beaten, along with two other writers, by plainclothes security agents in 2009 (see previous case list).

Harassed

***José AGRAMONTE LEYVA:** independent journalist, was reportedly detained by police in Camagüey on 27 November 2012 in relation to his journalistic activities.

***Rubén CARTY LOWE:** blogger, was reportedly detained by the police in Havana for 16 hours on 7 December 2012 after publishing an article on his blog.

***Aini MARTÍN VALERO (f):** independent journalist and blogger, was reportedly detained by the police for her activism in Havana on 2 November 2012.

DOMINICAN REPUBLIC

On trial

***Genris GARCÍA and Robert VARGAS:** journalists for vigilanteinformativo.com and ciudadoriental.org respectively. On 15 November 2012 it was reported that García and Vargas face sentences of between three months to a year in prison and a fine should they be convicted of the criminal defamation charges allegedly filed against them by Canadian multinational clothing manufacturer Gildan. The charges against them were filed in response to reports published by the journalists in which members of the local community had linked environmental damage and deforestation in Guerra to Gildan’s activities in the area. The journalists also reported that journalist **Diego Tórres** had been writing a story about alleged environmental contamination by Gildan factories at the time of an alleged assassination attempt against him in July 2012. **Update:** On 21 November 2012 it was reported that Gildan had agreed to drop the charges against the journalists on condition that they release a public apology and statement declaring that they had no proof of any link between Gildan and the alleged assassination attempt on Diego Tórres. García has since emphasised that the journalists made no allegations against Gildan, but had made reference to suspicions raised by members of the local community.

ECUADOR

On trial

Juan Carlos CALDERÓN: 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 US\$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 2012, 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. No update as of 31 December 2012. **Background:** The two writers also 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 Calderón 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.”

Brief detention

***Paúl MORENO:** technology blogger on ecualog.org, was reportedly arrested in Riobamba on 30 November 2012 after revealing on his blog that he had obtained access to the president’s personal information, including screenshots of the process he went through in order to gain access the information. The blogger claims that he did not hack into the president’s information in order to commit a crime, but that he wished to alert the government that the Public Information System is vulnerable and, by extension, the personal information of the Ecuadoran people. Moreno’s arrest sparked a social media outcry. He was released on 3 December 2012 following a request by the head of state.

Threatened

***Alejandro ESCUDERO:** journalist for the weekly newspaper *Independiente*, was threatened by two unidentified men on 23 September 2012. The two men broke into the paper’s offices in Nueva Loja, Sucumbíos, and demanded copies of the weekly. When the journalist failed to supply them, one of the men reportedly suggested that he ‘stop sticking [his] head in where it smells bad’, whilst the other flashed a gun concealed at his waist. Upon fleeing the scene the men said that they would return. Escudero filed a formal complaint at the Prosecutor’s Office. The journalist does not know why he specifically would have been targeted, noting that the issues covered in his paper have been covered by all local media outlets.

***Orlando GÓMEZ LEON:** Colombian journalist resident in Ecuador, international section editor of the Ecuadorian newspaper *La Hora* and correspondent for the Colombian magazine *Semana*, was allegedly threatened with violence by unidentified individuals in Quito on 16 August 2012. He had recently received a number of threats regarding his work. Gómez reported that he was driving his car when he noticed that he was being followed by two men on a motorbike. One of the men asked the journalist his name. When Gómez answered, the man began to smash his car with a steel bar. Gómez had recently published an article comparing the poor state of freedom of expression in Ecuador with President Rafael Correa’s offer of asylum to Wikileaks founder Julian Assange. After publication of the article, Gómez received numerous telephone threats in which he was warned that he would be hurt if he didn’t stop ‘making Ecuador look bad.’

Case closed

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 31 December 2013; case closed due to lack of information.

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 31 December 2012; case closed due to lack of information.

GUATEMALA

Threatened

***Jorge JACOBS:** journalist for newspaper *Prensa Libre*, reportedly received threats on 4 October 2012 following the publication of an article about a rumoured take-over in the food and drink distribution sector. Jacobs has reported that threats have been made against himself and his family. Initial threats made by telephone demanded that he leave the country in the next 24 hours. He has since received threats by text, telephone and email.

***Carolina VÁSQUEZ ARAYA (f):** journalist for newspaper *Prensa Libre*, has been receiving threats following the publication on 1 October 2012 of an article dealing with the sexual abuse of children of agricultural workers in Escuintla. The article asserted that farm owners and administrators were to blame for the systematic rape of farm workers’ children and accused government agencies and institutions of being partly to blame for the fact that the rape of minors is so widespread. Since the article’s publication the journalist has received emails threatening her family members and warning her to “leave the past where it is or you will regret the present”. **Ilka Oliva**, a writer who investigated the cases in conjunction with Vásquez Araya, has also been receiving similar threats relating to the article which were found to originate in Guatemala. The threats have been reported to the public prosecutor’s office and the human rights ombudsman.

HONDURAS

Killed: motive unknown

***José Noel CANALES LAGOS:** 34-year-old reporter for the news website Hondudiarío, was killed in Comayagüela on 10 August 2012. According to reports, Canales was driving to work when a group of men opened fire on his vehicle, shooting him in the head. The motive for the attack is unknown. Canales had also worked for Sepoc news, a company dedicated to monitoring national news. According to news reports he had received frequent death threats since 2009. PEN is seeking to establish whether an investigation is taking place.

Killed: official investigation ongoing

Erick MARTÍNEZ ÁVILA: 32-year-old Honduran journalist and gay rights activist, was found dead and dumped in a ditch in Guascalile, north of Tegucigalpa, on 7 May 2012. He had been strangled. Martínez was a well-known spokesman for the lesbian and gay rights group Kuculnan 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. **Update:** On 12 September 2012, the police arrested Eduardo José López Gutierrez (18) on a bus in El Pedregal. López Gutierrez, thought to be a member of the **48€€**gang, is one of the main suspects in the ongoing investigation and is expected

to be charged with murder and theft of a car. Testimony of protected witnesses reportedly places López Gutierrez and two other accomplices at the scene. There are conflicting reports as to the status of López’ alleged accomplices. While some reports claim that one is in prison and the other dead, other reports suggest that the police are still in search of the accomplices. Police reportedly suspect that Martínez Ávila was picked up in a stolen car, strangled and left at the side of the road. The police have not yet confirmed the motive for Martínez Ávila’s murder.

Threatened

***Aristedes ACEITUNO:** contributor to the news website Hondudiario. On 16 October 2012 it was reported that Aceituno had been receiving threats in relation to investigations that the website had published into excessive use of helicopters by the government and the debt it allegedly owed to the helicopter rental company. The journalist received anonymous telephone calls telling him that the debt was being paid and that the website should stop circulating such information. In addition, the website was targeted by hackers resulting in its shutdown for 48 hours. According to Aceituno, the website has received threats from two political groups. He reported the threats to the Honduran National Human Rights Commission (Conadeh). Hondudiario has been the victim of previous attacks: on 10 August 2012 **José Noel Canales Lagos**, reporter for Hondudiario, was shot dead (see above), and in 2009 the website’s offices were attacked by men with guns.

MEXICO

PEN is monitoring the cases of some 46 print journalists and writers killed in Mexico since December 2006. The following list gives details of killings from July to December 2012 (‘Killed: motive unknown’) as well as cases from previous periods where there have been recent developments (‘Killed: official investigation ongoing’).

Killed: motive unknown

***Ramón Abel LÓPEZ AGUILAR:** editor of the website Tijuana Informativo and photojournalist. López Aguilar (53) was abducted by an armed group from his home in Tijuana, Baja California, on 14 October 2012 and shot dead. His body was found on a street in Tijuana the next morning; he died of a single gunshot to the head, according to the state attorney general’s office. The state authorities are reportedly investigating the murder, including the possibility that the shooting was related to his journalistic work. **Update:** On 16 October it was reported that López Aguilar’s son-in-law, who also works for the website, had been arrested as a suspect on the grounds that there were contradictions in his police statement, however the police were yet to establish a motive for the killing. Tijuana Informativo had recently reported on drug trafficking and organized crime in the region. On 19 October it was reported that inconsistencias in information pertaining to the circumstances leading up to López Aguilar’s abduction and when his body was found have complicated the investigation. Initial reports placed the kidnapping at 5 a.m. at a bar in the Zona Río. Subsequent reports by the deputy attorney suggest that López Aguilar was kidnapped at 3:15 a.m. whilst travelling with his son-in-law to the hospital to receive treatment for a head injury incurred at home. Furthermore, disparities have been found in relation to the time at which the body was found. It was also reported that the state attorney general ruled out a link between López Aguilar’s death and his work as a journalist within a few hours of his murder. The investigation is currently focused on López Aguilar’s son-in-law. The deputy attorney

for organised crime in Baja California cited the delay taken for the son-in-law to report the kidnapping to the authorities and gunshot residue found on him as reasons for making him the prime suspect. [RAN 69/12]
***Adrián SILVA MORENO:** freelance journalist and crime reporter for local media outlets including the newspapers *Global México* and *Puntual Puebla*, was shot dead along with a former policeman in Tehuacán, Puebla state, on 14 November 2012. Silva Moreno (34) had been covering an army investigation into the theft of gasoline from a government petroleum company in Tehuacán, an area said to be controlled by organised criminal groups. Silva Moreno reportedly called another journalist to tell him he had witnessed an armed stand-off between soldiers and gunmen and that he had found something important at the scene of the theft which he would explain later. However, his car was then apparently intercepted and he was shot dead; his body was found with multiple gunshot wounds. His passenger, former municipal policeman Misrael López González, was shot in the head after he fled from the car. On 19 November it was reported that family members and colleagues of Silva Moreno who had attempted to visit his body at the morgue where it had been taken had received threats from unidentified individuals. The police subsequently sent officers to protect the morgue. The motive for Silva Moreno’s murder is unknown, but colleagues suspect that it may have been related to his reporting on the gasoline theft. He is not known to have received threats from organised criminal groups prior to his death. **Update:** On 20 November 2012 it was reported that investigators were pursuing organised crime as one of their main lines of enquiry. In addition, investigators found finger prints, suspected to belong to those responsible, on a truck left 150 metres from the scene. On 29 November 2012, the special prosecutor for crimes against freedom of expression reportedly commented that Silva Moreno’s case may be passed on to local authorities because he was not active as a journalist at the time his murder. She also announced that the sheer number of avenues for investigation made it impractical for the special prosecutor’s office to investigate the case. No further update as of 31 December 2012. [RAN 74/12]

Killed: investigation ongoing

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. No further information as of 31 December 2012. [RAN 26/12]

Víctor Manuel BÁEZ CHINO: crime reporter for the daily newspaper *Milenio El Portal de Veracruz* and editor of the website 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. **Update:** on 15 August 2012, the Attorney General of Veracruz,

Amadeo Flores Espinosa, announced that authorities had solved the case. The attorney general said that witnesses had identified two members of the Zetas cartel, who were killed in a shootout with authorities in June, as being responsible for the murder. Flores did not elaborate on the case or take any questions. The Committee to Protect Journalists and other press freedom groups are sceptical, noting that the authorities have been unwilling to provide credible details to support their announcement that the murder has been solved. No further information as of 31 December 2012. [RAN 30/12]

Guillermo FERNÁNDEZ GARCÍA: poet and translator (79) was murdered on 31 March 2012 at his home in Toluca. He was bound 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 is unknown. However, some are suggesting that the killer(s) was/were known to Fernández as there were glasses of wine and full ashtrays in the room with the body. According to official correspondence with the Mexican authorities, the case has been referred to Mexico’s attorney general. PEN is seeking more information. No further details as of 31 December 2012. [RAN 16/12]

Raúl Régulo GARZA QUIRINO: reporter for the weekly newspaper *La Ultima Palabra*, was gunned down on 6 January 2012 by a gang in Cadereyta, Nuevo León state. Garza, who also worked for the local government’s department of social development, had been driving his car 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 16 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 speculated that the killing might have been a case of mistaken identity. No further update as of 31 December 2012. [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 was known, although a possible link with her writing was being investigated. **Update:** According to reports in July and August 2012, investigators have interpreted the murder as a crime of passion, and have almost solely been interviewing other journalists. This interpretation and approach has been strongly criticized by journalists who have demonstrated in the streets calling for a justice for Martínez. They believe that the police should be investigating links with organized crime. On 2 November 2012, it was reported that the man charged with Martínez’ murder, Jorge Hernández Silva, had retracted his confession, claiming that he had been tortured and his mother threatened if he did not confess to the murder. Upon Hernández Silva’s arrest, the state attorney general had given the motive for murder as robbery, using his confession as the principal piece of evidence against him. DNA samples taken from the scene reportedly do not match anyone on the national criminal database and therefore rule out Hernández Silva, owing to his criminal record. Mexican law allows *Proceso* and the federal state prosecutor for crimes against journalists to participate fully in the investigation alongside the state authorities, however both have reported being excluded from the investigation. Neither *Proceso*’s appointed reporter nor the federal

special prosecutor were party to the line of enquiry that led to Hernández Silva’s arrest. *Proceso*’s appointed reporter has noted that “at no point did the state ever consider Regina’s journalistic work as a possible motive for murder.” On 13 November 2012, it was reported that the authorities had confirmed the motive for Martínez’ murder was robbery after her watch was recovered. The man in possession of the watch indicated that Jorge Hernández Silva and José Adrián Hernández Domínguez had sold it to him. [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. On 19 May 2012, it was reported that investigations were underway. In a press conference the investigating authorities confirmed that the cause of death was strangulation and that the journalist had not been bound and gagged. The authorities have ruled out organised crime as a possible cause of death owing to the lack of a note and the fact that whilst the body did show signs of a beating, the marks were not made by a gun. The authorities announced that they hope to establish a timeline of events leading up to his murder and identify those who were last to see him alive once they have received all of the surveillance footage. No further news as of 31 December 2012. [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 dead 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 (PRI). 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 suspected to be drug-related. No further news as of 31 December 2012.

Ana María Marcela YARCE VIVEROS (f): founder, reporter and head of public relations of the bimonthly political magazine *Contralinea*, was found dead near a cemetery in a park in a poor neighbourhood of the capital Mexico City on 1 September 2011, along with freelance journalist and former Televisa reporter **Rocio González Trápaga (f)**. Yarce and González, both 48, were reportedly abducted as they left their office in the city centre the previous night and strangled. Their bodies were found naked with nooses around their necks and their hands tied behind their backs. **Investigation:** The Mexico City attorney general’s office is investigating the murders. Two men, Oscar Yair Quiñones Emmer and Lázaro Hernández Ángeles, were arrested on 30 September and 1 October 2011, suspected of killing the journalists. A third man was 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 *Contralinea*. Yarce was not involved in any specific journalism projects at the time of her death. González, who owned a currency exchange point at Mexico City’s international airport, apparently withdrew a large amount of money on the afternoon of 31 August 2011, according to

Article 19. According to a 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. **Update:** On 19 September 2012 it was reported that Lázaro Hernández Angeles was sentenced to 109 years in prison for the murders of Yarce and Trápaga and ordered to pay one million pesos in damages along with 94,515 pesos in compensation. The case against Oscar Yair Quiñones Emmer continues. [RAN 47/11]

Disappeared: investigation ongoing

Gabriel Manuel FONSECA HERNÁNDEZ: police reporter for the newspaper *El Mañanero* based in the municipality of Acayucan, southern Veracruz state, has been missing since 19 September 2011. According to the newspaper’s director, Fonseca (19) was last seen when he came to the paper’s offices to collect his wages that day. Witnesses claim to have seen Fonseca in Acayucan later that afternoon but he did not return home that night and has not responded to calls to his mobile phone. His father reported him missing to the authorities on 21 September 2011. Fonseca, who previously worked for the newspapers *El Diario de Acayucan* and *La Verdad de Jaltipan*, covered the police beat for *El Mañanero* but did not report on matters directly related to organized crime, according to the paper’s director. The investigation has been referred to the attorney general’s office. **Update:** On 18 September 2012, a year after Fonseca’s disappearance, it was reported that the case had been referred to the Agencia del Ministerio Público Especializada en Delitos Cometidos contra la Prensa and Special Prosecutor for the Attention of Crimes against Freedom of Expression (FEADLE) but that there had apparently been no progress in the investigation. [RAN 51/11].

Marco Antonio LÓPEZ ORTIZ: news editor for the daily newspaper *Novedades Acapulco*, was reportedly kidnapped in Acapulco, Guerrero state, on 7 June 2011. That night López (42) left work and was later assaulted by unidentified men who took him away. López is responsible for overseeing the paper’s coverage of crime, among other responsibilities. According to local journalists, organized crime groups constantly threaten them to keep coverage to a minimum. *Novedades Acapulco*’s reports on crime are accordingly kept brief and do not probe the facts reported, in order to avoid angering and being targeted by the groups. **Investigation:** The state attorney general has begun an investigation and the National Human Rights Commission is reportedly also looking into the disappearance. President Calderón’s office sent a letter dated 18 July 2011 to PEN International, saying that López’ case had been referred to the Federal Attorney General (Procuraduría General de la República). **Update:** In June 2012, a year after López’ disappearance, it was reported that there had been no progress in the investigation. The case reportedly remained unsolved as of 31 December 2012. [RAN 33/11]

Judicial concern

Enrique ARANDA OCHOA: university teacher and writer, has been imprisoned along with his brother, Adrián Aranda Ochoa, since 1996 for allegedly kidnapping the daughter of a politician. **Details of arrest and detention:** Arrested on 25 June 1996, the Aranda brothers were accused of several crimes, including kidnapping and carrying weapons. They were later charged with kidnapping Lorena Pérez-Jácome F., a television presenter and the daughter of an Institutional Revolutionary Party (PRI) politician who has been a senator and presidential spokesman. They

were also charged with robbery. The brothers were allegedly tortured while in the custody of the police and Public Ministry and forced to sign confessions. **Sentence:** In August 1997, both brothers were sentenced to 57 years in prison, confirmed in December that year. The allegations of torture were not taken into account. **Torture allegations:** The brothers filed a complaint against the state for torture and abuse of authority. In May 1999, a medical certificate was issued showing that they had been tortured. In 2002, the Human Rights Commission of the Federal District (CDHDF) issued a recommendation calling for those responsible for torturing the Aranda brothers to be brought to justice and that the brothers should be awarded reparations. The recommendation was accepted by the Attorney General however has yet to be implemented. **Retrial:** Following a retrial, the brothers’ sentence was reduced to 40 years in January 2005. This was further reduced to 32 years in March 2007 after the robbery charge was dropped, and in December 2008 to 24 years and six months. As of July 2010, the brothers were hoping to be released on parole (*beneficios de preliberación*). They were still detained in Reclusorio Sur prison in Mexico City as of October 2010. Apparently still imprisoned as of 31 December 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.

Death threats

***Lydia CACHO (f):** investigative journalist and former PEN main case (see previous case lists), received death threats transmitted to her over the security system in her home in Cancún in late July 2012. She was warned ‘not to mess with us’ or ‘we will send you home in little pieces.’ Cacho has been the target of death threats before, and the security set up in her home was arranged because of the severity of the previous threats. Her security consultants believe that the individual who made the threat must have used advanced technology to access the system. According to reports in August, Cacho decided to leave the country temporarily until the security breach is dealt with. **Honorary Member:** Scottish PEN.

***Hiram GONZALEZ MACHI:** journalist with the Sonora-based daily newspaper *Nuevo Día* and director of a news programme on a local TV station, reportedly received death threats from alleged criminals as part of a break-in at his home on the night of 16 July 2012. The journalist arrived home and found the lights on inside his apartment. He discovered that the intruders had used tools to cut open the gate at the side of his home, and inside had caused damage to his furniture and the water and gas lines. He also found messages containing death threats on the floor and on top of a table. González Machi, who covers the crime beat, reported that this was the fourth time his home had been broken into. On the three previous break-ins the criminals had stolen computer equipment, a TV and other valuable items. This time, however, nothing was taken; the only evidence was damage to his property and the threat “Reporter, you’re going to die.”

***Olga WORNAT (f):** an Argentine journalist normally based in Mexico, but who fled abroad at the end of 2011 after receiving threats, reported receiving further threats in August 2012. Wornat said that she was threatened over a soon-to-be-published book about outgoing Mexican President Felipe Calderón, which has just been excerpted in *Playboy México*. The magazine’s Argentine-Mexican editor **Gabriel Bauducco** had also been sent warnings. Wornat, whose book about Calderón’s 2006-2012 presidency is entitled *Felipe el Oscuro* (Felipe the Obscure), reportedly received threatening emails on 2, 8 and 11 August 2012. The latest one said: “You see that no one is going to help you. Not one of these lousy little journalists is giving you any solidarity.” Referring to *Playboy México*’s latest issue, the email added: “You want to play with us by publishing your pathetic article in *Playboy*.” The chapter focuses on the parliamentarian Rosa María de la Garza, a member of Calderón’s National Action Party (PAN), and on her husband, Alejandro Orozco, who are pastors in an ultra-conservative evangelical sect called La Casa sobre la Roca (The House on the Rock). According to Wornat, the couple acted as Calderón’s spiritual advisers and lived in a house confiscated from Vicente Carrillo Leyva, the drug trafficking son of Amado Carrillo Fuentes, an alleged Juárez Cartel chief known as “Lord of the Skies,” who died in 1996.

Attacked

Rafael SAID HERNÁNDEZ: journalist and director of the political weekly magazine *Revista Tucán*. He was stabbed on 24 June 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 haemorrhage. 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. **Update:** On 2 July 2012 it was reported that a judge sentenced Ernest Gerardo Gaona Robles, Daniel Amador Martínez and Emigdio Martínez Cortés to jail for the attempted murder of Said Hernández.

Threatened

***Andrés Timoteo MORALES:** reporter for the newspaper *La Jornada* and columnist for the daily *Notiver*, has fled Veracruz to seek asylum in Paris following threats to his life, it was reported on 26 September 2012. Prior to this Morales had been forced to move house after a break-in where professional equipment was stolen from his home. Morales stopped writing for *La Jornada* on 28 April 2012 following the murder of his friend, journalist **Regina Martínez** (see above). Six of Morales’ colleagues have been murdered in Veracruz in recent months, including Martínez and four journalists from *Notiver*.

***Ruy SALGADO:** founder of the blog ‘El Santuario’, was reported missing on his blog on 14 September 2012. The message said that he had not been seen since 8 September. Salgado’s blog specialises in reporting on corruption within government institutions; some of the contributors to the blog were actual witnesses to alleged corruption. Salgado had said that he and his blog had been the subjects of serious threats in recent months. All of the contributors to the blog are anonymous and use pseudonyms. **Update:** According to a blog published by the Americas Society and Council of the Americas, Salgado reappeared on 20 October 2012 via Skype to announce that he was well and that he would no longer be writing his blog, citing concerns for the safety of his family. According to the blog post, Salgado made reference to an enforced disappearance, but refused to go into detail about his victimisation during his 42 days of silence. PEN is seeking confirmation of Salgado’s reappearance.

Harassed

***Gerardo ROJAS and Jesse BRENA:** journalists for the news website e-consulta and correspondent for *Milenio*, respectively, were reportedly detained and robbed by four police officers in Puebla on 20 October 2012. Rojas and Brena were walking in the city late at night when they were detained by a state police patrol. Claiming that they had received complaints that the journalists had been urinating in the street, the police made the journalists consent to a search. After an unsuccessful search, the officers indicated that they were obliged to take them to the Attorney General’s office. The officers interrogated the journalists whilst forcing them to sit on the floor of the patrol car with their heads bent down. After three hours the officers stopped the car and allowed the journalists to go free, having first deprived them of the contents of their wallets and their mobile telephones. The journalists filed a report with the state Attorney General’s office.

***Adrián RUIZ (El Heraldo de Puebla), Fabián GÓMEZ HERNÁNDEZ (Contraparte Informativa), Selene RIOSANDRACA (Central), Salvador RÍOS (El Sol de Puebla), Enrique NÚÑEZ QUIROZ (Intolerancia Diario), Alvaro DELGADO (Proceso), Iván TIRZO (El Sol de Puebla), Alejandro MONDRAGÓN QUINTERO (Status), Valentín VARILLAS (Status), Rodolfo RUIZ RODRÍGUEZ (e-consulta), Fernando PÉREZ CORONA (e-consulta), Ricardo MORALES (Intolerancia Diario), Jorge CASTILLO (Intolerancia Diario), Cirilo CALDERÓN (El Sol de Puebla), Carlos MACÍAS PALMA (El Popular), Eduardo RIVERA SATAMARINA (UnoMásUno), Fermín ALEANDRO GARCÍA (La Jornada de Oriente), Fernando MALDONADO (Periódico Digital), Arturo RUEDA (Cambio).** On 23 October 2012 it was reported that the government of Puebla is pursuing a civil case for moral damages against the above named journalists. Whilst charges have only been confirmed for **Adrián Ruiz** and **Fabián Gómez Hernández**, it was reported that a further 17 journalists will also be charged. A spokesperson for the government of Puebla stated that this marks only the first round of charges to be filed. The charges come as a response to the journalists’ alleged use of derogatory terms when referring to public officials in articles relating to the kidnapping of two journalists. It was reported that the state governor has demanded a public apology for abusing their right to the freedom of speech, but has stated that no journalists will be jailed. **Update:** The government of Puebla has since denied that it planned to file charges against any other journalists. According to reports on 21 November 2012, the government of Puebla and Gómez Hernández had settled the case. Both parties signed a five-point agreement to: respect freedom of expression in its broadest sense; respect the right to information; mutual respect; respect of the secrecy of sources; substantiate claims with irrefutable evidence. According to the same report, Ruiz’ settlement hearing was due to take place on 28 November 2012.

Case closed

María de Jesús BRAVO PAGOLA (f): local journalist from Veracruz City, was accused, along with a local teacher, 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 30 years in prison.

No further news as of 31 December 2012; cased closed due to lack of information.

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 three days and one year, or a fine of 10 days’ salary. On 21 July 2011, Garcia published comments made by Ividelezia 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. No further news at 31 December 2012; cased closed due to lack of information.

PERU

Threatened

***Carlos Yofré LÓPEZ SIFUENTES**: journalist for community news website Barranca.pe, was threatened with criminal defamation charges following publication of a report which alleged environmental violations at a local agricultural factory in Paramonga. López Sifuentes had reported on a case in which a local resident had died of pulmonary fibrosis, which he was alleged to have contracted from inhaling chemical particles from the production of sugar cane in Agro Industrial Paramonga’s factory. The journalist had also referred to a ministry of agriculture report that criticised serious flaws in Agro Industrial’s own environmental impact study. On 17 September 2012, it was reported that Agro Industrial were seeking a three-year prison sentence and a fine. However, on 26 September it was reported that a local judge had cleared López Sifuentes of the charges.

Case closed

Melissa Rocío PATIÑO HINOSTROZA (f): poet and university student, was arrested on 29 February 2008 and put 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. The charges were apparently based on Patiño’s attendance of a CCB congress in Ecuador in late February 2008. She denied any political affiliations and no concrete evidence was produced to back up the charges. Patiño was detained from 29 February to 8 May 2008, when she was released on bail pending trial. She potentially faced 20 years in prison if convicted. (For background information, see previous case list.) **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. None of these activities can be said to amount to terrorist activities. **Legal process**: In early May 2010, it was confirmed that the Chief Prosecutor (Fiscal Superior) had decided not to pursue the case. As of July 2010, 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. 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 is due to go on trial. Patiño’s lawyer says the delay in Patiño’s case is entirely irregular and she has requested that the Criminal Court’s decision be implemented as soon as possible. No further news as of 31 December 2012; case closed due to lack of information. [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 results in December 2010. No further news at 31 December 2012; case closed due to lack of information.

TRINIDAD AND TOBAGO

Harassed

***Anika GUMBS-SANDIFORD (f)**: reporter for the *Trinidad Guardian*. On 18 October 2012 it was reported that the reporter’s confidential telephone records were illegally passed to a government agency by the state-owned Telecommunications Services of Trinidad and Tobago. It is thought that the records were obtained in a bid by the agency to trace a source for an article published on 9 September 2012.

***Denyse RENNE (f) and Asha JAVEED (f)**: investigative journalists for the *Trinidad Guardian* and the *Trinidad Express* respectively, have become the focus of personal attacks after reporting on a legal scandal that has rocked the administration of the incumbent Prime Minister. The journalists have reportedly been the subject of widely circulated anonymous emails containing allegations about their private lives. On 4 October 2012 it was reported that public officials, alleged to include the Minister of National Security, are at the forefront of the campaign to discredit them.

UNITED STATES

Harassed

***Dwight R. WORLEY, Cynthia R. LAMBERT (f), Robert F. RODRIGUEZ, Janet HASSAN (f)**: respectively journalist, editor, visual editor and publisher of *The Journal News*, have been subject to harassment following the publication of an interactive map that identified local gun permit holders in Westchester and Rockland counties on 22 December 2012. The information presented in the map was obtained legally via Freedom of Information requests, however those critical of its publication perceive it to be an invasion of privacy. In response to the article, a blogger published the names and addresses of those involved with the publication of the map, along with details of their hobbies and children, on 26 December 2012. The journalists and executives have been receiving threatening telephone calls and emails ever since.

VENEZUELA

Case closed

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 31 December 2012; case closed due to lack of information.

Dinorah GIRÓN (f) and Leocenis GARCÍA: 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 2011 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; he 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 31 December 2012; case closed due to lack of information.

ASIA and PACIFIC

BANGLADESH

Brief detention

***Mostafizur Rahman SUMON**: Crime reporter for the online news website *justnewsbd.com*. Reportedly arrested in a computer store in Dhaka on 13 July 2012. He was taken to an unknown location by the Detective Branch of the local police and held for two days, during which he was allegedly severely tortured. It is thought his arrest could be linked to his participation in protests against impunity for crimes against journalists in Bangladesh; however, some reports say he was falsely accused of computer theft. Sumon was freed on bail on 15 July 2012. No further information as of 31 December 2012.

On trial

***Mahmudur RAHMAN and Alhaj Hasmat ALI**: The acting editor and majority owner of the Bengali-language pro-opposition daily *Amar Desh* and the paper’s publisher, respectively. The two were charged with sedition on 13 December 2012 after publishing news stories based on leaked transcripts of conversations between a lawyer and the lead judge of Bangladesh’s war crimes tribunal. The tribunal aims to investigate war crimes, crimes against humanity, genocide, and crimes against peace committed during the 1971 war of independence in which Bangladesh seceded from Pakistan. Rahman--who served as an energy adviser in the previous Bangladesh Nationalist Party-led government -- was previously arrested in June 2010, and spent 10 months in prison on charges of harming the court’s reputation, including defamation for publishing reports on alleged corruption by the son of current Prime Minister Sheikh Hasina. Both men remain free.

Case closed

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 believed to be fabricated. Haque was released on bail on 25 November 2011. No further information as of 31 December 2012, case closed.

CAMBODIA

Killing – investigation

***Hang Serei OUDOM (ODOM)**: Journalist for the local newspaper *Vor-akchun Khmer Daily*, was found dead in his car on 11 September 2012, two days after he disappeared. His car was abandoned near a cashew nut plantation in north Ratanakiri province. Oudom, aged 44, had suffered severe blows to his head. Prior to his death, Oudom had reported on illegal logging in Cambodia, and had allegedly implicated the relative of a military commander in the smuggling of timber. The killing is being investigated by the authorities.

Main case

***Man SONANDO**:

D.o.b.: 14 February 1942 **Profession**: Journalist, human rights activist and director of the independent Beehive Radio Station **Date of arrest**: 15 July 2012 **Sentence**: 20 years in prison **Expiry**: 14 July 2032 **Details of arrest**: His arrest stems from a speech made by Cambodia’s Prime Minister Hun Sen on 26 June 2012, in which he accused Mam Sonando and members of the Association of Democrats of being behind a plot for Pro Ma village in Kratie province to secede from Cambodia. Sonando was arrested at his home in Phnom Penh on charges of insurrection. **Details of trial**: On 1 October 2012 the Phnom Penh Municipal Court found Sonando guilty of anti-state offences including instigating “insurrection”. He is accused of inciting villagers in Kratie province in northeastern Cambodia to protest a government order to seize land in the village and transfer it to a private holding company. Sonando has never been to Kratie province, does not know any of the villagers, and was abroad in France when the protest took place. No evidence was provided to support the charges, and Mam Sonando is believed to be targeted for his vocal criticism of forced evictions and “land grabs” in Cambodia. **Previous imprisonment**: He has been jailed twice previously for speaking out against the increasingly common practice of appropriating property in Cambodia. **Health concerns**: Sonando, who is 71 years old, has reportedly contracted a serious respiratory infection in prison, and there are serious concerns about his health. [RAN 67/12 – 1 October 2012]

Imprisoned - investigation

***Taing TRY**: Reporter affiliated with the Khmer Democratic Journalists’ Association and contributor to the *Meattophum Newspaper*. Reportedly arrested in the Kratie’s Snoul district, on 7 December 2012 and charged on 9 December 2012 with extortion. Try had recently reported on the illegal smuggling of timber in that region, and had allegedly named a well-known businessman in his findings. Thought to remain detained as of 31 December 2012.

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 **Expires:** 28 November 2021 **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. **Place of detention:** According to Hada’s wife, he is unofficially being held at the Jinye Ecological Park, near the airport in Hohhot city. He is said to be serving the four years of deprivation of political rights as stated in his conviction. **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. More recently, in October 2012, Hada’s wife reported that she was allowed to see him and that Hada’s psychological health is also deteriorating. She said that Hada’s family urged for a psychiatrist to examine him, and that the doctor recommended treatment, however the authorities have apparently turned down the doctor’s request for treatment. There are reports that Hada’s wife was given a three year suspended sentence in May 2012. **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 Bifeng

Profession: Chinese activist, novelist and poet. **Date of arrest:** 12 September 2011 **Sentence:** 12 years in prison **Expires:** 11 September 2023 **Details of arrest:** According to PEN’s information, leading Sichuan activist Li Bifeng, aged 48, was arrested on 12 September 2011 after being summoned for questioning by police in Mianyang city, Sichuan province, for alleged “economic crimes”. Vaguely worded economic crimes are increasingly used to suppress political dissent in China, and those targeted include prominent Chinese artist and social critic Ai Weiwei. **Details of trial:** Li Bifeng was convicted of alleged ‘contract fraud’ by the Shehong County People’s Court, Sichuan province, on 19 November 2012 and handed down a 12-year prison sentence. He is believed to be targeted for his peaceful political activism, in particular his links with exiled Chinese

writer Liao Yiwu, who is a close friend of Li’s and fled China two months before Li’s arrest. **Previous political imprisonment/problems:** Li Bifeng is a prolific poet and novelist as well as a well-known dissident, who has spent a total of over 12 years in prison since 1990 for his activism and critical writings. He served a five-year sentence for taking part in the 1989 pro-democracy movement, followed by a seven-year jail term from 1998-2005 for reporting on a workers’ protest in the Sichuan city of Mianyang in 1998. While in prison, Li produced poetry and kept a diary. Some of his work can be found here http://www.literaturfestival.com/intern/lost-and-found/TextevonLiBifengengl.pdf

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. **Health concerns:** His health is said to be deteriorating in 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).

LU Jiaping

D.o.b.: c.1944 **Profession:** Writer on military history and a retired soldier. **Date of arrest:** 19 September 2010 **Sentence:** 10 years in prison. **Expires:** 18 September 2020 **Details of arrest:** Reportedly arrested on 19 September 2010 and charged with ‘inciting subversion’ in articles critical of former Chairman of the Chinese Communist Party, Jiang Zemin,

published from 2000-2010. **Details of trial:** Reportedly sentenced to ten years in prison on charges of ‘subversion of state power’ by the Beijing First Intermediate Court in early May 2011. Three articles were used as evidence to convict him, in particular an article published in 2009, ‘Two Traitors Two Fakes’, discussing Jiang’s historical background. Two other activists, his wife and a close friend, are said to have been arrested with Lu, and tried in the same court case. Details of his case became known in February 2012 when his wife was released from prison. **Previous political imprisonment/problems:** Lu Jiaping, a Beijing scholar, is known for revealing scandals about high-ranking Chinese officials over the Internet. In February 2004 he was placed under house arrest for an article he wrote exposing an affair between former Chairman of the Chinese Communist Party, Jiang Zemin, and Song Zuying, a famous Chinese singer.

LIU 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 was 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 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).

Hailaite NIYAZI (aka Hairat or Gheyret Niyaz)

D.o.b.: 1960 **Profession:** Freelance journalist and former editor of the website *Uighur Online* (www.uighurbiz.net). **Date of arrest:** 1 October 2009 **Sentence:** 15 years in prison **Expires:** 30 September 2024 **Details of arrest:** According to PEN’s information, Hailaite Niyazi was taken from his home in Tianshan District, Tacheng Prefecture, Xinjiang Uyghur Autonomous Region (XUAR), on 1 October 2009. It is believed that his arrest stems from critical interviews given to foreign media following the unrest which broke out in Urumqi, the capital of Xinjiang Uyghur Autonomous Region, on 5 July 2009. **Details of trial:** The prosecution reportedly used as evidence essays written by Niyazi highlighting mounting ethnic tension in the region prior to the riots, and interviews he gave to Hong Kong media after the violence. Niyazi was convicted by the Urumqi Intermediate People’s Court on charges of ‘endangering national security’ on 23 July 2010. His appeal was rejected. **Place of detention:** Changji Prison, Changji Hui Autonomous Prefecture, XUAR, PR China. **Professional details:** Hailaite Niyazi is a former reporter and columnist for Xinjiang Economic Daily and Xinjiang Legal News. Until June 2009 he edited and managed uighurbiz.net, the website owned by the academic, writer and Uyghur PEN member Iham Tohti, himself arrested in July 2009 and held for six weeks for allegedly ‘promoting separatism’. **Honorary member of:** Independent Chinese PEN. [Update #1 to RAN 56/09]

Dilishat PAERHAT (aka Dilixiati Paerhati):

Profession: Editor of the Uighur-language website *Diyarim.com* **Date of arrest:** 7 August 2009 **Sentence:** 5 years in prison **Expires:** 6 August 2014 **Details of arrest:** Reportedly taken from his home in Urumqi,

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

QI Chonghuai

D.o.b.: 7 February 1965. **Profession:** Journalist. **Date of arrest:** 25 June 2007 **Sentence:** Four years in prison, with an additional eight years added on 9 June 2011. **Expires:** 24 June 2019. **Details of arrest:** Reportedly arrested from his home in Jinan, the capital province of Shandong, eastern China, on 25 June 2007 following the publication of an article alleging corruption in the Tengzhou Communist Party, which was published in June 2007 on the *Xinhuanet* website. Qi was charged with blackmail and extortion on 2 August 2007 for allegedly accepting bribes from local officials whilst researching the article. Qi was held incommunicado for the first two months of his detention, and claims to have been repeatedly assaulted and threatened by security guards throughout his eleven-month pre-trial detention. The case was turned back to the police in mid-February 2008 for lack of evidence. **Details of trial:** The trial on 13 May 2008 at the People’s Court of Tengzhou City, Shandong Province, reportedly did not comply with international standards of fairness. The appeal was rejected without any hearing by the Intermediate People’s Court of Zaozhuang City on 24 July 2008. 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 injury 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 Shandong province. He is said to have been repeatedly warned by the authorities to cease such reporting prior to his arrest. **Other information:** Recipient of the 2012 Hellman/Hammett award. **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)

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:** According to PEN’s information, unconfirmed reports that Nurmuhemmet Yasin had died in prison which have been circulating since 2010 were recently disputed by a family member, who claims to have visited him in Urumchi no.1 prison in July 2012 and found him in reasonably good health. She also reports to have received a letter from him in October 2012 which she believes is genuine. Yasin has spent most of the past eight years detained incommunicado without access to family visits, fostering speculation about his condition and possible death. However, Yasin’s wife and two children have reportedly been given permission to visit him at the prison on 16 January 2013. In spite of repeated requests for information about his condition, the Chinese government has remained silent on the issue. **Professional details:** Nurmuhemmet Yasin is an award-winning and prolific freelance Uighur writer. He has published many highly acclaimed literary works and prose poems in recent years, including the poetry collections *First Love*, *Crying from the Heart*, and *Come on Children*. He is 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. **Health concerns:** Reported in November 2012 to be in very poor health and to be denied adequate health care, food and medication. **Treatment in prison:** Denied access to books and letters from his family. **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. No further information as of 31 December 2012.

***Gulmire IMIN (f):** Uygur poet and website moderator for the Uygur language website *Salkin*. Reportedly arrested on 14 July 2009 after protests

which took place in Urumqi on 5 July 2009. She was handed down a life imprisonment sentence for ‘splittism, leaking state secrets and organising an illegal demonstration’ by the Urumiqi Intermediate Court on 1 April 2010. There are reports that Imin was tortured and ill-treated in detention. She is said to be held at the Xinjiang Women’s Prison in Urumiqi. WiPC learned of the case in late 2012 and is seeking for further details.

HU Lianyou: Activist and blogger, was reportedly 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. No further details as of 31 December 2012. ***HUUCHINHUU Govruud (f):** Southern Mongolian dissident writer and activist. Went missing whilst under police guard in hospital on 27 January 2011. Her whereabouts remain unknown but she is thought to be in custody. WiPC learned of her case in November 2012. Huuchinhuu, aged 59, is said to have been at a hospital in Tongliao City, guarded by the police, and taken from there to an undisclosed location. The Southern Mongolian Human Rights Information Centre (SMHRIC), reports having received photos dated July 2011 in which Huuchinhuu appeared to have been severely beaten. Prior to her disappearance, on 11 November 2010, Huuchinhuu was placed under house arrest for allegedly campaigning demanding the release of Hada (see above in ‘main cases’); her phone and Internet lines were cut off and she had about twenty policemen guarding her every day. A month later, she was transferred to hospital due to a serious health condition; she disappeared from there. For the last twenty years, Huuchinhuu has campaigned for the human rights of the Mongols in China and has suffered regular harassment by the Chinese authorities as a result. She is said to have authored several books and essays on the ethnic problems in Southern Mongolia. Two of her books, *Silent Stone* and *Stone-hearted Tree*, have been banned in China. She administered some Internet forums, currently shut down by the authorities for their alleged separatist content. Huuchinhuu is said to be member of the banned organization Southern Mongolian Democratic Alliance (SMDA). **Other information:** Recipient of the 2012 Hellman/Hammett award.

Brief detention

***JIAO Guobiao:** Writer and academic, was arrested on 12 September 2012 by the Public Security Bureau of Haidian District, Beijing City. He was charged with ‘suspicion of inciting subversion of state power’, in connection with his internet writings and published articles about the territorial conflict between China and Taiwan. On 27 September 2012 Jiao was freed on bail. He remains under formal surveillance for one year.

Harassed

***CHEN Pingfu:** Retired teacher and blogger, was on trial for ‘inciting subversion of state power’ for posting comments regarding the political situation in China and calling for democracy. His blog became very popular in China and Hong Kong. In early December 2012, the charges against Chen were dropped.

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.

***LIU Futang:** Citizen journalist specialising in the environment, was reportedly detained on 20 July 2012 by Haikou Public Security Bureau, on suspicion of illegal business activities. Hakou is the capital of the southern island province of Hainan. Futang was charged with ‘illegal expression’ and ‘running an illegal business’; the charges are believed to be linked to Futang’s self-published books and articles which, among other issues, deal with the environmental effects of businesses operating in Hainan. On 5 December 2012 Futang was given a three-year suspended prison sentence and a fine.

Case closed

LIU Yonggen: Internet writer and county official of Communist Party of China, was arrested on 10 September 2009 and sentenced to three years’ imprisonment on 27 April 2010. He was charged on ‘suspicion of inciting subversion of state power’ for a number of critical articles published on overseas Chinese websites such as *Epoch Times*. Released on 10 September 2012 on expiry of his sentence. **WANG Xiaoning:** Internet writer and dissident, arrested on 1 September 2002 and sentenced to ten years in prison. Wang was charged with subversion for articles published in the on-line journals *Democratic Reform Free Forum* and *Current Political Commentary* between 2000 and 2002. Wang Xiaoning was released on 30 August 2012 on expiry of his sentence.

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 Dugri (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 Dzungri* 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 Dzungri* 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 Dzungri* 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.

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 Dzungri (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 Dzungri (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 been 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). No further information as of 31 December 2012.

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. 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) No further information as of 31 December 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*. 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. Thought to remain detained as of 31 December 2012.

TASHI Dondrup and KELSANG Gyatso: Monks and writers, were reportedly detained in Sichuan province on 14 July 2012, and have been taken to an undisclosed location. Tashi and Kelsang belong to Palyul monastery, based in Kardze (Ganzi in Chinese), where they were known as Mewod and Gomkul, respectively. Both wrote books critical of the Chinese policies in the Tibetan region. Two years ago Tashi wrote *Painful Hope* and Kelsang wrote *My Pitiful World*. They are reportedly members of the literary group ‘The State of our Snow Mountains’. WIPC is seeking further information on their current situation.

Case closed

PHULCHUNG: Singer and songwriter, went into hiding after authorities have reportedly issued an order for 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. No further information as of 31 December 2012, case closed.

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. Case closed for lack of further information.

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. Said to have been subsequently released, case closed.

INDIA

Killed

***Chaitali SANTRA (f):** Freelance journalist, was killed on 26 September 2012 at her home in Howrah, West Bengal, when she opened a package containing a bomb. Santra contributed to the Hindi weekly *Julm se Jang*. According to her relatives, Santra had been receiving death threats over the phone that could be linked to her crime reporting. 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. Still detained pending trial as of 31 December 2012.

***Lingaram KODOPI:** Journalist for the *Tehelka* 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 Chhattisgarth. Still detained as of 31 December 2012.

Attacked

***Tongam RINA (f):** Associate editor of the newspaper *Arunachal Times*, was shot in Itanagar city on 15 July 2012 by unknown assailants as she arrived at the newspaper offices. She was badly injured but has managed a slow recovery. Rina reported that previously she received threats linked to her campaign against the construction of a dam on the Siang River. The authorities are investigating the attack.

Brief detention:

***Shaheen DHADA (f):** Facebook user, was arrested on 19 November 2012 after reportedly posting a comment on her Facebook page criticising the standstill in the city of Mumbai on 18 November 2012, following the death of a political figure from the Shiv Sena party. Dhada’s post reportedly said: ‘Mumbai shuts down due to fear, not due to respect’. Soon after the post, a friend of hers ‘liked’ Dhada’s comment. Both women were arrested after a leader of the said party complained for the content of the post; the women were charged for offences under the Section 66(A) of the Indian Penal Code, for posting the message. There are reports that Dhada and her family have also been receiving death threats. They are free on bail.

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 ad section 6 (1) of the Wireless Act. After the sentence, he told his family that he was tortured during interrogation. **Place of detention:** Insein prison.

On trial

***HERJULE:** Journalist for the *Snap Shot* journal, is reportedly facing trial on charges of defamation after publishing articles about a karaoke business in Kaatha neighbourhood. The articles were published in April 2012, and the charges filed on 16 July 2012 by the owner of a karaoke shop. Herjule, who goes by one single name, was freed on bail on 30 July 2012. The trial continues.

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 condi-

tion of some roads in Thabeikkyin Township. On 6 March 2012, Wai and Thet were freed on bail. No further information as of 31 December 2012.

NEPAL

Death threat

***Bikas AGRAWAL:** Journalist for the daily *Bypass*, based in Rautahat, was reportedly threatened with death by a leader of the Sadbhavana party on 9 October 2012. The threat was linked to a critical article against a minister.

***Raj Kumar GOLE:** Journalist for the daily *Nayapatrika*, reportedly received a telephone death threat in early July 2012. The caller, after identifying himself, questioned Gole about his articles regarding private school fees in Kaver, near the valley of Kathmandu. According to the Gole’s articles, the fees charged to parents are exorbitant.

***Amar NEUPANE:** Writer, has been recently threatened over his novel *Seto Dharti*. On 19 October 2012, a copy of his novel was burned in the streets of the western city of Pokhara by members of the Bhujel community, who accuse Neupane of ‘humiliating their community’ in the book. *Seto Dharti* is Neupane’s second published novel, and was awarded this year’s Mandan Purashar prize, a prestigious literary award in Nepal. The novel was first published on 5 May 2012, and quickly sold out. A second edition soon followed. Neupane has also reported receiving telephone threats from members of the Bhujel Sewa Samity, an organisation belonging to the Bhujel community, demanding that he publicly apologise for the book or face attack. Committee members from Bhujel Sewa Samity have reportedly also ordered the bookshops in Pokhara to remove the novel from their shelves. The issue at the heart of the controversy is that of Nepal’s child widows. [RAN 73/2012 – 20 November 2012]

***Ganesh PANDEY:** Journalist for the *Samacharpatra Daily*, reported receiving death threats via email in late August 2012. The threats are connected to an article written by Pandey and published on 20 August 2012, about the Doramba massacre, when 19 people, suspected of being Maoists, were allegedly killed by the Nepalese Army.

***Hermanta POUDEL:** Journalist for the *Samacharpatra* daily, based in Kailali, western Nepal, reported receiving a death threat on 14 August 2012, by the Superintendent of Police. The threat is linked to an article published on 12 August in the *Sudoor Sandesh* daily about police officers allegedly taking bribes.

***Rishiram POUDYAL:** Reporter for the *Kantipur* daily. Reportedly received a death threat in early December 2012 over an article he published about gold smuggling.

***Yuvraj PURI:** Journalist for the daily newspaper *Annapurna Post*. Reportedly received a telephone death threat in early December 2012 over an article about the alleged illegal acquisition of certificates of citizenship for non-Nepalese nationals.

PAKISTAN

Imprisoned – investigation

***Iftikhar SHAIKH:** American writer and professor, of Pakistani origin. Reportedly arrested on 9 December 2012 in Islamabad on charges of blasphemy. There are reports that Shaikh’s nephew accused him of writing a blasphemous book about the Prophet Muhammad. Shaikh completed his PhD from the United States, and taught at different universities there. He returned to Pakistan five years ago, and was unable to return to the US due to health problems. He is said to be under police custody. WiPC seeking further details.

Attack

***Malala YOUSAFZAI (f):** Blogger, was shot in the head in a targeted attack by the Pakistani Taliban while returning home from school in October 2012. Malala has been a leading young activist for children’s rights, specifically the right to access education for girls, for the past three years. She first came to public attention in 2009, aged 11, when she wrote an anonymous diary for BBC Urdu about life under the Taliban in her home town of Mingora in the Swat valley, north-west Pakistan, after it closed and destroyed 150 schools in the area. She is now receiving medical treatment in the UK.

PAPUA NEW GUINEA

Attack

***Michael KOMA:** Correspondent for the *Post-Courier*. Reportedly badly beaten on 13 October 2012, two days after publishing an article critical of the level of local government appointments in the Highland region. Koma was reportedly attacked by four men while he was outside a relative’s house in Kundiawa district. The men asked Koma about the article and heat him until he was unconscious.

PHILIPPINES

Imprisoned: main case

Ericson ACOSTA:

D.o.B.: 1972 **Profession:** Activist, journalist, songwriter and poet **Date of arrest:** 13 February 2011 **Details of arrest:** 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 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. 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. **Place of detention:** Acosta is currently detained at the Calbayog sub-provincial jail, which is a civilian detention facility. **Treatment in prison:** Since Acosta’s arrest, there has been a constant presence of officers from the 8th Infantry Division of the Philippine Army outside the prison where he is held, 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. **Professional details:** 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. (RAN 14/12 – 22 March 2012) [Charges reportedly dropped on 31 January 2013]

Attack

***Sonny SUDARIA and Jessie MUNGCAI (f)**: Bureau chief of the *Mindanao Daily*, and journalist for the *Asian Journal*, respectively. Reportedly shot at in Marawi City on 1 October 2012 after conducting an interview with a congressman and his brother. Two unidentified men in motorcycles reportedly shot at the journalists as they left the politician’s home in a taxi. The police are investigating the case.

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 that evening, 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. (RAN 09/10 - 26 February 2010)

Death threats

***Frederica JANSZ (f)**: Editor of the *Sunday Leader*. Reportedly received a death threat from Defense Secretary Gotabaya Rajapaksa during a telephone interview on 5 July 2012. She has been previously threatened in connection with the ‘White Flag’ trial of former army commander General Fonseka, in which Ms Jansz was a key witness. Although she has reported the threats to the police she has not been provided with any protection and there are serious concerns for her safety. Rajapaska is the brother of the current Sri Lankan president. [RAN 32/12 - 12 July 2012] Ms Jansz fled Sri Lanka in October 2012.

Harassed/attempted abduction

***Shantha Pryadarshana WIJESOORIYA**: Journalist for the online news agency *SriLankaXNews.com*, has reportedly been harassed since 2011 as a result of his reporting on the human rights situation in the country. On 5 July 2012 Wijesooriya was followed by intelligence agents in Colombo city. The three men attempted to force him into a car, but the journalist was able to escape. He has filed a complaint before the authorities.

THAILAND

Imprisoned – Main case

Somyot PRUKSAKASEMUSK

Profession: Independent journalist, editor of the magazine *Voice of Taksin*, and prominent labour activist. **Date of arrest:** 30 April 2011 **Sentence:** 11 years in prison **Details of arrest:** Reportedly arrested by the Department of Special Investigation (DSI) on 30 April 2011 and charged with two counts of lèse-majesté under Article 112 of the Criminal Code

for publishing two allegedly offending articles written by an anonymous author in his magazine. Pruksakasemusk, 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 Pruksakasemusk 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. [On 23 January 2013, the Bangkok Criminal Court found prominent activist and magazine editor Somyot Prueksakasemsuk guilty of lèse majesté offenses, for publishing two articles in his *Voice of Taksin* magazine that prosecutors argued made negative references to the monarchy. He was sentenced to 5 years for each count of violating Article 112 of the Penal Code, otherwise known as the lèse majesté law, which prohibits acts of insulting, defaming or threatening Thailand’s king, heir apparent or Regent. He received an additional year for a previous suspended sentence on a separate defamation case in 2009.] **Place of detention:** Petchaboon Prison, 31 Praputabat Rd, Ni-Muaeng Sub-district, Muaeng District, Petchaboon 67000, Thailand. **Treatment in prison:** Reportedly ill-treated in detention. **Health concerns:** Somyot suffers from hypertension and gout and there are concerns for his health, which is said to have deteriorated during his detention.

Suspended sentence

Chiranuch PREMCHAIPORN (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

Surapak PHUCHAISAEENG: Dissident internet writer and computer programmer. Reportedly arrested on 2 September 2011 for posting messages on Facebook said to be insulting to the Thai King. Phuchaisaeng, age 40, was indicted on 25 November 2011 on the charge of lèse-majesté. On 31 October 2012 a court in Bangkok acquitted Phuchaisaeng. There are reports that the prosecution could not prove that the facebook account belonged to Phuchaisaeng, as someone logged into the account while the blogger was under arrest.

Case closed

Norawase YOSPIYASATHIEN: Blogger and accountant. 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, 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. No further information as of 31 December 2012, case closed.

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:** Seven years in prison and three years of probationary detention. **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 prison sentence and three years’ probationary detention for “conducting propaganda against the Socialist Republic of Vietnam”, 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.

DINH Dang Dinh (pen-name : Van Nguyen) **D.o.b.:** 1963 **Profession:** Blogger and chemistry teacher. **Date of arrest:** 21 October 2011. **Sentence:** Six years in prison. **Details of arrest:** Arrested at his house by public security police agents, who searched his home and seized his computer, writings and documents. **Details of trial:** On 9 August 2012, Dinh Dang Dinh was sentenced by the Dak Nong province’s People court to six years in prison under Article 88 of the Criminal Code for ‘Conducting propaganda against the Socialist Republic of Viet Nam’. No defence lawyer was present at his half-day closed trial. The accused defended himself and he pleaded not guilty. In a 45-minute appeal hearing, on 21 November 2012, Dinh’s sentence was confirmed. **Place of detention:** Public Security Police Cong An detention camp, Dak Nong province, Vietnam. **Other information:** Before Dinh

Dan Dinh was brought to trial, the official newspaper disclosed that he would be charged with writing and posting anti-state documents on the internet between 2007 and 2012. Dinh was author several online articles, in which amongst other issues, he called for democracy, denounced repression against dissident writers and human rights defenders, and protested against controversial Chinese-run bauxite mines in Vietnam’s highland. **Health concerns:** Dinh is said to be held in poor detention conditions, and he reportedly was ill-treated by a security agent while being taken before the appeal court hearing in November 2012.

DINH Van Nhuong and DO Van Hoa: **D.o.b.:** 1958 and 1966 respectively. **Profession:** Human rights activists and dissident writers. **Date of arrest:** 7 June 2011 **Sentence:** Four years in prison and three years of probationary detention. **Expiry:** 6 June 2015 **Details of trial:** On 16 July 2012 Dinh was convicted after a one-day trial in Bac Giang province under article 88 of the Criminal Code for ‘conducting propaganda against the Socialist Republic of Vietnam’. He was tried for publishing critical articles online allegedly containing defamatory comments to the reputation of the Communist party and its leaders, illegal land expropriation and giving interviews to overseas Vietnamese-language media. Both men were tried together with Nguyen Kim Nhan (see ‘main cases’ below) **Place of detention:** Public Security police Cong An detention camp, Bac Giang province, Vietnam.

HO Thi Bich Khuong (f) **D.o.b.:** 1967 **Profession:** Internet writer and human rights activist. **Date of arrest:** 15 November 2011 **Sentence:** Five years in prison and three years’ probationary detention. **Expiry:** 14 November 2016 **Details of arrest:** Ho was arrested by the public security police after a search of her house, where agents confiscated many items, including books and computers. **Details of trial:** Ho was tried on 29 December 2011, at Nghe An people’s Court, for ‘Conducting propaganda against the Socialist Republic of 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 Socialist 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. 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:** K4 Detention Camp 5 Yen Dinh district Thanh Hoa 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 disorder), and article 258 (Abusing democratic freedoms to infringe upon the interest of the State), respectively. She has also been attacked, threatened and subject to brief detentions. **Health concerns:** There are concerns that Ho’s health is deteriorating as a result of the conditions of her detention. According to her family, Ho is said to have been attacked on various occasions by other inmates, orchestrated by prison authorities, most recently on 4 November 2012, when four other detainees beat Ho badly; she is said to have suffered a broken arm as a result of the attack and adequate medical attention is not available at the detention camp. **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, Phuong 13, Quan 10, Ho Chi Minh City, Vietnam. **Other information:** Le Cong Dinh has been working as a lawyer defending journalists, human rights activists and internet writers prosecuted in for their reporting, including lawyers and dissident writers Le Thi Cong Nhan and Nguyen Van Dai and the renowned blogger Dieu Cay. Le Cong Dinh has also written for various international media outlets, including the British Broadcasting Corporation (BBC) and Radio Free Asia (RFA), and banned overseas websites such as the “Democracy Movement”, “Vietnam Reform”, “New Horizon”, “Thorough Discussion”, and “Democratic Freedom”, which Vietnamese authorities view as “subversive”. According to Reporters Without Borders, sources said that Le Cong Dinh’s arrest might be related to a libel case brought by several lawyers against the Vietnamese Prime Minister Nguyen Tan Dung.(RAN 25/09 – 16 June 2009)

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. **Sentence:** Four years in prison and four years in probationary detention. **Expiry:** 30 November 2015. **Details of arrest:** Reportedly arrested by public security police after searching his house, seizing his computers and camera, and confiscating underground publications of the Bloc 8406, letters and articles. **Details of the trial:** Le was tried for ‘conducting propaganda against the Socialist Republic of Vietnam) on 10 August 2012, and was sentenced after an hour-long hearing. No defense lawyer was present during the trial, Le defended himself and plead not guilty. On 28 November 2012 an appeal court reduced his sentence from five to four years imprisonment. **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*.

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 Socialist Republic of Vietnam’. 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 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 Quôc* (Fatherland). **Date of arrest:** 7 June 2011. **Sentence:** Five and a half years in prison and four years of probationary detention. **Expiry:** 6 December 2016. **Details of arrest:** Nguyen Kim Nhan was arrested on 7 June 2011 after public security policemen’s searched his residence and confiscated a number of personal effects including a computer and several documents. **Details of trial:** On 16 July 2012 Nguyen was convicted

after a one-day trial in Bac Giang province under article 88 of the Criminal Code for ‘conducting propaganda against the Socialist Republic of Vietnam’. He was tried for publishing critical articles and letters online, allegedly containing defamatory comments damaging the reputation of the Communist party and its leaders, reporting human rights violations, illegal land expropriation and giving interviews to overseas Vietnamese-language media. Nguyen was tried together with Do Van Hoa and Dinh Van Nhuong (see ‘main cases’ above). **Place of detention:** Public Security police Cong An detention camp, Bac Giang province, Vietnam. **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, also under Article 88 of the Criminal Code.

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 in prison and three years of probationary detention. **Expires:** 29 March 2013. **Details of arrest:** Nguyen Phong was arrested with Nguyen Binh Thanh (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 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 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:** On 26 March 2012 Nguyen was sentenced by the People’s Court of the Gia Lai province for ‘undermining the unity policy’ under article 87 of the Criminal Code. There was reportedly no defence lawyer during Nguyen’s trail. 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:** Two years in prison and two 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 Vietnam”, in violation of the Article 88 of the Criminal Code. Convicted under Article 88 of the Criminal Code for ‘Conducting propaganda against the Socialist Republic of Vietnam’ for collecting documents, and writing and publishing several online articles which allegedly tarnished the reputation of the Communist Party and the Socialist Republic of Vietnam. **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:** Twelve years in prison and five years of house arrest. **Expiry:** 17 October 2022 **Details of arrest:** Initially arrested on tax fraud charges, but not released at the end of his sentence. On the day of the expiry of his first conviction, he was transferred to a Public Security detention camp in Ho Chi Minh City, and held there on different charges. During his arrest he was been held incommunicado, without access to family visits, letters or medical and food supplies. **Details of trial:** On 24 September 2012 Nguyen was tried and sentenced for ‘conducting propaganda against the Socialist Republic of Vietnam’, under Article 88 of the Criminal Code. He pleaded not guilty. Nguyen Van Hai was tried for his online writings for the banned website *Free Journalist Club (Cau Lac Bo Nha Bao Tu Do)*, which he co-founded, and on his own blog. These writings were published prior to his arrest in 2008. His family and his supporters were prevented for entering the court on the day he was sentenced. Nguyen was tried together with bloggers Phan Thanh Hai and Ta Phong Tan (see ‘main case’ below). The trial against the three bloggers had been repeatedly postponed, and did not comply with international standards of fairness. **Place of detention:** Trai Giam Chi Hoa, So 1 Dung Hoa Hung, Phuong 13 Quan 10, Ho Chi Minh City, Vietnam. **Previous conviction:** Nguyen Van Hai was previously charged with alleged tax fraud and sentenced on 10 September 2008 to two and a half years-imprisonment. He is widely believed to be targeted for his criticism of Vietnamese government policy. He should have been released on 20 October 2010 on completion of this sentence. **Other information:** Nguyen Van Hai is known for his critical internet postings calling for greater democracy and human rights in Vietnam and his participation in protests against Chinese foreign policy. He is recipient of the 2009 Hellman/Hammett award. (RAN 47/08 Update #1 – 9 April 2009; RAN 66/12 – 24 September 2012)

NGUYEN Van Khuong: (pen name Hoang Khuong)

D.O.B.: 1989 **Profession:** Journalist for the daily newspaper *Tuoi Tre (http://tuoitre.vn)*. **Date of arrest:** 2 January 2012. **Sentence:** Four years in prison. **Expiry:** 1 January 2016 **Detail of the arrest:** Nguyen was arrested in Ho Chi Minh City. His arrest was linked to an undercover investigation that concluded with the publication of an article on 10 July 2011, in the daily *Tuoi Tre*, exposing police corruption. **Details of trial:** Nguyen was tried for his alleged involvement in handing US\$720, to a traffic police officer, in return for the release of an impounded motorbike. At the end of the trial the prosecution asked for a seven year prison sentence against Nguyen; however, the court imposed a lighter sentence due to his work as a journalist. The traffic police officer was given a five year sentence for ‘taking bribes’. **Other information:** On 3 December 2011, Nguyen was suspended from the *Tuoi Tre* daily, allegedly after pressure from the authorities. **Place of detention:** Public Security police Cong An detention camp, Phan Dang Luu street, Ho Chi Minh City, Vietnam.

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 under Article 88 of the Criminal Code for ‘conducting propaganda against the Socialist Republic of Vietnam’. 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. **Health concerns:** Reportedly suffering from a number of health complaints. **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 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 three 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]

PHAN Ngoc Tuan

D.o.b. 1959. **Profession:** Dissident poet, writer and human rights defender. **Date of arrest:** 10 August 2011. **Sentence:** Five years in prison and three 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.

PHAN Thanh Hai: (aka Anh Ba Sai Gon)

D.o.b: 1969. **Profession:** Lawyer, independent journalist and blogger. **Date of arrest:** 18 October 2010. **Sentence:** Four years in prison and three years of probationary detention. **Expiry date:** 17 October 2014. **Details of arrest:** Arrested by Public security police at his residence. **Details of trial:** On 24 September 2012 the Court in Hi Chi Minh City tried and sentenced Phan for ‘propaganda against the state’ under article 88 of the Criminal Code. Phan was tried for his online writings for the banned website *Free Journalist Club (Cau Lac Bo Nha Bao Tu Do)*, which he co-founded, and on his own blog. He had written about Vietnam’s territorial disputes with China and the issue of bauxite mining. Phan’s family and supporters were not allowed to attend the trial. Phan was tried together with bloggers Nguyen Van Hai and Ta Phong Tan (see ‘main case’ above and below). The trial against the three bloggers had been repeatedly postponed, and did not comply with international standards of fairness. **Place of detention:** Public security police detention centre at Ho Chi Minh City. **Other information:** Phan Thanh Hai was known as an active member of the *Free Journalist Club* in Vietnam since 2007. His blog <http://anhbasg.multiply.com> is known for its social and news reports about Vietnam. His blog was hacked and erased completely three times by professional hackers. Public Security police frequently harassed and interrogated him about his blogging. Despite being a qualified lawyer, he has been denied permission to practice by the Ho Chi Minh Bar Association because of his blogging and activism. Recipient of the 2011 Hellman/Hammett award. (RAN 66/12 – 24 September 2012)

TA Phong Tan (f): (Aka Cong Ly Va Tu Su)

D.o.b.: 1969 **Profession:** Blogger for *Conglyspath (Justice & Truth)*, jurist and former police officer. **Date of arrest:** 5 September 2011. **Sentence:** Ten years in prison and five years in probationary detention. **Expires:** 4 September 2021. **Details of the trial:** On 24 September 2012 the Court in Hi Chi Minh City tried and sentenced Ta for ‘propaganda against the state’ under article 88 of the Criminal Code, for her online

writings for the banned website *Free Journalist Club (Cau Lac Bo Nha Bao Tu Do)*, which she co-founded, and on her own blog. She has written articles about corruption, abuse of power, confiscation of land, among other issues. Ta was tried together with bloggers Nguyen Van Hai and Phan Thanh Hai (see ‘main case’ above). The trial against the three bloggers had been repeatedly postponed, and did not comply with international standards of fairness. **Professional details:** Ta is a popular blogger among dissidents in Vietnam. Her articles have been published in many mainstream media outlets in Vietnam, including *Tuoi Tre (Youth)*, *Nguoi Lao Dong (Laborer)*, *Vietnam Net*, and the *Vietnamese Service of the BBC*. **Place of detention:** Trai Giam Chi Hoa, So 1 duong Hoa Hung, Phuong 13 Quan 10 Ho Chi Minh city, Vietnam. **Other information:** On 30 July 2012 her mother died after self-immolating outside government buildings following months of harassment from Public Security officials. Recipient of the 2011 Hellman/Hammett Award. (RAN 66/12 – 24 September 2012)

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 banned democracy movement known as 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. 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.

TRAN Vu Anh Binh:

D.o.b.: 1974 **Profession:** Songwriter and blogger. **Date of arrest:** 19 September 2011 **Sentence:** Six years in prison **Expiry:** 18 September 2017 **Details of arrest:** Arrested by a group of about 10 plain-clothed police, who confiscated his computers and audio-visual equipment. **Details of trial:** On 30 October 2012, Tran was sentenced after a five-hour trial at Hi Chi Minh People’s Court for ‘Conducting propaganda against the Socialist Republic of Vietnam’ under article 88 of the Criminal Code. He was tried with songwriter and performer Vo Minh Tri (see below). **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:** He is said to be held in solitary confinement. **Professional details:** Tran has written songs which deal with social matters, advocating the respect of human rights, denouncing social injustice and abuse of power. His most known songs include *Father, You Gave Me (Your Child) the Future*, and *The Lullaby is Not Fully Sung Yet*. He is also credited with writing the music for *Courage in the Dark Prison*, a song that reportedly expresses support for imprisoned blogger Nguyen Van Hai. (RAN 70/12 – 31 October 2012)

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:** Five years in prison and three years of probationary detention. **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 of probationary detention. **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.

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 **Sentence:** Four years in prison and two-year probationary period. **Details of arrest:** Arrested on 16 September 2011 and held for a week. Rearrested in December 2011 at his home by public security police. His computer and recording equipment were seized by the police. **Details of the trial:** On 30 October 2012, Vo was sentenced after a five-hour trial at Hi Chi Minh People’s Court for ‘Conducting propaganda against the Socialist Republic of Vietnam’ under article 88 of the Criminal Code. Vo was tried with songwriter and blogger Tran Vu Anh Binh (see above). **Other information:** In April 2011 Vo and other young professionals, students and activists founded the organisation *Tuoi Tre Yeu Nuoc (Young Patriots)*, a human rights defenders’ group. Vo’s

lyrics and writings have been published in the group’s websites *www.tu-oitreyeuuoc.com* and *www.tuoitreyeuuoc.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. (RAN 70/12 – 31 October 2012)

Imprisoned – investigation

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.worldpress.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 31 December 2012. [Among 13 bloggers and activists given sentences ranging from 3-13 years on 9 January 2013 for “carrying out activities aimed at overthrowing the people’s administration” under Article 79 of the penal code. The criminal activities the group are said to have engaged in include writing commentary that is critical of the Government and distributing this on the internet, and both participating in and encouraging peaceful protest.]

Attacked

***Vi Hoang NGUYEN, Hang BUI, Lee NGUYEN, Quyet LE and Tan Thi DUONG (f):** Bloggers, reportedly attacked on 13 July 2012, while leaving a meeting in Ho Chi Ming city. At about 10.30 the five bloggers were followed in their car by a group of about 10 people, allegedly state agents, who drove very close by and smashed one of the car windows. None of the five were hurt by the attack. Tan Thi Duong is the wife of blogger **NGUYEN Van Hai** (pen-name Hoang Hai, aka blogger), see above in ‘Main case’.

Case closed

NGUYEN Manh Son: Dissident writer and retired government worker. Arrested on 8 May 2009 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. Tried and convicted by the Hanoi People’s Court on 9 October 2009 under Article 88 of the Criminal Code for ‘Conducting propaganda against the Socialist Republic of Vietnam’. Released on expiry of sentence in November 2012. **NGUYEN Van Tuc:** Farmer, poet and human rights defender, known for his numerous writings on social injustice and satirical poems published on overseas websites, was arrested on 10 September 2008 and sentenced to four years in prison and 3 years’ probationary detention. Nguyen was convicted by under Article 88 of the Penal Code for ‘Conducting propaganda against the Socialist Republic of Vietnam’. On 10 September 2012 Nguyen Van Tuc was released from prison on completion of his imprisonment sentence. He remains under probationary detention for three more years. (RAN 47/08 - 23 September 2008, update 1 – 9 April 2009) **PHAM Thanh Nghien (f):** Internet writer and independent journalist, was arrested on 18 September 2008 and sentenced to four years in prison and three years’ probationary detention under Article 88 of the Penal Code for ‘propaganda against the state’. On 18 September 2012 Pham

Thanh Nghien was released from prison on completion of her imprisonment sentence. She remains under probationary detention for four more years. [RAN 47/08 - 23 September 2008; Update #1 – 9 April 2009] **PHAM Van Troi:** Dissident writer and activist, known for his contributions to the underground dissident review *Tu Do Dan Chu (Freedom and Democracy)*, was arrested on 10 September 2008, and sentenced to four years in prison and 4 years’ probationary detention. Charged under Article 88 of the Penal Code for ‘Conducting propaganda against the Socialist Republic of Vietnam’, and convicted by the Hanoi People’s Court on 8 October 2009. On 11 September 2012 Pham Van Troi was released from prison on completion of his imprisonment sentence. He remains under probationary detention for four more years. (RAN 47/08 - 23 September 2008, update 1 – 9 April 2009)

EUROPE and Central Asia

ARMENIA

Case closed

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 was 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 was standing for re-election. Last information dated August 2009 reported that Bodjolyan was still in prison, despite several petitions to the authorities asking for his early release. No further information as of December 2012. Case closed.

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. Although the motive for the attack remains unknown, it is alleged that it may have been related to an article Tagi published on 10 November 2011 entitled ‘Iran and the Inevitability of Globalisation’ in which he criticized the Iranian regime and described threats made against Azerbaijan by Iran as “ridiculous”. A criminal investigation has been launched by the Khatai District Prosecutor’s Office. **Background:** Tagi,

a former PEN main case, was previously arrested in November 2006 for an article entitled ‘Europe and Us’, published in *Sanat* newspaper, for which he was accused of insulting the Prophet Mohammad. Following the publication of the article Grand Ayatollah Fazil Lankarani of Iran issued a fatwa calling for Tagi’s death. He was sentenced to three years in prison for the article under Article 283 of the Azeri Criminal Code for “inciting national, racial and religious enmity”. Following significant international pressure, Tagi was granted amnesty on 28 December 2007.

Imprisoned – Main Case

Hilal MAMEDOV: editor-in-chief of independent newspaper *Talyshi Sado (Voice of the Talysh)* and human rights activist, imprisoned since his 21 June 2012 arrest on separate counts of high treason (Article 274 of the Azeri Criminal Code), incitement to ethnic and religious hatred (Article 282.2.2 of the Azeri criminal code), and illegal drug possession (Article 234.4.3 of the Azeri Criminal Code). Mamedov’s family claim that the drugs found in his apartment were planted, and have stated their belief that the arrest was politically motivated. In a press release, Azerbaijan’s Interior Ministry stated that Mamedov had undermined the country’s security in his article for *Talyshi Sado*, in his interviews with the Iranian broadcaster *Sahar-2*, and in unnamed books he had allegedly translated and distributed. The statement also denounced domestic and international protests against Mamdedov’s imprisonment and said the journalist had used his office to spy for Iran. 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 was sentenced to 10 years in prison. If convicted, he faces confiscation of his property and up to 11 years in prison. **Attacks while in custody:** Mamedov was reportedly attacked and injured by his cellmate on 29 November 2012. He was saved from serious injury by the intervention of prison guards.

Faramaz NOVRUZOGLU also known as **Faramaz ALLAH-VERDIYEV:** freelance investigative journalist, has written for the independent newspapers *Milletim* and *Nota*. He was arrested in April 2012 and sentenced to four and a half years in prison on 23 August 2012 on charges of ‘illegal border crossing’ and of ‘inciting mass disorder’. Novruzoglu denies the charges, pointing to the conflict between the alleged date of his ‘border crossing’ (November 2010) and stamps in his passport which show travel elsewhere at the time. Furthermore, he claims that there is no evidence that he is the owner of the Facebook page that is the alleged source of the ‘incitement to mass disorder’. Human Rights observers have criticised the judicial process, pointing to the lack of any credible evidence against Novruzoglu and the ineffectiveness of the state-appointed defence attorney. Novruzoglu was previously imprisoned in 2007 for allegedly defaming the interior minister, and in 2009 for allegedly insulting the chairman of the pro-government *Azadlyg Harakatchilari*. **Update:** The Baku-based Institute for Reporters’ Freedom and Safety (IRFS) has hired an independent lawyer for Novruzoglu to appeal his verdict.

Avaz ZEYNALLI: editor-in-chief of the *Khural* newspaper. Zeynalli was arrested on 28 October 2011 by members of the Anti-Corruption Office, and placed under pre-trial detention by the Nasimi District Court; he was transferred to the Kurdakhani Investigation Prison the following day. Zeynalli is charged (1) under Article 311.3.4 of the Azeri Criminal Code (extortion) and (2) Article 311.3.3 of the Azeri Criminal Code (bribery). These first two charges related to a video that reportedly shows MP Gular Ahmadova demanding a \$1million bribe in exchange for a parliamentary seat;

Ahmadova claims that Zeynalli extorted a bribe out of her not to release this video (although the video has, reportedly, been released). He is also charged **(3)** under Article 213.1 of the Azeri Criminal Code (tax evasion), though he claims the investigation into his tax payments was conducted illegally; **(4)** and under Article 306.2 of the Azeri Criminal Code (contempt of court), reported to be the result of his non-adherence to a court decision which ordered *Khural* to pay over \$18,000 to two men who had accused the paper of ‘insulting their honour and dignity’, the newspaper had appealed for the termination of the fines due to lack of funds. **Trial:** Zeynalli’s trial has been littered with controversies, including his defence attorney exiting the courtroom mid-trial over a row regarding the order of witnesses; a courtroom altercation with the prosecution’s chief witness, MP Gular Ahmadova; claims from Zeynalli that the evidence collected against him has been illegally obtained; and serious questions about his health while in prison (according to a prison infirmary report, Zeynalli has been diagnosed with ‘hepatocholecystitis, hepatomegaly, kidney stones, spinal osteochondrosis, neuralgia radiculitis and chronic subatrophic rhinitis’ during his imprisonment. At a 21 November 2012 hearing, Zeynalli claimed that his prosecution was directly ordered by officials within the government. **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.

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. This was extended by a month at a 16 October hearing. 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 coerce him into a confession. The police told Aliyev that if he did not admit to the drug-related charges, they will sentence him to more than 5 years in prison, under more serious charges. At a 29 October 2012 hearing, Aliyev’s appeal against his continued pre-trial detention was rejected. PEN is seeking further information.

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*. Possibly released on expiry of his sentence.

***Azer GULIYEV:** Editor of the conservative Muslim website, *xeber44.com*, is charged with “incitement to hooliganism” (Article 221.2.1 of the Azeri Criminal Code) at a protest against the inclusion of dance music at an event held in connection with a government-backed International Folk Festival being held in Masalli. The Interior Ministry reported that two Ma-

salli residents and a policeman were injured in the protests, and that the windows of a car were smashed. Guliyev denies the charges, claims that the protest was peaceful and that it was the police who were engaging in hooliganism and violence that day. According to Guliyev, his brother, Araz, was arrested, beaten and tortured (prompting the calling of an ambulance for medical treatment) for a protest against a ban on the headscarf in Masalli province. A judge ruled to extend Azer Guliyev’s pre-trial detention at a 4 December 2012 hearing.

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

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. PEN is seeking an update.

Taleh KHASHMAMMADOV: Blogger, human rights defender and founder of ‘Law and Rights 2010’, a legal consulting office. On 11 November 2011 Khasmammadov was approached by two men claiming to be policemen. They asked him to giver over material that he had collected pertaining to illegal actions carried out by police officers. Khasmammadov 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. Khasmammadov’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 Khasmammadov on 7 March 2012 at Kurdamir Regional Court.

Khasmammadov stated in court that the police officers had targeted him as a result of his work as a human rights defender and blogger. Khasmammadov 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. PEN is seeking an update.

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 Binagady 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:** 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. **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. PEN is seeking an update on his trial.

Brief detention

***Elchin ALIYEV,** reporter for the daily newspaper, *Azadliq*, and **Islam SHIXALIYEV,** reporter for the daily newspaper, *Baku News*. The two were detained for the duration of a protest against parliamentary corruption on 20 October 2012.

***Zaur GURBANLI:** youth blogger arrested on 29 September 2012 in Baku and sentenced to 15 days administrative detention for “resisting arrest” following a raid on his home. Thought to be linked to his criticism of the President’s daughter. He had been involved in the Sing for Democracy campaign that worked to raise human rights in Azerbaijan during the May 2012 Eurovision Song Contest.

Attacked

Joshgun ALIYEV: correspondent for the daily newspaper, *Merkez*. Investigating an article about trees being cut down on a Baku street, Aliyev was allegedly attacked on 1 November 2012 by the director of a local taxi stand who was responsible for the tree cutting. **Rasim ALIYEV,** IRFS correspondant; **Etimad BUDAGOV,** Turan News Agency reporter; **Farahim ILGAROGLU,** Yeni Musavat newspaper cor-

respondent; and **Amid SULEYMANOV,** Media Forum correspondent, were all physically attacked by police officers during an opposition rally in Baku on 17 November 2012. All four journalists were wearing press jackets and press badges (as encouraged by the OSCE in a partly government-funded workshop that had taken place a week earlier on reporter safety) when they were allegedly kicked and punched by the police (images of the attack were reportedly caught on camera).

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 Aleksander Lukashenko. The organization had been stripped of its official registration in 2003, making it extremely difficult under Belarus’s economic laws to raise funds for its activities. **Update:** 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. PEN is seeking an update on the trial.

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. PEN is seeking an update on the trial.

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.

Released

Dimitry BONDARENKO: journalist sentenced on 27 April 2011 to two years in prison for his part in a peaceful demonstration in December 2010. Freed on 15 April 2012.

BOSNIA AND HERZEGOVINA

Attacked

***Stefica GALIC (f)**: filmmaker, journalist and editor of Croatian-language website *Tacno.net*. On the evening of 18 July 2012, Galic was taking a walk with a friend in her hometown of Ljubuski when she was attacked by a mob of Croatian nationalists and severely beaten. Galic sought medical assistance after the attack but was not hospitalised. The attack came two days after the screening of her documentary, *Nedjo of Ljubuski*, which pays tribute to her late husband, Nedeljko Nedjo Galic, who helped Bosnian Muslims flee the town and avoid deportation during the 1991-1995 war in Bosnia and Herzegovina. One of the assailants was identified as a woman who had tried to prevent the documentary being screened at its launch. She and her children had already been the targets of threats and insults by Croatian nationalists before the screening, and they continue to receive threats.

FRANCE

Case closed

Michel CHAMBRU: journalist with the online information site *Allobrogues Voice*, was arrested on 2 November 2010 and accused of interfering with the running of trains at Chambéry, Savoy region. Chambru had been covering the protests in Chambéry for *Allonbrogues Voice*, however, he was arrested and accused of being a protester after he was unable to produce a press identification card to the authorities. His trial was due to begin on 15 September 2011 and he could face up to six months in prison or a fine of €500 if convicted. No further information.

GREECE

On trial

***Kostas VAXEVANIS**: investigative journalist and editor of *Hot Doc* magazine. Arrested on 28 October 2012 and held for a few hours before being freed to face trial on 1 November. He was arrested a day after he had published a list of over 2,000 Greek residents holding Swiss bank accounts based on a document handed to the Greek government by Christine Lagarde, then French minister of finance and now head of the International Monetary Fund, back in 2010 urging the Greek authorities to use this as a source routing out tax evaders. Supporters say that he was justified in the publication – he did not include details of the amount of money or suggest evasion – and at least one other newspaper published the list in solidarity. Free expression NGOs such as CPJ saw the arrest as “an abominable assault on the public’s right to information.” Vaxevanis was found not guilty of breaking privacy laws in early November, but just two weeks later it was reported that the acquittal was being challenged and there may be a retrial.

Possible charges

***Laertis Vasiliou**: director of the play *Corpus Christi* by Terrence McNally, had an investigation against him opened on 11 November 2012 on charges of “malicious blasphemy” for the performance of the play which depicts Jesus and his apostles as gay. The case was apparently brought by religious figures, including the Greek Orthodox Bishop Seraphim of Pireaus. When the play opened on 11 October in Athens, religious groups and members of the far right Golden Dawn party staged demonstrations, threatening and attacking members of the cast and audience. The play was closed down in early November as a result.

KAZAKHSTAN

Imprisoned - investigation

***Aron ATABEK**: poet, writer, newspaper publisher and political activist. Sentenced to 18 years in prison in 2007 for “organising mass disorder”; the charges relate to a 2007 riot that broke out in the Shanyrak shantytown of Almaty after local residents and activist groups clashed with security forces that had been brought in to clear the area for demolition. Atabek vehemently denies the charges. His appeal against the ruling was dismissed in August 2008. He is currently being held in Arkalyk Prison, having been moved there on 20 December 2012. **Background**: Literarily active since 1991, Atabek has written several books of poetry and prose inspired by Tengriist spirituality, as well as a book about the relationship between the Alash and the Kazakhs. In February 1992, he founded and organised the publication of the monthly newspaper *Khak (The Truth)*. He was awarded the literary “Almas Kylysh” prize in 2004, as well as the Freedom to Create “imprisoned” prize in 2010.

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 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’*. These two alongside Serik Sapargali, journalist, 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, arrested with them, 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. (see below), 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.

Brief detention

Bolat ATABAEV: writer and film director. Arrested on 26 January 2012 with three others (see Vladimir Kozlov et al above). The charges against him 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

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 2012 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 27 April 2012 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. 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 Azhigalieva, 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.

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. PEN is seeking an update. **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. PEN is seeking an update.

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:** Faranov’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. PEN is seeking an update.

MOLDOVA

Case closed

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 was 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. No further information. Case closed.

RUSSIA

Killed: Motive unknown

***Viktor YEZH TOKIN:** Poet, writer and journalist for *Zabaikalsky 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) **Investigation:** 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 this 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 [RAN 48/12 – 21/12/2012]

Main Cases: Imprisoned

Nadezhda TOLOKONNIVOVA (f), Mariya ALKEHINA (f),: members of the ten-member female punk group **Pussy Riot**. Arrested on 3 March 2012 1 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:** Tolokonnivova and Alkehina were arrested on 3 March. A third member, Ekatarina Samutsevich was also arrested on 16 March (see below). 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 2012 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:** proceedings opened on 20 July 2012 and on 10 October Toloknnivova and Alkehina were sentenced to serve two years in separate penal colonies. Alkenina was freed on a suspended sentence (see below) **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. [RAN 22/12 26/04/2012, Update # 1 – 21/06/2012, #2 09/08/2012, #4 10/10/2012]

Suspended Sentence

Yekaterina SAMUTSEVICH (f): Arrested on 16 March 2012, a few days after two others members of the Pussy Riot group, Nadezhda TOLOKONNIVOVA and Mariya ALKEHINA were arrested (see above) on charges 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:** 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 2012 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:** proceedings opened on 20 July 2012 and on 10 October Toloknnivova and Alkehina were sentenced to serve two years in separate penal colonies. Alkenina was freed on a suspended sentence. [RAN 22/12 26/04/2012, Update # 1 – 21/06/2012, , #2 09/08/2012, #4 10/10/2012]

On Trial

***Oksana CHELYSHEVA (f):** journalist, writer and human rights activist. She has been writing for *Novaya Gazeta* since 2001, and was Deputy Chair of the *Russian-Chechen Friendship Society* from May 2003 to January 2007 (when the RCFS was shut down).She is defending a 1,200 page monograph on human rights abuses in the Chechen Republic, alongside co-authors **Stanislav Dmitriyevsky** and **Bogdan Guareli**, (below) in a trial to ban the book due to its “extremist” content. The first hearing of the trial was held on 6 December 2012.

***Stanislav DMITRIYEVSKY:** writer, editor and human rights activist. He is in court, conducting a defence of his 1,200-page monograph on human rights abuses in the Chechen Republic. The prosecution is seeking to ban the book on grounds that its content is “extremist” in nature. The first hearing of the trial was held on 6 December 2012. Co-authors **Oksana Chelysheva (f)** (see above) and **Bogdan Guareli** (see below) are also being tried as responsible parties. **Background:** PEN has been closely following developments with Dmitriyevsky for a number of years, who has faced numerous legal challenges, threats and attacks as a consequence of his writings and work as an activist. In January 2005, the Federal Security Bureau initiated a criminal investigation into his human rights organisation, *the Russian-Chechen Friendship Society (RCFS)*, and charged Dmitriyevsky with “inciting hatred between national groups by use of the mass media”. Simultaneously, a process of fiscal harassment was started against the RCFS by the Tax Department and the Ministry of Justice, as well an anonymous smear campaign against Dmitriyevsky and RCFS members (particularly Oksana Chelysheva), giving their home addresses and dubbing them Chechen-funded traitors. In response to the situation, PEN took on Dmitriyevski as a main case, and following an extensive campaign, he was able to escape imprisonment with a two-year suspended sentence and four years of probation. Shortly after the end of this trial (January 2007), RCFS was shut down by the Russian authorities as a consequence of Dmitriyevski’s conviction. Since then, Dmitriyevski has been subjected to intermittent harassment by police officers (when his offices were raided in March 2007 and 2008) and unknown assailants (in August 2008 a brick was thrown through his apartment window and his building was covered with abusive graffiti; between March and November 2012 his offices and home were subjected to attacks of arson, vandalism and attempted forced entry on no less than three occasions). [RAN 47/12 –14/12/2012]

Bogdan GUARELI: researcher and writer. He is defending a 1,200 page monograph on human rights abuses in the Chechen Republic, alongside co-authors **Stanislav Dmitriyevsky** and **Bogdan Guareli**, in a trial to ban the book due to its “extremist” content. The first hearing of the trial was held on 6 December 2012.

Death Threat

Dmitry MURATOV: editor of *Novaya Gazeta*. Invited to join Alexander Bastyrkin, head of the Investigative committee of the law enforcement agency, on 4 June 2012 to a meeting about an article he had writ-

ten implicating Bastyrkin in embezzlement. Muratov was driven into a forest where Bastyrkin then threatened to kill Bastyrikin. [RAN 29/12 – 15/06/2012]

Case closed

Yekaterina SILINA (f): a freelance correspondent for the REX news agency, she was reported missing in January 2011. She was last seen near the School of Journalism at Moscow State University late on 13 January 2011. Silina is very young – 16 years old – and had told her family that she might be in danger. According to REX, Silina wrote about new Moscow Mayor Sergey Sobyenin’s initiatives, the work of the Moscow municipal government and problems facing the agro-industrial industry. She was also in charge of scanning government officials’ blogs for details about their performance. She contributed reports to several newspapers, and attended courses to prepare entrance exams for the School of Journalism at Moscow State University. The police have started a criminal investigation. No further information. Case closed.

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.

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, for “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 ultranationalists. **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. The final trial hearing against Samast was held on 17 June 2011. 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, a criminal with a previous conviction of a bomb attack on a MacDonalds restaurant, was sentenced to life in prison in solitary confinement and with no possibility of parole, for ‘soliciting another person to wilfully commit a murder’; he earlier admitted to arming Samast and instructing him to murder Dink. Separately, Hayal was sentenced to three months in prison for threatening Orhan Pamuk and a year in prison for ‘unauthorised possession of arms.’ Two others, Ersin Yolcu and Ahmet Şkender were sentenced to 12 years and six months in prison each, for ‘assisting in a felonious murder.’ Şkender 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. **Update:** Prosecutor Hikmet Usta officially called for a retrial in March 2012, stating that the assassination was an organised hit and that the investigation into the organisation that masterminded and carried it out was inadequate. The appeal was sent to the Court of Appeals in June. **Honorary Member:** Belgium (FI), England, and Norway

Detentions and trials

The vast majority of cases brought against writers and journalists in Turkey fall under the scope of one of two Anti-Terror investigations.

*The first investigation, **Ergenekon**, attempts to uncover an alleged, clandestine, ultranationalist organisation engaged in the plotting of a military-backed overthrow of the government. The early waves of this investigation largely targeted members of security and intelligence forces, as well as investigative journalists with alleged relationships to them. One of the latter waves of the investigation implicated online news outlet OdaTV in the conspiracy, as well as a number of investigative journalists writing about the alleged infiltration of the police and judiciary by members of the liberal Islamic ‘Gülen Movement’.*

The second investigation, KCK (the Kurdistan Communities Union), attempts to crack down on the alleged ‘urban wing’ of the outlawed PKK (Kurdistan Workers Party), which has been engaged in armed conflict with the Turkish army since 1984. The various waves of this investigation have targeted Kurdish and Turkish civilians with pro-Kurdish sympathies, including politicians, lawyers, human rights defenders, academics,

translators, researchers, publishers, journalists and writers. Each wave is supposed to target a separate alleged ‘wing’ of the organisation, such as the ‘committee of leadership’ (46 of the 50 under trial in this wave are lawyers), the ‘political wing’ (including publishers, academics and translators alongside politicians) and the ‘press wing’ (which implicates 44 journalists).

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. He was re-arrested on 7 March 2009.nd taken to Metris prison. 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:** The next hearing was due to be held on 27 December 2012. **Place of Detention:** as of June 2012 held at Silivri No 1 L Type Prison. **Honorary member:** PEN Turkey.

Ayse BERKTAY (f)

Profession: scholar, author, translator and woman’s activist. **Date of arrest:** 3 October 2011 **Sentence:** not yet sentenced **Arrest:** arrested at her home at 5 am. No arrest or seizure warrant issued. Papers and other materials were taken by police during the raid on her home. **Charges:** Bertay 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 on charges of “membership of an illegal organisation”, 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.” Her next hearing is set to be heard on 17 December 2012. **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:** Bakirköy 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 affiliated 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. 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 Communities Union (KCK)**, said to be affiliated to the banned Kurdish Workers Party (PKK). His next hearing was set to be heard on 26 December 2012. **Possible reasons for arrest:** Commentators have referred to 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. 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 is the author of a 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. **Place of detention:** Diyarbakir D Type Prison **Honorary Member:** PEN Turkey [RAN 12/33 12/07/2012] **Deniz ZARAKOLU;** author, translator and son of leading freedom of expression activist, also detained and now freed, Ragip Zarakolu. (See below). **Details of arrest:** Arrested 7 October 2011 at his home in Tarlabasi, Istanbul. **Charges:** ‘Membership of an illegal organisation’ under the Anti Terror Law. He faces 6-12 years in prison if found guilty. His next hearing was set to be heard on 17 December 2012. **Reasons for arrest:** Said to be for a lecture on political philosophy 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. See KCK above.

On Trial: Main cases

Professor Busra ERSANLI (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 Ersanli 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. Ersanli was advising the BDP on constitutional reform at the time of her arrest. Apparently she has been questioned about notes she made at various academic meetings. **Local and international reaction:** hundreds of supporters protested outside the court at an appeal hearing against the sentence on 31 October. Amnesty Turkey wrote to the Ministry of Justice in mid-November 2011 citing lack of evidence of criminal activities. **Release pending trial:** Ersanli was released pending trial on 16 July 2012 along with 15 other **KCK** suspects in the first hearing of her case. The next hearing was scheduled for 17 December 2012. **Professional details:** Professor Busra Ersanli is an academic based at Istanbul’s Marmara university’s Faculty of Political Science and International Relations. She is an expert on constitutional law and at the time of her arrest was working with the BDP’s Constitutional Commission. Author of *Peace and History*. She is known for her work towards finding non-violent resolutions to conflict. **Honorary Member** PEN Turkey. [RAN 56/11 Update # 6 – 16/07/2012]

Temel DEMIRER: writer and journalist. On trial since January 2008 under Article 301 of the Turkish Penal Code (insulting the Turkish state or Turkish people). **Background:** Reported in January 2008 to be standing trial before the Ankara Penal Court of First Instance under Article 216 (inciting enmity or hatred on grounds of race, ethnicity or religion) and Article 301 (insulting the Turkish state or people) for a speech against the January 2007 murder of Hrant Dink in which he said “I invite all here to commit a crime. Yes, there was an Armenian genocide in this country.” And then urged Turkish intellectuals that if they did not themselves commit “this crime of 301 301 times” they too could be accomplices to the murder of Hrant Dink. A hearing held 15 May 2008 resulted in the court forwarding the case to the Ministry of Justice following amendments to Article 301 put in place in April 2008. In early September 2008, the Ministry granted approval and the case opened in November 2008. Concern was expressed in November 2008 about comments made by the then Minister of Justice Mehmet Ali Sahin in declaring the decision to proceed by stating that 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. **Trial Proceedings:** Demirer’s appeal for the Minister of Justice’s decision to be annulled has been in consideration since 12 May 2009, and no further progress has been recorded in the trial since then. The next hearing of Demirer’s case will be on 19 February 2013.

***Fazil 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”. He faces 18 months in prison if found guilty. The trial was postponed to 18 February 2013 at the first hearing on 18 October 2012

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 on going. **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 12 March 2012 the court made the decision to release **Sener** and **Sik** 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 27 December 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 Hrant Dink’s death were also linked to Ergenekon. **Other trials against Sener: 1)** on 19 April 2011 Sener appeared in court on charges under Article 285 of the Penal Code relating to violation of confidentiality in an article on a police chief himself accused of connections to Ergenekon. **2)** 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. [RAN 10/11 Update # 2 – 13/03/2012]

Ahmet SIK: 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 on going. Next hearing was due to be heard on 27 December 2012. **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** On 12 March 2012 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’. **New Charges** were brought by prosecutors alleging that comments made by Sik on 12 March 2012 as he left Silivri prison were “threatening” to judges and prosecutors and depicted them as “targets for terrorist organisations”. Sik was indicted under Articles 106/2-d, 43/1, 53, 125/1, 125/3-a and 125/4 of the Turkish Penal Code (Law No. 5237) on 3 July 2012, with the prosecutor seeking between 3 and 7 years in prison. **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*. **Other trials against Ahmet Sik:** He is already on trial for two books on Ergenekon, co-authored with journalist **Ertugrul Maviolgu**. **Other information:** Sik is a graduate Communications Faculty Department of Journalists, Istanbul University. Reporter for *Milliyet*, *Cumhuriyet*, *Everensel*, *Yeni Yüziel*, and *Radikal* over the period 1991 – 2005. Awarded a number of prizes for his journalism in Turkey **Honorary member:** PEN Turkey and Danish PEN. RAN 10/11 Update # 2 – 13/03/2012, Update #3 28/03/12]

Ragip ZARAKOLU: publisher, freedom of expression and minority rights activist, member of PEN Turkey. **Details of Arrest:** Arrested 29 October 2011. **Sentence:** not yet sentenced. 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 a 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. **Reasons for arrest:** “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) **Professional details:** Ragip Zarakolu is a well known political activist who has been fighting for freedom of expression in Turkey for over 30 years, publishing books on issues such as minority and human rights. As one of the 50 writers chosen to represent the struggle for freedom of expression since 1960 for the Writers in Prison Committee’s 50th Anniversary Campaign – Because Writers Speak Their Minds. In the days running up to his arrest, he had been campaigning for the release of his son, **Deniz Zarakolu**, (see above) who had been arrested three weeks earlier on 7 October 2011. **Honorary member of:** PEN Turkey, German PEN, Netherlands PEN, San Miguel Allende PEN **Update:** His trial formally began on 13 July 2012, the next hearing was scheduled for 17 December 2012. [RAN 54/11 Update #5 10/04/12]

Imprisoned: Investigation

A total of 44 journalists, mainly working for the pro-Kurdish media, have been on trial for forming the ‘media committee’ of KCK and taking orders from the outlawed Kurdistan Workers Party (PKK). Since their arrest in December 2011, thirty-four of the journalists have spent over a year under provisional detention. These 44 journalists are listed together in the paragraph below;

Semiha ALANKUS (f), **Ertus BOZKURT**, **Hüseyin DENİZ**, **Nevin ERDEMİR** (f), **Nurettin FIRAT**, **Seyhmus FİDAN**, **Yüksel GENÇ**, **Kenan KIRIKAYA**, **Turabi KISIN**, **Mazlum ÖZDEMİR**, **Ramazan PEKGÖZ** and **Davut UÇAR** are all facing trial for ‘leadership of an illegal organisation’ under Article 5 of the Anti-Terror Law and Article 314 of the Turkish Penal Code (leadership of an armed organisation).

Cihan ALBAY, **Çigdem ASLAN** (f), **Selahattin ASLAN**, **Pervin Yerlikaya BABIR** (f), **Irfan BILGİÇ**, **Oktay CANDEMİR**, **Ömer ÇELENK**, **Ömer ÇİFTÇİ**, **Arzu DEMİR** (f), **Dilek DEMİRAL** (f), **Nahide ERMİS** (f), **Murat EROĞLU**, **Sibel GÜLER** (f), **Sultan GÜNES** (f), **Çağdas KAPLAN**, **Evrım KEPENEK**, **Fatma KOÇAK** (f), **Zeynep KURAY** (f), **Ay e OYMAN** (f), **Eylem SÜRMELE** (f), **Hamza SÜRMELE**, **Serafettin SÜRMELE**, **Haydar TEKİN**, **Zuhar TEKİNER** (f), **Sadık TOPALOĞLU**, **Çağdas ULUS**, **Mehmet Emin YILDIRIM**, **İsmail YILDIZ** and **Nilgin YILDIZ** (f) are facing trial for ‘membership of an illegal organisation’ under Article 5 of the Anti-Terror Law.

Investigation – Other (including further KCK)

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.

İrfan 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.

İbrahim ÇİÇEK, Sedat SENOĞLU: editor in chief and journalist respectively for the newspaper *Atilim*: 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 over six years without conclusion of their trial, flouting the European Convention on Human Rights. Scuffles broke out at this hearing after one of the defendants attempted to make a speech commemorating a person who had been killed by the military in 1995. **Place of Detention.** Namaz is being held in Edirne F Type Prison. Erdogan is in Gebze Prison. **Update:** In May 2011, **İbrahim Çiçek** and **Ziya Ulusoy** were freed pending trial after 5 years behind bars. However, on 24th June 2012 both journalists were detained in relation to terrorism charges. In September 2012, **Sedat Senoglu** was released pending trial

due to a change in the nature and classification of the crime and the term spent behind bars already. The court also issued an arrest warrant for **İbrahim Çiçek** who failed to comply with probation orders. Next hearing due to be held on 13 December 2012..

Hamdiye ÇİFTİÇİ (f): reporter for the DIHA news agency 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. Given a life sentence on 16 October 2012 for membership of an illegal organisation, the Marxist Leninist Communist Party (MKLP). She is currently serving her sentence in Gebze Prison.

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 July 2012. 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.

***Osman Işçı:** Researcher, translator and former Human Rights Association (IHD). On 25 June 2012, Işçı 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.

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.

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 Öcalan. 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 the sentence being sought against him. On 14 September 2012 this appeal, and an appeal for release pending trial, was refused. His next hearing will be held on 27 December 2012. See **Ergenekon**

***Zeynep KURAY (f):** Columnist for Turkish newspaper BirGün, arrested in the December 2011 round of **KCK** arrests. Among the evidence delivered in her May 2012 indictment was a news story written by her and 11 pages of her step-father Ali Berktaş’s draft translation of French Historian Jean-François Solnon’s 2009 book, *Le Turban et la Stamboulène*, which documents anti-Turkish/Ottoman sentiment in Europe between the 16th and 20th centuries. The 11 pages are from a chapter titled, “Are they any better than dogs or are they good people?” and includes disparaging quotations about Turks from Erasmus and Martin Luther. It is thought

that charges are being sought under Article 301 of the Turkish Penal Code (insulting the Turkish people).

Mulazim OZCAN (aka **Mirza RONI**): Kurdish poet, linguist and member of Kurdish PEN, Ozcan is the Kurdish consultant at Ragıp Zarakolu’s Belge International Publishing House. He was arrested on 4 October 2011 as part of the KCK investigation, his arrest is considered to be linked to a lecture he gave on Kurdish language and literature at the BDP Political Academy. The charges against him are “membership of an illegal organisation”. He has published poetry in Kurdish under the pen name MirazRoni, and in 2012 he was given the FeqîHuseynSaginc Linguistics Award for his contribution to education in the Kurdish language and his articles on Kurdology. His books: *Mirza Roni, Di Siya Dara Xaçê de Serhildan (Poetry)*, 1999; *Mulazim Ozcan, Pratik Kurtce Konuşma Klavuzu (Practical Handbook for Kurdish Speaking)*, Turkish and Kurdish, 2002; *Mulazim Ozcan, Kurtce Cep Klavuzu (Practical Pocketbook for Kurdish)*, Turkish and Kurdish, 2003. **Detained:** He is currently being held in pre-trial detention at Silivri Prison in Istanbul.

Tuncay ÖZKAN: writer and journalist. Arrested on 27 September 2008 in the **Ergenekon** case, and whose trial is on going. 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. His appeal for release under Law No. 6352 was rejected on 27 July.

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.

Eser SEVGÜL, Turabi KISIN: reporter for *Halkın Gunlugu (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.

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.

Aziz TUNÇ: historian and human rights activist, arrested on 4 October 2011 as part of the second wave of arrests in the **KCK** investigation. He is charged with “membership of an illegal organisation”. Tunç has written a book on the Marash Massacre of Alevi by ultranationalist militants in 1978 in his book, “Anatomy and Background of the Marash Massacre”. He has written for magazines *Zulfikar* and *Ak-El*, and has worked in the past for the Human Rights Association (IHD). He is waiting to publish two new books, one on the history of Marash and the other on the political impact that the Alevi minority has had in Turkey. **Detained:** Tunç is being held in pre-trial detention in Silivri.

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). This sentence was commuted to 10-15 years in prison on 15 October 2012. Abay was in Germany when the verdict was delivered, and is now seeking political asylum there. PEN is seeking further information. **Background:** Abay was arrested by anti terrorist police on 13 April 2003 while he was a columnist and editor of *Atilim*, on the grounds that he orchestrated a bombing that he had reported on as a journalist (he claims to have been warned against running the story by police prior to his arrest). His arrest was based on the testimony of a suspect who later denied ever having met Abay and who claimed to have signed his statement under torture by police officers. The investigating judge agreed that the statement was not feasible and released Abay after four days. However he was re-arrested only to be freed pending trial on 3 October 2003. He has been free since then.

***Ahmet ALTAN:** novelist, essayist and former editor-in-chief/columnist for *Taraf* newspaper. Was charged with “insulting” Prime Minister Recep Tayyip Erdogan in a March 2012 article. He was found guilty on 26 December 2012 and ordered to pay roughly €8000 in damages. His attorney has announced that they will be taking the case to the European Court of Human Rights. PEN is 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. PEN is seeking further information.

Murat AYDIN: a DiHA reporter, taken into custody on 20 October 2011 during **KCK** raids in Mus Province. He was detained thereafter in an F-Type maximum security prison in the eastern province of Van. Charged with ‘membership of an illegal organisation’ and ‘making provocative news’ after running a news story on Roj TV containing references to ‘Kurdistan’ and ‘Gimjim’ (the Kurdish name for the district of Varto). **Update:** Was released pending trial on 18 September 2012 during the KCK ‘Press Hearing’. The next hearing will be held on 27 November 2012.

İsmail 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)** A court in the southeastern city of Malatya sentenced Bogatekin in absentia to a year in prison on charges of relaying PKK propaganda and “praising a crime or a criminal” under 215 of the Turkish Penal Code. Bogatekin is looking to appeal the decision in Turkey’s highest court, PEN is seeking further information.

***Reyhan ÇAPAN:** editor-in-chief Ozgur Gundem. Çapan was sentenced to one year and three months in prison on 24 October 2012 for making ‘propaganda for a terrorist organisation’ under article 7 of the Anti-Terror Law. He was first charged in May 2012, in relation to a headline ‘Revolt Speaks’, which appeared in the March 2012 issue of Ozgur Gundem. Free on appeal.

Halit GUDENOGLU, Kaan Unsal, Cihan GUN, Musa KURT, Naciye YAVUZ (f): reporters for *Yuruyus*. The first hearing was held on 10 January 2012, after 13 months of pre-trial detention. Charges are apparently terror-related. *Yuruyus* magazine office in Istanbul was raided on 24 December 2010. The raid also included the publishing company Ozan Publishing. **Conditional Release:** The 5 were released pending trial on 20 July 2012.

N. Mehmet GÜLER: author. On 13 February 2012, Guler 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:** In June 2010 he was entenced to one year and three months under Article 7/2 of the Anti Terror Law for his book *More Difficult Decisions than Death*. Accused alongside publisher Ragip Zarakolu under article 7/2 of the Anti Terror Law of “spreading propaganda” for the banned Kurdish Workers Party (PKK). The charges related to three fictional characters, “Siti”, “Sabri” and

“Siyar”. Specifically a section of the book where a PKK member on trial says “This court has no right to judge me. I fight for freedom. I do not recognise this court”. The fictional judge’s response and following passages are subject to the indictment. The prosecutor stated that some parts of the novel evokes sympathy for the PKK in its readers. The trial was adjourned to 10 June 2010 when Zarakolu was acquitted, yet Güler was sentenced. He is free on appeal. On 10 March 2011 Güler received a 15-month suspended sentence alongside publisher **Ragip Zarakolu** who received a fine. Both had been convicted of spreading “propaganda” for the publication of Güler’s book *The KCK File/The Global State and Kurds Without a State*.

***Haluk Kalafat, Ekin Karaca, Cicek Tahaoglu (f), Sibel Yalin Yerdeniz (f) and Samet Aken:** Editor in chief, editor, editor, contributing writer and reporter respectively. All work for online news outlet, *Bianet*. They are facing trial on charges of defamation against the deputy chief of the Istanbul Police Department’s anti-terrorism department, Sedat Selim Ay, whose controversial appointment they wrote about in July 2012. They were questioned in court on 29 November 2012. 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”. Kiliñ 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:** Kiliñ 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. **Release:** Kiliñ was released in August 2012 in response to the Third Judicial Reform Package. **New Charges:** Kiliñ is facing up to half a dozen other cases in front of the Supreme Court of Appeals, all of them pertaining to the charge of ‘making propaganda for a terrorist organisation’.

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. He 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 Ibrahim Sahin, former Deputy Head of the Special Operations Department. The cases were opened in April 2010 at the 2nd Criminal Court of First Instance in Bakırköy, Istanbul. Saymaz faces imprisonment of up to 54 years under charges of “attempting to influence a fair trial” and “violating the secrecy

of an investigation” according to articles 285 and 288 respectively of the Turkish Criminal Code (TCK) **2)** On 20 April 2011 a case was filed against Saymaz by a prosecutor in Erzerum for referring to him as a ‘post modernist’ in his book *Postmodern Jihad*. First hearing set for 8 June led to the case being sent on to the Istanbul Magistrate’s Court. **3)** A hearing was held on 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 Koksak Sengun of 13th High Criminal Court of Istanbul and Kadir Özbek, member of Supreme Judges and Prosecutors Council (HSYK). **Kazim SEKER:** editor of *Özgür Gündem*, a Kurdish publication. Arrested on 4 October 2011 in Istanbul as part of a mass arrest of around 60 members of the pro-Kurdish Peace and Democracy Party. Believed to be detained under the anti terror law. Was released pending trial along with 15 other KCK suspects on 13 July 2012. PEN is seeking further information. **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 Gezmiş, Mahir Çayan and Ibrahim Kaypakkaya during a speech he gave on 1 May 2011 in the eastern province of Dersim. **Müge Tuzcuoglu (f):** anthropologist and writer. Arrested on 8 March 2012 as part of the KCK investigation in Diyarbakir. Subsequently detained in Diyarbakir Prison on charges of membership of an illegal organisation until her release pending trial on 28 September 2012. The next hearing of her trial was set for 24 December 2012. **Background:** Tuzcuoglu’s 2011 book, *I am a Stone*, centres on a group of Kurdish children who throw stones at police officers during protests in Southeast Turkey. She claims that the charges relate to a seminar on the history of civilisation that she gave at a BDP Politics Academy conference. **Hüseyin Soner YALÇIN:** journalist for Oda TV and the *Hürriyet* newspaper. Held under the Ergenekon investigation for membership of an armed organisation (Ergenekon) and holding classified information. Held in Silivri No 1 L Type prison as of September 2011. **Update:** Released pending trial on 27 December 2012. **Halim YAZICI:** poet and member of PEN Turkey. Arrested in his home town of Izmir on 22 November 2011 allegedly on charges of financial corruption and membership of a criminal group. Among 40 others were arrested. He is a cultural advisor to the Izmir Greater municipality. Izmir’s mayor is a member of the opposition CHP and there are suggestions that the arrests may be politically motivated. He was arrested earlier in the year, 2 May 2011, and held for four days for being a member of a criminal gang, then released when it was concluded that there was no evidence. 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 after 6 months in prison but his trial continues.

On Trial: Investigation – Unclear - KCK.

***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 is 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.

On Trial: Investigation – Unclear - Ergenekon

Ergenekon trial: 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 İNANÇ: first two are journalists and heads of the Internet Journalists’ Association. İnanç is noted only as journalist. Bakir runs the website Sivasmit. Arrested for investigation re. ‘Ergenekon’ on 22 January 2009

Zihni ÇAKIR: journalist and author. Arrested in Ankara c. 27 May 2008. He is the author of a book on Ergenekon entitled *Kod Adı Darbe* which is said to include secret documents, wire tap records and codes belonging to Ergenekon. Among them is documentation that allegedly gave details of a public transport site that was 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 İNANÇ: Journalist and president of the Security Reporters’ Association. A defendant in the third round of indictments following arrests made in January to April 2009, and with the trial opening on 7 September 2009. No further news.

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

Hayrulla Mahmut ÖZGÜR, Halil Behiç GÜRCHAN: contributors to the SESAR (Centre for Political, Economic, Social Research and Strategy Development) website sesar.com.tr. Accused of having published articles

that furthered the aims of Ergenekon and “inciting uprising”. Accused with them of carrying research for the site are: Kamal SAHIN, Refik NUHOGLU and Murat YÜCEL.

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

Ergün POYRAZ: author of controversial books on the now banned islamic Refah and Fazilet Parties, as well as on the key members of the ruling AKP. Evidence in his books is said to have led to the closure of Refah and Fazilet in the late 1990s/early2000s. Among the accusations against him is that he allowed books written by Ergenekon members to be published under his name, claims said to be unsubstantiated, and that his books deliberately contributed towards the Ergenekon’s policy of spreading chaos, including through unfounded suggestions that certain leaders were of Jewish or Armenian backgrounds, considered defamatory. One such book could be Poyraz’s *The Children of Moses* which claims that Prime Minister Recep Tayyip Erdogan 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 SELÇUK: 84-year-old journalist. Arrested and held briefly before being freed to face trial in the *Ergenekon* case in March 2008. *Cumhuriyet*, the mainstream newspaper for which 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.

Sentenced in absentia

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

that it was aware of the case and it would discuss it with the Turkish authorities. **Update:** An arrest warrant was requested in June 2011, and delivered on 22 November 2012, after the lower court ‘rescinded’ its acquittal after the case was sent back by the Supreme Court of Appeals. The prosecutor said he was ‘shocked’ by the decision to completely reopen the trial against Selek. At a 13 December 2012 hearing, Selek’s defence attorney appealed the appointment of the judge who had rescinded the acquittal. The next hearing of the trial will be heard on 24 January 2013. [RAN 45/12 – 23/11/2012, Update # 1 – 12/12/2012]

Possible Prosecution

Sevan NISANYAN: Turkish language etymologist, writer and *Agos* columnist. Most prominently known as a travel writer, having penned numerous books and guides to Central Europe, Greece and Turkey since 1990. Is facing an official complaint by Saadet Party (the conservative Muslim ‘Felicity Party’) youth wing members Okan Çalışan and Zekai Tatlı of religious defamation (‘inciting the population to enmity or hatred’) through comments made on Twitter about the Prophet Muhammad.

Erol Özkoray: founder and editor-in-chief of left-leaning social democrat magazine *Idea Politika* (1998-2002), publisher and writer for *Idea Politika Publications* (founded in May 2012). He is under investigation for his book 5. *Cumhuriyet (The 5th Republic)*, a political commentary critical of the current AKP regime as intending to continue the ‘totalitarianism’ of the ‘4th Republic’ (Turkey under the 1980 coup-era constitution) when it delivers its new constitution (deemed to be ushering in the ‘5th Republic’). As a magazine, *Idea Politika* attracted a slew of cases from the Turkish Army in reaction to the magazine’s outspoken criticism of military involvement in Turkish politics.

Suspended Sentences

İrfan SANCI, Suha SERTABİBOĞLU: publisher, Sel Publishing house and translator respectively. Tried 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. After several hearings, in March 2012 it was announced that the book had been sent to two experts at the Istanbul University Department of Comparative Literature and Western Languages as well as a criminal law expert. On 5 July 2012, the judge set aside the expert opinion that the works were of literary merit and not “pornographic” and instead suspended the trial for three years under the terms of a Judicial Reform package passed two days earlier that requires suspension of “media” trials. The defendants were told that if they are to repeat the “crime” between then and July 2015, this could be added to the charges against them, in effect creating a “Damocles Sword” effect. **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.

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 Bukagılı, known for having taken similar cases against other publishing houses, such as that which published Stephen Hawkin’s *God Delusion* and Nedim Güzel’s *Daughters of God* which were not successful in securing sentences. In October 2012 the trial was suspended for three years under the terms of a Judicial Reform package passed in July 2012 that requires suspension of “media” trials. If the defendants are to repeat the “crime” between the sentence in October 2012 and October 2015, this could be added to the charges against them, in effect acting as a deterrent to future publications. **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. On 5 July 2012, the judge set aside the expert opinion that the works were of literary merit and not “pornographic” and instead suspended the trial for three years under the terms of a Judicial Reform package passed two days earlier that requires suspension of “media” trials. The defendants were told that if they are to repeat the “crime” between then and July 2015, this could be added to the charges against them, in effect creating a “Damocles Sword” effect.

Threats

Kadir MERKIT: reporter with daily Aksam. Merkit was threatened with death as he tried to stop armed PKK militants during the kidnapping of Hüseyin Aygün, Member of Parliament for the Republican People’s Party (CHP). Aygün shouted at Merkit and his aide, Deniz Tuğç, to do as the militants said as he was dragged into woodland. **Ali BAYRAMOĞLU:** liberal, pro-Islamic columnist for *Yeni Safak*. Has been attacked by Islamist, ultra-nationalist daily *Yeni Akı*, who accuse him of being a crypto-Armenian who “defends Armenian ideas with a racist bias” and a “despicable enemy of the Turks”

Released/Acquitted

For details, see previous case list

Bedri ADANIR: owner of the Aram Publishing House and representative of *Hawar* newspaper. Arrested on 5 January 2010 on charges under Article 7/2 of the Anti Terror Law for publishing *On Culture and Arts*, a collection of speeches by the leader of the banned Kurdish Workers’ Party (PKK), Abdullah Ocalan. The book is said to refer to Ocalan as “chairman” and PKK members as “guerillas” and “martyrs”. He was accused of “spreading propaganda for an illegal organisation. In a November 2012 hearing **Adanir** was sentenced to six years and three months imprisonment. However, he was released, possibly on parole, due to the time (three years) he had already spent in prison.

Adnan DEMİR: 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.

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. On 26 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.

Halil SAVDA: owner of conscientious objector website savaskarsitlari.org. 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. **Other charges:** He is also among four 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 Atatürk slogan, “Everyone (Turk) is born a soldier”. **Update:** Savda was acquitted of all charges on 7 December 2012.

Case Closed

The following cases appeared in previous caselists from which further details can be obtained.

Halduñ 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. Case closed due to lack of further information.

İrfan AKTAN, Merve EROL: both journalists faced 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 On 4 June 2011, the Istanbul 11th High Criminal Court sentenced journalist İrAktan 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. Case closed due to lack of further information.

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. Case closed due to lack of further information.

İlkem 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 was freed on appeal. Case closed due to lack of 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”. Case closed due to lack of 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 Artice 265, and laws governing meetings. Theoretically he faced over 50 years in prison. First hearing set for 15 November 2011. Case closed due to lack of further information.

Mustafa Kemal ÇELİK: publisher of the *Batman Postası* 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. Case closed due to lack of 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. 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. Case closed due to lack of further information.

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. Case closed due to lack of further information.

Abdülmenaf DÜZENCI: publisher *Yuksekoa Gundem* and general manager *Hakkarinews. Düzençi* reported arrested as part of the KCK operation c. early 20211. Case closed due to lack of further information.

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. Case closed due to lack of further information.

Eren ERDEM: author of six books. His latest, *Nurjuvazi*, a book that comments on the Koran and the words of the Prophet Mohammed was 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 refused to comment. The book depicts on its cover the religious leader Fetullah Gülen (see above) with a sports car and Erdogan’s wife. Case closed due to lack of further information.

Mehmet KARABAS: journalist for the *Batman Post* arrested in April 2011 for alleged involvement in an “illegal organisation”. 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. Case closed due to lack of 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. Case closed due to lack of 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 organisatoin, the Marxist Leninist Communist Party (MKLP). Case closed due to lack of further information.

Deniz KILIÇ: journalist for *Azadiya Welat* in Batman. Reported detained in November 2011. Case closed due to lack of further information.

Ertegrul KÜRKÇÜ: coordinator of the BIANET free expression web site. Trial opened on 13 April 2011 on charges of defamation of judges and a former prison and penitentiary head. Case closed.

Hacı 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. Case closed due to lack of further information.

Aziz ÖZER: publisher and editor of *Güney Periodical* on trial 31 March 2011 for an article and cartoon published in the periodical. Case closed due to lack of further information.

Semra PELEK (f), Mustafa DOLU: editor of *Aksam* (no longer in operation) and its editorial manager respectively. Both accused for articles on the Ergenekon investigation. 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 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. Case closed due to lack of further information.

Hakan TAHMAZ, Ibrahim ÇESMECIOGLU: journalist and general director of *Birgün*. Under investigation in September 2008 after the 9 August seizure of the newspaper. Accused of publishing an interview with a member of the banned KurdishWorkers party (PKK) carried out at the PKK HQ in Qandil, Northern Iraq in an article entitled ‘A One Sided Ceasefire is Making the Problem Worse’. Both men denied that they were carrying propaganda, and were simply carrying out legitimate journalism. [It is reported in December 2011 that **Ibrahim ÇESMECIOGLU** 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 Istanbul sentenced Tahmaz to one year in prison, and Çesmecioğlu to a fine. Tahmaz’s sentence was reduced to 10 months. Case closed due to lack of further information.

Baris YARKADAS: journalist. On trial for insult to President Gül under article 299 held before the Kadiköy 2nd Criminal Court in Istanbul. Opened on 21 June 2011. Case closed due to lack of further information.

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.

Case closed

Vasyl KLYMENTYEV: Deputy editor-in-chief of *Noviy Stil* newspaper, disappeared on 11 August 2010. Police began criminal proceedings for ‘premeditated murder’ after receiving a report of his disappearance by his wife. On 17 August 2010, they discovered Klymentyev’s mobile phone on a boat on the Pechenizhske Lake in Kharkivt and on 19 August, Interior Minister Anatoly Mogylyov said that the police had not ruled ou that Klymentyev’s disappearance might be related to his reporting. On 20 August, AP reported that President Viktor Yanukovych would take personal control of the case. **Background:** Klymentyev’s newspaper is widely-known for focusing on corruption issues in the region and for its criticism of law enforcement agencies. According to the Associated Press (AP), Klymentyev had been threatened after refusing money to quash a story about a regional prosecutor with alleged connections to organised crime. **Other information:** a witness in the case has also disappeared, according to Petro Matvienko, deputy editor-in-chief of Noviy Stil. According to 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. No further information. Case closed.

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 been able to visit who reported in late March 2009, that although he has been held in isolation, he is not being ill-treated. In late April 2009 Abdurakhmanov was visited by his father and wife, and they said he is in good spirits and maintains his innocence. His brother and lawyer announced an appeal is being prepared to demand the Supreme Court to reconsider the conviction. **Other details:** Prior to his arrest Abdurakhmanov had expressed concerns that he may suffer reprisals for his writings. He had apparently written an article that criticised local traffic police shortly before his arrest. Organisations including Amnesty International and Human Rights Watch state that the sentence is clearly aimed stopping his critical reporting. **Government response to the UN:** In May 2009 the Special Rapporteur on Freedom of Expression and Opinion of the United Nations (UN), published its report, including communications with the Uzbek government regarding Abdurakhmanov’s case. In these communications, the Uzbek government claimed that Abdurakhmanov’s car had been stopped, and that he had been found to be driving without a licence. It also said that officers had searched his car, had found marijuana and opium, and that Abdurakhmanov had been indicted under Article 276, paragraph 2(a) of the Criminal Code. The Ministry of Internal Affairs claimed not to have received any complaint regarding the use of unauthorised methods during the investigation, and that the criminal proceedings were ‘not connected with his human rights activities’. On 5 August 2009 the charges were amended to ‘intent to sell’ a large quantity of narcotics. Abdurakhmanov was found guilty and sentenced to ten years’ imprisonment. On 19 November 2009 this judgment was upheld by the Supreme Court of Karakalpakstan. PEN continues to be concerned that Abdurakhmanov is being held for his human rights monitoring. (RAN 40/08 – 14 August 2008; Update #1 – 14 October 2008; Update #2 – 20 January 2009) **Update:** A report on 1 April 2011 stated that Abdurakhmanov has been prohibited by the colony administration from filing a complaint - in which he gave details of his arrest, frame-up and unfair conviction - with the Uzbek Supreme Court. The colony officials seized the letter of complaint from his lawyers and said the document would be mailed to him, but it has not been. **Prison Conditions:** Abdurakhmanov has been accused twice between June and August 2011 of breaking the rules of the prison in which he is incarcerated. His relatives have claimed the prison authorities have also tried to frame the journalists on a third charge. The charges are believed to significantly reduce Abdurakhmanov’s chances of being released under a prisoner amnesty expected to accompany the celebrations marking the 20th anniversary of Uzbek independence. [RAN 12/12 – 09/03/2012]

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. [RAN: 06/12 – 26/01/12 RAN 12/12 – 09/03/2012]

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 [RAN 12/12 – 09/03/2012]

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

Hayrulla HAMIDOV (Khayrullo Kamidov)

D.o.b.: 1975 **Profession:** Football commentator and radio-host, poet and

deputy editor-of the newspaper *Chempion* (Champion). **Date of arrest:** 21 January 2010 **Sentence:** Six years in prison **Expires:** 20 January 2016 **Details of arrest:** Officers of the Tashkent Region police department entered Hamidov’s home, seized his books, computer, a copy of the Koran, and audio and video material, and detained Hamidov. **Details of the trial:** Tried under Article 216 of the criminal code concerning ‘the organisation or active participation in a proscribed social or religious movement’ and ‘dissemination of prohibited material’, under articles 216 and 244-1 of the Criminal Code. In a closed hearing held on 11 May 2010, the prosecutor demanded for Hamidov to be sentenced to seven years in prison. The criminal court in Guibakhor, near Tashkent, postponed the sentencing until 28 May then convicted Hamidov to six years’ imprisonment. **Other information:** Hamidov is reportedly a prolific poet. He was also a popular radio-host on Islam of the show ‘Kolislik Sari’ (Voice of Impartiality) broadcasted by the Tashkent-based Navruz FM. According to Radio Free Europe/Radio Liberty (RFE/RL), Hamidov was tried with 18 other people who were found to be members of the Islamic group Jihadchilar (Jihadists). **Previous political persecution:** In 2007 Hamidov’s newspaper *Odamlar Oрасida* (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. [RAN 12/12 – 09/03/2012] **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. PEN is seeking further information.

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, uznwens.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. PEN is seeking further information.

Case closed

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

on 5 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. No further information. Case closed.

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 had reportedly pleaded guilty to the charges. No further information, case closed.

Algeria

Middle East and North Africa

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. He remains free on bail pending appeal, no court date has been set. No further information as of 31 December 2012.

BAHRAIN

Imprisoned - Main Case

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. After the retrial, Abdulhadi Al-Khawaja was sentenced to life imprisonment, a decision confirmed by the High Court of Appeals in Bahrain Court on 4 September 2012. **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 #5 – 6 September 2012]

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. After the retrial, Dr. Abduljalil Al-Singace was sentenced to life imprisonment, a decision confirmed by the High Court of Appeals in Bahrain Court on 4 September 2012. **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. In the autumn of 2012 Dr. Abduljalil Al-Singace was among a group of prisoners to stage a hunger strike to protest the ill-treatment of prisoners in Jaw prison, particularly political prisoners, who are said to be subject to relentless physical and psychological ill-treatment, including lack of medical care and solitary confinement. His health quickly deteriorated during the hunger strike, and there are mounting 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. Recipient of the 2012 Hellman/Hammett award. [RAN 46/10 Update #5 – 6 September 2012]

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:** Two years in prison. **Expires:** June 2014 **Details of arrest:** Rajab was initially arrested on 6 June 2012 following a complaint made against him by the people of al-Muharraq area, north of Bahrain, for “publicly vilifying the al-Muharraq people and questioning their patriotism with disgraceful expressions posted via social networking websites”. The charges against Rajab relate to a 2 June 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 2012 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. Rajab faced 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, a charge of “illegal gathering” brought against him on 6 June, and an appeal against his 28 June conviction of “insulting the police” in his tweets (Rajab was cleared of this last charge). On 16 August 2012 a court handed down a one-year prison sentence in each one of the three remaining cases. He was later handed down a three-year imprisonment sentence reduced by an appeal court in Manama to two years in prison on 10 December 2012. **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. Rajab has received many prestigious awards for his activism, including the 2012 Index on Censorship Freedom of Expression Advocacy Award.

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. According to recent reports, Radhi is facing terrorism and anti-state charges, however, there

are concerns that the he was forced onto making false confessions. He appeared in Manama Court on 30 August 2012, when his detention was extended. Still believed to be detained as of 31 December 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.

Threatened

Mohmmed Al-MASKATI: President of the Bahrain Youth Society for Human Rights and activist. Reportedly received more than a dozen anonymous telephone calls threatening him and his family on 19 September 2012. The threats came after he delivered an oral intervention during a panel discussion on intimidations and reprisals at the 21st session of the United Nations Human Rights Council in Geneva.

EGYPT

On trial

***Eslam AFIFI:** Editor of the opposition newspaper *Al-Dostour*, has been on trial since 23 August 2012 for insulting the president in an article, and spreading rumours that could disrupt public safety. On that day, the Giza Criminal Court ordered Afifi’s arrest and he was sent to Tora prison; however, just hours later, the Egyptian president issued a decree prohibiting pre-trial detention for media offences, and Afifi was released. His trial continues and if found guilty Afifi could face imprisonment.
***Albert SABER AYYAD:** Coptic Christian blogger, has been on trial on charges of ‘defamation of religions’ for posting allegedly anti-Islamic messages on Facebook and other social networks. Saber, aged 27, was reportedly accused by some of his neighbours of leading an atheist Facebook group. He was arrested on 13 September 2012, and sentenced on 12 December to three years in prison by the El Marg court in Cairo. He was released on bail while the appeal is pending. A decision is expected in late January 2013.

Case closed

Alaa ABDE El-Fattah: Prominent opposition blogger and political activist was arrested on 30 October 2011 for inciting violence against the army. His arrest 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. On 25 December 2011, Abd el-Fattah was released from prison, and was later acquitted. Case closed.
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. On 29 August 2012 it was reported that the charges against Mackell were dropped. Case closed.

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 31 December 2012. Case closed for lack of further information.

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

IRAN

Killing

***Sattar BEHESHTI:** Do.b. 1977. Blogger. Died on 6 November 2012 after being arrested by Iranian police on charges of “actions against national security on social networks and Facebook.” Beheshti spent one night in Tehran’s notorious Evin prison, where he wrote an official complaint to prison authorities alleging ill-treatment, before being moved to an unknown location. He is believed to have died under torture whilst being interrogated. It is thought Mr Beheshti was targeted for his writings on political and social issues on his blog and on Facebook.

Died

Ahmad GHABEL

Profession: Iranian religious scholar and writer. Reportedly died in hospital in Mashad in early November 2012 after undergoing surgery for a brain tumour. He was fifty-eight. Reportedly arrested on 20 December 2009 en route to the funeral of the late Grand Ayatollah Montazeri. Held until his release on bail on 10 June 2010 but re-arrested on 8 September 2010 after being summoned to the Mashhad Revolutionary Courts for questioning about his activities since his release. It is believed he was arrested in response to published reports and interviews he had given since his release regarding his trial, prison and interrogations. Ghabel also published information regarding alleged secret mass executions in Vakilabad prison. **Details of trial:** Tried on charges of acting against national security in November 2010 and sentenced to three years imprisonment, three years of exile from his city of residence and a three-year ban on speeches. Ghabel was released on \$50,000 bail by Branch 5 of Mashad Revolutionary Courts on 4 January 2011. On 29 July 2011 the appellate court confirmed his 20-month prison sentence, and he was

reported to have been re-arrested on 31 July 2011 to serve out his term. Seriously ill, he was released on medical bail in July 2012.

Imprisoned: Main Cases

Shiva Nazar AHARI (f)

D.o.b.: 1985 **Profession:** Reporter for the Committee of Human Rights Reporters. **Date of arrest:** 8 September 2012 **Sentence:** Four years in prison **Details of arrest:** Reportedly first 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. **Details of trial:** In a lower court hearing on 4 September 2010, she was sentenced to six years in prison, exile to township of Izeh, and 74 lashes. In January 2011, it was reported that Branch 36 of the Tehran Appeals Courts had acquitted Shiva Nazar Ahari of the charges of “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. Remained free on bail until she was summoned to serve out her four-year sentence on 8 September 2012. **Place of detention:** Rajai Shahr Prison, Karaj province.

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.

***Jila (Zhila) BANİYAGHOUB (f)**

Profession: Editor-in-chief of the *Iranian Women’s Club*, a news web site focusing on women’s rights. **Date of arrest:** 2 September 2012 **Sentence:** One year in prison and 30-year ban from journalism. **Expires:** 1 July 2013 **Details of arrest:** 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. **Details of trial:** She was convicted on 8 June 2010 on charges of ‘propaganda against the regime’ and ‘insulting the president’ for her reports covering the disputed June 2009 presidential elections in Iran. Her defence filed an appeal on 27 June 2010, and she remained free on bail. The sentence was confirmed

on appeal and on 2 September 2012 she was summoned to serve out her sentence. **Place of detention:** Evin prison, Tehran.

Massoud BASTANI

Profession: Journalist for the reformist newspaper *Farihikhtegan* and *Jomhoriyat*, a news Web site affiliated with the defeated presidential candidate Mir-Hossein Mousavi. **Date of arrest:** 5 July 2009 **Sentence:** 6 years in prison **Expires:** 4 July 2015 **Details of arrest:** Reportedly arrested when he went to a Tehran court seeking information about his wife, journalist Mehsa Amrabadi, who had been arrested on 15 June 2009 and was released on 25 August 2009. **Details of trial:** Bastani was among 140 opposition figures and journalists who faced a mass, televised trial on 1 August 2009 on vague anti-state accusations (see Kian 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 Ahmadinajad.

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*

Siamak GHADERI

Profession: Journalist. **Date of arrest:** 27 July 2012 **Sentence:** 4 years imprisonment. **Expires:** 26 July 2016 **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 **Expires:** 8 January 2026 **Details of arrest:** He was initially arrested in January 2012. Reportedly beaten during the arrest and suffered a fractured arm, broken teeth, and a knee injury. Held in solitary confinement in Evin for three weeks until he was transferred to the prison’s general population, news reports said. In late February 2012, Khazali suffered a heart attack while on hunger strike and was taken to a Tehran hospital for treatment. He was issued a furlough in March 2012. **Details of trial:** Sentenced

in February 2012 to 14 years in prison, 10 years in exile, and 90 lashes after being convicted of “insulting the supreme leader” for articles critical of President Ahmedinejad and his government published on his website *Baran*. Summoned Evin Prison on 30 October 2012 to begin serving the sentence. **Place of detention:** Evin prison

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. **Expires:** 4 March 2018 **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 Kahrizah Detention Centre in 2009. **Place of detention:** Held at the notorious Rajaee 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.

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 Orumiyyeh 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 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 *Gozaresh be Khaak-e-Iran (Reports to the Soil of Iran)*, which were critical of Iran’s theological state. Intelligence agents reportedly confiscated a computer hard drive, satellite receiver, and numerous documents. Pourshajari was taken to Rajaei 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 Hesar 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 **Expires:** 22 April 2013 **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.

***Alireza ROSHAN**

Profession: Poet, writer and head of the book section of the *Shargh* newspaper. Also an administrator for the Gonabadi Dervish website *Majzooban Noor*. **Date of arrest:** 17 November 2012 **Sentence:** One year in prison **Expires:** 15 October 2013 **Details of arrest:** Reportedly arrested at his home on 6 September 2011 after security forces raided the office of *Majzooban Noor* website. 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. He was released on bail on 3 October 2011. **Details of trial:** Sentenced to one year in prison and a four-year suspended jail-term by Branch 26 of Revolutionary Court on charges of “assembly and collusion in order to undermine national security.” The ruling was approved by the appeals court on 16 October 2012. **Place of detention:** Evin prison, Tehran. **Other information:** Roshan is a poet who has published a collection of poems entitled *There is no Book* and his poetry has been translated into French.

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 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. Recipient of the 2012 Hellman/Hammett award.

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. Recipient of the 2012 Hellman/Hammett award.

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.

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. Reportedly released on bail on 22 May 2012, but re-arrested in early July 2012 when he was summoned to Evin prison to collect some of his belongings. His whereabouts have not been made known, but he is thought to be detained without charge as of 31 December 2012. 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 best-selling book *Funny in Farsi* by Iranian American writer Firoozeh Dumas. He is also the founder of Iran’s first private ISP, designer and host of nearly 40 websites. **Place of detention:** Thought to be held in solitary confinement in Tehran’s Evin prison, notorious for its harsh conditions. **Health concerns:** Has reportedly staged two hunger strikes since his arrest in protest at his detention without charge or trial. 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 Soutadeh has been allowed very limited access to her family, and her family have been harassed during prison visits. While on trial, Sotoudeh was held in solitary confinement. In October 2012, Sotoudeh staged a 49-day hunger strike in protest at the travel ban placed on her daughter to prevent her leaving Iran to collect an award on her mother’s behalf. She ended her hunger strike in December 2012 when the travel ban was lifted. **Health concerns:** Her health is said to have seriously declined in prison. **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/spiv.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 and the 2012 Sakharov prize for Freedom of Thought. **Honorary member of:** Swedish, Canadian, Finnish and Scottish PEN. [RAN 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

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. *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. Reported on 7 September 2012 to have been sentenced to four months in prison on charges of anti-regime propaganda and favors for the opposition group by the Revolutionary Court in Tabriz. Said to be held in Raja’i Shahr Prison. WiPC seeking confirmation of his sentence and current status.

Saeed MADANI: Former editorial board member of the banned magazine *Iran-e Farda* and former editor-in-chief of the quarterly *Refah-e Ejtmaee (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 without charge as of 31 December 2012. Feared to be at risk of ill-treatment. WiPC seeking further information about the reason for his arrest.

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. Reportedly sentenced to ten years in prison by a Revolutionary Court in Tehran on charges of “cooperating with enemy states”. Reportedly held in Evin Prison as of 31 December 2012. WiPC seeking further information about the reason for the charge.

Sentenced – not imprisoned

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. Reported on 7 December 2012 to have been handed down an eight-month suspended prison sentence.

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). 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. Thought to remain free. No further information as of 31 December 2012.

Kouhyar GOUDARZI

Profession: A veteran journalist for the Committee of Human Rights Reporters. **Details of arrest:** Reportedly arrested on 31 July 2011 in connection with his reporting on human rights abuses. **Details of trial:** 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-eastern city of Zabul. 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 pending appeal on 12 April 2012. On

15 September 2012, the Tehran Province Court of Appeals upheld the sentence of five years’ imprisonment in internal exile. He is thought to remain free but is at imminent risk of arbitrary arrest. **Previous political imprisonment/problems:** He had completed a one-year prison term in December 2010.

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 risk of arrest.

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. [Reportedly arrested on 31 January 2013; amongst 16 journalists to be detained since 28 January 2013 from the reformist newspapers *Bahar, Shargh, Arman, Etamad*, and *Aseman Weekly*.]

Dr. Kian TAJBAKHSH

D.o.b.: c.1962 **Profession:** Iranian-American scholar, sociologist and urban planner. **Date of arrest:** 9 July 2009 **Sentence:** 15 years in prison, reduced to five years on appeal. Free on bail. **Expires:** 8 July 2014 **Details of arrest:** According to PEN’s information, Dr Tajbakshsh 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 Tajbakshsh’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: Tajbakshsh’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.

Released

Arya ARAMNEJAD: Singer and song-writer. Reportedly arrested in February 2010 on charges of ‘acting against national security’ his song ‘Ali Barkhir’ (‘O Ali raise up’) which he composed after the Ashura uprising in December 2009. He spend two months in solitary confinement before being freed on bail. In April 2012 he was sentenced to one year in prison, reduced to 91 days on appeal, for critical views expressed in his songs. [Released in late January 2013 following an international campaign.]

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. The two men were detained incommunicado at an unknown location, without access to a lawyer or their families, until their release without charge on 4 September 2012.

Nargess MOHAMMADI (f): Prominent activist and journalist. Director of the Defenders of Human Rights Centre (DHRC) founded by Nobel peace laureate Shirin Ebadi. **Details of arrest:** Arrested from her home without a warrant on 10 June 2010 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. 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. Re-arrested from her home on 21 April 2012 to serve out her prison sentence. Released on bail on 30 July 2012.

Case closed

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. 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. **Zhila BANI-YAGHOUB** is currently detained in a separate case (see ‘main cases’ above). **Mahbubeh ABBASGHOLIZADEH, Parvin ARDALAN, and Shadi SADR** are all believed to be currently abroad, case closed.

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 have been disclosed. Case closed for lack of further information.

Mehran FARAJI: Reporter for the reformist daily newspaper *Sharq*. 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. 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. Presumed freed on expiry of sentence on 3 October 2012.

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. Case closed for lack of further information.

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. Case closed for lack of further information.

Mohammad Reza NOURBAKHSH: 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. Nourbakhsh was among more than 100 opposition figures and journalists who faced a mass, televised trial which began in early August 2009 on vague anti-state accusations. He was sentenced to six years in prison on 3 November 2009, later reduced to three years on appeal. Presumed freed on expiry of sentence on 3 August 2012.

Mashallah SHAMSOLVAEZIN: 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. 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. 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. Presumed freed on expiry of sentence on 20 August 2012.

Abdolreza TAJIK: Political editor of many banned reformist newspapers, including *Fat’h* (banned in 2000), *Bahar* (banned in 2001), *Bonyan* (banned in 2002), *Hambastegi* (banned in 2003) and *Shargh* (banned in 2008). Known for his articles critical of the state of freedom of expression in Iran and the arbitrary arrests of journalists. Cooperated with the Human Rights Defenders Centre founded by Nobel laureate Shirin Ebadi. Reportedly detained on 12 June 2010 for his human rights activism and released on bail on 22 December 2010. Recipient of the Reporters Without Borders 2010 Press Freedom Prize. On 17 March 2011 he was sentenced to six years in prison for alleged “membership of illegal groups” and “propaganda against the regime.” According to his lawyer he was sentenced to five years for “membership of the Human Rights Defenders Centre”, and one year in prison for “propaganda against the regime”. In addition to these charges, Abdolreza Tajik is also accused of “publishing falsehoods in order to ignite public opinion.” The court has not yet issued a sentence related to that charge. Reportedly fled the country in July 2012. Case closed.

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. Reportedly released on bail in December 2011. Case closed for lack of further information.

IRAQ

Killed – investigation

***Farqad HUSSEINI:** Editor in chief of the *Al Adwa* newspaper, was killed in a booby-trap car bomb explosion on 9 September 2012. The blast took place in Al Hoboubi area, centre of Nasiriyah city, southern Iraq. The authorities are investigating Hussein’s killing.

***Samir SHEIKH:** Editor of the website *Al-Jamahir Al-Baghdadiya* was shot dead while driving his car in central Baghdad on 17 November 2012. There are reports that Sheikh’s death is directly linked to his work. Sheikh, aged 61, worked as a journalist for various media outlets previously and campaigned for human rights and freedom of information. The authorities are investigating his death.

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 31 December 2012.

ISRAEL

Imprisoned - 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. **Expires:** 22 May 2016 **Details of arrest:** Reportedly charged in December 2009 with espionage after she allegedly leaked classified evidence of illegal assassination orders by the Israeli army to journalist Uri Blau of the newspaper *Haaretz*. The charges against Kamm included two counts of aggravated espionage, including passing classified information with the intent to harm state security, which is punishable by a life sentence, and collecting and holding classified material with the intent to harm state security, for which she could have received up to 15 years in prison. The charges derive from Kamm’s military service, when she allegedly copied over 2,000 classified military documents and leaked them to *Haaretz* reporter Uri Blau. Blau used the documents to publish a report in October 2008 that found that the army had carried out targeted killings against three wanted terrorists in the West Bank, in violation of a 2006 Supreme Court ruling that said wanted men must be taken into custody if there were a possibility of doing so. Although the article was apparently cleared for publication by the army censor, Kamm was arrested by the Shin Bet (secret police) and placed under house arrest. On 6 July 2012 it was reported that an agreement had been reached between the Tel Aviv attorney and Uri Blau, in which Blau pleaded guilty to ‘possession of secret information without intending to harm state security’ in exchange for four months community service. **Details of 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 detection was extended for further six months, as ordered by the Military Commander in the West Bank. For the fourth time, on 5 September 2012 Qatamesh’s administrative detention was extended.

KUWAIT

Imprisoned - Main Cases

Mohamed AL-MELIFY

Profession: Writer and blogger. **Date of arrest:** 20 February 2012 **Sentence:** 7 years in prison **Expires:** January 2019 **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. [RAN 31/12 – 26 June 2012]

Lawrence AL-RASHIDI

Profession: Blogger **Date of arrest:** June 2011 **Sentence:** 10 years in prison **Expires:** June 2021 **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. No further information as of 31 December 2012. **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 31 December 2012.

LEBANON

On trial

Rami AYSHA: Freelancer for various media outlets including *Time magazine*, *GlobalPost* and *Spiegel online*, was arrested on 30 August 2012, while investigating arms smuggling in Beirut city. Aysha is a Lebanese-Palestinian citizen. He was reportedly in a car near the Hezbollah controlled area in Beirut, when about 12 agents handcuffed and blindfolded him, and forced him at gunpoint into another car which drove him to an undisclosed location. Aysha was interrogated for 28 days, by Hezbolla agents, the Lebanese intelligence service and the military police, and he was reportedly ill-treated. Aysha was released on bail on 27 September 2012, badly injured. He faces charges of arms smuggling and trafficking, which are the issues he was investigating when detained.

MOROCCO

Imprisoned - Main case

Mouad BELGHOUAT (aka al Haqed)

Profession: rapper and activist in the 20 February movement. **Date of arrest:** 29 March 2012 **Sentence:** One year in prison **Expires:** 28 March 2013 **Details of arrest:** Reportedly arrested on 29 March 2012 by the Moroccan security forces, who claimed that one of his songs was offensive to a public institution, the Casablanca Court of First Instance. In one of his songs, al Haqed criticized the political situation in Morocco, which authorities considered a defamatory insult against public officials. **Details of trial:** His trial started on 4 April. On 11 May 2012, Belghouat was sentenced to one year in prison for ‘insulting the police.’ **Previous political imprisonment/problems:** He was imprisoned in late 2011 and held until January 2012 for his songs.

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 2012. **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 2012 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. On 2 October 2012 an appeals court confirmed the sentence, but reduced his sentence to one and a half years imprisonment. He is appealing to the Supreme Court.

Attacked/Harassed

***Mohamed BENBA:** blogger, 17, was reportedly harassed and threatened on 10 July 2012 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.

***Ali LMRABET:** Journalist for the news website *DemainOnline.com*, has reportedly been harassed after publishing an article on 31 July 2012. The piece mentioned the presence at the London Olympics of a General who was wanted for questioning by the French justice about the disappearance of a Moroccan dissident in Paris. Unknown individuals have reportedly been insulting him publicly, spying on his family and even assaulting him. Lmarabet has reported the harassment and attack to the authorities, but no action has been taken.

Case Closed:

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. 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 2012, case closed.

Rachid NINI: editor of the daily newspaper *Almasae*, one of Morocco’s leading newspapers, and owner of Al-Massae Media Group. Arrested on 28 April 2011, Nini was sentenced to one year in prison for “undermining a judicial decision”, “attempting to influence a judicial decision” and “reporting on untrue criminal offences” under various articles of the penal code. Sentenced following 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. Freed on 28 April 2012 on expiry of sentence.

OMAN

Sentenced

***Abdallah Al-ABEDLI, Mohammad Al-KAYOUMI, Bassam ABU-KSSIDA, Aissi Al-MASSAOUDI, Hilal Al-BOUSAIDI and Maimouna BAADI:** Bloggers and social network users, were sentenced on 6 August 2012 to one year in prison and a fine for insulting the Sultan Qaboos bin Saeed. On 5 December 2012 the court upheld the convictions. The WiPC is seeking further information.

***Mokhtar bin Mohamed El-HANA’Y:** Blogger and journalist for the *Al-Zaman* newspaper, was sentenced to one year in prison and a fine, on charges of insulting the sultan and violating the information and technology law. The verdict was announced on 16 September 2012 by the Musqat Preliminary Court. The appeal is pending. WiPC is seeking further information.

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. According to a report from the Gulf Centre for Human Rights dated 20 December 2012, the court allowed the sentence to start on completion of her exams.

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. On 10 October 2012 it was reported that the administrative detention against Abu Afra was extended for the third time. He has not been charged or interrogated.

Kidnapped

***Saher AQRA:** Editor in chief for *Alsho’la* news agency, was reportedly kidnapped in Gaza from 23 to 30 August 2012 whilst returning home. He was taken away to a secret location by armed men who blindfolded him, questioned him about his work at the news agency and about his political affiliation. He reports being ill-treated during the questioning. Finally, he managed to escape from where he was being held; soon after the news agency was forced to close down, allegedly because government put pressure on Aqra’s family.

Brief detention

***Walid KHALID and Mohammed MONA:** Director of the *Felesteen newspaper* and correspondent for the *Quds Press News Agency*, respectively. On 18 September 2012, Khalid was arrested at his home in the village ofIskaka-Salfit; the day after Mona was arrested while at his home in Nablus city. Details of any charges against them are not known. Reportedly freed on bail on 24 October 2012.

***Zakaria ZUBEIDI:** Theatre director of Freedom Theatre, was reportedly arrested on 13 May 2012 by the Palestinian Authority. He was released on bail on 1 October 2012. It was later reported that Zubeidi faces charges of attacking the home of the Jenin governor in early May 2012, despite the arrest of two men who allegedly shot at the house. Thought to be targeted for his work with Freedom Theatre, a drama group active in the northern West Bank.

Case closed

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. No further information on her case as of 31 December 2012, case closed.

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. No further information as of 31 December 2012, case closed.

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) and held without charge under administrative detention. The administrative detention order has been reportedly extended four times, most recently on 10 June 2012. Under an agreement with the Israeli military prosecution, his detention can no longer be extended. Presumed freed on expiry of the four-month detention order on 10 October 2012.

QATAR

Imprisoned: Main case

Mohammed Ibn al-DHEEB al-AJAMI

D.o.B.: 1975 **Profession:** Poet **Date of arrest:** 16 November 2011 **Sentence:** Life imprisonment **Details of arrest:** Al-Ajami was summoned on 16 November 2011 to the Qatari state security to be interrogated about a poem entitled ‘Tunisian Jasmine’, which he wrote in January 2011 and in which he criticized governments across the Gulf, stating that “we are all Tunisia in the face of the repressive elite”. He previously recited a poem that criticised Qatar’s emir, which was posted online in August 2010. Held incommunicado for four months before being allowed family visits. **Details of trial:** Sentenced to life imprisonment on 29 November 2012 on charges of “inciting the overthrow of the ruling regime” and “criticising the ruler”. According to his lawyer, he was subjected to an unfair trial, held behind closed doors in the capital Doha. Al-Ajami was not himself allowed in court and the defence was barred from making oral arguments. The defence has filed an appeal, which is expected to be heard in early January 2013. **Place of detention:** Doha’s Central Prison **Other information:** [RAN 72/12 and Update #1]

SAUDI ARABIA

Imprisoned: 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 31 December 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 31 December 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

Raif BADAWI: D.o.b.: 1987. Editor of the website *Free Saudi Liberals*. Arrested on 17 June 2012 under charges of undermining national security, ridiculing Islamic religious figures and of apostasy, which carries the death penalty. The trial is said to be based on five website postings by Badawi and by anonymous members of the website, reportedly commenting on theological questions and critical of the Saudi religious authorities. On 17 December 2012, Badawi appeared before the district court in Jeddah charged with ““setting up a website that undermines general security”, “ridiculing Islamic religious figures” and “going beyond the realm of obedience”. It is reported that during the hearing the Judge prevented Raef

Badawi’s lawyer from representing him in court. The Judge transferred the case to the higher Public Court on a charge of apostasy (renunciation of a religious faith). On 22 December 2012, the General Court in Jeddah decided to proceed with the apostasy charges. Badawi had previously been summoned before court in 2006 for “insulting Islam” after critical comments about the Islamists and the Salafists posted on his website.

***Turki Al-HAMAD:** Writer. Reportedly arrested on 24 December 2012 on the orders of the Minister of Interior Prince Mohammed Bin Naif for posting several tweets in which he criticised Islamists. The tweets caused strong reactions from the religious establishment. Al-Hamad is a political analyst and a highly respected author and novelist, who was jailed in his youth for political activism before moving to the US for graduate school. He has been previously denounced by clerics in Saudi Arabia for his novels, which are banned, and he reportedly received several death threats in 2003.

Mohammad SALAMA: Twitter user, has been reportedly held since April 2012, for posting comment on his Twitter account. Some of Salama’s posts are allegedly critical to the Quran and the Prophet Mohammad. Salama holds Saidi and US citizenship. Neither Salama or his family have been informed of any accusation or charge against him.

Case closed

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. Case closed for lack of further information.

SYRIA

Killed

***Ayham GHAZZOUL:** Activist, blogger and a member of the Damascus Centre for Freedom of Expression (SCM) was arrested for the second time on 15 November 2012 by the Air Forces secret services. He was killed, reportedly under torture, shortly after his arrest.

***Muhammad Namer AL-MADANI:** Writer, aged 51. Reportedly arrested at the end of August 2012 by the Air Force Secret Services. Killed, reportedly under torture, on 3 October 2012.

***Mohammad Abdulla Al-ROWAILY:** well- known novelist and writer. Reportedly kidnapped on 22 November 2012 from his house in Die Azzor city by the Syrian army and was later executed on the street by the army soldiers. He had written more than twenty novels and books.

***Falah TAHA and Ali Juburi AL-KAABI:** freelance journalists who contributed to several Iraqi news outlets. Reportedly killed on 13 July 2012 while covering clashes between government forces and the Free Syrian Army. Exact details of their deaths remain unclear.

Since the beginning of the uprising, the Syrian authorities imposed a media blackout in an effort to hinder the reporting of impartial news from the ground. This blackout has paved the way for the emergence of a citizen journalism movement, as an alternative media, by reporting what is actually happening on a daily basis. This new media is being operated mainly by youth, both men and women. As a result, Syrian citizen journalists have been particularly targeted and risk death by the government’s forces. Since March 2011, more than 200 citizen journalists have been killed either by snipers from the security forces or under torture. Dozens have been arrested and disappeared whose only crimes are to have witnessed, reported, filmed and photographed acts of violence. They include the following:

***Suhaib DIB:** Citizen journalist. Killed in a targeted attack by the security forces in the Damascus suburb of Al-Meliha on 4 July 2012. Although still a secondary school student, he was one of the city’s most energetic activists, regularly circulating news reports and content about the uprising and the government crackdown.

Disappeared

***Noura Al-JIZAWI (f):** Aged 24, citizen journalist and reporter for the Syrian revolutionary newspaper *Hurriyat*. Also a member of the Syrian Revolution General Commission (an opposition coalition) and Flash News Network. Arrested in Damascus on 28 March 2012, whilst carrying six cameras containing photos and video footage of demonstrations. Her whereabouts remain unknown.

Main case: imprisoned

***Zaki CORDILLO**

Profession: Cordillo is a playwright and a leading figure of Puppet Theatre (known in Arabic as Masrah Azil).
Date of arrest: 13 August 2012
Details of arrest: Reportedly arrested in Damascus on 13 August 2012 along with his son Mihyar, an actor. He is believed to be targeted for his writings about the current events taking place in Syria.
Other information: Cordillo has written more than eight plays including *Shade and Light*, *Captain Caracoz* and *Alma’ar* and has directed and acted in his works. He has also written dramas for children such as *Watery Dreams*, *The Active Girl* and *The Kingdom of Ants*. Cordillo remains detained incommunicado at an unknown location as of 31 December 2012, and is considered to be at serious risk of torture and ill-treatment.

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 detainees were moved in November 2012 to Adra prison outside of Damascus. Darwish, who has been held incommunicado without access to visits until recently, has now seen lawyers and his wife. His mental and health condition are reportedly fine, although he has lost a lot of weight. The trial is likely to be held in February 2013. [Abdelrahman HAMADA and Mansour AL-OMRI were reportedly released on 5 February 2013.]

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.

***Ali Al-SHIHABI**

Profession: Syrian Palestinian political analyst and blogger.
Date of arrest: 15 December 2012
Details of arrest: Reportedly arrested on 15 December 2012 by Syrian secret services. He is said to be among dozens of writers, poets and playwrights to have been arrested since the start of the conflict for peacefully expressing their views about the current events taking place in Syria.
Other information: Al-Shihabi is a leading writer and has published several books including *The World New Structure and Syria, Where to?* He previously spent nine years in prison for his peaceful opposition activities. His whereabouts are still unknown as of 31 December 2012.

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. An unknown number of writers and journalists are amongst to have been attacked, arrested or disappeared. They include the following:

***Hussein ‘ESSOU:** Well known writer from al-Hasakah, north-eastern Syria. Reportedly arrested from his home on 3 September 2011 by Air Force Intelligence agents. Thought to be detained for actively participating in anti-government protests and advocating reform in his writings. Previously detained prior to the 2011 uprising for his dissident activities. Reports from released detainees who had been held with him suggest he may have been transferred to an Air Force Intelligence branch in Damascus. They say his health condition is very serious. His family has not been allowed access to him, and has not been informed of his whereabouts or the reason for his arrest. He is thought to remain detained incommunicado as of 31 December 2012.

***Shibal IBRAHIM:** Journalist, writer and member of the Union of Young Kurdish Coordinating Committees, which organises peaceful pro-reform protests. Reportedly arrested from his home in Qamishli on 22 September 2011 by men in civilian clothing. Thought to be detained for participating in peaceful protests. His family has not seen him since his arrest and his place of detention remains unknown. Unconfirmed reports indicate he was hospitalised after being subjected to torture. Thought to remain detained incommunicado as of 31 December 2012.

Jihad JAMAL (AKA Milan): a freelance journalist. Reportedly arrested on 7 March 2012 whilst having dinner at a restaurant in the Bab Sharqi district of Damascus. Unconfirmed reports suggest that he may have been transferred for interrogation at the Ministry Intelligence’s Branch 248 before being brought before a military court in mid-May 2012, despite being a civilian and without access to legal counsel. This is his fourth arrest since the Syrian protests started in March 2011. Previously detained without charge from 14 October-30 December 2011, and on 4 August

2011 when he spent 60 days in detention. He was also arrested in March 2011 and held for one month in a solitary confinement at the Military Intelligence security centre in Damascus. Jamal has actively engaged in online dissent and helped foreign journalists to gather information about the conflict in Syria, which is believed to have led to his numerous arrests since March 2011. His whereabouts remain unknown and he is thought to be held incommunicado without access to family visits as of 31 December 2012.

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 31 December 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: 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 trial continues, they remain free on bail.

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 trial continues and she remains free on bail.

Case closed

Nizar ADLEH and Miraal BROUDA: Journalist for various news websites; writer and poet. Reportedly arrested by the Syrian authorities in September 2011. Miraal Brouda was reportedly released on 30 August 2012; Nizar Adleh reportedly also freed. Case closed, no longer detained.

TUNISIA

Imprisoned: Main case

Jaber Ben Abdallah MAJRI

Profession: writer. **Sentence:** 7 years in prison **Expires:** 4 March 2019 **Date of arrest:** 5 March 2012. **Details of arrest:** The case related to comments Beji published 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. **Details of trial:** Handed down a seven-year prison sentence and a fine of 1,200 Tunisian dinars (US\$ 790) on 28 March 2012 for publishing writings perceived as offensive to Islam. **Ghazi Ben Mohamed BEJI** was also sentenced in the case, but tried in absentia (he has fled to Europe).Marji’s sentence was confirmed on appeal on 28 May 2012.

Imprisoned: investigation

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 Monsef 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. Thought to remain detained as of 31 December 2012.

On trial

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. 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 was held in Aouina military barracks until his release on 22 September 2011. Feriani was 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. On 16 February 2012 a court postponed the trial to 1 March 2012. Ferani is charged with “distributing false information”, and “accusing a public employee of violating law without proof”. No

further information as of 31 December 2012.

Attacked

Since the election in October 2011 which led to a government led by the Islamic party of Annahda, attacks against the press have intensified. Tunisian police and groups believed to belong to Annahda Party have attacked journalists while covering protests and meetings throughout the country. Also poets, writers and playwrights have been attacked for criticising Annahda Party. One of the prominent leaders of Annahda ruling party called openly for “physically attacking journalists as they are enemy of the revolution”. In an interview broadcast on 25 August 2012 on Express FM Radio, the Minister of Culture, Mehdi Mabrouk, stated that the phenomenon of Salafist attacks has to be confronted but claimed the situation was under control. However, these attacks appear to be on the increase. Those attacked include the following:

***Mohammed Al-Hadi Al-WASLATI**: Poet. Reportedly attacked on 24 August 2012 by a group of Salafist men in Tunis. He was later taken to hospital and is still in a critical condition.

***Sghir Awlad AHMED**: Prominent poet. Reportedly attacked on 23 August 2012 by a group of Salafist men after he appeared on a programme on Attounisia TV in which he criticised Annahda and its leaders.

Case closed

Nasreddine BIN SAID, Al-Habib al-QUIZANI and Hedi HIDHRI: owner and publisher, editor-in-chief, and editor of the paper’s world section of the daily *Attounissia* respectively. Reportedly 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. **Al-Habib al-QUIZANI and Hedi HIDHRI** were freed on 17 February 2012 without charge. Ben Saïda was freed on 23 February pending the trial for offenses against “public morality. Found guilty on 8 March 2012 and fined 1000 dinars (500 Euros). Case closed.

Nabil Al-HAJLAOUI: blogger and journalist, was arrested by the Tunisian army in Sidi Bouzid on 25 October 2011 for writing an article entitled *Sidi Bouzid is burning and the army is looking as a spectator* in which he criticised the Tunisian army. He was charged with calling for a public disturbance. He appeared before a military court on 9 November 2011 which sentenced him to two months in prison. Released on 15 December 2011 on expiry of his sentence. Case closed.

UNITED ARAB EMIRATES

Imprisoned – investigation

***Mohammed Salem Al-ZUMER**: Blogger, was reportedly arrested on 5 December 2012 by state security officers while he was driving a car in Sharjah, and was taken to an undisclosed location. He is the son of a poet and the nephew of an activist recently detained. There is not clear information about the charges against him. WiPC is seeking further information on this case.

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.

Attacked

***Ali Al-ASMAR**: Freelance reporter who contributes to various news websites. On 6 November 2012 two unidentified men set fire to Al-Asmar’s home. The house was damaged but Al-Asmar and his family were not in at the time. The journalist fears that the attack was linked to his critical articles about the Southern Movement, a peaceful coalition of secessionist groups.

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		English PEN	
China	HADA LIU Xiaobo SHI Tao	China	LIU Xiaobo SHI Tao Nurehamet YASIN
China/Tibet	Nurehamet YASIN Dawa GYALTSEN Dolma KYAB	China/Tibet	Dolma KYAB Hrant DINK
Eritrea	Dawit ISAAC Emanuel ASRAT Temesken GHEBREYESUS Mattewos HABTEAB Dawit HABTEMICHAEL Seyoum TSEHAYE	Turkey	Muhammad BEKZHON Dzamshid KARIMOV
	Adnan HASSANPOUR	Uzbekistan	Mamadali MAKHMUDOV
Iran	Dawit Isaac		
Ethiopia	AUNG Than	Finnish PEN	
Myanmar/Burma	Muhammad BEKZHON	Ethiopia	Dawit Isaac
Uzbekistan	Mamadali MAKHMUDOV	Iran	Nasrin SOUTADEH
Vietnam	NGUYEN Xuan Nghia		
		German PEN	
Basque PEN		China	LIU Xiaobo SHI Tao
Iran	Adnan HASSANPOUR		
Belgian (Dutch Speaking)		China/Tibet	Dolma KYAB Ragip ZARAKOLU
Turkey	Hrant DINK	Turkey	
Canadian PEN		Guatemala PEN	
China	HADA SHI Tao YANG Tongyan	China	CHEN Wei GUO Quan
Eritrea	Dawit ISAAC Emanuel ASRAT Temesken GHEBREYESUS Mattewos HABTEAB Dawit HABTEMICHAEL Seyoum TSEHAYE		
	Nasrin SOTOUEH	Icelandic PEN	
Iran	Anna POLITKOVSKAYA	China	LIU Xiaobo
Russia	Tal al-MALLOUHI	Independent Chinese PEN Centre	
Syria	Muhammad BEKZHON	China	CHEN Wei GUO Quan HADA KONG Youping LI Tie LIU Xiaobin LIU Xiaobo LIU Yongyen Hailaite NIYAZI LU Jianhua QI Chonghuai SHI Tao Nurehamet YASIN BHUDHA DHONNKHO DROKRU Tsultrm KHELSANG
Uzbekistan	Mamadali MAKHMUDOV		
		China/Tibet	
Czech PEN		Italian PEN	
China	LIU Xiaobo	China	YANG Tongyan
Danish PEN		Netherlands PEN	
Syria	Tal Al-MALLOUHI	Turkey	Ragip ZARAKOLU
Turkey	Nedim SENER Ahmet SIK	Uzbekistan	Mamadali MAKHMUDOV

New Zealand PEN

China SHI Tao

Norwegian PEN

Turkey Hrant DINK

Portuguese PEN

China LIU Xiaobo

San Miguel de Allende PEN

China SHI Tao
Turkey Ragip ZARAKOLU

Scottish PEN

China LIU Xiaobo
SHI Tao
Iran Nasrin SOUTODEH
Mexico Lydia CACHO

Swedish PEN

Ethiopia Dawit Isaac
Iran Adnan HASSANPOUR
Mohammad Sadiq KABUDVAND
Nasrin SOTOUEH
Turkey Muharrem ERBEY

Swiss German PEN

China SHI Tao

Swiss Italian PEN

China SHI Tao

Swiss Romande

China/Tibet BHUDHA
DHONNKHO
DROKRU Tsultrm
KHELSANG
Vietnam LU Van Bay
NGUYEN Tien Trung

Sydney PEN

China LIU Xiaobo
SHI Tao
Vietnam NGUYEN Van Ly

Turkey PEN

Turkey Mustafa BALBAY
Muhammed ERBEY
Busra ERSANLI
Nedim SENER
Ahmet SIK
Ragip ZARAKOLU

Uighur PEN

China GUO Quan

USA PEN

Ethiopia Eskinder NEGA
China SHI Tao
Uzbekistan Muhammad BEKZHON
Mamadali MAKHMUDOV

Half-year Figures

July to December 2012

Killed	10
Killed – Motive Unknown	10
Disappeared	4
Imprisoned - Main Case	157
Imprisoned - Investigation	133
Judicial Concern	1
On Trial (not imprisoned)	118
Non Custodial Sentence	26
Brief Detention	38
Death Threat	16
Other Threat/Harassment	46
Attacked/Ill-treated	36
Total	595
Released	14

Full-year Figures

January to December 2012

Killed	14
Killed – Motive Unknown	31
Disappeared	9
Imprisoned - Main Case	157
Imprisoned - Investigation	133
Judicial Concern	3
On Trial (not imprisoned)	170
Non Custodial Sentence	30
Brief Detention	107
Death Threat	33
Other Threat/Harassment	85
Attacked/Ill-treated	106
Total	878
Released	36