



PEN INTERNATIONAL
Writers in Prison Committee
Case List – January to June 2011

pen
INTERNATIONAL

PEN INTERNATIONAL
Writers in Prison Committee

HALF-YEARLY CASELIST
To 30 June 2011

PEN International
Writers in Prison Committee
50/51 High Holborn
London WC1V 6ER
United Kingdom

Tel: + 44 020 74050338
Fax: + 44 020 74050339
e-mail: wipc@pen-international.org.uk
web site: www.pen-international.org.uk

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.

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

Our work would be impossible without our Sponsors who include:

OXFAM/NOVIB, Swedish International Development Foundation, Norwegian Ministry for Foreign Affairs, the Swedish Ministry of Culture, the Fritt Ord Foundation, Individual donations and membership fees from PEN members

Bank details: PEN International Foundation Account, National Westminster Bank, 134 Aldersgate Street, London EC1A 4JB. Sort code: 60-05-37 Account: 81901763.
Registered Charity no: 1010627

Contents

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.

List of cases by country

Africa	4	Centres with Writers in Prison Committees	94
The Americas	22	List of Main Cases by Country	95
Asia and Pacific	39	Case statistics	96
Europe and Central Asia	58		
Middle East	81		

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

Explanation of Terms Used

Important: Please Read

Main Cases

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

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

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

Judicial concern

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

Investigation case

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

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

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

*' by a name indicates that the case is new to the Committee's list since the last Writers in Prison Committee report. The last report was dated December 2010.

AFRICA

ANGOLA

On trial

***Armando José CHICOCA**: freelance reporter for various private Angolan newspapers including *Folha 8*, *Agora* and *O Apostolado* as well as for the U.S. government-funded broadcaster Voice of America (VOA). On 4 March 2011, Chicoca was sentenced to one year in prison and a US\$2,100 fine on libel and defamation charges for reporting on sexual harassment allegations against the presiding judge of the Provincial Court of the coastal city of Namibe in 2007. The lawsuit was filed by the judge in question. The plaintiff also accused Chicoca of being the author of an anonymous comment accusing him of corruption posted below a story on the scandal on the popular Portugal-based Angolan critical news website *Club-K*. Chicoca was transferred to Comarca Prison in Namibe following sentencing. His defence lawyer was not present during his trial; it is not clear whether or not he was barred from attending. Chicoca intended to appeal the ruling. He was released on bail of US\$2,400 on 6 April 2011. As of 30 June 2011 his appeal had not been heard. **Background**: Chicoca spent a month in prison in 2007 after police arrested him while he was reporting on protests against the demolition of a street market. [RAN 11/11 and updates]

Brief detention

***Pedro CARDOSO and Ana MARGOSO (f)**: reporters for the private weekly *Novo Jornal*, were detained for 10 hours on 7 March 2011 while they were covering an anti-government demonstration. The reporters were interrogated about their links to demonstrators before being released without charge. Margoso said she was forced to clean the police cell and was interrogated three times.

BENIN

Attacked

***Séidou CHOUBADE** : reporter and columnist for the privately-owned daily newspaper *Le Nokoué*, was assaulted by a group of police officers during a crackdown on opposition demonstrators on 24 March 2011. The demonstrators were challenging the credibility of the constitutional court's 21 March announcement declaring President Yayi Boni winner of the recent presidential election. Witnesses said that some of the police officers slapped Choubadé several times, while others beat him with clubs. The attack continued despite the journalist showing them his press card. The attack left him Choubadé with a swollen face, a cut on his upper lip and a number of hand injuries.

BURUNDI

Released

Jean- Claude KAVUMBAGU: editor of the online newspaper *Net Press*, was released on 16 May 2011 after more than 10 months in pre-trial detention. Kavumbagu was arrested on 17 July 2010 on a charge of treason after he questioned in his newspaper's opinion page whether Burundian security forces were capable of preventing a terrorist attack similar to those which had taken place in the Ugandan capital Kampala a few days earlier. He was reportedly arrested under an article that penalizes attempts 'to demoralize the Army in times of war.' Prosecutors failed to explain how the charge is applicable, since Burundi was not at war. On 16 May 2011 Kavumbagu was acquitted of treason but sentenced to eight months in prison and a fine of 100,000 Burundian francs (50 Euros) on a lesser charge of publishing an article "liable to undermine the state's credibility and national economy." However he was freed immediately due to the time already spent in detention before the trial. All other charges against him, including defamation and press law violations, were dropped. **Background**: Kavumbagu has reportedly been arrested on five previous occasions by five consecutive governments but has never been convicted. In 2008, he was charged with defamation in connection with an article accusing President Nkurunziza of misuse of public funds during the 2008 Olympics in China. He was acquitted in March 2009 after spending seven months in detention. [RAN 57/10 and updates]

CAMEROON

Died in custody: investigation ongoing

Germain S. ("Bibi") NGOTA NGOTA: founder and editor of the private bimonthly newspaper *Cameroon Express*, died in Kondengui prison in the capital Yaoundé on 22 April 2010. His health had deteriorated since he was imprisoned in February 2010 and according to his death certificate he died from a lack of medical attention. Details of arrest: Ngota (38) was arrested on 15 February 2010 along with editors **Robert Mintya** of *Le Devoir* and **Serge Sabouang** of *La Nation*, in connection with a criminal complaint from presidential aide Laurent Esso in response to their investigation of allegations of corruption involving Esso and the state-run oil company, National Hydrocarbons Company (SNH) (see entry for Mintya and Sabouang below). The journalists were transferred to Kondengui prison in March pending trial. Three weeks before his arrest, Ngota had been picked up by Cameroon intelligence agency (DGRE) agents while being treated for high blood pressure at a hospital in Yaoundé and was held incommunicado without charge with Mintya, Sabouang and reporter Simon Hervé Nko'o of *Bebela*. **Conditions/ treatment in custody**: Ngota was reportedly held in a part of Kondengui prison where hardened criminals are housed and where the conditions are extremely harsh. Shortly before his death he had complained of fatigue, gout and joint pain. He had reportedly also suffered from high blood pressure, a hernia and asthma. However, according to Ngota's mother, the authorities rejected a plea for Ngota to be released on medical grounds, despite it being endorsed by the prison doctor. The Cameroonian government has not responded to allegations that security agents used psychological and physical torture to force Ngota and the other journalists to reveal their sources for the document on which the allegations against Esso were based. **Government response**: A 26 April 2010 statement issued by the President's office stated that the judicial authorities would carry out an

impartial investigation but denied that the case was “a matter of restriction of freedom of the press” or that Ngota had died because of a lack of medical care. On 28 April, a minister publically disclosed that Ngota had tested positive for HIV while in prison and had died of infections arising from this condition, a claim refuted by Ngota’s widow. A letter to PEN from the Minister of State dated 17 May stated that Ngota had been receiving treatment for his health complaints in prison prior to his death. It also said that Ngota had sent an “apology letter” to the Minister regarding the forgery matter prior to his arrest. On 14 September 2010 the Justice Minister released the official post-mortem into the death of Ngota saying that there was no sign of cuts, bruises or any other marks of torture. An internal report by the chief doctor at the Kondengui prison repeated that Ngota died “as a result of opportunistic infections linked to HIV”. Ngota’s widow denied that Ngota had the HIV virus, while Ngota’s brother said that the journalist had been tortured in February when he was arrested and taken to the DGRE. **Update:** As of the first anniversary of Ngota’s death on 22 April 2011, there had been no further development in the case. **Background:** Ngota, who had worked as a journalist for 15 years, launched *Cameroon Express* in 2002-2003 and worked for several other publications on a freelance basis. He was reportedly well-known locally for his investigations on public corruption in the oil sector. He was survived by his wife and two children. **Awards:** Canadian Journalists for Free Expression (CJFE) awarded Ngota one of its 2010 International Press Freedom Awards for his courage. [RAN 32/10]

On trial

Robert MINTYA and Serge SABOUANG: editors of the newspapers *Le Devoir* and *La Nation* respectively, were conditionally released on 24 November 2010 on orders of the President pending a trial for allegedly forging the signature of a presidential aide. The trial date or place had not yet been announced. The editors reportedly faced up to 20 years in prison if convicted. **Details of arrests and imprisonment:** Mintya and Sabouang were arrested and briefly detained in early February 2010, alongside **Germain “Bibi” Ngota Ngota** of the *Cameroon Express* and journalist **Simon Hervé Nko’o** of the weekly newspaper *Bebela*. The arrest was in response to the journalists’ investigation of allegations of corruption involving Laurent Esso, Secretary General of the President’s Office, and the state-run oil company, National Hydrocarbons Company (SNH), of which Esso is also board chairman. Nko’o was reportedly tortured while in custody and went into hiding following his release. Mintya, Sabouang and Ngota were re-arrested on 26 February and charged with forging Esso’s signature in a document and using it in an attempt to discredit him. They were transferred to Kondengui prison in the capital Yaoundé on 10 March. Ngota died in prison on 22 April after being denied medical care (see above). The whereabouts of Nko’o, who was said to have forged the document in question, were not known.

Health concerns in prison: On 8 August 2010, Mintya was reportedly beaten around the head by another prison inmate, causing him to lose consciousness. He was admitted to the prison infirmary and on 25 August was transferred to Yaoundé central hospital but reportedly had no access to free medical care. It is thought that the attack may have been reprisal for Mintya’s implication of other people in the forgery case. Mintya was reportedly told that he would be freed if he signed a statement saying that he had been led astray and wrote a number of letters to Esso apologizing for the forgery, some of which were published in *L’Anecdote*, a newspaper that supports Esso. When he failed to secure his release, Mintya reportedly then wrote more letters accusing other leading Cameroonian personalities of being behind the forgery. Mintya reportedly spent a few

days in hospital in late August before being returned to his prison cell. On 28 September he was reportedly transferred to a psychiatric hospital. **Update:** No news on trial as of 30 June 2011; PEN is seeking an update. **Award:** Canadian Journalists for Free Expression (CJFE) awarded Sabouang one of its 2010 International Press Freedom Awards for his courage. [RAN 45/10]

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

Brief detention

***Lamissia ADOULARC:** correspondent for the daily newspaper *Le Jour*, was arrested on 30 March 2011 and detained for five days on the orders of the governor of Adamawa. The governor allegedly ordered the detention to “ensure the protection of the journalist” after Adoularc inquired about the arrests of two employees of a state-run palm oil company. He was held without charge at the central prison in the northeast town of Ngaoundéré. The governor did not explain why he would need protection. Adoularc was held under “administrative detention,” an exceptional power of arrest given to local authorities to address emergency situations such as threats to public order or organized crime.

Released

Lapiro DE MBANGA (real name: Pierre Roger Lambo Sandjo): well known singer-songwriter, was released from prison on 8 April 2011 on completion of a three-year sentence. **Details of arrest:** Mbanga, who is also a member of the opposition party Social Democratic Front (SDF), was arrested on 9 April 2008, accused of instigating mass demonstrations and strikes against the high cost of living which took place in Cameroon at the end of February 2008 and which the authorities say led to the deaths of at least 40 people. However, according to the Media Foundation for Western Africa (MFWA), his arrest stemmed from a song he wrote entitled “Constipated Constitution” which warns President Biya of the dangers of the constitutional amendments. The Constitutional Amendment Bill, which was adopted on 10 April 2008, allows an unlimited number of presidential mandates, as well as granting the president immunity for any acts committed while in office. **Details of trial:** On 24 September 2008, Mbanga was found guilty of taking part in riots and sentenced to three years in prison. **Appeal:** On 24 June 2009, an appeal court in Yaoundé confirmed Mbanga’s three-year prison sentence. The fines for allegedly damaging property were also upheld and Mbanga was ordered to pay the costs of the trial. Mbanga’s lawyers subsequently took the appeal to the Supreme Court in Yaoundé. On 16 June 2010, a group of US lawyers working with Freedom Now submitted Mbanga’s case to the UN Working Group on Arbitrary Detention. **Release:** Mbanga was released on 8 April 2011 on completion of his three-year sentence. There were fears that he may face ongoing security concerns. **Awards:** In November 2008, Mbanga was a recipient of that year’s Oxfam/Novib PEN Award for Free Expression. In November 2009, he was awarded the Freedom to

Create Imprisoned Artist Prize. (see previous case list for more details). [RAN 39/08 and updates]

***Bertrand TEYOU**: author, was released on 29 April 2011 after serving almost six months of a two-year prison sentence for ‘insulting’ President Paul Biya’s wife in his 2010 book *La belle de la république bananière: Chantal Biya, de la rue au palais* (The belle of the banana republic: Chantal Biya, from the streets to the palace) (Éditions Nation Libre, Douala), in a case brought by the Cameroonian state. He was also charged with ‘unlawful assembly’ for attempting to organise a public reading from the book. **Details of arrest**: Teyou was arrested by security forces just before he was due to launch his book in a hotel in Douala on 3 November 2010. He was detained for a week in a central Douala police station and transferred to New Bell prison in the same city on 10 November. **Trial/sentence**: On 19 November the High Court found Teyou guilty of ‘insult to character’ and ‘unlawful assembly’, and ordered him to pay 2,030,150 CFA (US\$4,371) in fines and costs or, in the event of non payment, to spend two years in prison. As he was unable to pay the fine imposed he was re-imprisoned following sentencing. Teyou had no recourse to a defence lawyer during his trial; his lack of legal representation meant he was unable to meet the 10-day deadline to appeal his sentence. According to Amnesty International, which considered Teyou to be a prisoner of conscience, under the Cameroonian Penal Code, the ‘insult’ charge is only applicable to senior government and legislative officials and foreign dignitaries, not their spouses or family members. As for the charge of ‘unlawful assembly’, Teyou had notified the authorities of his intention to hold a book launch, as required by law, but was arrested before the event could take place. Copies of his book were seized and destroyed; however the book was reportedly not officially banned. **Prison conditions**: Teyou went on hunger strike in February 2011 in protest at his treatment in prison. He was suffering from health problems reportedly linked to the poor diet in prison but had to pay to receive medical treatment. He also said he had to pay for a space to sleep. **Release**: Teyou was released on 29 April 2011 on payment of the fine in full. **Publications**: Teyou has written two other books: *L’Antécode Biya* (Biya Anti-Code) (Éditions Nation Libre, Douala, 2009) about President Biya, for which he has reportedly also been subject to harassment, and *Sortir de l’impasse* (Getting out of the dead end). [RAN 12/11 and updates]

Non-custodial sentence

***Jean-Marie TCHATCHOUANG**: editor of the weekly *Paroles* was convicted of defamation on 25 March 2011 and was given a six-month suspended prison sentence and a fine of 185,200 CFA francs (US\$390). The court also ordered Tchatchouang to pay 1 million CFA francs (US\$2,100) in damages and suspended his newspaper indefinitely. The charges were based on a complaint by directors of Douala’s main bus company, Socatur, in response to *Parole*’s coverage of widely reported allegations that the directors had embezzled public subsidies and used abusive employment practices. It is reported that Tchatchouang appealed against the sentence but the result has not yet been announced.

Case closed

Jacques Blaise MVIÉ and Charles René NWÉ: deputy managing director and editor respectively of the independent weekly newspaper *La Nouvelle Presse*, were sentenced to five years in prison for allegedly publishing “defence secrets” by a military court in the capital Yaoundé on 3 June 2009. The journalists were not present and were only informed of the hearing after it had taken place. They were also fined 500,000 CFA francs (approx. 760 Euros) each and issued an arrest warrant. However, as

of 18 June 2009 neither of the two journalists had been arrested. The case stems from a series of articles published in 2006 and 2007 that reportedly revealed the positions of the Cameroonian army on the Bakassi peninsula on the border with Nigeria in western Cameroon. It is believed that the Nigerian army used these reports to plan an attack on the Cameroon positions in which 21 soldiers were killed. On 19 March 2010 it was reported that Mvié and Nwé had been detained at Kondengui central prison in Yaoundé following a court hearing the previous day. Appeal ongoing as of 30 June 2010, by which time Mvié and Nwé had apparently been freed. No further news as of 30 June 2011; case closed due to lack of information.

CENTRAL AFRICAN REPUBLIC

On trial

***Faustin BAMBOU**: director of the independent weekly *The Hills of Bangui*, was arrested by military policemen at his office on 27 May 2011 and detained at their Research and Investigations Department for 10 days. On 7 June he was charged with inciting hatred and disorder among the military forces and insulting the government and sent to Ngaraba Prison in the capital Bangui. The charges stem from four articles Bambou wrote between April and May alleging that the Minister of Defence had embezzled funds from the European Union intended to cover the pensions of retired military and police personnel. On 17 May, a government spokesman criticized *The Hills of Bangui* and two other independent publications on national radio, accusing them of conducting a “smear campaign” against the Defence Minister. As of 30 June 2011, Bambou was still detained. **Background**: In January 2008, Bambou was sentenced to six months in prison for inciting, revolt, abuse and for defamation for supposedly defaming the Central African Republic’s Minister of Mining (now Minister of Foreign Affairs) by writing about his alleged embezzlement. The President pardoned Bambou the following month.

CHAD

Case closed

Yaldet Begoto OULATAR: managing editor of the newspaper *N’Djamena Bi Hebdo*, reportedly faced prosecution for defamation in a case brought against the newspaper by a former public works minister. On 9 August 2009, the paper published an article alleging that the minister was involved in embezzlement; the minister was fired a few days later. Oulatar faced a possible prison sentence if convicted. He was due to appear in court on 8 December 2009, but the hearing was reportedly postponed. No further news as of 30 June 2011; case closed due to lack of information.

COMOROS

On trial

***Ali MOINDJIE and Hadji HASSAMALI**: respectively editor of the private daily newspaper *Albalad* and editor of bimonthly *La Tribune des Comores*, were charged with “publishing false news” in the capital Moroni on 14 March 2011 in relation to their coverage of the handover of power between outgoing President Ahmed Abdallah Mohamed Sambi and President-Elect (now President) Ikililou Dhoinine. The charges are based on a news item, published in the 3 March 2011 edition of *Albalad* and in the 20 February 2011 edition of *La Tribune des Comores*, stating that the official swearing-in ceremony of the President-Elect could be

delayed beyond the scheduled date of 26 May. The Presidential Chief of Staff denied the claim and the public prosecutor deemed the reports “of a nature to trouble public order.” The journalists reportedly face up to six months in prison if convicted. No further news as of 30 June 2011.

DEMOCRATIC REPUBLIC OF CONGO

On trial

Achille Kadima MULAMBA: managing editor for the newspaper *Africa News*, was sentenced in absentia to eight months in prison and a US\$10,000 fine by a lower court in the capital Kinshasa on 2 November 2010. The conviction stemmed from a defamation complaint brought by the local administrator of a European development fund on the basis of a 26 October article which accused the administrator of embezzlement. The court also accused Mulamba of “bad faith” for refusing to publish the plaintiff’s right to reply. It is not clear whether Mulamba has lodged an appeal. No further news as of 30 June 2011; PEN is seeking an update.

Pascal MULUNDA and Jeff SAILE: respectively journalist and editor of weekly newspaper *Le Monitor* and editor of *Le Barometre*, are on trial for allegedly defaming a government official. Mulunda was arrested on 26 July 2010 on criminal defamation charges and taken to Kinshasa’s Penitentiary and Re-education Centre. The arrest was based on a 26 June complaint filed by an official with the Mining Ministry agency Saesscam against *Le Monitor* and the weekly *Le Barometre* after the two newspapers published a story on 23 June implicating the official in overbilling in the agency’s purchase of four vehicles. Mulunda was released on bail on 19 August. His lawyer stated that he must present himself to the court twice a week and was banned from leaving Kinshasa before the case comes to a close. It was also reported that Saile had gone into hiding after receiving anonymous phone threats. No further news as of 30 June 2011; PEN is seeking an update.

ERITREA

Imprisoned: main cases

Detained in September 2001:

Emanuel ASRAT (editor-in-chief of *Zemen* – ‘Time’), **Temesken GHEBREYESUS** (sports reporter of *Keste Debera* – ‘Rainbow’ – born c. 1967), **Matthewos HABTEAB** (chief editor of *Meqaleh* – ‘Echo’ – born c. 1973), **Dawit HABTEMICHAEL** (assistant chief editor of *Meqaleh* – born c. 1973), **Dawit ISAAC** (co-owner of *Setit*, playwright and writer – born 1964), **Date of arrest:** in the days following 23 September 2001. **Sentence:** it is thought that none have been put on trial. **Details of arrest:** The detentions came in the wake of the closing down of all eight independent newspapers by the authorities on 18 September 2001 (these include the weeklies *Meqaleh*, *Setit*, *Tsigenay*, *Zemen*, *Wintana*, and *Admas*). Since then, only state-owned newspapers have been published. According to news reports, presidential adviser Yemane Gebremeskel stated that these journalists (and the four others who are thought to have subsequently died in custody – see below) may have been arrested for avoiding national service. **Official position:** The authorities have either denied that a clampdown took place, claiming instead that the journalists have merely been sent to carry out their national service, or that the closures and mass arrests were necessary for the sake of national unity or were effected because of the newspapers’ failure to comply with laws covering media licences. However, a more likely explanation is that

the crackdown was an attempt to stamp out criticism of the Eritrean government’s treatment of students and political dissenters, and of its conflict with Ethiopia. In April 2003, President Isaias Afewerki told Radio France Internationale that the journalists listed as arrested or missing had been bribed by forces opposed to the government to cause division. He stated, “You cannot say a spy is a journalist... In the middle of the war we had to check them. We had to say enough is enough.” In a 2004 interview, President Afewerki commented that there had never been any independent media in Eritrea, only journalists in the pay of the CIA. In a TV interview in June 2009, the President said that he did not know what crime Dawit Isaac had committed but that he had made a “big mistake”. He added that the Eritrean authorities would not release Isaac or put him on trial and that they have their “own ways of dealing with that”. **Health concerns/prison conditions:** It was reported in April 2004 that the journalists were being held in secret security sections of the 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 Debera)**, **Yusuf Mohamed Ali (Tsigenay)**, **Fesshaye Yohannes “Joshua”** (co-owner of *Setit*, playwright and poet). Their deaths were attributed to harsh conditions and lack of medical attention. Some sources indicate that that Yohannes had been tortured prior to his death, including having his fingernails ripped out. **ACPHR ruling:** In May 2007, the African Commission on Human and People’s Rights (ACPHR) of the African Union ruled that the detention of the journalists was arbitrary and unlawful and called on the Eritrean government to release and compensate the detainees. **Information on Dawit Isaac:** Isaac, who spent a number of years in Sweden during the Eritrean war of independence and the border dispute between Eritrea and Ethiopia, holds Swedish citizenship. In November 2001, the Swedish local consul held a brief meeting with Isaac in jail. In April 2002, it was reported that Isaac had been hospitalized suffering from injuries sustained through his torture. In November 2005, Isaac was briefly released for a medical check-up and was allowed to call his family and friends in Sweden. This was due to pressure by groups in Sweden but did not lead to Isaac’s release: he was returned to prison two days later with no explanation. Since then Isaac has reportedly been moved to various prisons around the country. In January 2009, he was reportedly transferred from prison to an Air Force hospital in Asmara as a result of serious illness but was later returned to prison. The most recent reports indicate that Isaac is being held at Eiraeiro prison camp, 10 miles north of the capital Asmara, along with a number of the other detained journalists. As of January 2010, Isaac was reportedly being kept in solitary confinement, in a tiny cell with no windows and was in very poor physical and mental health. He and the other inmates are reportedly not allowed any contact with each other or the outside world, are routinely shackled and receive almost no medical care. Many are in a very poor psychological state. As of 27 October 2010, when Isaac turned 46, he had still not been formally charged with any crime, and his whereabouts remained unclear. A new collection of his writings, entitled

Hope- the Tale of Moses and Manna's Love, was unveiled at Sweden's Goteborg book fair in late September 2010. **Update on Isaac:** In its 2011 report, Amnesty International reported that Isaac remained in detention, allegedly in Eiraeiro prison camp. He was reportedly in poor mental and physical health. On 18 May 2011, during the 21st Session of the African, Caribbean, Pacific – European Union (ACP-EU) Joint Parliamentary Assembly held in Budapest, EU and African countries decided that the Assembly's next report on human rights would focus on Isaac. This came about as a result of efforts by Swedish MEP Olle Schmidt, who has taken a special interest in Isaac's case. **Recent information on other journalists:** On 18 February 2010, Reporters Without Borders reported that Emanuel Asrat and Dawit Habtemichael, like Isaac, were being held at Eiraeiro prison camp (cells 25 and 12 respectively). However, an April 2010 article by the Committee to Protect Journalists cited a report by Radio Wegehta, an opposition station based in Ethiopia, in which an alleged former prison guard at Eiraeiro stated that Habtemichael had died in custody, in addition to the four journalists named above; this death is unconfirmed. The former guard reportedly also said that Yusuf Mohamed Ali had died in June 2003 as a result of extreme heat, Medhanie Haile had died due to lack of medical treatment while Fesshaye Yohannes "Joshua" and Said Abdelkader had committed suicide. These reports are likewise unconfirmed. No further news as of 30 June 2011. **Honorary Members:** American PEN, PEN Canada, Finnish PEN and Swedish PEN. **Awards:** Isaac was awarded the 2009 Tucholsky Award by Swedish PEN and the 2011 Golden Pen of Freedom, the annual press freedom prize of the World Association of Newspapers and News Publishers (WAN- IFRA). **Mahmud AHMED SHERIFFO, Haile WOLDETESNAE, Petros SOLOMON, Saleh Idris KEKIA, General Ogbe ABRAHA, Astier FESHATSION, Berhane GHEBRE EGHZABIHER, Hamid HIMID, Estifanos SEYOUM, Germano NATI and Beraki GHEBRE SELASSIE:** former Minister of Local Government, former Minister of Trade and Industry, former Minister of Fisheries, former Minister of Transportation and Communication, and former Chief of Staff of the Defence Force and Minister of Trade and Industry respectively (the final six were also former members of government), have been detained since 18 or 19 September 2001 after the publication in May 2001 of an open letter critical of the government addressed to members of the ruling People's Front for Democracy and Justice (PFDJ) party. All 11 were members of the so-called G-15, a group of 15 PFDJ senior officials who signed the letter. They were arrested in Asmara on 18 and 19 September 2001 and accused of crimes against national security and sovereignty. A twelfth G15 member was also arrested but was released when he recanted. The three remaining members were abroad at the time of the arrests and have not returned to Eritrea. In February 2002, in the first parliamentary session since 2000, President Issayas Afewerki declared that the G-15 members had "committed treason by abandoning the very values and principles the Eritrean people fought for". The National Assembly therefore "strongly condemned them for the crimes they committed against the people and their country". After such statements it seems highly improbable that the eleven currently held will receive a fair trial. They have been held incommunicado ever since and it is not known whether they have been formally charged. According to Amnesty International, their family and friends have faced persecution whenever they have tried to speak out against the detentions. In April 2009, Amnesty reported that at least one of the G-15 members, General Ogbe Abraha, had reportedly died in custody due to the harsh conditions and lack of access to medical treatment. Astier Feshatsion was said to be suffering from stomach ulcers. **Most recent information:** According

to Amnesty International, in early 2009 there were unconfirmed reports that nine of the former government officials known as the G-15 had died in detention since 2002. In its 2011 report, Amnesty reported that the Eritrean government had failed to respond to these allegations in 2010.

Detained after 2001:

Yirgalem ASFHA (f) (essayist and journalist - staff member at Radio Bana, former art critic for the independent weekly newspaper *Zemen*); **Yirgalem FISSEHA MEBRAHTU (f)** (poet and journalist for Radio Bana); **Meles Negusse KIFLU:** (writer, poet and journalist - Radio Zara and Radio Bana, formerly worked for *Tsigenay*); **Bereket MISGHINA** ("Wedi Misghina") (playwright and actor and staff member at Radio Bana). **Date of arrest:** 22 February 2009, during a raid on Radio Bana, based in Addis Ababa, during which at least 50 employees were arrested by the security forces. By April 2009, most had been released but a number remain in detention. **Reasons for arrest:** No reason has been given for the journalists' arrest and they have apparently not been charged with any offence. However, it is thought that Asfha and Misghina might have been arrested due to their close working relationship with foreigners and a programme broadcast on Radio Bana in January 2009 about participatory government. Radio Bana produces educational programs for the Ministry of Education. **Place of detention:** May Srwa prison (Fisseha, Kiflu and Misghina); unknown (Asfha). **Other information:** Kiflu and Misghina were reportedly first held at the Doboziro detention centre and then at the military prison in Adi Abeito, to the northwest of Asmara. Fisseha, who was 27 at the time of her arrest, was initially taken to Adi Abeito but was subsequently transferred to the nearby May Srwa prison. Misghina is said to come from a very prominent family in Keren in northern Eritrea. He was reportedly tortured in 2002 after a screening of his film *Fistametat*. Asfha, who was thought to be aged 30 at the time of her arrest, is from Adi Keyih in the south of the country. Kiflu is married with two children. **Most recent information:** On 18 February 2010, Reporters Without Borders reported that Fisseha, Kiflu and Misghina were being held in May Srwa prison, to the north of the capital Asmara. On 23 May 2010, Reporters Without Borders said that Fisseha had been kept in solitary confinement for a number of weeks for unknown reasons. No further information as of 30 June 2011.

Mulubrhan HABTEGEBRIEL: journalist for the independent newspapers *Meqaleh* and *Setit*, as well as an essayist, commentator and translator for Radio Zara and the state-run newspaper *Hadas Eritrea*. **Date of arrest:** 2008. **Reason for arrest:** Not known. **Place of detention:** Adi Abeito military prison. **Other information:** Along with other prisoners (including Bereket Misghina and Meles Negusse Kiflu – see above), reportedly taken to an unknown destination in armoured cars on the night of 22 May 2009 before being sent back to Adi Abeito. No further news as of 30 June 2011.

Wedi ITAY: freelance journalist, former journalist for *Keste Debena*; writer and essayist. **Date of arrest:** Unknown (reported by Reporters Without Borders in September 2009). **Place of detention:** A hospital in Asmara. **Other information:** Itay was in his 40s at the time of his arrest and is now said to be seriously ill. He is reportedly a former member of the Eritrean People's Liberation Front (EPLF). No further news as of 30 June 2011.

ETHIOPIA

Imprisoned: main case

***Reeyot ALEMU (f)**: contributor to the independent weekly newspaper *Feteh*, was arrested on 21 June 2011 and is being held incommunicado without charge. She was reportedly detained at a secondary school where she teaches English in the capital Addis Ababa and her home was searched by police. The authorities have not disclosed the reason for her arrest but it is thought she is being held under Ethiopia's 2009 anti-terrorism law as she has been transferred into preventive detention for up to 28 days pending further investigations. Alemu was the second journalist to be detained without charge in less than a week following the arrest of *Awramba Times* deputy editor **Woubshet Taye** on 19 June (see below). Both are being held at the federal investigation centre at Maekelawi Prison in the capital Addis Ababa. According to local journalists, Alemu's arrest could be related to her articles criticising the ruling EPRDF party. Her 17 June column in *Feteh* was reportedly critical of the EPRDF's public fundraising methods for the Abay Dam project, and drew parallels between Prime Minister Meles Zenawi and the Libyan leader Muammar Gaddafi. The antiterrorism law allows for prison sentences of up to 20 years. [RAN 34/11]

Akram EZEDIN: acting editor of the privately owned Islamic weekly newspaper *Al-Quds*, based in the capital Addis Ababa, has reportedly been detained without charge since 11 September 2010. Ezedin (17 at the time of his arrest) took over the running of the newspaper in January when his father, **Ezedin Mohamed**, editor of *Al-Quds*, was sentenced to one year in prison for a 2008 column criticizing statements made by Prime Minister Meles Zenawi during an interview with the British newspaper *The Guardian* (see previous case list). On 11 September 2010, Ezedin Mohamed was released and Akram Ezedin was arrested, reportedly on the basis of articles critical of the performance of Afar's local Islamic Council or Mejlis, published by *Al-Quds* in July. Akram Ezedin was reportedly being held in a prison in Asaita, the regional capital of Afar and had reportedly appeared in Afar's court four times but was yet to be charged. Pre-trial detention is illegal under Ethiopia's Mass Media and Freedom of Information Proclamation. Moreover, as *Al-Quds* is a national newspaper, any case against it should be heard in a federal not a state court. As of October 2010, Akram Ezedin was still in detention. No further news as of 30 June 2011; PEN is seeking confirmation that he is still imprisoned. [Update #1 to RAN 07/10]

***Martin SCHIBBYE**: reporter for the Sweden-based news agency *Kontinet*, was arrested by Ethiopian security forces on 30 June 2011 while reporting on the activities of the Ogaden National Liberation Front, armed separatists operating in an oil-rich province of eastern Ethiopia. Schibbye (30) was arrested along with a photojournalist for the same agency. No charges have been brought against them. Both reportedly received medical treatment under police custody in the border city of Jijiga before being moved from Jijiga to the capital Addis Ababa on 5 July. They are expected to appear in court in the near future.

***Woubshet TAYE**: deputy editor of the independent weekly *Awramba Times*, has been detained incommunicado without charge at the federal investigation centre at Maekelawi Prison in the capital Addis Ababa since 19 June 2011. Security agents reportedly arrested Taye at his home in Addis Ababa and confiscated various documents, cameras, CDs and copies of *Awramba Times*, which provides in-depth political coverage. The authorities are yet to disclose the reason for his arrest. However, it is suspected that he has been detained under Ethiopia's 2009 anti-

terrorism law, possibly for his alleged sympathy for the banned political party Ginbot 7, which the Ethiopian government recently designated as a terrorist organisation. The antiterrorism law carries sentences of up to 20 years in prison. Taye is being held along with journalist **Reeyot Alemu**, who was arrested on 21 June (see above). **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.

On trial

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

Dawit KEBEDE and Wesenseged GEBREKIDAN: editors of *Awramba Times* and *Harambe* respectively, are on trial for "incitement." On 7 August 2008, Kebede and Gebrekidan were arrested and released on bail. The police were reportedly acting on orders from the Ministry of Justice, which had requested a criminal investigation into the two papers. *Awramba Times* was charged for an editorial, interview and opinion piece that had appeared in five different issues, while *Harambe* was charged for an editorial and opinion piece that had appeared in three separate issues. **Background**: At the beginning of August 2008, *Awramba Times* had been warned by police that they would block the distribution of the newspaper if it persisted in covering the political opposition movement, Ginbot 7. Ginbot 7, which is named after the day on which the disputed 2005 elections were held, is led by **Berhanu Nega**, a formerly imprisoned academic now in exile (see previous case lists). Kebede and Gebrekidan were jailed alongside Nega in 2005 and spent 21 months in jail before being released on a conditional pardon in August 2007. **Trial**: In late February 2009, it was reported that the public prosecutor had filed criminal charges against both Kebede and Gebrekidan at the federal court. Both were granted bail. Gebrekidan was unable to pay post bail and was imprisoned for a few weeks until local journalists raised the money. A final ruling in both cases was reportedly expected by September 2010. If convicted, the journalists face a possible prison sentence. No further news as of 30 June 2011; PEN seeking an update. **Awards**: On 23 November 2010, Kebede was given the Committee to Protect Journalists' International Press Freedom Award for "risking his freedom and security to report the truth as he sees it in his country."

Harassed

***Eskinder NEGA**: journalist and former political prisoner, was 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. **Background**: 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.

Case closed

Amare AREGAWI: editor of the pro-government weekly Amharic-language newspaper *The Reporter*, was arrested and briefly detained in August 2008 and was put on trial for libel. The case was brought by the brewery Dashen following a July 2008 *Reporter* article that quoted two former Dashen employees as saying they were wrongfully dismissed. According to an April 2011 report by the US Department of State on human rights in Ethiopia, Aregawi won the libel case and the case was dropped in March 2010. (See previous case list for details).

GAMBIA

Imprisoned: main case

“**Chief**” **Ebrimah MANNEH:** reporter and sub-editor with the pro-government *Daily Observer*, was reportedly arrested by two National Intelligence Agency (NIA) officers on 7 July 2006 and has held been in incommunicado detention by the NIA at various sites ever since, seemingly without having been charged with any offence. The NIA has repeatedly denied that they have the journalist in their custody; the government also denies any knowledge of his case. It is believed that the reason for Manneh’s arrest is that he is alleged to have had contact with a foreign journalist before the July 2006 African Union Summit held in the Gambian capital Banjul. Manneh apparently gave this journalist information deemed by the Gambian government to have been damaging to the country’s image. According to a former colleague, Ousman Darboe, Manneh reprinted a BBC story critical of President Yahya Jammeh’s democratic credentials; his decision was later overruled by editors and the relevant issue of the *Observer* withdrawn. Manneh has reportedly been moved around the country throughout his detention and although the local media has reported seeing him on several occasions, the government remained silent on the subject until April 2009 (see below). **Last sighting:** Manneh was reportedly seen on 26 July 2007 at Gambia’s main hospital where he was receiving treatment for high blood pressure. He was said to be very weak and was accompanied by members of the Police Intervention Unit (PIU), a paramilitary wing of the Gambian Police Force and Prison Service. Prior to the sighting Manneh had apparently been detained at Mile Two Central prison on the outskirts of Banjul, before being briefly admitted to Gamtel Ward Hospital and then being transferred to a military clinic in Banjul. **ECOWAS ruling:** On 5 June 2008, the Community Court of Justice of the Economic Community of West African States (ECOWAS) in Nigeria declared Manneh’s arrest and detention illegal and ordered the Gambian authorities to release him. The court also awarded Manneh US\$100,000 in compensation from the Gambian government. The government refused to cooperate throughout the court proceedings and has yet to comply with the ruling. **Official position:** On 6 April 2009, the Gambian authorities finally broke their silence with regards to Manneh’s disappearance when the Attorney General and Minister of Justice publicly stated that the journalist was not in police custody and rejected the ECOWAS ruling. **UN ruling:** In November 2009, the United Nations Working Group on Arbitrary Detention issued an opinion stating that the Gambian government’s arrest and continued detention of Manneh are without legal justification and in violation of international law, and called for Manneh to be released immediately. **Reported death in custody:** On 15 April 2009 a report by Agence France-Presse quoted an unnamed police source as saying that Manneh had been removed from Mile Two prison in the middle of the night some time in 2008, and speculating that the journalist was dead. However, on 27 April 2009 it was

reported that credible sources had said that Manneh was still alive. **New information:** According to the Committee to Protect Journalists (CPJ), in a 16 March 2011 meeting with the Gambian media that was broadcast on state television, President Jammeh suggested that Manneh may have died. “Let me make it very clear that the government has nothing to do with the death of Chief Manneh or Deyda Hydara or the disappearances of so many people,” said the President. He also suggested that Manneh may have disappeared after attempting to illegally migrate to Europe or the United States. On 6 July 2011, a Gambian National Police spokesman told CPJ that the police have no information about Manneh.

Released

Edwin Nebolisa KWAKAEME: activist and publisher of the privately-owned quarterly magazine *Window* which reports on human rights violations in the country. On 6 September 2010 Kwakaeme was sentenced to a six-month prison term with hard labour and a fine for allegedly giving false information to the office of President Yahya Jammeh. He was arrested on 8 March 2010 after writing to the office of President Jammeh asking him to make his daughter a goodwill ambassador to the human rights organisation for which Kwakaeme works, Africa in Democracy and Good Governance (ADG). Before the sentence, Kwakaeme had been on remand for seven months and had spent a one and half weeks in police custody. The court also suspended ADG indefinitely. **Release:** Kwakaeme was released and deported to his native Nigeria on 14 January 2011.

GHANA

Death threat

***Alhaji BATURE IDDRISU:** editor of the newspaper *Al-Hajj* and former managing editor of *Bilingual Free Press*, was reportedly threatened with death by an opposition member of parliament (MP) for Assin North constituency on 19 February 2011. The threats followed an argument between the two men on a local language radio programme the previous day. On 9 March, the MP was summoned by the Criminal Investigations Department (CID) of the Ghana police to explain the threats. The MP reportedly stated that he had made the threats because Bature, who is reportedly also a sympathizer of the ruling National Democratic Congress (NDC), has repeatedly insulted his family by linking them to drug trafficking.

IVORY COAST

Killed: motive unknown

***Lago Sylvain GAGNETO:** journalist for various print and broadcast media. In late May 2011, it was reported that Gagneto’s body was one of dozens found buried in mass graves in the economic capital Abidjan. The time and circumstances of his death were unclear. A relative of Gagneto’s claimed to have witnessed his murder and said that Gagneto (42) was shot dead by FRCI (Republican Forces of the Ivory Coast) forces while fleeing Yopougon with his family. Some believe that Gagneto was killed simply for being a journalist and more particularly, because the radio station for which he worked was under the authority of a town councillor belonging to the party of former President Laurent Gbagbo, and that Gagneto was a member of Gbagbo’s ethnic group rather than that of the current president, Alassane Ouattara. At the time of his death, Gagneto was assistant editor-in-chief of Radio Yopougon and secretary of the organisation of professional journalists of Ivory Coast (OJPCI). Throughout his career

he had worked for newspapers of various political allegiances, including the pro-Ouattara Oulmpe media group and the daily *Le Jeune Democrat* which is close to Gbagbo's party.

Killed: official investigation ongoing

Guy-André KIEFFER: writer and independent reporter with joint French and Canadian nationality, disappeared on 16 April 2004 and is assumed to have been killed. According to Reporters without Borders, he was “abducted from the car park of an Abidjan supermarket on 16 April 2004 after falling into a trap set for him by a member of [former] President Laurent Gbagbo’s entourage”. **Background:** Kieffer was the Abidjan correspondent for the French publication *La Lettre du Continent* and had written for French business publication *La Tribune* and other publications. He also reportedly wrote for the Ivorian press under a pseudonym and was collaborating on a book with Louis-André Dacoury-Tabley, foreign affairs coordinator for the Patriotic Movement of the Cote d’Ivoire (*Mouvement patriotique de Cote d’Ivoire – MPC*). In addition to his work as a journalist and writer, Kieffer has also worked as a cocoa and coffee trade expert for a firm of consultants and had conducted numerous investigations into the coffee and cocoa sectors, some of which have exposed corruption. **Investigation:** The investigation into Kieffer’s disappearance, led by French judge Patrick Ramaël, has dragged on since 2004 with no conclusion. Key suspects have included Michel Legré, the brother-in-law of former President Gbagbo’s wife, Simone Gbagbo. Legré was charged with ‘accessory to kidnapping’, ‘unlawful confinement’ and murder and held in an Abidjan detention centre for a year and a half before being granted provisional release in October 2005. Jean-Tony Oulai, an Ivorian army captain who claims to have belonged to the Ivorian special services, was detained for two and a half years from 2007 on suspicion of kidnapping and illegally detaining Kieffer before being provisionally released in April 2010. Judge Ramaël has reportedly faced constant obstruction by the Ivorian authorities, although they have denied this. In October 2009, it was reported that a man claiming to be a soldier in the Ivorian army said that Kieffer had been killed by members of Simone Gbagbo’s entourage, without her knowledge, during a botched interrogation within the presidential compound. However, in apparent response to the new testimony, the Ivorian state prosecutor Raymond Tchimou stated that Kieffer had been taken out of the country and is still alive. Tchimou offered no other explanations or details on the journalist’s purported whereabouts. **New information:** On 14 April 2011, Kieffer’s wife and daughter met with the Ivorian ambassador in Paris to ask what possibilities there were of further investigation into Kieffer’s case following the departure of former president Laurent Gbagbo. After the meeting the ambassador reportedly stated that the “whole truth” would be revealed about Kieffer’s disappearance and that he would speak to the minister of justice about the matter the same day. He added that President Ouattara wanted to put an end to impunity and establish the rule of law in Côte d’Ivoire. Kieffer’s wife noted that President Ouattara had backed the family since from the time the journalist disappeared.

On trial

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

the Vavoua region. The health ministry confirmed the allegations and fired the director for “activities contrary to the ethics of his profession”, however this did not stop him from filing a complaint against Medandje a few months later, accusing him of defamation and attempted extortion. Medandje remained free pending the outcome of his appeal. A hearing was set for October 2010. No further news as of 30 June 2011.

Patrice POHE: journalist and communications advisor to the state prosecutor, was arrested and detained on the orders of his employer on 21 July 2010 for allegedly leaking a report about embezzlement in the cocoa and coffee sector to the privately-owned newspaper *Le Nouveau*. It was reported that his arrest followed the interrogation of **Allan Alliali**, managing editor of privately-owned newspaper *Le Quotidien*. Both journalists were interrogated separately before being interrogated face-to-face in the presence of the secretary of the state prosecutor. At a hearing on 23 July, Pohe’s case was adjourned to 26 July 2010; no reason was given. No further news as of 30 June 2011.

Death threat

***Tibruce KOFFI:** contributor to the newspaper *Le Nouveau Réveil*, which supports former head of state Henri Konan Bédié, reportedly went into exile in France in early 2011, claiming that he was being pursued by assassins hired by former president Laurent Gbagbo. In an open letter published on 24 January 2011, Koffi claimed that the people hired to kill him actually helped him to flee.

***Kesy B. JACOBS:** editor-in-chief of the independent newspaper *Nord-Sud*, was reportedly subjected to insults and threats by telephone on 6 February 2011 by people he suspected to be supporters of former president Laurent Gbagbo. The callers accused Jacobs of being critical of the Gbagbo government.

***Madeleine TANOU (f):** reporter for the newspaper *Soir Info*, reportedly received death threats on 6 February 2011 from suspected members of the Groupement Patriotique pour la Paix (GPP), a militia group supportive of former president Laurent Gbagbo, for allegedly criticising Gbagbo in her writings. One of the messages sent to Tanou reportedly stated that if she continued to criticise Gbagbo, the group would skin her alive.

Attacked

***David KARIDILOULA:** journalist for the newspaper *Le Quotidien*. Karidioula’s home was reportedly burnt by pro-Gbagbo supporters on 6 March 2011 in what was believed to be a targeted attack. The fact that Karidioula is a journalist combined with his ethnic background, which is associated with Oattara supporters, reportedly made him a target even though *Le Quotidien* is pro-Gbagbo.

***André Silver KONAN:** investigative journalist for the daily newspaper *L’Intelligent d’Abidjan*, which supports the pro-Ouattara Rally of Houphouëtists for Democracy and Peace (RHDP), reportedly went into hiding on 8 March 2011 after a kidnapping attempt by youths supportive of former president Laurent Gbagbo. In an email sent to the Media Foundation for West Africa’s (MFWA), Konan, who is known for his criticism of the former Gbagbo regime, stated that his life was in danger.

Harassed:

***Jacob KESSI, Patrice YAO and Tiémoko Antoine ASSALE:** Kessi is editor of the newspaper *Nord-Sud*; Yao and Assalé are respectively editor and reporter of *Le Nouveau Réveil*. On 18 February 2011, all three were questioned by police and an assistant prosecutor about several stories in their newspapers that reported statements made by Ouattara supporters, and were accused of “calling the army to mutiny, inciting the public not

to recognize the authorities, and inciting hatred and violence.” The journalists denied the accusations, saying they were simply reporting facts.

KENYA

Killed: official investigation ongoing

Francis NYARURI: journalist for the independent newspaper *Weekly Citizen* (under the pen name Mong’are Mokuua), disappeared on 15 January 2009 and was subsequently found murdered. Nyaruri left his residence in Nyamira, western Kenya, on the morning of 15 January and travelled 30km to Kisii to purchase construction materials. His wife spoke to him later that morning; that was the last time he was heard from. His family reported his disappearance to the Nyamira police but it is understood that no missing person’s report was circulated to other police stations or to the provincial headquarters. Nyaruri was found decapitated two weeks later, on 29 January 2009, with his hands bound and with marks on his body in Kodere Forest near Nyamira. Prior to his disappearance, Nyaruri had written a series of articles exposing financial and other malpractice by the local police department. The last article he wrote, which appeared two days before he disappeared, implicated local police in a public transport racket. He had reportedly received threats from police officers in the area as a result of the articles and had reportedly told friends and colleagues that he feared for his life. A team of senior police officers was reportedly sent to Nyamira to investigate the murder. **Investigation:** On 8 June 2009 it was reported that two key witnesses, Nyaruri’s family lawyer and a policeman, had had gone into hiding after receiving death threats. The lawyer had been pushing for the arrest of Nyaruri’s suspected killers; the policeman had been providing protection to the lawyer and had been instrumental in the arrest of two key suspects. The threats warned them to drop the case. It is suspected that senior policemen from Nyamira may have masterminded the murder and be responsible for attempting to stall the investigation. The police officers in charge of investigating the murder had also received repeated threats; one of them reportedly filed a complaint to the police commissioner but this apparently caused the threats to intensify. As of 21 September 2009, one suspect, a member of a local gang, was reportedly facing murder charges, but the other, a taxi driver, had been released without explanation and had not been seen since. On 24 February 2010, it was reported that a suspect had been arrested in Kisii and transferred to Kisumu, where the case is being handled. Police said the suspect, a member of the Sungu Sungu group which is suspected to have been hired to kill the journalist, had been identified shortly after the killing but had gone into hiding. **Recent information:** The murder trial was reportedly postponed again on 4 November 2010. The judge investigating the case disqualified himself from the trial of the two suspects, stating that it was his last day hearing criminal cases and he could not initiate a new case despite the presence of five witnesses in court, including a key former police investigator into the murder, Robert Natwoli, who arrested the suspects. Despite being a crucial witness, Natwoli has not been given an opportunity to testify. He said he had left the police force that year after harassment and intimidation from fellow officers. No further news as of 30 June 2011.

On trial

Fwamba N C FWAMBA: contributor to various print media and a member of Kenyan PEN, has been arrested on a number of occasions and is being prosecuted for taking part in a supposedly illegal demonstration. On 7 August 2007, Fwamba was arrested along with **Philo Ikonya,**

President of Kenyan PEN, and nine others while they were singing a peace song in a small group outside the headquarters of the Criminal Investigation Department (CID) to protest against arbitrary arrests of members of civil society. Fwamba and Ikonya were arrested again on 18 February 2009 for taking part in a peaceful protest against hyperinflation and the rising prices of maize flour at a time of famine in Kenya. They were arrested outside the Kenyan parliament along with another activist. All three were reportedly severely assaulted while in police custody. On 19 February 2009, they were charged with “taking part in an unlawful assembly” and released on bail. Both Fwamba and Ikonya were hospitalised following their release to receive treatment for injuries sustained during the assault. They attempted to lodge a complaint against the senior police officer who assaulted them but this was denied on three successive occasions. Fwamba said he also received threats in 2009, including a death threat from an MP. He believed his movements and phone calls were being monitored by state agents. Ikonya is now living in exile. According to Fwamba the presiding magistrate has allowed the case to proceed in spite of inconsistencies from prosecution witnesses. The case was reportedly ongoing as of 31 December 2010. No further news as of 30 June 2011.

Acquitted

***Bernard OKEBE:** reporter for the newspaper *The People* and *The Financial Post*, was acquitted on 15 June 2011 of corruption charges brought against him in 2008 after the police chief of Nyamaria, western Kenya, accused Okebe of trying to bribe him. The police chief alleged that Okebe had demanded 15,000 Kenyan shillings (US\$175) in exchange for not publishing a damaging article about him. At the time Okebe was investigating a complaint by a local businessman that stated that the police chief had demanded a bribe in order to allow him to continue his business in the city. Okebe says the police chief called him to his office after Okebe called him for comment in December 2008 and forced him at gunpoint to count some money left on his desk, before having him arrested. According to local journalists, the police chief never succeeded in bringing any evidence against Okebe. While the court case was ongoing, Okebe was reportedly subjected to several threats and was followed in September 2010, as a result of which he and his family relocated from his home town.

Okiya Omtatah OKOITI: writer, journalist and member of Kenyan PEN, was on 18 June 2011 acquitted by a Mombasa court of three counts of incitement, behaving in a disorderly manner by shouting abusive words against 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 in January 2011. Okiiti was arrested on arrival in the city on 20 January and detained overnight before being released on bail on 21 January. His defence lawyers took the case to the High Court in Mombasa to challenge the constitutionality of the police’s actions. When the charges were dropped in June, the magistrate reportedly noted that Okiiti’s right to freedom of assembly had been infringed as the rally he had organised had been cancelled by the police at the last minute. **Background:** Okiiti has previously faced numerous law suits for taking part in demonstrations against the Kenyan government, and was arrested four times between July 2007 and December 2009. He alleges that he was assaulted by the police during one of the arrests in July 2007 (see previous case list for details).

Case closed

Eric ORINA: freelance journalist for a number of publications including the *Daily Nation* and *The Standard*; also Secretary General of the Kenya Union of Journalists, was reportedly assaulted by policemen during public celebrations for Madaraka (Kenya self government) Day in a stadium in Nairobi on 1 June 2009, the attack occurred when Orina went to the rescue of photojournalist **Boniface Mwangi** who was being manhandled by two men. When Orina questioned the behaviour of the assailants, who turned out to be plainclothes policemen, he and Mwangi were reportedly taken to the basement of the stadium and beaten. Both were left with severe injuries. They were then detained overnight in police custody and appeared in court the following day, charged with creating a disturbance and causing a breach of peace. The charges reportedly stem from the journalists having shouted out slogans criticising corruption and impunity during the ceremony, at which the President was present. Orina and Mwangi were released on bail of KES20,000 (approx. US\$256) each. Following their release the journalists received hospital treatment for their injuries and lodged a complaint with the authorities about the police's behaviour. If convicted, Orina and Mwangi face a maximum six-month prison sentence. On 31 January 2010, Mwangi reported that he and Orina were due to appear in court on 17 February 2010 when they hoped to be acquitted due to a lack of witnesses for the prosecution, who had failed to attend previous hearings. No further news as of 30 June 2011; case closed due to lack of information.

LIBERIA

Death threat

***Clara MALLAH (f):** reporter for the newspaper *Frontpage Africa* in Monrovia, reportedly received a death threat from the director of a children's safe house on 5 January 2011. The threat was issued hours after Mallah published an article entitled 'Wrapped in controversy – child trafficking centre or safe home'. The journalist had also been threatened by the centre's director the previous day when she had gone to his office to clarify information surrounding allegations of child trafficking.

Sentenced/ released

Rodney SIEH: editor-in-chief of the newspaper *FrontPage Africa*, was released on 24 January 2011 after spending two days in prison on contempt of court charges. The charges related to an October 2010 reader's letter to the editor accusing a Supreme Court Justice of bias in a criminal case. Sieh was summoned to the Temple of Justice in November 2010 to help the Supreme Court "understand" the letter's contents. According to Sieh, no lawyer was willing to represent him during the questioning. Over the course of two hearings, Sieh was unapologetic, attempted to read a statement about press freedom and referred to the court as "dictatorial." As a result, he was charged with contempt of court and given 48 hours to print an apology in his newspaper and pay a fine of US\$300. As he refused to do so, he was arrested on 22 January 2011 at his office in the capital Monrovia and taken to the city's South Beach prison to serve a 30-day prison sentence. He was reportedly released on 24 January after making an apology to the Supreme Court bench.

MOZAMBIQUE

Death threat

***Victor MUVALE:** correspondent for the daily newspaper *Diario de Mocambique*, was reportedly threatened with death by three policemen on 22 February 2011 due to a 3 January story stating that the policemen had beaten a man. The policemen told Muvale that they knew his address and office. They said that his report had led to disciplinary and criminal proceedings against them and they were likely to be expelled from the police force. Muvale reported the threats to the police, who condemned the policemen's behaviour and promised that measures would be taken.

NIGERIA

Brief detention

***Nankpah BWAKAN, Francis ZHITTA, Nandom KURA:** respectively journalists with the newspapers *Newsstar*, *Star Pointer* and the *News Herald*, were arrested on 10 March 2011 and held for three days at the State Security Service (SSS) premises in Plateau state. They were accused of possessing and distributing leaflets insulting the state governor, which the journalists denied. The state information commissioner reportedly claimed they were undermining state security.

Attacked

***Sefiu AYANBIMPE:** correspondent of the newspaper *Leadership* in the southeastern state of Osun, was injured on 9 April 2011 after being attacked by the state resident electoral commissioner. Ayanbimpe was investigating a charge by the opposition Conference of Nigerian Political Parties (CNPP) that the commissioner had received 25 million naira (€111,330) from the state government. He contacted the commissioner, who asked him to come to his office in the state capital Oshogbo. When the journalist arrived, the commissioner handed him over to the State Security Service (SSS) agents who reportedly beat him and detained him for several hours.

Threatened

***Ali Abare ABUBAKAR:** journalist with *The People's Daily*, was reportedly threatened on 20 January 2011 by aides of the Nasarawa state governor. The aides told Abubakar that the governor did not like certain articles he had written.

***Tukur MAMU:** editor of the Kaduna weekly newspaper *Desert Herald*, is reportedly wanted by the police inspector-general. After being warned he was a target, Mamu managed to escape 10 security agents who came to the paper's offices on 12 April 2011 and seized documents. In 2009 he was arrested for writing articles deemed to "harm the government's interests".

Harassed

***Okey NDIBE:** US-based Nigerian professor and journalist with the Nigerian daily *The Sun*, was reportedly questioned for several hours by the State Security Service (SSS) on 8 January 2011 after flying into the capital Lagos. Both his American and Nigerian passports were confiscated without any explanation and were not returned to him until the next day, when he was again summoned by intelligence agents. In 2007, Ndibe condemned the election of the late President Umaru Yar'Adua as fraudulent, angering the government. According to Ndibe, an anonymous source warned him that an arrest warrant had been issued against him in

2008; due to this warning he had not returned to Nigeria until his visit in January 2011.

***Segun OLATUNJI:** correspondent for the newspaper *Punch*, was arrested and held at the State Security Service (SSS) offices for seven hours on 3 April 2011. The arrest came after the paper ran an article about public reaction to postponement of the 2 April 2011 parliamentary elections, entitled “Angry Voters Set INEC Office Ablaze in Kaduna”, with which members of the Independent Electoral Commission (INEC) were reportedly unhappy.

***Aisha WAKASO and Afeyinwa OKONKWO:** respectively journalist with *Thisday Newspapers* and correspondent for the News Agency of Nigeria (NAN) in Enugu state, were reportedly harassed by police on 9 April 2011. The police prevented the journalists from covering voting during the parliamentary elections.

RWANDA

Killed: official investigation ongoing

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

called on the Rwandan government to re-open the investigation by establishing an independent commission of enquiry. [RAN 37-10]

Imprisoned: main cases

Agnes UWIMANA (f) and Saidati MUKAKIBIBI (f): respectively editor and assistant editor/ reporter of the now-defunct independent weekly tabloid newspaper *Umurabyo*, are serving long prison sentences on charges of sedition, inciting public disorder, ethnic “divisionism” and promoting genocide ideology. The charges were based on a series of articles that were critical of President Paul Kagame. **Details of arrests:** Uwimana was arrested on 8 July 2010 while Mukakibibi was detained the following week, allegedly for comparing the President with Adolf Hitler. The authorities denied that the journalists’ arrest was linked to elections scheduled for August 2010. *Umurabyo*, which rose to prominence in April 2010 following the government’s closure of leading private newspapers *Umuseso* and *Umugizi*, had in its recent editions raised questions about a number of sensitive topics, including the murder of journalist **Jean-Léonard Rugambage** (see above), the fallout between Kagame and two now-exiled military leaders, as well as reports alleging extravagant government spending on luxury aeroplanes. **Sentence:** On 4 February 2011, Uwimana was sentenced to 17 years in prison and Mukakibibi to seven years. According to Amnesty International, Uwimana acknowledged that some of her articles may have lacked professionalism. However Amnesty also said that the government had failed to adequately demonstrate how the articles could be interpreted as a threat to national security or were intended or were likely to incite violence. Both journalists are detained in a prison in Kigali. **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]

On trial

***Jean Bosco GASASIRA:** editor of the bimonthly newspaper *Umuwugizi*, was sentenced to two years and six months in prison on 3 June 2011 for allegedly insulting President Paul Kagame and inciting civil disobedience. Gasasira, who lives in exile, believes the sentence may stem from an online opinion piece he wrote that compared President Kagame to the Zimbabwean President, Robert Mugabe, and concluded that the former was more tyrannical than the latter. Gasasira was previously acquitted of the charges by a lower court in September 2010 but the state prosecutor appealed, calling for a 10-year prison sentence. The June 2011 decision cannot be appealed since it was issued by Rwanda’s Supreme Court, the country’s highest court. Gasasira will face arrest if he returns to Rwanda. **Charles KABONERO, Didas GASANA and Richard KAYIGAMBA:** respectively former editor, acting editor-in-chief and reporter of the Kinyarwanda-language private weekly newspaper *Umuseso*, were given prison sentences on 22 February 2010 after being convicted in absentia of invading the privacy of the Cabinet Affairs Minister and the Mayor of Kigali. Kabonero was sentenced to one year in prison and Gasana and Kayigamba to six-month prison terms under the 1977 penal code and 2009 Media Law. All three were also ordered to pay damages of 1 million Rwandan francs (US\$1,700) to the minister and the mayor. They were free pending appeal. The case related to a November 2009 article reporting allegations of an extramarital affair between the minister and the mayor. According to Kabonero, the story was a matter of public

interest because Rwanda's 2008 Law on the Leadership Code of Conduct criminalized offenses such as adultery for public office holders. Both the minister and the mayor have publicly denied the accusations. At the time of the conviction, Kabonero and Gasana were already appealing a suspended two-year prison term from a 2008 conviction for defamation over a story about tax evasion charges against a businessman in South Africa. **Recent information:** As of 20 October 2010 the three journalists had reportedly fled the country and were working from exile. According to Kabonero they were facing up to 25 years in prison. No further news as of 30 June 2011.

SENEGAL

On trial

Abdourahmane DIALLO: editor of the daily newspaper *Express News*, was sentenced in absentia on 26 August 2010 to six months in jail for defaming President Wade's chief of staff in articles published on 23-24 June 2010. A warrant was issued for Diallo's arrest but as of 30 August 2010, he had not been detained. Diallo was also given a suspended sentence of 18 months, while the newspaper was ordered to pay the chief of staff 20 million CFA francs (30,000 Euros) in damages. Some local journalists claimed that Diallo had never received any summons to appear in court. The newspaper's lawyer said that he would appeal the sentence. No further news as of 30 June 2011.

Non custodial sentence

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

SIERRA LEONE

Death threats

***Abdul Karim KABIA:** journalist with the Freetown-based newspaper *Awareness Times*, claimed in late February 2011 to have received constant threats to his life from a presidential aspirant for the opposition Sierra Leone Peoples' Party (SLPP) and his supporters since December 2010. The threats began on 7 December 2010 following an article by Kabia about the SLPP candidate which the latter considered to be critical.

Threatened

***Sylvia Olayinka BLYDEN (f):** publisher of the privately-owned Freetown-based newspaper *Awareness Times*, has been threatened with prosecution for seditious criminal libel. On 22 February 2011 the authorities filed a case against *Awareness Times* at the Independent Media Commission (IMC), the media regulatory body, over an article headlined, "What's the Colour of the APC Leader's Underwear?". The

complaint stemmed from an article written by Blyden and published on 17 February in which she accused President Ernest Koroma of belittling the presidency and reducing political discourse to a discussion of male politicians' underwear, in what has become known as "Koromaism". In the complaint, the attorney general warned that if IMC did not sanction Blyden, the government would resort to existing provisions, including the use of criminal prosecution under the Public Order Act of 1965. President Koroma has previously pledged to repeal this law.

SOMALIA

Imprisoned: main case

***Faysal Mohamed HASSAN:** correspondent for the news website Hiiran Online (HOL), was arrested in Bossasso, Puntland, on 29 June 2011 and accused of publishing false news. According to the Puntland police chief, Hassan's arrest was ordered by "top leaders". Local journalists said they suspected that Hassan was arrested for an online article published on 26 June that claimed that two men whose bodies were found near a roadside in Bossasso belonged to the Puntland security forces. The police denied the men were security personnel. It was not immediately clear how they were killed. On 30 June, police reportedly refused to take Hassan for a hearing at the Bari regional court in Bossasso.

Imprisoned: investigation

***Ahmed Adan HIRSI (known as Ahmed Dhere):** journalist with the Hargeisa-based daily newspaper *Haatuf*, was arrested in Berbera, Somaliland, on 10 May 2011. The police informed him that his arrest had been ordered by the chair of Berbera district court. Hirsi was taken to a police station in Berbera and detained. An official explanation for his arrest was not given but officers at the police station reportedly informed the journalist and his family that the arrest followed a complaint against him by the Berbera district commissioner. No further news as of 30 June 2011; PEN is seeking to confirm whether Hirsi is still detained.

Brief detention

***Abdifatah Mohamed HASHI:** journalist for the website Keymedia, was arrested by members of the National Security Agency on 14 June 2011 while covering weeklong protests in the capital Mogadishu. He was released without charge later the same day after being warned not to report on protests again.

***Jabir Ali OMAR and Dahir Ahmed JIRDE:** online journalists working respectively for www.saylac.com and www.boramanews.com, were arrested on 2 April 2011 and detained at Borame police station. They were questioned about news reports they had published on leaflets distributed in Borame which called for people to support "Awdal regional State", a region under Somaliland administration. Both journalists were released without charge on 5 April after intervention by clan elders and other journalists.

Sentenced/ released

***Mohamud Abdi JAMA:** editor of the private daily newspaper *Waheen*, was sentenced to a three-year prison sentence on 24 January 2011 in Hargeisa, Somaliland, on charges of defamation and "spreading false news". He was denied bail and was sent to Hargeisa Central Prison. The sentence stemmed from a 2010 article accusing a state electricity company manager of hiring more than 50 people from his own clan. Jama was released on 10 February as a result of a pardon by President Ahmed Mohamed Mahamud following intervention by tribal elders.

Non custodial sentence

***Abdifatah Mohamud AIDID:** editor-in-chief of the newspaper *Saxafi*, was convicted on 30 April 2011 of offending the name and reputation of the Somaliland Civil Aviation and Air Transport Minister and ordered to pay a fine of 6,000,000 Somaliland Shillings (approx. US\$1,000). The court also warned him that *Saxafi's* licence would be revoked should the paper defame the Minister again. The Minister brought the defamation case against Aidid in January 2011 over a December 2010 article in *Saxafi* which reportedly cited the Minister's alleged "mishandling" of a US\$10 million donation from the government of Kuwait intended for the refurbishment of Hargeisa and Berbera airports. Unsatisfied with the ruling, the Minister filed a complaint against the newspaper on 5 May and on 8 May an arrest warrant was issued for Aidid by Somaliland's Criminal Investigation Department. No further news.

SUDAN

Imprisoned: main cases

Abu Zar AL-AMIN: deputy editor of the opposition daily newspaper *Rai al-Shaab*. **Date of arrest:** 16 May 2010. **Sentence:** one year. **Expire:** 3 July 2011 – remains detained for further investigation. **Details of arrest:** Al-Amin was arrested along with *Rai al-Shaab* reporter and political editor **Ashraf Abdelaziz** and **Altahir Ibrahim** (known as Abo Jawharah) during a raid by the National Intelligence and Security Services (NISS) on the newspaper's offices in Khartoum on 16 May 2010. NISS agents confiscated equipment and copies of the latest issue of the paper and closed the newspaper down until further notice. Two other *Rai al-Shaab* employees were reportedly also arrested. All three journalists were detained incommunicado. **Charges:** On 25 May 2010, Al-Amin was charged with "undermining the constitution," "terrorism and espionage," "publishing false news," "undermining the prestige of the State" and "inciting sedition", crimes that can carry the death penalty. **Trial/ sentences:** The trial of the three journalists began on 11 June 2010. On 15 July 2010 they were convicted of "undermining the constitutional system" and "publishing false information". Al-Amin was sentenced to five years in prison while Abdelaziz and Ibrahim received two-year sentences. A fourth *Rai al-Shaab* reporter on trial, **Ramadan Mahjub**, was acquitted. The court also ordered the newspaper's closure and the seizure of all the assets of the company that owns it. Both Abdelaziz and Ibrahim were subsequently released on 6 February 2011 after their sentences were reduced on appeal (see below). **Allegations of torture and ill treatment:** During his initial detention, **Al-Amin** was reportedly tortured and otherwise ill treated by NISS agents, including being given electric shocks. When his family was allowed to visit him five days after his arrest, he was injured and complained of back pain, blood in his urine and insomnia. Ibrahim was also reportedly tortured and ill treated. **Further charges:** In May 2011, Al-Amin's prison sentence was reduced from five years to one year, meaning he should have been released on 3 July 2011. However, in late June prison officials informed him that he would instead be transferred to the custody of State Security Prosecution for further investigation. Two new complaints have been brought against him by the NISS. The first relates to articles written for *Rai al-Shaab* before his imprisonment, for which he faces the same charges on which he has already been convicted: criminal conspiracy (article 21 and 24 of the criminal code), criminal offences (article 26), attacks on the state aimed at undermining the constitutional system (article 50) and publishing false information (article 66). He is also reportedly facing charges under article

24 of the press law (on the responsibilities of editors) and article 26 (on the duties of journalists). The charge under article 50 of the criminal code carries a possible death sentence. The second complaint was lodged by a security officer whom Al-Amin claimed had tortured him during his pre-trial detention in May 2010. The officer says that Al-Amin inflicted "grievous bodily harm" upon him. According to Al-Amin's family, the journalist was simply defending himself. The torture allegations were denied by the security forces and were reportedly never investigated. Al-Amin is being held in Kober Prison in Khartoum, which is notorious for its abusive treatment of detainees. **Background:** The raid on *Rai al-Shaab* was apparently triggered by a 14 May 2010 article alleging that Iran had built a weapons factory in Sudan to supply insurgents in Africa and the Middle East. The ruling National Congress Party dismissed the report as false and a scheme by the opposition Popular Congress Party (PCP) - which publishes *Rai al-Shaab* - to damage relations between Sudan and the United States. The day before the raid on *Rai al-Shaab*, the authorities had arrested the PCP leader Hassan al-Turabi, who is a vocal critic of President Omar Hassan al-Bashir, accusing al-Turabi of "stirring up hatred, disseminating malicious lies and abuse of Sudan's foreign relations"; he was released without charge on 1 July 2010. There were further raids on several other newspapers on 19 May, including on another opposition newspaper, *Ajras Alhurria*, which was ordered to remove an article on the journalists' arrests, among others. Sudanese President Omar al-Bashir, accused of war crimes and crimes against humanity in Darfur, was re-elected in national elections in April 2010. According to rights groups, the election process was seriously flawed and marred by widespread repression and human rights violations. *Rai al-Shaab* was suspended for one year on 6 February 2011 following the hearing at which the sentences against Abdelaziz and Ibrahim were reduced. **Other details:** Amnesty International considered Al-Amin, Abdelaziz and Ibrahim to be prisoners of conscience, detained solely for expressing their opinion without advocating violence. [RAN 36/10 and updates]

Jaafar Alsabki IBRAHIM: Darfuri journalist with the opposition newspaper *Al-Sahafa*. **Date of arrest:** 3 November 2010. **Charges:** "undermining the constitutional system". **Details of arrest:** Ibrahim was arrested by the National Intelligence and Security Services (NISS) from *Al-Sahafa's* office in the capital Khartoum amid a wave of arrests of Darfuri media workers and activists. His arrest followed the detention of eight activists and journalists from Darfur between 30 October and 3 November, and an unknown number of others. None of the detainees had access to their family or a lawyer. When Ibrahim's arrest was reported, it was said that one of the other detainees, Radio Dabanga director Abdelrahman Adam Abdelrahman, had already been subjected to torture. Ibrahim was detained incommunicado without charge until June 2011. **Trial:** Ibrahim was finally charged in early June 2011 and appeared in court on 21 June. He was accused of "undermining the constitutional system," a charge that carries long prison sentences or the death penalty. His trial was adjourned until 12 July. [RAN 51/10 and updates]

Imprisoned: investigation

***Fathia TINGA (f):** journalist with *Al-Midan* newspaper, was arrested along with six other *Al-Midan* reporters during a raid on the newspaper offices by security forces on 3 February 2011 (see below). The arrests followed the paper's coverage of street protests on 30 January 2011. The six other journalists have since been released; PEN is seeking to determine whether or not Tinga is still detained. Her whereabouts were unknown as of March; no further news as of 30 June 2011; [RAN 05/11]

On trial

- ***Omar AL-GERRAI and Abdullah SHAIKH:** journalist and editor with the pro-opposition daily newspaper *Ajras al-Huriya*, were put on trial on 8 March 2011 for writing an article titled "Rape...under Sharia Law". The article also looked critically at the Sudanese justice system and the tens of thousands of detainees that have been subjected to it. On 29 May, prosecutors charged Al-Gerrai and Shaikh with defamation in a North Khartoum court; the trial was adjourned till 21 June 2011. According to Sudanese human rights groups, seven separate complaints have been filed against Shaikh by the National Intelligence and Security Service, the military and other organs of the state.
- ***Nahid AL-HASSAN (f):** a doctor who has frequently written for the pro-opposition daily newspaper *Ajras al-Huriya* about torture and other forms of abuse that occur in police custody, is being prosecuted for writing about the case of Sofia Ishag, a Sudanese woman who was raped. Al-Hassan was scheduled to appear in court to defend herself against undetermined charges on 6 July 2011.
- ***Fayez AL-SILAİK, Amal HABBANI (f), Fatima AL-GHAZALI (f) and Saad Eddin IBRAHIM:** Al-Silaik and Habbani are respectively former acting editor-in-chief and contributor to the pro-opposition weekly newspaper *Ajras al-Huriya*; Al-Ghazali and Ibrahim are respectively journalist and editor-in-chief of the daily newspaper *Al-Jarida*. All four face prosecution on defamation charges in connection with articles about the case of Sofia Ishag, a Sudanese woman who was raped. Al-Silaik has also been charged six other times in connection with different articles about prisoner abuse that have appeared in *Ajras al-Huriya*. The court date was set for 12 June 2011. **Background:** Al-Silaik is reportedly also facing prosecution for "humiliating the state and publishing false news" along with former *Ajras al-Huriya* editor **Al-Haj Ali Warrag**. The charges stem from to a 6 April 2010 article by Warrag which supported a boycott of the Sudanese elections called by Yasser Arman, the leader of the Sudan People's Liberation Movement, accused the National Conference of vote-rigging and strongly criticised President Omar al-Bashir. Al-Warrag and Warrag are being prosecuted under Article 66 of the criminal law, and Articles 24 and 26 of the press law and reportedly faced up to a year in prison or a fine, or both. No further news on the 2010 case as of 30 June 2011.
- ***Hassan ISHAG:** journalist with the Arabic daily newspaper *Al Jarida*, was arrested on 8 April 2011 and released the next day pending trial. The charges against him were not known. He was reportedly tortured while in custody. He is expected to appear before a court on 2 August 2011.
- ***Ahmad OSMAN:** editor-in-chief of the English-language newspaper *The Citizen*, received a summons from a court clerk on 12 June 2011 for writing about the case of Sofia Ishag, a Sudanese woman who was raped. He had not yet been given details of charges or a court date
- ***Faisal SALEH and Mohamed LATIF:** respectively journalist and editor-in-chief with the daily newspaper *Al-Akhar*. Saleh was charged with defamation on 12 June 2011 for writing about the case of Sofia Ishag, a Sudanese woman who was raped. His trial was due to commence on 28 June. Latif was to stand trial as a co-defendant in the same case.

Brief detention

- ***Hamza BALOUL and Ali Ahmad HAJ AL-AMIN:** Baloul is a journalist for the newspapers *Al-Ahdath* and *Alsharg*; Haj Al-Amin works for the newspaper *Ajras Alhurrya*. Both were arrested by the security forces on 10 January 2011 for covering student protests and briefly detained. [RAN 05/11].

***Mohamed Alfatih HIMMA and Rashan OWSHI:** respectively journalists with *Al-Midan*, an opposition paper published by the Sudanese Communist Party, and the newspaper *Al-Tayar Arabic Daily*, were detained on 14 May 2011 at a checkpoint at Jabal Awlia, interrogated by military intelligence for seven hours about their return route to Khartoum from Kadugli, in South Kurdufan state, and were then handed over to the police. No explanation was given for their arrest but it was thought to be linked to their coverage of governor Ahmed Haroun's reelection in voting held from 2 to 4 May in South Kurdufan, which is claimed by both northern and southern Sudan.

***Abulgasim IBRAHIM:** journalist with the newspaper *Al-Sudani Daily*, was detained for several hours on 17 May 2011 on the orders of the Finance Minister, who reacted angrily when Ibrahim produced compromising financial documents during an interview. The minister accused Ibrahim and *Al-Sudani Daily* of supporting the ruling National Congress Party and of gaining access to documents from his office without his permission.

***Abu Eisha KAZIM and Abdel Gadir BAKASH:** journalists with the newspaper *Sawt al-Bar'out*, were acquitted by a court in Khartoum on 2 February 2011 after being charged with attempting to overthrow the government. They were arrested on 10 January 2011 after covering street protests in Khartoum. [RAN 05/11].

***Samir SALAH ELDIN, Mohamed EL-DIRDIRI and Abdelazeem ALBADAWI:** journalists with the newspaper *Al-Midan*, were arrested during a raid on the newspaper offices by security forces on 3 February 2011 following the paper's coverage of street protests on 30 January. They were reportedly released on 14 March after a month and a half in detention. [RAN 05/11].

***Khaled TAWFIG, Mohamed RAHM, Ibrahim MIRGANI, Kamal KARRAR, Suleiman WIDA'A and Fatima BASHIR (f):** journalists with the newspaper *Al-Midan*, were arrested on 3 February for their coverage of street protests on 30 January. Tawfig, Rahm, Mirgani and Karrar were released on 12 February 2011 after nine days in detention. Wida'a and Bashir have apparently also been released although the date is unclear. PEN is seeking to confirm whether **Fatia Tinga**, who was arrested along with the six on 3 February and was still detained in an unknown location as of March, is still detained (see above). [RAN 05/11]

***Isaac VUNI:** freelance journalist who used to work for South Sudan's Information Ministry, was arrested on 28 March 2011 by police in Juba, South Sudan. He was released without charge on 2 May. **Background:** On 29 July 2009, while working for the *Sudan Tribune*, Venu was detained and mistreated at Juba police headquarters after writing an article blaming members of the Sudan People's Liberation Army and the South Sudan government for problems at the local privately-owned Nile Commercial Bank.

Harassed

***Faisal Mohammed SALEH and Amal HALBANI (f):** journalists for the newspapers *Al-Akhar* and *Al-Jarida* respectively, were investigated by police on 13 March 2011 for writing articles in which they discuss female activists' allegations that members of the security forces raped them while they were being arrested. Halbani was reportedly also dismissed from her job. As of June 2011, both Saleh and Halbani (now with the pro-opposition weekly newspaper *Ajras al-Huriya*) were facing prosecution for writing articles about the case of Sofia Ishag, a Sudanese woman who was raped (see 'On trial' above).

***Michael KOMA and Deng Atem KUOL:** respectively editor and journalist with the newspaper *Juba Post*, were summoned by the South Sudan

Ministry of Information on 2 April 2011 to explain a content of a report which stated that "Forces loyal to Gen. George Athor will launch a heavy attack in Juba shortly before South Sudan hoists her national flag." The edition of the *Juba Post* which included the report was seized at Juba port. In February 2011, Koma was briefly detained by South Sudan police.

Released

Ashraf ABDELAZIZ and Altahir IBRAHIM (known as Abo Jawharah): respectively reporter and political editor of the opposition daily newspaper *Rai al-Shaab*, were released on 6 February 2011 after completing a one-year prison sentence for allegedly "undermining the constitutional system" and "publishing false information". Their sentence was reduced on appeal from two years to one in November 2010. *Rai al-Shaab* was suspended for one year at the same hearing. On the journalists' release, they stated that they had been tortured during their initial detention and they were not informed of the reason for their arrest. They also said that conditions at Kober prison were very poor, with overcrowding a particular problem. *Rai al-Shaab* deputy editor **Abu Zar Al-Amin**, who was arrested and convicted at the same time, remains imprisoned (see above). [RAN 36/10 and updates]

SWAZILAND

On trial

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

Attacked

***Niren TOLSI, Jinty JACKSON, André LE ROUX, Reggy MOALUSI, Manqoba NXUMALO and Linda JELE:** Tolsi is a reporter with the South African daily newspaper *Mail & Guardian*, Jackson writes for Agence France Press, Le Roux is Africa editor of media publishing group Media24, Moalusi is editor of the private newspaper *Daily Sun*, Nxumalo is a reporter with the independent paper *Times of Swaziland* and a columnist for the South African news website *The Daily Maverick*, and Jele is a reporter with the *Times of Swaziland*. All six journalists were harassed by police and briefly detained in early April 2011 during their coverage of a mass demonstration demanding political and economic reform after more than two decades of rule by King Mswati III. The police confiscated the journalists' notebooks and contact books, and threatened to deport them if they reported anything negative about the country or the king

TOGO

On trial

Zeus K. AZIADOUVO, Jean-Baptiste K. D. DZILAN and Glakpé K. OLIVIER: managing editors of the privately-owned newspapers *Liberté, Forum de la Semaine* and *Journal Le Correcteur*, based in the capital Lomé, are on trial for "false publication" and "criminal defamation". The case stems from a complaint filed by the country's Inspector General

of Police over an 8 May 2010 article in the three newspapers which alleged that two traffic policemen had caused the deaths of a commercial motorbike driver and his passenger after the driver ran a red traffic light. The newspapers quoted unnamed eyewitnesses who claimed that the policemen had pushed the driver off his bike, resulting in his death as well as that of the passenger. The police have denied the accusations, claiming that the man died as a result of an accident caused by speeding. The editors were arraigned on 19 May 2010 and were due to make their third appearance in court on 9 June 2010. No further news as of 30 June 2011.

UGANDA

Imprisoned: investigation

Patrick OTIM: freelance journalist for the government vernacular newspaper *Rupiny* and a radio station in Gulu District, is on trial for treason. Otim was reportedly arrested by plainclothes policemen from the Chieftaincy of Military Intelligence (CMI) along with seven supporters of opposition political parties in May 2009, while local council by-elections were taking place. He was held incommunicado without charge for more than four weeks, during which time officials denied that Otim was in government custody. The journalist finally appeared in court on 15 June 2009 in response to a habeas corpus application filed by human rights lawyers. He was charged with treason, along with 10 others, for allegedly forming an armed rebel movement named the Popular Pacific Front (PPF) with the aim of overthrowing the government. The accused were remanded in custody and sent to Luzira Prison in the capital Kampala. As of late June 2009, the government was reportedly yet to produce any evidence to back up the charges but it claimed to have seized weapons and military equipment related to the alleged crime. Two of the 10 other defendants are reportedly former members of the Lords Resistance Army (LRA). Otim's case passed to the High Court on 18 November 2009. On 5 January 2010, it was reported that he was facing a possible death sentence. Otim's trial was reportedly scheduled to commence in February 2010 but was postponed. On 7 July 2010 it was reported that Otim had still not been brought to trial and was being pressurized to apply for amnesty, a controversial provision in Ugandan law that gives blanket immunity to all rebels who make a full confession. According to his lawyer, Otim has refused amnesty and wants his case to be brought to court. **Update:** Case ongoing as of 30 June 2011; the next hearing was reportedly due on 25 July 2011.

On trial

Moses AKENA: reporter for *The Daily Monitor*, is on trial for alleged criminal defamation of the Deputy Resident Commissioner of Gulu District in a case brought on 10 August 2009. The charges reportedly relate to a story Akena wrote on corruption. His petition to suspend his trial pending the outcome of a constitutional challenge of criminal libel statutes before the Supreme Court was rejected but then quickly reversed by a higher Magistrate Court on appeal. As of May 2010, Akena was still regularly reporting to court as part of his bail conditions but the case had still not gone to trial. No further news as of 30 June 2011.

Joachim BUWEMBO and Bernard TABAIRE: Buwembo and Tabaire are former managing editors of the *Daily Monitor*; Tabaire is now a columnist for the same newspaper. Both were charged in their capacity as managing editors with defaming the Inspector General of Government on 28 January 2008. The charges are based on a 17 August 2007 article on alleged irregular salary claims made by the official.

Two other *Daily Monitor* journalists, news editor **Robert Musaka** (now with the *Observer*) and chief parliament reporter **Emmanuel Gyezaho** were also charged with one count each. All four were released on bail pending trial. In June 2009, it was reported that Buwembo, Mukasa, Tabaire and Gyezaho had unsuccessfully challenged the constitutionality of Section 179 of Uganda's Penal Code Act on criminal defamation before Uganda's Constitutional Court. Their petition was unanimously dismissed. The journalists said they would take the petition to the Supreme Court, the country's highest court. Senior reporter **Angelo Izama** was named in the lawsuit but was not charged because he was abroad; he is likely to be included if the petition is dismissed by the Supreme Court and the trial starts in the magistrates court. Tabaire and Izama are also facing other charges (see separate entries below). **Update:** In early 2010, the requirement to report to a magistrate on a monthly basis was finally waived until there is a court decision. As of 30 June 2010, the Supreme Court appeal was still pending. No further news as of 30 June 2011.

Honorary Member (Bernard Tabaire): English PEN.

Angelo IZAMA, Daniel KALINAKI and Grace MATSIKO (f): Kalinaki and Izama are, respectively, managing editor and senior reporter of the *Daily Monitor*; Matsiko was formerly a senior reporter for the same publication but now runs an occasional magazine *Kampala Dispatch*. On 2 January 2009 it was reported that all three had been questioned by the Criminal Investigation Directorate (CID) for allegedly publishing materials prejudicial to national security and released on police bond. The charges stem from a 28 December 2008 piece about Operation Lightning Thunder, a joint state operation in the DRC (involving Uganda, the DRC and Southern Sudan) to capture Lord's Resistance Army rebels. The journalists reportedly face up to seven years' imprisonment if convicted. The case is being handled by the Media Offences Department, created within the Ugandan police force in late 2008. All three were reportedly arrested at least four times in 2009. **Update:** As of June 2010, the case was reportedly in limbo but could be resurrected at the State's discretion. No further news as of 30 June 2011. Izama is also on trial for criminal defamation (see entry below).

Daniel KALINAKI and Henry OCHIENG: managing editor of the *Daily Monitor* and editor of the *Sunday Monitor* respectively, were reportedly charged with forgery in August 2009 after the newspapers printed a reproduction of a leaked presidential memorandum. The *Monitor* had acknowledged some errors in the reproduction of the document (relating to the misspelling of the name of an ethnic group) and published a correction on 4 August. Although government spokeswoman Kabakumba Matsiko reportedly criticized the media's coverage of the story, she did not dispute the document's contents. The editors were freed on bail pending trial on 7 October 2009. **Update:** The case was reportedly extended to 29 March 2010 because the Directorate of Public Prosecutions did not have the police file. Trial reportedly ongoing in the magistrate's court as of late June 2010. No further news as of 30 June 2011. Kalinaki and Ochieng are also facing prosecution for other matters (see cases above and below). Kalinaki was reportedly arrested least four times in 2009.

Timothy KALYEGIRA: news editor for the *Uganda Record* website, is facing sedition and criminal libel charges for articles he published articles on the *Record's* website between 12 and 16 July 2010 after several bomb blasts in Kampala claimed more than 70 lives. He was arrested on several occasions and on 4 August 2010 his house was searched by police, who confiscated his laptop, a tape recorder and personal documents and also demanded the passwords to his email accounts. Kalyegira is reportedly facing a five-year prison sentence or a fine in connection with the sedition

charges. The case continues despite the fact that criminal sedition was declared unconstitutional by the constitutional court in late August 2010. **New information:** Kalyegira was arrested again on 31 May 2011 after he went to a police station to request the release of his passport which was in their custody. The police cancelled his police bond and took him to court, where he was charged with criminal libel against President Yoweri Museveni over the same articles on the July 2010 bomb attacks (see above). The Kampala Magistrate Court released Kalyegira on bail on 1 June after the court remanded him to Luzira prison in the capital Kampala. He was expected to return to court on 30 June 2011.

***Kizito SSERUMAGA, Alex LUBWAGA, Patricia SEREBE:** respectively managing editor, coordinating editor and reporter of the Luganda-language weekly newspaper *Gwanga*, were arrested on criminal libel charges on 24 May 2011 after police raided the newspaper's building. They were released later the same day and reported back to the police on 25 May. The raid reportedly came after police received a tip-off that the paper planned to publish materials that could lead to riots and further protests. The police decided to arrest the journalists after recovering materials they considered of possible use for inciting citizens to insurrection. These included copies of a newsletter published by Action for Change, a civil society group that helped organise the ongoing protests against high commodity prices in the country. Police accused the *Gwanga* staff of printing the leaflets and later surrounded the printing press *Gwanga* normally uses. Police also accused the staff of inciting violence by publishing a column on the ongoing economic crisis in the country.

Henry OCHIENG and Angelo IZAMA: respectively editor and senior reporter for *Sunday Monitor* news magazine, were interrogated at the police "media crimes" division on 3 February 2010 before being taken to court and charged with criminal libel the same day. The two journalists were accused of defaming President Yoweri Museveni in a 19 December 2009 opinion piece by Izama entitled 'Will the people's power defeat President Museveni in the poll?' The piece reportedly discusses the risk of political violence during the general elections scheduled for 2011 and also suggests parallels between President Museveni's Uganda and the Philippines under former leader Ferdinand Marcos. President Museveni, who took power in Uganda a few months before Marcos was ousted by protests in 1986, is expected to seek a fourth term in the 2011 general elections. Izama and Ochieng denied the charges and were released on bail pending trial, which reportedly began on 25 February 2010. All defamation cases in Uganda are reportedly suspended pending a Supreme Court ruling on the constitutionality of such penal code statutes. No further news on the case as of 30 June 2011. Both Ochieng and Izama are also facing prosecution for other matters (see cases above and below).

Andrew MWENDA, Odoobo BICHACHI and John NJOROGÉ: publisher/political journalist, consulting editor and journalist respectively for the weekly news magazine *The Independent*, are facing trial on charges of sedition. They were arrested during a Chieftaincy of Military Intelligence (CMI) raid on Mwenda's home and the newspaper's offices on 26 April 2008, during which documents and journalistic equipment were seized. The raid and arrests were reportedly linked to two stories published by *The Independent* that week: one an interview that touched on the alleged use of torture by Ugandan military intelligence in secret government-run detention centres and implicated top officials in atrocities during Uganda's civil war with the Lord's Resistance Army; the other an editorial alleging unrest in the army following the imprisonment of the former army chief for corruption. The three journalists were taken to the Criminal Investigations Directorate (CID) and were released on bail a few hours later. Mwenda is well known for his critical reporting

and was reportedly already fighting numerous counts of “sedition” and “promoting sectarianism” in relation to his journalism, most linked to commentary aired on Mwenda’s former political radio talk show. It has been reported that Mwenda could spend up to 75 years in jail if convicted. On 20 November 2008, Mwenda and Bichachi received police summons for questioning about coverage deemed “prejudicial” to state security. He has challenged the constitutionality of the sedition charges in court. Mwenda and Bichachi were reportedly ordered to report to the police at least seven times in 2009. As of May 2010, the sedition trial had been suspended pending the constitutional court ruling on the challenge to the sedition law. On 27 August 2010 the constitutional court ruled that the charge of criminal sedition is unconstitutional. No further news as of 30 June 2011.

Semuju Ibrahim NGANDA: former investigative journalist and political editor for the bi-weekly newspaper *The Observer*; now reportedly spokesman for the Inter Party Co-operation (IPC), a coalition of opposition parties. In October 2008, while Nganda was still working as a journalist, it was reported that he had been charged with “promoting sectarianism” and “incitement to violence” for the second time in two years. The journalist was arrested and interrogated by Criminal Investigation Directorate (CID) detectives at least three times in October 2008. He has reportedly been accused of mobilizing Baganda, the biggest ethnic group critical of the current government, and of criticising President Yoweri Museveni in talk shows for the alleged high rates of human rights violations during his administration. If convicted, Nganda could face up to five years in prison for promoting sectarianism and up to three years for incitement to violence. Nganda was accused of the same charges in June 2006 for writing an article that criticized government persecution of opposition leader Kizza Besigye. The trial was halted as the offence is being challenged in Uganda’s Constitutional Court, but the case has not been dropped. *Observer* editor **James Tumusiime** is also named in the case. Both men have been reporting to the police on a regular basis since 2007 as part of their bail conditions. On 24 July 2009, Nganda was reportedly threatened with judicial sanctions by the Ethics Minister over two opinion pieces on President Museveni. As of May 2010, the 2006 charges against Nganda and Tumusiime still stood but the case had not gone to court because of the pending constitutional challenge to the relevant sections of the penal code. On 27 August 2010 the constitutional court upheld the constitutionality of the charge of “promoting sectarianism”. No further news on the case as of 30 June 2011.

Kalundi Robert SSERUMAGA: writer, journalist and popular host of a daily radio talk show, ‘Spectrum’, was briefly detained and assaulted in custody in September 2009 before being released on bail pending trial for alleged sedition. **Details of arrest and detention:** Sserumaga was arrested late on 11 September 2009 as he left the studios of WBS Television in the Ugandan capital Kampala where he had participated in a debate in which he had criticised President Museveni for allegedly stirring up conflicts between people who had hitherto co-existed peacefully. Eyewitnesses, including journalist **Bernard Tabaire** (see above and below), reported that Sserumaga was bundled into a waiting car and taken away. A day later it was disclosed that he was being held in the Kampala Central Police Station. He was then transferred to the International Hospital in Kampala to receive treatment for injuries he sustained during severe police beatings. **Charges:** On 15 September 2009, Sserumaga was formally charged on six counts of sedition under Sections 39 (1) (a) and 40 (1) (b) of the Penal Code. Each count refers to comments he made during a discussion on the ‘Kibazo on Friday Live Talk Show and Phone-in Programme’, broadcast on 11 September. He is

accused of “intention to bring into hatred, contempt and to excite disaffection against the person of the President, and the Government...” On reading the charge sheet, PEN concludes that while strongly critical of the authorities, none of the contentious statements can be considered as incitement to violence. Sserumaga was freed on payment of US\$250 bail. As of May 2010, the case against Sserumaga had been stayed pending the Constitutional Court decision on the challenge to the sedition law. Sserumaga was reportedly also suing the Chairman of the Broadcasting Council and the Attorney General for unlawfully suspending him from broadcasting. **Update:** On 27 August 2010 the constitutional court ruled that “criminal sedition”, the charge against Sserumaga, was unconstitutional. It is not clear whether the case against him has now been dropped; PEN is seeking further information. No further news as of 30 June 2011.

Background: Violence broke out when the government banned the King of Buganda, one of the four tribal regions in Uganda, from visiting the neighbouring Kayunga district. Over 20 people were said to have been killed, and 550 others, including Sserumaga, were reportedly arrested to face trial. Four other radio stations were also closed (of which three are back on air as of June 2010). Sserumaga was suspended from his talk show following his detention. [RAN 48/09 and updates]

Bernard TABAIRE, Henry OCHIENG and Chris OBORE: respectively weekend edition managing editor, Sunday editor and journalist of the *Monitor* newspaper, were summoned by the police on 4 October 2010 and released on bail after being charged with sedition. The summons related to an article by Obore, published in late September 2010, alleging that soldiers were secretly trained as policemen in order to have the police force under military control. The charges were brought despite the fact that criminal sedition was declared unconstitutional in late August 2010. No further news as of 30 June 2011. Tabaire and Ochieng are also on trial for other matters (see above).

Richard TUSIIME and Francis MUTAZINDWA: editor-in-chief and news editor of the tabloid newspaper *Red Pepper*, are on trial for allegedly defaming the Libyan President, Col. Muammar Gaddafi. The charges stem from a series of articles in February 2009 alleging that President Gaddafi was having an adulterous relationship with Best Kemigisha, the Queen Mother of King Oyo Nyimba of Tooro Kingdom (Tooro is one of the kingdoms that merged to form Uganda at independence and has a ceremonial traditional ruler). The lawsuit was brought by President Gaddafi but was subsequently taken over by the Ugandan Director of Public Prosecution (DPP). On 18 February 2009, Tusiime and Mutazindwa were charged with six counts of criminal defamation of a foreign prince under section 53 of the Ugandan Penal Code. They denied the charges and were released on bail. If convicted, they reportedly face up to two years in prison. President Gaddafi is reportedly also seeking millions of dollars in damages. *Red Pepper* often faces lawsuits due to its coverage of the lifestyles of celebrities and public officials. **Update:** As of June 2010, the case was reportedly ongoing. No further news as of 30 June 2011.

Attacked

***David LUKAKAMA:** reporter for the Jinja-based newspaper *Voice of Bugosa*, was attacked with pepper spray by security officers while covering of a demonstration on 11 March 2011. A police commander reportedly apologised to the journalist and said the perpetrators would be investigated and dealt with accordingly.

***Brian LUWAGA:** correspondent with the newspaper *Kamunye*, was reportedly attacked by students on 11 March 2011 while he was covering

a student demonstration in Mutesa. Eye witnesses said that Luwaga was beaten up while conducting interviews with some students inside the university premises.

***Mercy NALUGO, Barbra AMONG (f), Roger KIBIRIGE, Kigongo SSEBALAMU, Robert MUTEBI, Michael KAKUMIRIZI, Peacock KAWEESA, Eddie SSEJOBWA, Raymond AYEABARE:** respectively journalists with *Daily Monitor*, *Vision Group*, *Vision Group*, *Vision Group*, *Vision Group*, *Red Pepper*, *Red Pepper*, *Vision Group* and *The Razor*. They were reportedly assaulted by soldiers on 12 May 2011 while covering opposition leader Kizza Besigye's return to Uganda from Kenya, where he was treated for injuries received when the security forces used force to disperse an opposition demonstration in Kampala in April 2011. Some of the assaulted journalists' equipment was confiscated.

Threatened/ attacked

***Goodluck MUSINGUZI and Robert MUHEREZA:** respectively journalists with the newspapers *New Vision* and *Daily Monitor*, were reportedly threatened by the police commissioner in Kabale on 25 March 2011. The commissioner threatened to file a defamation case against the two journalists and charge them with "spreading false information" for writing stories alleging that he had threatened at gunpoint an electricity company employee who went to his home to disconnect the service for non-payment of bills. **Update:** on 12 May 2011 a man reportedly poured petrol on Musinguzi's house and set it on fire while Musinguzi, his wife, and his newborn child were inside. Musinguzi filed a report with the police on 16 May. The police commissioner said that the police were investigating.

Harassed

***Tabu BUTAGIRA:** journalist with the national newspaper *Daily Monitor*, was arrested and interrogated by the Special Investigations Unit (SIU) on 11 March 2011 over a story on Dr. Kizza Besigye, opposition leader of the Forum for Democratic Change (FDC) which was published on 28 February. Butagira was interrogated for about an hour by officers who reportedly attempted to gain information to be used against Besigye.

ZAMBIA

On trial

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

Fred M'MEMBE: editor-in-chief and owner of the daily independent newspaper *The Post*, was twice charged with criminal contempt of court in 2009 in relation to articles critical of the trial for pornography of *Post* news editor **Chansa Kabwela** (see Background below). On 31 August 2009, the trial magistrate summoned M'membe, along with Cornell University law professor **Muna Ndulo** - the author of an opinion piece which *The Post* published on Kabwela's prosecution on 27 August - and

the entire *Post* editorial staff to appear in court on contempt charges. These charges were dismissed in September 2009. However, on 14 October 2009, M'membe and the newspaper were again charged with contempt of court over an August 2009 opinion piece on Kabwela's trial. **Sentence:** On 4 June 2010, M'membe was sentenced to four months in prison with hard labour following his conviction for contempt of court earlier that week. The magistrate reportedly justified the prison sentence by claiming that *The Post's* publication of Ndulo's opinion piece about Chansa Kabwela's trial was likely to affect the proceedings and that it would serve as a deterrent to other journalists. M'membe was taken to Chimbokaila Prison in the capital Lusaka but was released on bail on 7 June 2010 pending his appeal to the High Court. **Update:** Case ongoing as of 30 June 2011. **Background:** Chansa Kabwela of the *Post* was arrested in July 2009 for circulating photographs of a woman giving birth without medical help outside the University Teaching Hospital. Kabwela decided the photos were too graphic for publication but sent them to a number of government ministers, an archbishop and two civil society groups, urging that a medical workers' strike be settled. She was charged with circulating obscene materials but was acquitted on 16 November 2009. President Rupiah Banda, who described the photos in question as pornographic, is reportedly known to be an enemy of *The Post*, which has exposed alleged corruption in Zambia.

ZIMBABWE

On trial

Nevanji MADANHIRE and Nqobani NDLOVU: respectively editor and reporter for the newspaper *The Standard*, are on trial for criminal defamation relating to an article on the cancellation of police examinations. Ndlovu was arrested in Bulawayo on 17 November 2010 and released on bail after spending nine days in Khami prison. Madanhire was arrested on 30 November 2010, and was released on bail on 1 December 2010. On 28 February 2011, the presiding judge removed them from remand and granted an application for referral to the Supreme Court submitted by the journalists after the state failed to oppose the application. Madanhire and Ndlovu are being charged under Section 31 of the Criminal Law (Codification and Reform) Act. Section 31 deals with the publication of statements that "undermine public confidence in law enforcement agencies." As of 30 June 2011 the case was still pending. **Background:** The charges stem from the publication of a story in the 14 November 2010 edition of *The Standard* that said that police promotional exams were being scrapped to facilitate the absorption of war veterans and retired police officers into the police force ahead of the 2011 elections. Madanhire is also facing another criminal defamation lawsuit relating to a 2011 article about the police's alleged detention of the minister of state in the prime minister's office (see below).

***Nevanji MADANHIRE and Patience NYANGOVE (f):** respectively editor and reporter for the independent weekly newspaper *The Standard*, were arrested on 29 June 2011 following the publication of an article by Nyangove about the police's alleged detention of the minister of state in the prime minister's office. Nyangove was released later the same day while Madanhire was released on 30 June. Both were released on bail of \$100. On 1 July Madanhire and Nyangove were charged with criminal defamation against the head of the Harare Central Police Station's Law and Order unit for "publication of false statements prejudicial to the state" and "communicating statements that undermine public confidence in law enforcement agents." They were expected to return to court on 29 July. Madanhire is also facing another criminal defamation lawsuit

relating to a 2010 article on the cancellation of police examinations (see above).

Brezhnev MALABA and Nduduzo TSHUMA: editor and reporter respectively for the state-owned newspaper *The Bulawayo Chronicle*, are on trial for criminal defamation and “publishing falsehoods” for an article alleging police corruption. The charges stem from a January 2009 story that alleged that senior police officials were involved in a Grain Marketing Board (GMB) scandal in which tonnes of maize was sold on the black market in Zimbabwe and Zambia. On 17 March 2009, the two journalists were made to sign a police statement. Malaba and Tshuma are reportedly the first journalists working for state-owned publications to be prosecuted under Zimbabwe’s media laws. Court case reportedly still pending as of 21 October 2010; no further news as of 30 June 2011.

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

Brief detention

***Golden MAUNGANIDZE:** editor of the privately owned weekly newspaper *The Masvingo Mirror*, was arrested on 23 February 2011 in Masvingo accused of defaming the ZANU PF Masvingo provincial chairman. The police questioned Maunganidze about an 18 February column allegedly linking a politician to a sex scandal. Although the article did not mention any names the police decided to charge him with criminal defamation. However he was freed by a court on 24 February after the state declined to prosecute him due to lack of evidence

***The Rituals team:** an eight-artist theatre troupe performing the play *Rituals*, written by Stephen Chifunyise, was arrested in Cashel Valley on 5 January 2011 and detained for two nights. The reason given for their arrest was that *Rituals* was allegedly not the play approved for performance by the Censorship Board. The artists were charged with “criminal nuisance” under the Criminal Law (Codification & Reform) and released by Mutare Magistrate’s Court on 7 January. According to the charge sheet, the group allegedly “intentionally and unlawfully made noise or disturbance and beat drums in a public place performing drama reminiscent of political disturbances of June 2008 elections. The drama incited the affected members of the public to revive their differences”. The artists initially appeared in court on 17 March and were acquitted due to lack of evidence on 23 March.

Attacked

***Paidamowo CHPUNZA (f):** journalist with the state-owned daily newspaper *The Herald*, was assaulted while on assignment on 2 March 2011 by a man who said that he was a relative of the director of the Central Intelligence Organisation (CIO). Chpunza, who was six months pregnant at the time of the attack, was punched in the stomach and slapped by her assailant while she was covering a story about water problems at the Harari central hospital. A photographer was also assaulted by the same man.

***Brian MANGWENDE:** editor of the daily newspaper *NewsDay*, was attacked on 25 May 2011 when police raided the paper’s offices and

confiscated hard disks and computers. The editor’s office was ransacked and damaged. A few days before the raid, *NewsDay* had run an article headlined “It’s time to rest” that called on President Mugabe to stand down.

***Xolisani NCUBE:** reporter with the newspaper *Daily News*, was reportedly attacked by supporters of the Prime Minister Morgan Tsvangirai while interviewing people at the headquarters of Tsvangirai’s party on 24 March 2011. Ncube was hit in the face and his digital camera was taken from him.

Harassed

***Wisdom MDZUNGAIRI and Veneranda LANGA:** respectively assistant editor and senior parliamentary reporter of the daily newspaper *NewsDay*, were summoned for interrogation by the military on 19 April 2011. They were questioned about their sources for a story on the health of Zimbabwe’s Defence Forces Commander.

AMERICAS

ARGENTINA

Killed: investigation ongoing

Adams Ledesma VALENZUELA: Bolivian-born reporter for the community weekly newspaper *Mundo Villa* and director of local TV station *Mundo Villa*, was found stabbed to death next to his home in the Argentinean capital Buenos Aires on 4 September 2010. According to his wife, Valenzuela left home in the early hours of that morning, possibly to fix an electrical problem in the neighbourhood. The journalist was also known as a community advocate and leader. The authorities had not identified any suspects or disclosed possible motives for the murder. Valenzuela’s wife said that a woman had approached her when she arrived at the murder scene just after the attack and warned her that something similar might happen to her and her six children if they did not leave the neighbourhood. She also said that two women had approached her sister the following day and made similar threats. She filed a complaint with the federal police and the authorities reportedly assigned federal agents to patrol around the journalist’s home. **Investigation:** On 18 May 2011, a Paraguayan citizen named Cristian David Espínola Cristaldo was reportedly charged with murdering Valenzuela after the journalist tried to stop him from selling drugs to young people and minors. The Forum for Argentinean Journalism (Foro de Periodismo Argentino) welcomed the progress in the investigation but called attention to some alleged inconsistencies in the version of events to date and urged the authorities to fully investigate Valenzuela’s journalism as a possible motive.

BOLIVIA

Killed: motive unknown

***David NIÑO DE GUZMAN:** news director at Agencia de Noticias Fides (ANF), was found dead in the outskirts of the capital La Paz on 21 April 2011. The body showed signs of severe trauma and it was reported that an explosive charge had apparently been used to kill the journalist. According to the police chief, residents in the area where the body was found heard an explosion in the early hours of the morning after Niño de Guzmán disappeared. He had been missing since 19 April, when he left work to return home to his family. On 21 April the police fire department received a report that a body had been found and Guzmán's family later identified this body at the morgue. An investigation has been launched into the killing.

BRAZIL

Killed: motive unknown

***Ednaldo FIGUEIRA:** blogger, owner of local newspaper *O Serrano* and leader of the Serra do Mel branch of the Worker's Party (PT), was gunned down on 15 June 2011 in Serra do Mel, in the state of Rio Grande do Norte. Figueira was shot six times by three unidentified men on a motorcycle as he was leaving work. According to the head of the PT in Rio Grande do Norte, Figueira had received several threats in the past. He was a leading opponent of mayor Josivan Bibiano de Azevedo and had just posted an investigative report on Serra Do Mel's municipal finances on his blog. A commission has been created to investigate the case.

***Valerio NASCIMENTO:** journalist and owner of *Panorama Geral* was shot dead on 3 May 2011 outside his home in Rio Claro, Rio de Janeiro. He was shot in the head and chest. *Panorama Geral* had only published four editions. It is not known what is the motive behind the killing of Nascimento. He was politically active politics and served as president of his local resident association. [RAN 20/11]

Killed: investigation ongoing

Wanderley DOS REIS: journalist and owner of local free newspaper *Popular News*, was shot by three gunmen at his home on 16 October 2010 and died in hospital the next day. According to Dos Reis' housemate, the gunmen knocked at the door asking to see Dos Reis and then took him to the kitchen after which a gun shot was heard. No theft was recorded which raised the possibility of Reis having been killed for his journalistic work. Dos Reis specialized in politics and urban infrastructure and covered the Ibitinga area. *Popular News*, which appeared irregularly, was reportedly opposed to Ibitinga's current municipal authorities. **Update:** In April 2011, the Inter-American Press Association reported that to date no suspect had been arrested for Dos Reis' murder six months after the crime took place.

Francisco GOMES DE MEDEIROS: contributor to newspaper *Tribuna do Norte*, internet writer and news director of a local radio station, was shot dead by a man on a motorbike in front of his house in Caicó, Rio Grande do Norte state, on 18 October 2010. Gomes had reported on a variety of local topics, including government corruption, crime and drug trafficking. He had recently received death threats after publishing a piece on his blog accusing local politicians of being involved in buying votes in exchange for drugs during the first round of the Brazilian general elections on 3 October. On 19 October the police arrested Joao Francisco dos Santos and claimed that he had admitted killing Gomes in reprisal

for his coverage of Santos' 2007 conviction on armed robbery charges. Despite this, state police said that they were still investigating the case and had not ruled out further leads. On 3 December the *Diário de Natal* reported that Gomes' killing was carried out on the orders of a jailed drug trafficker, according to local police. Valdir Souza do Nascimento, who was arrested in 2007 and is now serving a sentence for drug trafficking, allegedly ordered Santos to shoot Gomes because the journalist's reporting was affecting the criminal activities that Souza was continuing to run from prison. **Update:** On 13 April 2011, it was reported that the investigation into Gomes' murder was complete and that the trial of the suspects was due to begin on 3 May. The businessman Lailson Lopes is now accused of having ordered the crime while Joao Francisco dos Santos is accused of carrying it out.

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

Attacked

***Orley ANTUNES:** owner and director of *Morretes Notícia*, a local daily newspaper published in Paraná state, was targeted in a bomb attack at his home on the night of 17 January 2011. It was reported that the front door was opened and the bomb was launched towards the stairs that lead to the second floor. According to Antunes, two bombs had previously been set off in front of his house. He has reported that he does not know who is responsible for the attacks, however he has been "bothering" local politicians through information published in both his papers and on his blog. An investigation into the attack was reportedly ongoing.

***Ricardo GAMA:** internet writer (<http://ricardo-gama.blogspot.com/>) and lawyer, was shot in the head, the neck and the chest by an unidentified gunman in Rio de Janeiro on 23 March 2011. He was immediately taken to hospital where he underwent surgery. Gama (40) is known for his critical reporting and commentary on government officials in Rio state and on police corruption throughout the country.

Harassed

***Lúcio Flávio PINTO:** editor of the online and biweekly newspaper *Jornal Pessoal*, was issued an injunction in February 2011 forbidding him to publish any information about a fax fraud case that the federal authorities have brought against O Liberal, a company that owns several regional newspapers. He faced a fine of up to 200,000 reais (approx. €7,000) or possible imprisonment if he disobeyed the injunction.

Around 30 lawsuits have previously been brought against Pinto over his articles about environmental abuses and trafficking in raw materials in the Amazon.

Non-custodial sentence

***Carlos SANTOS:** freelance journalist and internet writer based in Mossoró, Rio Grande do Norte state, was ordered to pay 6,000 reais (approx. €2,600) to charities on 24 February 2011 for posting three allegedly defamatory comments about the town's mayor on his blog. Santos had originally been sentenced to four months and four days in prison for each of a total of four comments, however this was reduced on appeal.

COLOMBIA

Killed: motive unknown

***Luis Eduardo GÓMEZ:** contributor to newspapers *El Heraldo de Urabá* and *Urabá al Día* in Arboletes, was shot dead in front of his wife by two men on a motorbike who had followed him to his home in Arboletes on 30 June 2011. Gómez (70) had reported on local corruption and links between politicians and illegal paramilitary groups, a scandal known as "parapolitics", but was not known to have received any threats. He had also been investigating the unsolved murder of his son and professional collaborator in 2009 and was acting as a witness in the attorney general's investigations into the "parapolitics" scandal; he had been due to testify to prosecutors a few days after his death. Gómez is reportedly the fourth witness in these investigations to have been murdered since October 2010, while five other witnesses have also been forced to flee the region due to fear of reprisals. [RAN 36/11]

Killed: official investigation ongoing

Clodomiro CASTILLA OSPINA: editor and publisher of local news-magazine *El Pulso del Tiempo* and radio journalist, was shot dead in Montería, Córdoba department, on 19 March 2010. Castilla (50) was reportedly reading a book outside his home in Montería when an unidentified gunman shot him at least eight times before fleeing on a motorbike. He died at the scene. Castilla was known as a controversial journalist and said to have been the target of regular threats since 2006 due to his coverage of the links between local politicians, landowners and illegal paramilitary groups. He received protection under a programme run by the Interior and Justice Ministry between 2006 and 2009 and asked for the security measures to be reinstated in November 2009 due to increasing threats; however his request was reportedly turned down on the basis of a national intelligence agency report that indicated he was no longer under threat. The Ministry had reportedly ordered a new risk analysis but at the time of Castilla's death this had yet to be carried out. According to one source, Castilla had recently reported on a local landowner's alleged part in the murder of a Montería-based lawyer, corruption in local government bodies and alleged links between paramilitary groups and local politicians. He had also recently been a witness for a Supreme Court investigation into the latter. President Álvaro Uribe Vélez reportedly condemned Castilla's murder and offered a 50 million peso (US\$26,000) reward for information on the crime. **Investigation:** An investigation into the murder was begun by the national police and taken over by the attorney general on 26 March 2010. Two months later, it was reported that the authorities had still not identified any suspect or disclosed any possible motives. Castilla's daughter, who is a witness in the case, was reportedly forced to flee Montería in late April 2010 after being followed and harassed. Other family members had also been followed. In an inter-

view in late March, the director of the local radio station that Castilla had worked for stated his belief that the editor was killed because of his journalistic work. **Update:** Investigation reportedly still ongoing as of 31 December 2010. No further news as of 30 June 2011. [RAN 26/10]

On trial

***Angye GAONA (f):** poet, cultural worker and student, is on trial for "aggravated conspiracy for drug trafficking and rebellion" (*concierto para delinquir agravado con fines de narcotráfico y rebellion*). She was arrested on 13 January 2011 in Cucuta, Norte de Santander department, near the border with Venezuela, and detained at Buen Pastor Prison in Cucuta until her release on bail on 21 May, three days after the maximum 90-day period during which she could be legally held without charge. At the time of her release, the charges against Gaona had not yet been formalised and the prosecution had yet to present any evidence against her. **Legal case:** The hearing in which Gaona was formally charged finally took place in Cartagena on 23 May, two days after her release; her lawyer attended but Gaona was not obliged to appear in court. The arrest warrant against her has not yet been revoked and the Attorney General has appealed her release order; the hearing was scheduled for 22 June. Gaona denies the charges and maintains that the case against her is a set-up and is due to her leftwing sympathies. She says she was not interrogated even once during her three months' detention, and also questions the fact that she was detained in Cucuta when the case has been brought in Cartagena, more than 400 km away. **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 Cañaveral Vélez**. The arrests reportedly took place in the context of a wave of attacks against human rights defenders in the Santander region, including attempted assassinations and forced disappearances and death threats, and against informal economy workers affiliated to the Colombian Trades Union Congress (Central Unitaria de Trabajadores, CUT) in Bucaramanga. It is feared that the arrests are intended to silence their legitimate human rights activism. **Background:** Born in Bucaramanga on 21 May 1980, Gaona's poems have been published in anthologies and other print and internet publications in Colombia and abroad. In 2009 she published her first book, *Nacimiento Volátil* (Volatile Birth) (Editorial Rizoma). Until her detention a student of languages and literature at the Universidad Industrial de Santander, Bucaramanga, Gaona is a former organiser of the Medellín International Poetry Festival and in 2001 organised the International Exhibition of Experimental Poetry, also in Medellín. Prior to her arrest, she organised poetry events in Bucaramanga. She is also said to work as a journalist for community media. Gaona is the mother of a young child.

Claudia LÓPEZ (f): journalist and columnist, was charged with libel and slander by the Prosecutors' Office on 23 August 2010, on the basis of a complaint by former president Ernesto Samper Pizano made four years before. The case stems from an 11 July 2006 opinion piece in the daily national newspaper *El Tiempo* in which López criticised Samper's appointment as ambassador to France. She reportedly also accused him of homicide and influence trafficking. The initial hearing was set for 24 September 2010. In October 2010 López was fired by *El Tiempo*, for which she wrote a popular regular column, after she questioned the newspaper's impartiality; its owners are linked to President Juan Manuel Santos, then a presidential candidate. **Update:** The libel trial began on 24 January 2011 and was ongoing as of 30 June.

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

Death threat

***Eduardo MÁRQUEZ GONZALES and Marcos PERALES MENDOZA:** respectively president of the Federation of Colombian Journalists (Fecolper) and editor of the Bucaramanga-based newspaper *Periódico Portade*, reportedly received an email death threat from the paramilitary group Aguilas Negras (Black Eagles) on 14 May 2011. The message named some 60 peasant, feminist and human rights organizations, as well as five journalists as “military objectives”. It was reported that the email was originally sent from the USA. In mid-February a similar message was circulated, also signed by the Águilas Negras, which also threatened Fecolper and many of the other organizations mentioned again in the later email.

***Walfran TORRES GOMEZ:** journalist for the newspaper *El Sur Caribe* and local broadcasters in the local province of Cesar. On 24 February 2011 Gómez was on assignment in a slum in Aguachica when he was surrounded and threatened by a number of gunmen who identified themselves as members of ‘Los Urabaños’, a criminal gang that operates in Cesar and neighbouring provinces. The assailants reportedly warned him to “shut up or die” and to “be careful; if you open your mouth or sniff into things that are none of your business, your family will be punished”. Gómez had recently reported on the failure of a local foundation to develop a housing project for low-income families in the area, as well as on the plans of local gangs, including ‘Los Urabaños’, to commit fraud in the upcoming municipal elections. He subsequently relocated to Bogotá.

Threats

***Mary Luz AVENDAÑO (f):** Medellín correspondent for the national newspaper *El Espectador*, has reportedly received repeated threats in relation to her work, most recently in June 2011. The first warning came after she wrote an article about violence between different drug trafficking cartels in Antioquia department, and she received more threats after writing an article about links between criminal gangs and certain sectors of the police known as “poly-bands.” The warnings have reportedly increased in frequency since then, the latest being a message she received via one of her sources on 22 June warning her to stop “publishing nonsense”. She has been placed under police protection.

***Gonzalo GUILLÉN:** freelance journalist who has worked for newspapers *El Tiempo*, *La Prensa* and the *Miami Herald*, has reportedly been subjected to threats and harassment since late May 2011, presumably in relation to a controversial documentary he made recently about the

release of the Colombian-French politician Ingrid Betancourt, who was kidnapped by the FARC guerrilla group. On 27 May Guillén’s home was broken into and documents were stolen that reportedly supported his claims that Betancourt and other hostages were released not as a result of a military operation but because former president Álvaro Uribe offered a ransom. Documents allegedly implicating the armed forces in extrajudicial killings were also taken. Since the burglary, Guillén has reportedly been receiving telephone threats which he believes stem from President Santos’ description of him as a “FARC puppet”. He has filed a complaint about the threats with the prosecutor’s office but to date is not receiving police protection. His home was previously burgled at the end of April, when a computer and hard disk containing journalistic information were stolen.

Released

Miguel Ángel BELTRÁN VILLEGAS: Colombian academic, was arrested in May 2009 in Mexico and extradited to Colombia, where he was accused by the administration of former president Alvaro Uribe of being part of the Colombian Revolutionary Armed Forces (FARC)’s International Committee and a close ally of the slain FARC commander Raul Reyes. He was held for two years without trial or conviction. He was acquitted and freed on 3 June 2011 by a judge who stated that the evidence against him was inconsistent and therefore inadmissible. (see previous case list for full details).

CUBA

Brief detention

***Idalberto ACUNA CARABEO:** correspondent of the Centro de Información Hablemos Press, was arrested on 31 March 2011 by state security agents who demanded he hand over documents and photos he took while covering a labour protest hours before his arrest.

***Raul ARIAS MARQUEZ and Elier MUIR AVILA:** correspondents of the Centro de Información Hablemos Press in Moron and Ciego de Avila provinces, were detained on 5 April 2011 and threatened by police and state security agents. The two journalists were reporting on a student brawl that reportedly left two students dead.

***Enyor DIAZ ALLEN:** Guantanamo correspondent of the Centro de Información Hablemos Press, was arrested on 20 April 2011 and held for four days after being assaulted by two government supporters who were chanting pro-Castro slogans. The reason for the arrest was thought to be to prevent journalists from reporting on the Communist Party Congress which was then being held for the first time in 14 years. The assault reportedly left Allen with a fractured arm and wounds that required stitches. The journalist reports on police abuses, education issues and opposition activities in Guantanamo province and is also a member of the youth democracy movement.

***Guillermo FARINAS:** independent journalist, was detained on three separate occasions at the end of January 2011 and again on 27 May 2011. He was first arrested on 26 January 2011 when he was detained for six hours along with other activists as they tried to stop the eviction of a family in Santa Clara. The following day he was detained again, along with at least 10 other people, near the home of an opposition leader and was held overnight. The third arrest came on 29 January 2011, when he and around 10 other dissidents were detained while laying flowers at a monument to Cuba’s independence leader Jose Martí. Finally, on 27 May 2011 he was detained for 12 hours at the provincial police headquarters along with 11 other dissidents. Farinas has previously spent 11.5 years

in prison for variety of offences and has staged more than 20 hunger strikes including a 134-day hunger strike in 2010 in protest of the death of activist Orlando Zapata Tamayo.

***Calixto Ramos MARTÍNEZ ARIAS:** correspondent for the Centro de Información Hablemos Press, was arrested on 16 May 2011 and spent three days in police custody on the orders of a state security official. No reason was given for the arrest. According to Martínez, a state security official destroyed his identity card and said he would shoot him in the head the next time he saw him in the police station. This was reportedly the second time he had been arrested in May 2011. He was reportedly forcibly moved from Havana to Camaguey in 2010 because of his journalistic work.

***Magaly NORVIS SUÁREZ (f):** correspondent for the Centro de Información Hablemos Press, also writes a blog in which she reports arbitrary arrests and other human rights abuses. Norvis was reportedly detained by police and state security agents three times in the first half of 2011. She claims she has variously been slapped and kicked by police officers, had her identity card confiscated by police for several days, and been warned by security agents that told her that she could be imprisoned and lose custody of her children if she continued to practice journalism. She also says her teenage daughter was harassed at school to such an extent that she dropped out.

***Dania Virgen GARCÍA (f):** opposition journalist who contributes to the opposition websites Primavera Digital and CubaNet and also runs a blog (daniavirgengarcia.blogspot.com) which is reportedly linked to a radical anti-Castro group based in Miami, USA. García reported that she was arrested by the political police on 23 February and detained for more than 24 hours in order to prevent her from taking part in an event to commemorate the one-year anniversary of the death in custody of the political prisoner Orlando Zapata Tamayo. She said that she had also been detained on 19 and 8 February and on both occasions was threatened with being sent to prison if she continued with her “counter-revolutionary activities.”

Attacked

***Jorge Alberto LIRIANO LINARES:** correspondent for the Centro de Información Hablemos Press in Camaguey, was reportedly attacked by state security agents on 3 June 2011 while covering a demonstration organized by a human rights group. He suffered bruises to the ribs and cuts to the face and body and was then held for eight hours in a state security unit where he received no medical treatment.

Threatened

***Roberto GUERRA:** journalist for the Centro de Información Hablemos Press, and three other journalists were reportedly threatened by two state security agents on 15 April 2011. The agents appeared at Hablemos Press’ headquarters in central Havana and warned the journalists that they would be arrested if they left their homes during the Party Congress. Guerra was also warned that he could face prison for posting videos on Hablemos Press’s website showing victims of official repression.

Harassed

***Julio BELTRÁN IGLESIAS:** independent journalist (contributor to the magazine *Misceláneas de Cuba* and internet writer), was reportedly prevented from leaving his home by police officers on 23 and 24 February 2011, the one-year anniversary of the death in custody of the political prisoner Orlando Zapata Tamayo. On 23 February police cars blocked the door to Beltrán’s house and threatened him with prosecution

on insult charges. The journalist said that the same month he had also been detained and submitted to lengthy questioning on two occasions, during which he was threatened with being sent to prison and warned that his actions may cause harm to his family and friends.

***Yoani SANCHEZ (f):** acclaimed internet writer, was reportedly featured in the 21 April 2011 episode of *Las Razones de Cuba* (Cuban Reasons), a state-sponsored TV programme and website that chronicles perceived threats to the Cuban government and has in the past singled out independent journalists as enemies of the state. The programme suggested that independent bloggers such as Sánchez were being paid by foreign interests to undermine the state.

Released (conditional)

Detained in March 2003:

The following four writers, journalists and librarians were among 35 sentenced during one-day trials held on 3/4 April 2003 under laws governing the protection of the Cuban state. They were arrested as part of a crackdown on alleged dissidents that began on 18 March 2003 and in which 75 people in total were detained and tried. The one-day court hearings were held behind closed doors and there was insufficient time for the accused to put together a cogent defence. The accusations focused on the alleged conspiratorial dealings between the defendants and James Cason, the chief of the US Special Interests Section in Havana. Charges: All of the detained were tried under Article 91 of the Penal Code and Law 88. Article 91 deals with charges of acting against “the independence of the territorial integrity of the state”, the maximum penalty for which is death. Health concerns: The majority of the writers, journalists and librarians have suffered from health complaints caused or exacerbated by the harsh conditions and treatment they have been exposed to in prison. Despite their deteriorating health status, access to adequate medical treatment has often been limited. Release deal 2010: Under a deal brokered by the Catholic Church and the Spanish government in early July 2010, the Cuban government agreed to release the remaining 52 dissidents arrested in March 2003. Releases to date: As of 30 June 2011, all of the writers, journalists and librarians arrested in March 2003 had been released. All but three were exiled to Spain as a precondition of their release

Pedro ARGÜELLES MORÁN: director of the Cooperative of Independent Avileña Journalists (Cooperativa Avileña de Periodistas Independientes, CAPI), Ciego de Ávila. **Year of birth:** 24 February 1948. **Release:** Released on 4 March 2011 and returned to his family home in central Cuba. He had been sentenced to 20 years in prison under Law 88. He has been allowed to remain in Cuba under a special parole programme. Morán went on hunger strike in February 2011 in protest against the authorities’ attempts to force him into exile in exchange for his release. **Honorary Member:** English PEN. [RAN 40/10 and updates]

Iván HERNÁNDEZ CARRILLO: journalist (Agencia Patria news agency) and librarian (Juan Gualberto Gómez Library). **Date of birth:** 24 May 1971. **Release:** Released on 19 February 2011 and allowed to return to his home in western Matanzas province. He has been allowed to remain in Cuba under a special parole programme. He had been sentenced to 25 years in prison under Law 88 in 2003. **Honorary Member:** Catalan and Scottish PEN Centres. [Update #6 to RAN 40/10]

Héctor Fernando MASEDA GUTIÉRREZ: journalist, author, founding member of the independent news agency Grupo de Trabajo Decoro and president of the Cuban Liberal Party (Partido Liberal Cubano). **Date of birth:** 8 January 1943. **Release:** Released on 12 February 2011 and

returned to his family home in Havana. He has been allowed to remain in Cuba under a special parole programme. He had been sentenced to 20 years in prison under Law 88 and Article 91 in 2003. **Honorary Member:** Italian PEN. [Update #5 to RAN 40/10]

Blas Giraldo REYES RODRÍGUEZ: librarian (20 de Mayo Library, Sancti Spiritus) and member of the steering committee of the pro-democracy Varela Project, Sancti Spiritus. **Date of birth:** 7 August 1955. **Release:** Reportedly released and exiled to Spain, arriving in Madrid on 23 July 2010 (NB – not included in previous case list). He had been sentenced to 25 years in prison under Law 88 in 2003. **Honorary Member:** Sydney PEN Centre. [RAN 40/10 and updates].

Detained after 2003:

Albert Santiago DU BOUCHET HERNÁNDEZ: director and reporter of the Havana-based independent news agency Habana Press, was freed on 8 April 2011 as a result of the release deal agreed between the Cuban and Spanish governments (see above) and sent into exile in Spain. He had served two years of a three-year prison sentence for “disrespect for authority” handed down in May 2009. He was previously jailed for a year on disrespect charges in 2005-06. [RAN 23/09 and updates]

DOMINICAN REPUBLIC

Attacked

***Fernando Francisco FRIAS MOREL:** journalist and blogger, was reportedly shot by police on 2 February 2011 while covering a funeral of a young man who was himself shot by the police on 26 January. Frias required hospital treatment for wounds to the eye and abdomen. He is one of a number of journalists who had challenged the police’s claim that the young man’s death occurred as the result of a shoot-out and had previously received threats from a police chief in relation to a story about the displacement of peasants.

ECUADOR

On trial

***Carlos Eduardo PEREZ BARRIGA, Cesar Enrique PEREZ BARRIGA, Carlos Nicolás PEREZ ENRIQUE (co-directors of the daily newspaper *El Universo*) and Emilio PALACIO (columnist for *El Universo*):** Criminal libel charges were brought against the three men on 21 March 2011 by President Correa over a 6 February article published entitled ‘No to Lies’. In the article, Palacio refers to Correa as a “dictator”, accuses him of wanting to pardon three policemen who were behind an uprising on 30 September 2010 and insinuates that the president may be guilty of crimes against humanity. The president has reportedly asked the court to sentence each of the journalists to the maximum of three years in prison and to fine them US\$50 million under Article 493 of the Ecuadorian Criminal Code. He has reportedly also sought \$30 million in damages from the company that owns the newspaper.

Juan ALCÍVAR RÍOS: correspondent of the newspaper *Diario La Hora*, was subject to multiple legal and physical attacks in the second half of 2010. (1) On 8 July he received a threat from unidentified persons who damaged his car and left him a note warning not to “screw with the mayor”. Alcívar, who was covering the regional police command’s rendering of accounts at the time, had not been threatened before. He reported the threat to the police. (2) On 20 August he was sentenced to a preventative prison sentence after a public prosecutor initiated legal proceedings against him for “terrorist aggression against public officials”.

Alcívar was in hiding for nearly a month because of these proceedings and because he feared for his life. On 13 September, the judge substituted the prison sentence for a precautionary measure, ordering Alcívar to appear before the court every 15 days while the prosecutor investigates the case. (3) On 17 September two public officials, the mayor of La Concordia and a municipal trustee, filed a private lawsuit against Alcívar accusing him of “terrorist aggression against public officials” in which they requested he should be “sanctioned with the maximum jail sentence” and payment of heavy damages. In this new lawsuit, the journalist is accused of being one of the people responsible for having thrown a teargas bomb that affected President Rafael Correa when he was visiting the district on 19 July. Alcívar was also accused of causing personal and material damages and of “hatred” against the mayor and using the newspaper he works for to insult him. (4) On 30 September, Alcívar was assaulted while carrying out his work by the trustee of the Municipality of La Concordia and another man. (5) On 26 November he was assaulted again and threatened with death, allegedly by the cousin of the mayor and three other men in La Concordia. He was with his children at the time. Alcívar did not know that his assailant was related to the mayor of La Concordia until he heard him say he would “kill [him] if [he] continued to speak ill of his cousin.” The assailant and the others fled after local residents intervened to stop the attack. Alcívar reported the incident to the local police but believes their report was influenced by the fact that the mayor’s cousin was involved. He thinks that the attack may have been provoked by his interviews earlier that day with people who were complaining about the mayor’s absence during the celebration of the town’s anniversary. No further news as of 30 June 2011.

***Víctor VIZCAÍNO LUZURIAGA:** internet writer, was arrested in Guayaquil on 3 May 2011 by police officers who informed him that a warrant for his arrest had been issued for the purposes of an investigation. The warrant was issued on 19 April following a complaint filed by a prosecutor of the Pichincha Public Administration’s Specialized Unit. Vizcaíno was accused of having offended the State Prosecutor General through material posted on his blog (<http://www.laplegariadeunpagano.com>). He was released on 4 May 2011 pending trial.

Death threat

***Antonio MEDRANO:** correspondent for the newspapers *El Universo* and *Súper* in Babahoyo, reportedly received a telephone death threat on 22 March 2011. That day an unidentified person called him and told him that he would “face the consequences” for an article he wrote about complaints from users of the Provincial Transportation Council over the abundance of unofficial representatives and requests for bribes within the institution. Two hours later Medrano reportedly received another threatening call from a Transportation Department employee who said that “the transit representatives are already collecting money to have you killed”. The journalist filed a complaint with the Prosecutor’s Office.

Attacked

***Washington BENALCARAZ:** correspondent for the newspaper *El Comercio*, was attacked and prevented from working by members of the community of El Topo, near Otavalo, on 24 March 2011. He was assaulted while attempting to cover a public assembly of the community members to discuss the administration of native justice.

Harassed

Juan Carlos CALDERON and Christian ZURITA: authors of the book *El Gran Hermano* (‘Big Brother’) which reveals information about

contracts between the brother of President Rafael Correa and the state, 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. **Background:** On 1 September 2010, the authors and their publisher, Editorial Paradiso, received a letter from the Minister demanding that the caption be changed and requesting that the book be withdrawn from circulation or she would take legal action. On 6 and 13 September 2010 officials attacked the authors on state television and threatened to prosecute them. The authors maintain that everything included in the book is true and that their investigation is backed up by evidence. This is the second lawsuit for moral damages faced by the journalists. The President previously filed for a case seeking US\$10 million.

GUATEMALA

Killed: official investigation ongoing

Victor Hugo JUÁREZ: journalist and businessman who owned online newspapers *Wanima News* and *Guatemala Empresarial*, was found murdered on 27 September 2010 at the home of a friend who had also been killed. Both men appeared to have been tortured and strangled. The motive was not known. Juárez had worked for the daily newspapers *Siglo XXI* and *Nuestro Diario* in the past. The assumption seems to be that his murder was not linked to his work as a journalist. **Update:** According to a 20 May 2011 report by CERIGUA (Centro de Reportes Informativos sobre Guatemala), the authorities have not clarified whether Juárez’ murder was linked to his profession.

HONDURAS

Attacked

***Manuel ACOSTA MEDINA:** manager and journalist at *La Tribuna* was attacked by armed men in the capital Tegucigalpa on May 23 2011. He was leaving the newspaper when his car was blocked by his assailants’ vehicles. When he sped up to get away, the attackers opened fire and wounded him. Acosta was able to drive home; his family took him to hospital for treatment.

MEXICO

PEN is monitoring the cases of 40 print journalists and writers killed in Mexico since 2004. An independent record of these cases, including any progress in the official investigations, is available on request. The following list gives details of killings from January to June 2011 (‘Killed: motive unknown’) as well as cases from previous periods where there have been recent developments (‘Killed: official investigation ongoing’).

Killed: motive unknown

***Angel CASTILLO CORONA:** journalist for the daily newspapers *Portal* and *Diario de México*, was murdered along with his teenage son Angel Castillo Téllez in the early hours of 3 July 2011. They were driving on the highway between Ocuilan and nearby Tiaguistenco in Mexico State when they were attacked by unidentified men in another car. Castillo’s son was run over and died immediately, while Castillo passed away in a local hospital after being severely beaten. Representatives of local journalists’ organisations reportedly met the Mexico state prosecutor general to protest the murders on 07 July 2011. [RAN 35/11]

***Susana CHÁVEZ CASTILLO (f):** poet and activist, was murdered in the border town of Ciudad Juárez, Chihuahua state, on 6 January 2011. Chávez (born 5 November 1974) was a prominent poet who led protests against the unsolved killings of women raped and killed in Ciudad Juárez, Chihuahua state, on the border with the United States, since the 1990s. She was also active in organisations supporting the families and friends of the deceased women, including the group Return Our Daughters (Nuestras Hijas de Regreso a Casa). Chávez coined and popularised the slogan “Not one more death” (*‘Ni una muerte más’*) which was used at the protests, and took part in poetry readings that she dedicated to murdered women. Her poem *Sangre Nuestra* (Our Blood) (see below) is written from the perspective of a victim. **Details of murder:** Chávez was herself murdered and mutilated in Ciudad Juárez in early January 2011. Her body was found strangled with a bag over her head and her left hand cut off in the city centre on 6 January but was only identified five days later. The authorities were quick to deny that Chávez’ murder was related to her activism and poetry highlighting the ‘femicides’ or to organised crime. The Chihuahua state attorney general’s office said that Chávez was killed by three teenage boys she had met while out drinking. The teenagers allegedly invited her to a house belonging to one of them and murdered her while they were drunk and high on drugs, cutting off her hand to try to make the murder look as if it was connected to organised crime. All three suspects were arrested and have been charged with her murder. The Mexican National Commission of Human Right is following the case. **Background:** Chávez’ death took place three weeks after the murder of human rights defender Marisela Escobedo Ortiz, a mother who fought tirelessly for justice for her daughter, Rubí Marisol, who was killed in Ciudad Juárez in 2008. Escobedo was shot dead while picketing outside the governor’s palace in the state capital Chihuahua city on 16 December 2010. At least five other rights activists had reportedly been killed in Chihuahua in the previous two years while others have been threatened and attacked. Some 1,000 mainly poor women have been murdered in the Juárez area since 1993, 300 of them in 2010 alone. Most of the murders remain unsolved and have been variously attributed to serial killers, drug cartels, domestic or sexual violence. As drug cartels continue to fight each other and the military for access to the US market, Ciudad Juárez is now the most violent city in Mexico, with over 3,000 people murdered in 2010 out of a population of just over a million. [Women’s Day action, March 2011]

***Noel LÓPEZ OLGUIN:** columnist for *La Verdad de Jáltipan* newspaper in Veracruz state, southeast Mexico, was abducted by armed men on 8 March 2011 and was found buried in a clandestine grave on 1 June. His body was identified by his family the same day. It was located after a drug gang leader arrested by the Mexican army and found in possession of López’ camera confessed on 29 May to killing the journalist and revealed where he was buried. López reportedly died from a blow to the head. The drug leader gave no motive for the killing; however it seems likely that it was linked to López’ journalism. He was reportedly sharply critical of local corruption in his articles and columns and had appealed to the public to report abuses by the authorities and organised crime groups. Although López had worked for many years for *La Verdad de Jáltipan*, as well as for several other papers in Veracruz state, including the weeklies *Noticias de Acayucan* and *Horizonte*, media outlets reportedly distanced themselves from him after he was kidnapped for fear of reprisals, according to the Committee to Protect Journalists. Veracruz state is a major transit point for drugs trafficked to the USA. The Zetas, a paramilitary criminal gang linked to drugs traffickers, is reportedly particularly active in the region of Jáltipan, where López lived and worked. [RAN 13/11 and updates]

***Miguel Ángel LÓPEZ VELASCO:** columnist and former editor for the daily newspaper *Notiver*, based in Veracruz, Veracruz state, was shot dead along with his wife and son in their home on 20 June 2011. Unidentified gunmen broke into the family house in Veracruz in the early hours of the morning, killing López (55), his wife Agustina Solano de López, and their son Misael (21). López was a well known journalist whose column “Va de Nuez”, written under the pseudonym ‘Milo Vela’, dealt with politics, security issues and general interest topics. Local journalists have suggested that the killings could be in retaliation for a recent column about drug trafficking in the region. López also wrote about politics and police. The Governor of Veracruz reportedly denounced the murders and ordered the state attorney general to launch a full investigation. López was the second journalist to be found dead in Veracruz state in June 2011, following the appearance on 1 June of the body of *La Verdad de Jáltipan* columnist **Noel López Olguin**, who went missing on 8 March (see above). [RAN 33/11]

***Pablo RUELAS BARRAZA:** journalist for the regional daily newspapers *Diario del Yaqui* in Huatabampo and *El Regional de Sonora* in Hermosillo, both in Sonora state, was found dead on a street in Huatabampo in the early hours of 13 June 2011. He had apparently been shot by two gunmen who had first attempted to abduct him. Ruelas (38), who covered general matters for the two papers, had reportedly received death threats from both politicians from Sonora and criminal groups, according to local media reports. Some reports also suggested that Ruelas had previously served a prison sentence for drug crimes. [RAN 33/11]

Killed: official investigation ongoing

Gerardo Israel GARCÍA PIMENTEL: journalist for the daily newspaper *La Opinión*, based in Michoacán state, was shot dead while driving his motorcycle in Uruapan, Michoacán state, on 8 December 2007. Realising that he was being followed, García Pimentel pulled up at the hotel where he was living with his family, but on arrival in the car park he was shot approximately 20 times by unidentified men wearing hoods. The journalist had reported on agricultural issues for several years. The General Prosecutor’s Office was in charge of the investigation of the case. On 5 March 2008, the Mexican Senate agreed to ask federal authorities to investigate García Pimentel’s murder. On 25 August 2009, the Mexican National Human Rights Commission (Comisión Nacional de los Derechos Humanos, Mexico - CNDH) cited García’s case as an example of an investigation into a journalist’s murder where the authorities had not followed up on all leads. On 16 July 2010, the state authorities reportedly said that García’s murder remained unsolved but that the investigation was ongoing. According to the Public Ministry, García’s family had refused to cooperate in the last review of the case. No further news as of 30 June 2011. **Background:** Another *La Opinión* reporter, **Mauricio Estrada Zamora** went missing on 14 February 2008 (see below).

Carlos Alberto GUAJARDO ROMERO: reporter with *Expreso* newspaper was shot dead on 5 November 2010 in Matamoros, Tamaulipas. He was killed near the beginning of an eight-hour shootout involving the army, the navy and gunmen working for the Gulf drug cartel. Guajardo was on his way to the area to report on the shooting and to gather information on blockades that some of the criminals had reportedly set up in the area. It was not known whether he was caught in the crossfire or was directly targeted. *Expreso* reported that a number of bullets shells were found around Guajardo’s car while other media reported that at least 20 shots were fired at the vehicle. **Investigation:** No news on the investigation as of 30 June 2011.

Martín Javier MIRANDA AVILÉS: reporter for the daily newspaper *Panorama* and correspondent for the news agency *Quadratin*, was found stabbed to death at his home in Zitacuaro, Michoacán state, on 12 July 2009. The motive for the killing is not clear. Miranda Avilés only covered crime very occasionally. His colleagues reportedly stated that he had recently received threats, but also thought it likely that the killing was a ‘crime of passion’. However, according to the management of *Panorama*, the murder could have been intended as a reprisal against the newspaper. Two weeks earlier, some news vendors were reportedly attacked while selling an edition of *Panorama* that contained a report on the arrest of a police officer in possession of weapons and drugs. **Investigation:** On 16 July 2010, the state authorities said that it had identified suspects for Miranda’s murder but they had yet to be located. The motive for the crime remained unknown. No further news as of 30 June 2011. [RAN 29/09]

Jorge Alberto OCHOA MARTÍNEZ: editor and publisher of local newspapers, *El Oportuno* based in Chilpancingo and *El Sol de la Costa* based in Ayutla de los Libres, Guerrero state, was shot dead on 29 January 2010. Ochoa (55) was reportedly shot several times in the face after leaving a birthday party for a local politician at a restaurant in Ayutla de los Libres. Ochoa had not reported receiving any threats. According to a colleague, his newspapers did not tend to cover sensitive stories such as drug trafficking or corruption in any depth due to the poor security situation in Guerrero for journalists and in general. However, his family reportedly believe that his murder may be connected to his work. Guerrero has become one of the most dangerous states for journalists as a result of a turf war between two drug cartels and the state and federal forces’ attempts to remain in control. **Investigation:** On 11 March 2010, the Guerrero state Justice Ministry arrested two suspects, Honorario Herrera Villanueva and David Bravo Jerónimo. According to the Ministry, the two men paid a taxi driver to kill Ochoa after he drove the wrong way down a one-way street and refused to reverse in order to let their vehicle pass. On 24 March 2010, it was reported that the Guerrero state attorney general’s office had identified Bravo Jerónimo as the mastermind behind the murder; he had reportedly confessed to murdering Ochoa following previous tensions between the two men. Ochoa’s widow, María del Carmen Castro, questioned the result of the investigation and said she believed that her husband had been killed for his work after receiving threats, which the state attorney general was aware of but had chosen to ignore, and that Bravo Jerónimo was being used as a scapegoat. No further news as of 30 June 2011. [RAN 08/10]

Hugo Alfredo OLIVERA CARTAS: owner and editor of the Apatzingán-based local daily newspaper *El Día de Michoacán*, went missing on the evening of 5 July 2010 after receiving a phone call and setting off from the newspaper office to cover a story. He reportedly called his wife shortly after leaving and told her to “take care of the children.” His body was found in the early hours of the next morning in his vehicle in a rural area near Apatzingán; he had been shot three times in the head. The same morning, unidentified individuals reportedly entered the offices of *El Día de Michoacán* and stole computer hard disks and memory storage devices. The motive for the murder is as yet unknown. However, Michoacán governor Leonel Godoy Rangel has been quoted in local press reports as saying that it bore the hallmarks of an organised crime killing. Olivera (27), who was also the owner and editor of the regional news agency ADN as well as correspondent for the daily regional newspaper *La Voz de Michoacán* and the news agency *Quadratin*, had covered crime in the Apatzingán area for the past two years. He is not known to have reported receiving any threats prior to his death. However, in February 2010, he reportedly filed a complaint with

the National Commission for Human Rights (CNDH) accusing members of the federal police of assaulting him while he was covering a murder on 18 February 2010. Olivera left behind a widow and two small children. **Update:** As of June 2011, there had been no news from the authorities regarding any advances in the investigation into Olivera's murder. [RAN 41/10]

Evaristo PACHECO SOLÍS: reporter for the weekly newspaper *Visión Informativa*, was found dead in Guerrero state on 12 March 2010. Pacheco (33) had been shot several times and his body left by the side of a road near the state capital Chilpancingo. It is not yet known whether his murder was related to his journalism. **Investigation:** On 13 August 2010 the Mexican federal authorities informed PEN that Pacheco's case was being investigated by the Guerrero state attorney general. No further news as of 30 June 2011. [RAN 27/10]

Jorge RÁBAGO VALDEZ: journalist for the daily newspaper *La Prensa* and two radio stations, died in Reynosa, Tamaulipas state, on 2 March 2010. The state prosecutor's office said that Rábago (49) had died of natural causes after suffering an embolism (obstruction of a blood vessel) and falling into a diabetic coma. However, according to some local reporters, Rábago had reportedly been stopped by police and badly beaten prior to being admitted to hospital. The state prosecutor has reportedly denied that the reporter was assaulted. It is not yet known whether Rábago's death was related to his journalism. **Investigation:** On 13 August 2010 the Mexican federal authorities informed PEN that Rábago's case was being investigated by the Tamaulipas state attorney general. No further news as of 30 June 2011. [RAN 27/10]

José Armando RODRÍGUEZ CARREÓN: crime reporter for local daily *El Diario*, based in Ciudad Juárez, Chihuahua state, was shot at least eight times by an unidentified person as he was about to drive his daughter to school on the morning of 13 November 2008. He died at the scene. His daughter, who was also in the car at the time, was uninjured. An investigation was begun, with Rodríguez' journalism as a possible motive. **Previous threats:** Rodríguez (40), who had more than 10 years of experience of reporting on crime, in particular murders, had in the year prior to his killing been the target of several death threats warning him to curb his reporting. At that time he was reportedly covering drug-related violence and organized crime in Ciudad Juárez and Chihuahua state. Following these threats, Rodríguez temporarily left Mexico for the United States but refused to stop covering crime stories and received further death threats. According to local press reports, the journalist was offered security measures by the state authorities but refused them, however another version suggests that he had asked for protection from the attorney general's office but his request had been turned down. It has also been reported that a few days before his death, Rodríguez had published an article linking the attorney general's nephew to drug traffickers. **Related attacks:** In the weeks following Rodríguez' murder, death threats were received by other journalists for *El Diario* and other media in Ciudad Juárez and Chihuahua state. On 6 November 2008, a decapitated head had reportedly been left at Journalists' Square in Ciudad Juárez. Rodríguez' wife, also a journalist, reportedly feared for her safety and that of her children. **Investigation:** Both the state prosecutor and the Federal Special Prosecutor on Crimes against Journalists (Fiscalía Especial de Delitos Cometidos contra Periodistas, FEADP) are reportedly in charge of the investigation. On 23 June 2009, it was reported that the state attorney general's office had sent the findings of its investigation to the federal attorney general's office (PGR) in February so that the alleged mastermind and his accomplices, reportedly drug cartel members, could be arrested. Despite this, no arrests had taken place. Two prosecutors in charge of investigating

the case have reportedly been assassinated. The Mexican Social Security Institute has apparently refused to pay a widow's and orphan's pension to Rodríguez' wife and daughter because it claimed that his murder was not related to his work as a journalist. According to a 21 July 2010 local news report, following a protest by journalists, the Chihuahua state governor promised that there had been "substantial" progress in the investigation into Rodríguez' killing and that the crime would soon be solved. On 22 September 2010 the Attorney General announced the arrest of Juan Soto Arias, who was said to have confessed to the murder, motivated by Rodríguez' coverage of drug trafficking. However on 27 September *El Diario* reported allegations that Soto had been tortured into making the confession and that he denied killing the journalist. In another development, a video posted on the website of *El Diario* on 25 October 2010 reportedly showed lawyer Mario Angel Gonzalez, the kidnapped brother of former Chihuahua state attorney general Patricia Gonzalez, accusing his sister of ordering the killing of Rodríguez and another journalist, **Enrique Perea Quintanilla**, founder and editor of the monthly *Dos Caras, Una Verdad*. The lawyer was seen handcuffed and surrounded by five heavily armed masked men. He said that his sister had ordered the killings after articles the journalists wrote linked her to the Juárez drug-trafficking cartel. The claims were treated with scepticism. On 22 November 2010 it was reported that although President Calderón had announced at multiple forums and meetings that an arrest has been made in the case of Rodríguez' murder, *El Diario* had confirmed with the authorities that the two legal bodies have not even issued arrest warrants, much less brought federal and state investigations before the authorities. **Update:** On 26 May 2011 the Inter American Press Association sent a letter to President Calderón, signed by hundreds of newspaper readers throughout the Americas, calling on him to intervene in order to ensure that the stalled investigation into Rodríguez' murder moves forward and that those responsible for his death are brought to justice. No further news as of 30 June 2011 [RAN 62/08]

Juan Francisco RODRÍGUEZ RÍOS and María Elvira HERNÁNDEZ GALENA (f): husband-and-wife journalists, were shot dead in the internet café they owned near their home in Coyuca de Benítez, Guerrero state, on 28 June 2010. Rodríguez (49) and Hernández (36) were reportedly shot at close range by two unidentified gunmen. The motive for the crime was not known. The couple were survived by their two children, aged 17 and eight; the younger child witnessed the shooting but was not injured. Rodríguez was the local correspondent for two daily newspapers, *El Sol de Acapulco* and *Diario Objetivo*, while Hernández edited the weekly paper *Semanario Nueva Línea*. Rodríguez had been a journalist in the Costa Grande region, north of Acapulco, for 20 years, and had provided general coverage of the region for *El Sol de Acapulco* for the past five years. He was also secretary general of the local branch of the National Union of Press Reporters (SNRP) in Coyuca de Benítez as well as a member of the technical committee of the Guerrero state Support Fund for Journalists. A few days before the shooting, Rodríguez reportedly took part in an annual convention for Guerrero state journalists in Coyuca de Benítez, during which concern was voiced about growing violence against journalists in Mexico. **Investigation:** The Guerrero state prosecutor's office began an investigation on 29 June 2010. No further news as of 30 June 2011. [RAN 39/10]

Valentín VALDÉS ESPINOSA: co-founder of and journalist for the daily newspaper *Zócalo de Saltillo*, was abducted on 7 January 2010 and found dead in Saltillo, Coahuila state, the following day. Valdés, who covered local news including crime, reportedly left the newspaper offices with two colleagues late on the night of 7 January. In the centre of

Saltillo, their car was intercepted by a group of men who forced Valdés and another, unnamed reporter into a vehicle and drove away. According to the Coahuila state attorney general's office, Valdés was found dead in front of a hotel in Saltillo early on the morning of 8 January 2010. He had reportedly been tortured and shot several times. On his corpse a message was found that read: "This is going to happen to those who don't understand. The message is for everyone." The national news magazine *Proceso* reported that the other journalist who was abducted was later released, but this had not been confirmed by either *Zócalo de Saltillo* or the attorney general's office. According to the newspaper, the third reporter who was with Valdés was not abducted. **Investigation:** The attorney general's office has stated that the murder was carried out by organized crime. On 8 June 2011, the Inter American Press Association (IAPA) reported that despite the fact that the case was placed under the jurisdiction of the Saltillo (Coahuila) Criminal Court in March 2011, the court had failed to issue an arrest warrant for two of the alleged perpetrators in Valdés' murder with a view to putting them on trial. The two suspects are the drug traffickers Isidro Javier del Río Martínez and Miguel Ángel Bustos Rodríguez (also known as Ángel Solís Zamora); the latter has reportedly been described by the authorities as one of the most dangerous members of the Zeta gang. According to IAPA, there is no doubt that Valdés' journalism was the motive for his murder. **Background:** In July 2006, another journalist from the same newspaper chain, **Rafael Ortiz Martínez**, disappeared in Monclova, Coahuila, and has not been seen since. [RAN 03/10]

José Alberto VELÁZQUEZ LÓPEZ: editor and owner of the daily newspaper *Expresiones de Tulum*, based in Tulum, Quintana Roo state, and a contributor to a local television station, was shot dead in Cancún on 22 December 2009. Velázquez was driving home after a Christmas party for the newspaper staff when he was followed by two men on a motorbike who shot him in the chest. He was taken to hospital but died late that night. The newspaper staff had reportedly received several anonymous telephone death threats in the previous few months and its printing press was also firebombed in November 2009. Velázquez, who was also a lawyer, had reportedly written a number of articles accusing the mayor of Tulum of corruption, poor administration and a lack of regard for the public but had stopped reporting on local politics after receiving the death threats, which allegedly included a threatening phone call from the mayor. The mayor and Velázquez had reportedly been enemies since April 2009, the month that the newspaper was set up and the mayor came into power. Velázquez reportedly left behind a heavily pregnant wife and a five-year-old son. **Investigation:** State prosecutors in Quintana Roo opened an inquiry into the murder. They were reportedly looking at Velázquez' work as a lawyer as a possible motive for the murder, or that it was a crime of passion. His colleagues at *Expresiones de Tulum* have reportedly dismissed the latter, suggesting that the murder is instead likely to have been related to the editor's criticism of the mayor. Police investigations into the November 2009 firebombing of the newspaper premises have yet to yield any results. According to a 5 January 2010 report by the Committee to Protect Journalists (CPJ), Velásquez was interviewed by journalists before he died from his gunshot wounds and clearly stated that he had been killed on the orders of the mayor of Tulum. However, the report also said that Velásquez has been accused of extorting money from local businesses in return for not publishing damaging articles, an allegation CPJ was able to substantiate, thus making it more difficult to be sure of the motive behind his killing. As of 31 December 2010 the case was still under investigation. No further news as of 30 June 2011. [RAN 01/10]

Miguel Angel VILLAGÓMEZ VALLE: editor and publisher of a daily regional tabloid newspaper *Noticias de Michoacán*, based in Lázaro Cárdenas, Michoacán state, was abducted and shot dead on 9 October 2008. Villagomez (29) was kidnapped after leaving his newspaper's office in Lázaro Cárdenas, Michoacán state, after 10pm on 9 October. His body was found in a rubbish tip near La Unión, just inside in the neighbouring state of Guerrero, during a routine police patrol in the early hours of 10 October. The editor had been repeatedly shot in the back and neck at around midnight the previous night. Villagómez had reportedly received a threatening phone call from a member of "Los Zetas" (the Zeds), paramilitary criminal gangs linked to drugs traffickers, particularly El Golfo (the Gulf) cartel, about a month before his murder, and had warned his family to be alert. *Noticias de Michoacán* often reports on organised crime, corruption and drug trafficking. **Investigation:** On 13 November 2008, it was reported that the authorities were working on the assumption that an organised crime group was responsible for the murder. The Guerrero state attorney general's office was in charge of the investigation but had not reported any progress. A local press report dated 8 June 2009 indicated that the case had been transferred to the Public Ministry (Ministerio Público) in La Unión municipality in Guerrero, but that there had been no progress in the investigation. Investigation reportedly ongoing as of July 2010; no further news as of 30 June 2011. [RAN 54/08]

Enrique VILICAÑA PALOMARES: columnist for the daily newspaper *La Voz de Michoacán*, as well as a teacher, was kidnapped on 5 April 2010 and found dead in Morelia, Michoacán state, five days later, on 10 April 2010. His throat had been slit. The motive for the killing is not known. His employers were not sure if the murder was linked to Villicaña's work as a journalist. However they have reportedly said that Villicaña had received threats which he had reported to the Michoacán state justice department in late March but that the authorities had failed to take any action. His death occurred the same week as the disappearance of another Michoacán journalist, **Ramón Ángeles Zalpa** of the newspaper *Cambio de Michoacán* (see below). **Investigation:** No further news as of 30 June 2011. [RAN 31/10]

Disappeared: motive unknown

Ramón ÁNGELES ZALPA: correspondent for the newspaper *Cambio de Michoacán* based in the municipality of Paracho, Michoacán state, reportedly went missing on 6 April 2010. Ángeles was last seen leaving his home in Paracho to drive to the National University of Pedagogy, where he also worked as a teacher; no one has heard from him since. His family has reported him missing to the Michoacán state prosecutor's office. The Special Prosecutor for Crimes against Journalists and the local office of the General Attorney's office in Michoacán began an investigation. Ángeles reported on various topics for *Cambio de Michoacán*, including organized crime, government policy, public safety and agricultural and environmental issues. The newspaper management does not know if he had received any threats. However, it reportedly believes his disappearance may be connected to an article Ángeles wrote on an armed attack on a local indigenous family in late March which he asked to be printed without a byline due to problems within the indigenous community (Ángeles is a member of the Purépecha indigenous group). His family said that they had received several anonymous phone calls on 2 April, the last of which was answered by Ángeles; they did not know whether or not Ángeles had received any message. Local journalists reportedly believe that a local criminal gang is responsible for Ángeles' disappearance. **Background:** Ángeles was the second *Cambio*

de Michoacán journalist to go missing in less than six months, following **María Esther Aguilar Cansimbe's** disappearance in November 2009 (see below). **Investigation:** By July 2010, the federal attorney general's office had reportedly initiated 18 proceedings in connections with Ángeles' case. None of the initiatives has produced results and as of November 2010 it apparently seemed less certain that his disappearance was linked to his journalistic work. No further news as of 30 June 2011. [RAN 31/10]

María Esther AGUILAR CANSIMBE (f): reporter for the Zamora-based daily newspaper *El Diario de Zamora* and local correspondent for the regional daily *El Cambio de Michoacán*, was last seen leaving her home in Zamora, Michoacán state, on 11 November 2009 after she received a call on her mobile phone. No one has seen her since; her family has reported her missing to the Michoacán State Attorney. **Reporting that could have led to disappearance:** Aguilar (32) had not received any threats prior to her disappearance but it is feared that it may be related to a series of articles she had recently written on local corruption and organised crime for *El Cambio de Michoacán*. On 22 October, she covered a military operation near Zamora where at least three individuals, including the son of a local politician, were arrested on suspicion of collaborating with organized crime groups. On 27 October, she reported on local police abuse, after which a high-ranking official was forced to resign. Three days later, she published a story on the arrest of an alleged leader of the drug cartel La Familia Michoacana. It is understood that Aguilar's name did not appear on any of the stories for fear of reprisals. **Investigation:** The Special Federal Attorney's Office for Combating Violence against the Media (FEADP) reportedly took over the investigation from the Michoacán state authorities on 18 November 2009. On 11 December 2009, one month after Aguilar's disappearance, it was reported that no ransom had been demanded and that there had been no progress in the official investigation. Aguilar's family reportedly said that no one had contacted them. FEADP was reportedly due to send a team to Michoacán to look into the case. A letter to PEN from the Michoacán state attorney general dated 21 April 2010 indicated that there had been no substantial advances in the investigation. As of 19 November 2010, Cansimbe was still missing and her relatives feared that the investigation was going nowhere. Her sister reportedly believed that the authorities know more than they have revealed. No further news as of 30 June 2011. [RAN 58/09]

Miguel Ángel DOMÍNGUEZ ZAMORA: reporter for the daily newspaper *El Mañana*, in Reynosa, Tamaulipas state, has been missing since 1 March 2010. His family has reported the disappearance to the state prosecutor's office. Domínguez' disappearance coincided with the death in disputed circumstances of Reynosa-based journalist **Jorge Rábago Valdez** (see above) and the alleged abduction of seven other journalists in the area. Two broadcast journalists from the Milenio media group assigned to cover a wave of drug-related violence in Reynosa were abducted by gunmen on 3 March 2010 and released the next day after being told to leave the area. As of 11 March 2010 there were unconfirmed reports that at least four other journalists had been abducted. **Investigation:** No news as of 30 June 2011. [RAN 27/10]

Mauricio ESTRADA ZAMORA: reporter for newspapers *La Opinión de Apatzingán* and *La Opinión de Michoacán*, based in Michoacán state, southern México, was reported missing on 14 February 2008. On that day, *La Opinión de Michoacán* stated that the reporter had last been seen on 12 February, when he left the newspaper's premises for home, and that he had not answered calls to his mobile phone. According to the newspaper, on the morning of 13 February the journalist's vehicle was

found by a local public safety official, parked with its doors open and the engine running. Estrada's laptop and camera, along with the car's stereo, were missing. **Investigation:** *La Opinión de Michoacán* requested the intervention of the Michoacán state Attorney General's Office, which reportedly sent its anti-kidnapping team to the region in order to search for the reporter. The newspaper believed that Estrada's disappearance may have been linked to a problem he had in January 2008 with a Federal Investigations Agency (Agencia Federal de Investigación, AFI) agent in the area. The investigation was being conducted by the local office of the federal attorney general that stated that it could not identify the AFI agent, or make any connection between Estrada's disappearance and a federal agent. They dismissed any links to a criminal group. In December 2008, it was reported that the Special Prosecutor for Crimes against Journalists was of the opinion that Estrada's disappearance has only tenuous links to his work as a journalist. As of January 2009, the authorities had reportedly not made public any results of the investigation. On 16 July 2010, the state authorities stated that they were still investigating Estrada's disappearance. As of 19 November 2010, little progress had reportedly been made in the investigation. No further news as of 30 June 2011. **Background:** Another journalist for *La Opinión de Michoacán*, **Gerardo Israel García Pimentel**, was murdered in December 2007 (see above).

José Antonio GARCIA APAC: editor of the newspaper *Ecos de la Costa*, from Lázaro Cárdenas, Michoacán state, was last seen on 20 November 2006. That evening he was on his way from Tepalcatepec to Morelia, when he was reportedly intercepted by three people in a pick-up truck, who took him with them. His car was not found. According to his family, García had reported being followed earlier that year. He was covering cases related to drug trafficking in Michoacán at the time. He was also widely known to have compiled a list of allegedly corrupt officials before he disappeared. **Investigation:** On 20 November 2007, García's wife, Rosa Isela Caballero, reported that she had sent a letter to the General Prosecutor's Office in July 2007 enquiring about the results of the investigation into her husband's disappearance, but had not yet received a clear response. According to Caballero, three representatives of the prosecutor's office had been called to the investigation, and the federal justice ministry had also intervened, but without any results. As of December 2008, Caballero was continuing to publish *Ecos de la Cuenca* in memory of her husband. On 20 November 2009, it was reported that the investigation had stalled. According to a report by Article 19 and CENCOS, the Michoacán Prosecutor General's Office launched an investigation into García's disappearance in December 2006. In April 2007, the case was transferred to the federal authorities, under the jurisdiction of the National Attorney General's Office (PGR). Three months later, the PGR decided that there was insufficient evidence to investigate the disappearance and closed the case. The Federal Public Prosecutor's Office subsequently re-launched an investigation on 24 January 2008 and then again on 13 March 2008, but eventually also closed the case due to a lack of leads. In November 2009, García's family appealed to the authorities to take up the investigation again. Update: As of 20 November 2010, four years after his disappearance, García was still missing and there was no news about his whereabouts. As Michoacán state criminal code reportedly does not recognise "disappearance" as a crime, the disappearance is being investigated as "illegal privation of freedom". As a result of the legal vagueness, the case keeps being passed between the various local and federal departments involved and the investigation is virtually at a standstill. No further news as of 30 June 2011.

***Marco Antonio LÓPEZ ORTIZ:** news editor for the daily newspaper *Novedades Acapulco*, was reportedly kidnapped in Acapulco, Guerrero state, on 7 June 2011. That night López (42) left work and was later assaulted by unidentified men who took him away. López is responsible for overseeing the paper's coverage of crime, among other responsibilities. According to local journalists, organized crime groups constantly threaten them to keep coverage to a minimum. *Novedades Acapulco's* reports on crime are accordingly kept brief and do not probe the facts reported, in order to avoid angering and being targeted by the groups.

Investigation: The state attorney general has begun an investigation and the National Human Rights Commission is reportedly also looking into the disappearance. No further news as of 30 June 2011. [RAN 33/11]

Evaristo ORTEGA ZÁRATE: editor of the local weekly newspaper *Espacio* in Colipa, Veracruz state, has reportedly been missing since 20 April 2010. According to Ortega's sister, she received several SMS messages from him that day saying that he had been arrested by police in the state capital of Xalapa. She called him and he asked her to inform the authorities and media before they got cut off. Nothing has been heard from him since. Ortega, who reportedly intended to run for mayor of Colipa as a candidate of the National Action Party (PAN), was last seen in a PAN branch office 10 minutes before he sent the first of the SMS messages to his sister. Another PAN member who wanted to be the party's mayoral candidate in Colipa, Francisco Mota Uribe, reportedly disappeared around the same time. The local police have reportedly denied any involvement in Ortega's disappearance. **Investigation:** According to the Veracruz Commission for the Defence of Journalists, the state attorney general's office took more than 24 hours to open an investigation into his disappearance even though the local authorities were notified immediately. The head of the State Commission for Human Rights has reportedly ruled out any possibility that Ortega's disappearance is linked to his work as a journalist. According to the Special Prosecutor for Crimes against Freedom of Expression, the investigation into Ortega's disappearance was ongoing as of 15 July 2010, led by the Veracruz state attorney general, with the collaboration of the federal attorney general. No progress had been reported. No further news as of 30 June 2011. [RAN 34/10]

Rafael ORTIZ MARTÍNEZ: reporter for the daily newspaper *Zócalo*, based in Monclova, Coahuila state, and presenter for a local radio station, was last seen leaving *Zócalo's* offices in the early hours of 8 July 2006. Ortiz (32) had reportedly been editing material for a radio show. When a *Zócalo* company car came to pick him up a few hours later, he was not home and no one has seen him since. Ortiz had recently written about the prevalence of prostitution in Monclova and the resulting spread of HIV and other sexually transmitted diseases. He had also covered drug trafficking and had reportedly received death threats in the past because of his reporting. **Investigation:** Ortiz' father reported the disappearance to the Coahuila state prosecutor, which began an investigation focusing on Ortiz' journalism. On 24 July 2006, it was reported that the Coahuila state governor and judicial authorities had said that Ortiz had probably been kidnapped by drug traffickers. As of August 2009, the investigation had reportedly not advanced and no suspects had been arrested or brought to trial. Reportedly still missing as of late May 2010. No further news as of 30 June 2011.

Rodolfo RINCÓN TARACENA: journalist for the regional daily *Tabasco Hoy*. Rincón (54) was last seen leaving his newspaper's office in Villahermosa, south-eastern Mexico, on the night of 20 January 2007. He had reportedly told his colleagues that he would return shortly. It seems highly likely that his disappearance is linked to his reporting on organ-

ised crime. The journalist had reportedly just completed an article on a criminal gang preying on cash-machine customers in Villahermosa which specified the locations of the criminals' safe houses. The previous day, *Tabasco Hoy* had run a major story on illicit 'drugstores' (*narcotiendas*) run by traffickers, which named several suspects and showed the location of the stores. Rincón had reportedly received regular threats since 2006. In May 2007, the severed head of a local councillor was left outside *Tabasco Hoy's* offices in Villahermosa. The paper has also received threats from "Los Zetas" (the Zeds), paramilitary criminal gangs linked to drugs traffickers, particularly El Golfo (the Gulf) cartel. Rincón's long term girlfriend, also a journalist, has reportedly stated that she believes that that corrupt officials as well as drug traffickers are behind his disappearance. **Investigation:** As of 20 January 2009, two years after Rincón's disappearance, neither the PGJE nor the federal attorney general's office (Procuraduría General de la República, PGR) had reported any progress in the investigation. On 28 February 2010, the PGJE stated that it had closed the investigation into Rincón's disappearance and murder on the grounds that he is now believed to have been kidnapped and killed by members of the Los Zetas criminal gang in reprisal for his reporting on where drugs were being sold. According to the PGJE, five men held in custody on drug charges since 2007 had confessed in April that year to being involved in Rincón's murder and had told the authorities where his remains could be found. A police search of a Tabasco property revealed the charred remains of at least five people, however it was impossible to identify them. *Tabasco Hoy* reacted angrily to the decision to close the investigation, questioning why the authorities waited three years before disclosing the alleged confessions. No further news as of 30 June 2011.

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-Jacome F., a television presenter and the daughter of an Institutional Revolutionary Party (PRI) politician who has been a senator and presidential spokesman. They were also charged with robbery. The brothers were allegedly tortured while in the custody of the police and Public Ministry and forced to sign confessions. **Sentence:** In August 1997, both brothers were sentenced to 57 years in prison, confirmed in December that year. The allegations of torture were not taken into account. **Torture allegations:** The brothers filed a complaint against the state for torture and abuse of authority. In May 1999, a medical certificate was issued showing that they had been tortured. In 2002, the Human Rights Commission of the Federal District (CDHDF) issued a recommendation calling for those responsible for torturing the Aranda brothers to be brought to justice and that the brothers should be awarded reparations. The recommendation was accepted by the Attorney General however has yet to be implemented. **Retrial:** Following a retrial, the brothers' sentence was reduced to 40 years in January 2005. This was further reduced to 32 years in March 2007 after the robbery charge was dropped, and in December 2008 to 24 years and six months. As of July 2010, the brothers were hoping to be released on parole (*beneficios de preliberación*). They were still detained in Reclusorio Sur prison in Mexico City as of October 2010. **Update:** Apparently still imprisoned as of 30 June 2011. **Possible reasons for arrest:** The reasons for the brothers' arrest are not clear. However, Enrique Aranda believes his arrest and conviction were due to

his political activism and open criticism of the former PRI administration. When he was initially detained he was questioned about his political activities. He claims that the legal process has been marred by political pressure throughout. **PEN position:** PEN holds no position on Aranda's guilt or innocence. It is concerned by the allegations that he was tortured and calls on the Mexican authorities to implement CDHDF's recommendation. **Background:** Enrique Aranda lectured for several years in political psychology at the Iberoamerican University in Mexico and is a former President of the Mexican Association of Psychologists. Since his imprisonment, he has been a prolific writer, having produced six books of poems, short stories, plays, novels and non fiction, all unpublished to date. His work has reportedly earned him some 11 national awards. Adrián Aranda is an accountant.

Death threats

***Lydia CACHO RIBEIRO (f):** author, journalist and social activist, reportedly received anonymous death threats by telephone and email on 14 June 2011 which made direct reference to her journalism. She said that the threats came after her return from taking part in an event in Chihuahua state in northern Mexico and that she believes that they were issued in retaliation for her revelation of the names of alleged traffickers of women and girls. In 2010, she published a book entitled *Esclavas del poder: un viaje al corazón de la trata de mujeres y niñas en el mundo* (Servants of power: a journey into the heart of trafficking of women and girls in the world). She has also written extensively on people trafficking, organized crime, drug trafficking, gender violence and official corruption in her columns and other texts. Cacho reported the death threats to the authorities but no investigation or other action had been initiated as of 29 June, when she decided to make the threats public. Cacho commented that *Notiver* columnist **Miguel Ángel López Velasco** (known as Milo Vela), who was shot dead along with his wife and son in Veracruz state on 20 June 2011, received similar threats which the authorities also ignored (see above). However, she said she had no intention of stopping her journalistic or human rights work. **Background:** In January 2007, after a year-long trial, Cacho was acquitted of criminal defamation charges relating to her 2005 book about child pornography and prostitution *Los Demonios del Edén: el poder detrás de la pornografía* (*The Demons of Eden: the power behind pornography*). However, she continues to be the target of harassment and threats due to her investigative journalism (see previous case lists for more information). In 2009 the Inter-American Commission on Human Rights granted Cacho precautionary protective measures and asked the Mexican government to take action to protect her as a result of harassment and monitoring by armed men. However, as of June 2011 only half of the measures had been implemented and she clearly remains at risk. **Awards:** Cacho has won numerous awards, including the 2009 One Humanity Award from Canadian PEN, the 2008 Tucholsky prize from Swedish PEN and the 2007 Oxfam/Novib PEN Award for Free Expression. On 29 April 2010, Cacho was named a World Press Freedom Hero by the International Press Institute. **Honorary Member:** Scottish PEN. [RAN 54/05 and updates]

***Anabel HERNÁNDEZ (f):** journalist with the online magazine *Reporte Índigo* and author, reported in May 2011 that she has received constant death threats since the publication in late 2010 of her book *Los Señores del Narco* (The Lords of the Narco) (Grijalbo, 2010), on the links between drug trafficking and the Mexican state. In the book, Hernández makes a number of controversial allegations against public figures, including accusing the Federal Secretary of Public Security of illicit enrichment and construction of mansions while he was serving as President Felipe's

Calderón's chief of police. In December 2010, Hernández made public an alleged plot, involving officials working for the Federal Secretary of Public Security and federal police, to have her killed and make it look like a common crime. She reported the threat to the National Human Rights Commission (CNDH) which provided her with bodyguards. Hernández was previously harassed by the Federal Secretary of Public Security in April 2009 following publication of an article in *Reporte Índigo* about a luxury house he had built.

Attacked

***Oswald ALONSO NAVARRO:** correspondent for the international news agency Associated Press, was intercepted by armed individuals as he was driving with a radio journalist colleague in Cuernavaca, Morelos state, on 25 February 2011. The assailants blocked the journalists' vehicle with theirs and threatened them with their weapons. Navarro and his colleague escaped but were followed and eventually caught, at which point Navarro's colleague was shot in the leg. A report on the incident was filed with the National Human Rights Commission and the Special Prosecutor's Office for Crimes against Freedom of Expression.

***Gildardo MOTA:** journalist with the weekly newspaper *La Hora* and a radio station based in Oaxaca, was wounded on 15 February 2011 while covering a confrontation between the National Education Workers Union (Sindicato Nacional de Trabajadores de la Educación, SNTE) and the federal police. A commotion reportedly broke out when members of SNTE tried to gain access to the main square in Oaxaca during an official visit by President Felipe Calderon, and Mota was shot in the leg. He reported that the medical personnel who looked after him had said that officials from the Ministry of the Interior had inquired about his health; however, no one had contacted Mota directly.

Harassed

***Enrique HERNÁNDEZ PADRON and Graciela CASTAÑÓN AGUILAR (f):** journalists with the weekly newspaper *El Portal*, were reportedly dismissed from their jobs on 28 February 2011. This occurred after *El Portal's* owner met with the state government's social communications coordinator who allegedly asked the owner to sack the two journalists in exchange for the paper being allocated an official advertising contract.

***Giovanni PROIETTIS:** Italian journalist for the Italian newspaper *Il Manifesto* and university professor, was summarily deported from San Cristóbal de Las Casas, Chiapas state, to Italy on 15 April 2011. He had lived in Chiapas since 1993. The reasons for the deportation were not clear. According to one media report, immigration authorities claimed he was "expelled for engaging in a profession beyond that which was authorized." Another report stated that Proietti's friends said his deportation was related to an incident between him and President Felipe Calderón during a December 2010 UN Climate Change conference in Cancun; reporters covering environmental protesters during the event reported attacks from police. Proietti was reportedly arrested by Chiapas police a few days after the UN protests, in a case of "mistaken identity."

Released

Jesús LEMUS BARAJAS: editor/publisher of *El Tiempo* daily newspaper, based in La Piedad, Michoacán state, was released on 11 May 2011 after being acquitted of drug trafficking charges; he had spent three years in prison. According to Reporters Without Borders (RSF), the Guanajuato judge's ruling stated: "Considering that there are no grounds for even the least suspicion that [Lemus] was linked to drug trafficking or organized

crime activities, he is absolved of all charges and is given an acquittal." A 20-year prison sentence handed to Lemus by another Guanajuato state judge in January 2011 was overturned. Following his release, Lemus said that he believes he was arrested because of his journalistic work exposing the links between the state and drug cartels, and that the authorities had failed to recognize that he was a professional journalist during his trial. He also said that he feared for his safety and has since gone into hiding. **Background:** Lemus was investigating drug trafficking in Cuerámaro, Guanajuato state, when he was arrested on 7 May 2008 along with two of his sources. For the first 48 hours after his arrest he was held incommunicado during which time he was reportedly beaten by Guanajuato state ministerial police. In addition to his reporting on drug trafficking, in March 2008 Lemus had exposed harassment of the media by the mayor of La Piedad, which led to the detention of two *El Tiempo* reporters on charges of 'incitement to rebellion'. He had also been critical of unfair allocation of official advertising in the municipality and of police intimidation of *El Tiempo* news vendors. On 31 August 2009, Lemus' lawyers were shot dead. (See previous case list for more details). [RAN 36/08 and updates]

NICARAGUA

Death threat

***Luis GALEANO:** journalist and investigative reporter with the newspaper *El Nuevo*, reportedly received a telephone death threat on 19 February 2011, warning him that he had only 72 hours to live. The same day a letter addressed to him was delivered to *El Nuevo* pressuring him not to publish information about alleged fraud in the Supreme Electoral Council. The first part of Galeano's investigation into this fraud was subsequently published on 21 February. The newspaper's editor said that this was the third threat Galeano had received this year, and that previous month he had been warned of danger to his physical well-being for reporting on alleged corruption in the Revenue Office and the Finance Ministry.

PANAMA

Harassed

***Alvaro ALVARADO, Santiago CUMBRERA, Lina Vega ABAD (f) and Monica PALM (f):** journalists with the investigation unit of the newspaper *La Prensa*, were targeted by a hate campaign following the paper's coverage of a series of Wikileaks' revelations which were embarrassing for President Ricardo Martinelli's government. On 28 April 2011 a video was posted on YouTube denouncing Abad, the unit's editor, as a "manipulator of information". Other videos attacking Alvarado and Palm have also reportedly been circulating. Most recently, on 7 May 2011, a video was again released on YouTube denouncing Cumbreira. The attacks were reportedly prompted by *La Prensa's* publication of cables sent from the US embassy in Panama to the US State Department in Washington at the end of 2009. The cables raise questions about the alleged links between the Tourism Minister and drug trafficking, as well as his ties to a Colombian businessman, currently in prison in the United States on money laundering charges. The Minister is also a former election campaign strategist for President Martinelli.

***Paco GÓMEZ NADAL and Pilar CHATO (f):** Spanish husband and wife journalists. Gómez is a reporter for the newspaper *La Prensa* and editorial advisor for the Brazilian newspapers *Diário do Amazonas* and *Diário do Para*; Chato is a contributor to the Spanish daily *El Diario*

Montañés. Both were arrested on 26 February 2011 during a demonstration by indigenous groups outside the parliament building in Panama City and accused of "disrupting public order" by encouraging the groups to protest against a proposed reform of the mining laws. The couple agreed under pressure to be repatriated two days later. They will be unable to return to Panama for two years. Gómez, who had been resident in Panama for six years, had previously been threatened with being stripped of his residency and deported because of his defence of indigenous people. On 4 July 2010 he was about to fly from Panama to Colombia when immigration officers told him that he would not be allowed to return to the country if he left. His passport and documents were confiscated and he was detained for four hours. He was later released and allowed to leave the country following media pressure.

PERU

On trial

Melissa Rocío PATIÑO HINOSTROZA (f): poet and university student, is a member of the 'Círculo del sur' (Southern Circle) poetry group in Lima and runs a poetry programme on radio and cultural activities with young people. Patiño (21) is on trial for terrorism, based on her alleged involvement with a leftwing political organization, Bolivarian Continental Coordinator (Coordinadora Continental Bolivariana – CCB), which the Peruvian authorities claim is linked to terrorist groups. She denies any political affiliations and to date no concrete evidence has been produced to back up the charges. Patiño was detained from 29 February to 8 May 2008, when she was released pending trial. She potentially faces 20 years in prison if convicted. **Arrest and detention:** Patiño was arrested along with six others in Tumbes, on the border with Ecuador, on 29 February 2008. The seven were returning by bus from Quito, where they had attended the second congress of the CCB from 24 to 28 February 2008, which was reportedly held with the knowledge and consent of the Ecuadorian authorities. They were subsequently charged with 'Affiliation and Collaboration with Terrorism', apparently on the basis of their attendance at the CCB meeting. Initially detained in Tumbes and the Counterterrorism Division (División Contra el Terrorismo – DINCOTE), on 15 March 2008 Patiño was transferred to Santa Monica maximum security prison in Chorrillos, Lima, where she was held until 8 May 2008. **Background:** The government alleges that the Peruvian chapter of CCB has links with Peruvian Marxist rebel group Movimiento Revolucionario Túpac Amaru (MRTA) and the FARC guerrilla group in Colombia. It also reportedly accused CCB members of planning to sabotage the 2008 Asia-Pacific Economic Cooperation (APEC) meetings in Peru. Two of the six individuals who were detained along with Patiño are said to be former MRTA members; one has served a prison sentence for belonging to the MRTA and since his release has reportedly been organizing workshops and events at the university where Patiño studies (Universidad Mayor de San Marcos, Lima). However, Patiño's presence in the bus carrying former MRTA members appears to have been circumstantial. She denies that she belongs to or has ever had any involvement in any political groups. She reportedly attended the CCB congress after a colleague at the radio station where she works passed the invitation on to her as he could not himself attend, and her main motivation for attending was the opportunity to travel to Ecuador. **Charges:** According to Patiño's lawyer, the accusations of terrorism against Patiño have been made on the basis of her alleged membership of the Peruvian chapter of the CCB, her attendance of the CCB congress in Ecuador and her participation in a march at the end of conference. During the march, she is

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

Susana VILLARÁN (f): mayor of Lima, is being sued for allegedly defaming a former minister under Alberto Fujimori in a 2009 opinion piece she published on the internet. In the article in question Villarán recalled the 2004 criminal complaint she and several other individuals had filed against the minister, accusing him of acts of corruption committed in his capacity as minister. The minister filed a criminal complaint against Villarán in August 2009. He had previously filed complaints against her. One of them was dismissed in 2006 but on the basis of the same facts the same judge opened an aggravated defamation case against Villarán on 8 September 2009. On 22 October 2010 Villarán was summonsed to the pronouncement of judgment proceedings on 17 November 2010. The judge warned that if she failed to appear before the court, he would order her arrest. At the court hearing on 17 November 2010 the judge declared the proceedings to date null and void but the case was not dropped. No further news as of 30 June 2011.

Death threat

***César LEVANO and Arturo BELAUNDE:** respectively editor and director of the Lima-based daily *La Primera*, were reportedly sent funeral wreaths at the newspaper's offices on 11 May 2011. *La Primera* had been openly supportive of one of the leading candidates in the June 2011 second round of Peru's presidential elections, Ollanta Humala, who was subsequently elected. A note with one of the wreaths identified the sender as the press freedom organization Press and Society Institute (IPYS), which had been active in pressing the two leading presidential candidates on their commitment to press freedom issues. The wreaths coincided with the paper's coverage of an alleged plot by the intelligence service to undermine Humala's presidential bid. On May 13, an unidentified individual reportedly called the paper and said that Levano was going to die. The threats occurred at a time of a spate of assaults on and dismissals of broadcast journalists in Peru, also for reasons connected to the elections. [RAN 23/11]

Threatened

***Lenin QUEVEDO:** editorial director of the daily newspaper *Voces*, reportedly received a series of intimidating anonymous text messages on his mobile phone from an unknown sender on 6 March 2011. According to the journalist, one message said: "You're putting the rope around your neck...Stay away from politics." *Voces* had recently published a series of articles on alleged misconduct by a national congressional candidate including illegal water usage. The candidate responded on a radio broadcast denying the allegation and accusing Quevedo of extortion.

UNITED STATES

Judicial concern

Sami Amin AL-ARIAN: Kuwaiti-born Palestinian academic, formerly a computer science professor at the University of South Florida. In addition to his academic publications, Al-Arian has written and lectured extensively about the plight of Palestinian people in Israel and the Occupied Palestinian Territories (OPT) and has also written poetry while in detention. Al-Arian was imprisoned from February 2003 to September 2008 on international terrorism-related and contempt of court charges. His last prison sentence ended in April 2008, at which point he should have been deported from the USA, according to the conditions of his plea agreement. However he continued to be detained for refusing to testify against other individuals whom the US government alleges have been involved in terrorism. He was finally released on bail in September 2008. He is now under house arrest in the USA and faces a further prison sentence for contempt of court. **Details of arrest and trial:** Al-Arian was arrested by the Federal Bureau of Investigations (FBI) on 20 February 2003 on charges of channelling funds to terrorist groups. He was not brought to trial until June 2005, on the grounds of the complexity of the case. In December 2005, the jury acquitted him on eight charges of 17 charges and remained deadlocked 10-2 in favour of acquittal on the other nine. The prosecution reportedly acknowledged during the trial that there was no evidence linking Al-Arian to any acts of violence in Israel or Palestine. **Plea bargain:** Despite not having been found guilty of any of the many terrorism-related charges against him, in April 2004 Al-Arian pled guilty to a single count of conspiracy to provide non violent services to Palestinian Islamic Jihad, reportedly in order to avoid a lengthy re-trial. He was sentenced to 57 months in prison, 38 of which he had already served. As a part of his plea agreement, Al-Arian agreed to be deported on expiry of his sentence and was promised that he would not be charged with any other crimes. He maintains that there was also a verbal understanding that he would not be called on to testify against any others, apparently evidenced by the US government's omission of the standard cooperation provisions from the plea agreement. **Further charges:** Despite the alleged assurances contained in his plea bargain, Al-Arian was given a further prison sentence for civil contempt of court after refusing to testify against former associates. He was expected to be released on 11 April 2008, and that day was taken into the custody of Immigration and Customs Enforcement (ICE) in preparation for his deportation. However, Al-Arian was then subpoenaed to testify before another grand jury. As a result of his refusal to comply, he was charged with criminal contempt of court on 30 June 2008. In spite of a 10 July 2008 Federal court ruling that he should be released on bail, Al-Arian remained detained, reportedly on the grounds of his imminent deportation. On 8 August 2008, Al-Arian's trial for criminal contempt was postponed until the Supreme Court addressed the appeal submitted by his defence on the

lawfulness of the federal subpoena which led to the contempt charges. **Release:** At the end of August 2008, Al-Arian's lawyer filed a petition for habeas corpus on the grounds of ICE's continued unlawful detention. As a result, on 2 September 2008, Al-Arian was released on bail after five and a half years in detention and placed under house arrest. **Ongoing trial:** On 6 October 2008, the Supreme Court ruled that it would not address Al-Arian's appeal regarding his plea agreement. It was reported that his defence lawyers would then pursue a second avenue to avert the trial, by arguing that the immunity order for the federal grand jury in which Al-Arian did not testify was invalid and the criminal contempt charges should therefore be dropped. Al-Arian will remain under house arrest until his trial for contempt begins, or alternatively until the case is dismissed. In late March 2009, Al Arian's lawyers again applied to have the criminal contempt charges against him dismissed. A hearing scheduled for 24 April 2009 was cancelled. The judge said that she would issue a written opinion on the motion to dismiss the charges "soon". A hearing in Al-Arian's case due to take place on 29 October 2010 was cancelled at short notice. In September 2010 the government had filed a motion requesting the judge to deny the pending defence motion, filed 18 months previously, to dismiss the criminal contempt charges against Dr. Al-Arian. **Update:** As of 20 February 2011, eight years after his arrest, the legal process was ongoing and Al-Arian remained under house arrest. No further news as of 30 June 2011. **PEN position:** PEN has no position on the reasons for Al-Arian's arrest and detention. However it is disturbed that Al-Arian was detained beyond his prison sentence, remains under house arrest and is facing further charges and imprisonment, despite the fact that he has agreed to be deported and that he is clearly unwilling to provide further testimony, and indeed according to his understanding has been exempted from doing so. The continuing prosecution and imprisonment of Al-Arian is giving rise to fears that he is being targeted for his opinions about the Palestinian cause.

Death threat

***Josh RICHMAN:** journalist for the Bay Area News Group, who has written several articles about the investigation and trial of suspects charged with murdering *Oakland Post* editor **Chauncey Bailey** in 2007. Richman was investigating alleged real-estate fraud by the company Your Black Muslim Bakery, a business tied to the suspects on trial, when he received a phone call on 7 April 2011 in which an unidentified male caller reportedly told him "If you write that story, you are going to end up like your friend Chauncey". A former bakery employee had testified in court that his boss at the bakery ordered him to kill Bailey to stop him from investigating the bakery.

Harassed

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

URUGUAY

Harassed

***Roger RODRIGUEZ:** investigative reporter. On 4 February 2011 Rodriguez published an article in the magazine *Caras & Caretas* in which he identified retired military officers who had founded the organisation 'Foro de Libertad y Concordia' (Freedom and Harmony Forum) to defend officers on trial for torture and murder between 1973 and 1985. After the report was published the military organisation posted insults on its Facebook page aimed at Rodriguez, along with his personal details, identification card, date of birth, telephone number, home address and a map showing exactly where he lived.

Non custodial sentence

Alvaro ALFONSO: journalist and writer, is facing prosecution for alleged libel of a former congressman in relation to his July 2008 book *Secretos del Partido Comunista* (Secrets of the Communist Party). The case was brought by a former Montevideo provincial congressman for the Communist Party of Uruguay. On 2 August 2010 a public prosecutor called for all copies of the book to be seized and for Alfonso to be imprisoned for 24 months. The prosecutor ordered the seizure of the book on the basis of a paragraph stating that the former congressman, arrested in 1977 by agents of the military dictatorship, had "collaborated" with his jailors. The prosecutor's action provoked surprise as it is apparently inconsistent with legislation approved in Uruguay in 2009 that decriminalized defamation and libel. On 15 February 2011, it was reported that Alfonso had been found guilty of libel and sentenced to two years in prison but was to be allowed to remain free on parole. He reportedly intended to appeal the verdict. No further news as of 30 June 2011.

VENEZUELA

Killed: motive unknown

***Wilfred Iván OJEDA PERALTA:** columnist for the daily newspaper *El Clarín* and political activist, was found dead in a vacant lot in La Victoria, Aragua state, in the early hours of 17 May 2011, after having disappeared while driving the previous day. He had been gagged, tied up, hooded and shot once in the head. His car was found 15 miles (24 kilometers) from the scene. His belongings did not appear to have been taken, according to the police. Ojeda (56) mainly focused on local politics in his weekly column, which he had written for 22 years. Also an activist for the opposition Democratic Action party, he had been a representative in the Aragua state legislature and had held various municipal and regional posts. His family said he had not reported any threats against him or been aware of any danger. **Investigation:** As of 20 May, prosecutors were investigating the murder and had reportedly not dismissed any possible motives, including his journalism. According to Reporters Without Borders, the method of his execution suggests that it was a contract killing ordered by an organized crime group. The Scientific, Criminal, and Forensic Investigations Corps (Cuerpo de Investigaciones Científicas, Penales y Criminalísticas, CICPC) is reportedly in charge of the investigation. No further news as of 30 June 2011.

Killed: official investigation ongoing

Orel ZAMBRANO: editor of the political weekly *ABC de la Semana* and columnist for the regional daily *Notitarde*, in Valencia, Carabobo state, was shot dead on 16 January 2009. The motive of the crime was

not known, although it was thought that Zambrano may have been targeted for a recent article on drugs trafficking. Zambrano (62), who was also vice-president of a radio station as well as a university professor and lawyer, was walking from his car to a film rental store in Valencia when he was approached by two men on a motorbike, one of whom shot him three times at close range. The assailants then fled. Zambrano died at the scene of a bullet wound to the head. He had reportedly covered several drug trafficking cases in recent weeks. One story in particular was on an influential business family in the region, the Makleds, three members of which were arrested in possession of 400 kilos of cocaine on 14 November 2008 and are now the subject of an investigation by the national prosecutor's office. The circumstances of Zambrano's death have given rise to speculation that a paid assassin was responsible. **Investigation:** On 16 February 2009, former policeman Rafael Segundo Pérez Martínez was detained in Carabobo on suspicion of having ordered Zambrano's murder. On 21 February 2009, an arrest warrant was issued for two men who were accused of carrying out the crime, serving policeman David Yánez Inciarte and another man, Arístides José Carvajal Salgado. The suspects reportedly belonged to a gang known as "Los Piloneros", who were responsible for killing witnesses and others who assisted the ongoing investigation into the Makled family's connection to drug trafficking. Zambrano had criticised both the Makleds and the gang in his reports prior to his death. On 12 March 2009, the Public Prosecutor's Office asked INTERPOL to capture Walid Makled, whom the Department of Scientific, Penal and Criminal Investigations has accused of being the mastermind behind Zambrano's murder, along with Pérez. Another suspect, José Manuel Duque Dabofín, was reportedly detained on 18 July 2009. On 19 May 2010, Pérez was found guilty of conspiracy charges related to Zambrano's murder and sentenced to 25 years in prison. The court found that Pérez had monitored Zambrano's daily routine and provided the information to the killers. The authorities allege that Walid Makled planned the crime, while Yánez, Arístides, Carvajal and another member of Los Piloneros, Víctor Reales Hoyo, carried out the killing. Yánez was reportedly arrested during a police drug raid in Morón, Carabobo state, on 21 February 2010; Reales and Makled remain at large. Carvajal reportedly died in a shooting involving the Venezuelan investigative police, it was reported in March 2010. On 19 August 2010 Walid Makled was arrested by Colombian authorities in Cucuta, Colombia, near the border with Venezuela on the basis of an arrest warrant issued against Makled in 2008 for drug trafficking. On 20 August 2010 Venezuelan prosecutors requested the extradition of Walid on the drug trafficking charges and for planning to kill Zambrano. **Update:** On 6 April 2011, President Santos of Colombia reportedly agreed to extradite Walid Makled to Venezuela. On 15 May, it was reported that the presumed heads of gangs of assassins involved in Zambrano's murder, Francisco Larrazábal, Víctor Reales y Álvaro Ospino, had also been captured in Colombia.

On trial

***Gustavo AZOCAR:** freelance journalist based in Táchira state, was due to appear before Táchira court on 7 February 2011 on a charge of libelling an army officer in 2004. The case was prompted by an article Azócar wrote for the national daily newspaper *El Universal* on 12 September 2004 about alleged trafficking in identity papers at the National Office for Identification and Foreigners (now the Autonomous Service for Identification, Migration and Foreigners). The libel suit was filed in January 2005 by a colonel named in the article. The colonel subsequently agreed to use his right of reply instead as soon as the defence ministry

gave him permission but this has not been forthcoming despite numerous court hearings. If convicted, Azócar could face one year in prison and a fine of up to US\$30,000. **Background:** Azócar spent almost nine months in pre-trial detention in 2009-10 for posting information on his blog about a long-running legal case against him for alleged corruption and fraud in the assignment of a 2000 radio and TV advertising contract. In March 2010, he was sentenced to two and a half years in prison, but was released on parole. An outspoken critic of President Hugo Chávez, Azócar has been active in Venezuela's opposition movement and had reportedly expressed an interest in running for the National Assembly in September 2010.

Leocenis GARCÍA: editor of *Sexto Poder* magazine and journalist for the daily newspaper *Reporte Diario de la Economía*, is on trial for allegedly causing damage to property, carrying a gun without a permit and resisting arrest. He was imprisoned for more than two years, from 3 May 2008 to 6 July 2010. It is feared that the case may be linked to his legitimate activities as a journalist. **Details of arrest:** On 3 May 2008, García was arrested along with his assistant and his driver after being accused of causing damage to property at the offices of another newspaper, *El Periódico*, carrying a gun without a permit and resisting arrest. According to his lawyer, García had gone to *El Periódico*'s offices in order to collect payment for an advertisement for an airline (reportedly linked to one of *El Periódico*'s shareholders) that had been published in *Sexto Poder*, and to interview the vice-president of *El Periódico* about one of the newspaper's owner's alleged links to drug trafficking. Initially held at the Intelligence and Prevention Services headquarters (Dirección General de los Servicios de Inteligencia y Prevención, DISIP) in Valencia, Carabobo, García was transferred to Tocuyito prison in Carabobo at the end of May 2008. **Concerns:** García was reportedly beaten and given electric shocks while in the custody of the Carabobo police. There are fears that the case against him may in fact stem from his critical reporting. It is understood that over the year prior to his arrest, García had been investigating alleged corruption at the state-owned petroleum company *Petróleos de Venezuela* (PDVSA), and was being sued for defamation by an influential businessman who is close to PDVSA and whom García had denounced as having links to drugs trafficking. García denies ever possessing a gun and has stated that he believes his case is political and is being used to send a warning to Venezuelan journalists. His lawyer has alleged a series of irregularities in the legal case against García, including inconsistencies in police statements on how his arrest came about. On 20 May 2010, García's detention was extended by one year, following a request by the Public Prosecutor's Office. His preliminary hearing had been suspended more than 70 times. García began a hunger strike on 30 June to call for the presiding judge to withdraw from his case. **Release:** On 6 July 2010, the court ordered García's release after 26 months' detention without trial. According to García's lawyer, the release came as a result of an injunction. The tribunal set 19 July as the date when García's preliminary hearing was to commence, however his lawyer said he would present appeals to try to move the case to a different court. García was reportedly transferred to a health centre on his release from prison as he had spent seven days on hunger strike, during which time he had reportedly not received any medical attention. **Trial:** In April 2011, García's lawyer claimed that the judge presiding over the case is biased against his client and requested that he be replaced. On 10 June it was reported that the judge had eventually agreed to step down after repeated requests. Trial ongoing.

Death threat

***Kervin GARCIA:** intern at *El Carabobeno* newspaper, received a death threat from two individuals whom he reportedly identified as being close to the mayor of the Municipality of Guacara. Garcia was covering a story about a stoppage at a factory owned by Heinz food Company and was talking to group of workers about the situation. A few minutes later, several men approached him and told him that they would kill him if he continued writing about the municipality. According to Garcia, municipal officials have expressed displeasure in the past over his critical articles about the municipality and he has previously received insulting and threatening messages.

ASIA PACIFIC

AFGHANISTAN

Attacked

***Razaq MAMOON:** journalist and author, reportedly attacked with acid on 15 January 2011 as he was walking outside his apartment in Kabul. Mamoon suffered burns to his face and his hands. He was transferred to a military hospital for security reasons. He had recently published a book, *The Footprint of Pharaoh*, which criticises the role of Iran in Afghanistan's internal affairs. He is also said to be critical of the Afghani government.

BANGLADESH

On trial, free on bail

Salah Uddin Shoaib CHOUDHURY: Editor of the tabloid weekly *Blitz*. Arrested on 29 November 2003 by security personnel at Zia International Airport in Dhaka. He was reportedly on his way to Israel to participate in a conference with the Hebrew Writers Association when he was arrested. Choudhury is believed to have been going to address a writers' symposium in Tel Aviv entitled *Bridges Through Culture*, and was scheduled to speak about the role of the media in establishing peace. Choudhury is known for his attempts to improve relations between Muslim countries and Israel, and has written articles against anti-Israeli attitudes in Muslim countries and about the rise of al-Qaeda in Bangladesh, which had reportedly sparked debate in the Bangladeshi press and government prior to his arrest. Choudhury was accused of spying for Israel, and was

repeatedly denied a bail hearing. He was released on bail on 2 May 2005 following appeals by PEN USA. His trial started on 5 April 2006, though is thought unlikely to progress through the courts. Choudhury continues as editor of *Blitz* and remains under pressure from the government and extremist groups for his critical writings. In October 2009 *Blitz* published a book written by Choudhury, on the rise of Jihadists in Islamic education schools. No further information as of 30 June 2011. **Honorary member of:** USA PEN and English PEN. (Update #4 to RAN 23/04 - 26 March 07).

Released

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

CHINA

Imprisoned: Main cases

Mehbube ABLESH(f)

D.o.b.: 1979. Profession: Uighur journalist and poet. Also worked for the Xinjiang People's Radio Station, a government-run station based in the provincial capital Urumqi, until she was dismissed from her post in early August 2008. Date of arrest: August 2008. Sentence: Three years in prison. Expires: August 2011 Details of arrest: Reportedly arrested after posting online two articles critical of Chinese government Mandarin language policies and the provincial leadership in Xinjiang Autonomous Region. She was initially reported to have been released after a two-month detention, although it was confirmed in October 2010 that she is serving a three-year sentence for "inciting splittism" (separatism). The date she was sentenced is not known. Place of detention: Xinjiang Women's Prison in Urumqi (Xinjiang Number 2 Prison). Honorary member of: Independent Chinese PEN, Uighur PEN.

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). **Honorary member of:** Independent Chinese PEN, Uighur PEN.

HUANG Jinqiu (aka Qingshui Jun)

D.o.b.: 3 September 1974 **Profession:** Internet essayist, writer and journalist. **Date of arrest:** 13 September 2003 **Sentence:** 12 years in prison, reduced by one year and ten months in November 2007, and again by 23 months in November 2009. **Expires:** 12 December 2011 **Details of arrest:** Arrested on 13 September 2003 after returning to China in August 2003 following three years overseas on a scholarship studying journalism at the Central Academy of Art in Malaysia. Well known in the overseas Chinese internet community for his essays published on the Chinese-language news website 'Boxun.com' under the pen-name Qing Shuijun (Mr Clear Water). In early September 2003, Huang Jinqiu visited his parents in Shandong Province; his last article was published on 10 September 2003, entitled 'Me and My Public Security Friends'. **Details of trial:** Huang's trial began on 22 June 2004 at the Changzhou Intermediate People's Court. It is reported that the court was unable to reach a verdict initially because of lack of evidence, but after the case was referred back to the prosecution further evidence was submitted and he was convicted on 27 September 2004 of 'organising, planning and performing subversion of state power by publishing a large number of reactionary articles on the Internet in his capacity as member of the preparatory committee of the China Patriotic Democratic Party'. He was sentenced to twelve years in prison and four-year deprivation of political rights. His sentence was upheld on appeal on 9 December 2004. **Professional details:** Huang Jinqiu trained at the Lu Xun Literature Institute, a leading writing school. His writings have been well-recognised from an early age, and at the age of twenty he published his first book. He has worked as a journalist and editor of several newspapers and magazines since the age of eighteen, including the Guanzhou daily *Yangcheng Wanbao*. His essays have been collected into two publications, one that is non-political and published under his real name, and one collection of political commentaries published for security reasons under his pen-name Qing Shuijun. According to his articles, which he continued to post on Boxun.com throughout his journey across China, he began to be followed by the secret police on 15 August 2003, first in Yunan Province, then in Sichuan and through to Shanghai. **Place of detention:** Pukou Prison, Nanjing City, Jiangsu Province. **Treatment in prison:** It is reported that he is suffering from knee-pain due to a joint injury in 2010. **Previous political imprisonment/problems:** In early 2001, whilst he was overseas, his articles began to attract the attention of the Chinese authorities, which reportedly visited his parents and warned them of their concerns about him. He attracted further attention in January 2003 by announcing on Boxun.com his intention to found a political party, the China Patriot Democracy Party (CPDP). Although his announcement is said to have attracted a lot of interest, it is not thought that the CPDP was ever organised in practice. **Honorary member:** German, American, English and Independent Chinese PEN. (RAN 46/04, 6 October 2004).

KONG Youping and Ning Xianhua

D.o.b.: 1952 (Kong Youping) **Profession:** Internet writers and factory workers. **Date of arrest:** 13 December 2003 **Sentence:** 10 and 8 years in prison respectively. **Expires:** 12 December 2013 and 13 December 2011 respectively. **Details of arrest:** Kong Youping was reportedly arrested 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 the pair are related to growing workers' unrest in Northeast China where many factory workers for failing state enterprises are being laid off and an organised labour movement is struggling to emerge. **Details of trial:** On 16 September 2004 the Shenyang Intermediate People's Court, Liaoning province, north-eastern China, sentenced both on charges of 'subverting state power' to 15 and 12 years in prison respectively. On appeal, their sentences were reduced to 10 and 8 years, respectively. **Place of detention:** Kong Youping is held at Lingyuan City prison, west Liaoning Province. Ning Xianhua is held at Shenyang prison, the capital city of Liaoning Province. **Health concerns:** Kong Youping is said to be suffering from high blood pressure and deteriorating eyesight. **Other information:** Kong Youping is said to be detained far from his home, and his wife is unable to afford to visit him. **Honorary member:** Independent Chinese PEN.

LU Gengsong

D.o.b.: 7 January 1956. **Profession:** Writer and human rights activist. **Date of arrest:** 24 August 2007 **Sentence:** 4 years in prison **Expires:** 23 August 2011 **Details of arrest:** Reportedly arrested in Hangzhou City, Zhejiang Province, on 24 August 2007, following the on-line publication of articles critical of the authorities. His home was searched and his computer and personal files were reportedly confiscated. Lu Gengsong was formally charged on 29 September 2007 with 'inciting subversion of state power', a charge which is often used to silence dissidents. The initial charge of 'illegal possession of state secrets' has been dropped. **Details of trial:** On 5 February 2008 Lu Gengsong was sentenced to four years in prison for 'inciting subversion of state power'. The appeal presented by Lu's defence was rejected on 7 April 2008. **Place of detention:** Xijiao Prison, Hangzhou City, Zhejiang Province, P.R China. **Treatment in prison:** Reportedly held incommunicado, although his wife has been permitted to visit him. His wife reports that since mid-December 2009 Lu's main job has been to keep watch over prison bathrooms at night, leading to a deterioration in his health because he is forced to walk on waste-water soaked floors in the harsh winter cold wearing only thin cloth shoes. Lu also reports that prison guards have attempted to force him to sign a confession, but he has refused. **Professional details:** Lu Gengsong, a history graduate from Zhejiang University, taught at the Zhejiang Higher Professional School of Public Security before being expelled in 1993 because of his pro-democracy activities. He went on to become a freelance writer, and has published several books on political reform, including *A History of Chinese Community Party Corrupt Officials* in 2000. Lu is known for his reporting on human rights violations and his political commentaries published on the Internet. He is also an active member of the banned China Democracy Party (CDP). **Honorary Member:** Independent Chinese PEN Centre. [RAN 37/07 - 3 October 2007; Update #1 to RAN 37/07 - 6 February 2008].

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

LIU Xiaobo

D.o.b: 28 December 1955. **Profession:** Prominent dissident writer, and former President and Board member of the Independent Chinese PEN Centre. Awarded Nobel Peace Prize in 2010. **Date of arrest:** 8 December 2008 **Sentence:** Eleven years in prison. **Expires:** 21 June 2020. **Details of arrest:** Arrested for signing Charter 08, a declaration calling for political reforms and human rights. Held under Residential Surveillance, a form of pre-trial detention, at an undisclosed location in Beijing, until he was formally charged with 'spreading rumours and defaming the government, aimed at subversion of the state and overthrowing the socialism system in recent years' on 23 June 2009. The charge is said to be based on his endorsement of *Charter 08* and over twenty articles published between 2001-2008. **Details of the trial:** On 25 December 2009 Liu was sentenced to eleven years in prison and two years deprivation of political rights on charges of "incitement to subversion of state power. In early February 2010 a Beijing Court rejected his appeal. **Place of detention:** On 1 May 2010 Liu was transferred from a detention centre in Douge Zhuang, Beijing, to the remote Jinzhou Prison in Liaoning. **Other information:** Liu Xiaobo is among a large number of dissidents to have been detained or harassed after issuing an open letter calling on the National People's Congress Standing Committee to ratify the International Covenant of Civil and Political Rights (ICCPR), and launching Charter 08, a declaration calling for political reforms and human rights. These activities formed part of campaigns across China to commemorate the 60th Anniversary of the Universal Declaration of Human Rights (10 December), and the Charter has now been signed by more than 8000 scholars, journalists, freelance writers and activists. Recipient of American PEN 2009 Freedom to Write award and the 2010 Nobel Peace Prize. His wife was unable to travel to Norway to receive the Nobel Prize on his behalf and has been placed under house arrest. Many of his supporters have been arrested or harassed since the prize was announced. **Previous political imprisonment/problems:** Liu Xiaobo first received support from PEN in 1989, when he was one of a group of writers and intellectuals given the label the "Black Hands of Beijing" by the government, and arrested for their part in the Tiananmen Square protests. Liu has since spent a total of five years in prison, including a three year sentence passed in 1996, and has suffered frequent short arrests, harassment and censorship. **Honorary member:** Honorary President of Independent Chinese PEN Centre (ICPC), and Honorary Member of Scottish, German, American, Czech, Sydney, Iceland, English and Portuguese PEN Centres.

LU Zengqi and YAN Qiuyan

Profession: Falun Gong members and Internet writers/publishers. **Date of arrest:** Not known. **Sentence:** 10 years in prison respectively. **Expires:**

2014 **Details of trial:** Sentenced by Court No.1 in Chongqing, western China, on 19 February 2004 to ten years in prison each for writing and publishing respectively an online publication which according to the court verdict "tarnished the image of the government by broadcasting fabricated stories of persecution suffered by cult members". The newsletter alleged the ill treatment in prison of a fellow Falun Gong member.

Abdulghani MEMETEMIN

D.o.b: 1964 **Profession:** Writer, teacher and translator from the Xinjiang Uighur Autonomous Region (XUAR). **Date of arrest:** 26 July 2002 **Sentence:** 9 years' imprisonment. **Expires:** 25 July 2011 **Details of arrest:** Reported in August 2004 to have been detained since July 2002 on charges of "sending secret state information out of the country". Reportedly arrested in Kashgar on 26 July 2002. Since 1999 Memetemin had provided information on a voluntary basis to the East Turkistan Information Centre (ETIC), a Uighur rights and pro-independence group run by exiled Uighurs in Germany and described by China as a terrorist group although the group is not known to have advocated violence. **Details of trial:** Convicted in June 2003 by the Kashgar Intermediate People's Court of "violating state secrets and sending them outside the country". Sentenced to nine years in prison. Charges against him are believed to have included translating state news articles into Chinese from Uighur, forwarding official speeches to the ETIC, which is banned in China, and conducting reporting for the ETIC. Also accused of recruiting other reporters for the ETIC. Said to have been denied legal representation at his trial and to have been denied access to his wife and children since his arrest. Reportedly tortured in detention. **Honorary member of:** German and Independent Chinese PEN Centre (ICPC).

***LIU Xianbin:**

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

LIU Yonggen

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

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

Hailaite NIYAZI (aka Hairat or Gheyret Niyaz)

Profession: Freelance journalist and former editor of the website *Uighur Online* (www.uighurbiz.net). Date of arrest: 1 October 2009 Sentence: 15 years in prison Expires: 30 September 2024 Details of arrest: According to PEN's information, Hailaite Niyazi was taken from his home in Tianshan District, Tacheng Prefecture, Xinjiang Uyghur Autonomous Region (XUAR), on 1 October 2009. It is believed that his arrest stems from critical interviews given to foreign media following the unrest which broke out in Urumqi, the capital of Xinjiang Uyghur Autonomous Region, on 5 July 2009. Details of trial: The prosecution reportedly used as evidence essays written by Niyazi highlighting mounting ethnic tension in the region prior to the riots, and interviews he gave to Hong Kong media after the violence. Niyazi was convicted by the Urumqi Intermediate People's Court on charges of 'endangering national security' on 23 July 2010. He is appealing the sentence. Place of detention: Tianshan Detention Centre, Urumqi, XUAR. Professional details: Hailaite Niyazi, aged 51, is a former reporter and columnist for Xinjiang Economic Daily and Xinjiang Legal News. Until June 2009 he edited and managed uighurbiz.net, the website owned by the academic, writer and Uyghur PEN member Iham Tohti, himself arrested in July 2009 and held for six weeks for allegedly 'promoting separatism'. Honorary member of: Independent Chinese PEN. [Update #1 to RAN 56/09]

Dilishat PAERHAT (aka Dilixiati Paerhati):

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

QI Chonghuai

D.o.b.: 7 February 1965. **Profession:** Journalist. **Date of arrest:** 25 June 2007 **Sentence:** Four years in prison, with an additional eight years added on 9 June 2011. **Expires:** 24 June 2019. **Details of arrest:** Reportedly arrested from his home in Jinan, the capital province of Shandong, eastern

China, on 25 June 2007 following the publication of an article alleging corruption in the Tengzhou Communist Party, which was published in June 2007 on the *Xinhuanet* website. Qi was charged with blackmail and extortion on 2 August 2007 for allegedly accepting bribes from local officials whilst researching the article. Qi was held incommunicado for the first two months of his detention, and claims to have been repeatedly assaulted and threatened by security guards throughout his eleven-month pre-trial detention. The case was turned back to the police in mid-February 2008 for lack of evidence. **Details of trial:** The trial on 13 May 2008 at the People's Court of Tengzhou City, Shandong Province, reportedly did not comply with international standards of fairness. The appeal was rejected without any hearing by the Intermediate People's Court of Zaozhuang City on 24 July 2008. **Update:** On 9 June 2011 Qi was sentenced to a further eight years in prison, two weeks before the end of his four-year sentence for extortion and blackmail. It was widely believed that he has been additionally sentenced for letters smuggled out of prison in 2009 alleging ill-treatment in prison. **Place of detention:** Tengzhou Prison, Tengzhou City, Shandong Province. Reportedly transferred to Zaozhuang prison on 16 June 2009, unclear whether this was a temporary transfer. **Treatment in prison:** Qi has reportedly been subject to repeated severe beatings and ill-treatment by prison guards and fellow in-mates throughout his detention, including one attack in May 2009 which he claims left him unconscious for three days. This particularly harsh treatment at the hands of prison guards appears to be a response to Qi's attempts to report on the appalling prison conditions at Tengzhou. Letters smuggled out of prison document that he has been forced to work over ten hours a day in a coal mine, without adequate food, water or rest, and his health has seriously deteriorated. **Health concerns:** Qi reportedly suffers from a number of ailments resulting from forced labour and poor treatment in prison, including pneumoconiosis, a lung infection caused by inhaling coal dust. He also claims to have suffered permanent injuries to his left thumb, knees and waist, and has difficulties walking. He has also been denied access to his family, leading to heightened concerns for his well-being. **Professional details:** Qi Chonghuai has been a journalist for 13 years before his arrest. From 2004-6, he worked for various publications, including the *Shangdong Zhoukan* (*Shandong Weekly*), the *Renmin Gong'an Bao* (*People's Public Security News*), and the *Zhongguo Anquan Shengchan Bao*. In June 2006, he started work as director of the newspaper *Fazhi Zaobao* (*Legal System Morning News*), which ceased publishing in December 2006 and was reformed with its existing staff as the *Fazhi Ribao* (*Weekend edition of the Legal System Daily*). He has also worked as special correspondent with the *Fazhi Zhoubao* (*Legality Weekly*) and the *Jizhe GuanCha* (*Journalist Observer*), and is known for his reporting on corruption and social injustice in Shandong province. He is said to have been repeatedly warned by the authorities to cease such reporting prior to his arrest. **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. (RAN 10/10 – 23 February 2010)

WANG Xiaoning

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

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

YANG Maodong (aka Guo Feixiong)

D.o.b.: 2 August 1966. **Profession:** Dissident writer, independent publisher and civil rights activist. **Date of arrest:** 14 September 2006. **Sentence:** 5 years in prison. **Expires:** 13 September 2011 **Details of arrest:** Reportedly detained on 14 September 2006 when, according to his wife, police officers searched their home in Guangzhou City, Guangdong Province, Southern China, and took away Yang's computers, cell phone, books, manuscripts and other documents. The following day Yang was reportedly charged with illegal business practices for allegedly publishing and selling 20,000 books using false ISBNs (international standard book number). **Details of trial:** Convicted of 'illegal business activity' and sentenced to five years in prison by the Tianhe District Court in the southern city of Guangzhou on 14 November 2007. He has decided not to appeal his sentence. **Place of detention:** Meizhou Prison, Meizhou City, Guangdong Province, southern China. **Treatment in detention:** There are reports that he is being ill treated in detention. **Health concerns:** Said to be in poor health as a result of ill-treatment in prison. **Previous political imprisonment/problems:** Yang Maodong is known for his critical writings and civil rights activism. He was previously detained on 12 September 2005 and held without charge until December 2005 for his involvement in and reporting of an anti-corruption campaign by villagers in Taishi Village, Guangdong Province. Yang has since been subject to repeated harassment by the authorities. **Professional details:** Yang Maodong is a writer and independent publisher, and his writings include two novels and one collection of short stories. He has also published many essays, poems and articles. **Honorary member of:** Independent Chinese PEN Centre

YANG Tongyan (aka Yang Tianshui)

D.o.b.: 12 April 1961 **Profession:** Dissident writer and member of Independent Chinese PEN Centre (ICPC). **Date of arrest:** 23 December 2005 **Sentence:** 12 years in prison **Expires:** 22 December 2017 **Details of arrest:** Reportedly detained without a warrant on 23 December 2005 in Nanjing. Yang was held incommunicado at Dantu Detention Centre in Zhenjiang, Jiangsu Province, without access to his family until his trial. **Details of trial:** Convicted of subversion for posting anti-government articles on the Internet, organizing branches of the (outlawed) China Democracy Party and accepting illegal funds from overseas. Sentenced by the Zhenjiang intermediate court in eastern China's Jiangsu province at a three-hour trial on 16 May 2006. Yang Tongyan is known for his critical writings published on dissident news websites such as Boxun.com and Epoch Times. **Health concerns:** Yang suffers from a number of illnesses including intestinal tuberculosis, diabetes, kidney inflammation and high blood pressure. His health is reportedly worsening in prison due to lack of medical care, and he has been reportedly hospitalised since mid-September 2009. His family are appealing for medical parole. **Place of detention:** Nanjing Prison, Ningshuang Road 9, Box 1215-12, Nanjing City, Jiangsu Province. **Previous political imprisonment/problems:** He spent a decade in prison from 1990 to 2000 on "counter-revolution" charges

for his involvement in the 1989 pro-democracy protests. He was also previously held incommunicado from 24 December 2004 - 25 January 2005. **Other information:** Recipient of Independent Chinese PEN Centre's 2006 Writer in Prison Award, and the 2008 PEN/Barbara Goldsmith Freedom to Write Award. **Honorary Member of:** PEN Canada, Italian PEN.

Nurehamet YASIN

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

YUAN Xianchen

D.o.b.: 2 November 1964 **Profession:** Human rights activist and dissident writer. **Date of arrest:** 29 May 2008 **Sentence:** Four years in prison. **Expires:** 28 May 2012 **Details of arrest:** Arrested by the Public Security Bureau of Jixi City, Heilongjiang Province, for writing and distributing dissident articles, and giving interviews with overseas media. **Details of trial:** Sentenced on 4 March 2009 by the Intermediate People's Court of Jixi City, to four years in prison and five years of deprivation of political rights, for 'Inciting subversion of State power' under Article 105(2) of the Chinese Criminal Code. Reports say that there were four counts against him: distribution of the article 'Save China, Implement Constitutional Democracy' to attendants at the National People's Congress in Beijing in 2005; giving interviews to the *Epoch Times* and other media; drafting over twenty articles against socialism; and receiving funds from local and overseas organisations. There are allegations that Yuan was ill-treated while in police custody and that a confession obtained in this manner was used at the trial. **Place of detention:** 1st Detention Centre of Jixi City, Heilongjiang Province. **Honorary member of:** Independent Chinese PEN Centre (ICPC).

ZHANG QI

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

ZHENG Yichun

D.o.b.: 27 January 1959 **Profession:** Poet, professor and freelance journalist **Date of arrest:** 3 December 2004 **Sentence:** 7 years in prison **Expires:** 19 December 2011 **Details of arrest:** Zheng Yichun was detained on 3 December 2004 and on 20 December 2004 arrested on a charge in connection with sixty-three articles he had written for foreign-based publications and websites. **Details of trial:** The Yingkou Intermediate People's Court, Liaoning Province, northeast China convicted Zheng Yichun, on 21 July 2005 of 'incitement to subversion of state power' for his critical writings, many of which were posted on-line on overseas websites. He was sentenced on 20 September 2005 to 7 years imprisonment and 3 years deprivation of political rights, and his appeal was rejected on 22 December 2005. **Place of detention:** Jinzhou Prison, Jinzhou City, Liaoning Province. **Health concerns:** Zheng Yichun is a diabetic. It was reported that on 26 May 2008 Yichun suffered cerebral thrombosis, which caused paralysis in part of his face and difficulty in moving his right arm. Zheng was sent to a hospital outside the prison, but was returned after doctors decided that his condition was not serious. Medical facilities in the prison are not able to treat his condition and his relatives are therefore said to be requesting his release on medical parole. **Professional details:** A member of the Korean minority. Has published eight collections of poetry and nearly 200 essays and political articles. Publications to have recently carried his articles include *Da Ji Yuan (Epoch Times)* and websites such as *Boxun* and *Min Zhu Lun Tan (Democracy Forum)*, all of them based abroad. Before his arrest, Zheng was also an English professor at the University of Liaoning. **Honorary member of:** PEN Canada, PEN Flanders and Independent Chinese PEN.

Imprisoned: Investigation

Ablikim ABDIRIYIM: Political activist. Sentenced to nine years in prison on 17 April 2007, on charges of 'posting secessionist articles online'. Abdiriyim is the son of a renowned activist and belongs to the Uighur ethnic minority group. He was reportedly charged with trying to post two articles online, that he had downloaded on the Internet. According to the verdict, 'these articles distorted China's human rights and ethnic policies'. He was arrested in June 2006 and he is being held incommunicado. Chinese official sources name the articles concerned as 'Issues to be aware of and prohibited in Jihad' and 'Struggle toward independence'. Abdiriyim's family reported that during his trial, he was

denied legal representation. Pen International is seeking information that would clarify his position on the use of violence to achieve change. (AI considers him to be a prisoner of conscience).

***CHEN Wei**

D.o.b.: 21 February 1969 **Profession:** Freelance writer and activist. **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 his Internet writing. **Place of detention:** Detention Center of Suining City, Sichuan Province. **Previous political imprisonment/problems:** Chen Wei was the first year student at Beijing University of Technology in 1989 when participating in the pro-democratic movement and was dismissed from the university for his involvement. In 1999, he was sentenced to 5 years imprisonment on "counter-revolutionary" offences for his involvement in the China Liberal Democracy Party. Still detained pending trial as of 30 June 2011.

HADA: Owner of the Mongolian Academic bookstore and founder and editor-in-chief of *The Voice of Southern Mongolia*. Hada completed a fifteen-year prison term for his dissident writings on 10 December 2010 but has apparently not been released. A family source confirmed on 4 May 2011 that Hada's wife and son have also been held since early December 2010, apparently on politically motivated charges. Thought to have been charged on 17 January 2011 but no date has been set for the trial. WiPC seeking further details of the charges. **Previous political imprisonment/problems:** Arrested on 10 December 1995 for founding the Southern Mongolian Democracy Alliance and publishing the underground journal, *The Voice of Southern Mongolia*. Sentenced to 15 years in prison and 4 years deprivation of political rights on charges of "inciting separatism and espionage" on 6 December 1996.

***Tursunjan HEZIM:** D.o.b.: c.1973. Former history teacher and founder of the now closed popular Uyghur history website *Orkhun* (www.orkhun.com). 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. 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. WiPC seeking further information about the charges against him.

LI Tie: Activist and internet writer, aged 48. Reportedly arrested on 15 September 2010 by the Wuhan City Public Security Bureau on suspicion of 'inciting subversion of state power' for his critical articles. The charge was changed to the more serious 'subversion of state power' on 22 October 2010. Li is known for his articles about democracy and constitutional government published online on overseas Chinese language websites such as *Democratic China* and the news portal *Boxun*. He is also a signatory of Charter 08. At a hearing on 18 April 2011 his lawyer was rejected by the court and two court-appointed lawyers were assigned. Held at the No.2 Detention Centre in Wuhan City.

***RAN Yunfei:** Writer and editor of the *Sichuan Literature Magazine*, member of the Independent Chinese PEN Centre (ICPC). 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 25 March 2011, by the Public Security Bureau of Chengdu City, Sichuan Province, on charges of "suspicion of inciting subversion of state power" for his Internet writing. He is currently being held at the Detention Centre of Dujiangyan City, Sichuan Province.

***ZHU Yufu:** Internet writer, founder and editor of the China Democracy Party's magazine, and member of the Independent Chinese PEN Centre. Reportedly detained 5 March 2011 and charged on 10 April 2011 by the Public Security Bureau of Hangzhou City, Zhejiang Province, on suspicion of "inciting subversion of state power" for his critical articles. **Place of detention:** Zhu is currently being held at the Detention Center of Hangzhou City, Zhejiang Province. **Previous political imprisonment/problems:** Zhu Yufu had spent a total of nine years in prison before this latest arrest.

***TANG Cailong (aka Huaxia Pifu)**

D.o.b.: 15 March 1958 **Profession:** Freelance writer and former government official. **Details of arrest:** Detained on 2 September 2010 by officials from the Public Security Bureau of Anyue County, Sichuan Province, for publishing online articles exposing alleged official corruption. On 30 September 2010, he was formally arrested on the charge of 'inciting subversion of State power'. The case was turned back from the prosecution to the police for further investigation due to the lack of evidence. Detained pending trial as of 30 June 2011. **Place of detention:** Detention Center of Anyue County, Sichuan Province. **Honorary member of:** Independent Chinese PEN.

***ZUO Xiaohuan**

D.o.b.: 29 March 1969 **Profession:** Freelance writer, human rights activist and former teacher. **Details of arrest:** Detained by officers from the National Security Bureau of Mianyang City, Sichuan Province on 25 April, 2010 for his civil rights activism and critical reports and articles published on Internet. Also accused of giving critical interviews to the overseas media. Charged on 28 May 2010 with 'suspicion of inciting subversion of the State power'. His case was turned back twice from the prosecution to the police for further investigation due to the lack of evidence since September 2010, though accepted finally by the court. No date for the trial has yet been set and he remains detained pending trial. **Place of detention:** Detention Center of Santai County, Mianyang City, Sichuan Province. **Previous political imprisonment/problems:** From 5 September 2006 to 4 September 2008, he spent two years in a detention center of "reeducation through labor" for "inciting subversion of the state power" for his online writings. As a result, he was dismissed from his post as a teacher and has been unable to find other employment. **Honorary member of:** Independent Chinese PEN.

Brief detention

Since mid-February 2011 police have stepped up their harassment of human rights defenders and activists across the country, apparently in response to anonymous calls for 'Jasmine Revolution' protests. Many have been briefly detained, harassed, summoned or placed under house arrest, including:

***TENG Biao:** Lawyer and writer, member of the Independent Chinese PEN Centre and its Writers in Prison Committee consultant. Reportedly detained on 19 February 2011, and held incommunicado at an undisclosed location until his release on 29 April 2011.

***WEN Tao:** Freelance writer, documentary filmmaker, and former journalist for *The Global Times*, reportedly detained by plainclothes police from the Beijing Public Security Bureau on 3 April 2011, shortly after artist Ai Weiwei was detained. The two are close associates. Wen Tao was released without charge on 24 June 2011.

***ZHANG Jialong:** Internet journalist at *Caijing* magazine. Reportedly disappeared on 28 April 2011 after being 'invited to tea' by Beijing police. Thought to be detained for reporting on recent arrests including that of Ai Weiwei. Released without charge after several days.

Conditional release

WANG Rongqing:

D.o.b.: 9 December 1943 **Profession:** Magazine editor and dissident. **Date of arrest:** 25 June 2008 **Sentence:** Six years in prison. **Expires:** 9 May 2014 **Details of arrest:** Reportedly taken from home in June 2008, but not formally charged until 31 July 2008. Thought to be charged for his membership of the banned China Democracy Party (CDP), for editing a publication called *Opposition Party* and posting articles on the Internet. **Details of trial:** Wang was sentenced to six years in prison on 8 January 2009 by the Hangzhou city Intermediate People's Court in the eastern province of Zhejiang, for 'subversion of state power'. **Place of detention:** Held at Jianggan District Detention Centre in Hangzhou city. **Treatment in prison:** Said to have been denied family visits since his arrest. **Health concerns:** Wang suffers from renal failure and requires haemodialysis three times a week. He has been hospitalised since 10 February 2009, and was diagnosed with kidney failure in March 2009. In November 2009 he was reported to be critically ill. He was released on six months' medical parole on 12 January 2010, which has now been extended indefinitely. His health has reportedly stabilized as the authorities have provided him with medical insurance as well as a minimum living allowance. **Previous political imprisonment/problems:** A veteran pro-democracy activist, Wang has suffered harassment and brief detentions by the authorities since the late 1970's when he joined the Democracy Wall movement. He later became a leader member of the banned CDP, and in 2005 he was detained for six months for organising the CDP in Zhejiang. In 2006 he was arrested for one month for his writings calling for religious freedom.

Released

AI Weiwei: renowned artist and commentator. Arrested on 3 April 2011 at Beijing airport while preparing to board a flight to Hong Kong, where he had been due to participate in artistic exchange activities. Later that day police raided his home and studio, questioned his wife and eight assistants, and confiscated computers. No news was given about his whereabouts or the reason for his arrest until 7 April 2011, when it was reported by the official Chinese News Agency Xinhua that Ai Weiwei was under investigation for suspected involvement in 'economic crimes'. He was freed on bail on 22 June 2011 after two months in detention.

LUO YONGQUAN: Poet and dissident. Arrested on 20 May 2009 and administratively sentenced to two years' Re-education Through Labour (RTL) in June 2009 for publishing 'Anti-Government and Party' poems. Released on 19 April 2011, one month before the expiry of his sentence.

WU Wei (Pen name Ye Du): webmaster and Network Coordinator of the Independent Chinese PEN Centre. Arrested on 22 February 2011 on criminal charges and held under residential surveillance in Fanya, Guangdong Province since 1 March 2011. According to his wife, the police raided his home and confiscated his computers, books and videos and presented an official notice stating that Wu was being accused of "inciting subversion of state power", a charge regularly used to silence writers in China. Re-

leased on 11 June 2011 though remains under strict surveillance.

XU Zerong: Research professor at Zhongshan University, Guangzhou. Arrested on 24 June 2000 and sentenced to 13 years' imprisonment on charges of leaking state secrets and illegal business activities relating to his research on Chinese military operations during the Korean War. Sentence reduced three times by 20 months in total, in 2006, 2008 and 2011. Released on 23 June 2011.

Case closed

CHEN Daojun: Dissident writer and journalist. Arrested on 9 May 2008 and handed down a three-year imprisonment sentence and three years' deprivation of political rights on 11 November 2008 for 'inciting subversion' in three of his articles published in overseas Chinese websites and a Hong Kong-based magazine. Released on 8 May 2011 on expiry of his sentence.

HE Depu: Dissident activist/writer. Arrested on 4 November 2002 and sentenced on 6 November 2003 to eight years in prison on charges of "inciting subversion" for collaborating with the banned Chinese Democratic Party (CDP) and publishing essays on the Internet. Released on 23 February 2011 on expiry of his sentence.

HU Jia: Leading activist and dissident writer. Arrested on 27 December 2007 and sentenced to three and a half years in prison on 3 April 2008 on charges of 'inciting subversion of state power' for his critical online writings and dissident activities. Released on 26 June 2011 on expiry of his sentence.

HUANG Qi: Internet writer, and director and co-founder of the Tianwang Human Rights Centre in Chengdu. Arrested on 10 June 2008 after criticising the Chinese government's handling of the 12 May 2008 earthquake in Sichuan province. Sentenced on 23 November 2009 to a three-year imprisonment term for 'illegal possession of state secrets'. Released on 9 June 2011 on expiry of his sentence.

XU Wei and JIN Haiké: Reporter for *Xiaofei Ribao (Consumer Daily)*, and geologist and writer respectively. Arrested on 13 March 2001 and charged with 'subversion' for their participation in the 'Xin Qingnian Xuehui' (New Youth Study Group), an informal gathering of individuals concerned with political and economic inequalities who used the internet to circulate relevant articles. The charges focussed on two essays entitled 'Be a new citizen, reform China' and 'What's to be done', which allegedly demonstrated the groups' intention to "overthrow the Chinese Communist Party's leadership and the socialist system and subvert the regime of the people's democratic dictatorship". On 28 May 2003 Xu Wei and Jin Haiké were sentenced to ten years in prison. Released on 12 March 2011 on expiry of their sentences.

TIBET AUTONOMOUS REGION (TAR)

Imprisoned: Main cases

DHONKHO (aka Rongke, pen-name: Nyen), BHUDHA (pen-name: Buddha the Destitute) and KHEL SANG 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 Dugri* 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 Dugri* 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 Dugri* in 2008.

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 Gyaltsen was sentenced to thirteen years' imprisonment for leading the protest. Three other monks co-accused with the Gyaltsen 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 Dugri (Eastern Snow Mountain)*. **Date of arrest:** 6 April 2010 **Sentence:** Four years in prison **Expires:** 5 April 2014 **Details of arrest:** Reportedly arrested with fellow student editor DRUKLO (pen-name Shokjang) because of their critical writings and activism. Reports say that about sixteen policemen approached the students' residence at the Northwest National Minorities University, where they seized Rabten and Druklo's books, mobile phones, laptops and course material. Druklo was reportedly released on 8 May 2010. **Details of trial:** Tried behind closed

doors at a court in Aba prefecture on 2 June 2011. Details of the charges against him have not been officially confirmed, although he is thought to be convicted of inciting separatism for a collection of political articles entitled *Written in Blood* on the suppression of the March 2008 protests in Lhasa and surrounding regions. **Treatment in prison:** Said to be held without access to family visits since his arrest, although a delivery of food and clothes were allowed in autumn 2010. Feared to be at risk of torture in detention. **Professional details:** Tashi Rabten edited the banned literary magazine *Shar Dugri (Eastern Snow Mountain)* on the 2008 protests in Tibet, and co-authored a collection of writings on democracy, freedom and equality called *Written in Blood*. Prior to his arrest Tashi Rabten, aged twenty-five, was a student at the Northwest Minorities University in Lanzhou, and had reportedly been under surveillance for some time.

Kunga TSEYANG (aka Gangnyi 'Snow Sun')

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

Imprisoned: investigation

***Joleb DAWA:** Teacher and editor of Tibetan journal *Dhusrab kyi Nga (Century's Self)*. Reportedly arrested on 1 October 2010, in Ngaba county, Aba Tibetan Autonomous Prefecture, Sichuan Province. The exact charges against him are unknown, but it is believed that his arrest is linked to his work on the journal. Thought to remain detained as of 30 June 2011.

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. **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. Thought to remain detained at an unknown location without access to family visits as of 30 June 2011.

***JANGTSE Dhonkho:** Poet, member of the Sichuan Province Writers Association. Reportedly arrested at his home on 21 June 2010 and tried by the Ngaba Intermediate People's Court on 3 October 2010, for "inciting activities to split the nation". Sentenced on 30 December 2010 to four years in prison. Lawyers and family members were reportedly not permitted to speak in court. It is thought that Jangtse Dhonkho may be convicted for his articles on the 2008 Tibetan unrest in the literary magazine *Shar Dugri (Eastern Snow Mountain)*, which is now banned in Tibet (see **DHONKHO, BHUDHA and KHELSANG Jinpa** in 'main cases' above). WiPC seeking further details.

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

***Namsay:** Editor and employee at the Pandita Print Press (PPP) in Chengdu township, Ngaba County, Aba Tibetan Autonomous Prefecture, Sichuan Province. Reportedly arrested some time in 2010 for alleged anti-government postings on his blog and for his work as assistant editor for the Tibetan magazine *Sonming*. Any charges and his whereabouts are unknown. WiPC seeking further details.

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

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

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

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

Conditional release

TAGYAL (pen-name Shogdung)

D.o.b.: c.1964 **Profession:** Writer and staff member at the Qinghai Nationalities Publishing House. **Date of arrest:** 23 April 2010 **Details of arrest:** Arrested following the publication of an open letter, signed by Tagyal and seven other intellectuals, criticizing the government's response to the 14 April 2010 earthquake in the western province of Qinghai. It is believed that he had previously written books aligned to the Chinese's governments policies; however, his most recent book *Namsa Ko Jed (The Separation between Sky and Land)*, which deals with the

crackdown in Tibet of March 2008, is said to be more critical. On 28 May 2010, Tagyal's mother and daughter were summoned to a police station where they were given notice of his formal arrest and the charge against him of 'instigating to split the motherland'. Tagyal was held at Xining Metropolitan Detention Centre No. 1 until he was released on bail on 14 October 2010. His lawyer said that he is in good health. His release was under a form of parole pending trial, which carries restrictions on his movements and activities and does not protect him from being re-arrested. It is not clear whether he still faces charges or trial. [RAN 33/10 – 10 May 2010]

Case closed

Tashi DHONDUP: Singer-song writer. Arrested on 3 December 2009 and sentenced to fifteen months of re-education through labour (RTL) for writing 'subversive' songs. Presumed freed on expiry of sentence in March 2011.

Kirti KYAB: Teacher and deputy-editor of the literary magazine *Shar Dugri* (Eastern Snow), was reportedly detained in March 2010 at the Nationalities Teachers Training College in Barkham County, where he teaches. His arrest is thought to be linked to his participation in the demonstrations of solidarity for the victims of the 2008 protests in Tibet, and because the publication he edits is reportedly critical of the policies of the Chinese government. Case closed for lack of further information. INDIA

Killed

***Umesh RAJPUT:** Reporter with the Hindi daily *Nai Duniya*. Shot dead by two unidentified men in a targeted attack on 23 January 2011 outside his home near Raipur. The two assailants fled the scene on a motorcycle. A note written in red ink was found near the crime scene reportedly stating: "if you don't stop publishing news, you will die". Police are interrogating a female health worker who had apparently threatened to kill Rajput two weeks before his death. He had recently published an article about a man developing an eye infection after an operation.

Killed: investigation

***Jyotirmoy DEY:** Investigations editor for the *Mid Day* newspaper. Reportedly shot dead by four men on motorcycles as he returned home on 11 June 2011. Police say the killing was carried out by a professional gang and have launched an investigation. Dey was a leading crime reporter and had recently reported on an 'oil mafia' which had been pilfering fuel.

Imprisoned: investigation

***Sudhir DHAWLE:** Activist and editor of the bi-monthly Marathi magazine *Vidroh*. Reportedly arrested on 2 January 2011 in Wardha railway station, Maharashtra state, after participating in a literary conference. Charged with sedition (sec 124) and under Secs 17, 20 and 39 of the Unlawful Activities Prevention Act (UAPA). These sections relate to: raising funds for terrorist acts; being a member of a terrorist organisation and providing support to a terrorist organisation. Thought to be targeted for his alleged links to banned Maoist groups. Still thought to be detained as of 30 June 2011. WiPC seeking further details.

A. S. MANY (MANI): Editor of the Tamil weekly *Naveena Netrikkan*, is on trial on charges of criminal defamation, filed by a businessman in October 2009. Many was detained on 25 October 2009 without an arrest order and held at Chennai prison before being released on 27 November 2009. The charges allegedly respond to a piece published in the weekly, two days before Many's arrest, alleging that the businessman was

involved with political corruption. Many was reportedly re-arrested on the orders of the police Commissioner S.R Jangid on 19 July 2010 after publishing an article about police corruption. The court rejected a petition for his release on bail on 10 August 2010. Said to be held on trumped-up charges, including one of attempted murder, and to have been physically and psychologically tortured. No further details as of 30 June 2011.

***Anshin TRIVEDI:** former columnist with Mumbai-based daily *Mid-Day*. Reportedly sentenced on 28 January 2011 to 6 months imprisonment and a fine of \$535 on charges of causing offence to communities disadvantaged by India's traditional caste hierarchy. The sentence stemmed from an article published in 2006 entitled 'Children of a Lesser God' in which Trivedi argued that the alleged poor performance of many of India's institutions of governance was a consequence of the policy of affirmative action, which assured disadvantaged communities representation in the staffing of all these institutions. Thought to remain free on bail. No further information as of 30 June 2011.

Case closed

Laxman CHOUDHURY: Journalist for the newspaper *Sambad* and correspondent for the *Oriya* daily. Arrested on 20 September 2009. Reportedly charged with 'sedition' for alleged possession of Maoist leaflets. However, it is believed that Choudhury's arrest might be linked to his reports on alleged police corruption. On 3 December 2009 Choudhury was released on bail. Case closed for lack of further information.

K.K.SHAHINA (f): reporter with the weekly news magazine *Tehelka*, reportedly had criminal proceedings launched against her after she published a story in the magazine on 4 December 2010 in which she cast doubt on the prosecution of a prominent Islamic cleric and political figure on terrorism charges relating to the 2008 Bengaluru blast case. The report raised questions over the police investigation. Case closed for lack of further information.

INDONESIA

Attacked

***Banjir AMBARITA:** Correspondent for the news website *www.vivanews.com* and the daily newspaper *Jakarta Globe*. Reportedly stabbed on 3 March 2011 by two men who forced him to pull over while he was riding his motorbike. No clear motive for the attack has been identified but it was reported that it could be connected to Ambarita's reporting on an alleged sex scandal involving several police officers in Jayapura.

MALAYSIA

Case closed

Irwan ABDUL RAHMAN (aka 'Hassan Skodeng'): An editor of the *Malay Mail* newspaper's lifestyle section, was charged on 2 September 2010 with publishing false information on his satirical blog. He was accused of publishing online content deemed "obscene, indecent, false, menacing or offensive in character with malicious intent". Irwan pleaded not guilty. Charges dropped in March 2011, case closed.

MALDIVES

Harassed

***Ismail NASEER and Ahmed HAMDHOON:** Researchers and writers for the Dhivehi-language edition of the daily *Haveeru*. Reportedly summoned on 1 March 2011 and interrogated by police about their

sources for an article reporting an alleged a pornographic video racket operating in parts of the country. The local police obtained on 24 February 2011 a warrant to search the offices of the newspaper. The offices were not searched but instead, the two journalists were interrogated.

MONGOLIA

On trial

***B. TSOOJCHULUUNTSETSEG (f):** Journalist and investigative department editor of the daily newspaper *Ogloomii Shuudan* (Morning Post). A criminal defamation case was brought against her on 13 January 2011 by the General Prosecutor after she published a series of articles in December 2010 entitled “Billionaires Who Swindle Banks”. The articles focused on individuals who have allegedly taken out large bank loans and are not making repayment. No further information as of 30 June 2011.

MYANMAR (BURMA)

Imprisoned: Main cases

AUNG Than, Zeya AUNG, MAUNG Maung Oo and SEIN Hliang

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

***MAUNG MAUNG Zeya**

D.o.b.: c.1954 **Profession:** Poet, writer and political activist. Also worked as a video journalist for the Oslo-based Democratic Voice of Burma (DVB). **Date of arrest:** 10 April 2010 **Sentence:** 13 years in prison **Expires:** 9 April 2023 **Details of arrest:** Reportedly arrested at his home in Rangoon, days after his son, also a DVB video journalist, had been arrested for taking photos of the water festival bombings in Rangoon. His son had reportedly confessed to his father being a reporter for the DVB under duress. Charged for leading a team of DVB journalists inside Burma. **Details of trial:** His trial began on 22 June 2010 at Western

Rangoon’s Provincial Court and he was sentenced in a trial held within Insein prison on 6 February 2011 to five years in jail under the Unlawful Associations Act, one year under the Immigration Act for allegedly crossing the Thai-Burmese border illegally, and seven years under the Electronics Act. **Professional details:** A famous poet, one of the first to write prose-poems. Has published his poems and articles in a number of Burmese magazines and journals. Also a well-known painter.

MAUNG Thura (aka Zargana*)

D.o.b.: 27 January 1961 **Profession:** Leading comedian, poet and opposition activist. **Date of arrest:** 4 June 2008. **Sentence:** 59 years in prison, reduced to 35 years. **Expires:** 3 June 2043 **Details of arrest:** Arrested for leading a private relief effort to deliver aid to victims of Cyclone Nargis which struck on 2 May 2008. The Asian Human Rights Commission reported that Zargana had given interviews to overseas radio stations and other media about his work and the needs of the people, and that he had ridiculed state media reports about the effect of the cyclone. **Details of trial:** On 14 August 2008 Zargana and journalist Zaw Thet Htwe (see below) appeared at a hearing held at the Rangoon West District Court within the Insein prison precincts, where both were charged. Zargana was charged with seven offences, including under sections 505(b) and 295 of the Criminal Code, section 17(2) of the Unlawful Associations Act, sections 32(b)/36 of the Video Act and sections 33(a)/38 of the Electronic Act. On 21 November 2008 Zargana was handed down a forty-five year prison sentence for violating the Electronics Act. Days later, on 27 November, he was given a further fourteen-year prison sentence for offences under four sections on the criminal code 17/2, 32(b), 295(a), for his peaceful opposition activities. Zargana was to serve a total of 59-year prison term, but on 13 February 2009 the Rangoon Division Court reduced this term by 24 years to 35 years. His family will appeal against the conviction. **Place of detention:** Zargana was initially detained in Insein Prison, but on 4 December 2008 he was transferred to the remote Myitkyina prison, in the northern state of Kachin. **Previous political imprisonment/problems:** Zargana is Burma’s leading comedian, popular for his political satires. He spent several years in prison in the early 1990s for his opposition activities. During that time he was taken up as a main case by the Writers in Prison Committee of PEN International. Zargana, whose pseudonym means ‘tweezers’ and refers to his years spent training as a dentist, was first arrested in October 1988 after making fun of the government, but freed six months later. However, on 19 May 1990, he impersonated General Saw Maung, former head of the military government, to a crowd of thousands at the Yankin Teacher’s Training College Stadium in Rangoon. He was arrested shortly afterwards, and sentenced to five years in prison. He was held in solitary confinement in a tiny cell in Rangoon’s Insein Prison, where he began writing poetry. One of his prison poems was published in the PEN International anthology *This Prison Where I Live*. After his release from prison in March 1994, Zargana was banned from performing in public, but continued to make tapes and videos which were strictly censored by the authorities. In May 1996, after speaking out against censorship to a foreign journalist, he was banned from performing his work altogether, and stripped of his freedom to write and publish. On 25 September 2007 he was arrested for his support to the monks demonstrating in the capital, Rangoon. He was released on 18 October 2007. **Treatment in prison:** Zargana has been denied full family visiting rights. **Other information:** On 22 October 2008 PEN Canada presented the ‘2008 One Humanity Award’ to Zargana in absentia. He was also awarded the ‘Imprisoned Artist Prize’, as part of Artventure’s Freedom to Create Prize, on 26 November 2008. Recipient

of the 2009 PEN/Pinter Prize by English PEN. **Honorary member of:** English, German, Canadian, Swiss-Italian, Sydney, American, Scottish and Danish PEN. (RAN 31/08 – 9 June 2008; Update #1 – 20 August 2008; Update #2 – 21 November 2008; Update #3 – 28 November 2008; Update #4 – 18 February 2009; Update #5 – 28 April 2009)

NAY Phone Latt

Profession: Blogger and poet. **Date of arrest:** 29 January 2008 **Sentence:** Twenty years and six months in prison, reduced on appeal to twelve years. **Expires:** 28 January 2020 **Details of arrest:** Nay Phone Latt was arrested in Rangoon on 29 January 2008, under section 5 (J) of the 1950 Emergency Provision Act, which criminalizes any attempt to “disrupt morality” or to “disrupt security, stability or the restoration of order.” Arrested for critical writings published in his blog (<http://www.nayphonelatt.net/>). **Details of trial:** On 10 November 2008, he was sentenced by a specially-assembled court to a combined 20 years and six months in prison under the Criminal Code, the Video Act, and the Electronics Act for his blog and for owning a copy of a banned DVD. The court, formed to prosecute political dissidents within prison walls, was closed to the public, and Nay Phone Latt’s mother was banned from attending the hearing. Nay Phone Latt was not allowed legal representation after his lawyer was sentenced to prison time for contempt while protesting unfair hearings. On 20 February 2009, a court in Rangoon reduced Nay Phone Latt’s sentence by eight and a half years, leaving him to serve 12 years in prison. **Place of detention:** He is currently being held in Pa-an Prison in Karen state, 135 miles from his home in Rangoon, making it difficult for his family to visit. **Health concerns:** Said to be in poor health and to be denied medical treatment in prison. **Other information:** Recipient of the American PEN Freedom to Write Award 2010. Has continued to write poems in prison. **Honorary member of:** American PEN.

WIN Maw

D.o.b.: 1962 **Profession:** Musician **Date of arrest:** 27 November 2007 **Sentence:** 6 years in prison **Expires:** 26 November 2013 **Details of arrest:** According to PEN’s information, Win Maw was arrested on 27 November 2007 in a Rangoon teashop and charged under article 5 (j) of the penal code with ‘threatening national security’ after sending news reports and video footage to the Norway-based Democratic Voice of Burma radio station during the protests in August and September 2007. **Details of trial:** On 11 November 2008 it was reported that Win Maw had been sentenced to six years imprisonment for ‘sending false news abroad’. Tried at a special court held inside Insein jail. **Place of detention:** Following the trial he was transferred to Mandalay prison. **Health concerns:** It was reported on 7 May 2008 that Win Maw had been transferred to the prison hospital. He is said to have suffered suspected collapsed lungs as a result of ‘water torture’, and to have now contracted pneumonia. His family have been denied access to him for over three weeks, and there are grave concerns for his welfare. **Professional details:** Win Maw is lead guitarist in the music group Shwe Thansin, which was one of the top bands in Burma in the 1990’s. In February 2011 three new songs by Win Maw were smuggled out of prison: <http://freemuse.org/sw40483.asp> **Previous political imprisonment/problems:** He was previously imprisoned from 1997-2003 for writing songs in support of Aung San Suu Kyi, leader of the opposition National League for Democracy (NLD). (RAN 26/08 – 15 May 2008).

Zaw Thet HTWE

Profession: Journalist. **Date of arrest:** 13 June 2008. **Sentence:** 19

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

Imprisoned: investigation

MIN Ko Naing (aka Paw Oo Htun)

D.o.b.: 17 October 1963 **Profession:** Poet and political activist. **Date of arrest:** 21 August 2007 **Sentence:** Sixty-five years in prison **Expires:** 20 August 2058 **Details of arrest:** Arrested at midnight on 21 August 2007 with thirteen other leading political activists for organising peaceful protests against food prices in mid-August 2007. These protests led to widespread peaceful anti-government protests led by Buddhist monks which began on 18 September 2007 known as the ‘Saffron Revolution’, and were violently suppressed by the military authorities on 26 September 2007. **Details of trial:** Sentenced with twenty others on 11 November 2008 to sixty-five years in prison for his role in organizing the August 2007 demonstrations. **Place of detention:** Kengtung prison, Shan State. **Treatment in prison:** Held in solitary confinement. **Health concerns:** Said to be in poor health as a result of torture and ill-treatment suffered during his previous imprisonment. **Previous political imprisonment/problems:** Previously arrested in March 1989 and sentenced to twenty years in prison under section 5 (j) of the 1950 Emergency Provisions Act on charges of allegedly instigating ‘disturbances to the detriment of law and order, peace and tranquility’. Charged for his role in organizing the All Burma Federation of Student Unions (ABFSU), a nationwide student union which opposed military rule and led to the 1988 uprising. Released under amnesty on 19 November 2004 after fifteen years in prison. Re-arrested in late September 2006 with four other student leaders for activities allegedly threatening ‘internal commotion, instability and terrorism’ and held until 11 January 2007 when he was released without charge. **Other information:** As a student at the Rangoon Arts and Science University he began writing poetry and was a member of a performance troupe called ‘Goat-Mouth and Spirit Eye’ which performed satirical plays and comic political sketches. This case was not initially taken up by

PEN as he was not known to be a writer, PEN seeking further information about his poetry.

Nyi Nyi TUN:

Profession: Editor-in-chief of the *Kandawaddy* news journal. **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 upon suspicion of having connections with a series of blasts that rocked Rangoon in October 2009. There weren't any witnesses in the case and there was no evidence against him. Following his arrest the journal was closed. **Details of trial:** Reportedly sentenced to 13 years in prison on 13 October 2010 by the Seikkan Township Special Court based in Insein Prison. He was found guilty of violating section 17 (1) of the Unlawful Associations Act, section 13(1) of the Immigration Emergency Provisions Act, section 505 (b) of the Penal Code and section 6 (1) of the Wireless Act. After the sentence, he told family that he was tortured during interrogation. He is appealing the sentence. WiPC seeking further information about the charges against him and the reason for his arrest.

NEPAL

Death threat

- ***Shree Ram RAYAMAJHI:** Deputy editor of the daily newspaper *Janapratibimba*. Reportedly received a death threat by an unknown caller on 25 January 2011.
- ***Arjun JAMNELI and Bibek BHATTARAI:** Correspondent for the daily *Aujar* and the daily *Janabidroha* respectively. Reportedly received telephone death threats on 6 February 2011 in relation to their investigative reporting on the work of an illegal mining operation. Rai has been given police protection while Bhattarai is in hiding.
- ***Bishwanath THAKUR:** Editor-in-chief of the daily *Madhesh Post*. Reportedly received a telephone death threat on 29 January 2011 following the publication of a report about a recent cabinet reshuffle.

Attacked

- ***Pani DEVKOTA, Sher BAHADUR KC, Binod POUDEL, Rajesh ACHARYA, Laxman SAPKOTA, Chet Kumar BHATTARAI and Sridhar SUBEDI:** Journalists. Reportedly attacked on 23 April 2011 by police officers whilst they were covering a story on vandalism and arson in Nepalgunj, a mid-western city in the southern plain of Nepal. The journalists suffered injuries as a result of the attack.

PAKISTAN

Killing

- ***Syed Saleem SHAHZAD:** Bureau Chief of the *Asia Times Online* and author of the newly published *Inside Al-Qaeda and the Taliban: Beyond Bin Laden and 9/11*. Disappeared on 29 May 2011, two days after writing an article for the *Asia Times Online* suggesting complicity between Al-Qaeda and the Pakistani Navy. His body was found on 31 May 2011 in Sarai Alamgir, 150 kilometres southeast of Islamabad, bearing signs of torture. Early reports suggested that Shahzad was arrested and killed by the Pakistani's Directorate for Inter-Services Intelligence (ISI). According to reports, Shahzad had recently complained about being threatened by Pakistan's Inter-Services Intelligence (ISI) agency. The Pakistani government have ordered an investigation.

Killing: Motive Unknown

- ***Zaman IBRAHIM:** Crime reporter for the *Daily Extra News*. Reportedly shot dead on 5 April 2011 by two men on a motorcycle. He had worked for several small local Urdu papers in the last few years and he was involved with a local group called the People's Aman Committee which is the ruling Pakistan Peoples Party's militant wing. The group is known for its violent tactics. The police told reporters that they are investigating the killing and that he appeared to have been killed because of an internal dispute.
- ***Ilyas NAZAR:** journalist with the Baloch-language magazine *Darwanth*. Reportedly found dead on 5 January 2011 in Pidarak, Blochistan, after being abducted on 28 December 2010 while travelling from Balochistan's capital, Quetta, to his home in Turbat. He suffered gunshots and wounds to the head and chest, a hallmark of many of the recent killings in the region. The motive for the murder is unclear.

Death threat

- ***Sherry REHMAN (f):** Writer, journalist and politician. National Assembly member and editor-in-chief of the news magazine *The Herald*. Reportedly received death threats on 13 February 2011 for her writing about the blasphemy law. Rehman is known for her commenting about the blasphemy law and other social issues in Pakistan. Believed to be targeted for her role in introducing the blasphemy Bill in the National Assembly. Media reports mentioned that extra police officers were dispatched to guard Rehman's home in Karachi.

Brief detention

- ***Muhammad Rafique BALOUCH:** Reporter for the Urdu-language daily *Ummat* and Vice President of the Karachi Union of Journalists (KUJ). Reportedly abducted on 21 March 2011 by four unidentified people in plain clothes in Karachi, capital of Sindh province, who blindfolded him and drove him away for interrogation about his work. Freed after four hours. Balouch was kept blindfolded during the entire ordeal.

Case closed

Abdur Rahim MUSLIM DOST: Afghan national, poet and magazine editor. Dost spent almost three years in US detention at Guantanamo Bay after being arrested with his younger brother in November 2001 by the Peshawar authorities then handed over to the US in February 2002. He was eventually released without charge on 20 April 2005 and returned to Pakistan. On 29 September 2006 he was again arrested in Peshawar by officers of the police Crime Investigation Department and an intelligence agency. Dost filed a habeas corpus petition on 5 October 2006 in the Peshawar High Court and the court subsequently requested information on his whereabouts from the federal and provincial authorities. He has reportedly still not been charged with a criminal offence and has not been brought before a magistrate. It is thought his arrest may be linked to a book he had written about his experiences as a detainee in Guantanamo Bay. WiPC recently learned that Dost had been released from Peshawar Central Jail in May 2008 as part of a prisoner swap between the Pakistan government and the Taliban. Case closed.

PHILIPPINES

Killed – official investigation ongoing

Nestor BEDOLIDO: Journalist for the weekly newspaper *The Kastigador*. Shot dead by unidentified men in Digos city, southern Philippines, on 19

June 2010. Bedolido, aged 50, was shot six times while buying cigarettes. The journalist reportedly wrote a number of exposés on some politicians during the presidential elections held in May 2010. The authorities are investigating the case. **Update:** an alleged gunman involved in the killing of Bedolido surrendered on 6 October 2010. Voltair Boyet Mirafuentes came to Manila together with his lawyer and surrendered to the National Police and subsequently to the Department of Justice. In his sworn statement on 6 October 2010, Mirafuentes alleged that he was coerced by the town mayor to kill Bedolido. The mayor has allegedly told him that Bedolido caused Mirafuentes parents' death.

On trial

***Edgardo MALIZA:** Correspondent for the Mindano-based newspaper *Gold Star Daily*. Reportedly arrested on 4 March 2011 from his home at Cagayan de Oro city on criminal defamation charges for allegedly maligning former Department of Environment and Natural Resources (DENR) regional director Ernesto Adobo in two articles published in *Azilam Review* in 2009. The case was filed in March 2010 when Maliza was the editor of *Azilam Review*. The articles were published in July and September 2009, and reported on the alleged failure of Adobo to take action on anomalous transactions in the DENR regional office. Maliza was released on bail of \$230 in the same day.

SINGAPORE

Released

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

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 as of 30 June 2011. He was last seen leaving his office on the evening of 24 January 2010, and it is widely believed that he was abducted by pro-government forces and subsequently killed. Government sources have denied the allegation. Ekanaliyagoda is a leading columnist, and reportedly published articles in favour of the defeated opposition candidate General Sarath Fonseka ahead of the Sri Lankan presidential elections that took place on 26 January. The *Lanka eNews* website was reportedly blocked during the elections, and its offices were searched by unidentified individuals on 28 January 2010. Previously, on 27 August 2009, Ekanaliyagoda had been abducted and held blindfolded overnight, and was released after being told that he was not the correct target. Family and colleagues have expressed increasing concern that the authorities have done very little to investigate Pregeeth Ekanaliyagoda's disappearance, and they fear for his safety. (RAN 09/10 - 26 February 2010)

Brief detention

***Shantha WIJEYSOORIA:** Journalist with the independent news website *Lanka eNews*. Reportedly arrested on 25 April 2011 at the website's Colombo offices on contempt of court charges over an article critical of a local magistrate. The article was published on the website on 19 April 2011. In spite of an apology issued by the website, Wijeysooria was remanded into custody until 12 May 2011. He was then freed and the charges dropped. *Lanka eNews* has been closed down in Sri Lanka, and now operates from the UK.

THAILAND

On trial

Chiranuch PREMCHAIPORN (f): Editor of the independent website *Prachatai*. Reportedly arrested on 6 March 2009, and charged with violations of the Computer Crimes Act, allegedly because the content of the website endangered national security. The website is said to publish issues that Thai newspapers refuse to report. It is said that in the last few months there have been requests from the authorities, mainly the military, to remove from the website comments regarding the monarchy and the military. Days after her arrest, Premchaiporn was freed on bail. On 7 April 2009, the journalist was summoned by the Royal Thai Police headquarters for further investigation. On the basis of the information she gave to the authorities, the police reportedly laid nine new charges against her under the Computer Crimes Law, and she could face up to fifty years in prison if found guilty. Reportedly re-arrested on 24 September 2010 at the Suvarnabhumi International Airport in Bangkok as she was about to attend a conference on internet censorship in Hungary. She remains free on bail and the trial is ongoing as of 30 June 2011, the next hearing is scheduled for 1 September 2011.

VIETNAM

Killed: investigation

***Le Hoang HUNG:** Reporter with the *Nguoi Lao Dong* newspaper. Reportedly died on 30 January 2011 after being attacked on 19 January 2011 by an unknown assailant who doused him in chemicals and set him ablaze whilst he slept. He suffered severe burns and died ten days later in hospital. His wife initially told reporters that Hung had received death threat text messages on his mobile phone from unknown numbers before the attack, although she was later arrested on suspicion of his murder. Hung was known for his reporting on official corruption and smuggling rackets in the country's southern Mekong Delta region.

Imprisoned: Main cases

***CU Huy Ha VU:**

Profession: Dissident writer and activist. **Date of arrest:** 5 November 2010 **Sentence:** 7 years in prison **Expires:** 4 November 2017 **Details of arrest:** Arrested after publishing critical articles online and giving interviews to foreign media. **Details of trial:** Sentenced by a court in Ha Noi city on 4 April 2011 to a seven-year jail sentence and three years' probationary detention for "conducting propaganda against the state". His trial reportedly did not comply with international standards of fairness. **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.

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.

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, Phuong 13, Quan 10, Ho Chi Minh city, Viet Nam. **Other information:** Le Cong Dinh has been working as a lawyer defending journalists, human rights activists and internet writers prosecuted in Vietnam 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 Vietnamese websites such as the "Vietnam Democracy Movement", "Vietnam Reform", "New Horizon", "Thorough Discussion", and "Democratic Freedom", which Vietnamese authorities view as "subversive". According to Reporters Without Borders, sources said that Le Cong Dinh's arrest might be related to a libel case brought by several lawyers against the Vietnamese Prime Minister Nguyen Tan Dung. Reportedly denied access to family visits since his arrest. (RAN 25/09 – 16 June 2009)

LE Thang Long

D.o.b.: 1968 **Profession:** Businessman and Internet writer **Date of arrest:** 4 June 2009 **Sentence:** Three and a half years in prison and three years of probationary detention **Expires:** 3 December 2012 **Details of the arrest:** Reportedly arrested by the Security Agency and was originally charged with 'Conducting propaganda against the Socialist Republic of Viet Nam' under Article 88 of the Criminal Code. **Details of the trial:** Le was tried and sentenced on 17 January 2010, for 'carrying out activities

aimed at overthrowing the people's administration' under article 79 of the Criminal Code. Said to be charged for his dissident writings and activities. His initial sentence of five years was reduced by the Appeal People's Court of Ho Chi Minh City. **Professional details:** Le is said to be an Internet writer and the founder of the website Improving and Promoting Vietnam. Amongst other positions, he is president of the Club of Business Professionals for the Promotion of Vietnam, and founder of various organisations. **Place of detention:** Labour camp Z30A K1, Xuân Lộc, Đồng Nai, Việt Nam.

NGUYỄN Phong and NGUYỄN Binh Thanh

D.o.b. 1975 and 1955 respectively. **Profession:** Human rights activists and dissidents, co-founders of the Viet Nam Progressive Party and co-editors' associates of *Tu Do Ngon Luan* (Freedom of Speech) underground online magazine. **Date of arrest:** 29 March 2007. **Sentence:** Six years and five years in prison, followed by three years and two years of probationary detention respectively. **Expires:** 29 March 2013 and 2012 respectively. **Details of arrest:** Both were arrested 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 and Nguyen Binh Thanh to 6 years and 5 years in prison, followed by 3 years and 2 years' probationary detention respectively for 'Conducting propaganda against the Socialist Republic of Viet Nam' 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:** Nguyen Phong is detained at Labour camp # 5, Yen Dinh, Thanh Hoa, Việt Nam and Nguyen Binh Thanh is detained at Labour camp Z30A, Xuan Loc, Dong Nai, Viet Nam.

NGÔ Quỳnh:

D.o.b.: c. 1984 **Profession:** Student and dissident writer, author of online dissenting articles, including 'Viet Nam needs to compile a new History-book' and 'Journey to Lang Son's Dairy', published on overseas websites. **Date of arrest:** 10 September 2008 **Sentence:** 3 years in prison and 3 years' probationary detention. **Expires:** 9 September 2011 **Details of arrest:** Arrested as part of a crackdown on dissent in the autumn of 2008. **Details of trial:** Convicted under Article 88 of the criminal code of 'conducting propaganda against the Socialist Republic of Vietnam' in October 2009. Sentence upheld on appeal on 21 January 2010. **Place of detention:** Labour camp Nam Hà, Kim Bang, Hà Nam, Việt Nam. (RAN 47/08 - 23 September 2008, update 1 – 9 April 2009).

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

D.o.b.: 1952. **Profession:** Independent journalist and blogger **Date of arrest:** 19 April 2008. **Details of arrest:** Reportedly arrested for 'tax fraud' in Dalat city, south of the country, after he participated in protests against the police in Ho Chi Minh City, earlier in 2008. There are reports that he had been closely watched by the police and threatened with death prior to his arrest. **Sentence:** Two and a half years in prison. **Expires:** 18 October 2010 but he has not been released. **Details of trial:** Sentenced on 10 September 2008 to two and a half years-imprisonment by the Vietnamese People's Court at Ho Chi Minh city for alleged tax fraud, although he is widely believed to be targeted for his criticism of Vietnamese government policy. He is known for his internet postings calling for greater democracy and human rights in Vietnam and his

participation in protests against Chinese foreign policy. Dieu Cay was one of the founding members of the Free Journalist Network in Viet Nam (Cau Lac Bo Nha Bao Tu Do) in 2006. **Place of detention:** Reportedly transferred from Camp Z30A, Xuân Lộc, Đồng Nai to Public security detention camp, 4 Phan Dang Luu, Phuong 14, Binh Thanh, Ho Chi Minh city, Việt Nam on 18 October 2010. **New information:** Nguyen Van Hai should have been released on 20 October 2010 on completion of his sentence. However, he has reportedly been transferred to a Public Security detention camp in Ho Chi Minh city on 18 October 2010, apparently on charges of ‘Conducting propaganda against the Socialist Republic of Viet Nam’ under Article 88 of the Criminal Code. The charges are said to be based on his online writings for the Free Journalist Network in Viet Nam before he was arbitrarily arrested in April 2008. Still detained without trial as of 30 June 2011. **Treatment in prison:** Held incommunicado, without access to family visits, letters or medical and food supplies since 18 October 2010. Concerns for his welfare are mounting. Recipient of the 2009 Hellman Hammet Award. (RAN 47/08 Update #1 – 9 April 2009)

NGUYEN Manh Son

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

NGUYỄN Tiên Trung

D.o.b.: 1983. **Profession:** Dissident writer and poet. **Date of arrest:** 7 July 2009. **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 Viet Nam’ under Article 88 of the Criminal Code. **Sentence:** Seven years in prison and three years’ probationary detention **Details of trial:** Sentenced on 20 January 2010 for endangering national security and “organizing campaigns in collusion with foreign-based reactionary groups aimed at overthrowing the people’s government with the Internet’s help”. Believed to be charged for his online writings on the issues of freedom of opinion, religion and media, and alleged official corruption. He is known for several open letters and petitions to communist party leaders and government. His letters, essays and poems have been published online and relayed by many forums in and outside Viet Nam. He has also given many interviews to overseas media including BBC, RFA, New Horizon Radio, Paltalk. **Place of detention :** Public security detention camp, 4 Phan Dang Luu, Phuong 14, Binh Thanh, Ho Chi Minh city, Việt Nam. [RAN 49/09 - 15 September 2009].

NGUYEN Van Tinh

D.o.b: 1943 **Profession:** Co-editor of the underground review *To Quoc (The Nation)*. **Date of arrest:** September 2008 **Sentence:** 3 years and six months in prison and 3 years’ probationary detention. **Expires:** December 2011 **Details of arrest:** Arrested for online articles and essays published

between November 2006 and September 2008. Released in January 2009 but re-arrested on 8 May 2009. **Details of trial:** Sentenced on 9 October 2009 by the Hanoi People’s Court under Article 88 of the Penal Code for ‘Conducting propaganda against the Socialist Republic of Vietnam’. Amongst dozens of activists to have been arrested since September 2008 as part of an ongoing crackdown on peaceful dissent. Sentence upheld on appeal on 21 January 2010. **Place of detention:** Labour camp Nam Hà, Kim Bang, Hà Nam, Việt Nam.

NGUYEN Van Tuc

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

NGUYEN Xuan Nghia

Profession: Poet, journalist and novelist, member of the Hai Phong Association of writers and founding member of the banned democracy movement known as Block 8406, author of several online poems and articles, a recipient of the 2008 Hellman Hammet Award for Free Expression. **Date of arrest:** 11 September 2008 **Sentence:** Six years in prison and 3 years’ probationary detention. **Expires:** 10 September 2014 **Details of arrest:** According to PEN’s information, dissident writer Nguyen Xuan Nghia was arrested and charged with conducting anti-government propaganda under article 88 of Vietnam’s penal code for his pro-democracy writings and activities, in particular for being a leading member of the banned pro-democracy group Block 8406. Other members of the group were also arrested and sentenced. The indictment dated 3 July 2009 cited fifty-seven pieces written by Nguyen Xuan Nghia from 2007 until his arrest in 2008, including poetry, literature, short stories and articles, which allegedly sought to “insult the Communist Party of Vietnam, distort the situation of the country, slander and disgrace the country’s leaders, demand a pluralistic and multiparty system ... and incite and attract other people into the opposition movement.” He is amongst dozens of activists to have been arrested since September 2008 as part of an ongoing crackdown on peaceful dissent. **Details of trial:** Tried and convicted by the Hanoi People’s Court on 9 October 2009. His conviction was upheld on 21 January 2010. **Place of detention:** Labour camp Nam Hà, Kim Bang, Hà Nam, Việt Nam. **Treatment in prison:** According to Nghia’s wife, he has been banned from family visits since June 2010. Said to be held in solitary confinement. **Health concerns:** Reportedly suffering from a number of health complaints. **Honorary member of:** American PEN. [RAN 47/08 - 23 September 2008, update 1 – 9 April 2009]

PHAM Thanh Nghien (f)

Profession: Internet writer and independent journalist. **Date of arrest:** 18 September 2008 **Sentence:** 4 years in prison and 3 years’ probationary detention. **Expires:** 17 September 2012 **Details of arrest:** Arrested on 11 September 2008, released later that day but remained under residential

surveillance until her re-arrest on 18 September 2008. Held under Article 88 of the Criminal Code on charges of 'propaganda against the state'. **Details of trial:** Tried by the Hai Phong People's Court on 29 January 2010 and sentenced under Article 88 of the Penal Code. There was no appeal. **Treatment in prison:** Pham Thanh Nghien's family was not able to visit her for many months after her arrest. **Health concerns:** Her family is seriously concerned for her health. **Place of detention:** Labour camp 5 Lam Son, Yên Định, Thanh Hoa, Việt Nam. **Other information:** Recipient of the 2009 Hellman Hammet Award. [RAN 47/08 - 23 September 2008; Update #1 - 9 April 2009]

PHAM Van Troi

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

TRẦN Anh Kim

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

TRAN Duc Thach:

D.o.b.: 1952. **Profession:** Poet and Internet writer, member of the Association of Writers of Nghe An province. **Date of arrest:** 12 September 2008. **Sentence:** 3 years in prison and 3 years' probationary detention. **Expires:** 11 September 2011 **Details of arrest:** Briefly arrested on 10 September 2008, released the same day but re-arrested on 12 September 2008. His whereabouts were unknown until 2 April 2009 when it was reported that Trần Duc Thach was held at detention camp no.3, Hà Đông district, about 11km west of Hanoi. 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 on the charge of 'propaganda against the Socialist Republic of Viet Nam' according to Article 88 of Viet Nam's Penal Code by the Hanoi People's Court on 6 October 2009. His sentence was upheld on appeal on 18 January 2010. **Health concerns:** His health has reportedly been very poor after a hunger strike in detention. **Place of detention:** Labour camp Nam Hà, Kim Bang, Hà Nam, Việt Nam. **Other information:** Recipient of the 2010 Hellman Hammet Award.

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

D.o.b.: 1966 **Profession:** Businessman and Internet writer **Date of arrest:** 24 May 2009 **Sentence:** Sixteen years in prison and three years of probationary detention. **Expires:** 23 May 2025 **Details of the arrest:** Reportedly arrested at his home by the Security Agency and was originally charged with 'Conducting propaganda against the Socialist Republic of Viet Nam' under Article 88 of the Criminal Code. There are reports that in August 2009, Tran was compelled to make a public confession. **Details 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, Xuân Lộc, Đồng Nai, Việt Nam.

TRAN Quoc Hien

D.o.b: 1965. **Profession:** Internet writer and human rights lawyer. **Date of arrest:** 12 January 2007. **Sentence:** Five years in prison, followed by two years probationary detention. **Expires:** January 2012. **Details of arrest:** Reportedly arrested on 12 January 2007, the day after being nominated as the spokesperson for the Workers-Farmers Organisation (UWFO), an organisation which represents workers and farmers' rights and which is not recognised by the government. He was charged with 'spreading anti-government propaganda' on the Internet and 'endangering state security'. **Details of trial:** He was found guilty of both charges by a court in Ho Chi Minh City on 15 May 2007, following a trial that reportedly only lasted four hours. **Place of detention:** Detention Camp Bô La 1, Bình Duong Province, Viet Nam. **Professional details:** Tran Quoc Hien is known for his critical writings published on the Internet, including a short story 'The Tail' about the experience of life under surveillance. He is a member of the pro-democracy movement 'Bloc 8406'. He is also a human rights lawyer, known for his work defending farmers whose land has been confiscated by local authorities. He had reportedly been under close surveillance for some time prior to his arrest. (RAN 26/07 - 24 May 2007).

TRUONG Minh Duc:

D.o.b.:1960. **Profession:** Freelance journalist and political activist. Member of Bloc 8406 and the Vietnamese Populist party. **Date of arrest:** 5 May 2007 **Sentence:** 5 years in prison **Expires:** 4 May 2012 **Details of arrest:** He was arrested on 5 May 2007 and remained under interrogation at B-34 Detention Centre in Ho Chi Minh City, then transferred to a jail facility in Kien-Giang. **Details of trial:** Reportedly given a five-year prison sentence on 28 March 2008 for 'taking advantage of democratic

rights to act against the state's interest' and 'receiving money from abroad to support complaints against the state', under Article 258 on the Criminal Code. The sentence was handed down by a court Vinh Thuan, in the southern province of Kien Giang. Duc is known for his articles on corruption and abuse of power since 1994 for various newspapers, under different pseudonyms. Among the pieces he wrote, and which are said to have incriminated him are the following articles: 'To Point at Corruption's Mandarins in Kien Giang Province'; 'Court of Tyrannous, Influential and Powerful Notables; and 'Province Chairman, Inspectors in collusion with Judiciary System'. **Place of detention:** Labour camp Z30A (Phân khu 3) Xuân Lộc, Đồng Nai, Việt Nam. **Health concerns:** His family reported that in January 2008 he broke his arm, and because of poor medical treatment has since been in poor health. Said to be suffering from high blood pressure and gastrointestinal problems. **Treatment in prison:** It is reported that he is detained with criminal prisoners in an isolated camp deep in the jungle. He has a limited access to his family.

***Vi Duc HOI:**

D.o.b.: 1956 **Profession:** Former high-ranking Communist party member, democracy activist and online commentator. **Date of arrest:** 27 October 2010 **Sentence:** 5 years in prison **Expires:** 26 October 2015. **Details of arrest:** Arrested for investigation over his writings and his activities for the banned human rights defenders organisation Bloc 8406. **Details of trial:** Hoi was sentenced to eight years in prison and five years of house arrest in January 2011 on charges of disseminating "propaganda against the state" for commentaries he posted on the Internet. An appeals court in Lang Son province reduced his sentence on 26 April 2011 to five years in prison and three years house arrest. **Place of detention:** Yen Trach detention camp, Lang Son Province. **Other information:** In 2006 he started publishing articles online calling for democratic reforms and criticising alleged government corruption. Recipient of Human Rights Watch's prestigious Hellman/Hammett Award in 2009 for his writings. **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.

VU Van Hung:

D.o.b.: 1966. **Profession:** Professor, activist and internet writer. **Date of arrest:** 18 September 2008. **Sentence:** Three years in prison and three years' probationary detention. **Expires:** 17 September 2011 **Details of arrest:** Arrested on 18 September 2008 and his home was searched by Security Police officers. Accused of writing slogans on a banner and then hanging it from a highway overpass in the capital Hanoi in July 2008. Amongst dozens of activists to have been arrested since September 2008 as part of an ongoing crackdown on peaceful dissent. **Details of trial:** Charged under Article 88 of the Penal Code for 'Conducting propaganda against the Socialist Republic of Vietnam'. Tried and convicted by the Hanoi People's Court on 7 October 2009. Sentence upheld on appeal on 18 January 2010. **Place of detention:** Labour camp Nam Hà, Kim Bang, Hà Nam, Việt Nam. **Treatment in prison:** There have been serious concerns for his health and well-being since his imprisonment. **Other information:** Recipient of the 2008 Hellman Hammet Award. [RAN 12/09 – 18 February 2009.]

Imprisoned – investigation

PHAM Minh Hoang: (aka Blogger Phan Kiên Quốc)

D.o.b.: 1955. **Profession:** Professor and blogger, with dual French and Vietnamese nationalities. Reportedly arrested on 13 August 2010 and charged with 'attempting to overthrow the government' and 'membership of a terrorist organisation' for his alleged affiliation to Viet Tan, a US-based Vietnam Reform Party which is not known to use violence to achieve change. The charge, which falls under Article 79 of the Criminal Code, can lead to imprisonment or even the death penalty. According to his wife, the authorities have presented no evidence to charge him with any crime. Still thought to be detained as of 30 June 2011. **Place of detention:** Public security police detention centre at Ho Chi Minh city. WiPC seeking an update.

PHAN Thanh Hai: (aka Anh Ba Sai Gon)

D.o.b.: 1969. **Profession:** Lawyer, independent journalist and blogger. **Date of arrest:** 18 October 2010. **Details of arrest:** Reportedly arrested by Public security police at his residence without any charges being made known. Thought to be held for posting 'false information' on his blog, in which he writes about Vietnam's territorial disputes with China and the issue of bauxite mining. He has also expressed his support for other Vietnamese dissidents. His wife claims he is facing a possible four-month jail sentence for 'propaganda against the state'. **Other information:** Phan Thanh Hai was known as an active member of the Free Journalist Network in Viet Nam (Cau Lac Bo Nha Bao Tu Do) since 2007. His blog <http://anhbasg.multiply.com> is known for its social and news reports about Viet Nam. His blog recently was hacked and erased completely three times by professional hackers. Public Security police frequently harassed and interrogated him about his blogging. He was intimidated and threatened during several brief detentions. **Place of detention:** Public security police detention centre at Ho Chi Minh city. Thought to be held incommunicado without access to his family as of 30 June 2011.

On trial

Le Nguyen Huong TRA (f): Blogger, known for her blog *Co Gai Do Long*. Reportedly arrested in Ho Chi Minh City on 23 October 2010 for allegedly defaming a senior Communist Party official and his family in a blog she posted on 14 October 2010. Tra's blog is said to be very popular among Vietnamese users. She writes about sensitive political issues with humour. If she is convicted, Tra could face up to seven years in prison. On 21 January 2011, security police disclosed that Lê Nguyễn Hoàng Tra had been freed on bail pending trial after 'she admitted a defamatory blog post'. No date for the trial has been set. WiPC seeking an update.

Conditional release

NGUYEN Van Ly:

D.o.b.: 1946. **Profession:** Priest, scholar, essayist and co-editor of the underground online magazine *Tu Do Ngôn luận (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 Ngôn luận*, Father Chan Tin and Father Phan Van Loi, were reportedly also placed under house arrest. **Details of trial:** On 30 March 2007 a People's Court in Hue (Central Vietnam) sentenced Father Nguyen Van Ly to eight years in prison and five years of probationary detention under Article 88 of the Criminal Code for

'conducting propaganda against the Socialist Republic of Vietnam' (Article 88). A video footage of his sentencing is available on the Internet: <http://www.youtube.com/watch?v=bUSJeAakoXI>. **Place of detention:** Labour camp Nam Hà, Kim Bang, Hà Nam, Việt Nam. **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. **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, and that he should be placed under the administration of the People's Committee of Vinh Ninh Ward, Hue City, Thua Thien, Hue province. Nguyen Van Ly's health has seriously deteriorated in recent months, and he is said to be in urgent need of medical treatment which is unavailable in prison. He was expected to return to prison in March 2011, WiPC seeking an update. **Award:** In July 2008 Nguyen Van Ly received the Human Rights Watch administered Hellmann/Hammett award in recognition of his work in the face of persecution. He was also awarded the Sakharov Prize for Freedom of Thought 2009. **Honorary member of:** Sydney PEN.(RAN 12/07 - 28 February 2007; update #1 - 7 March 2007; updates #2 - 3 April 2007).

Brief detention

***BUI Chat:** Poet. Arrested on 30 April 2011 on his return to Vietnam from Buenos Aires, where he had gone to receive the International Publisher's Association (IPA) Freedom to Publish Award 2011. Released on 2 May 2011 but has remained under heavy surveillance. Briefly detained again on 5 June 2011 and held for twenty-four hours, apparently in order to prevent him from attending an award ceremony at the Swedish Embassy in Vietnam. On 7 June 2011 he was reportedly assaulted by four unknown assailants whilst on his way home. Has been under heavy surveillance since 2008 for his membership of an underground poetry group 'Open Your Mouth', which he co-founded with three other young Vietnamese writers in 2002 (for further info see <http://news.bbc.co.uk/1/hi/world/asia-pacific/3614760.stm>). They write poetry using street language, and their mission is to shock and offend. Their work is self-published. He is currently unable to find permanent residency or employment as a result of government harassment. Honorary member of: Swedish PEN.

***NGUYEN Dan Que:** Leading dissident writer and physician. Reportedly arrested on 3 March 2011 and accused of possessing 'anti-government' files on his computer and attempting to organise pro-democracy demonstrations. Dr Que has spent a total of 20 years in jail for his pro-democracy activities, and was a main case of PEN International. Released on bail.

Released

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

a half years in prison on 5 February 2010. Tran Khai Thanh Thuy was released on 5 July 2011 on condition that she accepted forced exile in the United States.

Case closed

NGUYEN Van Dai: Human rights lawyer and journalist. Arrested on 6 March 2007 and sentenced to five years in prison and four years' probationary detention, reduced by one year on appeal on 27 November 2007. Charged with 'conducting propaganda against the Socialist Republic of Viet Nam' for his dissident activities with the pro-democracy movement 'Bloc 8406'. Released in March 2011 on expiry of his sentence but remains under heavy surveillance.

EUROPE and Central Asia

ALBANIA

Attacked

Piro NASE: journalist for the newspaper *Panorama* and for *TV Planet*, was assaulted in Gjirokastra on 14 November 2010 after parking his car near his place of residence. It is alleged that two unknown persons suddenly appeared and started punching him in the head. Threatening statements such as: "Let's see if you will be more careful with what you write in that newspaper after tonight" allegedly accompanied the beating. PEN is awaiting further information.

ARMENIA

Imprisoned - Investigation

Murad BODJOLYAN: d.o.b. c. 1947. Former diplomat and journalist. Arrested January 2002. **Trial details:** Trial started on 24 October 2002 under Article 59 of the Criminal Code (treason). Subsequently convicted to ten years in prison on 16 December 2002. Accused of passing on military and economic information to the Turkish military intelligence, as well as details of Kurdish Workers Party exiles in Armenia. Lawyers argue there is little evidence and suggest that his writings are the basis of the charges. The conviction was upheld in early 2003 and is now final. Bodjolyan has brought his case to the European Court of Human Rights. **Background:** Bodjolyan is a freelance journalist for the Turkish NTV television network. Until 1998 he worked in the Armenian foreign ministry and acted as interpreter for former president Ter-Petrosian. There are suggestions that the conviction may be linked to the February 2003

presidential elections and is aimed at undermining Ter-Petrosian who is standing for re-election. He is married with children. **New information:** In late August 2009 it was reported that Bodjolyan remains in prison, despite several petitions to the authorities asking for his early release. No further information as of December 2010.

Released

Nikol (Nicole) PASHINYAN

Leader of the opposition party in Azerbaijan and editor of the pro-opposition newspaper *Haykakan Zhamanak*. Arrested 1 July 2009 and sentenced to three years imprisonment.. Arrested after voluntarily coming out of hiding and giving himself up to law enforcement agencies. Charges are said to be linked to the March 2008 protests and riots that occurred after the official results of the presidential elections of 10 February 2009. Pashinyan went into hiding after the Armenian police launched a search for him. He was initially charged with ‘organising mass disorder’ and ‘assaulting a state representative’. On 19 January 2010 the first instance court convicted Pashinyan to seven years in prison later reduced to three years imprisonment. The charges of ‘assaulting a state representative’ were dropped due to lack of evidence. **Release:** Pashinyan was released on 26 May 2011, alongside other opposition activists, including former parliament deputy Sasun Mikaelian. The pardon was granted under a general amnesty declared by authorities.

AZERBAIJAN

Imprisoned - Investigation

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

Attacked

Sardar ALIBEILI: Editor-in-chief of the newspaper *P.S. Nota*, claims to have been attacked in his apartment building in Baku on 29 March 2011. Albeili claims to have been attacked by the same man on 20 February 2010. He believes these incidents are connected to his work.

Ramin DEKO: Reporter for the pro-opposition daily *Azadlyg* (Freedom), was reportedly abducted, beaten and warned to cease criticism of President Ilham Aliev on 3 April 2011. At around 10am Deko was forced into a Lada sedan at a bus stop in Rasulzade, the village where he lives, located 20km outside of Baku, by three unidentified assailants. His mobile phone was taken and he was driven to a suburb of Baku, where he was told “to be smart and stop criticizing authorities”. The attackers also suggested he

should join a state-funded publication instead of reporting for *Azadlyg*. He was released in Baku at around 4pm and warned to say nothing about his abduction. According to reports, Deko was later attacked and severely beaten in a public garden near Azerbaijan’s Academy of Sciences by two unidentified assailants on 4 April 2011 as a reprisal for having spoken to the media about his abduction. He reported that one of his attackers said “Perhaps you didn’t get any smarter”, in reference to the warning he had been given. According to reports Deko did not inform the police of the incidents as he said he did not believe his attackers would be brought to justice.

Amanda ERICKSON (f) and Celia DAVIES (f): American freelance contributor to *The Washington Post* and *The New York Times*, and British staffer at the Baku-based *Institute for Reporters’ Freedom and Safety (IRFS)* respectively, both also run a training programme for local journalists and civil society activists. At around midnight on 15 June 2011 four men followed and attacked Erickson and Davies outside their apartment building in Baku. Davies’ left arm was broken, and Erikson suffered multiple bruises. The motive for the attack remains unclear. No valuables or personal items were taken from the journalists. Both Erickson and Davies gave statements to the Baku police, but as yet no investigation has been launched.

***Seimur KHAZIYEV:** reporter for the pro-opposition daily *Azadlyg* (Freedom), was reportedly kidnapped and beaten in Baku on 26 March 2011. According to reports, six masked men abducted Khaziyev at a bus stop in the Baku suburb of Dzheiran Batan at around midnight on Saturday (26 March) as he was returning home from work. The attackers reportedly pushed Khaziyev into a Mercedes minivan, took his two cell-phones, put a bag over his head, and drove him to an unknown location where they beat him. Two hours later, Khaziyev was shoved back into the minivan and dropped off at a roadside outside Baku. The attackers reportedly warned him to “be clever” and cease his criticism of Azeri President Ilham Aliyev in his articles. Khaziyev was reported to have previously been beaten in May 2010 by unidentified officials in a police detention facility after he was arrested during an unsanctioned opposition political protest. He was again reported to have been questioned about his criticism of President Aliyev during this attack.

Threatened

Avaz ZEYNALLI: editor-in-chief of the *Khural* newspaper, received a threatening phone call on 26 June 2011 from someone claimed to be Binagadi District Police Department Chief Agalar Maharramov, who 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.

Released

Eynulla FATULLAYEV: Editor of *Gündelike Azerbaijan* and the Russian language *Realny Azerbaijan*. **Arrested:** 20 April 2007. First convicted c. 20 April 2007 to 30 months in prison on charges of libel and insult to Azeris in an article that Fatullayev says he did not write and had been manufactured as a way of silencing him. He was sentenced to two and a half years’ imprisonment. The charges arose from a civil case raised in February 2007 by the head of the Azeri Centre for Protection of Refugees and Displaced Persons. She referred to a remark attributed to Fatullayev in which he is said to have reported that Azeris were responsible for the massacre of residents in Nagorno Karabakh in 1992. This resulted in a fine levied on 6 April 2007 of 10,000 manats (US\$ 11,600). Secondly he was sentenced to eight and a half years imprisonment on 30 October 2007

on charges of terrorism and inciting ethnic hatred, said to be related to a commentary in *Realny Azerbaijan* published in early 2007 that focussed on Azeri foreign policy with Iran. The article was written by another reporter. Thirdly, on 4 September 2007, tax evasion charges were levied following a search of his newspapers office and questioning of its staff carrying a penalty of six months imprisonment or a term in a labour colony. Finally, while imprisoned on 30 December 2009 Fatullayev was allegedly found in possession of heroin in his prison cell. On 31 December Fatullayev was taken to the Garadag District Court, where after a fifteen minute hearing, a judge ordered that for the next two months he should be held in an isolation cell while he awaited trial on the drug possession charge. This period was extended on two further occasions. He was subsequently sentenced to two and a half years in prison. Despite this, two days later he was placed in solitary confinement for ten days. **Release:** Fatullayev was handed a pardon by President Ilham Aliyev and released on 26 May 2011 after four years imprisonment. The pardon was part of an annual prisoner amnesty commemorating Azerbaijan's independence, which falls on May 28. **Honorary Member:** Lichtenstein PEN Centre and English PEN Centre.

BELARUS

Imprisoned - Main Case

***Dimitri BONDARENKO:** journalist with Charter 97, sentenced on 27 April 2011 to two years in prison under Article 342 of the Criminal Code of Belarus for 'preparation of activities that disrupt the public order' and ordered to pay a fine for damages to public transport. He was arrested on 19 December 2010, during the mass arrests which followed protests against the disputed presidential elections, and originally charged with 'Organization of riots'. He was also accused of using the internet to call for participation in the protest and 'expressing false statements about undemocratic elections'. Bondarenko admitted his participation in the mass demonstrations, but pleaded not guilty to the other charges. It was also reported that Bondarenko was denied access to his lawyer during his detention. [RAN 35/190, Update #5 -5 January 2011; RAN 35/10, Update #6 - 12 January 2011; **RAN 35/10 Update #8- 18 February 2011; RAN 35/10 Update #9- 26 May 2011**]

Imprisoned - Investigation

***Andrzej POCZOBUT:** correspondent for the largest Polish daily, *Gazeta Wyborcza*. (1) was sentenced on 11 February 2011 to 15 days in jail on charges of "participation in the unsanctioned protest rally" that followed the 19 December 2010 presidential elections. Poczobut covered the protests for *Gazeta Wyborcza*. It is the second time in a month that the same court sentenced Poczobut on the same charges. Previously, he was fined 1.75 million Belarusian rubles (about US\$580), and released. Since December 2010, the authorities have been pressuring Poczobut in what appears to be retaliation for his journalism. He was among more than 20 journalists arrested at the protest rally in Minsk. Though he was released from the state custody the next day, police and the KGB have continued to harass and interrogate him. (2) On 28 March 2011 prosecutors in Grodno opened a criminal investigation against Poczobut and charged him with insulting President Aleksander Lukashenko through articles he published in *Gazeta Wyborcza* and on the Belarusian news website *Belarussky Partizan* (Belarusian Partisan). The following day his apartment was searched by Belarusian authorities resulting in the seizure of his computer and other items, including a refrigerator and TV set. (3) On 6 April 2011 Poczobut was detained in Grodno as he was

about to drive to Minsk and handed a document banning his travel. He was reported to have been placed under three-day administrative arrest in relation to the insult charge. On 8 April he was charged with libelling President Lukashenko and his arrest was extended by two months. He has been charged under two articles of the Belarusian Penal Code (Article 368, which deals with insulting the president of Belarus, and Article 367, which deals with slandering the president of Belarus). The first sentence carries a punishment of up to two years in prison, while the second sentence carries a punishment of two to four years. He is reported to be being held in the detention facility in the Grodno prison. **Trial:** The trial began on 14 June 2011 and is being conducted behind closed doors.

Non-Custodial Sentence

Aleksandr FIADUTA: is an author, literary critic and member of Belarus PEN. A former member of Lukashenko's administration, he resigned in 1994 and published a critical biography - banned in Belarus - of the President. He is a member of Vladimir Neklyayev's Tell the Truth party. He was arrested on 19 December 2010 and was charged under Article 293 of the Criminal Code of Belarus ('Organization of riots') His charge was subsequently reduced to 'preparation of activities that disrupt the public order' for which he was given a 2 year suspended sentence on 20 May 2011. **Honorary Member** Lithuanian PEN. [RAN 35/10, Update #5- 5 January 2011; RAN 35/10, Update #6, 12 January 2011;] RAN 35/10 Update #8- 18 February 2011; RAN 35/10 Update #9- 26 May 2011]

Vladimir NEKLYAYEV: writer, poet, former president of the Belarus PEN Centre and the Tell the Truth party's candidate in the presidential elections; given a two year suspended sentence on 20 May 2011 for 'participation in activities that disrupt the public order' (Under Article 342 of the Belarusian Penal Code). **Background:** Neklyayev was assaulted and detained by the KGB during the mass arrests that took place following protests against the flawed presidential elections on 10 December 2010. He had originally charged with 'organising riots'.

Previous Harassment: Neklyayev was arrested by the armed police on 18 May 2010, during raids on civil society groups throughout the country. Officers seized computers, mobile phones, memory sticks, books and leaflets. He was charged under Article 250 of the Criminal Code for "dissemination of false information". By 25 May 2010, Neklyayev was freed, but the charges remained. Some believe that the raids were aimed at intimidating opposition groups in advance to the February 2011 presidential elections. [RAN 35/10, Update #1 - 26 May 2010; (RAN 35/10 Update # 2 - 20 December 2010; RAN 35/10 Update # 3 - 21 December 2010; RAN 35/10, Update # 5 - 5 January 2011; RAN 35/10 Update #6- 12 January 2011; RAN 35/10, Update #7 - 1 February 2011; RAN 35/10 Update #8- 18 February 2011; RAN 35/10 Update #9- 26 May 2011]]. **Honorary Member** of Lithuanian PEN, PEN New Zealand.

Natalia RADZINA (f), Irina KHALIP (f): Journalists for the website www.charter97.org and for the Russian *Novaya Gazeta* respectively, were detained and assaulted during the mass arrests that took place following protests against the flawed presidential elections in December 2010. Khalip was given a two-year suspended sentence for 'participation in activities to break the public order'. Radzina is reported to have fled the country. **Background:** Radzina was badly beaten after her arrest and there are distressing reports that she suffered bleeding from the ears. She was originally charged with 'organizing and participating in mass disorder,' two separate charges in Belarus which carry potential sentences of 15 and 8 years' imprisonment respectively and was held in an isolation unit. Her lawyer has been forced to sign a gagging order before her trial. **Khalip** is the wife of opposition candidate Andrei Sannikov, who was

sentenced to 5 year in prison in 12 May 2011 for organising the protests against the disputed presidential election on 10 December 2010. She was severely beaten by police when giving an interview to the Russia radio station Echo Moskvy. She was held in isolation by the KGB, and, like Radzina, originally charged with ‘organizing and participating in mass disorder’. Her lawyer was also forced to sign a gagging order. There were also very disturbing reports that the state had attempted to seize Khalip’s 3-year-old son. **Previous Harassment:** Both journalists have suffered regular harassment at the hands of the Belarusian authorities, with their homes raided and equipment confiscated on charges of slander. Radzina was summoned for questioning on 1 July 2010, questioned about ‘computer crimes’ and in connection with a case regarding ‘disseminating false information on the internet.’ Radzina said that the government was trying to crack down on freedom of expression before the presidential elections in December. **Trials:** On 31 March 2011 **Radzina** was summoned to the State Security Committee to take part in investigative actions related to her case. She is believed to have left the country. **Khalip’s** trial began on 11 May 2011; she was given a two year suspended sentence on 15 May 2011. (RAN 35/10 Update # 2 – 20 December 2010; RAN 35/10 Update # 3 - 21 December 2010; RAN 35/10, Update # 5 – 5 January 2011; RAN 35/10 Update #6- 12 January 2011; RAN 35/10 Update #7-1 February 2011; RAN 35/10 Update #8- 18 February 2011; RAN 35/10 Update #9- 26 May 2011] RAN 35/10 Update #9 – 26 May 2011). **Honorary members** PEN New Zealand, Melbourne PEN

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”). [RAN 35/10 Update #5- 5 January 2011; RAN 35/10 Update #6 -12 January 2011; RAN 35/10 Update #8- 18 February 2011; RAN 35/10 Update #9- 26 May 2011]

Brief Detention

***Ales ASIPTSU:** Belerussian journalist, works for several independent media including Bela PAN, was arrested for allegedly “urinating in a public place” on 24 March 2011, the eve “Dzen Voly” (Freedom Day), an event that is traditionally celebrated by the Belarusian opposition. It was reported that the motivation for the arrest was to prevent Aspitsu covering the Dzen Voly protests.

Stanislav KORSHUNOV and **Dmitry Bosak:** journalists with the newspaper *Brestskaya Gazeta* the Internet radio station *Start*, respectively. The two men were detained by police on 15 June 2011 as they were covering the “national celebrations” which had been declared through social networking sites. The journalists were released later the same day.

***Uladzimir LAPTSEVICH:** correspondent for the BelaPAN news agency, was sentenced to 7 days of administrative arrest on 28 March 2011. He was charged under 2 articles of the Administrative Code – resistance to policemen and petty hooliganism. He was sentenced to 6 days of arrest for the first violation, and to a day for the second violation. Laptsevich was detained on March 25 at about 5 p.m. on Lenin Street near Zornaya Square. He had intended to cover an event planned by local pro-democracy activists on Freedom Day – the laying of flowers at the local history museum. According to reports, the journalist was arrested without explanation, taken to the community police office, and then to a pre-trial detention centre. Laptsevich says that the detention was carried

out by people in police uniform who had not introduced themselves and had not explained the reasons of their actions.

***Aleksandr LOMASHKIN:** Russian journalist and founder of the human rights website Svoboda, arrested on 24 March 2011, the eve “Dzen Voly” (Freedom Day). Lomashkin was forced to get off a train from the Russian city of Chelybinsk at the Belarusian border crossing at Orsh. After being searched by two officers who claimed to be searching for drugs, he was arrested for insulting an officer and immediately sentenced to three days in prison. It was reported that the motivation for the arrest was to prevent Lomashkin covering the Dzen Voly protests.

***Rodion MARINICHEV:** special correspondent for the Moscow-based online broadcaster *Dozhd* (The Rain), was detained on 20 May 2011 after conducting an interview with Irina Khalip, a journalist with *Novaya Gazeta*, who had recently been given a two year suspended sentence for ‘organizing and participating in mass disorder’. Marinichev was reportedly stopped by police for an ID check and asked to reveal the contents of his bag. He was detained afterwards for what was called “a check on belonging to an extremist group”. He was held in the local police station for three hours, which he was told by the police was due to his ‘lack of journalistic accreditation’. Upon release he was ordered to leave Belarus within 24 hours and has been banned from returning to the country for 5 years. Marinichev also reported that the police had deleted all the data from his digital camera and voice recorder, including the interview with Khalip and information he had gathered on Belarus’ deepening economic crisis.

***Ales OSIPTSOV:** journalist and member of BAJ (Belarusian Association of Journalists) reported to have been detained in Mogilev on the eve of “Dzen Voly” (Freedom Day) and sentenced to administrative arrest (for less than one week). It has been claimed that the arrest was aimed at preventing Osiptsov from attending protests organised for Freedom Day.

***Dmitry SOLOVYOV:** journalist and member of BAJ (Belarusian Association of Journalists) reported to have been detained in Mogilev on the eve of “Dzen Voly” (Freedom Day) and sentenced to administrative arrest (less than one week). As in the cases of Asiptsu, Lomashkin and Osiptsov (above) it has been claimed that the arrest was aimed at preventing Solovyov from attending protests organised for Freedom Day.

GREECE

On trial

Takis MICHAS: Journalist and writer, is on trial for defaming Stavros Vitalis who claims to have led the Greek volunteers who fought for the Serbian Army during the Bosnian War in 1995. Earlier reports suggested that Michas was on trial for his book *Unholy Alliance: Greece and Milosevic’s Serbia*. However, recent reports say that the criminal complaint, filed against Michas on 30 July 2009 is in connection with views expressed in an article that Michas took from the Bosnian weekly, *Global*, and reprinted in the Greek newspaper, *Saturday Eleftherotypia*. The article, ‘They Saw Mladic and Karadzic at a Small Church,’ notes the presence of Greeks in the Serbian army, which is considered responsible for carrying out the massacre in Srebrenica in 1995. It also notes that these volunteers have never been prosecuted by the Greek authorities. In the indictment, Michas is accused of ‘disseminating before third parties, falsehoods regarding another person that could harm his honour and reputation, while knowing these facts were untrue.’ The name of the plaintiff, Stavros Vitalis, is not mentioned in the article, although he is

well-known in Greece for having served with other Greek volunteers in the Serbian army. The hearings were due to start on 20 September 2010 in a court in Athens. PEN is awaiting further information.

GEORGIA

Attacked

***Tamaz KUPREISHVILI, Darejan PAATSHVILI, Nato GOGELIA, Zaira MIKATADZE, David MCHEDLIDZE, Diana KHOPERIA, and Beka SIVSIVADZE and Giorgi MAMATSASHVILI:** Journalists with *Netgazeti* newspaper, *Interpressnews*, *Guria News*, *Resonance* newspaper, *Media.ge*, *Obiektivi* and *Asava-Dasavali* newspaper, respectively. All were injured during an attack by the Police Special Forces on 26 May 2011 aimed at dispersing a crowd of opposition protesters in Tbilisi who were calling on the resignation of President Mikheil Saakashvili. The police used tear gas, rubber bullets and water cannons to disperse the protestors, minutes after the permit for the demonstrators' rally had expired. The protestors had been ordered to disperse by midnight in order to make way for a military parade planned for the following day. It was reported that 4 people were killed during the clamp down and over 37 were injured. Many more remain missing following the attacks and subsequent detention of protestors. [RAN 30/11- 13 June]

ITALY

Harassed

***Frank SFARZO:** freelance blogger from Perugia, created the English-language blog *Perugia Shock* in 2007, which criticised the official murder enquiry into the death of British student Meredith Kercher. On 28 October 2010 - the day fellow students, American Amanda Knox and Italian Raffaele Sollecito were indicted and an African Rudy Guede was convicted of murdering Ketcher - Sfarzo was approached outside the city court by members of Squadra Mobile who shoved and hit him, saying "You are pissing us off", in reference to his coverage of the trial. During the trial of Knox and Sollecito, he was continually harassed by the Squadra Mobile, who regularly tried to prevent him entering the court, seized his mobile phone, mouthed insults at him in court and stared over his shoulder as he took notes. On 28 October 2008, five officers of Squadra Mobile forcibly entered his apartment without producing a warrant. Four of the men forced Sfarzo to the ground, assaulted and handcuffed him. Sfarzo was then taken to Perugia city hospital where the officers claimed he had attacked them; they persuaded a doctor to issue a medical report of the injuries Sfarzo was alleged to have caused. They also brought him before a psychiatrist who pressured, unsuccessfully, to have Sfarzo declared insane. He was taken to the police headquarters where he claims to have been referred to as "the bastard who defends Knox". The following day Sfarzo was charged with "using violence and threats to resist public officials". He is currently pending trial on these charges. If convicted he faces up to 6 years in prison. **Update:** On 10 May 2011 Sfarzo reported that he received an email from Google informing him that a court order had been issued for the "preventive closure" of his blog. The court order was the result of a lawsuit filed by Perugia Prosecutor Giuliano Mignini against *Perugia Shock* for "defamation, carried out by means of a website". Mignini is the lead prosecutor in the Kercher case.

Possible Trial

22 ***Umberto BRINDANI:** editor of the national newsmagazine *Oggi*,

received two "notices of investigation" in relation to the magazine's coverage of the so-called 'Monster of Florence' case, dated 24 July 2010 and 2 September 2010 respectively. Brindani has not received any subsequent notifications.

***Giangavino SULAS:** investigative reporter with the national news-magazine *Oggi*. Received an official notification in September 2010 that Prosecutor Mignini had started legal action against him in relation to an article he had written criticizing the official investigation into the 'Monster of Florence' case and for having mentioned the conviction of Mignini on abuse of office charges. Sulas has not received further prosecution notices.

Non-Custodial Sentence

***Mario SPEZI:** veteran crime reporter, imprisoned in 2006 on trumped-up charges as a result of his investigation into the 'Monster of Florence' case; he was subsequently released and published a best-selling true crime novel, co-written with U.S. writer Douglas Preston, based on the case. Spezi has faced continued intimidation from Prosecutor Mignini following his release and has been served a number of indictments, including one for "complicity to murder". During one such indictment, Spezi read a statement in his defence in which he was highly critical of Mignini. Shortly after this hearing, he was indicted for "offending the honour and prestige of a judge". Spezi was found guilty in February 2011 and ordered to pay €570 to Mignini. Spezi is considering appealing the sentence. He has subsequently ceased covering the 'Monster of Florence' case, reportedly as a result of these actions.

KAZAKHSTAN

Killed – Investigation ongoing

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

Imprisoned - Main case

Ramazan YESERGEPOV (Esergepov)

Profession: Editor-in-chief of the weekly *Alma-Ata Info* **Date of the arrest:** 6 January 2009 **Sentence:** Three-year prison sentence **Expiry:** 5 January 2012 **Details of the arrest:** Yesergepov was being treated for hypertension at the Cardiology Institute in Almaty, when armed and masked security officers entered the hospital and took him to the Taraz regional office, in southern Kazakhstan, where he was interrogated by the Kazakh National Security Committee (KNB). According to a statement by the KNB Yesergepov was arrested because he repeatedly ignored subpoenas issued by the agency. **Charges:** Illegally obtaining and divulging state

secrets **Details of the trial:** Yesergepov's charges stem from an article published on 21 November 2008 entitled 'Who rules the Country - The President or the Committee for National Security (CNS)?' which is said to deal with a tax fraud allegation. Since December 2008, *Alma Ata Info*, has been investigated for the disclosure of two leaked memos which were published alongside the cited article. During the trial Yesergepov maintained his innocence and stated that the facts in his article were of public interest. The verdict was announced on 8 August 2009 behind closed doors, without the presence of journalists. According to press reports, a former Supreme Court Judge stated that a number of norms were contravened during the trial and that, as a consequence, Yesergepov should be retried. The sentence was based in articles 172 and 339 of the Kazakh Criminal Code. In October 2009 the verdict against Yesergepov was upheld by a regional court in Taraz. **Parole:** On 23 January 2010, the prison commission rejected a request for early parole filed by Yesergepov, after serving one year of his sentence. According to his wife, in an early meeting, the commission agreed to parole him, but changed their decision under pressure 'from above'. **Health concern:** On 25 June 2010, Yesergepov announced he would go on hunger strike on 6 July, as a way of protesting for his imprisonment and for the alleged failure of the Organisation for Security and Cooperation in Europe (OSCE) to deal with the Kazakhstan's human rights violations. 6 July 2010 marks the first half of Yesergepov's sentence **Update:** Yesergepov has been named the recipient of Human Rights Watch's Hellman-Hammett Grant for 2011. The grant I awarded to writers and journalists who have been subjected to political persecution and are in financial need. (RAN 10/09 – 13 February 2009; Update #1 – 21 August 2009)

Imprisoned - investigation

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.

***Alyona PANKOVA (f):** journalist with the newspaper *Novy Vestnik*, accused of slander by Daniyar Tazhin, director of the Karaganda firm Gazgidrol. The lawsuit was filed over a comment made in Pankova's name on a forum on the website spr.kz, which criticized the quality of a gas meter purchased from the firm. Tazhin has claimed that the comment has damaged his business reputation and has sought 10 million tenge (approx £42,000). Pankova, however, denied having left any comments on the website and claimed she had never heard of that site and does not even have a gas meter in her house.

Attacked

*Alexander BARANOV: reporter with the newspapers *Gorodskaya Nedelya* and *Golos Respubliki*, was attacked in his apartment building on 17 June 2011. The journalist reported that a man approached him, asked whether he was Alexander Baranov and worked for *Gorodskaya Nedelya*, and then hit him in the face and took his mobile phone from his

skirt pocket. Baranov is known for his criticism of the local authorities and businessmen.

Harassed

Alla Zlobina (f): regional correspondent for the independent weekly *Golos Respubliki*. At around 7am on 29 April 2011, an anonymous caller phoned Zlobina at her home threatening her and playing a recording of a previous phone call with Zlobina's daughter. After the call Zlobina's daughter was repeatedly harassed in school over classes she had missed due to illness and was accused of being "as scandalous as her mother". Zlobina reported that she believes the harassment stemmed from an article she wrote in which she accused regional authorities of being partially responsible for damage done by floods that hit western Kazakhstan in April. Zlobina referred the situation to the regional prosecutor in Uralsk, however no criminal investigation has been opened.

KYRGYZSTAN

Killed: investigation ongoing

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

sibility for resolving the murder. Award: In 2008 an award in Saipov's name was established in Kyrgyzstan, to reward young journalists. In 2009 the prize was given in three categories: for professional commitment, for active civil position, for adherence to human rights.

Killed – trial underway

Almaz TASHIYEV: Social affairs journalist for the *Agyim* (Stream) newspaper, died on 12 July 2009 after being reportedly beaten on 4 July by eight police officers in the southern town of Nookat, in the Osh region. Tashiyeu's family said that after the attack, the reporter fell into a coma. There are reports that a police officer confessed to getting into a fight with Tashiyeu over a private matter. Other reports suggest that on the day of the assault, the journalist and a friend went to the local police station to renew a passport. When they arrived at the station, an improvised celebration for a police officer's promotion was taking place, and it was then when a policeman started arguing with the journalist. Tashiyeu's reports were critical to the local government. The local prosecutor is investigating the journalist's death. **New information:** It was reported that in late February 2010, two former police officers received a two-year conditional prison sentence for Tashiyeu's death. According to the journalist's family, the prosecutor asked for a sixteen year prison sentence against the policemen. Their solicitor is appealing this verdict. PEN is awaiting further information.

Imprisoned: investigation

Ulugbek ABDUSALOMOV: Editor-in-chief of the newspaper *Diydor*, was arrested in the Jalal-Abad region on 14 June 2010 in connection with the May 12-15 protests by ethnic Uzbeks in Jalal-Abad that sparked violent retaliation from the ethnic Kyrgyz population. On the day of his arrest, Abdusalomov's car was blocked by another car without licence plates; various men in camouflage detained him and took him to the regional headquarters of the Kyrgyz Security Service. He was then transferred to a pre-trial detention centre in Jalal-Abad. In August 2010, he was charged with organising and participating in mass disorder, promoting separatism, and incitement of ethnic hatred through an article published in *Diydor*. This article quoted reports from Uzbeks saying that they'd suffered ethnic discrimination living in southern Kyrgyzstan. According to his colleagues, Abdusalomov was actually in the capital, Bishkek, at the time of the protests, and was taking part in meetings of the government-sponsored Constitutional Council. An official transcript of the meeting confirms this. **Health:** Abdusalomov is seriously ill and is not receiving adequate medical assistance. In 2009 he suffered a cerebral haemorrhage. He also suffers from high blood pressure, stomach ailments and a heart condition, and requires constant medical care. He has been repeatedly transferred back and forth between the regional hospital and his pre-trial detention centre, where conditions are reported to be very poor. **Other Info:** The Central Asian PEN Centre in Kyrgyzstan has written to the Ombudsman KR, Public Authority for Human Rights in Kyrgyzstan, asking for an open and fair investigation of Abdusalomov's case. The Committee to Protect Journalists (CPJ), reported that the newspaper *Diydor* was not critical of the authorities and that it was published in Uzbek and Kyrgyz languages. 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. **Note:** Pen International is seeking clarification re the details of the case, specifically in relation to Askarov's writing status and the charges brought against him. **Update:** 4 November 2010, appeal against life sentence denied. Askarov's lawyer and witnesses cited by Human Rights Watch say that Askarov has been beaten repeatedly whilst in custody. PEN is seeking an update.

***Moldosali IBRAIMOV:** human rights activist and journalist, was detained by police in the Jalal Abad region on 4 May 2011. Ibraimov took part in the trial of four officers accused of torture and use of prohibited methods in their work on 03 May 2011 in the Suzak district court. The suspects were acquitted and demanded the immediate detention of Ibraimov. His lawyer requested on 05 May 2011 that Ibraimov be taken out of detention as he is undergoing chemotherapy for cancer and it would therefore not be safe to keep him in prison. He has since been placed under house arrest.

Harassed

***Khulkar ISAMOVA (f):** journalist with *Reuters*, was reportedly threatened with violence in Osh on 27 May 2011 by two women who accused her of causing conflict in southern Kyrgyzstan and calling for autonomy in the region in a speech on television.

MALTA

On trial - Acquitted

Mark CAMILLERI and Alex VELLA GERA: Editor of the student newspaper *Ir-Realta*, and author of a short story, respectively, are reportedly on trial since March 2010, for 'distributing obscene or pornographic material and for injuring public morals or decency'. The case is linked to Vella Gera's story which is in a form of a parody, published in October 2009, deals with the thoughts of a sexually aroused man. The university reportedly did not consider the story appropriate, and so banned the student newspaper and reported the case to the police authorities. If found guilty Camilleri and Vella Gera could face up to six months in prison. Update: both were acquitted c. March 2011.

MOLDOVA

Transdnier Republic

Releases - Main Case

Ernest VARDANIAN: Journalist and political analyst for the newspaper *Puls*, freelancer for the news agency *Novy Region* and occasional reporter for Radio Free Europe/Radio Liberty, was sentenced on 17 December 2010 to 15 years in prison on treason and espionage charges in the separatist Transdnier region of Moldova. He was arrested at his home

on 7 April 2010 by armed officers from the Ministry of State Security of the (unrecognised) Pridnestrovian Moldavian Republic (PMR), who also seized computers, notebooks, audio and video recording equipment. The journalist was charged with 'high treason' and 'espionage.' According to the *Novy Region's* director, Vardanian's work had recently focused on international politics, and not matters related to the PMR. According to press reports he has been transferred to a strict-regime penal colony. Reportedly, the Vardanian family lawyer was not allowed to represent the journalist in court. His wife was not informed of the trial dates. PEN is seeking more information.

Release: Vardanian was handed an unconditional pardon, and released from prison, on 5 May 2011. He reported that prison guards approached him and told him to pack his belongings and go home. The prison administrator did not state any reasons for the sudden pardon.

Imprisoned – Investigation

Eduard BAGIROV: blogger, 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 said a court had denied his request to be released while an investigation is being carried out. There have been unconfirmed reports that Bagirov is being held in poor conditions and denied the right to receive visits, talk to his lawyer, or to see a doctor.

RUSSIA

Killed – investigation/trial under way

***Shamil DZHİKAYEV:** acclaimed poet and Dean of Philology at North Ossetia University. Dzhikayev's decapitated corpse was found on 26 May 2011 in the outskirts of Vladikavkaz, the capital of North Ossetia. On 30 May 2011 police shot dead his alleged killer, David Murashev, the son of a wealthy businessman who had converted to radical Islam three years earlier. A "samurai" sword allegedly used to kill Dzhikayev was later found in his home, alongside a "suicide belt", explosives and extremist literature. It was also reported by the *Moscow Times* that Murashev had shouted out that he had murdered the poet for offending his faith before the police had opened fire. It is believed that the motive for the killing was a poem Dzhikayev had written in 2008 that harshly criticised Muslim pilgrims for allegedly urinating on a monument to those who had died in the siege at a school in Beslan in 2004, entitled *The Wolf-Cubs set Forth on the Hajj*. There had been calls at the time for Dzhikayev to be prosecuted for inciting inter-religious hatred. [RAN 29/11- 8 June 2011]

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

to justice. The organisation Memorial, has since closed its Grozny office, fearing for the safety of its staff. **Update on the investigation:** In late February 2010, the agency investigating Estemirova's death confirmed that it had identified the murder suspect, who was said to be in hiding. Estemirova's supervisor at Memorial told new agency Interfax that, after gaining access to some of the case's investigative materials, it was discovered that the suspected murderer had already been killed. Russian investigators deny this. On 12 July, the Moscow newspaper, *Novaya Gazeta*, published an article criticising the investigation for a series of flaws. These included a failure to interview key witnesses, a failure to thoroughly analyse DNA material collected from Estemirova's body, and a failure to place at-risk witnesses under protection. The article also criticised the investigation for allegedly focusing on a single, suspect who was already dead. **Other information:** The Chairman of the Memorial Centre, Oleg Orlov, is on trial on charge of slander against the Chechen president. He reportedly suggested that the Chechen president was responsible for the Estemirova's death. If convicted, Orlov could face up to three years in prison. (RAN 28/09 – 16 July 2009; Update #1 – 23 July 2009) **UPDATE:** In September 2010, Russian investigators, following a meeting with a delegation from the Committee to Protect Journalists (CPJ), pledged to pursue 19 cases of 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. PEN is seeking an update.

Stanislav MARKELOV and Anastasiya BABUROVA (f): lawyer and journalist for the independent newspaper *Novaya Gazeta*, were shot dead in a Moscow street on 20 January 2009. They were attacked as they left a press conference at the Independent Press Centre. Markelov, a human rights lawyer who had also worked for *Novaya Gazeta* and had represented the journalist Anna Politkovskaya before she herself was assassinated in October 2006 (see below). Markelov had, just hours before his killing, issued a statement protesting the early release of a Russian army officer, Yuri Budanov, who had been convicted in 2003 for the murder of a Chechen girl. He represented victims of human rights abuses, including the families of Chechens who have disappeared. Anastasiya Baburova was walking alongside Markelov when he was shot. She reportedly attempted to apprehend the gunman, but was herself shot in the head, and later died in hospital. Baburova had joined *Novaya Gazeta* in October 2008 and had been researching neo-Nazism and race-motivated crimes in Russia. **Investigation into murder:** On 5 November 2009 a Russian Investigative Committee charged Nikita Tikhonov (29) and Yevgenia Khasis (24), with Markelov and Baburova's murder. Unconfirmed reports say that both people were members of the Russian National Union, radical group that has been banned in the country. In late February 2010, it was reported that Tikhonov has been charged under Part 2 of Article 105 of the Russian Criminal Code, for murder motivated by political and ideological enmity. On 29 March 2011 a plea from Khasis's defence team that illegal items found in his home during the search had been planted there by the secret services, was rejected. The court also declined to question Vladimir Pronin, former chief of Moscow's Internal Affairs, who had said in an interview that there were no eyewitnesses to the crime. The Prosecution has continued to provide evidence to argue that the defendants are militant Russian nationalists, although this has been disputed by Tikhonov's father. **Sentence:** On 28 April 2011 Tikhonov was found guilty of executing Markelov and Baburova, as well as

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

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

(RAN 07/09 – 2 January 2009)

Anna Politkovskaya (f): leading journalist and author, shot dead in the elevator of her apartment on 7 October 2006. Covered the war in Chechnya and had been receiving threats since 1999 after she wrote articles claiming that the Russian armed forces had committed human rights abuses in Chechnya. Despite these threats she continued to write and in 2003 published *A Dirty War: A Russian Reporter in Chechnya*. She was also a co-contributor to *A Small Corner of Hell: Dispatches from Chechnya*, published in 2003. Her most recent book, published in 2006, was *Putin's War: Life in A Failing Democracy*. In 2002 Politkovskaya was one of the few outsiders allowed into a Moscow theatre in an attempt to negotiate with Chechen rebels the release of hundreds of hostages held there. In 2004, she fell seriously ill as she attempted to fly to Beslan to cover the hostage crisis there, leading to speculation that she had been deliberately poisoned to stop her from reporting on the crisis. Politkovskaya was the winner of numerous international awards for her courage, including the 2004 Olaf Palme Award that was set up by the family of the murdered Swedish prime minister. The prize was given to Politkovskaya to honour her work for the “long battle for human rights in Russia”. **Investigation into murder:** On 27 August 2007, the prosecutor general announced that ten suspects had been arrested in connection with the murder including Chechen criminals, former and serving members of the Russian Federal Security Services and police forces. (International monitors have voiced concerns about lack of transparency in the proceedings and conflicting statements that could undermine the investigation.) On 18 June 2008, the Investigative Committee announced that it had charged three men, a former police officer and two ethnic Chechen brothers. Two other investigations have opened, one in which the suspect remains in absentia, and another into the intellectual authors of the crime. The case was sent to Moscow District Military Court on 2 October 2008, allegedly because it contains classified material and because an officer of the Federal Security Service (FSB) is involved in the case. However, according to the Chief Investigator in charge of the case, this FSB officer is not directly charged with Politkovskaya's murder, but with abuse of office and extortion. **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. **Recent developments:** On 3 September 2009 the Supreme Court returned the case to Russia's General Prosecutor for further investigation on the men suspected of involvement on the journalist's murder. On 31 May 2011 Rustam Makhmudov was arrested in his parents' house in Chechnya. He was indicted on 02 June 2011 and charged on four separate counts, including murder, illegal appropriation of firearms, kidnapping, and extortion (the latter two charges are not related to the Politkovskaya's

murder). **Honorary member:** PEN Canada UPDATE: In September 2010, Russian investigators, following a meeting with a delegation from the Committee to Protect Journalists (CPJ), pledged to pursue 19 cases or murdered journalists, of whom Politkovskaya was one. The investigators told the delegation that Politkovskaya's killers were Chechens (though as yet unnamed), who were motivated by a desire to ingratiate themselves with Chechen President Ramzan Kadyrov (although there is no evidence directly linking the crime to Kadyrov). They confirmed that one suspect had fled Russia and was believed to be hiding in a European country. The investigator told CPJ that he would seek the suspect's arrest and extradition. PEN is awaiting further information.

Disappeared: Motive Unknown

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

Imprisoned - Investigation

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

Anatoly SARDAYEV: editor in chief of the weekly *Mordoviya Segodnya (Mordoviya Today)* based in the city of Saransk, the capital of the Central Russian Republic of Mordoviya. He was sentenced on 29 June 2007 for embezzlement and misuse of funds when he was head of the Mordoviya postal service in 2004, and was given a 5 ½ year sentence, and a fine of around US\$ 4,000. However colleagues and press freedom monitors are concerned that the sentence may be a means of punishing his newspaper for critical reports on the local authorities. One article that carried a survey of public opinion polls published in April 2007 that said that the majority of Russians view law officers with distrust and that 46% of respondents would consider resisting a soldier's orders. Sardayev's supporters also point to a number of instances of harassment since early 2004.

On trial

Alexander ANDRONYUK: Editor-in-chief of the independent weekly newspaper *Arzamasskie Vesti*, was reportedly detained on 1 July 2009, under suspicion of extorting a gypsum factory into paying a subscription

to his newspaper, so as not to publish information that could damage the factory's reputation. However, Andronyuk's deputy editor stated that the newspaper had had good business relations with the factory for many years. *Arzamasskie Vesti* is said to be known for its exposés on local officials, and that the newspaper was the first to publish on a scandal involving a leader of the United Russia party. The editor's wife reported that on 22 December 2009, Andronyuk was attacked and injured with a knife by an unidentified person, but that they decided not to report the incident as 'it would not have helped.' In December 2009, a court in the city of Arzamas, sentenced Andronyuk to five years in a correctional labour camp on charges of extortion. Colleagues report that there was no direct evidence to prove the editor's guilt. A high standing court in Nizhny Novgorod upheld the guilty verdict in February 2010, but imposed a suspended five-year sentence with a three-year probation period. **New charges:** In March 2010, another criminal case for 'libel' was filed against Andronyuk. This case was initiated by the head of a water supply company, who was allegedly described in an article as having 'irregularly seized' the said company.

Sergei MIKHAYLOV: Founder of the newspaper *Listok* (Page) and member of the regional parliament of the Russian Altai Republic, has been reportedly charged with defamation and inciting ethnic hatred, in May 2010. According to Radio Free Europe/Radio Liberty (RFE/RL), the charge of defamation is linked to an article printed in *Listok* a year earlier, that was critical of the Altai authorities regarding the liquidation of an outdoor market in Gorno-Altai, Altai's capital city. The second charge, is related to a placard with an ultranationalist symbol that Mikhaylov allegedly carried in February. With two cases still under investigation Mikhaylov was accused the third time in July 2010. PEN is seeking further information.

Judicial Concern

Boris STOMAKHIN: contributor to *Radikalnaya Politika* and the Chechen rebel-run website Kav-Kaz Centre. Sentenced to five years in prison on charges of inciting ethnic hatred and supporting terrorism on 20 November 2006. Prosecuting authorities state that his articles called for "destroying of the Russian people as a nation". He has been imprisoned since his arrest on 22 March 2006 when he fell from a Moscow window in an attempt to escape police. It is thought he suffered a fractured spine and damage to his knee. He was first held in a prison in Moscow, then transferred on 25 June 2007 to another in Nizhny Novgorod, some 400 km from the capital. The charges relate to an article published in 2003 following a complaint that the newspaper was published by "Chechen radicals". Stomakhin fled Moscow but returned after an unsuccessful appeal for asylum in Ukraine. **PEN Position:** PEN understands that many of the articles do call for violence and justify terrorist acts such as the seizure of the theatre in Moscow in late 2003. Stomakhin, in his defence, states that his comments were simply opinions and not calls for action and a number of NGOS have called for his release, referring to his writings as while being on the one hand "outrageous", on the other they do not directly incite violence.

Attacked

***Alexander CHERNEGA:** editor and publisher of the local newspaper *Paramushir-Vesti*, was beaten up near his house in Severo-Kurilsk, Sakhalin Region, late on February 3, 2011. Two unidentified men, armed with sticks and a length of metal tubing, attacked him from behind and beat him, targeting his head, face and legs. Doctors say he will have to stay in hospital for at least two weeks. The police have begun criminal

proceedings into the incident. Chernega is a local celebrity reputed to have independent views. He has been a city assembly deputy for five years, and the editor and publisher of *Paramushir-Vesti* for seven years. He has also contributed reports to the newspaper *Sovetsky Sakhalin*, criticising the Severo-Kurilsk mayor and regional authorities for inefficient expenditure of budgetary funds. The latest edition of *Paramushir-Vesti* featured critical stories. Specifically, Chernega pointed to the growth of administrative apparatus maintenance costs despite Governor Alexander Khoroshavin's repeated pledges to reduce them, which resulted in no money being left in 2010 to finance the repairs of the road to the city port or the renovation of the water supply network. Since he has been discharged from hospital, he has been charged with insulting the city mayor, who is claiming "moral damage compensations" over statements published by Chernega describing the mayor as a "frozen or impeded person" who he advised to "read newspapers once in a while".

***Magomed KHANMAGOMEDOV:** correspondent for the Makhachkala-based independent weekly *Chernovik*, reported to have been attacked on 2 May 2011 by two unknown assailants in the city of Derbent, southern Dagestan. Khanmagomedov had been reporting on the demolition of a building in the city which had been declared a UNESCO World Heritage Site. He claims that two men demanded that he stop taking photos of the site and, when he refused to comply, he was attacked and beaten. Khanmagomedov reported the incident to local police on the same day and accompanied an officer to the site where he pointed out the two men who had carried out the attack. The officer spoke briefly with the two men before reportedly 'passing on the message' to Khanmagomedov that the men had said that 'the next time [he] went to report on the site they would break his legs'. No criminal case has been opened against the two men.

Vitaly KUZMIN: journalist writing about the campaign to stop the destruction of the Khimki forest. Kuzmin was reported to have been attacked and beaten with "either a baseball bat or a metal bar" on 21 March 2011. The victim has said he does not want official criminal proceedings to be instituted as it is a 'personal matter'.

Threatened

***Artemy TROITSKY:** prominent rock and popular music critic, who has been critical of Russian authorities. Russian officials unexpectedly inspected a Moscow rock club that had agreed to host a concert on 10 June 2011 to support the journalist, who is facing two trails for insulting former police officer Nikolai Khovansky and musician Vadim Samoylov, in his writings. The organisers were hoping that the profits from the concert would cover the legal costs accrued in Troitsky's trails. It was reported that the inspection was designed to intimidate the club's owners in order to prevent the concert from taking place. The officials left a subpoena summoning the club owners to the Presnya prosecutor's office at noon on 10 June "due to lack of compliance on the premises with fire-safety regulations".

Released

Khadzhimurad Kamalov were searched by investigators with the local prosecutor's office and officers with the Criminal Investigation department of Dagestan's Interior Ministry. The investigators seized a computer, books, and electronic files allegedly looking for signs of extremism. The day after the search, a spokesperson of the general prosecutor's office stated that it had been established that the authors of the newspaper's articles may have published them in co-authorship. On the same day, 27 August 2008, Isayeva reportedly received a notice from the Investigative

Committee at the Dagestan prosecutor's office, telling her that she had to undergo a psychological analysis. Isayeva was initially investigated and charged, and the other reporters were included in the case in late 2009. On 15 June 2009, a lawsuit was filed against the weekly *Chernovik* in Dagestan's Supreme Court. The case was filed by the state's media regulator, who demanded for the closure of the weekly for publishing alleged extremist statements. Reports say that the case is linked to articles published in 2008 which allegedly incited hatred of regional enforcement agencies. **New information:** In January 2010 the trial against the editor and journalists began. Isayeva faces up to five years in prison as the editor of the weekly, and the reporters face up to two years. In July 2010 the case was temporarily stopped, until new expert opinion is submitted. **Release:** On 19 May 2011 a final court hearing acquitted the five accused journalists. They were found innocent of "inciting hatred" and "demeaning the honour of law enforcement officers as a social group".

Released – investigation into attacks underway

Mikhail BEKETOV: Journalist and former editor of the independent *Khimkinskaya Pravda* newspaper, was tried and found guilty of slandering the mayor of Khimki on 10 November 2010. A month later, on 10 December 2010, his conviction was overturned by the Khimki City Court. On 11 November 2010, Russia's top investigator, Aleksandr Bastyrikin, ordered the reopening of a probe into a near-lethal attack on Beketov that occurred in November 2008. Beketov alleged that the mayor, Vladimir Strelchenko, had been behind attacks on his property. **Background (Trial):** The trial was connected with incidents from May 2007, when unidentified men set Beketov's car on fire. In a separate incident that year, his dog was deliberately killed. Beketov accused the mayor of masterminding the burning of the car as a warning to him over his journalism. The first hearing took place on 12 October 2010. **Background (Assault):** Beketov was beaten by unidentified attackers at his house in Khimki and left in a coma on 13 November 2008. The attackers broke his skull, smashed the fingers of both hands, broke his legs, and left him for dead in the freezing cold. He spent three weeks in a coma, had seven surgeries including leg and finger amputations. Due to damage sustained to his throat, 51 year old Beketov must re-learn how to speak. According to doctors, his rehabilitation will take months, if not years. Beketov is well known for his fiercely independent investigations. At the time of the attack, Beketov was reporting on a proposed highway that would have destroyed a forest in Khimki. He criticised his city government's policies through the pages of his newspaper, and exposed various blunders committed by the Khimki administration headed by Mayor Vladimir Strelchenko. There were no arrests, and according to *Novaya Gazeta*, the Khimki police ignored key evidence from the crime scene: officers did not examine recordings by security cameras across from Beketov's home that could have captured the attack; allegedly, Beketov's neighbors were never questioned in detail. Beketov is now able to walk again using an artificial leg. **More Information:** Two months after Beketov was beaten, the lawyer representing his interests, Stanislav Markelov, was murdered (see above). Beketov had received death threats a week before the attack and reported them to the police. The previous attacks on Beketov are also unsolved. After *Khimkinskaya Pravda* published an article on excavations at a World War II burial site in 2007, local prosecutors brought defamation charges against Beketov.

SERBIA

Attacked

Csaba Szögi: journalist with *Képes Ifjúsá*, the youth supplement of the Hungarian-language daily *Magyar Szó*, was beaten on 15 April 2011 by several individuals who waited for him outside a public restroom in Beëej (Obecsen), in Serbia's multi-ethnic Volvodina province. During the assault, the attackers reportedly repeated slogans from the extreme right-wing internet portal www.magyarazat.info, which claims that the journalist 'shames Hungarian culture'. Although badly bruised, Szögi did not require hospitalisation.

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. She remains detained in Salamanca prison. **Professional background:** Teresa Toda is a Board Member of the Basque PEN Centre. Born in Brazil into a diplomatic family she lived in North and South America and the UK before going to Spain where she became a correspondent for *Egin* in 1984. She then moved to the Basque region to work for a trade union publication, taking leave of absence from *Egin* in 1998, and unable to return when it was closed down. She is known for her anti-Franco and left wing activism for which she was expelled from university. She is currently in prison in Cordoba.

TAJIKISTAN

Main Case

Makhmadyusuf ISMOILOV: journalist for the weekly newspaper *Nuri Zindagi* (Ray of Starlight), and based in the capital, Dushanbe, was arrested on 23 November 2010 in the Soghd region of the country, where he had been working to promote circulation of the newspaper. According to Ismoilov's lawyer, he has been charged with "criminal defamation" and "insult through media," but the charges do not relate specifically to a particular article or plaintiff. On 29 November the editor of *Nuri Zindagi*

received an official letter from the Asht district prosecutor's office, demanding copies of all published articles written by Makhmadyusuf Ismoilov. His family were notified on 24 November that he had been arrested, and instructed a lawyer to defend him. If convicted, he faces a prison sentence of up to two-and-a-half years. Because Nuri Zindagi received the letter from the prosecutor of the Asht district, his fellow journalists believe that the charges relate to an article he wrote about the local authorities in Asht. The article criticized local law-enforcement agencies in particular and the lack of justice in the district. Ismoilov is last known to be held in a detention facility in the city of Khujand, in the north of the country. PEN is seeking an update.

Investigation: Imprisoned

***Urinboy USMONOV:** journalist for the *BBC Central Asian Service*; detained in Khujand, northern Tajikistan, on 13 June 2011, accused of membership of the banned Islamic movement Hizb ut-Tahrir and of seeking to recruit new members to the group via the internet. On 20 June 2011 he was indicted on charges of making "public calls to forcibly change the constitutional system of Tajikistan" and faces up to 15 years in jail if convicted. Usmonov had been reported missing on 13 June after he failed to return home after work. He appeared at his family home on 14 June, accompanied by members of the Tajik security services, who told his family that Usmonov had been arrested, and conducted a search of the house. It was reported that Usmonov appeared to have been beaten and had difficulty walking during this search. Usmanov's lawyer, Fayziniso Vohidova, said that an arrest warrant was signed by the court on June 15. Vohidova claimed that she has been denied access to her client. The BBC has rejected the charges against Usmonov, stating that "Whilst Mr. Usmonov has reported on the judicial trials and activities of the Hizbi Tahir party in Tajikistan at the request of the BBC, the BBC has no reason to believe these allegations". His family is further concerned about his treatment as he suffers from diabetes and high blood pressure. Usmonov was visited in prison on 27 June 2011 by Hamid Ismalov (also from the BBC Central Asian Service), who reported that he was 'horri-fied' to find Usmonov in a very frail physical and psychological state. [update: Usmonov was subsequently freed on bail on 14 July 2011]

Attacked

***Siyavush AHMAD and Bobjon DOSTIEV:** sons of prominent journalists Ibrohim Ahmed and Asliddin Dostiev; were detained by traffic police on 7 June 2011, along with some 100 fans of the local Ravashan soccer team who were returning from a match against Dushanbe's Energetik team. Ahmad and Dostiev reported that they were beaten while in police custody. Asliddin Dostiev claims this attack was connected to his writings, which had criticized local police and traffic inspection police for some time. A lawsuit has been filed against the police and the incident is currently under investigation.

TURKEY

Killed: Trial under way

Hrant DINK: editor of the Armenian language *Agos* magazine. Killed outside his office in Istanbul by an assassin on 19 January 2007. Dink was one of the few persons to be convicted under Article 301 of the Penal Code, accused of "insulting Turkishness" for his writings on the Armenian genocide. In October 2005 he was given a six month suspended sentence for a 2004 article entitled "The Armenian Identity". Dink's murder sparked debate on revision or repeal of Article 301,

which many believe marked Dink out as a target for ultra nationalists. Threats: Following Dink's murder it has been revealed that he had informed and warned the authorities about the plans to kill him but was not taken seriously. Following the murder, a number of other writers and journalists were allegedly put on extremist "death lists" and placed under police protection. Trial: 17-year-old Ogun Samast was arrested on accusation of manslaughter, affiliation to an armed group and possession of illegal firearms. In March 2007 it was reported that 30 people had been interrogated in connection with Dink's murder, 20 of whom were subsequently brought to trial that opened in July 2007 and is still ongoing. A separate investigation was opened into 8 police accused of "dereliction of duty" following claims that they had been warned several times that Dink was in danger. In July 2008, the Turkish Parliamentary Human Rights Commission reported that there was negligence and lack of coordination on the part of the security services that led to a failure to prevent the murder. New information: The final trial hearing against Samast was held on 17 June 2011. At this hearing, he described himself as a "victim of circumstances", adding that he had plans to go to university to study sociology. The trial against 19 defendants allegedly involved in the killing continues with the next hearing due 29 July 2011. European Court on Human Rights Application: The European Court on Human Rights is considering five applications under the right to life, the right to effective Honorary Member: Belgium (FI), England, and Norway

Imprisoned Main Case

Muharrem Erbey

D.o.b.: 1970 **Profession:** human rights lawyer and writer **Date of arrest:** 24 December 2009 **Sentence:** not yet sentenced. **Details:** On 24 December 2009, human rights lawyer, writer and PEN Turkey member Muharrem Erbey was arrested in Diyarbakir, south eastern Turkey. He was among 80 people arrested on accusation of having links with an organisation said to be affiliate to the banned Kurdistan Workers Party (PKK). Muharrem Erbey is a highly respected human rights lawyer, and Vice President of the Human Rights Association (IHD) who has conducted research into disappearances and extra-judicial killings in and around the Diyarbakir region. Muharrem Erbey has since the late 1990s worked on human rights issues for which he has gained international respect. He has represented a number of individuals whose cases have come to the European Court on Human Rights. In 2008 he became Vice President of the IHD, one of Turkey's most reputable human rights associations. He is also President of the Diyarbakir Branch of the IHD. **Charges:** According to reports, members of the Anti-Terror Unit of the Diyarbakir Security Directorate took Erbey from his home in the early hours of 24 December 2009. Erbey is charged under Article 220/6 of the Penal Code with "membership of an illegal organisation", the Kurdistan Democratic Confederation (KCK), said to be affiliated to the banned Kurdish Workers Party (PKK). **Place of detention:** Diyarbakir D Type Prison. **Possible reasons for arrest:** Commentators have referred to recent visits by Erbey to various European parliaments, including in Sweden, Belgium and the UK, where he spoke on Kurdish rights. He had also participated in a Kurdish film festival staged in Italy in late 2009. In September 2009 he had taken part in a workshop on minority rights in Diyarbakir. At the time of his arrest, the offices of the IHD were searched and documentation seized, including archives on serious human rights violations over the past two decades, including extra judicial killings and disappearances. **Other details:** Erbey's collection of short stories, *My Father, Aharon Usta*, is due to be published shortly. In 2007 he was a co-editor of a collection of Turkish and Kurdish language stories by 35 authors, distributed by

the Diyarbakir Metropolitan Municipality free to local people. The Mayor who organised the publication was subsequently brought to trial under a law that prohibited the use of the Kurdish alphabet (since annulled). Erbey defended the Mayor who was subsequently acquitted, and after Erbey had gathered 300 writers' signatures against the court hearing. Another short story collection, *Missing Pedigree* was published in 2004. He has written many articles on culture, children's and human rights that have appeared in arts and culture magazines, newspapers and websites. He is a member of PEN Turkey and the Kurdish Writers' Association. **Place of detention:** Diyarbakir D Type Prison **Honorary Member:** Swedish PEN

Nedim SENER, Ahmet SIK: journalists. Arrested 7 March 2011 and formally charged on 11 March on charges related to the *Ergenekon* investigation (see below). **Background:** **Nedim Sener** was awarded the 2010 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 [RAN 10/11 4 March 2011; RAN 10/11 Update #1 -7 March 2011]. **Background: Ahmet SIK:** Police are said to have seized the draft manuscript of a book by **Ahmet**, who, like 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 *Iman's Army*. Although unpublished, the book has been banned. He is already on trial for two books on Ergenekon, co-authored with journalist [RAN 10/11 4 March 2011; RAN 10/11 Update #1 -7 March 2011] **Ertugrul Mavioglu** (See below). Born in Adana in 1970 he is a graduate Communications Facility Department of Journalists, Istanbul University. Reporter for *Milliyet*, *Cumhuriyet*, *Everensel*, *Yeni Yüzcil*, and *Radikal* over the period 1991 – 2005. Awarded a number of prizes for his journalism in Turkey.

Appeal: a second appeal against the two men's imprisonment was turned down on 11 April 2011. **Trial hearings:** First held on 14 April 2011 and ongoing. **SIK** was unable to attend as the prison authorities claimed there was no suitable transport. Many trial hearings attended by numerous supporters, carrying candles and chanting. **Places of detention:** Sener is detained in Silivri Prison, Istanbul. **Other trials against Sener:** 1) on 19 April 2011 Sener appeared in court on charges under Article 285 of the Penal Code relating to violation of confidentiality in an article on a police chief himself accused of connections to Ergenekon. 2) On 2 June 2011 he was due to appear in court alongside **Hasan Çakkalkurt** (see elsewhere) on charges of for an article on bribery published in *Milliyet* in October 2010. This trial was adjourned to 1 November 2011. 3) Another trial is under way, this time for disclosing details of a closed trial in an article published November 2010 titled 'The black bag was not in the room' referring to a bag allegedly containing cassettes containing information on politicians, journalists and bureaucrats in the 1990s said to have been found in a former police chief's possession. 4) On 31 May 2011 a case of defamation of another journalist was dismissed against him. Another six trials are said to be ongoing against him. **Other trials against SIK:** see below. [RAN 02/10 Update #1- 1 February 2011]

Imprisoned Investigation cases

Bedri ADANIR: d.o.b. 1983. owner of the Aram Publishing House and representative of *Hawar* newspaper. Arrested on 5 January 2010 on charges under Article 7/2 of the Anti Terror Law for publishing *On Culture and Arts*, a collection of speeches by the leader of the banned Kurdish Workers' Party (PKK), Abdullah Ocalan. The book is said to refer to Ocalan as "chairman" and PKK members as "guerillas" and "martyrs". He is accused of "spreading propaganda for an illegal organisation". The publishing house had originally been raided in October 2008 and charges made against Adanir in May 2009. However Adanir has been out of the country, and was arrested on his return from Iraqi Kurdistan. Initially he faced three separate trials, but these have now been merged into one. One relates to the book, the other two to articles he wrote for his newspaper. The first hearing was held on 25 February 2010. He was ordered to remain detained due to the "quality of the crimes" he is accused of. His publishing house is described by the authorities as an outlet for PKK publications. **Trial:** In the hearing on 6 May 2010, the prosecutor stated that 38 books were confiscated in a raid on the publishing house on 14 September 2008 which were either banned or decided to be seized. The prosecutor furthermore claimed a four count charge of "propaganda for an illegal organization" based on articles and contents published in May 2009. The prosecutor demanded a seven count sentence for Adanir according to article 7/2 of the Anti-Terror Law (TMY) and punishment under allegations of "committing a crime on behalf of a terrorist organization without being a member of the organization" based on articles 314/3 and 220/6 of the Turkish Criminal Code plus article 5 of the TMY related to an increase of the penalty. In summary, Adanir faces prison sentences of up to 50 years. **Update:** at a hearing on 6 May 2011, the prosecutor explained that the materials seized contained interviews with families of killed PKK members, as well as statements praising the PKK leadership. Details of the articles and charges can be found in this article <http://bianet.org/english/english/122037-detained-publisher-adanir-faces-50-years-prison-sentence>. The next hearing was set for 8 July. **Present situation:** Adanir remains detained following a refusal of his request for release pending trial in March 2011.

***Erdogan ALTAN, Kadri KAYA:** Batman based journalist and reporter for the Dicle News agency. Arrested and imprisoned on 19 April 2011. Among a number of people arrested for their alleged involvement in an "illegal organisation"

Gurbet Çakar (F): As of 10 June 2010, editorial manager of the Kurdish-Turkish women's magazine *Rengê Hevîya Jinê*, had been in detention for three months. A Diyarbakir court decided to extend her detention for at least 20 days. She had previously been sentenced to more than three years in jail. Çakar was detained under charges of "making propaganda for the PKK via the media". The lawyer said that another trial under article 7/2 of the Anti-Terror Law was under way in July 2010. PEN is seeking an update.

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.

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

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

Rüstü DEMIRKAYA: journalist for the Dicle News Agency. Sentenced to six years and three months in prison under Article 314/2 of the Penal Code – “assisting and harbouring an illegal organisation”. **Charges:** accused of having met with PKK officials in Tunceli in fall 2005 and giving them a lap top computer and CDs. **Concerns:** His lawyers as well as free expression groups say that the sentence is unsound, being based only on the statement of one informant. It is also claimed that at the time of the alleged offence, Demirkaya was several hundreds of miles away, enrolling at a university course near Izmir, information that was backed up by police in Izmir. **Place of Detention:** Malatya Prison. **Other:** Twelve others were tried with Demirkaya. One of them, the alleged informant received a life sentence. Four were freed. PEN is seeking an update.

Erdal GÜLER: ex-editor of *Revolutionary Democracy Newspaper (Devrimci Demokrasi Gazetesi)* Arrested on 25/26 December 2007 and

charged with “propaganda for an illegal organisation”, the PKK and the Maoist Communist Party (MKP). Subsequently sentenced to 21 months in prison, to expire in December 2009. There are reportedly other charges against him. In early January 2010 it was reported that he remained detained, despite the expiry of his sentence. **Update:** According to a Bianet report published 9 May 2010, Güler is now not due to be released before 2014.

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”. Kiling 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:** Kiling was arrested on 22 July 2010 during a police raid on his home in Diyarbakir five months after his conviction. **Appeal:** In February 2011 his previous 21 year sentence was overturned as being too high. **Sentence:** On 11 April 2011 he was sentenced to six years and nine months in prison. His request for his trial to be held in Kurdish was refused. **Imprisoned:** Diyarbakir.

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

Deniz YILDIRIM: chief editor for *Aydinlik* reportedly detained along with Ulusal Channel news chief **Ufuk Akaya** as of August 2010. They have been in prison since September 2009 on charges of phone tapping. PEN is seeking an update.

Erol ZAVAR: referred to as a journalist for *Odak*. Reportedly tried at the Ankara State Security Court No 2 on 27 June 2001 and sentenced to death under Article 146/1 of the Criminal Code for “attempting as a member of the illegal resistance movement, and in accordance with the aims thereof, to overthrow the existing constitutional order by force”. Sentence reduced to life imprisonment. Claims to have been tortured. Subject of a support campaign calling for him to receive proper treatment for bladder cancer, asthma and other problems. Said to have written a book of poetry in prison. His lawyers have demanded his release on health grounds on a number of occasions, yet all applications were rejected. Zavar has serious health problems and campaign “Erol Zavar’s Right to Live” continues. See www.erolzavar.com (in English) for documents and information on

Zavar. In October 2008, Zavar's wife stated that she and her two small daughters were attacked by prison guards during a prison visit. Held in Sincan F Type Prison, Ankara, as of Decemer 2008. PEN is seeking an update.

On Trial/Charged (not detained)

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

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

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

Mujde AR, Erdem BUYUK, Mustafa ARIGUMUS and Berrin TURSUN: journalists said to be among 17 people reported in August 2010 to have been charged with criminal defamation and sentenced to a total of 4 years. Believed not detained. No further details.

22 ***Ercan ATAY:** *Batman Newspaper* editor on trial 28 March 2011 for

publishing commentary by a PKK leader on his organisation's mines where there had been a fatal explosion. On 8 June 2011 he was sentenced to one month and one week under Article 215 of the Penal Code for "praising crime and a criminal". Believed to be free on appeal.

Mehmet BARANSU: journalist for *Taraf 1*) faces trial on charges of "insulting the military" for an article that suggested an 'Anti Reactionary Plan' within the military in which he claimed that there were plans for a defamation campaign against the ruling AKP party and the Fethullah Gülen religious movement. Published in June 2008, the article is seen as a breach of Article 301/2 of the Penal Code for public insult to the military or police, and which carries a maximum of two years in prison. The prosecution has applied to the Ministry of Justice to approve the trial, as required under revised conditions for application of Article 301. 2) Trial opened in September 2009 regarding an article by Baransu on an attack on a PKK headquarters in Aktütün in which 17 soldiers died. The article entitled 'Written Records' was published on 13 April 2009 and gives details of the attack, including the departure times of the aircraft that bombed PKK sites, when the Prime Minister and President were informed, and when the Chief of General Staff arrived at his headquarters. He is accused under Article 329/1 of the Penal Code with "disclosing information related to state security and political efficacy" and disclosing confidential information. He faces up to 10 years in prison. Baransu argues the his article was published 6 months after the attack and the information he used had already been made public by the military. The next hearing was due 6 October 2010. PEN is seeking an update.

Ismail BESIKCI: 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 Besikci. 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 Besikci stated that if Turkey wished to gain influence in the Balkans and Caucasus, it would first have to deal with the Kurdish problem, which should not be tackled by prosecutors and business people, but by academics, journalists and philosophers. 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, Besikci 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 Besikci is free on appeal. **Background:** Besikci spent many years in prison in the 1990s during which time he was a main case for Pen International.

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. Presumed free on appeal. 4) In February 2010, a member of the ruling AKP party filed against Bogatekin for an article that he saw attacked his “personal rights” published in September 2009, entitled ‘Mercy Miro Mercy Piro’. If convicted, Bogatekin faces a fine. His trial is still under way with the next hearing set for 30 June 2011.

Özgür BOGATEKIN: journalist for *Gerger Firat* in Adiyaman and son of Haci Bogatekin, (above). Sentenced on 13 May 2009 to 1 year, 2 months and 17 days in prison for an article in which he argued that his father was imprisoned unlawfully. At the time the article was written in June 2008, his father was still in jail. Haci Bogatekin is now free although cases against him continue. Özgür Bogatekin was convicted of “insulting” the judge presumably who had presided over his father’s case by referring to him as a *pegur*, an insult used in the locality referring to having wolf like traits. He also suggests that there is animosity between the judge and his father. Özgür Bogatekin is free pending appeal.

Hasan ÇAKKALKURT, Namik DURUKAN: chief editor and journalist for *Radikal* respectively. Trial opened on 12 August 2009 on charges article 7/2 of the Anti-Terror Law for having carried a statement by a PKK leader in which he states that even if there were to be an amnesty for Kurdish rebels, the PKK would not put down weapons. (See also Çakkalkurt below.) **Update:** On 15 June 2010 the trial against Durukan continued at the Istanbul 10th High Criminal Court. Durukan is tried on the grounds of his article entitled “Even a general amnesty will not make us put down our weapons”. The news item conveyed the referring statement of Duran Kalkan, executive of the militant Kurdistan Workers Party (PKK), delivered to the Firat News Agency (ANF). A new prosecutor, Bilal Bayraktar, has been appointed to the case. He requested additional time in order to prepare a new final plea. The hearing attended by defendant Durukan and his lawyer Nurcan Bayraktar did not reach a final decision. President Judge Zafer Baskurt postponed the trial to 21 September 2010. PEN is seeking an update.

Cengiz ÇANDAR: journalist for *Referans* is on trial for an article criticising the conduct of the Hrant Dink murder trial (see above) that criticised the court for not allowing secret witnesses and accused the judge of being too “free and easy”. He is accused of “insulting a public servant”. The article was entitled “Mocking Hrant and Justice”. The first hearing is set of 13 December 2010. PEN is seeking an update.

***Mustafa Kemal ÇELİK:** publisher of the *Batman Postasi* newspaper was on trial at the Batman 2nd Magistrate’s Court on 12 May 2011 for an article on a member of a guerilla group.

Murat COSKUN: author of *Language of Suffering: Woman* published by Peri Publishing House in 2002. The book contains four stories written in lyric form. Coskun was reported in 2009 to be facing charges under Article 301, alongside Peri Publishing Houser director, **Ahmet ONAL**, for insult to the armed forces. The case is currently under consideration by the Ministry of Justice. The charges relate to a passage in the book in which the Turkish armed forces are described as “vultures” and another where a PKK militant is quotes PKK “propaganda”. The case is waiting for permission to proceed from the Minister of Justice. **Previous imprisonment:** detained for almost 9 months from August 2008 for “incitement to hostility” and has served a previous prison term for his alleged affiliation to PKK.

Adnan DEMİR: director of *Taraf*. Next hearing due on 5 July 2011 for an article published on Taraf’s website with comments by **Sebnem KORUR (f)** also on trial. There are reportedly 80 cases against *Taraf*.

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

Temel DEMİREK: writer. 1) Reported in January 2008 to be standing trial before the Ankara Penal Court of First Instance under Article 216 (inciting enmity) and Article 301 (insult to the state) for a speech against the January 2007 murder of Hrant Dink in which he said “I invite all here to commit a crime. Yes, there was an Armenian genocide in this country.” And then urged Turkish intellectuals that if they did not themselves commit “this crime of 301 301 times” they too could be accomplices to the murder of Hrant Dink. A hearing held 15 May 2008 resulted in the court forwarding the case to the Ministry of Justice following amendments to Article 301 put in place in April 2008. In early September 2008, the Ministry granted approval and the case opened in November 2008. Concern was expressed in November 2008 about comments made by the then Minister of Justice Mehmet Ali Sahin in declaring the decision to proceed by stating that Demir 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 Demir to the attention of extremists who threaten and attack those who refer to an Armenian genocide. Demir’s request to have the Minister of Justice’s decision annulled as being interference in the independence of the judiciary was heard on 12 May 2009 and its outcome to be announced later. Next hearing of Demir’s case will be on 14 September 2011. 2) In late May 2009, Demir was sentenced to 5 months in prison in a second trial under Anti Terror Law Article 7/2 for a speech by Demir deemed to be propaganda for an illegal organisation. He is free on appeal. PEN is seeking an update.

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

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

N. Mehmet GÜLER: author. 1) Sentenced to one year and three months under Article 7/2 of the Anti Terror Law for his book *More Difficult*

Decisions than Death. Accused alongside publisher Ragıp Zarakolu under article 7/2 of the Anti Terror Law of “spreading propaganda” for the banned Kurdish Workers Party (PKK). The charges relate 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. Güler believes that one way to tackle problems in Turkey is through literature, saying it is “the best way to deal with social trauma”. The most recent hearing of this case on 19 November 2009 saw the prosecution itself pointing out that no crime had been committed and called for Zarakolu and Güler’s acquittal. However, at the next hearing, on 25 March 2010, another prosecutor expressed another view – that the book does provide terrorist propaganda, leading Zarakolu to comment: “When the case was opened, there was a cold strong wind blowing through the country. When our acquittal was suggested in November, the atmosphere was warm and soft. Today a harsh wind is blowing again. I think the atmosphere in this trial reflects that of the country.” The trial was adjourned to 10 June 2010 when Zarakolu was acquitted, yet Güler was sentenced. He is free on appeal. PEN is seeking an update. 2) On 10 March 2011 Güler received a 15-month suspended sentence alongside publisher **Ragıp Zarakolu** who received a fine. Both had been convicted of spreading “propaganda” for the publication of Güler’s book *The KCK File/The Global State and Kurds Without a State*. [RAN 43/10 Update #3 14 March 2011]

Filiz KOÇALLI, Ramazan PEKGÖZ, Ziya ÇİÇEKÇİ: publishing director, journalist and owner of the *Günlük* newspaper. Charged in October 2009 under Articles 6/2 and 7/2 of the Anti Terror Law for an interview published in Kurdish over three articles entitled “We did what Hasan Cemal Wanted”, “I completely agree with Yaser Kemal” and “If the State Would Take One Step We would Take Two”, all quotes from interviews with alleged members of the banned Kurdish Workers Party (PKK). The are accused of “spreading propaganda for an illegal organisation”. The first hearing was held 24 February 2010 with next due 2 September 2010. PEN is seeking an update.

Çağdas KÜÇÜKBATTAL, Tuncay MAT: intern and journalist for *Atılım*. Detained for their alleged role in the destruction of a base station (mobile transmitter) alongside nine other defendants, six of whom, including Küçükbattal and Mat, remain detained. The trial opened on 5 March 2010. They are accused of having destroyed the transmitter as part of a campaign of actions carried out by the banned Marxist Leninist Communist Party. Both claim that they were present at the event simply as journalists and claim that the notes and photos they took are the only evidence. The prosecutors claim that that Küçükbattal specifically encouraged the event and led them into the site. **Update**: In the second hearing on 29 May. Mat and Küçükbattal were released pending trial; they had claimed that they followed the incident as journalists and that their prosecution was a breach of law. A total of eleven defendants are on trial, five of them are detained. The case was postponed to 24 September 2010. PEN is seeking an update.

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

Serkan OCAK and Ertan KILIÇ: reporters. On trial for “violating the discretion”, “attempting to influence the outcome of a trial”, “providing classified information” and “disclosing classified information” for their report “Were you going to overthrow the government?” about ‘The Maul

intervention plan’ published on 25 February 2010. They face prison terms of from six and half to seventeen and a half years. Another case was filed over Ocak’s 27 February 2010 report in the *Radikal* daily on similar accusations. The first hearing of the case was held on 14 September 2010 before the Bakırköy Justice Hall Criminal Court of First Instance number 2. The next hearing is set for 20 September 2011.

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

Orhan PAMUK: author and Nobel Literature Prize winner. On 7 October 2009, the Supreme Court agreed to allow a private compensation suit to continue against Pamuk for his comment made in a Swiss newspaper in 2005 referring to 30,000 Kurds and 1 million Armenians killed in the early part of the 20th century. In 2006 a trial against him under Article 301 of insult to the Turkish state was discontinued. The charges have been made by six people including the president of the Istanbul Martyr’s Mothers’ Solidarity and Support Association, and Kemal Kerincsiç, a well known right wing prosecutor himself now in prison accused of attempting to overthrow the government as part of the Ergenekon movement (see below). All the complainants are linked to right wing groups. These cases have been under consideration by the courts for some time and up until now the courts have argued that there are no grounds for private prosecution. The chief argument against prosecution is that Article 301, under which the complaints have been made, cannot be brought by individuals. The consensus is that these cases are aimed at causing inconvenience and to raise the profile of the individuals concerned. Pamuk is unlikely to have to appear in court in person. On 29 March 2011 the Court of Appeals upheld a TL 6,000 (€5,000) fine. Pamuk may choose to appeal again.

Semra PELEK (f), Mustafa DOLU: editor of *Aksam* (no longer in operation) and its editorial manager respectively. Both are accused for articles on the Ergenekon investigation (see below). Pelek for editing an article ‘Questions to Firtina from Aydın Dogan, Rahmi Koç and Akçakoca’ published on 5 January 2010. The case has been taken by retired general Ibrahim Firtina who has provided evidence to the Ergenekon prosecutors. First hearing held 1 November 2010. Both are accused under Article 285 of the criminal code that relates to disclosing secret information relating to an investigation and Article 288, for attempting to “influence” the outcome of a trial. Both face up to 8 years in prison. Next trial hearing set for 11 August 2011.

***Irmak SAADET**: owner and editorial manager of the weekly *Yeni Yorum (New Comment)* magazine and *Ülkede Yorum (Country Comment)* newspaper. On 26 May 2011 a final hearing was held in his trial under the Anti Terror Law and Article 215 of the Penal Code for “praising an offender” in articles published in his newspapers. These articles reportedly included the publication of a statement by the Executive Board of the Union of Kurdistan Communities which questioned the government’s strategy towards a peaceful solution to the Kurdish issue. He also referred to the leader of the PKK, Abdullah Öcalan, as the “Leader of the Kurdish People”. He was sentenced to 20 months in prison. Originally sentenced to one year for publishing statements of an “illegal organisation” in articles titled ‘All aspects of my life will be Kurdish’ and ‘The last chance for a democratic solution’. In January 2010, this was reduced to 10 months. He was also fined for two other articles. An appeal has been filed against the prison term.

Halil SAVDA: owner of website savaskarsitlari.org website. Trial opened in July 2010 for articles published on the site. A hearing was set for 26 March 2011. PEN is seeking an update.

Ismail SAYMAZ: reporter for *Radikal* who stands accused of the “attempt to influence a fair trial” and “violating the secrecy of an investigation”,

under Article 288 of the Turkish Criminal Code. The journalist faces a prison sentence of up to nine years. Saymaz is being tried for his article “What they asked Cihaner” published in *Radikal* newspaper on 18 February 2010. The first hearing was held at the Bakırköy (Istanbul) 2nd Criminal Court of First Instance on 23 June 2010. Journalist Saymaz and editorial manager **Hasan Çakkalkurt** (see elsewhere) may face imprisonment of up to 36 years in total. The next hearing of this case is set for 23 November 2011. **Update:** A total of six trials have been filed against Saymaz on the grounds of his news about the interrogations of İlhan Cihaner, detained Chief Public Prosecutor of Erzincan (north-eastern Anatolia), and İbrahim 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): Saymaz faces another 4.5 years’ prison sentence in the seventh case opened against him. Saymaz stands accused of “violating the secrecy of an investigation” because of an article published in *Radikal* on 19 March 2008 entitled “The generals in their summer residences agree that Balbay is the left-wing leader”. Saymaz is now facing imprisonment of up to 60 years in total. The first hearing of latest trial was held on 3 June 2010 as a result of Public Prosecutor Özkan Koç’s complaint according to article 285 of the Turkish Criminal Code (TCK) (Violations of Communications). The allegations were initially drawn against *Radikal* editor-in-chief Hasan Çakkalkurt and subsequently directed to Saymaz due to the “responsibility for the news item”. 3) On 20 April 2011 a case was filed against Saymaz by a prosecutor in Erzurum for referring to him as a ‘post modernist’ in his book *Postmodern Jihad*. First hearing set for 8 June led to the case being sent on to the Istanbul Magistrate’s Court.

Pinar SELEK (f): writer, academic and women’s rights activist. Also a member of PEN Turkey. In 1998, an explosion at a crowded marketplace in Istanbul led to the deaths of seven people and injured 127 others. Selek was among a number of people arrested and imprisoned in July 1998 on accusation of causing the explosion. In December 2001 an expert investigation concluded that there was not enough information to confirm that the explosion was a bomb, the suggestion being that it had been a tragic accident caused by a leak from a gas canister. Selek and the other defendants were freed after serving two and a half years in prison. However, in December 2005 a new trial was opened, which in June 2006 was again dismissed due to lack of evidence that the explosion was a bomb. However in March 2009 the Appeal Court requested a review of the case and reversed the acquittal. Again this went to consideration in May 2009, and Selek was again acquitted. The appeal court once again objected and sent the case to the Istanbul High Criminal Court for review once again on 9 February 2010. Pinar Selek is now resident in Germany. There are concerns that she may be extradited to Turkey where she faces a life sentence. In August 2010 Selek’s case was raised at the European parliament, and the European Commission accession unit confirmed that it was aware of the case and it would discuss it with the Turkish authorities. **New information:** An arrest warrant was requested in early June 2011, now under consideration by the Supreme Court of Appeals. On 22 June a court hearing was postponed to 28 September 2011 as not all testimonies had been collected to enable a decision to bring the appeal against the third acquittal to the Supreme Court. [RAN 02/11, 18 January 2011]

Gökçer TAHINCIOĞLU, Kemal GÖKTAS: award winning journalists.

1) Law suit filed in August 2008 for an article on the decision of the

Ankara 11th High Criminal Court granting permission to the National Intelligence Organisation (MIT) and police to use electronic monitoring devices. The article, entitled ‘The Document that will Shake Turkey’ was published on 1 July 2008 in the newspaper *Vatan*. Accused under Article 6/1 of the Anti Terror Law for “targeting public officials who are part of anti-terror activities” by publishing classified information and by giving the name of the judge responsible for the decision to grant permission. They face up to three years in prison. Both had been granted the Turkish Journalists Association Media Freedom Award in July 2008 for publishing the story. The two say that in researching and writing the story, they had taken care not to publish sensitive information such as photographs. Now new information on trial as from late 2009. PEN is seeking an update. 2) In September 2009 it was reported that the head of the Intelligence Department accused Göktaş of attempting to influence the outcome of a trial and insulting a public official in his book *Hrant Dink Murder – Media, Judiciary and State* and called for his prosecution. The case opened on 16 February 2010 at the Istanbul Sultanahmet Court and was postponed for up to four months to enable the prosecution to consider that the case breaches statutes of limitation as more than four months had lapsed between the charges being levelled in September 2009 and the offence. The next hearing was set for 15 September 2010. PEN is seeking an update.

Hakan TAHMAZ, İbrahim ÇESMECIOĞLU: journalist and general director of *Birgün*. Under investigation in September 2008 after the 9 August seizure of the newspaper. Accused of publishing an interview with a member of the banned Kurdish Workers party (PKK) carried out at the PKK HQ in Qandil, Northern Iraq in an article entitled ‘A One Sided Ceasefire is Making the Problem Worse’. The interviewee is quoted as saying that although the most people wanted the violence to end, the PKK would continue its “legitimate defensive war”. Both men denied that they were carrying propaganda, and were simply carrying out legitimate journalism. **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. He is free pending appeal.

Ferhat TUNÇ, Mehmet ÇOLAK: singer and editor-in-chief of *Özgür Gündem* respectively. 1) Trial started on 2 December 2004 at the Beyoğlu Criminal Court on charges under article 159 of the Penal Code for insulting the judiciary in an article Tunç wrote for the daily *Gündem* on 19 January 2004 entitled “A Revolutionary Leyla and a Song”. They face 1-3 years in prison if convicted. Hearings continued through to 2009. The case was referred to the Ministry of Justice for approval to continue as prescribed under the amended Article 301. PEN is seeking an update. 2) Tunç faces imprisonment of up to 15 years for a speech he made at the 1st Eruh-Çirav Nature and Culture Arts Festival in south-eastern Turkey in August 2009. Un-detained defendant Tunç is tried under article 7/2 of the Anti-Terrorism Law (propaganda for an illegal organization). Additionally, the artist stands accused of “committing a crime on behalf of an organization without being a member of the organization” according to article 220/6 of the Turkish Criminal Law (TCK). Tunç was to be tried at the Diyarbakır High Criminal Court on 28 July 2010. PEN is seeking an update.

Baris YARKADAS: chief editor of the Gerçek Gündem.com (real agenda) website. Trial opened on 15 January 2010 alongside Dr Sebnem Korur Financi, chair of the board of the Turkish Human Rights Foundation before the Kadikoy 2nd Criminal Court of the First Instance in Istanbul. They are accused under Article 125/1-2-4 of the Penal Code for “insulting a public official via the press” for an interview carried out in July 2009 in which Yarkadas asked Prof Financi questions about the head of the Institute for Forensic Medicine, Nur Bilgen. Financi’s response suggested that Bilgen had received bribes and that she had been implicated in covering up evidence of torture. The two face up to 2 ½ years in prison. The next hearing is due on 7 July 2011.

Suzan ZENGİN (F): *İşçi Köylü (Worker-peasant)* newspaper journalist, was taken into custody on 28 August 2009 by the Anti-Terror Branch of the Istanbul Police. In her indictment, Zengin stands accused under Article 314 of the Penal Code of “carrying out illegal activities” for the banned TKP/ML-TIKKO, the armed wing of the Turkey Communist Party/Marxist-Leninist. This is said to refer to publications such as the Worker-Peasant newspaper, which is published by the Umut Publishing Company, the Partisan magazine and the New Democratic Youth (YDG). Zengin appeared in court for the first time on 26 August 2010, one year after her arrest, on accusation under Anti Terror Legislation of “membership of an illegal organisation”. Zengin claims not to have had connections with the armed groups nor to know the other defendants arrested with her. On 14 June 2011 she was freed pending trial at a hearing attended by a number of observers, including Eugene Schoulgin, Vice President of PEN International. She faces up to 15 years in prison.

Non custodial sentence

***Necip (Erkan) ÇAPRAZ:** journalist and owner of the *Yüksekova News*, in Hakkari. Arrested 21 March 2011. His family were told that he had been arrested with 10 others on allegations of “directing communal events” There are concerns for his health as he had had heart surgery a year earlier. In May 2011 he was sentenced to one year in prison, suspended under Article 216/1 for inciting hatred in an article published 27 April 2010. Not clear if this sentence linked to his arrest in March 2011.

Possible prosecution

Ertugrul MAVIOĞLU: journalist for *Radikal*. 1) On 14 April 2010 the Public Chief Prosecution of Kadiköy (Asian side of Istanbul) launched an investigation into Mavioglu and **Ahmet ik** (imprisoned in another case, see above) on the grounds of their books *Understanding the Counter Guerilla and Ergenekon* and *Who is Who in Ergenekon*. The two journalists are under suspicion of “violating the secrecy of an investigation” according to Article 285 of the Turkish Criminal Law (TCK). Both were **acquitted** of this charge c. 22 May 2011. 2) MAVIOĞLU is also accused of “propaganda” for the Kurdish Workers’ Party (PKK) for an article in which he interviewed Murat Karayilan, leader of the PKK at Qandil mountain, the PKK base in Northern Iraq. This was published in three separate articles in *Radikal* in late October 2010. Mavioglu disputed that he had advocated violence by pointing to references in the article where the PKK leader had appeared to be critical of the violence against and killings of civilians at the hands of its members. The prosecution is demanding 5 years imprisonment. His trial is being held before the Istanbul 11th High Court. Most recent hearing was 13 May 2011, adjourned to 13 October 2011.

***50 writers:** contributors to the online *Sour Dictionary* (Eksi Sözlük) Arrested for questioning on 20 June 2011 after a private citizen,

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

Death Threat

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

Attacks./ Other threats

***Nuray MERT (f), Pelin ÜNKER (f):** journalists for *Millyet* and *Cumhuriyet* newspapers respectively. Claimed to have been physically and verbally attacked by police on 1 June 2011 whilst covering a demonstration. Ünker reportedly suffered injuries to her arm.

Ergenekon Investigation

Since June 2007 there have been a series arrests of leading military, political, police, intellectual and other figures. Now numbering over 200, they are accused of membership of a neo-nationalist organisation known as “Ergenekon”. Its aim is said to be to overthrow the government and linked to recent assassinations, including that of Hrant Dink (above). There have been concerns about the conduct of the investigation and that some of the arrests may be of persons targeted solely for their views. The first to be charged, 86 defendants, went on trial in October 2008.. A second trial against 56 others opened in July 2009. In early August 2009 a third group of people, numbering 52, of whom 37 were in prison, were indicted as part of the Ergenekon investigation. It was subsequently announced that trials of those accused under the second and third indictments would be merged. Among the defendants are writers, journalists and academics whose cases PEN is monitoring. While some may hold

nationalistic views that run counter to PEN International's charter ,there are concerns that the only evidence against them is their writings. The prosecutors claim that some of these writings "in the wake of assassinations that undermine public authority, defendants attempted not only to mislead the public but also carried out propaganda [for Ergenekon] in their writings."

Adnan AKFIRAT, Serhan BOLLUK: journalist, chief editor of *Aydinlik*. Among a number of leading nationalist figures arrested since late March 2008 on accusation of being part of a nationalist group, Ergenekon, whose aim is to overthrow the government and linked to recent assassinations, including that of Hrant Dink (above). 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. PEN is seeking an update.

Mustafa BALBAY, Ufuk BÜYÜKÇELEBI, Neriman AYDIN: Ankara representative *Cumhuriyet* and chief editor of *Tercüman*, and writer for the online publication *Toplumsal Haber 1*) 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. **2) Balbay and Aydın** were re-arrested on 7 March 2009 and taken to Metris prison. Bianet reports that the reasons for their re-arrest is unknown but that they face life sentences if convicted. *Cumhuriyet* editor in chief, Hikmet Çentinkaya, told the media "What happened in the past 8 months to cause these arrests? We don't know if there is new evidence or not. ... [Balbay] is a Kemalist and Republican. If those constitute crimes, I wouldn't know." Other commentators consider the arrests of those such as Balbay are a warning to the opposition. Trial opened on 21 July 2009. At a hearing on 19 November 2009, Balbay made a statement in which he denied charges of inciting an armed uprising. Specifically he is accused of taking part in secret meetings where leading figures, including generals, discussed plans for a coup. Evidence against Balbay are notes that he says he took as part of his journalistic activities during meetings with various figures who were subsequently also arrested in the Ergenekon trial. If convicted, he faces between 16-80 years in prison. He told the court that random notes had been rearranged by the prosecution in way that they had not been written down, given dates (he says he does not date his notes), and to form a diary that would then incriminate him and serve to strengthen the claim that a coup was being staged. He stated that he does not believe that the government can be overthrown in a coup, and that he was acting only as a journalist "witness of the era he or she is living in". **Update:** on 23 June 2011 Balbay's request for release was dismissed by the Istanbul 13th High Court, and a further appeal dismissed by the 14th High Court the following week, on 29 June.

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

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

Ünal INANÇ: Journalist and president of the Security Reporters' Association. A defendant in the third round of indictments following arrests made in January to April 2009, and with the trial opening on 7 September 2009. Not clear if detained.

Dr Yalçın KÜÇÜK: writer, economist, historian and socialist. Known critic of the AKP. Author of numerous books on socio-economics. Accused of sympathies with the PKK and sentenced to two years in prison in the late 1990s for interview with its leader, Abdullah Ocalan. Arrested on 7 January 2009 for investigation in the 'Ergenekon' case. Released 22 January 2009 to face trial as part of the third wave of indictments, opening 7 September 2009. PEN is seeking an update.

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

Tuncay ÖZKAN: writer and journalist. Arrested on 27 September 2008, and trial due to commence on 20 July 2009. A journalist since the mid-1990s, working for print and broadcast media, he reportedly specialises in covering corruption, drug crime, and terrorism, specifically that linked to religious extremism, and on international relations. His many articles appeared in newspapers including *Milliyet, Radikal* and *Aksam*. Reportedly still detained as of August 2010.

Bekir ÖZTÜRK, Furat ERMİS: head and contributor respectively of the ultra nationalist website *kuvayimilliyeye.net*. Accused of inciting violent acts by the armed forces through articles on the site. PEN is seeking an update.

Ergün POYRAZ: author of controversial books on the now banned Islamic Refah and Fazilet Parties, as well as on the key members of the ruling AKP. Evidence in his books is said to have led to the closure of Refah and Fazilet in the late 1990s/early 2000s. Among the accusations against him is that he allowed books written by Ergenekon members to be published under his name, claims said to be unsubstantiated, and that his books deliberately contributed towards the Ergenekon's policy of spreading chaos, including through unfounded suggestions that certain leaders were of Jewish or Armenian backgrounds, considered defamatory. One such book could be Poyraz's *The Children of Moses* which claims that Prime Minister Recep Tayyip 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. Believed to be detained pending trial.

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 Selçuk works, claims that the arrest is anti-democratic and an attempt to intimidate critics of the government. Selçuk was detained in 1971 for being an alleged communist and is well known for his subsequent book that described his torture and ill-treatment. In 2007 he wrote a controversial article that was seen to be supportive of nationalists. He is a known secularist and critic of the government's move to revise secularism.

Vedat YENERER: independent journalist and war reporter arrested 22 January 2008 and believed still detained as of February 2009. PEN is seeking an update.

Hayrulla Mahmut ÖZGÜR, Halil Behiç GÜRÇİHAN: 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 SAHİN, Refik NUHOGLU and Murat YÜCEL**. PEN is seeking an update.

Brief Detention

***Engin PAMUK**: editorial manager of *Rojev* newspaper. Briefly detained in Diyarbakir c. 20 June 2011. Among 24 people arrested in various cities in south eastern Turkey in a police operation against the Union of Kurdistan Communities Turkey Assembly (KCK/TM) , an umbrella organisation that includes the banned Kurdistan Workers' party (PKK). Five of the 24 were formally detained.

Released/Acquitted

Ali Baris KURT: editor of the website www.emekdefteri.com. Accused in two separate cases opened in 2010 for promoting conscientious objection. Acquitted by March 2011.

Ataol BEHRAMOGLU: noted poet, translator and writer. Charged for comments he made on the television station CNN-Türk in January 2010 deemed to be insulting to the governing AKP and Prime Minister Erdogan. Asked to comment on the prospect of an early election, he is quoted as saying: "*Tayyip Erdogan has not given up his past ideas. He will use democracy as a tool as long as it fits his interests. What I mean when I say AKP would forcefully win the elections is that AKP would rig the elections, buy out or do anything to turn it into a victory*". PEN Turkey, the Writers Union of Turkey, the Association for Literature and the Play Critics Union-Turkey have issued a joint statement in protest. His case was opened on 25 March 2011 in Ankara. At a hearing on 25 May 2011 the charges against Ataol were dismissed.

Ersen KORKMAZ: owner of *Demokrat Iskenderun*. Was on trial for "insult" to the armed forces for an article on a debate organised by the Turkish Communist Party on guerrilla leader Ocalan in September 2002. On trial in 2009. Acquitted by March 2011.

Case closed

The following cases are of writers, publishers and journalists who have recently been on trial or detained but where there has been no information for over a year, suggesting that the trials may have concluded. Details of these cases can be found in the previous caselist dated July to December 2010

Murad AKINCILAR
Seyithan AKYÜZ
Soner ARIKANOGLU
Rifat BASARAN
Ali BULUS
Hasan ÇAKKALKURT
Oktay CANDEMİR
Abdurrahman DİLİPAK
Hatice DUMAN
Cevat DÜŞÜN
Mustafa GÖK
Erol KARAASLAN
Mehmet KARAASLAN
Fehmi KILIÇ
Mustafa KOYUNCU
Orhan MIROGLU
Ercan OKSÜZ
Edip POLAT
Veysi SARISÖZEN
Devrim SEVİMAY
Mehdi TANRIKULU

Sahip TATAR
Fatih TAS
Aysel TUĞLUK (F)
Behdin TUNÇ
Faysal TUNÇ
Fakir YILMAZ
Nihat YILMAZ
Selmi YILMAZ

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 and also accused of the murder. In November 2010, prosecutors changed the status of the case from contract killing to 'killing on verbal order'. The new status of the case, 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. **Update (25 March 2011)**: Ukrainian prosecutors indicted former President Leonid Kuchma on 24 March, on abuse-of-office charges in connection with the murder.

Disappeared: Motive Unknown

Vasyl KLYMENTYEV: Deputy editor-in-chief of *Noviy Stil* newspaper, disappeared on 11 August 2010 after getting into a car with an unidentified individual. He has not been seen since. Police began criminal proceedings for 'premeditated murder' on 15 August, after receiving a report of his disappearance by his wife. On 17 August, they discovered Klymentyev's mobile phone on a boat on the Pechenizhske lake in Kharkiv. On 19 August, Interior Minister Anatoly Mogilyov said that the police had not ruled out that Klymentyev's disappearance might be related to his reporting. On 20 August, AP reported that President Viktor Yanukovych would take personal control of the case. **Background**: Klymentyev's newspaper is widely-known for focusing on corruption issues in the region and for its criticism of law enforcement agencies. According to the Associated Press (AP), Klymentyev had been threatened after refusing money to quash a story about a regional prosecutor with alleged connections to organised crime. **Other information**: a witness in the case has also disappeared, according to Petro Matvienko, deputy editor-in-chief of *Noviy Stil*. According to a reports, Matvienko has refused to name the witness, but claims that the disappearance is due to failures by the police to protect witnesses. Kharkiv police said they had not been informed of the disappearance. **Update**: The *Noviy Stil* lawyer, Vyacheslav Ismaylov, claims that the police planted drugs in his apartment during a search relating to another case. Ismaylov claims that he had a judge's ruling forbidding any investigative operation of this type at his home and that both he and his son suffered injuries during the incident. The police say that the operation was carried out in connection to the alleged criminal

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

UZBEKISTAN

Imprisoned - Main Case

Salidzhon (Salijon) ABDURAKHMANOV

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

Dzhamshid (Jamshid) KARIMOV: d.o.b c. 1967, journalist working 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 being held in a psychiatric hospital in the capital, Samarkand. The chief psychiatrist at the hospital stated that Karimov suffers from a psychiatric disorder, that he was accepting medication, was in a room of his own and does not mix with other patients. **Ill treatment/medical:** has been allowed visits from his mother and fiancé but on occasion reportedly appeared distressed and asked them to help him get out. In August 2007, there were reports that his health had deteriorated further, in particularly his failing eyesight. He was reportedly still held in psychiatric detention in late 2006. **Background:** 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. **Previous political persecution:** Since mid 2006 Karimov had been under surveillance by the intelligence agencies and in August 2006, his mother reportedly demanded of the authorities, unsuccessfully, that listening devices be removed from their property. Also in August 2006, Karimov's passport was seized after he applied for a visa to attend a journalism seminar in Kyrgyzstan. It is reported that on 31 August 2006, the head of the regional administration visited Karimov and offered him positions on official newspapers, apparently in a bid to entice him to stop his independent journalism. **Other information:** Karimov's mother, who had been outspoken in her son's defence, died in March 2008. According to the *Information Agency Ferghana.ru*, Karimov was still detained, as of July 2009. **Honorary member:** English PEN. PEN is seeking further information

Mamadali MAKHMUDOV

Profession: writer and opposition activist **Date of arrest:** 19 February 1999 **Sentence** 14 years **Expires** 3 August 2013 **Details of arrest:** Arrested 19 February 1999 after a series of explosions in Tashkent. Several others arrested in connection with these events. **Trial details:** Held in incommunicado detention from February to May 1999. Subsequently charged 1) Article 158 Uzbek Criminal Code – Threatening the president and 2) Article 25-159 UCC – Threatening the constitutional order 3) 216 organising banned public associations and religious organisations 4) 242.1 organising a criminal group. It is thought that his arrest is linked to his association with the exiled opposition leader Muhammed Salih. However access to key documents has been denied. Appears that some of the charges against the defendants are linked to their writings in and distribution of *Erk* the newspaper of the opposition Erk party, banned in 1994. At the trial, Makhmudov testified to having been tortured under interrogation including

beatings, electric shock and threat of rape of female family members. On 3 August 1999, sentenced to 14 years. **Professional details:** Well-known writer. Member of the Uzbek Writers Union and Uzbek Cultural Foundation. **Previous political imprisonment:** imprisoned between 1994 and 1996 for alleged embezzlement and abuse of office, charges which at the time were considered by PEN and Amnesty International to have been fabricated and that his arrest was because of his association with Salih. This view supported by the United Nations Working Group on Arbitrary detentions. **Place of detention:** Subsequently moved on to UYA 646 High security prison in Chirchik prison, Tashkent district, where the conditions are said to be less harsh than at Navoi. **Health concerns:** reports of torture lead to concern for well being. Hospitalised July 2000 presumably for facial and throat surgery. Thought to have resulted from extreme ill-treatment and neglect in Jaslyk camp where previously held. **Other information:** Makhmudov's book, *Immortal Cliffs* was published in French in late 2008. **Honorary Member:** English, American, Canadian, Netherlands and USA PEN Centres. (RAN 11/09 – 11 February 2009)

Dilmurod SAIDOV (pen name SAYYID)

Profession: journalist for a number of independent websites and activist. **Date of arrest:** 22 February 2009 **Sentence:** 12 and a half years **Expires:** August 2021 **Charges:** Extortion and forgery **Details of the trial:** The trial was heard at the Taylak District Court, where the sentence was announced in a closed session, in the absence of his defence and family, as they had not been informed of the date of the trial. There are reports that the trial was riddled with procedural violations, and that various witnesses withdrew their testimonies. There is an account, for instance, that a witness testified against Sayid saying that she was forced by the journalist to extort money from a local businessman. However, afterwards the witness retracted in full her statement, but the trial continued. In the case on extortion charges, two farmers were included together with Sayid, one was sentenced to eleven years in prison and the other to twelve. His defence announce they would appeal the verdict. **Professional details:** Sayid's reports have been published in various local newspapers and news websites in Central Asia, including *Voice of Freedom*. There are reports that Sayid's conviction is linked to his reports on abuse of power and corruption in some local government offices, such as his articles on alleged illegal confiscations of farmers' land by local authorities. Sayid is also an activist of the Tashkent regional branch of the human rights organisation Ezgulik. **Family:** In early November 2009 Saidov's wife and daughter, aged 6, were killed in a car accident while on their way to visit him in prison. **State of health:** He suffers from tuberculosis and requires regular medical treatment. (RAN 32/10 – 10 August 2009)

Imprisoned – investigation

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

Hayrulla HAMIDOV (Khayrullo Kamidov)

D.o.b.: 1975 **Profession:** Football commentator and radio-host, poet and deputy editor-of the newspaper *Chempion* (Champion). **Date of arrest:** 21 January 2010 **Sentence:** Six years in prison **Expires:** 20 January 2016 **Details of arrest:** Officers of the Tashkent Region police department entered Hamidov's home, seized his books, computer, a copy of the Koran, and audio and video material, and detained Hamidov. **Details of the trial:** Tried under Article 216 of the criminal code concerning 'the organisation or active participation in a proscribed social or religious movement' and 'dissemination of prohibited material', under articles 216 and 244-1 of the Criminal Code. In a closed hearing held on 11 May 2010, the prosecutor demanded for Hamidov to be sentenced to seven years in prison. The criminal court in Guibakhor, near Tashkent, postponed the sentencing until 28 May then convicted Hamidov to six years' imprisonment. **Other information:** Hamidov is reportedly a prolific poet. He was also a popular radio-host on Islam of the show 'Kolislik Sari' (Voice of Impartiality) broadcasted by the Tashkent-based Navruz FM. According to Radio Free Europe/Radio Liberty (RFE/RL), Hamidov was tried with 18 other people who were found to be members of the Islamic group Jihadchilar (Jihadists). **Previous political persecution:** In 2007 Hamidov's newspaper *Odamlar Orasida* (Among the People), that dealt with issues including infant mortality, corruption, and homosexuality. The newspaper was closed down by the authorities.

***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.

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

Released

Muhammad BEKZHON (BEKJANOV): former contributor to opposition newspaper Erk and brother of exiled opposition leader Muhammed Salih, was deported from Ukraine in March 1999 on accusation of involvement in a series of explosions in Tashkent. In August 1999 he 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'. 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 with Erk. **Release:** Bekzhon was reportedly released on the expiry of his sentence in March 2011. **Honorary Member:** English, American PEN, USA, Canadian PEN Centres **Yusuf Juma (Dzhuma):** poet, sentenced on 15 April 2008 to five years in prison. Juma was reported disappeared on 10 December 2007, and subsequently found to have been arrested on 22 December 2007. His arrest followed a series of demonstrations he and his son staged in Bukhara, where they displayed anti President Karimov posters. **Release:** Juma was released on 18 May 2011 after serving three years of his five-year prison term, and travelled to the United States the next day to join his family.

MIDDLE EAST AND NORTH AFRICA

BAHRAIN

Killed: investigation

***Karim FAKHRAWI:** Founder and board member of the independent daily *Al-Wasat*. Died in state custody a week after he was detained on 5 April 2011 after going to a police station to complain that authorities were about to bulldoze his house. Said to have died of kidney failure, although his body reportedly showed signs of torture. His arrest came at a time of sweeping civil unrest in Bahrain and a government crackdown on independent reporting.

Main Case - imprisoned

Abdul-Jalil ALSINGACE:

Profession: Activist and internet writer. **Date of arrest:** 13 August 2010 **Sentence:** Life imprisonment **Details of arrest:** Dr Alsingace 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 Alsingace 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 this year. Eight of those convicted received life sentences, including Dr Alsingace. A further ten were sentenced to fifteen years in prison, two received five-year terms and one a two-year prison sentence. **Treatment in prison:** Dr Alsingace was held incommunicado and in solitary confinement for six months, during which he was reportedly ill-treated. **Health concerns:** Dr Alsingace is disabled, and relies on a wheel-chair for his mobility. Concerns for his welfare in detention are mounting. **Professional details:** Dr Alsingace taught engineering at the University of Bahrain and authored his own blog (<http://alsingace.blogspot.com/>). He is head of the human rights office of the Haq Movement for Liberty and Democracy. {RAN 46/10 # update 3}.

***Ayat AL-GORMEZI (f):**

Profession: Poet and student. **Date of arrest:** 30 March 2011 **Sentence:** One year in prison **Details of arrest:** Al-Gormezi was arrested on 30 March 2011 after reciting protest poems at a pro-democracy rally in Pearl Square in the capital, Manama, in which she criticised the monarchy and called for greater democracy. She handed herself in after police raided

her house and threatened her family. **Details of trial:** Her trial began on 2 June 2011 and she was sentenced on 13 June 2011 by a special security tribunal. The charges against her included "hatred towards the regime". On 21 June 2011 an alleged forced confession by Al-Gormezi was broadcast on state television. **Treatment in prison:** Reportedly ill-treated in prison. [Released on 13 July 2011.]

***Abbas AL-MURSHID:**

Profession: A well-known writer, researcher and journalist with the Bahraini daily *Al-Waqt*. **Date of arrest:** 15 May 2011 **Details of arrest:** Reportedly detained when he was summoned to appear at Al-Naeim police station for interrogation about his peaceful dissident writings and activities. Al-Murshid is a frequent contributor to the Bahraini daily *Al-Waqt* as well as numerous online publications, and has written about Bahrain's social unrest and the issues of corruption, institutional discrimination and other topics considered sensitive by the government. **Previous political imprisonment/problems:** Previously arrested on several occasions for his writings, and many of his books have been banned in Bahrain. At the end of January 2009, Al-Murshid was hit above his eye with a rubber bullet in a targeted attack and as a result he had to be admitted to hospital. [Released on 11 July 2011 without charge.]

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 for several months. 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.

Imprisoned: investigation

***Abdullah HASSAN:** Journalist with the newspaper *Al-Watan*. **Hassan**, who was recently fired from newspaper, was reportedly arrested on 14 May 2011. He had been injured on 13 March while covering clashes between demonstrators and the security forces. No further information as of 30 June 2011 but thought to be detained.

Brief detention

***Mohamed Ali AL-ARADI:** Journalist with the newspaper *Al-Bilad*. Reportedly arrested on 8 May 2011 for reporting on anti-government protests. Released on 29 June 2011.

***Hussein AL-DURAZI:** Sports reporter for the daily *Al-Ayam*. Reportedly arrested on 23 May 2011 after a police summons. He was freed on 2 June 2011 but the paper has reportedly dismissed him from his job.

***Adel HABIB:** columnist who writes mainly about educational issues for *Al-Wasat*. Reportedly arrested at a check-point on 20 May 2011 and was released on 23 May 2011 without any charge.

***Hussein Ali MAKKI:** Reporter for *Rasad News*. Reportedly arrested on 9 June 2011 for posting allegedly anti-government writings on the *Rasad* website. He was released one week later.

***Amani AL-MUSKATI (f):** Reporter with *Al-Wasat* newspaper. Reportedly detained on 21 April 2011 at Bahrain International airport upon her return from Cairo. She was later transferred to Manama police station where she was detained for few hours and then released.

***Haidar Mohammed AL-NUAIMI:** Columnist with the daily newspaper *Al-Wasat*. Reportedly arrested on 21 April 2011 from his home in Manama by thirty uniformed and plainclothes police. It is reported that the police dragged Al-Nuaimi to the street and beat him before taking him to undisclosed whereabouts. Later released.

***Ali Omid:** Administrator of an online forum. Reportedly arrested on 10 May 2011, and held until 22 May 2011 when he was released.

Case closed

Mohammed AL-SAWAD: Courts reporter for the *Al-Bilad* newspaper. Charged in early June 2010 under Article 246 of the Penal Code with violating a publication ban on all coverage of the case of a former minister on trial for alleged money laundering. Al-Sawad remained free on bail. On 30 December 2010, the criminal court fined Mohammed AlSawad 50 Bahraini Dinars (approx. US\$130). The journalist was convicted on charges of spreading news and information. Case closed.

EGYPT

Main case - imprisoned

***Michael Nabil SANAD**

D.o.b.: c. 1985 **Profession:** Blogger and owner of blog *Ibn Ra* (<http://www.maikelnabil.com/2011/03/army-and-people-wasnt-ever-one-hand.html>). **Date of arrest:** 28 March 2011 **Sentence:** Three years in prison **Expires:** 27 March 2014 **Details of arrest:** Reportedly arrested on 28 March 2011 in Cairo over an article in his blog discussing the relationship between citizens and the Egyptian army in the aftermath of the anti-government protests which began on 25 January 2011 and culminated in the resignation of President Hosni Mubarek on 11 February 2011. The article was critical of the abuses committed by the military police and cited a number of news reports published in newspapers and websites.

Details of trial: Sanad was prosecuted by a military court on charges of "insulting the military institution, dissemination of false news and disturbing public security". He was convicted and sentenced on 10 April 2011. The trial did not comply with international standards of fairness.

Previous political imprisonment/problems: Sanad has been twice arrested by the Egyptian army, most recently on 8 February 2011 before Mubarak stepped down.

On trial

***Adel HAMMUDA and Rasha AZAB (f):** Editor and reporter respectively with the newspaper *Al-Fajr*. Appeared on 20 June 2011 before a military prosecutor in connection with an article critical of an army officer, published in *Al-Fajr's* 12 June issue. They are to be tried before a military court, the date that has not yet been set. Azab is facing a possible jail sentence on a charge of publishing "false information liable to disturb public security" for writing the article. Hammuda is facing a possible fine for alleged negligence in his role as editor. The article was about a meeting between Cairo military commander Gen. Hassan Al-Ruwaini, a member of the Armed Forces Supreme Council, and representatives of a group called "No military trials for civilians" about the alleged torture of demonstrators by civilian police. It quoted some of Gen. Al-Ruwaini's comments including the apology he reportedly gave to a woman demonstrator attending the meeting.

Sentenced in absentia

Madgy (Magdi) Ahmed HESSEIN: Former editor of the now closed *El-Shaab* newspaper, and politician, was reportedly sentenced to one

year in prison and a fine on 15 June 2010, by the North Cairo Court of Appeal. The case goes back to 1996, when a relative of the then Minister of Interior filed a complaint against the newspaper after *El-Shaab* reportedly launched a campaign against the Minister and his family. The lengthy process finally ended after fourteen years, in mid 2010. Hessein is currently serving a two-year prison sentence in Al-Mourj prison, in Cairo, as ordered by a military court because he allegedly went into the Gaza Strip on 31 January 2009. Reports say that he participated in a campaign supporting the Palestinian cause. WiPC checking whether still detained.

Brief detention and attack

Scores were arbitrarily detained in the crackdown on peaceful protesters calling for democratic reform in Egypt which started on 25 January 2011, including several journalists. Many more journalists attempting to cover the demonstrations were attacked, and tight restrictions were imposed on freedom of assembly. Reports of physical attacks and brutality against journalists and media outlets were widespread. On 11 February 2011, after eighteen days of protests, President Hosni Mubarek resigned with immediate effect. All those detained in the protests are believed to have been subsequently released after a brief detention. They include:

***Karen LAGON (f) and Adrian JAULMES:** Journalists with *Le Journal du Dimanche* and *Le Figaro* respectively. Reportedly arrested on 28 January 2011 as they were covering demonstrations after Friday prayers in the centre of Cairo. They were released on the same day.

***Jack SHENKER:** correspondent for the UK Guardian newspaper, reportedly arrested on 25 January 2011 and released on 26 January 2011. He claims to have been beaten by security forces while covering demonstrations in Cairo.

Harassed

***Hossam AL-SUWAIFI and Sayyid ABDEL ATI:** Reporter for the newspaper *Al-Wafd*, and editor of the newspaper's weekly edition, respectively. Reportedly questioned by the military prosecutor's office on 3 June 2011 about a 26 May 2011 article referring to an alleged alliance between the armed forces and the Muslim Brotherhood. They are the latest in a series of journalists to be summoned for interrogation by military prosecutors.

Released

Wael ABBAS: Prominent journalist and internet writer. Reportedly sentenced in absentia to six months in prison on 21 November 2009 on charges of 'damaging an internet cable' for exposing police violence on his blog. Remained free on bail pending appeal until the court dismissed the conviction in February 2010. However, on 10 March 2010 Egypt's Economic Court sentenced Abbas to the same sentence for 'providing a telecommunications service to the public without permission'. Neither Abbas nor his lawyer had been notified about the conviction and he remains free. Case closed, not detained.

Yasser BARAKAT: Editor-in-chief of the *Al-Mogaz* newspaper. Sentenced to one year in prison on 2 February 2010 in two separate insult and libel cases filed by MP and journalist Mostafa Al-Bakri in January and February 2008. The cases stem from two articles published by Barakat in November 2007 and January 2008 accusing Bakri of engaging in 'illegal profiteering' – taking advantage of his government positions to buy land for less than the market value. Thirteen cases have been filed against Barakat by Al-Bakri, three of which have been won by the MP. Barakat remains free pending appeal. Case closed, charges dropped.

Wael EL-EBRASHI and Samar AL-DAWI: Editor and journalists respectively, of the newspaper *Sawt El-Umma*, reportedly face charges of ‘inciting the public against a new property tax law’. The case is linked to a campaign launched in January 2010 by the newspaper opposing a new legislation. The first hearing was held on 18 July 2010. The case was adjourned till 19 September 2010. Case closed, charges dropped.

Amr GHARBEIA: Internet writer and staff of Amnesty International, reportedly charged in May 2010 with ‘criminal defamation’, ‘blackmail’, and ‘misuse of the internet’. The charges are linked to a complaint made by a judge in February 2007 over a review Gharbeia had written of the judge’s book. Case closed, charges dropped.

Sherif Abd El-HAMID: Editor-in-chief of the *El-Saf* website. Reportedly sentenced in absentia to six months imprisonment and a fine of 200 Egyptian pounds (\$33) on 28 July 2010. He was summoned by the public prosecutor on 27 June 2010 in response to a complaint submitted by a member of the parliament for a libel and defamation case. The charges were based on statements posted on his website in May and June 2010 which were critical of the Member of Parliament. Remains free on bail pending appeal. Case closed, charges dropped.

Hamdi KANDIL: Independent journalist. Charged with defamation on 18 May 2010 for a 3 May piece published in the newspaper *Al-Shuruq*, after a complaint filed by the Foreign Affairs Minister. In the article, Kandil reportedly criticised a statement made by the Minister that contradicted a previous official statement. The case was reportedly referred to the criminal court by the public prosecutor on 6 September 2010. The case was adjourned to January 2011. Case closed, charges dropped.

Hisham EL-MEYANI AND Amr KHAFAGY: Editor and journalist respectively of the independent daily *Al-Shorouq* newspaper. Reportedly charged with “insulting and defaming an official in the exercise of his duty” on 5 December 2010, after the newspaper published an interview the previous day with NDP candidate Momena Kamel, just elected to the al-Badrashin constituency in the Guizeh governorate. During the interview, journalist Hisham el-Meyani questioned her about statements made by the Justice Minister to the electoral high commission relating to fraud cases in the constituency where she had just won her seat. Both journalists were questioned for six hours before being charged and released on bail of 20,000 Egyptian pounds (2,600 euros). The first date for their hearing was set for 18 December 2010. They face from six months to three years in prison and a fine of 10,000 Egyptian pounds (1,300 euros). Case closed, charges dropped.

Case closed

Ahmed HOSNI: Journalist with the daily *Al-Shorouk* newspaper. Reportedly on trial for an insult and libel case brought against him by a Saudi prince for an article published on 29 November 2009. On 23 September 2010, the Agouza misdemeanors court decided to adjourn the case to 11 November 2010. Case closed for lack of further information.

Ibrahim ISSA: Editor of the daily *Al-Dostor*. A libel and insult case was brought against him and another Kuwaiti journalist Mohammed Alweshaihi by the Kuwaiti prime minister on 27 July 2010 for a series of articles published in the paper. Case closed for lack of further information.

Abdel Halim KANDIL and Ahmed ABDULKHAHEIR: Former editor of the *Sout el-Ummah* newspaper and a journalist for the same newspaper, respectively. Reportedly sentenced on 26 October 2010 to one year in prison and a fine on 10000 Egyptian pounds in an insult and libel case filed by a film director in relation to their reporting on his wedding party. The journalists were freed on bail. Case closed for lack of further information.

Ashraf SHEHATA: Journalist and blogger. Reportedly convicted of libel and insult and sentenced by an economic court on 31 August 2010 to 6 months in prison and a fine of 2000 Egyptian pounds (\$870). The case was brought against him by the editor of *Al-Masry Al-Youm* which Ashraf worked for in the past. Thought to remain free on bail pending appeal. Case closed for lack of further information.

IRAN

Died

Siamak POURZAND: Journalist and cultural critic, manager of the *Majmue-ye Farrhangi-ye Honari-ye Tehran*, a cultural centre for writers, artists, and intellectuals. Said to have committed suicide on 29 April 2011 after years of house arrest and isolation at his home in Tehran. He was eighty years old. Pourzand was arrested on 24 November 2001 and sentenced to 11 years imprisonment on charges of “undermining state security through his links with monarchists and counter-revolutionaries”. It is widely believed that the charges against him were based on ‘confessions’ which are thought to have been exacted under duress. Pourzand was known for his articles critical of the Islamic regime, and is said to have worked with Iranian foreign-based media. Pourzand suffered from diabetes and a heart complaint, and was denied necessary medical treatment whilst in detention. His family reported him to be in a serious condition both physically and psychologically. After a series of hospitalisations in 2004 he was released on medical leave from prison. However he was denied permission to travel abroad for necessary medical treatment and to visit his family, who are all living in exile in the US. Siamak Pourzand is the husband of writer and lawyer Mehrangiz Kar. **Honorary Member:** Norwegian, Canadian and American PEN. (RAN 20/04, 27 April 2004)

Hoda SABER: D.o.b.: 1960. Editor of the banned reformist magazine *Iran –e-Farda* and dissident. Reportedly died on 10 June 2011 after suffering a heart attack in Evin prison. In the days leading up to his death he had staged a hunger strike to protest the death of opposition activist Haleh Sahabi (see below). Saber is said to have been beaten by prison guards hours before his death. Saber was arrested on 24 July 2010 in the wake of Iran’s disputed 2009 re-election of President Ahmadinejad. He had been previously imprisoned on several occasions since 2000, the longest being a two-year sentence.

Haleh SAHABI: Activist and contributor to the magazine *Chashm Andaz* (Panorama). Died on 1 June 2011, apparently from a heart attack during a scuffle when she and fellow family members and friends had resisted attempts by security officials to stop the funeral of her father, **Ezatollah Sahabi**, a leading opposition figure and former editor of the monthly *Iran-é-Farda* who had died of a stroke at the age of 81.

Imprisoned: Main Cases

Bahman Ahmadi AMOUEE

Profession: Journalist. Contributor to several reformist newspapers including *Mihan*, *Hamshahri*, *Jame’e*, *Khordad*, *Norooz*, and *Sharq*. Former editor of the now banned leading economic newspaper *Sarmayeh*.

Date of arrest: 19 June 2010 **Sentence:** Seven years and four months, reduced to five years on appeal. **Expires:** 18 June 2014 **Details of arrest:** Reportedly arrested with his wife, Zhila (Jila) Baniyaghoub, editor-in-chief of the *Iranian Women’s Club*, a news Web site focusing on women’s rights, on 19 June 2009 in Tehran. She was released on bail on 19 August 2009 (see below). **Details of trial:** On 5 January 2010, Amouee was sentenced to seven years and four months in jail, and 34 lashes, on security charges. In early March 2010, the sentence was reduced to five

years in prison. Amouee was released on bail for the Iranian New Year, on 21 March. He returned to Evin prison on 30 May 2010. **Place of detention:** Evin prison.

Massoud BASTANI

Profession: Journalist for the reformist newspaper *Farihkhtegan* and *Jomhoriyat*, a news Web site affiliated with the defeated presidential candidate Mir-Hossein Mousavi. **Date of arrest:** 5 July 2009 **Sentence:** 6 years in prison **Expires:** 4 July 2015 **Details of arrest:** Reportedly arrested when he went to a Tehran court seeking information about his wife, journalist Mehsa Amrabadi, who had been arrested on 15 June 2009 and was released on 25 August 2009. **Details of trial:** Bastani was among 140 opposition figures and journalists who faced a mass, televised trial on 1 August 2009 on vague anti-state accusations (see Kian Tajbakhsh below). Sentenced on 20 October 2009 to six years in prison for “propagating against the regime and congregating and mutinying to create anarchy” for his alleged role in the post-election unrest. **Treatment in prison:** Said to have been hospitalised after being severely beaten by a prison guard on 2 June 2011. **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 Karubi. **Date of arrest:** 5 September 2009 **Sentence:** 5 years in prison. **Expires:** 4 September 2014 **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. **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. **Other information:** Recipient of the 2010 International Press Freedom Award by the Committee to Protect Journalists (CPJ).

Hossein DERAKSHAN

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 as appeals court upheld his sentence. **Place of detention:** Evin prison, Tehran. **Treatment in prison:** Hossein Derakhshan is held incommunicado in Evin prison, where he is said to be ill-treated and has been under pressure to make a ‘confession’. Held in solitary confinement for the first eight months of his detention. Has limited access to his family. On 9 December 2010, Derakhshan was released conditionally, on two days parole, after posting a bail of \$1.5 million. After less than two days, he was taken back to prison. **Health concerns:** There are serious concerns for his physical and psychological well-being. **Other information:** Nicknamed ‘the Blogfather’, Hossein Derakhshan is known for pioneering ‘blogging’ in Iran with his Internet diaries, in both English and Farsi, which have been critical of the Iranian authorities though more recently have been sympathetic to President Ahmadinejad. **Honorary Member:** Basque PEN

Adnan HASSANPOUR

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

Mohammad Sadiq KABUDVAND:

Profession: Editor of the journal *Payam-e Mardom-e Kurdistan* and Kurdish rights activist. **Date of arrest:** 1 July 2007. **Sentence:** 11 years in prison. **Expires:** 30 June 2018 **Details of arrest:** Reportedly arrested at his place of work in Tehran by plain-clothed security officers. Following his arrest, he was first taken to his house where three computers, books, photographs, family films and personal documents were confiscated. He spent the first five months of his detention in solitary confinement. His family was unable to raise the bail that could have enabled him to be freed pending trial. **Details of trial:** Kabudvand’s trial began on 25 May 2008, and he was sentenced at a closed court on 22 June 2008 to eleven years in prison by the Tehran Revolutionary Court for

forming a human rights organisation in Iran's Kurdish region. The sentence was upheld on 23 October 2008 by the Teheran Appeal Court. **Place of detention:** Intelligence Ministry's Section 209 of Evin Prison. **Treatment in prison:** Held incommunicado and said to be ill-treated. **Health concerns:** Suffers from high blood pressure, skin and kidney conditions. On 19 May 2008 Kabudvand reportedly suffered a stroke in Evin prison and has been denied access to adequate medical care. Said to have suffered another stroke in December 2008. In December 2010 he was said to be in a critical condition and to be denied the specialist medical treatment he needs. **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 award. **Honorary member of:** Swedish PEN. (RAN 30/07 - 18 July 2007; Update #2 -4 June 2008; Update #3 -2 July 2008; Update #4 -4 November 2008).

Saeed LAILAZ (LAYLAZ)

Profession: Editor of the now-banned daily business journal *Sarmayeh* and a vocal critic of President Mahmoud Ahmdeinejad'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 13 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.

***Hossein Ronaghi MALEKI**

D.o.b.: 1985 **Profession:** Blogger. **Date of arrest:** 13 December 2009 **Sentence:** 15 years in prison **Expires:** 12 December 2024 **Details of arrest:** Arrested for discussing politics in a series of critical blogs which were blocked by the government. Founder of an anticensorship group known as 'Iran Proxy', launched in 2003. Held in pre-trial detention in solitary confinement for 10 months after his arrest. **Details of trial:** Sentenced on charges of 'membership of the Internet group 'Iran Proxy' and propagating against the regime', 'insulting the Supreme Leader' and 'insulting the President'. An appeals court upheld his sentence. **Place of**

detention: Evin prison, Tehran. **Health concerns:** Has developed kidney disease whilst in prison and has been suffering from related complications since April 2010. He was hospitalised in March and underwent a kidney transplant in May 2011. He was returned to prison within 14 days of the operation, and requests for medical leave have been denied. Said to have been transferred again to hospital in July 2011, and concerns for his health are mounting. **Treatment in prison:** Denied access to his family.

Said MATINPOUR

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

Reza NOURBAKHSH

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

Morteza MORADPOUR

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

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. She was released pending appeal. The verdict was upheld on 24 February 2010, and 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. In September 2010 Shahidi’s mother reported concerns about the journalist’s deteriorating health. 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.

Nasrin SOUTADEH

D.o.b.: 1963 **Profession:** Prominent writer, journalist and lawyer. **Date of arrest:** 4 September 2010. **Sentence:** Eleven years in prison. **Expires:** 3 September 2021 **Details of arrest:** Nasrin Soutoudeh, 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 Association of Human Rights Defenders” 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:** According to PEN’s information, 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 a total of ten years for the two charges of “acting against national security” and “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 Association of Human Rights Defenders (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. **Place of detention:** She is held in solitary confinement at Tehran’s Evin Prison, where she has been on hunger strike for much of the time since her arrest and concerns for her welfare are mounting. **Treatment in prison:** Since her arrest Nasrin Soutadeh has been allowed very limited access to her family. **Professional details:** Nasrin Soutoudeh is best known as a human rights lawyer and activist, but has also worked as a journalist for several reformist newspapers including *Jame’e*. Since qualifying as a lawyer in 2003, she has specialised in women’s and children’s rights, and has continued to write articles on these issues. Many of her articles have been rejected for publication, including a report written for a special issue of *Daricheh* on women’s rights for the occasion of 8 March (Women’s Day) 2010. Following the launch of the One Million Signatures Campaign for the Repeal of Discriminatory Laws in August 2006 by several leading Iranian women activists (<http://www.iranianfeministschool.org/english/spip.php?rubrique3>), and the widespread growth of the women’s rights movement in Iran, she has represented many women’s rights activists including Parvin Ardalan, a well-known PEN case. She is a close associate of exiled lawyer and Nobel Peace Prize laureate Shirin Ebadi, and has represented many imprisoned Iranian opposition activists

arrested in the crackdown on dissent following the disputed presidential elections of 12 June 2009, and many of whom have been handed down lengthy sentences. **Honorary member of:** Swedish, Canadian and Scottish PEN. [RAN 54/10- Update #1].

Ahmad Zaid-ABADI

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

Imprisoned: investigation

Amir Hadi ANVARI, Rayhaneh TABATABAEE (f), Mehran FARAJI, Ahmad GHOLAMI, Farzaneh ROOSTAEI and Kayvan MEHREGAN: Economic reporter, political reporter, social and domestic issues reporter, editor-in- chief and international desk editor respectively of the daily newspaper *Sharq*. Reportedly arrested on 7 December 2010. On 8 December, Tehran’s General Revolutionary Courts Prosecutor announced that the arrests were based on “security charges” but did not provide any additional details. WiPC seeking further details.

***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. Still thought to be detained as of 30 June 2011. WiPC seeking further details.

Nader KARIMI JUNI: Journalist and chief editor with publications *Gozaresh*, *Fekr*, *Jahan Sanat*, *Siasat Rooz*. **Date of arrest:** November 2008 **Sentence:** 10 years in prison. **Details of trial:** Reportedly sentenced to ten years imprisonment in January 2009 by Branch 28 of the Revolutionary Court of Tehran for acting against national security, conspiracy and spying. **Place of detention:** Section 209 of Evin prison **Previous political imprisonment/problems:** He was reportedly previously detained twice due to his press activities. **Health concerns:** Said to be in need of constant medical supervision due to the injuries that he sustained during the Iran-Iraq war. WiPC seeking further details of the reason for the charges against him.

***Mehdi MAHMOUDIAN**

Profession: Freelance journalist and blogger. Reportedly 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. He is serving a five-year sentence at the notorious Rajaei Shah prison in Karaj, west of Tehran, known for housing many violent criminals who abuse drugs and transmit diseases. 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, forced and consensual sex amongst

prison inmates and other forms of degrading treatment. After the letter's publication, Mahmoudian was reportedly sent to solitary confinement for ten days and banned from having visitors for three months. Since 2010 his health is said to have sharply deteriorated and he has developed epilepsy and suffered collapsed lungs. His health is reported to have worsened since late May 2011, following a dry hunger strike to protest his treatment in prison. WiPC seeking further details about his arrest, his writings and the charges against him.

***Mohammad POUR ABDOLLAH**

Profession: Freelance journalist, Tehran university student and a blogger. **Date of arrest:** 13 February 2009 **Sentence:** Six years in prison, reduced to three years on appeal. **Expires:** 12 February 2012 **Details of trial:** In December 2009, a Revolutionary Court convicted Pour Abdollah on charges of "illegal congregation, actions against national security, and propagating against the Islamic Republic of Iran". In April 2010 his sentence was reduced on appeal to three years. Known for his critical writings posted on his blog about the political, social, and economic conditions in Iran and elsewhere. **Treatment in prison:** Reportedly tortured while in custody at Ghezel Hesar Prison, a facility that houses hardened criminals. WiPC seeking further details about the reason for his arrest and the charges.

Keyvan SAMIMI-BEHBEHANI: Editor of the banned *Nameh* magazine and human rights defender, reportedly arrested at his home on 14 June 2009 and held in Section 209 of Evin prison. Said to have been ill-treated in detention. Reportedly sentenced to six years imprisonment and life-long 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 Evin Prison where he is held in solitary confinement in Section 209. WiPC seeking further details of the reason for the charges.

Sentenced, free on bail

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

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

afterwards. Her defence filed an appeal on 27 June 2010 and she remains free. WiPC seeking an update.

Shiva Nazar AHARI (f): Reporter for the Committee of Human Rights Reporters. Aged 26. Reportedly arrested on charges of 'moharebeh' ('waging war against god'), 'propagation against the regime' and 'actions against national security' for her alleged participation in political gatherings in 2009. She claims she was covering the demonstrations for the Committee of Human Rights Reporters. She was reportedly jailed for four months shortly after the disputed June 2009 presidential elections, before being released on bail. She was reportedly re-arrested in December 2009. 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. She has been held in solitary confinement for much of the time since her arrest, with only limited access to her family. Released on bail, date not known. Reported in January 2011 to have been sentenced to four years in detention and 74 lashes but she remains free on bail. WiPC seeking an update.

Ahmad GHABEL: Iranian religious scholar and writer. Reportedly arrested on 20 December 2009 en route to the funeral of the late Grand Ayatollah Montazeri. Reportedly released on bail on 10 June 2010 and 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. Said to be held in solitary confinement and to be denied medical care for heart disease, for which he was being treated prior to his arrest. 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. **Previous political imprisonment/problems:** Known for his strong criticism of the conservatives, Ghabel was also imprisoned in 2001 and spent 125 days in solitary confinement in Tehran's Evin prison after writing an open letter critical of Supreme Leader Ayatollah Ali Khamenei. Ghabel was released on \$50,000 bail by Branch 5 of Mashad Revolutionary Courts on 4 January 2011 pending appeal. WiPC seeking an update.

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 Iran 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. Thought to remain free on bail pending appeal, WiPC seeking an update.

***Dr Fariborz RAEIS-DANA**

Profession: Economist, writer and active member of the banned Iranian Writers Association. **Date of arrest:** 19 December 2010 **Sentence:** One year in prison **Details of arrest:** Reportedly arrested at his home following an interview he gave to the BBC Persian service about Ahmadinejad's

economic policies. Held for one month before being released on bail pending trial. **Details of trial:** Sentenced on 15 June 2011 by branch 28 of the Islamic Revolutionary court. Remains free on bail pending appeal.

On trial

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

Abdolreza TAJIK: Political editor of many banned reformist newspapers, including *Fateh* (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. Member of the Human Rights Defenders Centre founded by Nobel laureate Shirin Ebadi. Reportedly detained on 12 June 2010 for his human rights activism. Previously briefly detained on two occasions in the past year. Recipient of the Reporters Without Borders 2010 Press Freedom Prize. Released on bail on 22 December 2010. WiPC seeking an update.

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. **Expires:** 8 July 2014 **Details of arrest:** According to PEN’s information, Dr Tajbakhsh was arrested on charges including ‘acting against national security’ and espionage for his subscription to *Gulf/2000*, a cultural and academic internet organization sponsored by Colombia University’s School of International and Public Affairs. The organization reportedly aimed to increase the availability of information about countries in the Gulf region, and is run by Gary Sick, who the prosecution claims to be a CIA agent. The indictment also cited Dr Tajbakhsh’s previous position as a consultant for the Soros Foundation’s Open Society Institute (OSI), which was formerly approved by the Iranian authorities but which he discontinued following his 2007 arrest. **Details of trial:** Among over 140 defendants including prominent politicians, writers, academics and journalists to be tried for allegedly ‘fomenting a velvet revolution’ in a widely-condemned mass-trial which began on 1 August 2009. All the defendants had been detained in a mass crackdown following the disputed 2009 presidential elections. On 20 October 2009, he was sentenced to 15 years in prison on charges of espionage, “contacting foreign elements” and acting against national security. Initially denied a request to file an appeal. On 10 February 2010 his lawyer reported that his sentence had been reduced to five years on appeal. He was released on bail on 14 March 2010 and remains free on ‘temporary release’ from prison, but is prohibited from leaving Iran. **Other information:** Tajbakhsh’s academic research reportedly examines Iranian state institutions and the policy-making process in Iran. In 2006, he completed a three-year study of the local government sector in Iran. He is the author of two books, *The Promise of the City: Space, Identity and Politics in Contemporary Social Thought* (Berkeley and Los Angeles: University of California Press 2001), and *Social Capital: Trust, Democracy and Development* (Tehran: Shiraze Publishers 2005, in Farsi). He has also published numerous scholarly articles, as well as non-academic writings on cinema and culture. **Previous political imprisonment/problems:** Previously arrested at his home in Tehran on

11 May 2007, one of four Iranian-American scholars to be detained in that year. Believed to be targeted for his work as an advisor to the Open Society Institute (OSI). He was held without charge in Evin Prison for more than four months before being freed on 19 September 2007.

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. Shamsolvaezin has been imprisoned multiple times for his journalism, including a sentence of thirty months in April 2000 for article criticising the death penalty. Remains free on bail.[On 21 July he was summoned to serve out the remainder of his sixteen-month sentence.]

Brief detention

***Taghi RAHMANI:** Leading reformist journalist. Arrested on 9 February 2011 and held in solitary confinement without charge in section 209 of Tehran’s Evin prison, without access to his family. He is among a number of activists to have been targeted ahead of pro-democracy protests which took place on 14 February 2011. Rahmani has spent more than sixteen years in Iranian jails for his journalistic work, and was a main case of PEN International. Released under caution on 15 May 2011. **Honorary member of:** Danish PEN. (RAN: 07/11)

***Hila SEDIGHI (f):** Poet. Reportedly subject to heavy interrogation since March 2011 for her critical poems. Released on bail but believed to be at risk of re-arrest.

Released

Emadeddin BAGHI: Leading journalist, writer and human rights defender. Arrested on 28 December 2009 following the broadcast by the BBC Persian Service of a two-year old interview Baghi had conducted with the late Ayatollah Hossein-Ali Montazeri, an influential cleric who died in December 2009. On 23 June 2010 Baghi was released from Evin prison on bail. Reportedly sentenced to one year in prison on 26 July 2010 but faced additional charges of ‘propaganda against the state’ and ‘colluding to commit acts against national security’. He was sentenced on 21 September 2010 to a further six years in prison, but remained free on bail until 5 December 2010 when he was imprisoned. Released on 21 June 2011 but banned from journalism and political work for four years.

Case closed

Aziz NASERI: A well-known Kurdish poet, writer, and translator from the city of Mariwan. Reportedly arrested at the Department of Education on 9 September 2010 by the Iranian security forces. He was transferred to an unknown location. The reasons for his arrest are not clear, however, social activists are stressing that his imprisonment is one of many recent arrests of literary and cultural activists in Kurdistan. Case closed for lack of further information.

IRAQ

Killed: investigation

***Hilal AL AHMADI:** Journalist for several newspapers including *Mosul Echo*, *Iraqioun*, *Al Hadba* and *Sawt Al-Khabar*. Reportedly killed on 17 February 2011 in the city of Mosul. He was well known for his critical views but the motive for the killing is unknown and the Iraqi authorities have launched an investigation.

Attacked

***Hangaw HASHM:** Reporter with the weekly *Rojname* which supports the opposition party Gorran. Reportedly attacked on 23 March 2011 by gunmen who opened fire on his car. None of the shots hit him.

Released

Ziyad AL-AJILY: Reporter and head of the Journalistic Freedom Observatory (JFO). Reportedly charged with libel on 25 September 2010 for an article he wrote for the newspaper *Al-Aalam* in July 2010. The article detailed alleged problems in the construction of a major sports complex in the southern city of Basra. The Ministry of Youth and Sports brought the case under Article 111 of the criminal code. Al-Ajily and the publisher of the newspaper are reportedly being tried before a special court for publication and communication offences. In a ruling issued on 31 October 2010, the court said the article did not defame the ministry and satisfied the right to information about a subject of general interest.

Case closed

Shwan MOHAMED and Rebwar Karim WALI: Editor and reporter respectively of the independent weekly *Awene*. Reportedly on trial for criminal defamation after charges were filed against them by the Kurdistan Prime Minister on 10 February 2010. The case is linked to an article published in the weekly which allegedly is critical of the Prime Minister. Mohamed and Wali remain free on bail while the trial is ongoing. No further information as of 30 June 2011, case closed.

ISRAEL

Imprisoned: Investigation

Anat KAMM (f): Journalist with the Israeli news portal Walla. Reportedly charged in December 2009 with espionage after she allegedly leaked classified evidence of illegal assassination orders by the Israeli army to journalist Uri Blau of the newspaper *Haaretz*. The charges against Kamm include two counts of aggravated espionage, including passing classified information with the intent to harm state security, which is punishable by a life sentence, and collecting and holding classified material with the intent to harm state security, for which she could receive up to 15 years in prison. The charges derive from Kamm's military service, when she allegedly copied over 2,000 classified military documents and leaked them to *Haaretz* reporter Uri Blau. Blau used the documents to publish a report in October 2008 that found that the army had carried out targeted killings against three wanted terrorists in the West Bank, in violation of a 2006 Supreme Court ruling that said wanted men must be taken into custody if there were a possibility of doing so. Although the article was apparently cleared for publication by the army censor, Kamm was arrested by the Shin Bet (secret police) and placed under house arrest. Blau has since been living in London while his lawyers negotiate a way for him to return to Israel without facing charges. Kamm's trial started

on 20 July 2010. In September 2010 it was reported that negotiations between Kamm's lawyer and the prosecutors in her case were underway to arrange a plea bargain. Trial ongoing as of 30 June 2011.

***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.

KUWAIT

Released

Mohammed Abdulqader AL- JASSEM: Founding editor of the Arabic edition of *Newsweek* and *Foreign Policy*, and well-known journalist and blogger. Arrested on 22 November 2010 and sentenced to one year in prison for allegedly defaming the Kuwait Prime Minister. Acquitted by the Kuwaiti Supreme Court on 23 January 2011 and released, but still faces other charges.

LIBYA

Brief detention

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

***Ghaith ABDUL-AHAD and Andri NETTO:** Correspondent for the UK-based paper *The Guardian* and the Brazilian newspaper *O Eastado de S Paulo* respectively. Reportedly arrested on 2 March 2011 in the town of Sabrata, and moved to a prison on the outskirts of Tripoli. Netto was released on 9 March 2011 and Abdul-Ahad was released on 17 March 2011.

***Atef AL-ATRASH:** Critical Libyan journalist, contributor to several Libyan news websites including *Libya-Watonona* and *Libya al-Mustakbal*. Disappeared after reporting live on air to Al Jazeera on 17 February 2011 on demonstrations in Benghazi. Freed after a brief detention.

***James FOLEY, Clare Morgana GILLIS:** Freelancer working for <http://www.GlobalPost.com> and a US reporter for *The Atlantic magazine's* website respectively. Reportedly arrested on 5 April 2011 in Tripoli. They were allowed to have contact to their families on 23 April 2011. Gillis was later moved to women prison in Tripoli. Later released.

***Jalal AL-KAWAFI:** Blogger and political writer. Reportedly detained on 17 February 2011 shortly after anti-Gaddafi protests broke out. He was freed on 1 March 2011 after anti-Gaddafi protesters took control of Benghazi city.

***Mohamed al-SAHIM:** Blogger and political writer. Reportedly arrested on 17 February 2011 after publishing a critical article about the Libyan regime. Thought to have been freed after a brief detention.

Case closed

Atef Al-ATRASH and Khalid MOHAIR: Journalists. Reportedly under investigation for defamation after reports were filed against them on 30 July 2010 for their online reporting on financial and administrative corruption within the company Bu Ateniy Beverages. No formal charges are believed to have been brought, case closed for lack of further information.

Mohamed SURAITI: Journalist for the *Al-Jeel* newspaper and Aljazeera.net. Reportedly summoned by the chief prosecutor in Tripoli on 30 July 2010 over articles exposing alleged incidents of sexual harassment at Benghazi Care House. No formal charges are believed to have been brought against him, case closed for lack of further information.

MOROCCO

Imprisoned: main case

***Rachid NINI:** editor of the daily newspaper *Almasae*, one of Morocco's leading newspapers, and owner of Al-Massae Media Group. Sentence: one year. Charges: "undermining a judicial decision", "attempting to influence a judicial decision" and "reporting on untrue criminal offences" under various articles of the penal code. Expires: June 2012. Prison: Okasha prison, Casablanca. Arrest and detention: Arrested on 28 April, Nini was sentenced to one year in prison and a 1,000 dirham (88 euro) fine on 9 June 2011. He intended to appeal the verdict, which rights groups denounced as politicised. Nini's arrest followed his publication of several articles criticizing the counter-terrorism practices of the Moroccan security services, including prison sentences handed down after unfair trials against Islamists. He is frequently critical of government policies in his articles and has written about widespread corruption among government officials. He has often called for the repeal of Morocco's anti-terrorism law and for increased political freedom. Prison conditions: The editor began a hunger strike on 13 June in protest at prison conditions. He was demanding access to the mosque to pray, to paper and pen and to be able to call his family. He also complained of constant searches of his personal belongings by prison authorities. According to Nini's sister, Noura, the editor is the main breadwinner for his family, including six siblings, his mother and his 11-year-old daughter. Background: Nini's prosecution comes despite promises of political and human rights reforms made by King Mohammed VI in March in response to demonstrations since 20 February inspired by the events in Tunisia, Egypt and Libya. [RAN 32/11 and updates]

Imprisoned: investigation

***Mustapha ABD DAIEM:** writer and journalist and Saharawi activist from the Western Sahara (territory disputed between Morocco, which has controlled most of the region since 1976, and the Algerian-backed Polisario Front). Abd Daiem is a former reporter for Moroccan newspapers *El Watan*, *Al Alam Assiyasi* and *Al Ahdath* and a member of the Saharawi Journalists and Writers Union (UPES) and the Assa-Zag Branch of the Moroccan Association for Human Rights. Arrest and detention: Abd Daiem was arrested without a warrant at his home in the city of Assa in southern Morocco on 27 October 2008. His arrest followed anti-government protests in Assa earlier that day by Saharawi members of the population calling for the creation of employment opportunities and the right of the Saharawi 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.

On trial

Taoufik BOUACHRINE: editor of the independent daily newspaper *Akhbar al-Youm*, was sentenced to six months in prison on charges of real estate and sales fraud on 10 June 2010, in what was said to be a politicized trial. He was also fined 500 dirhams (US\$56) and ordered to pay 10,000 dirhams (US\$1,120) in damages. The charges stem from Bouachrine's purchase of a house in Rabat three years before. The new owner claimed Bouachrine failed to honour the agreed price and sued. Bouachrine was reportedly cleared of the charges in 2008 and 2009 but the owner filed another complaint in April 2010, despite the fact that under Moroccan law, it is illegal to re-open a civil case that has been closed. Bouachrine was free pending an appeal. No further news on Bouachrine's appeal as of 30 June 2011. **Background:** On 31 October 2009, Bouachrine and cartoonist Khalid Gueddar were given a four-year suspended prison sentence on charges of "disrespect to a member of the royal family" for publishing a cartoon depicting the wedding of Prince Moulay Ismail, King Mohammed VI's cousin. They were also ordered to pay 270,000 Euros in damages to the Prince. *Akhbar al-Youm* was shut down but was re-launched in December 2009.

Released

Chekib EL-KHAYARI: human rights activist and contributor to international news media, was released on 14 April 2011 after being pardoned; he had spent more than two years in prison. El-Khayari (30

was arrested on 17 February 2009 and sentenced on 24 June 2009 to three years in prison for 'gravely insulting state institutions'. He was also convicted of minor financial violations and ordered to pay a fine of approx. US\$90,000. His detention apparently came shortly after he made statements critical of governmental policy on drug-trafficking to international media. He had also recently criticised the mistreatment of migrants by Moroccan and Spanish security forces at the border with the Spanish enclave of Melilla in his capacity as activist for Amazigh (Berber) rights. El-Khayari's conviction for infractions of currency regulations related to a payment he received from the Spanish newspaper *El Pais*, after he published an essay in the 4 July 2006 issue of the newspaper. It has been suggested that the allegations of financial violations, which were not added to the charge sheet until late in the process, were filed by the authorities in order to discredit the journalist and to allow for a longer prison sentence than that permitted under the main insult charge. El-Khayari was released as a result of a general pardon of prisoners of conscience by King Mohammed VI.

OMAN

Imprisoned: investigation

***Saleh al-AMERI, Ali elMAKHMARI** and **Ahmed alSHEHHI**: Poets. Reportedly detained on 29 March 2011 along with several activists and journalists after a crackdown on mass anti-government protests which broke out in the city of Sahar on 27 February 2011. Held at an undisclosed location without charge, no further information as of 30 June 2011.

Brief detention

***Ahmed AL-SHEZAWI**: Journalist with the newspaper *Al-Shabiba*. Reportedly arrested on 29 March 2011 at his home in Muscat for participating in anti-government protests in the northern city of Sohar. Released without charge on 10 April 2011. Al-Shezawi was reportedly fired from the *Al-Shabiba* newspaper on 4 May 2011 for taking part in a sit-in.

PALESTINE AUTHORITY

Killed: investigation

***Vittorio ARRIGONI**: Italian journalist and activist. Said to have been affiliated with the International Solidarity Movement (ISM), a pro-Palestinian rights group, and to have reported on Palestinian issues for the left-wing Italian newspaper *Il Manifesto* and *Peacereporter*. He also wrote a blog. Reportedly killed on 15 April 2011 after being kidnapped on 14 April 2011 by a militant Islamist group, which released a YouTube video saying that they would kill Arrigoni unless Hamas, which controls the Gaza Strip, released a number of political prisoners. But according to reports, before the Friday evening deadline had passed, the Hamas-run Interior Ministry in Gaza announced that the activist's body had been found. Hamas Ministry of Interior said that one suspect had been arrested.

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 on 10 November 2010 in Hebron. The reason for his arrest is not known. He had only recently been released after being sentenced by an Israeli court on 27 July 2010 to three months in prison. No further information as of 30 June 2011.

Released

Farid HAMAD: Editor of the newspaper *Al-Ayyam*. Reportedly arrested on 29 July 2008 on charges of 'possession of weapons' and 'membership of an illegal organisation', although there were fears that the charges may have been linked to his reporting. Reportedly released without charges in July 2010.

Waleed Al-HUSSEINI: Blogger. Reportedly arrested by the Palestinian Authority security services at the end of October 2010 on charges of 'promoting atheism' and 'blaspheming against the Prophet and the Koran' in posts in English and Arabic on his blog and on his Facebook page. Reportedly released in December 2010.

SAUDI ARABIA

Brief detention

Mohammed Abdallah AL-ABDULKARIM: Writer and professor of law. Known for his defense of political and civil rights. Reportedly arrested on 5 December 2010 for an article published on the Royaaah.net website (<http://royaaah.net>) twelve days earlier in which he discussed the health problems of the Saudi King, and also discussed his potential successors. Released on 15 February 2011 without charge.

***Hossein Kathem AL-HASHEM** and **Mustafa Badr AL-MUBARAK**: Bloggers. Reportedly arrested on 4 May 2011 in the eastern governorate of Al-Qatif and were being held in a police station in the town of Safwa. Their computers were confiscated. They were released on 24 June 2011 without charge or trial.

SYRIA

Main case: imprisoned

Tal AL-MALLOUHI (f):

D.o.b.: 1991 **Profession:** student, poet and blogger. **Date of arrest:** 27 December 2009 **Sentence:** 5 years in prison **Expires:** 26 December 2014 **Details of arrest:** Al-Mallouhi was detained on 27 December 2009 after being summoned for questioning about her blog entries. Thought to be held on charges of espionage although no charge has officially been made known. **Details of the trial:** Reportedly appeared before the State Security Court on 10 November 2010. Tal was sentenced to 5 years in prison by the State Security Court in Damascus on 14 February 2011. The verdict is final and there is no possibility for appeal. The court session was closed, and Al-mallouhi's family were banned from attending. No evidence has been presented against her. **Place of detention:** Duma Womens Prison, on the outskirts of Damascus. **Treatment in detention:** Reportedly held in solitary confinement and feared to be at risk of ill-treatment. **Other information:** Until recently Al-Mallouhi's family have 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.

Imprisoned: investigation

- ***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. Still detained as of 30 June 2011.
- ***Najati TAYARA:** Writer and editor. Reportedly arrested on 12 May 2011 for covering the protests which are currently taking place in Syria. He was held incommunicado for two weeks before being transferred to Homs city prison. His arrest stemmed from an interview with *Aljazeera* on the crackdown by Syrian forces on peaceful protesters in Homs. Still detained as of 30 June 2011, when he was reportedly beaten by prison guards.

Brief detention

Several dissident writers were reported to have been released as part of a presidential amnesty announced on 2 June 2011. Protestors had called for the release of all political prisoners in Syria, as well as other political reforms. Those released include:

- ***Mazen DARWISH, Louay HUSSEIN Khaled ELEKHETAYAR and Ahmad ABU AL-KHAIR:** Writers and bloggers. Reportedly all arrested on 25 March 2011 for allegedly supporting the demonstrations in southern Syria. Darwish and Hussein were released after one week in custody, Elekhetayar and Abu Al-Khair were released after ten days.
- ***Mohamed DIBO:** Journalist and writer, arrested on 12 April 2011. Released on 25 May 2011.
- ***Mahmoud ISSA:** Journalist and writer, arrested on 19 April 2011. Reportedly released on 18 June 2011.
- ***Omar KOUSH:** Writer and journalist. Reportedly arrested on 4 May 2011 on arrival at Damascus airport after participating in a conference in Turkey. He wrote an article on 29 April 2011 entitled "Turkey: dual relations between Arab countries on the one hand and Islamist organizations on the other." Released after a brief detention.
- ***Zaid MASTU:** *Al-Arabiya.net* correspondent, arrested on 6 April 2011. Released after a brief detention.
- ***Khaled Sid MOHAND:** Freelance journalist for a number of news outlets including *Le Monde*, arrested on 12 April 2011. Released after a brief detention.
- ***Dorothy PARVAZ (f):** *Aljazeera.net* correspondent, arrested on 29 April 2011. Released in mid-May 2011 and deported to Iran.
- ***Fayez SARA:** Journalist for the Arabic language publications *Assafir, Al-Hayat* and *Al-Arab Al-Yom*. Reportedly arrested on 12 April 2011 after meeting with the state-owned newspaper *Tishreen's* editor for a round of dialogue between opposition and the government. He was charged with "damaging the sentiment of the state". Detained in the Military Intelligence Centre in Damascus until he was released on 9 May 2011 without any charge.

Released

Ali al-ABDULLAH: Writer, freelance journalist and activist. He has written for a number of Arabic publications, including *al-Hayat*, *al-Safir* and *al-Khalije*. Arrested on 3 January 2008 and sentenced to two and a half years in prison for 'publishing false information with the aim of harming the state', 'membership of a secret organisation designed to destabilise

the state' and 'inciting ethnic and racial hatred'. Ali Al-Abdullah was reportedly due to be released on 17 June 2010 after serving his sentence. However, new charges were brought against him on 18 June 2010 over an article he wrote whilst in prison. He was sentenced on 7 February 2011 to three years in prison, reduced to one and a half years on appeal by a military court in Damascus, for "disseminating false information with the aim of harming the state". Released on 4 June 2011 under a presidential amnesty. [Ali al-Abdullah was re-arrested on 15 July 2011 for writing another critical article, later released without charge.]

Raghdah Sa'id HASSAN (f): Novelist. Arrested on 10 February 2010 after writing her first unpublished novel. Held without charge until she was released on 2 June 2011 under a presidential amnesty.

Muhannad AL-HASSANI: Lawyer and writer. Co-founder of the Syrian Human Rights Organisation (Sawasiyah). Arrested on 28 July 2009 and sentenced to three years in prison on 23 June 2010 by the Damascus Criminal Court on charges of "weakening the national sentiment" and "spreading false news". These charges are commonly used against government critics. Released on 4 June 2011 as part of a presidential amnesty.

Mustafa ISMAIL: Well known poet, contributor to various Arabic language websites and lawyer. Reportedly arrested on 12 December 2009 for publishing critical articles on the treatment of Kurds in Syria and in Turkey. The Syrian authorities did not acknowledge his detention for some months. Charged on 13 May 2010 by the Second Military Court in Aleppo with 'making plans aimed at damaging Syrian relations with foreign countries' and 'being a member of an illegal organisation aiming to divide Syria'. Held in Central Aleppo Prison. Released on 4 June 2011 as a part of the presidential amnesty.

Husam 'Ali MULHIM and Tarek Al-GORANI: Dissident writer and poet, and writer and blogger respectively. Mulhim and Al-Gorani were arrested between 26 January and 18 March 2006 by the Air Force Intelligence (AFI) in Harasta, near Damascus, apparently for developing a youth discussion group and publishing pro-democracy articles on the internet. On 17 June 2007 they were convicted on charges of 'taking action or making a written statement or speech which could endanger the State or harm its relationship with a foreign country, or expose it to the risk of hostile action' under Article 278 of the Syrian Penal Code. Held in Sednaya military prison, near Damascus. They were released on 4 June 2011 under a presidential amnesty.

Case closed

Bassam ALI and Suhaila ISMAIL(f): investigative journalists. A defamation case was brought against them by the Minister of Industry for publishing a report in 2005-2006 about alleged corruption in a public sector company. On 7 July 2010 the court of Appeals in Homs city reportedly transferred the case against them to a military court based on Syria's Emergency Law. Reported to remain free as of 30 June 2011, case closed.

Habib SALEH: Internet writer and political analyst. Writes regularly for the website *Elaph.com* (<http://elaph.com>). He was arrested on 5 May 2008 on charges of 'spreading mendacious information aimed at weakening national sentiment', 'inciting civil and sectarian strife', and 'attacking the president', under articles 285, 374 and 277 of the criminal code, for his critical writings. On 15 March the Damascus Criminal Court found Habib Saleh guilty of "weakening national sentiments" (Article 285 of the Penal Code) and "broadcasting false or exaggerated news which could affect the morale of the country" (Article 286). The charges on which he was convicted related to several articles on domestic political issues which he

had written and published on the internet and in which he had criticized policies of the Syrian government and expressed support for a prominent opposition figure, Riad al-Turk. Reportedly released on 10 May 2011 on completion of his three-year sentence.

TUNISIA

Imprisoned: main case

***Samir FERIANI:** senior police commissioner. **Prison:** Aouina military barracks near Tunis. **Arrest and detention:** Feriani was arrested on 29 May 2011 after a vehicle crashed into his car, forcing him to stop. He was then reportedly kidnapped by the “anti-terrorist brigade” and beaten. Feriani’s arrest stemmed from a letter he wrote to the Interior Minister in which he criticised the Tunisian intelligence agency and Ministry of Interior, blaming current officials for allowing protesters to be killed during the January 2011 revolution and stating that “notorious torturers” are still at large. In his letter he also alleged corruption within the Ministry and claimed that he had been intimidated after he sent a petition to the Minister about the destruction of official records, including some taken from the residence of the late Palestinian Liberation Organisation (PLO) leader Yasser Arafat. Feriani later contacted the Prime Minister and the Police High Commissioner with the same concerns and also wrote two articles for *Al-Khabir* newspaper. **Charges:** A military judge is investigating 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 faces a prison sentence if convicted of any of the charges. **Concerns:** Military court verdicts reportedly cannot be appealed on the facts, only on the grounds of error in procedure or in application of the law. Feriani’s family and lawyers have been able to visit him in custody, although his lawyers have reportedly not been allowed full access to his case file. **Update:** As of 30 June 2011, Feriani was still being held and he had not yet appeared before a court.

Brief detention

***Ammar AMROUSSIA:** correspondent for the Communist newspaper *Al-Badil*, was arrested by undercover police officers in Gafsa on 29 December 2010. The arrest took place when Amroussia was in a shop belonging to the wife of journalist Fahem Boukaddous, who was then serving a prison sentence (see below). Amroussia had addressed a gathering the previous day. He was released on 18 January 2011 as part of the presidential amnesty by the interim government. Amroussia reportedly began to work for *Al-Badil*, which belongs to the illegal Communist Workers Party in Tunisia, after he lost his job as a teacher in 1997 as a result of his political activities [RAN 01/11 and updates].

***Nizar BEN HASSAN and Hamma HAMMAMI:** respectively blogger and journalist for Radio Kalima and editor of the banned newspaper *Albadil*, were abducted on 13 January 2011 by the Special Unit of the Presidential Security and held in unknown places. Both were released on 16 January after the fall of the former President Ben Ali’s government on 14 January [RAN 01/11 and updates].

***Soufiane CHOURABI (reporter working for the opposition weekly *Al-Tariq al-Jadid*), Slim AMAMOU, Hamadi KALOUTCHA, Nibras MAHZEELI, Mue’z AL-BAI, Mue’z JAMA’L, Azyz AMAMY (all bloggers) and El Général (real name Hamada BEN AOUN) (rap singer):** were all detained for a month between December 2010 and January 2011 after reporting on the protests in Tunisia which led to the fall of President Ben Ali. Arrested on 17 December 2010, they were

released on 18 January 2011 following Ben Ali’s deposal [RAN 01/11 and updates].

Attacked

***Abdelfattah BELAID (French-language daily *La Presse* and *Agence France Presse*), Hassan DRIDI (Associated Press), Chaffya IBRAHIM (Arabic-language newspaper *Echourouk*), Nizar ELHAJBI (*La Presse*), Massoud KAWACH (Arabic-language newspaper *El-Sahafat*) and 15 other journalists:** were attacked while covering demonstrations in the capital Tunis on 5 May 2011. The police assaulted reporters, carried out arrests and confiscated or smashed equipment. Police officers chased Belaid into the building housing *La Presse* after he took photos of the violent dispersal of demonstrators, beat him with a metal rod and took his camera.

Released

Fahem BOUKADDOUS: correspondent for Al-Badeel news website and TV journalist, was released on 19 January 2011 as a part of a general amnesty for political prisoners after the fall of Ben Ali’s regime a few days earlier. Boukaddous had served more than seven months of a four-year sentence handed to him in July 2010 for his reports on social protests. He was previously sentenced to six years in prison on the same charges in December 2008 but was not present at the hearing, as he had been in hiding since July that year when he discovered he was wanted by the authorities. In November 2009, Boukaddous emerged from hiding to challenge the sentence on the basis that he had been tried in absentia. A court overturned the ruling, but said that Boukaddous would be tried again on the same charges. Boukaddous required hospitalisation for acute respiratory problems. His four-year prison sentence was confirmed on appeal on 6 July 2010. He was unable to attend the appeal hearing as he was in hospital, and his lawyers were reportedly denied the right to present any defence. On 15 July 2010, the day after he was discharged from hospital, Boukaddous was arrested and taken to Gafsa prison, where conditions were reportedly very poor and where there was inadequate access to medical care. According to Boukaddous’ wife, prior to his arrest the authorities offered to drop the case and grant him a national press card if he wrote a pardon request to the president. He refused to do so and was arrested half an hour later. [RAN 42/10 and updates]

UNITED ARAB EMIRATES (UAE)

On trial

***Ahmed MANSOOR:** Blogger and human rights activist. Reportedly arrested on 12 April 2011 after signing a petition calling for democratic reforms in the United Arab Emirates. His arrest followed several weeks of intimidation and a smear campaign, especially on the social networks Facebook and Twitter. He is believed to be targeted for calling for democratic change in his blog, <http://emarati.katib.org/>, and bringing to light cases of political detention in the UAE. He was charged along with five other pro-democracy activists with threatening state security, undermining public order and insulting the president, the vice president and the crown prince of Abu Dhabi. The trial was held on 14 June 2011 in Abu Dhabi and was adjourned to 18 July 2011 because the prosecution wants to bring new “witnesses” whose identity has not yet been revealed to the defence. Said to be suffering from a severe allergy but has been denied access to a dermatologist, despite repeated requests.

Case closed

Mark TOWNSEND: Freelance journalist. Regular contributor to the *Washington Times* and former business editor of the *Khaleej Times*. Reportedly charged in August 2010 with defamation under article 373 of UAE penal code for a series of anonymous online postings critical of the *Khaleej Times* allegedly posted by Townsend. On 30 May 2011 Townsend was acquitted in a criminal libel case that had kept him a virtual prisoner in Dubai for nearly two years.

YEMEN

Imprisoned: Main Case

Abdulelah SHAEA

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

Brief detention and attack

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

***Tawakol KARMAN (f), Samia AL-AGHBRY (f) and Bushara AL-AMAR (f):** Journalists with the opposition newspaper *Al-thwari* and the dailies *Al-Akhbar* and *Al-Youm* respectively. Reportedly detained on 23 January 2011 after being attacked by police. They were released without charge on 25 January 2011.

***Fouad RASHID:** Editor of the *Al-Mukalla Press* <http://www.topix.com/ye/al-mukalla>. Reportedly arrested on 10 January 2011 by plain clothes officers on the streets of al-Mukalla. Released without charge on 21 January 2011.

Case closed

Mounir Al-MARAWI: Washington-based Yemeni contributor to the independent weekly *Al-Masdar*, was reportedly sentenced in absentia to two years in prison on charge of defamation, on 31 October 2009. He was also banned from practicing journalism for life in Yemen. The case was dealt with by a special press tribunal and stems from an article written by Al-Marawi criticising the president’s leadership on the conflict with a Shi’ite group in the north of the country. The article was published in *Al-Masdar*, on 25 November 2009. Case closed, sentence expired.

PEN Centres with Writers in Prison Committees

African Writers Abroad, Algeria, All India, America, Armenia, Austria, Bangladesh, Basque, Belarus, Belgian Dutch, Belgian French, Bolivia, Canada, Catalan, Colombia, Cuban Writers in Exile, Czech, Denmark, Egypt, Esperanto, England, Ethiopia, Finland, France, Galicia, Germany, German Writers Abroad, Ghana, Guatemala, Hong Kong Chinese, Hong Kong (English), Iceland, Independent Chinese PEN Centre, Iranian Writers in Exile, Italy, Israel, Japan, Korea, Kenya, Kurdish, Lichtenstein, Lithuania, Malawi, Melbourne, Mexico, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Palestinian, Pakistan, Paraguay, Poland, Portugal, Quebecois, Russia, San Miguel de Allende, Scotland, Sierra Leone, Slovakia, South Africa, Suisse Romande, Sweden, Swiss German, Swiss Italian, Tibetan, Trieste, Sydney, Turkey, Uganda, USA, Venezuela, Vietnamese Writers Abroad

Total WiPCs – 76

List of Centres with Honorary Members

Current as of 30 June 2011

1. American PEN

China	HUANG Jinqiu LIU Xiaobo SHI Tao Nurehamet YASIN
China/Tibet	Dawa GYALTSEN Dolma KYAB
Iran	Adnan HASSANPOUR Siamak POURZAND
Ethiopia Myanmar/Burma	Dawit Isaac AUNG Than MAUNG Thura (aka 'Zargana') NAY Phone Latt Zaw Thet HTWE
Uzbekistan	Muhammad BEKZHON Mamadali MAKHMUDOV
Vietnam	NGUYEN Xuan Nghia

2. Basque PEN

Iran	Adnan HASSANPOUR Hossein DERAKHSHAN
------	--

3. Belgian (Dutch Speaking) PEN

China	ZHENG Yichun
Turkey	Hrant DINK

4. Canadian PEN

China	SHI Tao YANG Tongyan ZHENG Yichun
Eritrea Iran	Dawit ISAAC Siamak POURZAND Nasrin SOTOUDEH
Myanmar/Burma Syria Uzbekistan	MAUNG Thura (aka 'Zargana') Tal al-MALLOUHI Muhammad BEKZHON Mamadali MAKHMUDOV

5. Catalan PEN

Cuba	Iván HERNÁNDEZ CARRILLO
------	-------------------------

6. Czech PEN

China	LIU Xiaobo
-------	------------

7. Danish PEN

Iran	Taghi RAMANI
Myanmar/Burma	MAUNG Thura (aka 'Zargana')

8. English PEN

Azerbaijan Bangladesh China	Eynulla FATULLAYEV Salah Uddin Shoaib CHOUDHURY HUANG Jinqiu LIU Xiaobo SHI Tao Nurehamet YASIN
China/Tibet Cuba Myanmar/Burma Turkey Uganda Uzbekistan	Dolma KYAB Pedro ARGÜELLES MORÁN MAUNG Thura (aka 'Zargana') Hrant DINK Bernard TABAIRE Muhammad BEKZHON Dzhamshid (Jamshid) KARIMOV Mamadali MAKHMUDOV

9. Finnish PEN

Ethiopia	Dawit Isaac
----------	-------------

10. German PEN

China	HUANG Jinqiu LIU Xiaobo SHI Tao Dolma KYAB
China/Tibet Myanmar/Burma	MAUNG Thura (aka 'Zargana')

11. Icelandic PEN

China	LIU Xiaobo
-------	------------

12. Independent Chinese PEN Centre

China	Mehbube ABLESH GUO Quan HUANG Jinqiu KONG Youping NING Xianhua LIU Xiaobin LIU Xiaobo LIU Yongyen LU Gengsong LU Jianhua QI Chonghuai SHI Tao TANG Cailong WANG Xiaoning YANG Maodong Nurehamet YASIN YUAN Xianchen ZHANG QI ZHENG Yichun ZUO Xiaohuan
-------	---

13. Italian PEN

China Cuba	YANG Tongyan Héctor Fernando MASEDA GUTIÉRREZ
---------------	--

14. Lichtenstein PEN

Azerbaijan	Eynulla FATULLAYEV
------------	--------------------

- 15. Lithuanian PEN**
Belarus Aleksandr FIADUTA
Vladimir NEKLAYEV
- 16. Melbourne PEN**
Belarus Irina KHALIP
Natalya RADZINA
- 17. Netherlands PEN**
Uzbekistan Mamadali MAKHMUDOV
- 18. New Zealand PEN**
Belarus Irina KHALIP
Natalya RADZINA
China SHI Tao
- 19. Norwegian PEN**
Iran Siamak POURZAND
Turkey Hrant DINK
- 18. Portuguese PEN**
China LIU Xiaobo
- 20. San Miguel de Allende PEN**
China SHI Tao
- 21. Scottish PEN**
China LIU Xiaobo
SHI Tao
Cuba Iván HERNÁNDEZ CARRILLO
Iran Nasrin SOUTODEH
Mexico Lydia CACHO
Myanmar/Burma MAUNG Thura (aka 'Zargana')
- 22. Swedish PEN**
Ethiopia Dawit Isaac
Iran Parvin Ardalan
Adnan HASSANPOUR
Mohammad Sadiq KABUDVAND
Nasrin SOTOUDEH
Turkey Muharrem Erbey
Vietnam BUI Chat
- 23. Swiss German PEN**
China SHI Tao
- 24. Swiss Italian PEN**
China SHI Tao
Myanmar/Burma MAUNG Thura (aka 'Zargana')
- 25. Sydney PEN**
China LIU Xiaobo
SHI Tao
Cuba Blas Giraldo REYES RODRÍGUEZ
Myanmar/Burma MAUNG Thura (aka 'Zargana')
Vietnam NGUYEN Van Ly

- 26. USA PEN**
Bangladesh Salah Uddin Shoaib CHOUDHURY
China SHI Tao
Uzbekistan Muhammad BEKZHON
Mamadali MAKHMUDOV
- 27. Uighur PEN**
China Mehbube ABLESH
GUO Quan

Half-year Figures

January to June 2011

Killed	2
Killed – Motive Unknown	22
Disappeared	11
Imprisoned - Main Case	107
Imprisoned - Investigation	69
Judicial Concern	3
On Trial (not imprisoned)	170
Non Custodial Sentence	21
Brief Detention	87
Death Threat	23
Other Threat/Harassment	48
Attacked/III-treated	84
Total	647
Released	56