



## **PEN INTERNATIONAL**

### **CASE LIST**

**January-December 2015**

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## **PEN INTERNATIONAL CHARTER**

The P.E.N. Charter is based on resolutions passed at its International Congresses and may be summarised as follows:

P.E.N. 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.

## ABOUT PEN INTERNATIONAL

PEN International promotes literature and freedom of expression and is governed by the PEN Charter and the principles it embodies: unhampered transmission of thought within each nation and between all nations. Founded in London in 1921, PEN International – PEN's Secretariat – connects an international community of writers. It is a forum where writers meet freely to discuss their work; it is also a voice speaking out for writers silenced in their own countries. Through Centres in over 100 countries, PEN operates on five continents. PEN International is a non-political organisation which holds Special Consultative Status at the UN and Associate Status at UNESCO. PEN International is a registered charity in England and Wales with registration number 1117088. [www.pen-international.org](http://www.pen-international.org)

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

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

PEN International has consultative status with the United Nations and with UNESCO. It submits its freedom of expression concerns and recommendations to various UN bodies, particularly the Universal Periodic Review.

### *Information sources*

PEN International gathers its information from a wide variety of sources. It seeks to confirm its information through two independent sources. Where its information is unconfirmed, it will either take no action, or word its outputs to reflect the fact that the information is as yet incomplete. Sources include press reports, reports from individuals in the region in question, reports from other human rights groups, PEN members themselves, embassy officials, academics, prisoners' families, lawyers and friends, and exile groups. It also partners with other international NGOs, such as Article 19, Committee to Protect Journalists, Freedom House, Index on Censorship, and Reporters without Borders. It is a founder member of IFEX – the International Freedom of Expression Exchange, a collaborative, on-line service in which national, regional and international organisations involved in the campaign for free expression pool information and amplify each others' voices. [www.IFEX.org](http://www.IFEX.org)

*Our work would be impossible without our Sponsors who include: Swedish International Development Foundation, Norwegian Ministry for Foreign Affairs, the Fritt Ord Foundation, the Evan Cornish Foundation, the UN Fund for Democracy, individual donations and membership fees from PEN members.*

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**PEN International's records of persecuted writers are updated frequently. For up-to-date information on a particular country (or countries), contact the PEN International secretariat in London.**

**The last report was dated December 2014**

## EXPLANATION OF TERMS USED

### Important: Please Read

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

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

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

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

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

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

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

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

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

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

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

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

**ON TRIAL** – Including individuals facing charges, appealing sentence, but not currently detained or imprisoned

**JUDICIAL CONCERN** – PEN has no position on the criminal charges against the writer/journalist in question but is concerned about reported irregularities in the trial or legal process or about torture allegations or the death penalty

**BRIEF DETENTION** – Will be recorded as a brief detention where they were held for over 48 hours, but the individual is released without charge. There is no definite time limit, but it could up to a couple of months, depending on the region and context.

#### **DEATH THREAT**

**ATTACKED** – Indicates a use of force or violence causing physical damage to the individual or destruction of personal property e.g. arson

**THREATENED** – where individuals have received threats intended to make them desist from writing (including 'in hiding')

**HARASSED** – Including intimidation, brief detentions of fewer than 48 hours, dismissal from employment where it is linked to their work, etc.

**JUDICIAL HARASSMENT** – for example, repeated arrests or summons for questioning where the period of detention is less than 48 hours or investigations suspended which can be reopened at any time, acting as a form of deterrence on the writer

**SENTENCED** – where a writer/journalist has reached the end of the judicial process, has been sentenced, but has not yet been imprisoned

**CONDITIONAL RELEASE** - Including suspended sentence

**RELEASED** – including acquitted, end of sentence

**CASE CLOSED** – A case may be closed when PEN has no access to updated information for six to twelve months, or case dropped due to new information – e.g. case not linked to their writings, use of violence, civil proceedings, etc.

## **Further information on categories**

### **Main Cases**

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.

### **Investigation case**

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 closed as appropriate.

### **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.

# CASE LIST JANUARY TO DECEMBER 2015

## AFRICA

### ANGOLA

#### Detained-Main Case

\***Luaty BEIRÃO, profession:** rap musician and social activist

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

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

**Date of arrest:** 20 June and 21 June 2015 (da Cruz) **Details of arrest:** Thirteen activists including Luaty Beirão and Sedrick de Carvalho were arrested on 20 June 2015 at a meeting in a bookshop in Luanda of the Revolutionary Movement – a group of youth activists advocating for democracy, political changes and human rights in Angola where they had been due to read da Cruz's book *Tools to Destroy a Dictatorship and Avoiding a New Dictatorship – Political Philosophy for the Liberation of Angola*. Da Cruz had been due to attend the meeting but did not, and was arrested the following day. A military officer was also later arrested in connection with the case. On 22 June police forces searched their houses and confiscated computers, phones, photos, diaries, credit cards and copies of da Cruz's book. **Current place of detention:** House arrest **Details of trial:** According to [news reports](#), the trial of the 15 detained activists, along with two women who were not detained, on charges of 'rebellion', 'attempted coup d'état' and 'crimes against national security' started on 16 November 2015 and was held behind closed doors, under the Law of Crime against the State Security. On 8 December 2015, Amnesty International expressed concern about the fairness of the ongoing trial due to many breaches of fair trial standards under international law. According to Amnesty, in three weeks only 8 of the 17 hearings had taken place, many observers were not allowed to enter the courtroom and those that were allowed were denied water and toilet breaks and had to stand for long periods. Amnesty also stated that during the trial, 'the court spent days reading out almost 200 pages of an unpublished book written by one of the defendants, Domingos da Cruz. The book, describes mechanisms of peaceful resistance.' According to Frontline Defenders, Domingos da Cruz and three other defendants initiated a hunger strike on 10 December 2015 in protest against the ongoing delays of the trial. On 18 December 2015, following a court order, the activists were transferred to house arrest. **Conditions of detention:** On 14 December 2015 Carvalho published a letter where he exposed his conditions in detention and suggested that the trial held on 16 November 2015 was a sham. He said he had been held in solitary confinement for around 2,000 hours without the possibility of seeing sunlight. He went on hunger strike and on 15 December 2015 he attempted suicide but was rescued by prison guards. The same day the Luanda Provincial Tribunal approved the demand of the public prosecutor to transfer the activists to house arrest. **Background:** On 8 August 2009, da Cruz published the article 'When war is necessary and urgent' in the independent weekly newspaper *Folha 8*. The article accused the president and his party of being authoritarian and corrupt. The deputy prosecutor of the National Bureau of Criminal Investigation reportedly brought charges of disruption of public order and incitement to war against the journalist without formally notifying him. Da Cruz' lawyer has pointed out that the crime of incitement to civil disobedience does not exist in the current wording of the law, implying that no crime has been committed, and has demanded that the charges be withdrawn. According to reports, the court acquitted Da Cruz of the charge on 9 September 2013, citing that the law had been revoked (see 2013 Case list). According to reports, the 15 activists arrested in June 2015, most members of the Revolutionary Movement, had been holding anti-government protests since 2011. According to



reports, the 15 defendants, known as the Luanda Book Club, were charged due to the fact they had gathered to discuss and read Domingos da Cruz's adaptation of US academic Gene Sharp's book, 'From Dictatorship to Democracy: A Conceptual Framework for Liberation' (the title of da Cruz's book can be roughly translated as *Tools to Destroy a Dictatorship and Avoiding a New Dictatorship – Political Philosophy for the Liberation of Angola.*) [Stop press: A hearing in their case took place on 7 March 2016 and according to PEN's information, a verdict was expected to be delivered on March 28.]

#### On trial

##### **Rafael MARQUES DE MORAIS:**

**Profession:** author, journalist and human rights activist **Date of birth:** 31 August 1971 **Sentence:** Six-month suspended prison sentence with a probationary period of two years **Details of trial:** Following publication of his book *Blood Diamonds: Corruption and Torture in Angola*, in November 2011 Morais made a criminal complaint against eight individuals – seven military officials and the head of a mining company, accusing them of crimes against humanity, including murder, torture and forced displacement of civilians. The Attorney General dismissed the complaint on 18 June 2012, on the grounds the events were not substantiated or had not occurred, ruling that Marques' witnesses merely repeated what they had already told Marques. The individuals named in his complaint filed a criminal defamation lawsuit against Marques in Portugal in 2012, which the Portuguese Prosecution Service chose not to pursue in February 2013. They are reportedly now pursuing a private prosecution in Portugal for libel and defamation against Marques and his publisher, seeking a total of 300,000 Euros (approx. US\$400,000) in damages. The plaintiffs then lodged a complaint of criminal defamation in Angola. On 3 April 2013, Marques was summoned by telephone to the organised crime unit of the national police. During his interrogation he was informed that he had been indicted in January 2013 on charges of defamation, but was not allowed to see the evidence compiled against him. According to Angolan law, the nature and content of such an investigation do not need to be disclosed to the accused or their legal counsel. On 31 July 2013 Marques attended a hearing at the National Directorate on Criminal Investigation and Action in the Angolan capital Luanda, regarding 11 counts of defamation. Marques and his lawyers were still not allowed to review the full indictments and files or evidence related to the charges. The only information provided was that the 11 charges were based on eight individual complaints and three collective criminal complaints, filed by seven Angolan generals, a civilian, two mining companies and a private security company. All of the lawsuits were triggered by Marques' book. According to a letter written by several human rights organisations, one of the charges is a re-filing of the criminal defamation case brought against him in Portugal – where it was dismissed. In respect of this charge, he is both the accused and a state witness, a violation of his right not to testify against himself. In July 2014, Marques was again summoned and was formally charged with eight counts of defamation, although the charge sheet dated March 2014 was not given to him and his lawyer. His trial commenced on 24 March 2015 during which Marques was accused of another 15 counts of defamation. On 21 May 2015 the plaintiffs withdrew their complaint against Marques and all charges were dropped after both parties reached an out-of-court settlement, which reportedly included a commitment by Marques not to republish his book. However, the charges were reinstated a week later, with the prosecution requesting a prison sentence. The prosecution reportedly held that Marques had admitted his guilt in a statement he gave at the hearing where the charges against him were dropped. On this basis, the prosecution asked for a one-month suspended sentence, but the court went further, sentencing him on 28 May 2015 to a six-month suspended prison sentence with a probationary period of two years. Marques was reportedly also ordered to withdraw his book from sale in any form, including online, and to not republish it or have it translated into any other language, on pain of imprisonment. His lawyers lodged an appeal with the Angolan Supreme Court, which is pending as of 31 December 2015. **Background:** In 2000, Marques was sentenced to six

months in prison and ordered to pay damages for defamation against the president of Angola, however, the United Nations Human Rights Committee later found that the judgement had violated Marques' rights and ordered Angola to pay him damages. **Awards:** Recipient of Transparency International's 2013 Integrity Award, winner of Index On Censorship's 2015 Freedom of Expression Awards in the Journalism category. **PEN Action:** Joint appeal to international and regional human rights mechanisms [August 2014](#), press statement [December 2014](#), press statement [20 March 2015](#), press statement [28 May 2015](#) [**Stop press:** On 6 March 2016, an edict from the Luanda Provincial Court was printed in the state daily newspaper *Jornal de Angola* summoning Marques and journalist William Tonet, among others, to a court hearing on 7 March in connection with the Luanda Book Club Case.]

## **BENIN**

### Conditional release

#### **John AKINTOLA:**

**Profession:** publisher of *L'Indépendant* **Date of sentence:** 25 June 2014 **Sentence:** Akintola was handed down a three-year suspended sentence and fine of 200,000 CFA (approx. US\$416). The newspaper was also suspended for three months effective 16 July 2014. **Details of trial:** Akintola was convicted alongside *L'Indépendant* reporter **Prudence Tessi** of 'insulting' President Thomas Boni Yayi in an article written by Tessi. The article reportedly alleged that trips abroad by President Yayi had been illegally financed by the Benin Electric Energy Company (SBEE). **Background:** The general director of SBEE is reported to have been dismissed as a result of the case and left the country. An earlier case, which he is reported to have brought against the newspaper, led to a three-month suspension of the newspaper. The suspension was due to expire on 15 July 2014.

## **BOTSWANA**

### On trial

#### **Outsa MOKONE:**

**Profession:** editor of the Gaborone-based *Sunday Standard* **Date of arrest:** 8 September 2014 **Date of release:** 9 September 2014 **Details of arrest:** Mokone was reportedly arrested by police who raided the newspaper's offices on 8 September 2014. Only Mokone's computer was seized during the raid. **Details of release:** Mokone was released from detention on 9 September following an application by his lawyers. **Details of trial:** He was charged with 'seditious intention' contrary to section 50(1) as read with section 51(1) C of the Penal Code of Botswana over an article about an alleged car accident involving the president. The High Court judge reportedly ordered the police commissioner to 'not apply for any further warrants of arrest against the applicant based on facts similar in nature to those founding the warrants'. Mokone reportedly challenged the constitutionality of the sedition charge; a hearing was due to be held on 28 November 2014. While there is no update on the status of his trial, on 19 May 2015 Mokone sued the Government by filing a draft order with the High Court to declare his detention in September 2014 was illegal. The case was ongoing as of 31 December 2015. **Background:** The journalist who wrote the offending article, **Edgar Tsimane**, reportedly fled the country and has received provisional refugee status in South Africa. Mokone has written articles critical of the Directorate of Intelligence and Security.

## **BURKINA FASO**

## Killed-impunity

### **Norbert ZONGO:**

**Profession:** chief editor newspaper *L'indépendant* **Date of killing:** 13 December 1998 **Details of killing:** Case List July to December 1998. **Details of investigation:** Investigations into the murder were dropped in 2006 but were recently reopened by the new government. There had reportedly been little progress in the investigation until a ruling of the African Court on Human and People's Rights on 5 June 2015 demanded that Burkina Faso resume the investigation. For more information, see Case List July to December 1998. According to RFI, in December 2015 three former presidential guard members were charged with the assassination of Zongo. According to his family's lawyer, they are expecting to find who ordered his killings. **Background:** Before his murder Zongo had been investigating the death of the driver of ex-president Blaise Compaore's brother.

## On trial

### **\*Boureima OUÉDRAOGO:**

**Profession:** managing editor of *Le Reporter*, private newspaper **Sentence:** three months' prison sentence and a fine of CFA Francs 300,000 (US\$ 500). **Details of trial:** Ouédraogo has been charged with defamation. On 23 July 2015 he was sentenced to prison and a fine of CFA Francs 300,000 (US\$ 500) by a county court in Ouagadougou. There is conflicting information as to the length of the sentence (3 months or 3 years) which PEN is trying to clarify. According to the Media Foundation for West Africa, the journalist has appealed for a stay of execution, which is a court order temporarily suspending other court judgements or orders. He remains free pending appeal. **Background:** Shortly before this sentence was passed, the government in Burkina Faso approved a bill decriminalizing media offences. **[Stop press:** According to news reports, Ouédraogo was summoned alongside another journalist on 18 February 2016 at the military prosecutor's office, in relation to articles published on the case of Guillaume Soro, and his alleged involvement in the failed coup d'état of 16 September 2015.]

## **BURUNDI**

### Brief Detention

#### **\*Etienne Mivumbi BESABESA:** (Rwandan national)

**Profession:** correspondent for the independent news website *Igihe* and reporter for community radio stations Radio Izuba and Radio Flash **Date of arrest:** 8 June 2015 **Date of Release:** 18 June 2015 **Details of arrest:** Besabesa was reportedly arrested on 8 June in Giteranyi, a commune in the northeastern Burundian province of Muyinga, and charged with espionage on 12 June 2015. His equipment was reportedly confiscated at the time of his arrest. **Details of release:** according to the Rwandan Media Commission, Besabesa was freed on 18 June 2015 and returned to Rwanda. **Place of detention:** Besabesa was transferred to the provincial capital of Muyinga after his arrest. **Background:** According to news reports, Besabesa had been reporting on the more than 30,000 Burundians that [have fled](#) to Rwanda in recent months after violence erupted in the country stemming from an unsuccessful military coup in mid-May that sought to oust President Pierre Nkurunziza after he announced his bid for a third term. The government has [violently cracked down](#) on protesters, and journalists and news outlets have come in the [line of fire](#).

## Harassment

**\*Antoine KABURAHE:**

**Profession:** editor of independent newspaper *Iwacu* **Date of harassment:** 16 November 2015 **Details of harassment:** According to Reporters Without Borders, Kaburahe was summoned to the prosecutor's office and interrogated for two hours. According to his lawyer, Kaburahe was asked about his connection in regards to the coup d'état attempt. No accusations have been brought against him but he has been asked to be available for judicial authorities. He was then issued with a second summons five days later. According to reports, Kaburahe travelled to Belgium just after the arrest on 16 November 2015 for business. According to the [Associated Press](#), on 25 November 2015 Burundian authorities were trying to extradite Kaburahe from Belgium, accusing him of contributing to the coup d'état. No further news as 31 December 2015. **Background:** As of 31 December 2015, *Iwacu* is the only independent media outlet that is still running with a full presence in the country. Other TV and radio journalists have also been questioned in connection with the coup d'état. According to Reporters Without Borders, authorities claim there is a relationship between media and the perpetrators of the coup d'état due to the fact that the media had broadcast the statements of the coup d'état perpetrators.

## CAMEROON

### Killed: impunity

**Eric Ohena LEMBEMBE:**

**Profession:** executive director of the Cameroonian Foundation for AIDS (CAMFAIDS), LGBT rights activist, author of several chapters in *From Wrongs to Gay Rights*, journalist and contributor to the '[Erasing 76 Crimes](#)' blog. **Date of birth:** 1980 **Details of killing:** Lembembe was found dead, his body mutilated, on 16 July 2013. It is thought that he was murdered between 12 and 13 July. Lembembe's neck and feet appeared to have been broken, while his face, hands and feet had been burned with an iron. His murder reportedly followed several attacks on the offices of human rights defenders, including those campaigning for equal rights for LGBT people. On 20 September 2013, Cameroon's ambassador to Geneva reportedly told the United Nations Human Rights Council that Lembembe had been killed because of his personal life, suggesting that the journalist might have been a criminal killed in a 'settling of scores'. The ambassador's claims came despite the authorities' failure to identify any suspects two months after Lembembe's murder; he reportedly dismissed all concerns that his murder was linked to his activism as 'fantasy'. According to PEN's information, the investigation into Lembembe's death remains at a standstill as of 31 December 2015; PEN is seeking information as to whether the investigation is on-going. **Other information:** In May 2014, triggered by Lembembe's murder, the African Commission on Human and Peoples' Rights adopted a strong resolution condemning violence on the grounds of sexual orientation and gender identity, and calling on African countries to '[ensure] proper investigation and diligent prosecution of perpetrators.'

### Brief Detention

**\*Simon ATEBA**

**Profession:** freelance investigative reporter **Date of arrest:** 28 August 2015 **Date of release:** On or around 3 September 2015 **Details of arrest:** Ateba was arrested when he entered Cameroon's Minawao refugee camp, which mostly hosts Nigerians that have fled Boko Haram attacks. The authorities detained him as they stated he did not have a permit to enter the camp. According to news reports he had a grant from the International Centre for Investigative Reporting in Abuja in order to investigate the situation of Nigerians in the camp. However, authorities accused him of spying on behalf of Boko Haram. According to Reporters Without Borders he spent six days in prison.

**Conditions of arrest:** Ateba stated that he had been detained in inhuman conditions, including by being denied access to a toilet, and had to pay for food.

#### Harassment

**\*Xavier MESSE:**

**Profession:** editor of the newspaper *Mutations* **Date of arrest:** 29 July 2015 **Date of release:** 29 July 2015 **Details of arrest:** Messe was summoned by Yaoundé judicial police on 29 July 2015. He was interrogated for about six hours with regard to an article published in *Mutations* by one of their journalists. According to Reporters Without Borders, this article was seen by authorities as ‘anti-patriotic’ because it suggested that there were tensions and clashes between two members of President Biya’s party and that the President was ‘happy to see members of the Cameroonian elite squabbling among themselves’.

#### On trial

**Félix Cyriaque EBOLE BOLA, profession:** journalist with *Mutations*

**Rodrique NDEUTCHOUA TONGUE, profession:** journalist with *Le Messager*

**Dr Baba WAMÉ, profession:** Former journalist and lecturer in journalism

**Details of trial:** During a military court hearing in Yaoundé held on 28 October 2014, all three were reportedly charged with failing to inform judicial, administrative and military authorities (non-denunciation) of facts potentially endangering state security. The journalists were reportedly freed under judiciary supervision and were required to report to court once a week, not allowed to leave Yaoundé and were barred from commenting on the case. According to PEN’s information, they were also barred from practising their profession. According to local [news reports](#), on 29 December 2015 they were informed that their trial before Yaoundé Military Court was scheduled for 22 January 2016. Each of the three journalists [faces a jail term](#) of between one to five years and a fine from 50,000 FCFA [around US\$86] to 5 million FCFA [around US\$8,590.40] if convicted. **Background:** The charges are reported to stem from events in 2013 and 2014 when the journalists learned of a Central African rebel chief stationed on the border of Cameroon claiming to be in possession of national security information. Ebole Bola reportedly wrote to a national security delegate informing him of this news and requesting confirmation. In response, the police asked the journalist to share information and to provide any updates. After communications ceased, *Mutations* was reportedly ordered to court for not having responded to the police request.

**Zacharie NDIOMO:**

**Profession:** editor of the bi-monthly *Le Zénith* **Date of arrest:** 13 October 2014 **Date of release:** 6 February 2015 **Details of arrest:** According to PEN’s information, Ndiomo was arrested as a result of a libel suit by the chief of staff of Cameroon’s finance ministry relating to an article published in *Le Zénith*, which claimed that the official was about to be jailed for illicit enrichment. **Details of release:** According to reports, Ndiomo was released from Kondengui prison on 6 February 2015. **Details of trial:** Ndiomo was reportedly initially charged with defamation before the charges were altered to blackmail and issuing threats. He denies all charges. He was released following his appearance at a court hearing on 22 January 2015. According to reports by Reporters Without Borders dated 16 September 2015, Ndiomo is currently awaiting a second trial on the same charge because the plaintiff thinks the court was too lenient at the first trial. No further news as 31 December 2015. **Awards:** 2015 CNN African Journalists Award for Press Freedom

#### Released

**Dieudonné Enoh MEYOMESSE:**

**Profession:** author, historian and president of the National Association of Cameroonian Writers. Many of his books are critical of President Paul Biya, Meyomesse is also a political activist who

aspired to be a candidate for the 9 October 2011 presidential election under the banner of the United National Front (Front National Uni, FNI). **Date of Birth:** Born 1954 **Sentence:** Seven years in prison **Date of arrest:** 22 November 2011 **Date of release:** 27 April 2015 **Details of arrest:** Meyomesse was arrested at Yaoundé airport on his return from a trip to Singapore and was charged with armed robbery (of gold) and organising a coup. He was accused along with three other men who had accompanied him on the trip. According to Amnesty International, on 18 November 2011, while Meyomesse was in Singapore, gendarmes broke into his house without a search warrant and took documents, compact discs, flash drives, photographs and other personal property. Several days after their arrest, Meyomesse and his three co-accused were transferred in the middle of the night to Bertoua, the capital of Eastern region, where they were tortured or otherwise ill-treated with food and water deprivation and threats of violence. Fearing for their lives, Meyomesse and the others reportedly signed statements that they were not allowed to read. Meyomesse also says that during the interrogation he was told to call his business partners and ask for 15 million Euros (approx. US\$20.5 million) which he would in turn give to investigators; he did not make the call. On 19 December 2011, while Meyomesse's family was still searching for his whereabouts, the news broke that he was being held in Bertoua. On 22 December 2011, Meyomesse and his three co-accused were presented as armed robbers at a press conference in Bertoua. The accusation of plotting to overthrow the government was not mentioned at the press conference. All four subsequently appeared before Yaoundé military court before being transferred to Kondengui prison in Yaoundé. **Details of release:** Released on court order **Details of trial:** The three men were charged with armed robbery (of gold) and organising a coup. The trial of Meyomesse and his three co-defendants began in July 2012 at Yaoundé military court. On 14 December 2012 they were found guilty of armed robbery and illegal sale of gold. The Government Commissioner requested a sentence of seven years in prison for Meyomesse and a fine of 200,000 CFA (approx. US\$418), which was confirmed on 27 December 2012. His three co-defendants were reportedly sentenced to terms of between two and nine years in prison. According to Amnesty International, the alleged victims of the armed robbery were not presented or even named during the trial and were only referred to as 'Koreans' by the military prosecutor. In April 2013, it was reported that Meyomesse's lawyers had succeeded in having his case referred to a civil court for appeal. On 16 January 2014, after several postponements on legal technicalities, including the failure of witnesses to appear, a hearing took place in which all witnesses were in attendance. According to PEN's information, documents were presented to the court, including a memorandum written by Meyomesse outlining his defence. Meyomesse's appeal hearings were continually postponed throughout 2014. Meyomesse's appeal hearing finally began on 30 March 2015. According to Meyomesse and his lawyer, on 16 April 2015, the Appeals Court (Cour d'Appel du Centre) acquitted him of the charge of illegal sale of gold but found him guilty of handling stolen goods (recel aggravé), for which he was sentenced to 40 months in prison. Since he had already served more than this term, the court ordered his release. He was finally freed 11 days later, and on 27 April 2015 Meyomesse lodged an appeal with the Supreme Court seeking his complete acquittal, which is still pending as of 31 December 2015. **Conditions in detention:** Meyomesse was held in solitary confinement and denied access to a lawyer for the first 30 days of his detention. All four defendants were held incommunicado after arrest and reportedly deprived of food and water for several days at a time and made to sleep on the bare floor in a dark cell infested with insects. A judicial interrogator put a gun on a table and threatened to shoot them in the thigh if they did not admit to having been involved with plotting to overthrow the government and an armed robbery. Meyomesse suffers from a degenerative eye condition provoked by the month spent in solitary confinement, in total darkness. According to reports received on 16 April 2013, since 5 April, Meyomesse had been prevented from using the prison computer room where he writes his books. In addition, the computer on which he was working and saving his work while waiting to buy a CD to back it up had reportedly been declared out of use and removed from the room. Meyomesse had saved three of his recent texts on the computer in question: *Poems of Hope*, *The Elite Against the People from 1884 to the Present Day* and *Cameroon, Desert of Human Rights*.

Meyomesse believes that the prison superintendent may have banned him from using the computer room as punishment for *Cameroon, Desert of Human Rights* and for his support from PEN and Oxfam-Novib. His requests to meet with the computer room manager to discuss the matter and to have his subscription fees refunded have come to nothing. As of October 2013, Meyomesse still had no access to a computer, but continued to write using paper and pen. In July 2014, Meyomesse was granted re-admittance to the computer room. According to PEN's information, a number of activists visiting Meyomesse in prison have faced subsequent harassment. **Health concerns:** According to PEN's information, Meyomesse was hospitalised on several occasions in 2014, for malaria, amoebiasis and severe gastroenteritis, among other complaints. In August 2014, Meyomesse reportedly applied for conditional release. **Background information:** According to Amnesty International, Meyomesse says he travelled to Singapore to meet potential business partners there. His three co-accused are personal friends who have been involved in his political campaigns. Before travelling to Singapore, Meyomesse had asked them to travel to the Eastern region to gather information about opportunities, including gold mining, for prospective Australian business partners he was going to meet in Singapore. Meyomesse was reportedly carrying samples of gold when he was arrested. He was previously arrested at Yaoundé airport on 30 January 2011 when returning from Ivory Coast. Meyomesse was reportedly unable to run in the 9 October 2011 presidential elections because the Supreme Court did not validate his candidacy. **Other Information:** In October 2015, Meyomesse [arrived in Germany](#) as part of PEN Germany's Writers in Exile Programme. **PEN position:** PEN believes that the charges against Meyomesse were politically motivated and that his imprisonment was linked to his writings critical of the government and his political activism and therefore called for his immediate and unconditional release. **Awards:** 2012 Oxfam Novib/ PEN Freedom of Expression Award. **Honorary member:** American PEN and Austrian PEN. **PEN Actions:** RAN 04/12 and updates. He featured as the 'Empty Chair' at the WiPC's biennial Conference in Krakow, Poland in May 2013. English PEN have published an e-book of translations of his poetry, which may be downloaded [here](#). A second book of his poetry written while in prison was published in French in January 2014 and may be downloaded [here](#). PEN International also featured his case in its campaign around the 2014 [Football World Cup](#) in Brazil. [World Poetry Day 2015](#) action. Press statement [1 May 2015](#)

#### **Amungwa Tanyi NICODEMUS:**

**Profession:** publisher and editor of the private weekly newspaper *The Monitor* **Sentence:** four months in prison and damages of 10 million CFA (approx. US\$21,000) **Date of arrest:** 29 March 2014 **Date of release:** Unknown, but according to May 4 2015 report, Nicodemus has been released. **Details of arrest:** Arrested after conviction to serve sentence. **Details of trial:** On 10 March 2014 a court in Bamenda, northwest Cameroon, convicted Nicodemus in absentia of criminal defamation and sentenced him to four months in prison and payment of damages. He was also accused of failing to respond to a summons that he had allegedly been served on 16 December 2013. Nicodemus reportedly denied ever receiving the summons. The court in Bamenda issued a warrant for his arrest after the announcement of the verdict and he was arrested on 29 March 2014. Nicodemus was due to be released in July 2014, but was remained in detention as he could not afford to pay the damages, which exceed the limit set by Cameroon's penal code. On July 18, 2014, the court converted the damages into jail time of two years and three months upon request of the plaintiff's lawyers. Nicodemus' applications for bail and appeal were scheduled to be held on 16 December 2014. According to a [local press report](#) in March 2015, his conviction and sentence were overturned on appeal. **Background:** The Cameroon Co-operative Credit Union League (CAMCCUL) lodged a complaint of defamation following the publication of a series of articles in *The Monitor* that alleged, among other things, the embezzlement of funds and corruption on the part of CAMCCUL.

#### **CENTRAL AFRICAN REPUBLIC**



## On trial

**Saint Régis ZOUIRI, Profession:** editor of *Le Palarès*

**Patrick Stéphane AKIBATA, Profession:** editor of *Le Peuple*

**Date of arrest:** 10 and 15 April 2014 respectively. **Date of release:** 22 April 2014. **Details of arrest:**

The journalists were reportedly charged with 'insulting the president,' 'defamation,' 'public insult' and 'attacking internal state security.' Only the final charge is considered a criminal offence in the Central African Republic. They were [ordered released](#) pending trial at a court hearing on 22 April 2014. In August 2015, a [local news report](#) indicated that both sides had accepted a conciliation process, but that the case had not yet been settled. **Background:** The charges are reported to relate to articles published for which the newspapers *Le Peuple* and *Le Démocrate* were suspended for one and two weeks respectively by a court of their peers at a hearing on 8 April. An arrest warrant was also reported to have been issued for **Ferdinand Samba**, journalist with *Le Démocrate*.

## **CHAD**

### Brief detention

**\*Bruce DJIM-ADJIM OUAYE:**

**Profession:** editor of the quarterly journal *Le Potentiel* **Date of arrest:** 14 January 2015 **Details of arrest:** He was arrested after he attended a summons at the judicial police on 14 January 2015. Djim-Adjim was remanded into custody following the hearing. Police custody was extended for several days beyond the maximum allowed pending further investigations. According to Reporters Without Borders, the detention of the editor is a violation of Chadian law, which does not contemplate deprivation of liberty sentences in case of crime by press. **Date of release:** Believed to have been [released on 19 January 2015](#) **Details of trial:** Djim-Adjim reportedly faces charges of defamation filed against him by an opposition politician on 2 December 2014. No further news as 31 December 2015. **Background:** The charges are reported to relate to an article published in November 2014, in which Djim-Adjim accused the politician of embezzlement and engagement in drug trafficking.

### Threatened

**Moussaye AVENIR DE LA TCHIRÉ:**

**Profession:** editor-in-chief of *Abba Garde* bi-monthly newspaper and treasurer of the Union of Chadian Journalists. **Details of threat:** In its 109<sup>th</sup> edition, published in July 2015, *Abba Garde* included an article which criticised the President, titled 'Deby, the modern Hitler'. The edition was immediately banned. On 5 July 2015 the security forces tried to arrest Avenir de la Tchire. The journalist fled the country. He was still believed to be outside Chad as of 31 December 2015. **Background:** Avenir de la Tchiré has previously received threats, has been detained and received a two-year suspended sentence and fine in 2013 after conviction of 'inciting hate and popular uprising'. (See previous Case Lists). **PEN Action:** RAN 17/13 and updates

### Judicial harassment

**\*Stéphane Mbairabé OUAYE:**

**Profession:** publisher of the independent newspaper *Haut Parleur* **Date of arrest: 1)** 12 June 2015 **2)** 2 October 2015 **Date of release: 1)** Unknown, but believed to be shortly afterwards **2)** 2 October 2015 **Details of arrest: 1)** According to a [local news report](#), he was arrested in the morning of 12 June 2015 after Salay Deby, the President's brother, filed a libel suit against him. **2)** According to Reporters Without Borders, he was arrested the night of 2 October 2015 and was held in N'Djamena police headquarters. The police allegedly arrested him with no warrant and beat him in order to obtain the sources of an article that he had recently published. He was released the same day.



Reporters Without Borders reports that he now faces charges for defamation and he is waiting for the trial to be scheduled. No further news as 31 December 2015. **Background:** His arrests are related to an article, entitled 'Salay Deby, national thief' criticised the President Idriss Deby and his brother, director-general of the customs service.

#### Conditional release

#### **Jean Etienne LAOKOLÉ:**

**Profession:** activist, humanitarian worker, writer and blogger **Date of arrest:** 22 March 2013 **Date of release:** August 2013 **Details of arrest:** Laokolé was arrested by a group of men in civilian clothes in the Chadian capital N'Djamena and spent almost five months in pre-trial detention. He was reportedly driving with family members when he was stopped and forced into another vehicle. Laokolé's arrest was thought to be in connection with a series of articles he wrote denouncing corruption, poor governance and nepotism in Chad and posted on a well-known Chadian blog, Le Blog de Makaïla (<http://makaila.over-blog.com>), under the pseudonym Vourboubé Pierre in 2012. Laokolé was reportedly identified as the author by the intelligence services. According to reports, earlier on the day of his arrest Laokolé had been summoned for questioning by the criminal investigation police as a result of a complaint about an article he had written. **Details of trial:** Laokolé appeared before a magistrate on 1 April 2013, where his lawyer stated that the procedure in the case of defamation had not been followed and that there was no reason why Laokolé should not be granted bail pending trial. On 19 August 2013 he was convicted of defamation and 'abortive conspiracy against public order' and handed down a three-year suspended prison sentence. **Conditions in detention:** Laokolé was held incommunicado for three days following his arrest before reportedly being sighted in a former military camp in N'Djamena on 25 March 2013. He was then transferred to the Am Sinene detention centre, 30 km outside the capital, where conditions amount to cruel, inhuman and degrading treatment or punishment, according to Amnesty International. He was reportedly later given access to a lawyer and his family. **Background:** On 6 May 2013, **Eric Topona**, broadcast journalist and secretary general of the Union of Chadian Journalists (Union des Journalistes Tchadiens), was arrested after he attended a summons to testify in Laokolé's case at the N'Djamena Magistrate's Court. Accused of working with Laokolé and contributing to Le Blog de Makaïla, he was reportedly charged with 'endangering constitutional order,' detained under warrant and transferred to Am Sinene detention centre where he remained in prison pending trial. Topona was also convicted on charges of defamation and 'abortive conspiracy against public order' and given a three year suspended sentence, and released, on 19 August 2013. Topona was reported to be appealing his sentence. No further information as of 31 December 2015; PEN is seeking an update. **PEN Actions:** RAN 17/13 and updates.

## **CONGO**

#### Brief Detention

#### **\*Ghys Fortuné BEMBA DOMBE:**

**Profession:** journalist of news website *Brazza News* **Date of arrest:** 26 October 2015 **Details of arrest:** According to Reporters Without Borders, Bemba Dombe had recently written an article accusing President Denis Sassou Nguesso's of using mercenaries to attack his opponents. **Date of release:** Unknown, but was writing articles by early November 2015. No further information as 31 December 2015.

#### Death threat

### **\*Christian PERRI**

**Profession:** freelance journalist **Date of threat:** October 2015 **Details of harassment:** According to Reporters Without Borders, in late October Perri claimed that he had received threats from various officials in Pointe-Noire, including the city's prefect, police chief, and mayor. In addition, on 27 October 2015 he was summoned to Pointe-Noire's law courts. The threats, which included death threats, were allegedly due to his reporting of opposition demonstrations, including two occasions in late September and on 17 October 2015 when the police opened fire on the crowd of demonstrators. Perri had also allegedly been targeted on previous occasions due to his journalistic work. On 20 October 2015 he was also the victim of a kidnap attempt, according to Reporters Without Borders. No further news as 31 December 2015.

## **DEMOCRATIC REPUBLIC OF CONGO**

### Brief detention

#### **\*Papy-Olivier MAMBO ZAMPE**

**Profession:** director of newspaper *La Signature* **Date of arrest:** 29 October 2015 **Date of release:** 2 December 2015 **Details of arrest:** He was held in Makala Central Prison in Kinshasa in connection with 'undermining and damaging allegations' against the former deputy CEO of Services des Entreprises. The case related to information published in an article entitled 'SEP Congo is bleeding to death: US\$36,000,000 evaporated' on 7 January 2015 in *La Signature*. On 5 November 2015, he appeared in court to regularise his detention; he was [reported released](#) by the Observatoire de la Liberté de la Presse en Afrique on 2 December 2015.

### Released

#### **Mike MUKEBAYI NKOSO:**

**Profession:** publisher of *Congo News* newspaper **Sentence:** 11 Months in prison, a fine of 100,000 Congolese francs (approx. US\$109) and damages of 100,000 Congolese Francs. **Date of arrest:** 21 August 2014 **Date of release:** 16 July 2015 **Details of arrest:** Mukebayi was reportedly arrested in connection with an article regarding a cardinal published in *Congo News* on 18 July 2014. He was charged with 'detrimental allegations,' a criminal offence under article 28 of Law 96-002, which holds responsible the publisher, editor and author of articles considered defamatory. An arrest warrant was also issued for the newspaper's managing editor **John Tshingombe Lukusa**, whose whereabouts were unknown. **Details of release:** He was released on expiry of his sentence. **Details of trial:** According to October 2014 reports, Mukebayi had been held in detention for two months without his case being brought before the court. On 16 March 2015, Mukebayi was sentenced to 11 months in prison, a fine of 100,000 Congolese Francs (US\$109) and damages of 100,000 Congolese Francs after being convicted of defamation. He reportedly did not appeal his sentence. According to Reporters Without Borders (RSF), no complaint was filed by any persons who might have felt that they had been libeled by the article. Included in the case file is a complaint made by a Richard Vianney whom no one has met or heard of, RSF reports. A request for release on bail was rejected in November 2014. **Background:** according to PEN's information, *Congo News* was banned on 20 August 2014 by the Media Ministry owing to the fact that it did not have a license. Mukebayi has appeared on several of PEN's case lists over the years including [July-December 2003](#) and [July-December 2006](#).

## **ERITREA**

### Detained: main case

*Detained before 2001:*

**Gebrehiwot KELETA:**

**Profession:** reporter for the independent newspaper *Tsigenay (The Pollinator)* **Date of birth:** 1951  
**Date of arrest:** June or July 2000 **Details of arrest:** He was reportedly arrested after he met a US embassy official along with other journalists. He has been detained incommunicado without charge ever since. Keleta, who is also a former Eritrean Liberation Front officer, was 49 at the time of his arrest. **Place of detention:** Eiraeiro prison. No further information as of 31 December 2015.  
**Honorary Member:** PEN Eritrea.

*Detained in September 2001:*

**Mahmud AHMED SHERIFFO, Profession:** former Minister of Local Government,  
**Haile WOLDETENSAE, Profession:** former Minister of Trade and Industry,  
**Petros SOLOMON, Profession:** former Minister of Fisheries,  
**Saleh Idris KEKIA, Profession:** former Minister of Transportation and Communication,  
**General Ogbe ABRAHA, Profession:** Chief of Staff of the Defence Force,  
**Astier FESHATION (Or Aster Fissahatsion) (f), Profession:** former director general at Ministry of Labour and Human Welfare,  
**Brig Gen Berhane GHEBRE EGHZABIHER, Profession:** Commander-in-Chief of the ground forces of the Minister of Defence  
**Hamid HIMID, Profession:** Eritrean ambassador to the Kingdom of Saudi Arabia  
**Brig Gen Estifanos SEYOUM, Profession:** Head of finance at the Ministry of Defence  
**Germano NATI, profession:** former administrator of Southern Red Sea Zone  
**Beraki GHEBRE SELASSIE, Profession:** Former Minister of Education and later Minister of Information, was serving as Ambassador to Germany at the time of his arrest.  
**Date of arrest:** 18 or 19 September 2001 **Details of arrest:** they have been detained since 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 11 currently held will receive a fair trial. **Conditions in detention:** They have been held incommunicado since their arrest and it is not known whether they have been formally charged. According to Amnesty International, their family and friends have faced persecution whenever they have tried to speak out against the detentions. In April 2009, Amnesty stated that at least one of the G-15 members, General Ogbe Abraha, had reportedly died in custody due to the harsh conditions and lack of access to medical treatment. 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. **Health concerns:** Astier Feshatsion was said in 2009 to be suffering from stomach ulcers. According to a May 2013 report by Amnesty International, in July 2012 it was reported that Petros Solomon had been admitted to a hospital in Asmara due to a serious illness. However, adequate medical care was not available in Eritrea and it is known what has happened? to him since. **Other information:** On 27 November 2007, the UN Working Group on Arbitrary Detention (WGAD) adopted its opinion (No. 23/2007 Eritrea) that the politicians' detention was arbitrary under both category I ('When it is impossible to invoke any legal basis justifying the deprivation of liberty') and category II ('When the deprivation of liberty results from the exercise of the rights or freedoms

guaranteed by the Universal Declaration of Human Rights and, in so far as state parties are concerned, the International Covenant on Civil and Political Rights'). WGAD requested their immediate release. According to a report by the UN Special Rapporteur on the situation of human rights in Eritrea published in May 2013, the Eritrean government had still not provided any information on the fate of the G11 political leaders. In meetings with government representatives in early 2013, the Special Rapporteur asked them to confirm whether or not the political leaders were still alive, their whereabouts, state of health and access to medical treatment, and why they had not yet been brought before an independent court to be charged with a crime recognisable under international law. She had not received any response to these questions at the time the report was published. A 2013 report by Amnesty International states that the brother of Estifanos Seyoum, **Colonel Tesfaledet Seyoum**, was also arrested in 2001 and had been detained incommunicado since. He was reportedly arrested for expressing political views in opposition to the government. **Update:** According to the UN Commission of Inquiry on Human Rights in Eritrea's first report published on 5 June 2015, the whereabouts of the 11 remain unknown. No further information as of 31 December 2015.

**Amanuel ASRAT, Profession:** editor-in-chief and co-founder of *Zemen (Times)*, popular art critic, award-winning poet and song-writer, also credited with establishing the literary clubs Saturday's Supper in 2001: **Date of birth:** c. 1971

**Temesken GHEBREYESUS, Profession:** member of editorial board and sports editor of *Keste Debera (Rainbow)*, comedian and actor **Date of birth** c. 1967

**Mattewos HABTEAB, Profession:** co-founder, co-owner and chief editor of *Meqaleh (Echo)* **Date of birth:** c. 1974,

**Dawit HABTEMICHAEL, Profession:** co-founder and assistant chief editor of *Meqaleh*. In addition to editing, Habtemichael also wrote critical articles: his regular column 'Never too late' scrutinised key issues in society and government on which, he assumed, it was never too late to improve. Also a physics teacher at Asmara Comprehensive School **Date of birth:** c. 1974

**Seyoum TSEHAYE, Profession:** freelance contributor to *Setit* and freelance photo-journalist. Co-founder of the Eritrean People's Liberation Front (EPLF)'s photography department; co-founder and first director of state-owned Eri-TV. **Date of birth:** 1952

**Date of arrest:** In the days following 19 September 2001, **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*.

**Details of trial:** They are believed to be held without charge or trial. Since then, only state-owned newspapers have been published. The authorities have either denied that a clampdown took place, claiming instead that the journalists have merely been sent to carry out their national service, or that the closures and mass arrests were necessary for the sake of national unity or were carried out because of the newspapers' failure to comply with laws covering media licences. 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. **Conditions in detention:** After the initial raid, the journalists were detained incommunicado at the First Police Station in the capital Asmara for several weeks. After finally receiving visits by family and friends, they went on hunger strike to demand that their cases be brought to court. In response they were soon transferred to unknown detention centers and later moved to Eiraiero prison camp to join the former state officials (see above). There are serious concerns about severe ill treatment, possible torture. In 2007, reports emerged that four of the journalists who were arrested in September 2001

had died in custody between 2005 and early 2007: **Said Abdelkader** (*Admas* editor-in-chief and owner), **Medhanie Haile** (*Keste Debona* assistant editor-in-chief and co-founder, former sports journalist, and lawyer), **Yusuf Mohamed Ali** (*Tsigenay* editor-in-chief and owner), **Fesshaye Yohannes 'Joshua'** (co-owner of *Setit*, poet, playwright, short story writer, co-founder of Shewit Children's Theatre and circus performer). Their deaths – which have not been officially confirmed – were attributed to harsh conditions and lack of medical attention. Some sources suggest that that Yohannes was tortured prior to his death, including by having his fingernails ripped out. According to Reporters Without Borders on 30 August 2012, **Dawit Habtemichael** and **Mattewos Habteab** died in Eiraeiro prison camp, Habtemichael in the second half of 2010; these deaths have also not been officially confirmed. **Update:** According to PEN Eritrea, a former prison guard who fled Eritrea in 2010 reported that Asrat, Tsehaye and Ghebreyesus were alive in Eiraeiro prison camp, while Habtemichael was suffering from schizophrenia and was in a deteriorating state of health. **Health concerns:** The detainees are believed to be in poor health and lack access to medical care, as highlighted by the reported deaths in custody (see above). 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). **Other information:** In May 2007, the African Commission on Human and People's Rights (ACPHR) of the African Union ruled that the detention of the journalists was arbitrary and unlawful and called on the Eritrean government to release and compensate the detainees. In September 2011, the European Parliament adopted a strongly worded resolution urging Eritrea to 'lift the ban on the country's independent press and to immediately release independent journalists and all others who have been jailed simply for exercising their right to freedom of expression.' According to a report by the UN Special Rapporteur on the situation of human rights in Eritrea published in May 2013, the Eritrean government has still not provided any information on the fate of the journalists detained in 2001. In meetings with government representatives in early 2013, the Special Rapporteur asked them to confirm whether or not the journalists were still alive, their whereabouts, state of health and access to medical treatment, and why they had not yet been brought before an independent court to be charged with a crime recognisable under international law. She had not received any response to these questions at the time the report was published. In 2014, a UN [resolution](#) on the situation in Eritrea called on the authorities to 'account for and release all political prisoners, including members of the 'G-15' and journalists'. **Honorary Members (All):** PEN American Centre, PEN Canada and PEN Eritrea. **PEN Action:** (Asrat) 2016 [Day of the Imprisoned Writer](#); (Asrat) [Recipient of 2016 Oxfam Novib/PEN Award for Freedom of Expression](#)

#### **Dawit ISAAC:**

**Profession:** co-owner of *Setit*, playwright and writer. Isaac, who spent a number of years in Sweden during the Eritrean war of independence and the border dispute between Eritrea and Ethiopia, holds Swedish citizenship. **Date of birth:** 1964 **Date of arrest:** In the days following 23 September 2001, along with **Amanuel Asrat, Temesgen Ghebreyesus, Mattewos Habteab** and **Seyoum Tsehaye** (see above). **Sentence:** It is thought that Isaac, like his colleagues, has yet to be put on trial. **Details of arrest:** 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*). The authorities have either denied that a clampdown took place, claiming instead that the journalists have merely been sent to carry out their national service, or that the closures and mass arrests were necessary for the sake of national unity or were carried out because of the newspapers' failure to comply with laws covering media licenses. 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, President Afewerki said that he did not know what crime Isaac had committed but that he had made a ‘big mistake’. He added that the Eritrean authorities would not release Isaac or put him on trial and that they have their ‘own ways of dealing with that’.

**Conditions of detention:** Reportedly tortured. As of January 2010, Isaac was reportedly being kept in solitary confinement, in a tiny cell with no windows and was in very poor physical and mental health. He and the other inmates are reportedly not allowed any contact with each other or the outside world, are routinely shackled and receive almost no medical care. In November 2001, the Swedish local consul held a brief meeting with Isaac in jail. In November 2005, Isaac was briefly released for a medical check-up and was allowed to call his family and friends in Sweden. This was due to pressure by groups in Sweden but did not lead to Isaac’s release: he was returned to prison two days later with no explanation. Since then Isaac has reportedly been moved to various prisons around the country. According to Amnesty International in May 2011, he was reportedly in poor mental and physical health. However in May 2012, Amnesty stated that it had received reports in October 2011 that Isaac may have died in detention, as he was no longer in the prison where he had been held. The Eritrean government did not confirm these reports.

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

**Current place of detention:** In May 2011, Amnesty International reported that Isaac remained in detention, allegedly in Eiraeiro prison camp, north of the capital Asmara.

**Other information:** In August 2009, he was among the [subjects of a communication](#) from the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the UN Special Rapporteur on the situation of human rights defenders to the Eritrean authorities, to which they had received no response by March 2011. In July 2011, Isaac’s brother, Esayas Isaac, reportedly filed a writ of habeas corpus with Eritrea’s Supreme Court calling for information on the journalist’s location and a review of his imprisonment. The writ was not supported by the Swedish government; Foreign Minister Carl Bildt reportedly said the country’s goal was to have Isaac released on humanitarian grounds rather than stand trial. The Supreme Court did not respond. As a result, three European jurists referred Isaac’s case to the African Commission on Human and People’s Rights (ACHPR), according to Reporters Without Borders on 27 October 2012. Isaac’s case was due to be heard by the ACHPR during the Commission’s extra-ordinary session from 18 to 25 February 2013 in Banjul, The Gambia. The ACHPR judged Isaac’s case to be admissible in July 2014; the proceedings were ongoing as of June 2015. In late January 2014, the Eritrean ambassador to Israel Tesfamariam Tekeste Debbas reportedly told journalists in Tel Aviv that Isaac is still alive, commenting ‘when he comes and doesn’t follow the country’s laws, he must be punished’.

**Swedish diplomacy:** In September 2012, Swedish Foreign Minister Carl Bildt said that the Swedish government was working for Isaac’s release, but that it could not reveal details of its diplomatic efforts. However, a few months earlier, in an interview with Swedish newspaper *Aftonbladet* in May 2012, President Afewerki reportedly denied that Sweden was using any form of silent diplomacy to get Isaac out of prison and refused to comment on suggestions that Isaac may be dead. It was reported that Isaac’s lawyer would attend the session. According to a report by the UN Special Rapporteur on the situation of human rights in Eritrea published in May 2013, the Eritrean government has still not provided any information on the fate of the journalists detained in 2001. In meetings with government representatives in early 2013, the Special Rapporteur asked them to confirm whether or not the journalists were still alive, their whereabouts, state of health and access to medical treatment, and why they had not yet been brought before an independent court to be charged with a crime recognisable under international law. According to her 2014 report, she had not received any response to these questions. In 2014, a UN [resolution](#) on the situation in Eritrea called on the authorities to ‘account for and release all political prisoners, including members of the

'G-15' and journalists.' According to 23 September 2014 reports, the Swedish prosecutor has closed an investigation into the complaint accusing the authorities of crime against humanity, torture and abduction in the Isaak case. Lawyers acting for Isaak filed it with the Swedish judicial authorities in July. According to Reporters Without Borders, the prosecutor deemed that the investigation was a waste of resources as the Eritrean authorities were unlikely to cooperate. No further information as of 31 December 2015. **Honorary Member:** PEN American Centre, PEN Canada, PEN Eritrea, Finnish PEN and Swedish PEN. **Awards:** Isaac was awarded the 2009 Tucholsky Award by Swedish PEN, the 2009 Norwegian Authors' Union Freedom of Expression Prize and the 2011 Golden Pen of Freedom, the annual press freedom prize of the World Association of Newspapers and News Publishers (WAN-IFRA). An award in his name was established in 2007 by the Swedish National Press Club. **Writings:** A collection of Isaac's writings, entitled Hope- the Tale of Moses and Manna's Love, was launched at Sweden's Gothenburg book fair in September 2010. **PEN Actions:** RAN 51/05 and updates; Because Writers Speak Their Minds campaign in 2010, PEN resolutions [2013](#), [2014](#), statement [1 June 2015](#).

*Detained after September 2001:*

**\*Abubeker ABDELAWEL:**

**Profession:** author, theatre director and actor who also worked as a reporter for the Ministry of Information in different zones; at one time he was assistant chief-editor of the Tigrinya daily ሓዳ ስ - ኤር ጉራ (*Haddas Ertra*: 'The New Eritrea'). **Date of arrest:** February or March 2013 **Details of arrest:** Arrested in connection with the [January 2013 mutiny](#) **Details of detention:** he was taken to an undisclosed location and has apparently never been brought to court. **Background:** His publications include ፍረ ሐቀኛ ፍቕሪ ምውቕ ጎዳር እዩ (1984) (roughly translates as *The Fruit of True Love is a Good Family*). **Honorary Member:** PEN Eritrea.

**Idris ABU'ARE:**

**Profession:** author of two books (including a collection of short stories in Arabic published in 1992); freelance journalist for independent newspaper *Tsigenay (The Pollinator)*, mainly on mother tongue education; regular contributor to state-run Arabic daily newspaper *Eritrea al-Haditha*; disabled Eritrean Liberation Front veteran. **Date of arrest:** October 2001 **Details of arrest:** Reportedly arrested after questioning the G-15 arrests (see above), according to a May 2013 report by Amnesty International. **Details of detention:** He has been detained incommunicado without charge since his arrest, in a secret location, rumoured to be Eiraeiro. According to PEN Eritrea, Abu'are remains detained. No further information as of 31 December 2015. **Background:** Abu'are was reportedly a branch head at the Ministry of Labour and Human Welfare at the time of his arrest. He is married and has one daughter. **Honorary member:** PEN Eritrea. **PEN Action:** 2016 [Mother Language Day](#) Action

**\*Saleh IDRIS 'Aljazeera':**

**Profession:** journalist for the state-owned Arabic daily newspaper *Eritrea al-Haditha* who was also working for Eritrean State Radio Arabic desk at the time of his arrest. **Date of arrest:** February 2002. **Details of detention:** Since his arrest he has been detained in an undisclosed location with no official explanation from the authorities. **Honorary Member:** PEN Eritrea.

**\*Jim'ie KIMEIL:**

**Profession:** investigative reporter and editor of the sports section for the state-owned Arabic daily newspaper *Eritrea al-Haditha*, whose critical articles were the source of tensions with his employers at the Ministry of Information; veteran freedom fighter. **Date of arrest:** 24-25 November 2005 **Details of arrest:** Detained at his home as part of a wave of arrests that reportedly included other 13 prominent figures (including the famous singer-song writer Idris Mohammed Ali and Taha Mohammed Nur, one of the founders of the Eritrean Liberation Front, ELF, who died in detention in 2008). No reason was given for the arrests but it was reportedly rumoured that it was their support



for democratic change. **Details of detention:** None of the detainees were charged; their whereabouts remain unknown. **Honorary Member:** PEN Eritrea.

**Idris MOHAMED ALI:**

**Profession:** popular singer and songwriter in the Tigris language. **Date of arrest:** November 2005, according to a May 2013 report by Amnesty International. **Details of detention:** No reason was given for his arrest but according to Amnesty's sources he was suspected of opposition to the government. He has never been charged, brought before a court or been given access to a lawyer. **Place of detention:** His family do not know where he is being held and have had no news of him since his arrest. No further information as of 31 December 2015. **Honorary member:** PEN Eritrea.

**\*Sultanyesus TSIGHEYOHANNES:**

**Profession:** journalist for the state-owned English language newspaper *Eritrea Profile*. **Date of arrest:** December 2008 **Details of arrest:** Reportedly arrested in connection to his faith. According to the Committee to Protect Journalists, he was active in the Pentecostal Church, which is banned in Eritrea. **Details of detention:** He was neither charged nor his current location disclosed to his family. **Honorary Member:** PEN Eritrea.

**Sahle 'Wedi-itay' TSEGAZAB** (previously listed under nickname **Wedi ITAY**):

**Profession:** branch head at the Office of the Attorney General and freelance journalist for the state press and then for *Zemen*; former member of the Eritrean People's Liberation Front (EPLF). **Date of arrest:** October 2001. **Place of detention:** Thought to be held at Eiraeiro prison camp. **Conditions of detention:** Tsegazab was in his 40s at the time of his arrest and as of 2009 was said to be seriously ill. According to a Reporters Without Borders report dated 30 August 2012, Tsegazab had died in Eiraeiro prison camp from an unidentified illness and from the lack of medical treatment; his death has not been officially confirmed. **Other information:** According to PEN Eritrea, at the time of his arrest he was serving as director of the civilian affairs branch at the Attorney General's office and was finalizing his departure to South Africa to pursue his studies. He has two daughters. No further information as of 31 December 2015. **Honorary member:** PEN Eritrea.

Released

**Yirgalem FESSAHA (f)**, **Profession:** poet, essayist and journalist, staff member at Radio Bana, and former art critic for the independent weekly newspaper *Zemen*, DOB: 1982 approx.

**Meles Negusse KIFLU**, **Profession:** writer, poet and journalist, formerly worked for *Tsigenay*

**Bereket MISGHINA ('Wedi Misghina')**, **Profession:** playwright and actor, and staff member at Radio Bana.

**Date of arrest:** 22 February 2009 **Date of release:** 21 January 2015 **Details of arrest:** they were arrested during a raid on Radio Bana, based in Asmara, during which at least 50 employees were arrested by the security forces. By April 2009, most had been released but six remained in detention. Those listed here are known to be writers or print journalists (see also **Mulubrhan Habtegebriel** below, under 'Released'). **Details of arrest:** No reason has been given for the journalists' arrest and they have apparently not been charged with any offence. Radio Bana produces educational programs for the Ministry of Education. **Details of release:** Fisseha, Kiflu and Misghina were reportedly released on the evening of 21 January 2015, along with three other Radio Bana journalists: **Ghirmay Abraham**, poet, journalist for Dimtsi Hafash radio and freelancer for Radio Bana, **Basilos Zemo**, head of Radio Bana and the media section of the Ministry of Education (neither recorded on case list) and **Petros Teferi** (see below). At least seven other non-writer journalists with Radio Bana were released along with other Radio Bana staff members in March 2013; they were reported to be in good health. **Place of detention:** various. Kiflu, Fessaha and Misghina were reportedly first held at the military prison in Adi Abeito, to the northwest of Asmara and later transferred to Mai-sirwa (or May Srwa) prison. According to a 30 August 2012 report by Reporters



Without Borders, Kiflu was still being held at Adi Abeito and Fessaha was detained at a hospital in Asmara. According to a May 2013 report by Amnesty International, the journalists remained in detention; they had not been charged or brought before a court and their families had not been told where they were being held. **Health concerns:** Fessaha was admitted to hospital in Asmara in a serious condition in January 2012. She was under permanent guard and was allowed no visitors. Her family and friends were not told of the nature of her illness but her treatment required the purchase of medication abroad. **Other information:** 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*. Fessaha is from Adi Keyih in the south of the country. Kiflu is married with two children. **PEN action:** Statement [23 January 2015](#)

**Mulubrhan HABTEGEBRIEL:**

**Profession:** editorial board member and journalist for *Setit* [until its closure in September 2001](#), and later essayist, commentator and translator for the state-run and *Hadas Eritrea* newspaper (staff) and Radio Bana (freelancer). **Date of arrest:** 22 February 2009 **Date of release:** 2013 **Details of arrest:** Habtegebriel was arrested during a raid on Radio Bana, based in Asmara, during which at least 50 employees were arrested by the security forces, including **Yirgalem Fessaha (f)**, **Meles Negusse Kiflu** and **Bereket Misghina ('Wedi Misghina')** – see above, under 'Released'. **Details of release:** According to information received by PEN in 2015, Habtegebriel was released along with other Radio Bana journalists in 2013 and resumed his work for the Ministry of Information. He has published three books of short stories since his release as well as continuing to write articles and reviews. **Place of detention:** Adi Abeito military prison, then Mai-Sirwa.

**Petros TEFERI (Wedi Qeshi):**

**Profession:** writer and poet. **Date of arrest:** February 2009. **Date of release:** 21 January 2015 **Details of arrest:** At the time of his arrest in February 2009, Teferi was a conscript in the Eritrean defence forces. He was also freelancing for the state-owned radio Dimtsi Hafash and occasionally recited poetry on the state-run ERI-TV as well as contributing to the Ministry of Education-run Radio Bana as a freelancer. **Details of release:** Released on 21 January 2015 with the other Radio Bana journalists listed above.

Case closed

**Miriam HAGOS (f):**

**Profession:** Director of Cinema in the Cultural Affairs Bureau of the ruling PFDJ party and former staff member of the department of photography of the Eritrean Liberation Front. Hagos was reportedly the organiser of the Asmara Film Festival for a number of years. **Date of arrest:** Late 2001. She is thought to have been arrested for her political stance following the crackdown of September 2001, according to a May 2013 report by Amnesty International. **Current place of detention:** Unknown **Case closed:** PEN's sources have confirmed that Hagos is not a writer.

## ETHIOPIA

Imprisoned: main case

**Asfaw BERHANU:**

**Profession:** former contributor to the private bilingual newspaper *The Reporter*. **Sentence:** Two years and nine months' imprisonment **Date of arrest:** Unclear, but in prison as of date of sentencing **Current place of detention:** Hawassa Prison **Details of trial:** Berhanu was reportedly convicted on 25 December 2013 of 'spreading false rumours' and thereby 'creating a danger of public disturbances' under Article 486/1 of Ethiopia's criminal code. He reportedly planned to appeal the sentence.

Berhanu's conviction follows the 4 September 2013 publication of an article in which he claimed that three state government officials had been removed from their posts – allegations that later proved to be false, according to news reports. The newspaper issued a front-page retraction on 8 September and dismissed Berhanu. No further information as of 31 December 2015. **Other information:** On 9 October 2013, three policemen arrested *Reporter* Managing Editor **Melaku Demissie** in connection with the 4 September article. His release was ordered the same day (see 2013 Case List). **Background:** Together the English and Amharic-language versions of *The Reporter* constitute Ethiopia's leading independent newspaper. The Amharic-language website gets up to 30,000 visitors a day. The newspaper and its employees have reportedly been the target of intimidation in the past. In August 2008, editor-in-chief **Amare Aregawi** was illegally arrested and transferred outside Addis Ababa, and subsequently suffered a serious attack a few months after his release (see previous Case Lists).

**Temesgen DESALEGNE:**

**Profession:** editor of the now defunct independent Amharic-language weekly newspaper *Fete* and managing director of the bi-monthly magazine *Addis Times*, which was created after the authorities closed *Fete* in August 2012. **Sentence:** three years in prison **Date of arrest:** 27 October 2014 **Details of trial:** The Federal High Court in the capital Addis Ababa reportedly found Desalegne guilty of incitement, defamation, and false publication on 13 October and sentencing him to three years imprisonment on 27 October 2014. He was reportedly taken into custody upon being convicted. **Place of detention:** Ziway Prison **Health concerns:** Desalegne reportedly suffers from stomach and back pain for which he used to receive weekly medical support before he was jailed. However, sources indicate that he has been denied medical access since his imprisonment and that his back pain has worsened to the point that walking is difficult for him. **Conditions in prison:** Desalegne was reportedly denied visitors for more than a month in February, [according to his mother](#), who suspects that the punishment was applied in response to the publication of an article that he wrote from prison. According to news reports, his lawyer suggested in an interview that in October 2015, the brothers of Desalegne were denied access to visit him in prison. No further news as of 31 December 2015. **Background:** Desalegne was originally jailed on 24 August 2012 in connection with articles published in *Fete* which criticized the late Prime Minister Meles Zenawi. He was reportedly charged under three articles of Ethiopia's Criminal Code: Article 613, 'defamation and calumny'; Article 486, 'inciting the public through false rumours'; and Article 238, 'outrages against the Constitution or the Constitutional Order'. The company that publishes *Fete* was also charged with inciting the public to violence. Four days later, on 27 August 2012, Desalegne was released and all charges against him and the publishing company were dropped. The authorities did not explain why the charges had been dropped. On 8 February 2013, it was reported that the charges faced by Desalegne in 2012 had been reinstated.

**Yusuf GETACHEW:**

**Profession:** editor of the now-defunct weekly newspaper *Ye Muslimoch Guday* (Muslim Affairs). **Sentence:** seven years **Date of arrest:** 20 July 2012. **Details of arrest:** Arrested in the capital, Addis Ababa, following a raid on his house and taken to the Maekelawi Federal Detention Centre. The police reportedly confiscated four of Getachew's mobile telephones, his wife's digital camera, some books and 6,000 birr (US\$334). The editor spent weeks in pre-trial detention at Maekelawi, with no access to his family and only limited contact with his lawyer. He was held for more than three months before being charged. **Current place of detention:** Kality Prison, Addis Ababa. **Details of trial:** On 29 October 2012, Getachew appeared in court and was charged under the Anti-Terrorism Proclamation 2009 with plotting acts of 'terrorism, intending to advance a political, religious or ideological cause' by force; and the 'planning, preparation, conspiracy, incitement and attempt of terrorist acts.' Getachew's trial is part of a wider trial of at least 29 Muslim protest leaders and others charged under Ethiopia's Anti-Terrorism Proclamation. The trial was reportedly marred by serious due process violations, including undermining the defendants' presumption of innocence

and was closed to the public. On 1 December 2013 it was reported that Getachew was being held at Kality Prison in Addis Ababa. During his trial, Getachew told the court that he had been beaten while in custody – a complaint that has not been adequately investigated as both the first instance court and the high court have claimed not to have the jurisdiction over such matters. According to the Committee to Protect Journalists, in August 2015 he was sentenced to seven years in prison by the Addis High Court but planned to appeal the sentence. No further news as 31 December 2015.

**Background:** Local journalists believe that Muslim journalists and newspapers were being harassed as part of an attempt to quell media coverage of protests which began in 2011 by Ethiopian Muslims relating to government policies that they said interfered with their religious practices. *Ye Muslimoch Guday* provided extensive coverage of the protests. Other *Ye Muslimoch Guday* journalists have gone into hiding, and the publication ceased operations following Getachew's arrest. According to reports, many journalists attempting to cover or report on the protests were detained or intimidated. Despite these arrests, protests continued throughout the country in 2013. In February 2013, the managing editor of *Ye Muslimoch Guday*, **Solomon Kebede**, was detained by the authorities (see below). **Other information:** The US Commission on International Religious Freedom (USCIRF) condemned on 6 August 2015 the conditions under which 18 'Muslim leaders' – Getachew among them – were detained. The USCIRF called on the US Government to 'speak out publicly against these sentences'.

#### **Eskinder NEGA:**

**Profession:** journalist for now-defunct political magazine *Change* **Date of birth:** 1968 **Sentence:** 18 years **Date of arrest:** 9 September 2011 **Place of detention:** Kality Prison, Addis Ababa. **Details of trial:** Nega was arrested under Ethiopia's sweeping Anti-Terrorism Proclamation. He was officially charged under the same legislation on 11 November 2011. He was accused of having a relationship with the leaders of Ginbot 7, 'planning terrorist acts' (article 4) and inciting the public to overthrow the government encouragement of terrorism – article 6), passing such information to Ginbot 7 and the enemy state of Eritrea and calling, organising and leading a meeting that was summoned for the purpose of terrorist goals. Local journalists suspect that some of Nega's recent writings criticising the government's arrest of the famed Ethiopian actor Debebe Eshetu on terrorism charges triggered his arrest. Nega appeared before a court on 15 September 2011 where he was remanded in custody for 28 days. He was [charged](#) under the Criminal Code and the Anti-Terrorism Proclamation on 11 November 2011 although some of the initial charges were later dropped, according to the government. His trial began on 5 March 2012 on charges of 'committing a terrorist act' (article 3 [1,2,3,4,and 6] of the Anti-Terror Proclamation); 'serving as a leader in a terrorist organisation (article 7 [2] of the Anti-Terror Proclamation), 'treason' (articles 32[1a] and 248 [b] of the Criminal Code, and 'espionage' (articles 32[1a] and 252[1a] of the Criminal Code. He was convicted on 27 June 2012; the prosecutor asked for a life sentence. On 13 July 2012, Nega was sentenced to 18 years in jail. At the beginning of November 2012 he appeared briefly in court to appeal the charges of terrorism against him. According to reports, his appeal was cut short and he was not allowed to read his defence statement. His appeal hearing was then repeatedly rescheduled. On 2 May 2013, the Ethiopian Federal Supreme Court upheld Nega's conviction and sentence. One of the charges against him, 'serving as a leader of a terrorist organisation', was dropped, but his sentence was not reduced. Nega, representing himself, reportedly filed an appeal to the Court of Cassation in May 2013, as of March 2014 he was still awaiting a date for a hearing. On 18 October 2013, it was reported that an appeal was lodged on behalf of Nega and **Reeyot Alemu** (f) (see Released below) with the African Commission on Human and Peoples' Rights. The Commission was expected to consider the appeal in a session beginning in October 2014. According to PEN's information, the ruling has been subject to delays owing to the Ebola crisis. **Other information:** An opinion handed down by the UN Working Group on Arbitrary Detention (WGAD) in December 2012 found that the Ethiopian government's continued detention of Nega constituted a violation of international law, violating Nega's rights to free expression and due process, recognising 'several breaches of Mr. Nega's fair trial rights'. According to WGAD's panel of five independent experts, Nega's

imprisonment came 'as a result of his peaceful exercise of the right to freedom of expression' and called for his immediate release. However, the WGAD's opinion is not binding. **Background:** Nega was previously briefly arrested and detained by the federal police on 11 February 2011 after leaving an internet café in Addis Ababa. He was accused of attempting to incite protests similar to those that took place in Egypt and Tunisia in early 2011 in articles he had recently posted online - in particular one posted a week earlier in which he defended the right to peaceful protest. He was warned that this article was viewed as an attempt to undermine the army and that he would be held responsible for any protests that took place in Ethiopia. Nega was jailed along with his wife, journalist **Serkalem Fasil**, between 2005 and 2007 on treason charges for their coverage of protests that followed the 2005 legislative elections. **Awards:** PEN American Centre named Eskinder Nega as its 2012 PEN/Barbara Goldsmith Freedom to Write Award Winner on 12 April 2012. In 2014, he was awarded WAN-IFRA's Golden Pen of Freedom award. In 2015, he won the PEN Canada One Humanity Award. **Honorary member:** PEN USA, PEN Canada. **PEN Action:** RAN 52/11 and updates, Call to action [19 December 2013](#)

**Woubshet TAYE:**

**Profession:** deputy editor of the independent weekly *Awramba Times* **Sentence:** 14 years in prison **Date of arrest:** 19 June 2011 **Details of arrest:** Taye was arrested at his home in Addis Ababa on 19 June 2011 by security agents who confiscated various documents, cameras, CDs and copies of *Awramba Times*, which provides in-depth political coverage. He was initially detained incommunicado without charge and later said that he had been denied access to a lawyer during his interrogation. The authorities did not disclose the reason for his arrest, but it was suspected that he was detained under Ethiopia's 2009 Anti-Terrorism Proclamation due to his alleged sympathy for the banned political party Ginbot 7, which the Ethiopian government had recently designated as a terrorist organisation. **Current place of detention:** Taye was held at the federal investigation centre at Maekelawi Prison in the capital Addis Ababa, before being transferred to Kality prison, on the outskirts of Addis Ababa. He was reportedly transferred to Ziway prison, about 83 miles southeast of the capital, on 19 April 2013. In October 2014, he was reportedly transferred back to Kality prison. **Details of trial:** On 6 September 2011, Taye appeared before Ethiopia's High Court along with **Reeyot Alemu** (see Released below). Both were charged under the Anti-Terrorism Proclamation. Their lawyers said they did not have any details about the charges as they were not notified of the hearing and as a result could not attend. Terrorism charges were also filed in absentia against **Elias Kifle**, editor of the US-based anti-government website *Ethiopian Review*; Kifle lives in exile in the USA. On 19 January 2012, Taye and Alemu were convicted and sentenced to 14 years in prison for 'lending support to terrorist organisations' (article 5 of the Anti-Terror Proclamation). Kifle was sentenced in absentia to life imprisonment. In September 2013 Taye's application for a presidential pardon was rejected, according to news reports. **Conditions in detention:** During a court hearing in August 2011, Taye said that he had been tortured by state officials while he was being interrogated in prison; the court did not investigate his complaint. Taye is reported to have published a collection of essays in September 2014 entitled *The Voice of Freedom*, detailing his trial and the challenges Ethiopian journalists face. The police are reported to have restricted visits by friends and family after the book was released. On 1 December 2015, local news reports published Taye's [letter](#) sent from prison. No further news as 31 December 2015. **Health concerns:** As of early September 2011 he was reportedly suffering from pain in his ear and stomach as a result of beatings, but had not been given any medical treatment. Taye is also said to have suffered from a kidney infection following his transfer to Ziway prison in April 2013. He is said to have finally received treatment for the infection upon his return to Kality prison in October 2014. **Awards:** Taye is a recipient of Human Rights Watch's Hellman-Hammett Award 2012 and CNN's Free Press Africa Award 2013. **PEN Action:** RAN 34/11 and updates

Detained: main case

**Solomon KEBEDE:**

**Profession:** managing editor of the now-defunct weekly newspaper *Ye Muslimoch Guday* (Muslim Affairs) **Date of arrest:** 17 January 2013 **Details of arrest:** Kebede was arrested by the Ethiopian security forces in Addis Ababa under the Anti-Terrorism Proclamation. Local journalists believe that his arrest is linked to his columns criticising perceived government intrusion in religious affairs. Kebede had recently covered demonstrations staged in 2012 by Muslims protesting alleged interference in Islamic Council elections. **Details of trial:** Kebede was arrested and reportedly held for over two months without charge, at least some of the time in solitary confinement. The Anti-Terrorism Proclamation permits pre-trial detention for up to four months without charge. A court date was set for 13 February 2013. On 15 March 2013, the first instance court reportedly granted the police an additional 28 days for further investigation. As of 2 April 2013 he reportedly still had no access to a lawyer. He was eventually charged with ‘incitement to terrorism’ along with 27 others. The authorities are reported not to have disclosed any evidence against him. **Current place of detention:** Kilinto Prison, Addis Ababa **Health concerns:** Kebede’s health is said to be poor. **Other information:** *Ye Muslimoch Guday* was reportedly forced to stop publishing in July 2012, following the arrest of its editor **Yusuf Getachew** (see above). Local journalists reportedly suspected that Kebede is being held so that the authorities could question him on the whereabouts of two of his colleagues from the paper, senior editor **Akemel Negash** and copy editor **Isaac Eshetu**, who fled into hiding in August 2012 after their homes were kept under surveillance for several weeks. **PEN Action:** RAN 15/11 and updates. [**Stop press:** According to the Committee to Protect Journalists, Kebede was sentenced to a prison term on 10 March 2016, more than three years after being jailed on anti-terrorism charges. Reports vary as to the length, citing between three years 11 months and four years and 10 months.]

**\*Getachew SHIFERAW:**

**Profession:** editor-in-chief of online newspaper *Negere Ethiopia* **Date of arrest:** 25 December 2015 **Details of arrest:** He was reportedly arrested on 25 December 2015 by federal police while he was walking to his office in Addis Ababa and taken to Maekelawi, a federal police investigation centre. According to a 2013 Human Rights Watch report, detainees at this centre are frequently ill-treated or tortured. On 26 December 2015, a court ruled to allow the police to keep him in detention under investigation for 28 days. It is unclear what the charges are against Shiferaw though news reports state that he is likely to be charged under the Anti-Terrorism Proclamation. **Background:** The online newspaper *Negere Ethiopia* is reportedly affiliated with the Blue Party, an opposition party that has been campaigning for political openness in Ethiopia. Allegedly, for this reason about a year ago *Negere Ethiopia* was forced to suspend its print edition and is currently only available online. The newspaper had also been covering political trials such as the Zone 9 blogger case (See Released below). The arrests also came on the heels of protests that started in the Oromia region in November 2015 against plans to transfer the ownership of a community school and portions of a local forest to private investors. According to reports, authorities responded to the protests by clamping down on protestors as well as those criticizing the response in the press.

**Zelalem WORKAGEGNEHU:**

**Profession:** blogger **Date of arrest:** 8 July 2014 **Details of arrest:** Workagegnehu was reportedly held without charge until October 2014 when he was finally charged with having links to diaspora-based opposition movement Ginbot 7. **Current place of detention:** Kilinto Prison **Details of trial:** According to reports dated 8 June 2015, the criminal bench of Lideta Federal High Court in Addis Ababa began hearing witnesses for the prosecution. Most of the charges were reportedly dropped against him except for charges for receiving money from abroad in order to recruit members for the opposition movement Ginbot 7, and facilitating media training. On 30 December 2015, a Court hearing was held and Abraha Desta, a social media activist and official of the opposition Arena Tigray, and Abraham Solomon who was also detained with Workagegnehu, appeared as witnesses. The trial was postponed to 27 January 2016 and Eskinder Nega (see Imprisoned – main case above) is due to

appear as a witness. According to a news [report](#), Abraha testified that he had advised Workagegnehu to confess as he was beaten daily and he feared that Workagegnehu could be severely injured after this torture. Abraha also suggested that the witness used by the prosecutors was told that if he testified against Workagegnehu and colleagues he would later be released and if not, he himself would be held in prison.

#### Detained: investigation

##### **Elias GEBRU:**

**Profession:** editor-in-chief of the independent news magazine *Enku* **Date of arrest:** 11 November 2014 **Details of arrest:** According to a report by *Awramba Times*, Gebru was detained in connection with a column published in *Enku*. The Federal High Court ordered him to post bail of 20,000 Ethiopian birr (US\$1,000) or face detention until his trial, scheduled then for 5 January 2015. Unable to pay the bail, Gebru was detained. News report of April 2015 suggested that Gebru is still on trial. It is unclear if he still remains in prison. **Place of detention:** Kilinto Prison **Background:** On 26 May 2014 Gebru was reportedly detained after Ethiopia's federal police summoned him for questioning in connection with the same column published in *Enku* mentioned above. The column in question reportedly discussed a monument recently erected outside the capital, Addis Ababa, in honour of ethnic Oromos massacred in the 19<sup>th</sup> century by Emperor Menelik's forces. The monument has reportedly ignited divisions between some Oromos and supporters of the emperor's legacy. According to news reports, local journalists believe the authorities were attempting to link *Enku* to deadly clashes between Oromo student protesters and the security forces, which took place in April 2014.

#### On trial

##### **Befeqadu HAILU:**

**Profession:** Contributor to the Zone 9 blog

**Date of arrest:** 25 April 2014 **Date of release:** 21 October 2015 **Details of arrest:** He was arrested with five other contributors to the Zone 9 blog and three journalists and accused of working with foreign human rights organisations and receiving finance to incite public violence through social media (See Released below: **Fantahun, Kiberet, Kessaye, Haile Gorgis, Waldyes, Berhane, Wabella and Feleke**). Hailu was released on bail on 21 October 2015 and still faces charges of inciting violence. On 24 December 2015 he was summoned with four other members of the Zone 9 blogging group - Soleyana, Abel Wabella, Natnail Feleke, Atnaf Berhane- to appear in court on 30 December 2015 for a hearing into the appeal of the prosecution against the dropping of terrorism charges against them, but the hearing was delayed until February 2016. **[Stop press:** On 4 February 2016, the five members of the Zone 9 blogging group, including Hailu, appeared in court in relation to the appeal of the decision to drop charges against them, as well as other harassment that impedes their work, including unofficial travel bans, according to [IPU](#). Hailu is facing an official travel ban due to charges he still faces of inciting violence. A decision is expected on 29 March 2016]

#### Harassed

##### **\*Zelalem KIBERET:**

**Profession:** contributor to Zone 9 blog **Date of harassment:** 16 November 2015 **Details of harassment:** According to Reporters Without Borders, a travel ban has been imposed on Kiberet. On 16 November 2015, he was due to fly to France to receive an award on behalf of the *Zone 9* bloggers. However, authorities suggested that he could not travel because of his previous conviction. No further information as 31 December 2015. **Background:** Kiberet and other journalists and contributors to *Zone 9* blog were arrested in 2011 and held in custody up to 2014. The charges against them were unclear (See 'on trial' above and 'Released' below). **Awards:** 2015 RSF Press Freedom Prize in the citizen-journalist category.



## Sentenced

**Endalkachew TESFAYE, profession:** publisher of *Addis Guday* magazine

**Gizaw TAYE HORDOFA, profession:** publisher of *Lomi* magazine

**Fatuma NURIYA, profession:** publisher of *Fact* magazine

**Sentence:** Three years and three months (Tefaye and Hordofa); three years and 11 months (Nuriya) in prison **Details of trial:** According to October 2014 reports, the three publishers were [sentenced in absentia](#) for ‘inciting violent revolts, printing and distributing unfounded rumours and conspiring to unlawfully abolish the constitutional system of the country.’ They had reportedly fled the country before the trial began. According to [Amnesty International](#), Teye Hordofa was sentenced in absentia to 18 years in prison in October 2015 in a separate case. He is reportedly being charged for tax evasion. No further information as of 31 December 2015.

## Released

### **Reeyot ALEMU (f):**

**Profession:** contributor to the independent weekly newspaper *Feteh*. **Sentence:** 14 years in prison, reduced to five years on appeal **Date of arrest:** 21 June 2011 **Date of release:** 9 July 2015 **Details of arrest:** Alemu was arrested two days after **Woubshet Teye** (see Imprisoned – main case above), on 21 June 2011, at a secondary school where she taught English in Addis Ababa; her home was also searched by police. She was initially detained incommunicado without charge. The authorities did not disclose the reason for the arrests, but it was suspected that both were detained under Ethiopia’s 2009 Anti-Terrorism Proclamation. Alemu’s arrest was thought to be related to her articles criticising the ruling EPRDF party. Her 17 June 2011 column in *Feteh* was reportedly critical of the EPRDF’s public fundraising methods for the Abay Dam project, and drew parallels between Prime Minister Meles Zenawi and the late Libyan leader Muammar Gaddafi. **Details of release:** Alemu was unexpectedly released on 9 July 2015 and joined her family. Alemu told CPJ that her health was ‘ok’ but she was still taking painkillers, apparently in connection with the breast tumours she suffered in prison. According to RSF, the Ethiopian justice ministry said she was released as the result of a request filed by her lawyer on the basis that she had already served two thirds of her sentence (five years, reduced from 14 on appeal). Her release came one day after that of five out of nine of the Zone 9 bloggers and journalists, detained since April 2014 (see above). Journalist Woubshet Teye, who was arrested two days before Alemu, remains in prison serving a 14-year sentence on the same terrorism charges. RSF noted that the releases came shortly before the UN-backed Third International Conference on Financing for Development in Addis Ababa in mid July 2015, and a visit by the US president Barack Obama at the end of July, the latter criticised by human rights activists. **Details of trial:** On 6 September 2011, Teye and Alemu appeared before Ethiopia’s High Court and were charged under the Anti-Terrorism Proclamation. Their lawyers said they did not have any details about the charges as they were not notified of the hearing and as a result could not attend. Terrorism charges were also filed in absentia against **Elias Kifle**, editor of the US-based anti-government website *Ethiopian Review*; Kifle lives in exile in the USA. On 19 January 2012, Teye and Alemu were convicted and sentenced to 14 years in prison for ‘lending support to terrorist groups.’ Kifle was sentenced in absentia to life imprisonment. On 3 August 2012 it was reported that an appeals court in Addis Ababa had reduced the 14-year prison sentence given to Alemu in January to five years and dropped most of the terrorism charges against her. The court upheld one of the charges against her, that of ‘participating in the promotion or communication of a terrorist act’. Her lawyers said that they were seeking to have her acquitted of this final charge. On 9 January 2013, Ethiopia’s Court of Cassation, the last resort for legal appeals in the country, rejected Alemu’s appeal and ordered that she serve her five-year term. On 18 October 2013 it was reported that an appeal had been filed with the African Commission on Human and Peoples’ Rights on Alemu and **Eskindir Nega’s** (see Imprisoned – main case above) behalf. The Commission was expected to consider the appeal in a session beginning in October 2014. According to PEN’s information, the ruling has been

subject to delays owing to the Ebola crisis. According to news reports, Alemu was offered the chance to apply for probation in October 2014 as per Ethiopian legislation, which allows all prisoners to apply if they have completed two thirds of their sentence. Alemu reportedly refused as the form required her to repent her actions. **Conditions in detention:** Alemu was initially held at the federal investigation centre at Maekelawi Prison before being transferred to Kality prison, on the outskirts of Addis Ababa. Alemu said that she had been denied access to a lawyer during her interrogation. According to reports, Alemu was subject to ill-treatment and endured visitation sanctions thought to be in response to an article critical of anti-terrorism legislation written by Alemu and published by the International Women’s Media Foundation in August. She spent 13 days at the police station in solitary confinement, according to an interview she gave to [CPJ](#). In the same interview, she noted that prison authorities denied her access to some books they found too political. **Health concerns:** Alemu’s physical and psychological state of health was said to have seriously deteriorated in prison and in September 2011 she was said to be extremely weak. Her relatives had been allowed to visit her and bring her medicines but she had not received any treatment from doctors. According to reports in April 2013, Alemu was denied access to medical treatment after she was diagnosed with a fibroadenoma in her breast. In December 2013, she was reported to have suffered from chronic gastritis and sinusitis, as well as severe pain and bleeding. According to her lawyer, Alemu was due to have a check-up in November 2013, but the authorities refused to take her to the hospital **Awards:** Alemu was awarded the International Women’s Media Foundation Courage in Journalism Award in 2012 and the UNESCO/ Guillermo Cano World Press Freedom Prize in May 2013 **Honorary Member:** PEN Canada **PEN Actions:** RAN 34/11 and updates; [call to action 19 December 2013](#); [International Women’s Day Action 2014](#). She was also the subject of the international Kality Tweet Chat campaign which PEN International participated in on 19 December 2013.

**Mahlet FANTAHUN (f), Profession:** Contributor to the Zone 9 blog

**Zelalem KIBERET, Profession:** Contributor to the Zone 9 blog

**Tesfalem WALDYES, Profession:** freelance journalist writing for the weekly *English Fortune* and monthly newspaper *Addis Standard*

**Asmamaw HAILE GORGIS, Profession:** editor of the monthly Amharic-language *Addis Guday* magazine

**Edom KASSAYE (f), Profession:** former journalist for the state-owned daily newspaper *Addis Zemen* and a member of the Ethiopian Environmental Journalists Association

**Atnaf BERHANE, Profession:** Contributor to the Zone 9 blog

**Natnael FELEKE, Profession:** Contributor to the Zone 9 blog

**Abel WABELLA, Profession:** Contributor to the Zone 9 blog

**Details of arrest and trial:** On 18 July 2014, the bloggers were formally charged with intending to ‘destabilise the nation,’ connections to outlawed organisations including Ginbot7 and the Oromo Liberation Front (OLF), and planning to carry out terrorism under the Anti-Terrorism Act; they had been held for more than 80 days without charge, beyond the maximum period allowed under the law. Their case was referred to the Federal High Court. According to November reports, their trial had been postponed 11 times. During a hearing on 12 November, lawyers petitioned the court to have the charges against the bloggers to be amended as they did not specify what acts of terrorism they were accused of carrying out. The court also dropped the charge of knowingly committing criminal acts by disseminating seditious writings with the intention of inciting the overthrow of the constitutional state. However, the amendment had not been made by the prosecution in December 2014. Evidence submitted to court includes signed confessions, articles written by the bloggers, the possession of human rights advocacy training manuals, and digital security manuals. **Reason for detention:** The Zone 9 bloggers were accused of working with foreign human rights organisations and receiving finance to incite public violence through social media. It is thought that the journalists were arrested for having connections to Zone 9 **Date of release:** (1) 8 July 2015 (Fantahun, Kiberet, Waldyes, Haile Gorgis and Kassaye) (2) 17 October 2015 (Wabella, Berhane and Feleke) **Details of release:** (1) Two of the Zone 9 bloggers – **Mahlet Fantahun (f)** and **Zelalem Kiberet** – and three



journalists detained at the same time as them – **Tesfalem Waldyes, Asmamaw Haile Gorgis** and **Edom Kassaye** – were released on 8 July 2015 after state prosecutors unexpectedly dropped all the charges against them. Their release was followed by that of journalist **Reeyot Alemu** the next day, on 9 July 2015, also unexpected. RSF noted that the releases came shortly before the UN-backed [Third International Conference on Financing for Development](#) in Addis Ababa in mid July 2015, and a visit by the US president Barack Obama at the end of July, the latter [criticised](#) by human rights activists. (2) Three of the other Zone 9 bloggers were released and acquitted of all charges on 17 October 2015. **Befekadu Hailu** was released on bail on 21 October and still faces charges of inciting violence (see above On trial entry). **Background:** Two days prior to the bloggers’ arrest, Zone 9 – an independent collective of bloggers who campaign against political repression and human rights abuses in Ethiopia – announced the resumption of operations after a hiatus of several months due to security concerns. Access to the blog is reportedly regularly blocked within Ethiopia; however, it has a strong following among the Ethiopian diaspora community. The day before his arrest, Feleke was reportedly ordered to hand over the contact details of all Zone 9 contributors, which he refused to do. In the weeks prior to her arrest, Kassaye was reportedly subject to surveillance and interrogation over her connection to and the activities of Zone 9, including their relationship with foreign human rights organisations. According to news reports, the prosecution has appealed against their acquittal in October 2015. According to the Committee to Protect Journalists, on 24 December 2015 five members of the Zone 9 blogging group--Soleyana, Abel Wabella, Natnail Feleke, Atnaf Berhane, and Befekadu Hailu were summoned to appear in court on 30 December 2015. It is unclear the reasons behind it. The hearing was postponed to 5 February 2015. **Awards:** 2015 Reporters Without Borders Prize for Press Freedom (to Zone 9 collective) **PEN Action:** World Press Freedom Day action 3 May 2014, Joint open letter [24 July 2014](#), press statement [24 April 2015](#)

## GAMBIA

### Enforced disappearance

#### **‘Chief’ Ebrimah MANNEH:**

**Profession:** reporter and sub-editor with the pro-government *Daily Observer* **Date of arrest:** 7 July 2006 **Details of enforced disappearance:** Manneh was reportedly arrested by two National Intelligence Agency (NIA) officers and has been held in incommunicado detention by the NIA at various sites ever since, seemingly without having been charged with any offence. The NIA has repeatedly denied that they have the journalist in their custody; the government also denies any knowledge of his case. It is believed that the reason for Manneh’s arrest is that he is alleged to have had contact with a foreign journalist before the July 2006 African Union Summit held in the Gambian capital Banjul. Manneh apparently gave this journalist information deemed by the Gambian government to have been damaging to the country’s image. According to a former colleague, Ousman Darboe, Manneh reprinted a BBC story critical of President Yahya Jammeh’s democratic credentials; his decision was later overruled by editors and the relevant issue of the *Observer* withdrawn. Manneh has reportedly been moved around the country throughout his detention and although the local media has reported seeing him on several occasions, the government remained silent on the subject until April 2009 (see below). 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. **Details of investigation:** 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 2008 ECOWAS ruling (see below). 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 Hydera or the disappearances of so many people,' said the President. He also suggested that Manneh may have disappeared after attempting to illegally migrate to Europe or the United States. On 6 July 2011, a Gambian National Police spokesman told CPJ that the police had no information about Manneh. In an interview on 6 October 2011 with the *Daily News*, Gambia's justice minister, Edward Gomez, denied Manneh was in state custody and declared that he is alive. According to officials from the British Foreign and Commonwealth Office, there will be an investigation into the disappearance of Chief Ebrimah Manneh. On 28 September 2012 it was reported that President Jammeh had given the United Nations permission to investigate Manneh's disappearance. **Other information:** 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. According to an 11 July 2013 report, the government has still failed to respect the 2008 ECOWAS ruling and has yet to implement the subsequent 2010 ruling to provide the former editor-in-chief of *The Independent* newspaper with compensation. 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. On 10 June 2014, the ECOWAS court held that previous rulings against the Gambia, including Manneh's case, proved the Gambian government was fostering a climate of impunity which in itself was a violation of freedom of expression. No further news as of 31 December 2015.

#### Death threat

##### **\*Aminata MANNEH (f):**

**Profession:** social media user, student at the University of The Gambia and mentorship coordinator at the non-profit organisation Think Young Women **Date of threat:** around 20 March 2015 **Details of threat:** Manneh went into hiding after receiving death threats following her posting a video of a policeman assaulting a young girl on Facebook accompanied by her statement: "This is a total child's Right violation. Since when does a traffic police officer have the right to lay hands on a young school girl cuz they were fighting? I mean we all went through this. What has become of our authorities?" Manneh soon started receiving threatening phone calls and messages on Facebook from unknown persons demanding to meet her and went missing for two days amid fears that she may have been arrested. On 25 March 2015, she [posted a message](#) on Facebook that she had left the country in fear for her life.

#### Harassed

##### **\*Ali CHAM (aka Kill ACE)**

**Profession:** rapper **Date of harassment:** 23 June 2015 **Details of harassment:** After the release of a song on 23 June 2015, later banned by the authorities, where he openly criticized the lack of freedom of expression, corruption, police abuses, and arbitrary abductions, among other issues in Gambia, Gambia's National Intelligence Agency started repeatedly questioning his family as to his whereabouts and he also started receiving death threats. This harassment led him to flee the country in July 2015 with his wife and daughter and demand asylum in Senegal. No further news as 31 December 2015.

##### **\*Amadou BAH**

\*Bakary CEESAY  
\*Mafugi CEESAY  
\*Sulayman CEESAY  
\*Musa S. SHERIFF

**Profession:** journalists of *The Voice newspaper* **Date of harassment:** 1 July 2015 **Details of harassment:** The National Intelligence Agency (NIA) summoned all five and [interrogated them for two hours](#), demanding personal information. The NIA requested information about the newspaper's sources of revenue, how it obtains reports, its aims and objectives, what it stands for and the kind of information the journalists cover.

## GUINEA

Harrassed

\***Thierno Amadou CAMARA:**

**Profession:** editor of the guineematin website **Date of attack:** 31 July 2015 **Details of attack:** Camara was working on his computer at a congress organised by the opposition Unity and Progress Party (Parti de l'Unité et du progrès-PUP, when a member of the anti-riot police asked him to 'get lost'. Although Camara identified himself, the policeman disconnected his computer after which he was handcuffed and arrested. The policemen put him in a police van and took him to a police station while continuing to abuse him with kicks and insults. He was released later in the evening.

## GUINEA-BISSAU

Brief detention

\***Danilson LOPES FERREIRA:**

**Profession:** musician and blogger at Doka Internacional **Date of arrest:** 19 March 2015, around 8pm local time **Date of release:** unknown but was free in May 2015 **Details of arrest:** The Criminal Investigations Department (CID) arrested Lopes Ferreira for 'libel, slander and insulting language' in his blog.

## IVORY COAST

Killed: impunity

**Désiré OUE:**

**Profession:** editor of the Christian publication *Tomorrow Magazine* **Date of death:** 14 November 2013 **Details of death:** Oué was reportedly killed in unclear circumstances on the night of 14 November 2013. According to reports, Oué was shot in the chest at his home in Abidjan by unidentified armed men. According to some media reports, the assailants then took computers and documents from the house. **Details of investigation:** On the basis of a preliminary investigation the authorities stated that the murder was the result of a burglary gone wrong. One press report said that Oué was known in his area for being an activist in support of former president Laurent Gbagbo in the 2010 presidential elections. The Ivory Coast Private Press Union (le Syndicat de la presse privée de Côte d'Ivoire -- Synapp-CI) has called for a full investigation. No further information as of 31 December 2015; PEN is seeking an update.

Enforced disappearance

**Guy-André KIEFFER** (French-Canadian national):

**Profession:** writer and independent reporter **Date of birth:** c 1950 **Date of disappearance:** 16 April 2004 **Details of disappearance:** 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’. He is assumed to have been killed. For information on Kieffer’s journalistic work, see previous case lists. **Details of investigation:** The investigation into Kieffer’s disappearance has dragged on since 2004 with no conclusion. French judge Patrick Ramaël, who initially led the investigation, reportedly faced constant obstruction by the Ivorian authorities throughout his tenure as investigating judge in the case, although they have denied this. Key suspects have included Michel Legré – the brother-in-law of former President Gbagbo’s wife, Simone Gbagbo – who was detained for 18 months in connection with the case before being granted provisional release in October 2005. Jean-Tony Oulaï, an Ivorian army captain who claims to have belonged to the Ivorian special services, was detained for two-and-a-half years from 2007 on suspicion of kidnapping and illegally detaining Kieffer before being provisionally released in April 2010. In October 2009, it was reported that a man claiming to be a soldier in the Ivorian army said that Kieffer had been killed by members of Simone Gbagbo’s entourage, without her knowledge, during a botched interrogation within the presidential compound. However, in apparent response to the new testimony, the then Ivorian state prosecutor Raymond Tchimou stated that Kieffer had been taken out of the country and was still alive. Tchimou offered no other explanations or details on the journalist’s purported whereabouts. On 14 April 2011, Kieffer’s wife and daughter met with the Ivorian ambassador in Paris to ask what possibilities there were of further investigation into Kieffer’s case following the departure of former president Laurent Gbagbo. After the meeting the ambassador reportedly stated that the ‘whole truth’ would be revealed about Kieffer’s disappearance and that he would speak to the minister of justice about the matter the same day. He added that President Ouattara wanted to put an end to impunity and establish the rule of law in Côte d’Ivoire. Kieffer’s wife noted that President Ouattara had backed the family from the time the journalist disappeared. In a letter sent in April 2013, Kieffer’s family, along with the head of the Truth for Guy-André Kieffer Association and the secretary-general of Reporters Without Borders, asked French President François Hollande to raise Kieffer’s abduction with his Ivorian counterpart at their meeting on 11 April 2013. The letter reported that while positive developments have been seen with regards to the case – including the appointment of a new investigating judge and a prosecutor, as well as the facilitation of the work of the Judge Ramaël – the case has failed to advance adequately, with Kieffer’s fate still unknown. The family and civilian parties were scheduled to meet with French foreign ministry officials on 16 April 2013, the ninth anniversary of Kieffer’s abduction. In September 2013, Judge Ramaël was discharged from the case, owing to a statutory rule which decrees that no one may hold the same position for longer than 10 years. On the tenth anniversary of Kieffer’s disappearance in April 2014, reports suggested that neither his family or lawyers nor other interested parties had been contacted by the new judges put in charge of the investigation in September 2013, Cyril Paquaux and Nicolas Blot. In July 2014 Reporters Without Borders (RSF) asked French President François Hollande to request the creation of a special commission of enquiry or the formation a joint judicial investigative unit by the French and Ivorian judges in charge of the case. In a written reply on 20 October 2014, the Elysée Palace said solving the case continued to be a ‘priority for France’ and promised to monitor ‘the progress of this investigation being conducted by the judicial authorities of the two countries concerned, France and Côte d’Ivoire.’ The investigating judge who replaced Patrick Ramaël as judge in charge of the French investigation has reportedly complied with requests for continued legal actions made by the registered civil parties (the Kieffer family and RSF). He reportedly submitted letters rogatory to the Ivorian authorities in November 2014. They have yet to respond. French Minister of Justice, Christiane Taubire raised the case of Guy-André Kieffer with President Alassane Outtara during an official visit in June 2015. No further news as 31 December 2015. **PEN Action:** [PEN 2014 World Cup Action: Ivory Coast](#)

## Brief detention

### **\*Joseph GNANHOUA TITI:**

**Profession:** publisher and editor of the privately owned newspaper *Aujourd'hui* **Date of arrest:** 29 July 2015 **Date of release:** 4 August 2015 **Details of arrest:** According to the Committee to Protect Journalists he was charged for 'defamation', 'insulting a foreign head of State and the president' and 'spreading false information' due to an article he published in the 21 July 2015 edition of the paper. He was released after a [judge dismissed the charges](#). **Other information:** The article suggested that classified documents from France's Defence and Spy intelligence agency exposed President Ouattara's involvement in money laundering and embezzlement of funds from the International Monetary Fund- World Bank's Heavily Indebted Poor Countries initiative. According to the Committee to Protect Journalists, on 10 August 2015 the National Press Council suspended *Aujourd'hui* for one month due to a series of articles published in July (including the article Titi was detained in connection with) which were severely critical of President Ouattara. *Aujourd'hui* has reportedly appealed the suspension with the National Press Council, but stopped publishing. The newspaper reportedly supports former President Laurent Gbagbo, according to [RSF](#).

## Harassed

### **\*Koffi Kouassi NORBERT** (aka Norbert N'Kaka):

**Profession:** teacher and local correspondent for the daily newspaper *Soir Info* **Date of harassment:** 30 October 2015 **Details of harassment :** According to the Media Foundation for West Africa, Norbert was summoned on 30 October 2015 by the deputy mayor of Dabou, as the deputy reportedly was not happy with the writings of Norbert. After the meeting, around 50 young people broke down his door and entered his house. Norbert told the MFWA that the reason behind the attacks were due to the young people believing that his writings portrayed their community as a conflict zone. No further information as 31 December 2015.

## **KENYA**

*In October 2015, the Kenyan parliament approved a press law that outlaws any publication of words deemed 'defamatory to parliament', and provides for fines of up to 500,000 shillings (4,850 dollars, 4,245 euros) or a [two-year jail term](#).*

## Killed: motive unknown

### **\*John KITUYI:**

**Profession:** founder of *The Mirror* newspaper **Date of death:** 30 April 2015 **Details of death:** Kituyi, aged 63, was reportedly attacked by unknown assailants who beat him with blunt objects after intercepting him on his return home in Eldoret. He is reported to have died of his injuries in hospital some hours later. His assailants reportedly took his mobile telephone but not his wallet. According to news reports, he had received death threats connected to his articles published in *The Mirror* in the months prior to his murder. One of his latest stories described how authorities had interfered with witnesses due to testify at Deputy President William Ruto's trial before the International Criminal Court in connection with post-election violence in 2007. On 22 July 22, 2015, a soldier was [charged](#) with robbing and killing Kituyi together with other three persons charged in absentia. Kavili and his accomplices reportedly used a metal bar to rob Kituyi of his mobile phone, identification card, a coat and bank cards and left him for dead. The suspect, who had been found in possession of Kituyi's phone, was granted bail and court hearings were scheduled for 6 August and 10 September 2015. At the hearing on 10 September, blood test results were not available and the trial was rescheduled to 14 January 2016. **Background:** Prior to founding *The Mirror* in 1995, Kituyi had served

as correspondent for *The Standard*. His articles focused primarily on regional politics in Western Kenya, but he also covered national issues.

#### Reported missing

##### **Dickson BOGONKO BOSIRE:**

**Profession:** editor of the *Jackal News* blog **Date of disappearance:** 18 September 2013 **Details of disappearance:** According to a 15 October 2013 report by Reporters Without Borders, Bogonko's family had not heard from him since 18 September 2013 while his mobile phone had remained on voicemail. The police were reportedly investigating his disappearance. There was speculation that Bogonko had gone into hiding after the website revealed the name of an International Criminal Court witness, but his family have reportedly ruled this out. Bogonko reportedly went missing two days before the start of the terrorist attack on the Westgate shopping Centre in the capital Nairobi, where he is based. In December 2015, his parents gave an [interview](#) in which they said they remained baffled by his disappearance. **Background:** Bogonko worked for Agence France-Presse before launching *Jackal News*, a website which covers a spectrum of stories from corruption to gossip and scandals. The content of the blog has reportedly led to confrontation and threats by the subjects of critical articles. Bogonko reportedly had to flee Nairobi and go into hiding on several occasions previously. The website was hacked and shut down twice before his disappearance.

#### On trial

##### **\*Kurgat MARINDANY:**

**Profession:** reporter for *The Star* newspaper **Date of arrest:** 16 April 2015 **Date of release:** Released on bail on 16 April 2015 **Details of arrest:** Marindany was reportedly charged with criminal libel in April 2015 after he published [an article](#) where he mentioned that a county commissioner 'cried for 20 minutes' in front of a large crowd, when a governor called him a 'land grabber'. **Details of trial:** Marindany was reportedly released on 30,000 shillings bail (Approx. US\$284). Marindany denies the charges. The case was expected to be heard on 18 June 2015. Marindany is said to be petitioning the constitutionality of sections 194 and 195 of the penal code, under which he is being prosecuted and is seeking a halt to the criminal trial against him pending the determination of his application. No further information as of 31 December 2015.

#### Judicial Harassment

##### **\*John NGIRACHU:**

**Profession:** parliamentary editor of newspaper *The Nation* **Date of arrest:** 10 November 2015 **Date of release:** 10 November 2015 **Details of arrest:** Ngirachu was held at the headquarters of the Department of Criminal Investigations in Nairobi because of an article that he published. The article reportedly exposed corruption and irregularities in the Interior Ministry and during his arrest he was interrogated in regards to this issue. The authorities allegedly suggested at a [press conference](#) that he would be released after he explained who the sources of this article were. According to the Committee to Protect Journalists he is not facing official charges. No further news as of 31 December 2015.

#### Released

##### **Ibrahim Said SALAH: (Somali national)**

**Profession:** editor of [www.allcarmo.com](http://www.allcarmo.com) **Date of arrest:** 27 September 2014 **Date of release:** 14 April 2015 **Details of arrest:** Salah was reportedly detained in Nairobi, Kenya, after he returned from Bossaso, Puntland, where he had been working on stories on the formation of political parties and Puntland's democratisation process. The Kenyan police were reportedly investigating the website. A Nairobi court reportedly confirmed Salah's detention for ongoing interrogation.

Case closed

**John ORONI:**

**Profession:** editor-in-chief of the *Weekly Citizen* newspaper **Sentence:** Six months' imprisonment  
**Date of arrest:** 24 September 2014 **Details of arrest:** arrested to serve prison sentence after failing to pay a fine **Details of trial:** On 10 March 2014, Oroni was ordered to pay damages of 3 million shillings (approx. US\$32,000) and to publish an apology in the newspaper disowning articles deemed defamatory by the court. On 16 September 2014, the courts ordered Oroni's arrest after he had failed to pay the sum; he was imprisoned on 24 September. The charges relate to a story published in July 2011 that alleged that the plaintiff had hired out Kenyan forest land to Ugandans, according to news reports. Although the claim was pursued through a civil court, Oroni's failure to pay led to his arrest and subsequent sentence of six months' imprisonment. Oroni has filed an appeal, which is expected to be heard in February 2015. Case closed as sentence would have expired in March 2015.

**MAURITANIA**

Imprisoned: main case

**Mohamed Cheikh ould MOHAMED:**

**Profession:** blogger **Date of arrest:** 2 January 2014 **Sentence:** Death sentence **Reason for arrest:** Mohamed was reportedly arrested in Nouadhibou shortly after he posted an article criticising the inequality of Mauritania's caste system, referencing the teachings of the Prophet Mohammed on Aqlame news website on 2 January 2014. The article was taken down a few minutes after posting. **Details of trial:** On 24 December 2014, a court in Nouadhibou reportedly imposed a death sentence upon Mohamed after convicting him of apostasy. In court, Mohamed said he had not intended to insult the Prophet Muhammad and repented. According to the Committee to Protect Journalists (CPJ), a fatwa was issued to kill Mohamed and nationwide demonstrations led his family to denounce him and his lawyer to drop his case. Mohamed's lawyers appealed against the sentence on 26 December 2014. He is reportedly eligible to be pardoned by the Supreme Court if his repentance is verified, according to article 306 of the Mauritanian penal code. As of 31 December 2015 his case was still under appeal; PEN is seeking an update. **Conditions in detention:** News reports indicate that Mohamed may have been subjected to torture or other ill-treatment and is held in solitary confinement.

**MOZAMBIQUE**

Killed: motive unknown

**\*Paulo MACHAVA**

**Profession:** publisher of the news website *Diario de Noticias* **Date of death:** 28 August 2015 **Details of killing:** Machava was shot while he was jogging in Maputo. According to Amnesty International, an investigation by the Mozambican police has been launched. The motive of the killing remains unknown. No further news as 31 December 2015. **Other information:** Machava's work was widely known for his denunciation against crime. He had previously worked in *Radio Moçambique* and had been editor-in-chief of weekly newspaper *Savana* which is known for being critical of the government. *Savana* published an important report about a corruption scandal in state-owned Banco Comercial de Moçambique, according to reports. In addition, he had been campaigning for economist Nuno Castel-Branco (see Case list entry below) and journalists Fernando Veloso and



Fernando Mbanze who were facing national security and defamation charges. The killing of Machava took place three days before their trial.

#### On trial

##### **\*Batholomaeus GRILL: (German national)**

**Profession:** correspondent for the German weekly *Der Spiegel* **Date of arrest:** 16 February 2015 **Date of release:** 16 February 2015 **Details of arrest:** Grill and Swedish freelance photographer, **Torbjoern Selander**, were reportedly apprehended by residents as they were reporting in the village of Mavodze in southern Mozambique. The villagers accused the journalists of being spies and took them to the police station, where they were held for several hours. They were reportedly released after the German and Swedish embassies intervened on their behalf. No further news as 31 December 2015. **Details of trial:** Grill was reportedly charged with trespassing and invasion of privacy in connection with their investigation of rhino poaching. The trial was scheduled to take place in the same community where they were first apprehended. The case against them is thought to have been brought by the 'kingpin' in the illegal wildlife trade who was very influential in the village. **Background:** The journalists were reportedly looking for an individual who is known as the kingpin of rhino poaching and is considered a 'godfather' in the village. The village borders South Africa's Kruger National Park and forms part of a vast trans-frontier conservation area.

##### **\*Carlos Nuno CASTEL-BRANCO, Profession:** Economist and social media user

##### **\*Fernando MBANZE, Profession:** editor of the daily independent newspaper *MediaFax*

**Details of trial:** Castel-Branco and Mbanze were charged with crimes against the security of the state in relation to a Facebook post from November 2013 on poor governance in Mozambique. Castel-Branco was accused of defaming the former Head of State of Mozambique and summoned to the prosecutor's office in May before being charged on 11 June 2015 under Article 22 of the State Security Law (Law 19/91) in relation to a Facebook post he made on 14 November 2013. In the post, an open letter to then President Armando Guebuza entitled 'Only in Mozambique', he strongly criticises the way in which Guebuza was governing Mozambique, accusing him of wanting to make it a fascist state. The Facebook post was reportedly widely re-published and circulated on social media. Mbanze, who reportedly published Castel-Branco's post as an open letter in *MediaFax CHECK*, is charged with abusing freedom of the press under Article 42 of the Press Law (Law 18/91) in conjunction with the State Security Law. Another man, Fernando Veloso, was also charged with reprinting the letter but was not brought to trial as he was out of the country. The trial began on 31 August 2015. Castel-Branco and Mbanze were acquitted on 16 September 2015. On 16 October 2015, Amnesty International stated that the General Prosecutor appealed against the 16 September 2015 court decision to acquit Castel-Branco and Mbanze. No appeal hearing had been set by the end of the year. **Background:** Born in 1960, Castel-Branco specialises in political economy of economic growth, industrialization and public policy. He is a prolific author with a string of publications to his name, having edited and co-edited a dozen books, contributed chapters to a dozen others, and published numerous articles and papers. He holds a Doctorate in Economics from SOAS and a Master's degree in Economic Development from the University of Oxford, UK. [**Stop press:** According to Amnesty International on 18 February 2016, a date for the appeal hearing had yet to be decided.]

## **NIGER**

#### Brief detention



**\*Souleymane SALHA:**

**Profession:** editor of newspaper *Le Courier* **Date of arrest:** 23 November 2015 **Date of release:** 3 December 2015 **Details of arrest:** According to Reporters Without Borders, he was arrested on 23 November 2015 and has been held since then in judicial police headquarters in Niamey. It is unclear if any charges have been brought against him. He was reportedly arrested in relation to an article which criticized the deputy police director for arresting an opposition leader on his return to Niger after a year abroad. **Details of release:** According to [Amnesty International](#), he was released without charge after 10 days. **Background:** Salha was sentenced to a fine for libel in January 2015 (see Sentenced below)

Harassed

**\*Soumana Idrissa Maïga:**

**Profession:** editor of the privately-owned newspaper *L'Enquêteur* **Date of harassment:** 24 February 2015 **Details of Harassment:** On 14 February 2015 he was summoned to a police station and kept in custody until late in the night. He was reportedly accused of defamation in connection with an article published 6 February 2015 in *L'Enquêteur* exposing the acquisition of a Ferrari by the son of President Issoufou Mahamadou. No further information as of 31 December 2015. **Background** He had previously been arrested between 23-27 January 2014 on charges of 'plotting against state security' and 'abetting wrongdoers' in connection with an article printed in the 17 January 2014 issue of *L'Enquêteur*. The article in question, entitled '*Congrès Chaud de Lumana*', speculated that the ruling party's days in power were numbered. Maïga was reportedly detained in violation of current Nigerien press laws that prevent journalists from being held in police custody. See 2014 case list for more information.

**\* Roufai DAN DOUA**

**\* Zabeirou SOULEY**

**Profession:** Editor in Chief of the '*90 Minutes*' newspaper and Editor in Chief of the private weekly, '*Le Nouveau Républicain*'. **Date of harassment:** 4 November 2015 **Details of harassment:** Following a defamation complaint lodged by the president of the Niger Football Federation, both journalists were taken in for questioning by police in Niger over reports published in both papers that the head of the Niger Football Federation had embezzled money meant for national team players as match appearance fees. The article revealed that the Ministry of Sports has flatly denied the existence of such money, while the players also confirmed that they had not received a penny. They are believed to have been released the same day.

Judicial harassment

**\*Oumarou Aliou MODIBO**

**Profession:** managing editor of the *Canard Déchainé*, a private weekly satirical publication **Date of harassment:** 30 March 2015 **Details of harassment:** Modibo was arrested on 30 March and the following day was questioned by the public prosecutor before being released after a four-hour hearing. Modibo's detention and questioning followed a complaint filed by former Minister of Justice Garba Lompo, who accused him of libel in connection with an article in the 16 March 2015 edition of the *Canard Déchainé* which accused Lompo of illegally acquiring a piece of land.

Sentenced

**\*Issoufou Oumarou ALZOUMA**

**\*Souleymane SALHA**

**Profession:** journalist for *Le Courier*, an independent weekly newspaper **Details of trial:** , On 21 January 2015, both men were convicted of libel and ordered to pay damages of 10.5 million West

African CFA francs (about US\$18,500) to Ali Mariama El Ibrahim, the Minister of Basic Education, Literacy and the Promotion of Indigenous Languages. The case related to a 7 August 2014 article which accused the minister of diverting a contract for the supply of school books valuing more than 500 million West African CFA francs (about US\$ 881,484)

## **NIGERIA**

### Killed: impunity

#### **Ikechukwu UDENDU:**

**Profession:** editor of *Anambra News*, a monthly newspaper in Anambra state **Date of death:** 12 January 2013 **Details of death:** he was shot dead by unknown assailants on the evening of 12 January 2013. Udendu's brother, publisher of the paper, reportedly received an anonymous telephone call in which he was told to retrieve the journalist's body from in front of a local restaurant. Local journalists reportedly suspect that Udendu was killed in connection with his reporting. **Details of Investigation:** According to reports, the state's police commissioner promised to investigate the murder personally. According to a 10 February 2013 report, Udendu's family suspect that the gunmen were hired assassins. No further information as of 31 December 2015; PEN is seeking an update.

### Detained - Main Case

#### **\*Nengi ILAGHA**

**Profession:** Poet, journalist, cultural critic, author **Date of arrest:** 14 December 2015 **Details of arrest:** Nengi Ilagha was served a court summons and went to attend court on 14 December 2015. He was reportedly told that the court had issued a warrant for his arrest for contempt of court. It has been reported that he was taken from the police station to the prison, without being allowed to speak to his lawyer or his wife. [According to local media](#), Ilagha has been held at Okaka prison since the day he was arrested but has yet to be tried. [Local news reports](#) suggest that he was detained just before courts went on holiday. **Current place of detention:** Okaka Prison, Yenegua **Background:** Ilagha had reportedly previously lost a libel case, [in which he had no legal representation](#), brought by the Amayanabo of the Nembe Kingdom, King Edmund Daukoru in 2013, for a book he wrote called *Epistles to Maduabebe*. [It was reported](#) that the libel case was brought to court because his book was critical of the local ruler. The court ordered ₦30m damages and ₦80,000 costs against the author, along with an apology on the front pages of three national daily newspapers. According to news reports, Ilagha was unaware of the proceedings, which led him to be in contempt of court.

### On trial

#### **\*Emmanuel FATEMAN:**

**Profession:** assistant editor of *National Waves* magazine **Date of arrest:** 16 December 2014 **Date of release:** March 2015 **Details of arrest:** Fateman was reportedly arrested along with the graphics editor of *National Waves* **Joseph Jolayemi** and held without charge for more than two months. The two were reportedly detained after the magazine published a story on 22 September 2014, called '*AA Oil Boss in N650million Scam*,' which alleged fraudulent dealings involving a contract of about US\$3,256,000 between an oil magnate and the Bauchi State government. The magazine's publisher is reported to have claimed that Fetman and Jolayemi were arrested at the behest of the oil magnate. According to reports, the oil magnate had written to the magazine demanding evidence regarding the allegations made in the article and expressing discontent that he had not been contacted for comment prior to the article's publication. The magazine's publisher denies the latter

claim. **Details of trial:** According to reports, Fateman and Jolayemi face criminal defamation charges in one court, while the magazine and its publisher faces a civil lawsuit in a different court. Proceedings were expected to resume in April 2015. No further information as of 31 December 2015. **Background:** The magazine's publisher, **Jimmy Enyeh**, has reportedly received harassment and death threats against himself and his family since the publication of the article.

#### **Tukur MAMU:**

**Profession:** publisher of the *Desert Herald* newspaper and author of *FCT Administration: The Rot Within* **Date of arrest:** 4 September 2013 **Date of release:** 19 September 2013 **Details of arrest:** Mamu was arrested by plainclothes police and was taken to Kaduna's Criminal Investigation Department (CID), before being transferred to Abuja where he was held at the CID in Garki. He was reportedly held in the same cell as hardened criminals and suspected terrorists. **Details of release:** On 19 September 2013, the Wuse Magistrates' Court granted Mamu bail in the sum of N1million (approx. US\$6,000) with one surety. **Details of trial:** He is being sued for criminal defamation and attempted bribery in a case brought by the minister of the Federal Capital Territory (FCT), the subject of Mamu's book, as well as the FCT's Director of Treasury. The plaintiffs are reported to be seeking up to N7 billion (approx. US\$30.7 million) in damages and a permanent injunction preventing Mamu from releasing his book, *FCT Administration: The Rot Within*. A preliminary hearing was held at an Abuja court on 5 September 2013. Subsequent hearings in 2013 were postponed. According to news reports, Mamu's lawyers sought to establish that the Abuja High Court did not have jurisdiction in the case owing to the fact that the owners of *Desert Herald* and the offices of the paper are in Kaduna. On 21 January 2014, the judge reportedly ruled against the defence. The judge is also reported to have ordered that the entire case – including arguments, presentation of evidence and cross examination of witnesses – be heard over three days, between 11-13 March 2014. Mamu reportedly questioned the judge's fast-tracking of the case given the current long waiting time of what he judged to be more important cases, including those against Boko Haram. According to news reports the two cases in the Abuja High Court are still on appeal. Moreover, on 25 May 2015 he was accused of violating bail conditions and the ruling was adjourned to 8 June 2015. According to [news reports](#), on 24 April 2015 he fled to Dubai on the advice of the South Africa-based Protection Rights of Journalists of Africa (PRJA). According to Mamu, he had been receiving death threats via the telephone, visits to his office and residence by agents of the minister of the Federal Capital Territory (FCT). By June 2015 he had returned to Nigeria. In April 2015 while the two cases against Mamu were ongoing, he was also accused of forging his degree and master degree certificates. **Health concerns:** Mamu was hospitalised following his collapse during the hearing in September 2013. He is believed to suffer from a health condition for which he is required to take prescribed medication daily but was reportedly deprived of this medication while detained. **Background:** According to reports, unknown men broke into the *Desert Herald* offices on the night of 4 September 2013, following Mamu's arrest, stealing three laptops, one external hard drive, some CDs and official files. Mamu was reportedly arrested under similar circumstances in 2009 for writing articles deemed to 'harm the government's interests'.

#### Brief detention

#### **\*Innocent Chidi NWACHUKWU:**

**Profession:** editor of the weekly *Tentacle* **Date of arrest:** 14 January 2015 **Date of release:** last week of January 2015. **Details of arrest:** Nwachukwu was reportedly arrested in connection with a 22 September 2014 cover story headlined '20 Threats Against Jonathan's Re-Election Survey.' The State Security Services (SSS) reportedly held him illegally for two weeks, in defiance of an Abuja court ruling ordering his release until a hearing scheduled for 9 February. No further information as of 31 December 2015.

#### Death threats

**\*Toyin AKINOSHO:**

**Profession:** journalist and publisher of *Africa Oil and Gas Report*, a magazine focusing on the petroleum sector, and member of PEN Nigeria **Date of threat:** 20 March 2015 **Details of threat:** Akinosho reportedly began receiving threats following revelations that he published an article in *Africa Oil and Gas Report* regarding corruption in the industry. The threats culminated in an attack on his car and driver on 20 March in which five unknown assailants sought Akinosho's whereabouts. Akinosho is reported to have fled the country after reporting the threats to the police. No further news as 31 December 2015.

**\* Adeola AKINREMI:**

**Profession:** features editor of the privately-owned THISDAY newspaper **Date of threat:** 10 May 2015 **Details of threat:** Akinremi reported receiving death threats from Boko Haram. The threat apparently resulted from an article Akinremi wrote on 8 May 2015 entitled, 'Why Boko Haram don't deserve our amnesty'. **Background:** Boko Haram has previously targeted THISDAY newspaper for an article. On 26 April 2012, the insurgents simultaneously bombed the newspaper's offices in Abuja and Kaduna and threatened the newspapers with further attacks.

Attacked

**\*Victor AKINKUOLIE:**

**Profession:** correspondent with the state-owned *The Hope* newspaper **Date of attack:** 2 June 2015 **Details of attack:** Akinkuolie was reportedly beaten unconscious by members of the police. The journalist had reportedly seen a police vehicle blocking traffic on a motorway and sought to take an alternative route. The police car reportedly followed him, forced him to stop and then beat him. **Details of investigation:** A senior police officer at the local station reportedly said he would investigate the attack and ensure that appropriate action was taken. No further news as 31 December 2015. **Background:** Akinkuolie is reported to have exposed police intimidation in the past.

**\*Joseph HIR:**

**Profession:** reporter for the independent *Daily Trust* newspaper **Date of attack:** 29 May 2015 **Details of attack:** The Nasarawa State correspondent was reportedly beaten unconscious by armed thugs in the presence of Governor Umaru Tanko Al-Makura, just as the governor was taking the oath of office in Lafia. His assailants were reported to be wearing T-shirts supportive of the re-elected governor of Nassarawa State. According to news reports, Hir had reported receiving telephone calls from individuals claiming to be acquaintances of the governor, who told him that the governor was unhappy with a story that Hir had published on 23 May in which he had questioned the political relevance of Nassarawa State in the national affairs of the ruling party. He reportedly fled the state the same day and was warned by colleagues that he should not return for his own safety. No further news as 31 December 2015. **Background:** He has reportedly written stories critical of the governor in the past, including some suggesting that the governor should not be sworn into office.

**\*Donu KOGBARA**

**Profession:** journalist for the independent newspaper *Vanguard* **Date of attack:** 30 August 2015 **Details of attack:** Unidentified men, who reportedly were wearing police uniforms, raided her home and took her out. Her mother, who was also present, reported that money and other valuable items were robbed. She was finally released on 10 September 2015. The motives of her abduction are still unclear, although according to local news reports Kogbara suggested that her kidnap was not politically-motivated and that it was done by Niger delta youths **Background:** Kogbara is a prominent journalist in Nigeria and in her columns in *Vanguard* she often deals with many controversial issues in the country. These strong opinions include criticism of the government. Kogbara had also reportedly worked for the BBC, the *Sunday Times*, Channel 4, among others news outlets.

**\*McDominic NKPEMENYIE:**

**Profession:** correspondent with the state-funded *Tide Newspaper* **Date of attack:** 25 June 2015

**Details of attack:** Nkpemenyie was reportedly attacked along with **Yomi Olomofe** (see below), executive director of the privately owned community monthly *Prime Magazine* by a group of 15 assailants whom Olomofe claimed were smugglers. The assailants reportedly threatened to kill the journalists to serve as a deterrent to other journalists who they claimed had written negative articles about them. Nkpemenyie's eyes were reportedly damaged in the attack, leaving him unable to see properly, while Olomofe was reportedly left in a coma. The assailants reportedly took Nkpemenyie's camera and money. Following the attack, he was reportedly taken to a customs room where he was told that to prevent further attacks he had to provide names of other journalists involved in his investigation. The head of customs is also reported to have ordered his men to remove all documents linked to his investigation from Nkpemenyie's home. No further news as 31 December 2015. **Background:** Customs officers at Seme border crossing on the Nigeria-Benin border in Lagos state had reportedly invited the journalists to their offices after Nkpemenyie sent questions via text to the head of customs about allegations that customs officials were involved in smuggling. Nkpemenyie was attacked after he left his meeting.

**\*Yomi OLOMOFE:**

**Profession:** journalist, publisher of monthly *Prime Magazine*

**Date of attack:** 25 June 2015 **Details of attack:** Yomi Olomofe was reportedly attacked along with **McDominic Nkpemenyie** (see above), by 15 men who were accused of being smugglers. It was reported that the assailants threatened to kill the two men to act as a deterrent to other journalists who they claim had written articles about them; Nkpemenyie's eyes were damaged in the attack while Olomofe was left in a coma. Olomofe reportedly stated that Customs officers at the Seme border crossing on the Nigeria-Benin border had invited the journalists to their offices after Nkpemenyie sent questions via text to the head of customs about allegations that customs officials were involved in smuggling. It was reported that Olomofe went to assist Nkpemenyie after he heard him being beaten, but was himself attacked; he states that he recognised some of the men as being accused of smuggling. According to [reports](#), one customs officer reportedly said that he could not intervene in the attack because it was too 'rowdy'. [**Stop press:** According to CPJ, in January 2016 Olomofe filed a civil lawsuit against his attackers. On March 10 he was reportedly detained by the police after the men he had accused of attacking him claimed that Olomofe had tried to extort money from them and had assaulted them.]

**\*Williams ATTAH, profession:** journalist for *National Mirror*

**\*Adamu SALEH, profession:** journalist for the *Daily Trust* newspaper

**Date of attack:** 2 February 2015 **Details of attack:** Saleh and Attah were reportedly among five journalists attacked by a mob in the north-eastern state of Gombe after they fled in their bus following the explosion of a bomb minutes after President Goodluck Johnathan and his convoy left a rally. The mob reportedly threw stones at the journalists who suffered cuts and bruises. No further news as 31 December 2015.

Threatened

**\*Etim EKPIMAH:**

**Profession:** correspondent for *PUNCH* daily newspaper **Date of threats:** 15 March 2015 **Details of threats:** Ekpimah reportedly received several threats via phone and text message on 15 March from individuals who said they would force him out of the state over the [story](#) he had published that day. The story entitled 'Akwa Ibom: State where commissioners, others, kneel for Akpabio's wife,' recounted how government officials knelt toward the wife of the governor of Akwa Ibom state at a

political rally and at the Independent National Electoral Commission office, where ministers were being presented with certificates. According to news reports, Ekpimah reported the threats to the police commissioner who is said to have told him, 'You are on your own. I do not have any business protecting you. I do not care about what happens to you.' **Background:** According to [news reports](#), on 1 October 2015 Ekpimah was illegally detained for almost a whole day. He was reportedly covering an accident and the police arrested him as they informed him that he was not allowed to interview the victim's son. The State Commissioner of Police allegedly condemned the arrest and demanded Nigerian police should not conduct unlawful arrest and detention of Nigerians.

#### Released

**Tony AMOKEODO, profession:** news editor for the independent daily newspaper *Leadership*  
**Chibuzor UKAIBE, Profession:** political reporter for the independent daily newspaper *Leadership*  
**Date of arrest:** (1) 8 April 2013 and (2) 15 April 2013 **Date of release:** (1) 9 April and (2) 16 April 2013  
**Details of arrest:** Amokeodo and Ukaibe were summoned to police headquarters, along with two colleagues and were reportedly detained incommunicado at an Abuja police station. Police demanded to know the sources for the article. Prior to their arrest, the police had reportedly visited the newspaper's offices three times to see the journalists who wrote the story. **Details of release:** Amokeodo and Ukaibe were released on 9 April 2013, but were required to report to police headquarters daily; their colleagues were released on 8 April. Amokeodo and Ukaibe were then re-arrested and detained on 15 April and taken to the Special Anti-Robbery Squad (SARS) headquarters detention facility in Abuja. The journalists were released on bail on 16 April and remained free at the end of 2014. **Details of trial:** On 16 April 2013, Amokeodo and Ukaibe were charged with forgery and other offences, stemming from the publication of a memo reported to be from former President Goodluck Jonathan along with a companion article in the paper's 3 April 2013 edition. The offending article, entitled 'Outrage Trails Presidential Directive on Tinubu, APC', reported on public criticism of the president following an article published in *Leadership* the previous day which provided details of an alleged presidential memorandum in which the president laid out plans to increase petrol prices and sabotage a merger of opposition political parties ahead of the 2015 elections. The president's office reportedly initially dismissed the article. The journalists stand by their story and believe the memorandum to be genuine. Abuja's Federal High Court withdrew all charges against them on 2 May, after *Leadership* challenged the federal court's jurisdiction to hear the case. On 19 June the federal government's prosecutor filed new charges, comprising 11 counts, before an Abuja High Court. On 27 June 2013 Amokeodo and Ukaibe appeared in court facing 11 charges including forgery, conspiracy to commit a felony, inciting feelings of disaffection against the president and inducement to commit an offence against public peace, amongst others, which they denied. A court date was set for 16 July 2013. Upon resumption of the hearing, Amokeodo and Ukaibe's lawyer told the court that he had filed a motion to suspend further proceedings indefinitely to await the end of President Jonathan's term; the journalists wish to call him to testify as a witness, but were unable to do so while he enjoyed the immunity afforded to him by his office. The petition was refused by the Abuja High Court in Kubwa on 29 July 2013. The judge adjourned the trial until 24 October 2013. On 30 July, the journalists' lawyer reportedly filed a motion to appeal the Abuja high court ruling. On 26 November 2013, the presiding judge reportedly withdrew from the case following the publication of two articles in *Leadership* on 25 November. The judge stated that he was stepping down owing to the concerns raised in the articles that justice would not be served if he was the presiding judge as he came from the same state as the president. He was the third judge to have presided over the case. **Update:** A court hearing on 29 April 2015 was adjourned due to the absence of the judge. According to news reports, on 21 October 2015 the journalists were informed that they had been acquitted on the charges against them by an Abuja High Court.

#### Case closed

**Mallam Nasir EL-RUFAI:**

**Profession:** former Minister of the Federal Capital Territory and author. **Details of harassment:**

According to reports published on 8 February 2013, he was facing a lawsuit in connection with the publication of his memoir entitled *The Accidental Public Servant*. El-Rufai was said to be under investigation and may face prosecution over alleged breaches of the Official Secrets Act. The authorities reportedly contend that the sections of the book constitute a mass reproduction of restricted and classified government documents. No further information as of 31 December 2015; case closed.

**Oga Tom UHIA:**

**Profession:** publisher of the monthly independent magazine *Power Steering* **Date of arrest:** 15 July 2014 **Date of release:** 23 August 2014 **Details of arrest:** Uhia was arrested in connection with alleged defamation of a state governor. Police reportedly kept Uhia in custody for eight days despite the publisher meeting bail conditions of 2 million naira and a surety. **Details of trial:** He was reportedly charged with five counts of criminal conspiracy, injurious falsehood, and defamation of character of the governor of Benue state. If convicted, Uhia could face up to two years in jail and/or a fine. The charges are reported to stem from a June issue of *Power Steering* that republished the magazine's September 2010 article that questioned whether the governor was a lawyer, alleging that he had forged his academic certificate. The magazine asserts that the article was based on documented evidence and the confession of an individual alleged to have procured the forged documentation. His trial date was scheduled for 1 September 2014. **Update:** It is unclear if the trial was finally held and what the outcome was. **Background:** In 2010, the police filed similar charges against the magazine, its editor-in-chief, the individual who said he procured the forged documents, and another individual. That case was quashed after a judicial panel indicted the magistrate of the case of 'unethical' conduct in favour of the governor, according to court documents. According to reports, in April 2014 the Nigerian High Court issued a ruling restricting the authorities from 'entertaining any charge or application pertaining, concerning and relating to the facts' of the case filed in 2010. Case closed as no further information available.

**RWANDA**Judicial concern**Francois Xavier BYUMA:**

**Profession:** playwright and human rights activist **Sentence:** 17 years in prison **Date of arrest:** May 2007 **Details of arrest:** Byuma was reportedly arrested on charges of being present at one of the barriers erected to prevent Tutsi fleeing the 1994 genocide, having a firearm, and participating in weapons training in May 2007. His arrest is believed by Frontline Defenders to be in retaliation for his group's investigation into the rape of a young girl that may have been committed by the *gacaca* judge who heard Byuma's case in court. **Details of trial:** Byuma was acquitted of the first two charges, but found guilty of participating in weapons training during the genocide. In addition, the court found him guilty of several counts not mentioned when the charges were first read, including assaulting and abducting a woman. PEN International is also concerned that he received an unfair trial, as the judge was not independent and the evidence given in court was reported to be largely contradictory, and such conflicting evidence was not reconciled or explained by the court in its decision. His sentence was upheld on appeal on 18 August 2007. Following domestic and international protests, the National Service of Gacaca Jurisdictions (SNJG) accepted his request for a revision of his case; the SNJG reluctantly agreed to allow a lawyer to assist Byuma in his defence (as long as he did not wear his robe). During the hearing, however, the lawyer provided by Avocats Sans Frontières was not permitted to sit next to his client and was repeatedly denied the opportunity to question witnesses. The court accepted what they considered new evidence from accusing



witnesses, even though some of this information was inconsistent with earlier testimony given at trial and on appeal. His conviction was upheld, although his sentence was reduced to 17 years in prison. No further information as of 31 December 2015.

#### Sentenced

##### **\*Burasa Jean GUALBERT:**

**Profession:** managing editor of *Rushyashya* newspaper **Sentence:** six-month suspended sentence and a fine of 3.2 million Rwanda Francs (approximately US\$4,640). **Details of trial:** Gualbert was reportedly convicted of defamation by the Nyarugenge primary court on 26 February 2015 and given a six month suspended sentence and a fine of 3.2 2 million Rwanda Francs (approximately US\$4,640). He was reportedly accused of defamation after the publication of an article critical of a documentary, entitled 'Kera habayeho' ('What happened in the past') about the history of football in Rwanda. Gualbert was charged with violation of Article 288 of the Penal Code, Law No. 901/2012 of 2/5/2012. **Background:** Gualbert was previously arrested by Kigali police on 11 November 2011 for allegedly driving under the influence. However, PEN International believes his arrest was likely prompted by the publication of an article about the desecration of former social affairs minister Christine Nyatanyi's grave. The journalist was freed on 15 November 2011 (see [July – December 2011](#) case list).

## SENEGAL

#### Judicial harassment

\* **Mohamed GUËYE, profession:** publisher of *Le Quotidien*

\* **Alioune Badara FALL, profession:** publisher of *L'Observateur*

\* **Mamadou SECK, profession:** reporter at *L'Observateur*

**Date of harassment:** 14 July 2015 **Details of harassment:** On 14 July 2015 they were briefly detained and released on 15 July 2015. According to news reports, the detention of Fall and Seck is related to an article that was published on 8 May 2015 and they were reportedly charged for 'violating defence secrecy'. The article, entitled 'Plan of the 2,100 soldiers for the war in Yemen: two Alpha and Bravo battle groups, two support groups' explained that the Senegalese government was sending soldiers to fight with Saudi-led military operations in Yemen. Likewise, Gueye was arrested because of the publication of an article on 10 June 2015. He was charged for 'violating the confidentiality of investigations' as his article reproduced the report of the arrest of singer Thione Seck. The three of them were brought to the Public Prosecutor on 15 July 2015 and were charged and placed under court supervision on 17 July 2015. They have reportedly been placed under judicial supervision for four months, after which they will be free. Guëye has reportedly had to appear once a month for four months and Fall and Seck every 14 days for four months before the judge of the Sixth Investigation Bureau. No further news as of 31 December 2015.

#### Case closed

##### **Félix N'ZALÉ:**

**Profession:** editor of *La Tribune* **Sentence:** one-year suspended prison sentence and a fine of 1 million CFA (approximately US\$2,000). **Details of trial:** N'Zalé was reportedly charged with 'spreading false information' and sentenced to a one-year suspended sentence and a fine on 14 August 2014 after misreporting that there were Ebola cases in Senegal in an 11 August 2014 article entitled, '5 cases of Ebola in Senegal.' According to reports, the state prosecutor summoned N'Zalé, keeping him under police custody until he was placed under a committal order on 12 August 2014.



N'Zalé reportedly apologised to the court and acknowledged that he had not cross-checked the information. Suspended sentence assumed to have expired; case closed.

## SIERRA LEONE

### Brief detention

#### **\*Jonathan LEIGH:**

**Profession:** managing editor of the opposition daily newspaper *Independent Observer* **Date of arrest:** 17 December 2015 **Date of release:** 20 December 2015 **Details of arrest:** He was reportedly arrested on 17 December 2015 in the newspaper's offices in Freetown by police officers of the Criminal Investigations Department. He was allegedly informed that he was being summoned for clarification of a story. He was later arrested and threatened with a criminal prosecution against him for 'publishing false news' due to a front-page article published on 15 December 2015. The article, 'Panic in Kono: 3 dead', published reports about the political violence in advance of local elections. He also reportedly published information in regards to the different position of the political parties towards this violence. **Details of release:** He was released on bail on December 20, 2015. **Details of trial:** The president of Sierra Leone Association of Journalists informed the Committee to Protect Journalists that Leigh was due to be officially charged on 21 December under the 1965 Public Order Act. Under this act, anyone found to have published false information could face a prison sentence of two years. According to reports, his trial was due to start on 11th January 2016. **Background:** Leigh previously faced charges of seditious libel alongside Bai Bai SESAY editor of the *Independent Observer* in January 2014 (see 2014 case List for details).

## SOMALIA

### Killed: motive unknown

#### **\*Abdullahi Ali HUSSEIN:**

**Profession:** editor news website *Waagasucub* **Date of death:** 8 September 2015 **Details of death:** Ali Hussein was shot death in Mogadishu. It is not clear if an investigation is being held; PEN is looking for an update. No further information as of 31 December 2015. **Background:** According to news reports, Ali Hussein had previously received life threats messages and mails in relation to the publication some articles about terrorism. **Other information:** The [director-general of UNESCO](#) condemned the killing.

### Killed: impunity

#### **Abdirahman Mohamed ALI:**

**Profession:** reporter for the sports news website *Ciyaarahamaanta*. **Date of death:** 27 September 2012 **Details of death:** He was found murdered next to Suqa Holaha, a local livestock market, in the Huriwa district of the capital Mogadishu on 27 September 2012. According to local journalists, unknown gunmen abducted Ali (26) on the evening of 26 September as he was visiting his mother's house. Ali was found with his hands tied behind his back and his severed head on his chest. The motive for the killing was not clear; no group initially claimed responsibility. **Update:** According to The Journalists Memorial, the Islamist militant group Al-Shabaab claimed responsibility for Ali's murder, claiming that he did not live in Suqa Holaha and that he had gone there to spy on Al-Shabaab members. No further information as of 31 December 2015; PEN is calling for an investigation into the murder.

**Warsame Shire AWALE:**

**Profession:** poet, playwright, radio actor and singer-songwriter. **Date of death:** 29 October 2012  
**Details of death:** shot several times by unidentified armed men near his home in the capital Mogadishu on 29 October 2012. He was taken to hospital but was declared dead on arrival. According to the National Union of Somali Journalists (NUSOJ), he had recently received threats in connection with comments he had made about gunmen who targeted civilians. At the time of his death Warsame, who was in his 60s, was working at Radio Kulmiye where his plays were known for their criticism of the extremist Islamist group Al-Shabaab. According to NUSOJ and other sources, he was the 18th media worker to be killed in Somalia in 2012. No further information as of 31 December 2015; PEN is calling for an investigation into the murder.

Detained- investigation**\*Abdirisak Omar AHMED:**

**Profession:** freelance journalist who wrote for news website *Xogmaal* **Date of arrest:** 17 December 2015 **Details of arrest:** According to the National Union of Somali Journalists, he was arrested by Somalia's National Intelligence and Security Agency in Mogadishu on 17 December 2015 while walking to a coffee shop with Star FM journalist Abdulkar Mohamed Ali. Ali was arrested with Ahmed but was released without charges the day after. **Conditions of detention:** In an interview with Universal Television on 27 December, his wife expressed concern with regards to Ahmed's health, as he had recently suffered from malaria. He has reportedly not been granted access to family or a lawyer. [Stop press: According to [CPJ](#), on 6 January 2016 Ahmed was still being held incommunicado and his family has not been informed of his whereabouts. The reasons behind the detention of Ahmed are unclear. He has reportedly not been brought to court and he has not been informed of any charges against him.]

Attacked**\*Omar FARUK OSMAN:**

**Profession:** journalist and Secretary General of the National Union of Somali Journalists (NUSOJ)  
**Date of attack:** 29 December 2015 **Details of attack:** He was reportedly entering the union's headquarters in Mogadishu by car when three unidentified men shot his vehicle. Oman's bodyguards exchanged fire with the assailants which made them run away. One of the bodyguards and two pedestrians were reportedly wounded in the attack. The National Union of Somali Journalists suggested that the attack was due to his work as a journalist and as Secretary General of NUSOJ and for speaking out against the repressive actions and policies against the media community in Somalia. According to the [International Federation of Journalists](#), the National Intelligence and Security Agency (NISA) has reportedly initiated an investigation into the attack.

**SOUTH AFRICA**Attacked**\*ZP DALA (f):**

**Profession:** novelist and member of PEN South Africa **Date of attack:** 18 March 2015 **Details of attack:** Dala was reportedly attacked as she left her hotel in KwaZulu-Natal. A car reportedly drove her off the road, forcing her to pull over. A man then punched her in the face with a brick, and holding a knife to her throat accused her of being a 'Rushdie Bitch', according to the author. Dala suffered a severe concussion and a fractured cheekbone during the incident. She reports subsequently becoming the subject of a harassment and smear campaign. Bookshops carrying her novel were also reportedly warned to remove her book from the shelves. She reports being convinced to check herself in to a psychiatric ward to receive treatment for Post-Traumatic Stress

Disorder (PTSD), however, the counselling never materialised. Held drugged against her will, she was released on 14 April following PEN South Africa, PEN American Center and English PEN's intervention. No further news as of 31 December 2015. **Background:** Dala is the author of *What about Meera*. She had been invited to speak at a literary event held during the Time of the Writer literary festival on 17 March. During the panel, she reports praising Salman Rushdie's *Satanic Verses*.

## **SOUTH SUDAN**

Killed: motive unknown

### **\*Peter MOI JULIUS:**

**Profession:** journalist for business weekly *The Corporate* and the bimonthly *New Nation* **Date of killing:** 19 August 2015 **Details of death:** Moi was shot twice in his back in Juba at 8 pm while going home. The police are reportedly investigating the killing. No further news as of 31 December 2015. **Background:** There were concerns with regards to a recent article published by Moi where he mentioned that about 60% of the government's budget was spent on security. However, according to the Committee to Protect Journalists, the chief executive of *The Corporate* could not find a specific article that could have led to the killing. There are important concerns with regards to the situation of journalists in South Sudan as Moi was the seventh journalist to be killed in 2015.

Killed: impunity

### **Isaiah Diing Abraham Chan AWUOL:**

**Profession:** contributor to news websites including *Sudan Tribune*, *Gurtong* and *SudaneseOnline* **Details of death:** was shot dead by unidentified men at his home in the capital Juba on 5 December 2012. The gunmen arrived at Awuol's house, asked him to step outside, then shot him dead and took his mobile telephone. Awuol had reportedly been threatened several times in the past and been warned to stop writing. Local journalists believe that he could have been targeted in connection with his online columns. Awuol was known for his opinion articles critical of the South Sudanese leadership and their relationship with the Sudanese authorities. In his most recent article, published on 27 November 2012 in the *Sudan Tribune*, Awuol had urged the authorities to foster a better relationship with Sudan and refrain from supporting Sudanese rebel groups. **Details of investigation:** The police said that they would investigate the murder. **Update:** relatives and colleagues of Awuol reportedly linked his death to an article published a few weeks before his death in which he called for President Salva Kiir's resignation. Two suspects were reportedly arrested in late 2012 but as of 31 December 2015, no one is known to have been brought to trial, according to PEN's information.

Released

### **\*Joseph AFANDI:**

**Profession:** editor of daily newspaper *El Tabeer* **Date of detention:** 29 December 2015 **Details of detention:** He was reportedly detained on 29 December 2015 in Juba at the National Security Service head office. The arrest allegedly comes after the publication of an article he wrote criticizing the Sudan People's Liberation Movement (SPLM) on 23 December 2015, according to Amnesty International. It is unclear what charges were brought against Afandi. In addition, the Security Branch of government verbally ordered the newspaper to stop publication. [**Stop press:** According to [reports](#), he was released on 19 February 2016. A member of the family told Radio Tamazuj today that Afandi was released without having been charged with any crime and that security personnel had threatened him not to write anything critical of the SPLM. RSF [reported](#) on 8 March that Afandi had been found badly beaten and injured four days earlier and is currently in hospital. According to Afandi, he was abducted on 4 March 2016 by unidentified men in a white vehicle with tinted windows and no number plate.]

## SUDAN

### On trial

#### **\*Madeeha ABDELLA (f):**

**Profession:** editor-in-chief of the Sudan Communist Party newspaper *Al-Midan* **Date of release:** Released on bail on 14 January 2015 **Details of trial: 1)** On 13 January 2015, Abdella was reportedly charged with crimes against the state by the National Intelligence and Security Services (NISS). If convicted, she could face the death penalty. Abdella appeared in court on 21 January 2015 on four charges of conspiracy, undermining constitutional order, urging the opposition to use violence and force against the government, and publishing false information (under articles 21, 50, 60 and 66 of the criminal code respectively). The next hearing was expected to be held on 16 February 2015. According to Reporters Without Borders, the charges against her appear to have been prompted by an interview with one of the military commanders of the Sudan People's Liberation Movement-North (SPLM-N), a separatist movement based in North Kurdufan state. **2)** Along with her colleagues (see below) Abdella also reports facing a separate trial on charges of defaming the government, failing to uphold the responsibilities of an editor-in-chief, and violating licensing requirements. Their trials are ongoing despite condemnation from civil rights organisations. **3)** On 10 and 11 July 2015, Abdella was summoned for questioning over complaints filed by the NISS and the Ministry of Information in relation to an article about the persecution of Christians in Sudan. Abdella is facing charges under article (63) "calling for opposition to public authority by use of violence or criminal force" and article (66) "publication of false news" of the criminal code. She is also facing charges under article (24) "responsibility of the chief editor" and article (26) "not to provoke religious, ethnic, and racial sedition or incite violence or war" of the press code. **Background:** The government has banned all media coverage of Sudan's rebel movements. *Al-Midan* is currently forbidden to publish a print edition although it continues to appear online. This is the sixth suspension of this kind in recent months. Twenty of its issues were seized in 2012 before it was banned for a year, until June 2013, without a court order. The newspaper is well known for its outspoken criticism of the government and its constant refusal to submit to prior censorship by the NISS.

**\*Suleiman HAMED, profession:** reporter for the Sudan Communist Party newspaper *Al-Midan*

**\*Ibrahim MIRGHANI, profession:** political editor *Al-Midan*

**Details of trial:** Mirghani and Hamed have reportedly been charged with defaming the government by the National Intelligence and Security Services (NISS) along with Madeeha Abdella (see above). The journalists appeared in court on 21 January 2015 and were expected to appear before the court on 16 February 2015. No further information as of 31 December 2015.

### On trial

**\*Osman MARGHANI, profession:** editor-in-chief of private newspaper *Al-Tayar*

**\*Ahmed Yousef AL-TAY, profession:** editor of private newspaper *Al-Saiha*

**Date of arrest:** 16 December 2015 **Details of arrest:** According to news reports, on 16 December 2015 they were arrested in their offices by plainclothes members of State Security. They were reportedly released on bail six hours after their detention. According to the Committee to Protect Journalists, they have been charged with 'abusing their positions as journalists', 'publishing false news' and 'undermining the constitutional system'. If they are found guilty they could reportedly face the death penalty. No further news as of 31 December 2015. **Background:** Marghani suggested that the charges were brought because of their journalistic work. On 12 December 2015, Marghani published an article in *Al-Tayar* where he criticized the Finance Minister or blaming Sudanese citizens for frequent electricity cuts. The same day, Al-Tay published an article in *Al-Saiha* also criticising the Finance Minister for not being able to restrict the government's electricity consumption. In July 2014 *Al-Tayar* offices were reportedly raided by State security agents who

seized laptops and cell phones and destroyed equipment. Marghani was also beaten up. The *Al-Saiha* offices were also raided by State security agents in May 2014 and up to 10 of its journalists were reportedly summoned by authorities in relation to coverage of corruption cases. In February 2015, both newspapers' print copies were confiscated by the authorities without any explanation. Prior to the arrest of Marghani, on 16 December 2015 *Al-Tayar* newspaper was closed by the Sudan National Intelligence and Security Service. According to the Guardian, a few days before the arrests, President Omar al-Bashir vowed to take 'decisive measures' against journalists who criticised his finance minister.

#### Harassed

##### **\*Hiba ABEDAZEEM (f):**

**Profession:** journalist for *Al Sudani* **Date of harassment:** 10 September 2015 **Details of harassment:** According to news reports, Abedazeem was detained in Khartoum. She allegedly had a meeting with a source at the Afra Mall in Khartoum and when she arrived, Sudan's National Intelligence and Security Service (NISS) were waiting for her and took her to their headquarters. She was interrogated for more than two hours with regards to an article published on 2 September 2015 about water pollution in the state of Khartoum. No further news as of 31 December 2015.

**Background:** Government security forces also seized the print runs of another newspaper, *Al-Sudani*, on both Friday and Saturday. In that case they were attempting to suppress a report on water pollution written by journalist Hiba Abdel-Azeem, who was arrested after submitting her article but before it went to press. The two banned issues of *Al-Sudani* also included a series of columns by the newspaper's editor-in-chief criticizing the arrest of Abdel-Azeem.

#### Judicial Harassment

##### **\*Eiman MUSTAFA (f):**

**Profession:** journalist for *Al Jazeera* newspaper **Date of harassment:** 6 September 2015 **Details of harassment:** She was arrested on 6 September 2015 in the Khartoum district of Ondurnam. She was taken to Sudan's National Intelligence and Security Service (NISS) and suffered a long interrogation. She was later released but was obliged to return on the 8, 9 and 10 September for further interrogations. She spent about 12 hours there every day while she was questioned about an article that she published on 4 September 2015 and her political affiliations. No further information as of 31 December 2015. **Background:** The article in question discussed the agriculture law which has been blocked in Sudan's parliament since 2012 due to conflict of interests of some politicians.

#### Case closed

##### **Adam Ali ADAM:** (Chadian national)

**Profession:** journalist for the Chadian newspaper *N'Djamena Al Djadida* **Date of abduction:** 15 December 2012 **Details of abduction:** He was reportedly kidnapped in the Sudanese capital Khartoum, where he was studying at university, on 15 December 2012. Adam's family and friends have not heard from him since. At the end of 2012 Adam's whereabouts and the identity of his kidnappers remained unknown, but there were rumours that he had been taken to the Chadian capital N'Djaména. **Background:** In the months leading up to his disappearance Adam had reportedly received threats linked to his writings critical of the Chadian government. No further information as of 31 December 2015; case closed.

## **SWAZILAND**

#### Released

**Thulani Rudolf MASEKO, profession:** prominent human rights lawyer and member of Lawyers for Human Rights Swaziland who contributes opinion pieces to *The Nation* magazine

**Bheki MAKHUBU, profession:** editor-in-chief of *The Nation* **Sentence:** two years in prison **Date of arrest:** (1) 17 and 18 March 2014, respectively. (2) 10 April 2014 **Date of release:** (1) 7 April 2014 (2) 30 June 2015 **Details of arrest:** Maseko and Makhubu faced charges of ‘scandalising the judiciary and contempt of court’ in relation to two articles they wrote and published in the February edition of *The Nation* criticising Chief Justice Michael Ramodibedi. Makhubu’s article reportedly questioned the rationale behind the arrest of the Chief Government Motor Vehicle Inspector, Bhanshana Gwebu, after he arrested the driver of a judge for allegedly abusing a government vehicle. Maseko’s article, entitled ‘Mandela stood for values far removed from us’, was reportedly critical of the state’s involvement in the case. The lawsuit was reportedly brought against the journalists by Chief Justice Ramodibedi. Maseko and Makhubu were reportedly denied access to their lawyers and remanded in custody without the opportunity for bail after summary proceedings held behind closed doors on 18 March 2014. Normal criminal procedure dictates that the men should have appeared before a magistrate rather than being taken to Chief Justice Ramodibedi’s chambers. **Details of trial:** The pair were reportedly found guilty of two counts of contempt of court on 17 July 2014 and sentenced to two years in prison on 25 July 2014. The judge also fined *The Nation* and independent publishers to SZL 100,000 (approximately EUR 7,080) payable within one month. Their appeal, heard at the Supreme Court on 4 November 2014, was reportedly adjourned *sine die* until such time as the appellants could provide the requisite materials for a fair hearing. **Update:** According to 2 July 2015 reports, Maseko and Makhubu were acquitted of all charges by the Supreme Court on 30 June 2015 and released. According to press reports, the Supreme Court had convened to hear arguments on the appeal, but the prosecution dropped its case and acknowledged that the convictions of Mr Maseko and Mr Makhubu were unsupportable. Accordingly, the Court overturned the convictions. **Other information:** On 2 April 2014, the UN Working Group on Arbitrary Detention along with other UN special procedures wrote an urgent action letter to the Swaziland authorities. **Background:** Makhubu was also sentenced on appeal to a suspended three-month prison sentence for contempt of court in May 2014 (see [2014 Case List](#)).

## TOGO

### On trial

**Izotou ABI-ALFA, profession:** managing editor of *Le Rendez-vous*

**Zeus AZIADOUVO, profession:** managing editor of *Liberté*

**Carlos KETOHOU, profession:** managing editor of *L’Indépendant Express*

**Details of trial:** Abi-Alfa and Aziadouvo were interrogated on 25 September, while Kethou was interrogated on 29 September 2015 by police. On 22 October, all three journalists were charged with false and defamatory information, following an article about a case of kick-back involving the ministers of Finance and Economy as well as the minister for Infrastructure and Transport. The three were accused of publishing a story about an asphalt road project in which the minister of Finance and Economy and his colleague, the minister of Infrastructure and Transport, were believed to have received a kick-back commission of 10 billion CFA francs out of the total project cost 26 billion CFA francs.

### Brief detention

#### **\*Bonero Lawson-Betum:**

**Profession:** Publications Director of the monthly *La Nouvelle* **Date of arrest:** 19 May 2015 **Date of release:** 17 September 2015 **Details of arrest:** Lawson-Betum was arrested on the morning of 19 May by two plainclothes individuals while returning from the headquarters of the *Liberté* newspaper. The arrest and detention of Lawson-Betum followed a complaint by the Security and Civil Protection Minister, Colonel Damehane Yark, who accused the journalist of having published

online, including on Facebook, 'detrimental writings in honour of the Minister, his family and threats to his daughter.' After being detained a few days at the premises of the Central Directorate of the Judicial Police in Lomé, he was transferred to the Lomé Civil Prison. Following his arrest, his home as well as his work premises was searched. **Details of release:** He was denied bail on 5 June 2015, but was eventually released on 17 September 2015.

## UGANDA

### Killed: impunity

#### **Thomas PERE:**

**Profession:** journalist for *New Vision* covering society stories for the entertainment and supplements sections. **Date of birth:** c.1975 **Details of death:** was killed by unknown assailants on 16 June 2013. Pere reportedly left work to go home on the evening of 16 June; his body was found the following morning in a field in Masajja, where he lived. An interim post mortem established the cause of death to be blunt force trauma. Pere reportedly suffered two broken collar bones and a blow to the head. **Details of investigation:** According to reports, the police do not believe he was killed at the place where the body was found due to the absence of signs of a struggle at the scene. Two commuter taxi operators arrested in July with a taxi in their possession that had blood stains in it were released on 17 September 2013 after three months' detention at Katwe Police Station after DNA results were negative. No further information as of 31 December 2015.

### Brief Detention

#### **Norman TUMUHIMBISE:**

**Profession:** author **Date of arrest:** 19 August 2015 **Details of arrest:** According to reports, on 19 August 2015, Tumuhimbise was abducted by the authorities and illegally detained. **Date of release:** 26 August 2015 **Details of trial:** He faces charges of unlawful assembly, criminal trespass, and interrupting parliamentary business. **Further information:** Local news reports indicate that he was arrested in connection with his activism for Jobless Brotherhood. Tumuhimbise is reported to believe that the detention is also connected to his book *Sowing the Mustard Seed*. He was reportedly tortured by the Ugandan military. No further news as of 31 December 2015. **Background:** Tumuhimbise is also the leader of pressure group Jobless Brotherhood, a non-partisan group which exposes and lobbies against exploitation, corruption and youth unemployment. He was also arrested in 2013 in connection with a book he had written but was released on bail (see 2013 Case List).

## ZAMBIA

### On trial

\***Mukosha FUNGA (f), profession:** reporter of the independent daily newspaper *The Post*  
\***Fred M'MEMBE, profession:** editor of the independent new daily newspaper *The Post*  
**Date of arrest:** 16 July 2015 **Date of release:** 17 July 2015 **Details of arrest:** Both journalists were reportedly detained after being summoned in the Woodlands Police Station in Lusaka. They had already been summoned previously in May in relation to this case but not detained. Their lawyers demanded their release on bail which was granted the next day according to the International Press Institute. According to news reports, the bail for both was 30,000 Zambian kwacha (around US \$4,800). **Details of trial:** They have been accused of publishing classified information. The



International Press Institute reported that the first hearing was scheduled for August 17. At the hearing the case was transferred to the High Court as lower courts did not have jurisdiction. According to local [news reports](#), the journalists pleaded not guilty to the accusations and the trial has been adjourned to 26 January 2016. **Background:** The accusations are based on a letter published in *The Post* which was allegedly written by Zambia's anti-corruption commission and forwarded to President Edgar Lungu. The letter in question claimed that one of the aides of the President had accepted bribes from a Chinese company. [**Stop press:** The hearing on 26 January, 2016, was adjourned to 29 and 30 March, at the State's request as they were not ready to begin the case, according to [news reports](#). ]

**Richard SAKALA, profession:** managing editor of the opposition newspaper *The Daily Nation*  
**Simon MWANZA, profession:** production editor of the opposition newspaper *The Daily Nation*  
**Date of arrest:** 10 December 2013 **Date of release:** 13 December 2013 **Details of arrest:** They were arrested in connection with the publication of an interview with former journalist and executive director of Foundation for Democratic Process (FODEP) **MacDonald Chipenzi. Details of trial:** Sakala and Mwanza, along with Chipenzi, were reportedly accused of 'publication of false information with intent to cause public alarm' under section 67 of the Zambian penal code on 12 December 2013. The journalists were released after they met bail conditions of 10,000 kwacha (approx. US\$1,300) and two guarantors who were employed by the government or a para-governmental organisation. Their trial was expected to commence on 26 January 2014. According to March 2014 reports, their case was referred to the Lusaka High Court for constitutional determination after defence lawyers argued that the application of section 67 in Sakala and Mwanza's case was arbitrary and excessively hampered freedom of expression as guaranteed by section 20 of the Zambian Constitution. On 4 December 2014, the Lusaka High Court ruled in Sakala and Mwanza's favour, holding that Zambia's so-called 'false news' law violates the right to freedom of expression and is therefore unconstitutional thereby halting their prosecution. As of 31 December 2015 it appears that Sakala, Chipenzi and Mwanda are still on trial despite the High Court ruling. According to reports, the Director of Public Prosecutions Mutembo Nchito decided to continue prosecuting Sakala, Chipenzi and Mwanza despite reportedly dropping proceedings of a similar matter against United Party for National Development (UPND) leader Hakainde Hichilema, who was arrested under the same law as Sakala. This has led to some criticism of Nchito for not applying the law equally in all cases. **Background:** In the interview in question, Chipenzi questioned the reasons behind a change in the police recruitment process in Zambia after concerns were raised that a secret militia was being recruited within the police force that could be used for political purposes.

**Thomas ZGAMBO:**

**Profession:** contributor to news website *Zambian Watchdog* **Date of arrest:** 9 July 2013 **Date of release:** 11 July 2013, on bail **Details of arrest:** Zgambo was initially arrested and detained along with journalist **Clayson Hamasaka**, who is also thought to be a contributor to *Zambian Watchdog* (see below under 'Released'). Police reportedly raided the journalists' homes that same day in separate operations, claiming to be searching for drugs and seditious material and accusing them of publishing stories for the *Zambian Watchdog*. **Details of trial:** Zgambo was reportedly charged with 'sedition' in connection with documents found at Zgambo's home about how President Sata started his Patriotic Front party. Zgambo was expected to appear in court again on 6 August 2013. According to reports on 2 August 2013, Zgambo was called back for further questioning at police headquarters, where he was asked to re-write a document that the police suspect was authored by him, but he refused. According to 3 October 2013 news reports, the sedition charge was dropped. However, on 14 November 2013, he was charged with 'possession of obscene material likely to corrupt morals of the public', to which he pled not guilty. A state witness has admitted lying in the case. For background on *Zambian Watchdog*, see below under **Clayson Hamasaka** – 'Released'. The trial was believed to be ongoing as of 31 December 2015. **Other information:** According to reports, Zgambo filed an official complaint to the Zambian Police over recurring threats. According to a letter sent by



Zgambo to the Inspector General dated 17 June 2015, he reported that individuals were threatening him for calling for responsible journalism. Zgambo and Hamasaka have also sued Airtel, a Zambian mobile service provider, for allowing unauthorised people to tap into their mobile phones. Zgambo and Hamasaka reportedly claim this activity breached various articles and rights in the Zambian Constitution. The two journalists are currently seeking an injunction to restrain Airtel and other individuals from breaching their rights to privacy and freedom of expression. According to [news reports](#), information published on 19 October 2015 suggested that the Lusaka High Court had ordered Airtel to produce the records of phone calls and SMS of the two journalists in order to ascertain whether any information was diverted from the Airtel network system.

#### Released

##### **\*Chamba FUMBA ('Pilato'):**

**Profession:** singer songwriter **Date of arrest:** 8 June 2015 **Date of release:** Released on bail on 9 June 2015 and on 13 July 2015 the charges against him were dropped. **Details of arrest:** Fumba was reportedly arrested and detained on 8 June 2015 for 'conduct likely to cause breach of the peace' in connection with his satirical song '[A Lungu ana bwela](#).' The song – reported to be a parody of Nashil Pichen Kazembe's song entitled, 'A Phiri ana bwela' – is said to have defamed President Edgar Lungu by accusing him of drinking too much and being incompetent. **Details of release:** When the trial resumed on 13 July 2015, the charges against him were dropped. Fumba was discharged and released. **Details of trial:** Fumba faced a maximum sentence of six months in prison or a fine if found guilty. His trial was expected to commence on 24 June 2015, however, the state prosecutors failed to produce any witnesses against Fumba, claiming they had not been notified. Magistrate Chulu then postponed the case until 13 July 2015. **Background:** The song's lyrics tell the story of a character named Lungu who grows up in a slum and becomes president. The man in the song is described as carrying a suitcase filled with bottles of Jameson Irish whiskey and having no idea how to govern.

##### **Clayson HAMASAKA:**

**Profession:** thought to be contributor to news website Zambian Watchdog **Date of arrest:** 9 July 2013 **Date of release:** 10 July 2013 **Details of arrest:** Hamasaka was initially arrested along with **Thomas Zgambo** (see above) on suspicion of sedition. Both of the journalists' homes were raided separately, the police claiming to be searching for drugs and seditious material and accusing them of publishing stories for the Zambian Watchdog. According to Hamasaka's lawyer, the police confiscated documents and computers from Hamasaka's home including past articles. **Details of release:** Released under caution on 10 July 2013 and on 11 August 2015 the charges against him were dropped. **Details of trial:** More than three weeks after his release, Hamasaka was charged with 'possession of obscene material' on his computers. He pled not guilty. A witness for the prosecution testified in January 2014 that there was evidence that Hamasaka's laptop had been accessed in his presence. According to reports, on 11 August 2015 the Lusaka Magistrate's Court acquitted Hamasaka of the charge of being in possession of obscene materials, dismissing the evidence of two state witnesses and the arresting officer due to inconsistencies and failing to prove the case beyond a reasonable doubt. Magistrate Obister Musukwa reportedly claimed that the prosecution failed to prove any of the charges placed against him. The Magistrate reportedly believes this evidence was planted on Hamasaka. **Background:** Zambian Watchdog is a privately owned news website that is registered outside of the country. It publishes content written by Zambian journalists and edited by journalists in exile, and documents alleging Zambian government corruption. It has reportedly been the target of harassment by the Zambian government. In August 2012, Zambia's minister of tourism reportedly called for the banning of the Zambian Watchdog, arguing that the website's critical coverage could affect the country's image in the lead-up to the UN World Tourism Organisation meeting, which Zambia was hosting. In September 2012, news accounts reported that President Michael Sata had ordered government agencies to explore ways to block access to the site. After domestic access to Zambian Watchdog's website was blocked by the government on 24 June 2013,

Reporters Without Borders hosted a mirror of the site, however it was only accessible until mid-July 2013, when this was also blocked in Zambia by the authorities.

#### Case Closed

**Richard SAKALA, profession:** managing editor of *The Daily Nation*

**Choolwe BEYANI, profession:** journalist and academic with the University of Zambia (UNZA)

**Details of trial:** According to news reports, President Sata sued the journalists for defamation in his individual capacity over the publication of stories that allege that he had protected his friends from paying back money owed to the Development Bank of Zambia. On 21 May 2014, Sata reportedly testified in court. According to an 11 May 2015 report the case against Sakala and Beyani has been abandoned and withdrawn from the Lusaka High Court due to the death of President Sata in October of last year. No further news as of 31 December 2015; case closed.

## ZIMBABWE

#### Reported missing

**\*Itai Peace Kadiki DZAMARA:**

**Profession:** political activist and former journalist **Date of disappearance:** 9 March 2015 **Details of disappearance:** Dzamara was reportedly abducted by five unidentified men at a barber shop in Harare. The men accused him of cattle theft, handcuffed him and bundled him into an unmarked van, according to news reports. The men had been spotted driving around Dzamara's local neighbourhood, according to a statement by his family. **Details of investigation:** In a press conference, Dzamara's family emphasised that they believe that he was abducted by state agents – claims that the government vehemently refute, denying any knowledge of his whereabouts. On 13 March the country's high court ordered the police and state intelligence agency to search for Dzamara and work closely with the family's lawyer. According to his brother, no progress has been made in the investigation since Dzamara's disappearance. According to news reports published on 17 July 2015, the efforts of the police had proven unsuccessful. The government is reportedly intensifying its efforts due to the pressure from civil society organizations and opposition. No further news as 31 December 2015. **Background:** Dzamara was the editor of the News Leader newspaper which he founded in 2008 prior to which he worked for various publications including the Zimbabwe Independent, the Standard and the Zimbabwean. In October 2014 he suspended its publication in order to focus on his political activism. The same month he submitted a petition to President Mugabe calling for his resignation. He spearheads pro-democracy movement Occupy Africa Unity Square, which calls for Mugabe's resignation. Two days before his abduction he delivered a speech at an opposition rally in Harare, offering solidarity with the Movement for Democratic Change (MDC) party for mass protests against the deteriorating political and economic situation in Zimbabwe.

**Other information:** The US Harare Embassy and the EU Delegation in the country have both called for the authorities to mobilise greater efforts in finding Dzamara and bringing those who are responsible for his disappearance to justice. Reports state that both his lawyers and his family believe he is being held by Zimbabwe's security services and have called for his release. **PEN Action:** RAN 07/15 and [statement](#)

#### On trial

**\*Brian CHITEMBA, profession:** investigations editor of the newspaper *Sunday Mail*

**\*Tinashe FARAWO, profession:** reporter of the newspaper *Sunday Mail*

**\*Mabasa SASA, profession:** editor of the newspaper *Sunday Mail*

**Date of arrest:** 2 November 2015 **Date of release:** 3 November 2015 **Details of arrest:** According to news reports, the three were detained in connection with an article that implicated police officers

and authorities of Hwange National Park in the poisoning of at least 60 elephants and selling of their tusks. **Details of release:** They were released three days after on \$100 bail after appearing at Harare Magistrates' Court. They were also reportedly told that they would have to report once a week to a police office until the trial. **Details of trial:** All three were accused of 'publishing false information'. On 18 December 2015, news reports suggested that the trial was scheduled for 26 February 2016.

**\*Patrick CHITONGO:**

**Profession:** freelance journalist **Sentence:** 12 months in prison (four months of which are suspended. **Date of arrest:** last week of June 2015 **Date of release:** 2 July 2015 **Details of release:** Chitongo was reportedly released on bail on 2 July 2015, after his lawyer applied for bail pending his appeal. **Details of trial:** Chitongo was reportedly sentenced to 12 months in prison - four of which are suspended - on 23 June 2015 for publishing three issues of a newspaper called *The Southern Mirror* without a permit from the Zimbabwe Media Commission, thereby violating section 72 (1) of the Access to Information and Protection of Privacy Act (AIPPA). Chitongo said the three issues were produced as examples to be submitted to the commission along with a permit application. He is appealing against his sentence. No further news as of 31 December 2015.

Released

**Edmund KUDZAYI:**

**Profession:** editor of the state-controlled *Sunday Mail* **Date of arrest:** 19 June 2014 **Date of release:** 3 July 2014, on bail **Details of arrest:** Kudzayi was reportedly arrested following a raid on *Sunday Mail's* offices in the capital Harare. He was reportedly remanded into custody following the denial of his bail application. The case has been referred to the high court. According to news reports, along with his brother, Kudzayi is suspected of being anonymous Facebook blogger 'Baba Jukwa,' who posts critical information about the government and officials. **Details of release:** He was released on \$5,200 bail on 3 July 2014. **Details of trial:** He was charged with 'attempting to subvert a constitutionally-elected government' and 'undermining the authority of the President'; attempting to commit an act of insurgency, banditry, sabotage or terrorism' and keeping ammunition in an unsafe place. According to local news reports dated 2 September 2014, the state was seeking the assistance of search engine providers and social media entities based in the United States. On 29 May 2015 the prosecution withdrew the whistle-blower charges against Kudzayi and his brother, releasing them from custody. Extra-territorial investigations are reportedly ongoing and the prosecution claims they would proceed by means of summons if necessary. No further news as of 31 December 2015. **Background:** A blog by 'Baba Jukwa' reportedly became popular in the run-up to the July 2013 elections when the blogger, an alleged ZANU-PF mole, disclosed allegations of assassination plots and corruption within the ruling party. State-owned media has become involved in a bitter dispute within the ZANU-PF as different factions seek to influence the choice of successor to President Robert Mugabe, according to reports. On 11 May 2014, the *Sunday Mail* reportedly ran a front-page story claiming that two South African-based Zimbabweans were the bloggers behind the 'Baba Jukwa' Facebook page – charges they denied. The night before Kudzayi's arrest, police reportedly raided his home seizing a number of electronic devices.

Case closed

**Dumisani MULEYA, profession:** editor of the privately-owned weekly newspaper *Zimbabwe Independent*

**Owen GAGARE, profession:** chief reporter of the privately-owned weekly newspaper *Zimbabwe Independent*

**Date of arrest and release:** held for seven hours on 7 May 2013 **Details of trial:** Both men were charged under Section 31 of the Criminal Law (Codification and Reform) Act for publishing or communicating false statements prejudicial to the state. If convicted they could face up to 20 years in prison or a fine. The charges follow the 26 April 2013 publication of a story alleging that the

opposition Movement for Democratic Change had engaged in private talks with Zimbabwe's security chiefs ahead of general elections that. During their detention, the police reportedly attempted to pressurize the journalists into revealing their sources for the article. According to a 2014 report by the UK Foreign and Commonwealth Office, the Constitutional Court declared the law under which Muleya and Gagare were charged unconstitutional on 8 November 2013. The court reportedly also moved to challenge the constitutionality of other sections of the Criminal Law Act, including the arrest of journalists on allegations of publishing falsehoods. As of September 2015, it seems that Muleya was working as editor of the *Zimbabwe Independent*. No further information as of 31 December 2015; case closed.

## THE AMERICAS

### ARGENTINA

On trial

#### **\*Pablo KATCHADJIAN:**

**Profession:** novelist, poet and university lecturer. **Date of birth:** 1977 **Details of trial:** A criminal lawsuit was brought against Katchadjian in 2011 for alleged “intellectual property fraud” for his 2009 short experimental book *El Aleph Engordado* (The Fattened Aleph) in a lawsuit brought by Maria Kodama, widow of the Argentine author Jorge Luis Borges and guardian of the Borgesian literary estate. The lawsuit was brought in 2011 on the basis that Katchadjian’s text – which takes Borges’ well known short story *El Aleph* and “fattens” it by adding some 5,600 words of his own to Borges’ original 4,000 – amounted to plagiarism. The charges are based on an archaic intellectual property law (Law 11.723 of 1933, Article 71), which along with the Argentine Penal Code (Article 172), provides for between one month and six years’ imprisonment. The lawsuit was initially dismissed, but Kodama appealed the ruling which resulted in a further review by a lower court. On 18 June 2015, Katchadjian was formally charged with “intellectual property fraud” by the same judge who had originally dismissed the case. The appeals court also froze his assets, imposing an 80,000 peso (c. US\$8,800) embargo on his property. Katchadjian’s lawyer appealed the decision. On 14 August 2015, a Court of Appeal overturned Katchadjian’s indictment, but did not acquit him. Instead, the court ordered that a literary expert should review the book and provide a report, thus delaying the final ruling. Each party is allowed to provide their own expert, who will work with the court-appointed expert. If found guilty, Katchadjian faces up to six years in prison. The trial is believed to be ongoing as of 31 December 2015. **Background:** Katchadjian is the critically acclaimed author of 10 books, including the novels *Gracias* (Thanks), *La libertad total* (Total Freedom) and *Qué hacer* (What to do). His work has been translated into English, French and Hebrew. An opera adaptation of *La libertad total* was reportedly performed in Buenos Aires in 2014. *El Aleph Engordado* was published in 2009 by Imprenta Argentina de Poesía, a small independent press, in a print run of 200 copies, most of which were reportedly given away to friends. In a postscript to *El Aleph Engordado* dated 1 November 2008, Katchadjian makes it clear that the preceding text is his expansion of Borges’ *El Aleph*. He has reportedly withdrawn his text from his blog and other official channels. There was therefore no intention on his part to pass Borges’ text off as his own or, apparently, to make a profit. **Other information:** Almost 3,000 writers, intellectuals and other supporters from Argentina and beyond signed an open letter protesting the prosecution of Katchadjian, including César Aira and Carlos Gamerro. A public demonstration took place on 3 July 2015 at National Library in Buenos Aires, of which Borges was director from 1955-73. **PEN Action:** [3 July 2015 Call to action](#)

#### **Juan Pablo SUÁREZ:**

**Profession:** editor of the daily newspaper *Última Hora* **Date of arrest:** 9 December 2013 **Date of release:** 19 December 2013 **Reason for arrest:** Suárez reportedly spent 10 days in detention charged with sedition following his arrest while he was covering police demonstrations in the northern city of Santiago del Estero in December 2013. In May 2014, the charges were changed to “inciting collective violence” and “terrorising the population” under the Anti-Terrorism Law (a 2011 amendment of the Argentine penal code) and the case was referred to the federal court of Santiago del Estero province. The charges carry a possible 12-year prison term. Suárez’ house was reportedly ransacked in April 2015 (see under Harassed, below). No further update on the trial as of 31 December 2015. **Background:** Article 212 of the Argentine penal code allows for a three to six year prison term for publically inciting collective violence against groups of persons or institutions. However, Article 41d – added as part of the 2011 anti-terrorism reforms – provides for the doubling of all sentences where crimes are committed “with the aim of terrorising the population.”

## Harassed

### **\*Damian PACTER:**

**Profession:** reporter for the *Buenos Aires Herald* **Details of harassment:** On 24 January 2015, Pachter reportedly fled Argentina for Israel as he believed that his life was in danger, that he was being followed by Argentina's security services and that his telephone was tapped. Pachter is reported to be the journalist to have broken the news of the death of Alberto Nisman, a prosecutor whose body was found hours before he was due to testify before members of parliament. According to news reports, the *Buenos Aires Herald* has been unable to confirm any threats being made against Pachter in the wake of his reporting on Nisman's death and denied that Pachter had expressed any concern for his well-being. The official Twitter feed of the President tweeted Pachter's itinerary (including his return flight) in an apparent attempt to dispel rumours that he had fled. Pachter reportedly remains in Israel as of 31 December 2015. **Background:** Alberto Nisman was found dead in his apartment in Buenos Aires in January 2015. He had a single gunshot wound to the head. He had been due to testify before members of parliament about claims he had made that former President Cristina Fernández de Kirchner had been in the cover-up of the involvement of Iranian officials in the 1994 bombing of a Jewish community centre, which had resulted in 85 deaths and hundreds injured. Officials initially reported that Nisman had taken his own life, however, President Kirchner and other officials claimed that his death had not been a suicide, but carried out by 'rogue' agents. In March 2015, a federal appeals court cleared President Kirchner of the charges brought against her by Nisman.

### **Juan Pablo SUÁREZ:**

**Profession:** editor of the daily newspaper *Última Hora* **Details of harassment:** On the night of 6 April 2015 Suarez' home was ransacked and personal belongings taken, this reportedly as Suarez was preparing to publish an investigative report on the former governor of Estero state, Gerardo Zamora. Suárez is also being prosecuted under Argentina's Ant-Terrorism Law (see On Trial above).

## **BOLIVIA**

### Judicial harassment

**Claudia BENAVENTE (f), profession:** editor of *La Razón*

**Ricardo AGUILAR AGRAMONT, profession:** reporter for *La Razón*

**Details of harassment:** On 22 April 2014 the prosecutor-general reportedly filed a complaint accusing Aguilar of "espionage" and Benavente with "complicity" following the 13 April 2014 publication of a story about the complaint that Bolivia brought against Chile before the International Court of Justice (ICJ) in The Hague. On 7 May 2014, a court ordered Aguilar to reveal his sources for the report within five days. On 9 May 2014, *La Razón's* lawyer brought a counter-motion against the judge in charge of the case and the prosecutor-general, accusing them of incompetence. On 5 August 2014, the judge ruled with the defence and dismissed the charges against Benavente and Aguilar, ruling that the case should be moved to the Press Tribunal. This motion means that the journalists will not face criminal charges. According to reports, the prosecutor-general said that he would continue his investigation to find the source of the story despite the judge's ruling. An article by Aguilar published on 19 April 2015 suggests that the case is still waiting to be heard by a press tribunal. No further information as of 31 December 2015. **Background:** Bolivia, a land-locked country since the Pacific War (1879-84), lodged a complaint with the ICJ in May 2014 as part of its historic campaign to recover territory that would give it access to the Pacific Ocean. It is the second complaint lodged with the ICJ by the Bolivian state.

### Brief Detention

**\*Carlos QUISBERTH:**

**Profession:** Journalist with *El Diario* **Date of arrest:** 8 March 2015 **Date of release:** 12 March 2015  
**Details of arrest:** Quisberth was arrested while investigating a baby's death at a state centre for minors in the capital La Paz and was held for four days charged with "obstructing justice". **Details of release:** Following a wave of protests by press workers in various cities after the journalist was detained incommunicado, Quisberth was released without charge. His lawyer suggested that the journalist might press damage charges against the judges and arresting officers involved in the case. No more information as of 31 December 2015.

## BRAZIL

Killed: motive unknown

**\* Orislândio Timóteo ARAUJO (aka Roberto Lano):**

**Profession:** political blogger at [blogdorobertolano](#), radio host and DJ **Date of death:** 21 November 2015 **Details of death:** Araujo (37) was [reportedly](#) shot in the head by an unknown assailant who fled the scene on a motorcycle. The murder reportedly occurred while he was with his wife on a motorcycle on their way to the city centre of Buriticupu, in Maranhão state, northeast Brazil. Araujo was also known for his work on political campaigns in the state and as an event promoter in the region. In his last blog [post](#), on 18 November 2015, he criticised the mayor of Buriticupu for building a bridge in the middle of nowhere. . **Details of investigation:** The authorities launched an investigation into what they believe was a contract killing, [reportedly](#) citing his journalistic activities as a possible line of investigation. On 29 November 2015 the police in Buriticupu reportedly located a gun which they believed to be the murder weapon. On 28 December 2015 the police reportedly arrested a primary suspect thought to be involved in the murder, although they did not release details about this individual. No more information as of 31 December 2015. **Background:** Araujo was the third journalist to be murdered in Brazil in two weeks, following the killing of political blogger **Ítalo Eduardo Diniz Barros**, also in Maranhão state, on 13 November (see next entry below) 2015, and radio reporter **Israel Gonçalves Silva** in Pernambuco state, eastern Brazil, on 10 November 2015. Another political blogger and journalist, **Decio Sá**, was killed in Maranhão state on 23 April 2012, in direct retaliation for his work. **PEN Action:** [press release](#) 27 November 2015

**\*Ítalo Eduardo DINIZ BARROS:**

**Profession:** blogger [[italodiniz.com](#)] and press officer for a local mayor **Date of death:** 13 November 2015 **Details of death:** According to reports, Diniz (30) was shot four times by two unidentified men on a motorcycle in the city of Governador Nunes Freire, Maranhão state, northeast Brazil. The gunmen fled the scene and Diniz later died in hospital. A friend who was with him at the time was also shot and injured. Diniz had reportedly received death threats relating to his work, including in the days before he was killed. **Details of investigation:** According to the Committee to Protect Journalists, the police officer in charge of the investigation [indicated](#) that the investigation would look at Diniz' blogs where he often criticised local authorities as a possible motivation for the murder. As of 31 December 2015, there had been no reports of any arrests in connection with his murder. **Background:** Diniz also worked as a press officer for Marcel Curió, the mayor of Governador Nunes Freire, and blogged about scandals and alleged wrongdoing by other local politicians. Diniz's [blog](#) featured content from other blogs and local publications in Maranhão as well as some original reporting. A few days before he was shot, Diniz had told colleagues on a [WhatsApp group](#) for bloggers that he had received a death threat. His murder came four days after that of radio reporter **Israel Gonçalves Silva** in Pernambuco state, eastern Brazil, on 10 November 2015. **PEN Action:** [press release](#) 27 November 2015



**\*Evany José METZKER:**

**Profession:** blogger [['Coruja do Vale'](#) (The Owl of the Valley)] **Date of death:** 13 May 2015 **Details of death:** The half-naked, decapitated body of Metzker (67) was found near the town of Padre Paraíso, Minas Gerais state, on 18 May 2015, five days after he was reported missing. His hands were reportedly tied behind his back and his body showed signs of torture. His head was found 100 metres away. Metzker's wallet, ID card and credit card were found near his body. **Details of investigation:** Police were reportedly led to Metzker's body following an anonymous tip-off. Due to its state of decomposition, the Civil Police are said to have determined that Metzker was killed on 13 May. According to press reports, a police spokesman confirmed that the authorities believe that he was targeted for his investigations into a child prostitution ring and drug trafficking. Police are also reported to be investigating a crime of passion as a line of enquiry. The investigations are reportedly ongoing as of 31 December 2015. **Background:** Metzker had travelled to Padre Paraíso three months before he went missing. He was a recognised critic who published articles on politics, corruption, drug trafficking and child prostitution on his blog. **PEN Action:** [statement](#) on 22 May 2015

Killed: impunity

**Paulo Roberto CARDOSO RODRIGUES (known as Paulo ROCARO):**

**Profession:** editor of the local daily *Jornal Da Praça* and the news website *Mercosul News* **Date of death:** 12 February 2012 **Details of death:** Rocaro (51) was shot dead in Ponta Porã, in the south-western state of Mato Grosso do Sul. He had been driving home when he was attacked by two armed men riding a motorcycle, who fired at least five bullets into him. **Details of investigation:** Police were reportedly investigating the crime as a possible contract killing, and were looking into political motives, among others. On 4 October 2012, the owner of *Jornal Da Praça*, **Luis Henrique Georges**, and another of the newspaper's employees were reportedly shot dead by unknown individuals while another member of staff was injured as a result of the incident. *Jornal Da Praça* had recently published articles highly critical of candidates for the municipal elections held in Ponta Porã on 7 October 2012. On 7 May 2013, police in Mato Grosso do Sul state reportedly presented the results of the investigation into Rocaro's murder: they believe the motive to be political. Rocaro, a member of the Workers' Party, had a disagreement with another member of the party, Claudio Rodrigues de Souza, about who should run for Ponta Porã mayor two days before the shooting. During the argument, Rocaro reportedly threatened to publish stories on alleged irregularities involving Rodrigues' businesses. The police believed that Rodrigues hired two hit men to kill Rocaro. Rodrigues reportedly had a previous conviction for homicide in São Paulo state. Luis Henrique Georges' murder remained unsolved as of 30 June 2015 and no evidence had been produced indicating whether or not the two murders were related. Two years on from Rocaro's murder, the police had failed to gain sufficient evidence against those it believes to have ordered and carried out the crime. Rodrigues is reported to have given his statement to the police in Ponta Porã in which he claimed his innocence. The whereabouts of one of the alleged hit men remains unknown. On 18 September 2015, Claudio Rodrigues de Souza, the accused mastermind of Rocaro's murder, was shot dead in the city of Jandira. Police reported more than 20 bullets were fired, two of which hit and pierced the vehicle he was in. Rocaro's murder remains unsolved as of 31 December 2015. **Background:** Rocaro reported on politics. According to reports, he had been critical of the local mayor and had publicly lent his support to a rival mayoral candidate. On the night he was killed, the journalist had been returning home after a meeting with the opposition candidate. The killing took place near the Paraguayan border, a region of Brazil known for organized criminal activity and for political corruption. **PEN Action:** [RAN 09/12](#) 15 February 2012

**Eduardo CARVALHO:**

**Profession:** editor and owner of the website *Última Hora News* **Date of death:** 21 November 2012 **Details of death:** Carvalho (52) was arriving home with his wife in Campo Grande, capital of Mato Grosso do Sul state, when an unidentified man on a motorcycle shot him three times before fleeing.



According to *Última Hora News*, Carvalho, a retired military police officer, often criticised the local police and politicians and denounced local corruption in his articles. He had reportedly been receiving threats in connection with his journalism since 2011 and had also survived an assassination attempt, as a result of which he was authorised to carry a gun. According to the police, Carvalho had been the subject of many libel lawsuits related to his reporting. His last article, published on the day of his murder, accused an unnamed military police official of abusing his authority to intimidate local citizens. **Details of investigation:** The police reportedly intend to focus their investigation on whether the murder was related to Carvalho's journalistic work. On 7 February 2013, it was reported that the investigations into his murder were on-going, with initial material evidence and telephone records under review. The police had reportedly received more than 30 formal complaints against the journalist alleging defamation and libel, but they added that the motive of the murder had not been proven. No further information as of 31 December 2015. **PEN Action:** [RAN 76/12](#) 29 November 2012

**Francisco GOMES DE MEDEIROS:**

**Profession:** contributor to newspaper *Tribuna do Norte*, internet writer and news director of a local radio station **Date of death:** 18 October 2010 **Details of death:** He was shot dead by a man on a motorbike in front of his house in Caicó, Rio Grande do Norte state. 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 2010. **Details of investigation:** On 19 October 2010 the police arrested João Francisco dos Santos and claimed that he had admitted killing Gomes in reprisal for his coverage of Santos' 2007 conviction on armed robbery charges. Despite this, state police said that they were still investigating the case and had not ruled out further leads. On 3 December 2010 the *Diário de Natal* reported that Gomes' killing was carried out on the orders of a jailed drug trafficker, according to local police. Valdir Souza do Nascimento, who was arrested in 2007 and was then 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. On 23 October 2012, *Globo* reported that the charges against Souza had been dropped. **Trial of perpetrators:** A trial began on 3 May 2011. A businessman, Lailson Lopes, was accused of having ordered the crime while João Francisco dos Santos was accused of carrying it out. On 6 August 2013 João Francisco dos Santos was sentenced to 27 years in prison for the shooting and killing of Gomes. Lailson Lopes was reportedly sentenced to 21 years in prison, reduced by one third to 14 years in April 2014. Four other men including a local army lieutenant colonel, a military police officer, a lawyer and a former pastor, were reportedly also facing charges and awaiting trial. All four men deny any involvement in the murder. According to 13 February 2014 reports, a judge ruled that there was insufficient evidence to prosecute either the lieutenant colonel or the military police officer. The family of Gomes is believed to have appealed against this decision. The case against the lawyer and a former pastor was allowed to proceed. According to 9 June 2015 reports, the Criminal Chambers of the North Rio Grande State Court of Justice ruled that Lailson Lopes should be subject to a re-trial. According to 15 September 2015 reports, the case against the lawyer, Rivaldo Dantas de Farias, was ongoing. The defendant is believed to be the mastermind behind Gomes's murder, and was initially jailed for eight months as required by the indictment. On 28 October 2015, it was reported that the ongoing trials would be postponed until 4 November 2015 after the involvement of another alleged suspect, Gilson Soares Neudo do Amaral, came to light. It is unclear whether the trials have resumed. As of 31 December 2015, only one of the defendants, João Francisco dos Santos, is known to have been convicted of Gomes's murder.

**Marcos de Barros Leopoldo GUERRA:**

**Profession:** blogger ([Ubatuba Cobra](#)) and lawyer **Date of death:** 23 December 2014 **Details of death:** Guerra (51) was reportedly shot dead by unidentified gunmen on a motorcycle at his home in Ubatuba, Sao Paulo state. The attackers opened fire on Guerra from outside the house through a

kitchen window; he died after receiving wounds to the face, back and abdomen. According to Guerra's father, he had received death threats in connection to articles published on his blog prior to his death. **Details of investigation:** Ubatuba Civil Police Chief Fausto Cardoso is reported to have confirmed that police are considering his blog as a possible motive for the crime. No further information as of 31 December 2015. **Background:** Guerra was known to be critical of local government corruption in his blog. In one of his most recent articles he had questioned local authorities over the alleged diversion of public funds. **PEN Action:** featured in 2015 International Day to End Impunity [campaign](#)

**Mario Randolfo MARQUES LOPES:**

**Profession:** editor-in-chief of the news website *Vassouras na Net* **Date of death:** 8 February 2012

**Details of death:** Along with his companion, Marques (50) was abducted from his home in Barra do Pirai, Rio de Janeiro state. Both were found the following day, shot dead. Marques had frequently accused local officials of corruption in articles on his website, according to news reports. His most recent article on his website accused local judges and courts of being corrupt and too powerful.

**Details of investigation:** An investigation is underway. Marques' body was reportedly exhumed on 25 February 2013 in order to extract DNA samples for use in testing against blood stains found in three vehicles seized at the time of his murder; one of the vehicles was reported to be that of a taxi driver who worked in the city centre. The exhumation of the body came in response to a request filed eight months previously by the principal delegate of the civil police of Barra do Pirai. No further information as of 31 December 2015. **Background:** Marques had been attacked before. In July 2011, an unidentified gunman entered the *Vassouras na Net* newsroom in Vassouras, and shot him five times in the head, which left him in a coma for three days.

**Rodrigo NETO DE FARIA:**

**Profession:** host of the "Plantão Policial" ("Police Shift") show on Radio Vanguardia, press aide for the local mayor and reporter for the daily newspaper *Vale do Aço* **Date of death:** 8 March 2013

**Details of death:** Neto (38) was shot dead by two men on a motorcycle. He was reportedly getting into his car after leaving a local bar he often frequented with a colleague in Ipatinga, Minas Gerais, when he was shot twice; he died later in hospital. His attackers did not take any of the professional equipment he had with him. Neto had only started work for *Vale do Aço* the week before his murder. According to reports, the journalist had aggressively covered police corruption throughout his career and had frequently received threats, especially in relation to his coverage of cases in which police officers were suspected of being involved in local murders. At the time of his death he was reportedly working on a book entitled *The Perfect Crimes*, which investigated several murders in which he suspected police involvement. Neto had recently reported being followed. His reporting had led to his giving testimony to the Minas Gerais state assembly's human rights committee in which he accused police officers of involvement in criminal activity. Local journalists believed that Neto's murder could be related to his work. A tweet by the human rights minister suggested that the federal authorities regarded Neto's murder as an execution-style killing probably linked to his work.

**Details of investigation:** On 19 April 2013, the chief of police in Minas Gerais confirmed the participation of police officers in Neto's murder. Five police officers had been arrested and were under investigation for Neto's killing and that of his colleague, **Walgney Carvalho**, a *Vale do Aço* photojournalist who was shot dead on 14 April 2013. Investigations revealed that both men were killed by the same gun. The police officers are reportedly suspected of belonging to militia groups that operate in the region, whose activities Neto had been investigating; Carvalho is said to have taken the photographs that accompanied the investigation. In July 2013 it was reported that Carvalho's murder had been confirmed as a witness elimination; he had publicly claimed, including on social media, to know who was responsible for Neto's death. It was believed that the person behind both journalists' murders is Alessandro Neves Augusto, while policeman Lucio Lirio Leal was identified as a co-conspirator. It was also believed, but not yet confirmed, that four other policemen connected to Neves were arrested for alleged involvement with a death squad in the region and may

have been responsible for carrying out the shootings. On 22 August 2013, Neves and Leal were charged with Neto's murder. Leal is considered an accomplice to the crime, having provided the assassin with information as to Neto's whereabouts. Neves was also charged with the murder of Carvalho. **Trial of perpetrators:** The trial began on 9 December 2013. An investigation was ongoing into the motive behind Neto's murder and its mastermind. Leal was reportedly sentenced to 12 years in prison for his involvement in Neto's murder on 29 August 2014. On 19 June 2015, a court sentenced Alessandro Neves Augusto to 16 years in prison for Neto's murder. Neves was already in prison at the time of his sentencing. On 19 August 2015, Neves was sentenced to a further 14 years and three months in prison for the murder of Wagny Carvalho. As of 31 December 2015 it was unclear whether an investigation into an alleged mastermind of Neto's murder is still ongoing.

**José Roberto ORNELAS DE LEMOS:**

**Profession:** director of the daily newspaper *Jornal Hora H* **Date of death:** 11 June 2013 **Details of death:** Ornelas (45) was reportedly gunned down by four masked men on 11 June 2013. According to reports, Ornelas was shot at least 40 times while he was at a bakery in Nova Iguaçu, Rio de Janeiro state. Ornelas had reportedly received constant threats related to the newspaper's reporting. **Details of investigation:** The police were reported to be considering all lines of enquiry and had not ruled out his work as a possible motive. On 4 November 2015, the authorities arrested four suspects in relation to Ornelas' murder. The suspects were reported as being extortionist-type gang-members (known as "militias" in Brazil) led by a police officer who was also arrested. The inspector in charge of the investigation states that the gang viewed De Lemos as an "obstacle" to their planned expansion into Nova Iguaçu. No more information as of 31 December 2015. **Background:** *Jornal Hora H* is known for its reporting on political and police corruption. Ornelas had reportedly been investigated for three murders committed in the 1990s, but was never formerly charged. In 2003, he was imprisoned for the murder of a local official; however, he was later acquitted. In 2005, he reportedly survived an attempt on his life, which was suspected to be in retaliation for complaints that were published in the newspaper.

**Pedro PALMA:**

**Profession:** owner of the local weekly newspaper *Panorama Regional* **Date of death:** 13 February 2014 **Details of death:** Palma (47) was reportedly killed outside his home in Miguel Pereira city, Rio de Janeiro state. He was shot three times by two assailants riding a motorcycle. According to reports, the police believe the motive for the murder to be a witness elimination ("*queima de arquivo*"). **Details of investigation:** In June 2014, the police arrested a suspect in connection with Palma's murder. No further information as of 31 December 2015. **Background:** According to a friend of Palma, the journalist had reported receiving threats. However, the delegate in charge of the case is reported to have said that there had been no known threats against him. *Panorama Regional* reportedly frequently denounced alleged corruption in the office of the mayor of Miguel Pereira. **PEN Action:** Mentioned in [statement](#) 22 May 2015

**Décio SÁ:**

**Profession:** reporter for local newspaper *O Estado do Maranhão* and blogger at *Blog do Décio* **Date of death:** 23 April 2012 **Details of death:** Sá (42) was shot dead in a bar in what police said was a contract killing. Sá, who reported on politics and crime, was shot six times in the head and back. According to colleagues at *O Estado do Maranhão*, Sá's reporting, both for his newspaper and for his blog, had made him several enemies. His blog was one of the most popular in Maranhão. **Details of investigation:** The police arrested seven people in June 2012, including a businessman (a former local councillor) and a police officer. Jhonatan de Souza Silva, one of those arrested, reportedly confessed to the killing. Police believe that the motive for the killing was Sá's reporting, especially his reports on the businessman's alleged connection to loan-sharking and racketeering. **Trial of perpetrators:** The trial of 11 suspects began in late January 2013. The attorney general of Maranhão reportedly claimed that the defence for the accused in Sá's murder trial was attempting to "delay the

course of proceedings". The accusation came in response to the defence's request for an order to suspend the reading of the accusations on 29 January 2013, on the grounds that it had not been given access to the content of the wiretaps used by the prosecution, a claim which the attorney general has denied. The defence's request was granted by the judge after only three of the 15 accusations scheduled for the day had been heard. On 20 February 2013 it was reported that the principal witness to Sá's murder, Ricardo Santos Silva, had died after being shot seven times in a suspected targeted assassination in January 2013. He had reportedly been due to give evidence in court shortly before he was shot. Seven suspects were arrested in connection with the killing of the witness. Mayors and former mayors of the municipalities of Maranhão were expected to appear in court in May 2013 to aid in investigations into their alleged connection with the money lenders thought to be responsible for Sá's murder. On 5 February 2014, a jury in Sao Luis convicted two of 11 people accused of Sá's murder following a two-day trial. Jhonatan de Souza Silva, the confessed gunman, was reportedly sentenced to 25 years and three months in prison, while Marcos Bruno Oliveira, the alleged driver of the motorcycle, was sentenced to 18 years and three months in prison. According to reports, Souza Silva changed his testimony during the trial in which he had previously claimed that an entrepreneur, Raimundo Sales Alves Chaves Junior, was behind the hit. In court on 4 February 2014, Souza Silva reportedly told the jury that he was hired by a different man and that the police had coerced him to name Raimundo Sales Alves Chaves Junior as the mastermind by threatening his family. Oliveira's defence is also reported to claim that he was tortured to force him to confess to the crime; Oliveira pleaded not guilty to the charges. The remaining nine suspects include the alleged mastermind of Sá's murder, members of a criminal gang, and police officers who are reported to have attended meetings in which the murder was planned. All the remaining suspects are currently awaiting trial. On 22 August 2014, one of the accused awaiting trial, José de Alencar Miranda Carvalho (74), was granted house arrest instead of preventative detention owing to his ill-health. According to 23 April 2015 reports, the remaining defendants have applied to be tried before a jury. Their court dates will not be set until after a decision is reached. According to 2 December 2015 reports, the court decided to dismiss five of the accused suspects, including three police officers, from the trial due to lack of evidence.. The trial of the remaining suspects was ongoing as of 31 December 2015. **PEN Action:** [RAN 21/12](#) 25 April 2012

Imprisoned: Main case

**\*Paulo Cezar de Andrade PRADO (alias Paulinho)**

**Profession:** blogger 'Blog do Paulinho' **Date of arrest:** 6 July 2015 **Date of release:** 13 November 2015 **Details of arrest:** Prado reportedly spent more than a month in a police station before being sent to Tremembe jail, about 90 miles northeast of Sao Paulo, in connection with a 2014 criminal defamation conviction. Prado was arrested following a complaint filed against the blogger by Carlos Aidar, the president of a local football club, who accused the blogger of invading his privacy and publishing his personal information after Prado published a story which alleged Aidar was recruiting a coach for his club. According to his lawyer, Prado received this information after he joined a Whats App group that Aidar was a part of. To avoid any possible denials from Aidar, Paulinho published a screenshot of the message with Aidar's photograph and phone number. Aidar reportedly claimed that he has also filed four additional lawsuits against Prado for "crime against his honour". Prado was released on 13 November, having served just over four months of his sentence. **Background:** Prado had previously criticized Aidar on his sports blog, saying he lacked morals and ethics. In October 2014, Prado was sentenced to five months and 10 days in prison on criminal defamation charges in connection with a 2011 case. While interrogating Prado about his recent charges, the police reportedly discovered that the blogger had never served any jail time from his 2014 sentence, even though Prado was released pending appeal in that case and neither the court nor his lawyers at the time told him that his appeal was denied and he was to be jailed, according to both Prado's current lawyer and his brother.

## Attacked

### **\*João MUNIZ:**

**Profession:** journalist with *Correio do Povo do Paraná* daily newspaper **Date of attack:** 11 November 2015 **Details of attack:** According to reports, an unidentified vehicle stopped in front of Muniz's residence in Quedas do Iguaçu, Paraná state, after which assailants from the car fired about ten rounds of ammunition at the journalist's house before fleeing the scene. No one is known to have been harmed and police are reportedly investigating the shooting. No more information as of 31 December 2015. **Background:** Muniz reports having suffered threats for some time, in particular due to his reporting on land disputes involving the Land Workers Movement (MST), one of Brazil's largest agrarian reform movements, whose tactics include occupying land they claim is unproductive. Muniz is reportedly a member of a commission which is pressuring the authorities to enforce a court order aimed at removing members of MST who have occupied plots of land owned by the multinational lumber company Araupel, which is a regular advertiser in the *Correio do Povo do Paraná*. Individuals affiliated with MST have reportedly threatened Muniz and other reporters verbally for their coverage, and the offices of the daily have been vandalized, acts which have been reported to the police according to Muniz. The journalist is also reportedly facing a civil defamation case brought by members of the group.

## Harassed

### **\*Anderson ARAÚJO:**

**Profession:** blogger and creator of [Mídia Periférica](#), a blog run by young journalists in the north eastern city of Salvador, Bahia state, that focuses on news in poor communities that are under-covered by mainstream media. **Date of harassment:** February 2015 **Details of harassment:** According to the Committee to Protect Journalists (CPJ), Araújo was approached by a police officer who warned him to stop being critical of the police in his blog. Araújo felt forced to flee Bahia state. No more information as of 31 December 2015. **Background:** Araújo had recently written about an alleged spate of killings as a result of police shootouts in February.

### **\*Ana FREITAS (f):**

**Profession:** freelance journalist **Details of harassment:** Freitas is reported to have suffered regular harassment since the 2 February 2015 publication of an article on machismo and misogyny on the Brazilian internet, which was published on *Brasil Post*, the Brazilian affiliate of the *Huffington Post*. She reportedly received abuse and threats from anonymous users of a forum on the bulletin board site 4chan. The incidents led her to close some of her social media accounts. Freitas is also reported to have received several items through the post, such as faeces, maggots and sex toys. She filed a report with one of the special police stations set up for women. Her situation is reported to have improved after *O Estado de São Paulo* published her article on the affair. No more information as of 31 December 2015.

## Sentenced

### **José Cristian GÓES:**

**Profession:** journalist and blogger **Sentence:** Seven months and 16 days in prison commuted to community service **Details of trial:** In December 2012, a high court judge in Sergipe state brought civil and criminal proceedings against the journalist for libel and defamation following the publication of a short fictional story on his blog on 29 May 2012. Góes was convicted of slander on 4 July 2013. His prison term was later commuted to community service for which he must serve one hour per day for the duration of the sentence, according to a 9 July 2013 report. In January 2013, a prosecutor for the Public Ministry reportedly filed additional criminal charges against Góes in relation to his story, proposing that Góes pay the equivalent of three minimum wages or do three months' community

service. Góes refused to comply on the grounds that he did not believe that he had committed a crime; as a result, the prosecutor filed the criminal charges. According to December 2014 reports, Góes was ordered to pay 30,000 Reals (approx. US\$11,300) in compensation for moral damages to judge Edson Ulisses, vice president of the Sergipe Justice Tribunal in November 2014. In March 2015, newspaper reports indicated that the case was about to be placed on the agenda of the Federal Supreme Court. No further information as of 31 December 2015. **Background:** Whilst Góes' fictional story mocking nepotism and corruption in local politics is written in the first person and no names or dates were mentioned, the judge concerned believed that the story defamed his brother-in-law, the governor of Sergipe; the governor himself has not filed charges. **Other information:** The Brazilian National Federation of Journalists (Federação Nacional dos Jornalistas, FENAJ) filed a complaint against the criminal proceedings.

#### Released

##### **Allan de ABREU:**

**Profession:** journalist with *Diário da Região* newspaper **Date of harassment:** 27 November 2014

**Details of harassment:** Abreu was unsuccessfully prosecuted for violating the secrecy of a police investigation into alleged corruption involving employees of the labour ministry's regional office in São José do Rio Preto. The journalist has always refused to name his source when questioned. A federal court reportedly ruled in favour of the police, giving them permission to obtain details of calls made by Abreu from his personal and work telephones in order to identify his source for a story about a police operation in 2011. According to reports, in January 2015 the president of the federal Supreme Court issued an injunction preventing access to Abreu's phone records and those of the newspaper, ruling that the federal court's ruling allowing access violated the constitutional right to source confidentiality. In the course of September 2015, the injunction was reportedly dropped, and then reinstated, by the Supreme Court. As of 22 September, the injunction stood, pending a final decision by the court. On 28 October 2015 the Federal Public Ministry decided to terminate the investigation that called for access to Abreu's phone records, thus protecting the confidentiality of his source. **Background:** According to reports, in 2011 the prosecutor's office wanted to initiate similar proceedings against *TV Tem*, a local TV station, which reported the same information as Abreu. However, a judge dismissed the case on the grounds that it would violate the Constitution and that identifying the source of the leak would jeopardize freedom of information.

##### **Aguirre TALENTO:**

**Profession:** reporter for *Folha de S. Paulo* **Details of trial:** In May 2014, it was reported that Talento was sentenced to six months and six days in an open prison after being convicted of criminal defamation. The sentence was reportedly commuted to community service. The charges were said to relate to stories published by Talento while he was working for *A Tarde* newspaper, which a real estate entrepreneur claimed contain false information. The judge reportedly ruled that Talento had intended to stain the entrepreneur's reputation. The journalist appealed the sentence. According to 30 December 2015 reports, Talento was acquitted on appeal.

## **CHILE**

#### Sentenced

\***Bruno SOMMER CATALÁN, profession:** journalist, poet and director of the weekly newspaper *El Ciudadano*

\***Sebastián LARRAÍN SAA, profession:** director of the weekly newspaper *El Ciudadano*

**Sentence:** 18 months in prison, suspended (*remisión condicional*). **Details of trial:** On 11 June 2015, the Supreme Court of Chile rejected an appeal from *El Ciudadano's* directors to challenge the suspended sentence handed down to them in April 2015, according to the Association of Journalists



of Chile. No more information as of 31 December 2015. **Background:** On 27 August 2013, *El Ciudadano* published an interview with a former employee of Miodrag Marinovic, a businessman and former representative from Punta Arenas. In the interview, titled “El Patrón del Mal” (The Evil Boss) Rodrigo Calixto said he was ordered by Marinovic to commit multiple illegal acts. Shortly after publication of the interview, the directors of *El Ciudadano* received a lawsuit from Marinovic accusing them of defamation (*injurias graves*). Accompanying the suit was a notarized document from Calixto ‘noting that he retracted his words and did not authorize the publication, that he had given the interview in an altered psychological state, but that it was too late, the newspaper had been printed and distributed.’

#### Harassment

##### **\*Mauricio WEIBEL**

**Profession:** author and reporter for the online news site *The Clinic* **Details of harassment:** Weibel was reportedly summoned for questioning at the start of October 2015, along with *The Clinic*’s owner and legal representative Pablo Dittborn, publisher Patricio Fernández and editor Andrea Moletto by Chile’s military court judge responsible for investigating the leaks leading to the exposure of the so-called ‘Milicogate’ scandal. Officially Weibel and his colleagues were questioned as witnesses but in practice they were reportedly pressured to reveal their sources. No more information as of 31 December 2015. **Background:** Weibel’s [reports](#) exposing the Milicogate scandal were published in *The Clinic* in August 2015. Weibel uncovered the alleged existence of a major ring of army officers and other military personnel who allegedly embezzled millions of dollars in public funds from 2010 to 2014 and spent the money on holidays, parties, horses and casinos. At the time Weibel was questioned, the Chilean government had remained silent on the corruption scandal or the methods used by the military justice system. This is reportedly the first time that Chile’s military justice system has interrogated journalists in this manner, and the first time since 2011 that the military courts have investigated cases involving civilians. Weibel was given police protection in 2012 and 2013 after he wrote a book containing revelations from the secret archives of the 1973-1990 military dictatorship. At the time, he received many [threats](#), his home was broken into and his laptops were stolen. For more information, see PEN’s 2012 [Case List](#).

## COLOMBIA

#### Killed: Motive Unknown

##### **\*Dorance HERRERA:**

**Profession:** journalist for local monthly *Región al día* and journalism student **Date of death:** 23 November 2015 **Details of killing:** According to local press reports, two unidentified men shot Herrera (28) dead as he was leaving his sister’s home in the city of Cauca, Antioquia department, with a fellow university student, who was also killed in the attack. Herrera had reportedly posted on social media that he had received death threats prior to his murder. **Details of investigation:** Local press reports state that on 25 November 2015 the mayor of Cauca announced a reward of 30 million pesos (approx. US\$8,825) for anyone who provides information leading to the capture of those responsible for Herrera’s murder. An investigation into the killing was ongoing as of 31 December 2015. **Background:** Herrera wrote for two media outlets in Cauca and is understood to have reported on criminal gangs operating in the area. He was also known for undertaking political and social projects.

#### Killed: impunity

##### **Guillermo QUIROZ DELGADO:**

**Profession:** freelance journalist and contributor to the daily newspaper *El Meridiano* **Date of death:** 27 November 2012 **Details of death:** Quiroz (31) died of a heart attack in a hospital in Sincelejo, Sucre department; he had spent a week in intensive care after an altercation with police. Quiroz was arrested on 20 November 2012 while covering a protest against an energy company in San Pedro, on the grounds that his motorcycle documents were not in order. According to an interview with Quiroz on 21 November 2012, he was put into a police vehicle, then beaten and thrown from the moving vehicle. The police denied this account, stating instead that Quiroz had jumped from the vehicle in order to avoid arrest. He suffered severe injuries, particularly to the head, and subsequently lapsed into a coma, before dying of a heart attack on 27 November 2012. **Details of investigation:** Three officers present in the vehicle at the time of the incident were investigated. According to Quiroz' colleagues, the journalist said that the police had told him he was targeted because of his news coverage. He had previously reported on cases of police brutality in San Pedro as well as on the theft of cattle that were later found on a farm owned by a former San Pedro politician. Quiroz had reportedly received a death threat on his mobile telephone in October 2012 which he reported to the police and the local office of the Attorney General. On 6 February 2013, it was reported that the Internal Affairs Office of the Colombian police had accused an officer of involuntary manslaughter in relation to Quiroz' death. The disciplinary hearing of police officer Jorge David Pérez Contreras took place on 4 February 2013. The officer could be charged with failing to take the necessary steps to guarantee the safety of the detained reporter during his transportation to the police station. Pérez attempted to sue the Internal Affairs office in June 2013, however, his case was dismissed. No further information as of 31 December 2015; PEN is seeking an update.

#### On trial

#### **Angye GAONA (f):**

**Profession:** poet, cultural worker and student **Date of arrest:** 13 January 2011 **Date of release:** 21 May 2011 **Details of arrest:** She was arrested in Cucuta, Norte de Santander department, near the border with Venezuela, and detained at Buen Pastor Prison in Cucuta for 93 days - three days after the maximum 90-day period during which she could be legally held without charge. Gaona's supporters claimed the real reason for her arrest was her outspoken support for the demands of a labour union in the district where she lives. Her detention has been linked to that of three other student activists in the region, Julián Aldoni Domínguez, William Rivera Rueda and Aracely Cañaverl Vélez. The arrests reportedly took place in the context of a wave of attacks against human rights defenders in the Santander region, including attempted assassinations and forced disappearances and death threats, and against informal economy workers affiliated to the Colombian Trades Union Congress (Central Unitaria de Trabajadores, CUT) in Bucaramanga. It is feared that the arrests were intended to silence their legitimate human rights activism. **Details of release:** released on bail without formal charge in May 2011 **Details of trial:** she was charged with "aggravated conspiracy for drug trafficking and rebellion" at a hearing in Cartagena on 23 May 2011, two days after her release; her lawyer attended but Gaona was not obliged to appear in court. The arrest warrant against her had not yet been revoked and the Attorney General had appealed her release order. Gaona denies the charges and maintains that the case against her is a set-up and is due to her left-wing political sympathies. She says she was not interrogated once during her three months' detention, and also questions the fact that she was detained in Cucuta when the case has been brought in Cartagena, more than 400km away. Her trial began on 15 February 2012, in Cartagena. There are concerns around the fairness of her trial. Gaona maintains that she has been depicted as a terrorist by the press, that witnesses against her are former members of the armed forces, and that the prosecution is using false recordings of allegedly incriminating telephone conversations as evidence against her. Her defence deny that it is Gaona's voice in the recordings and have complained that the Attorney General had not made public all the evidence against her, a violation of due process. As of 31 December 2014 the preparatory hearing, where the evidence for the defence is presented, had been repeatedly postponed. Gaona believes that the delays are due in part to a lack of dedicated legal



representation in her case. According to Gaona, the arrest warrant against her had still not been cancelled, meaning she could be re-arrested at any point. In September 2015, Gaona reported that – after resorting to approaching the police directly – she finally managed to get the arrest warrant against her cancelled, three years after her conditional release. As a result she can now travel freely within the country. The legal case against her continued although with no progress reported due to the repeated postponement of hearings. No further information as of 31 December 2015.

**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.

**\*Juan Esteban MEJÍA:**

**Profession:** Correspondent for *Semana* magazine **Details of trial:** Mejía was reportedly charged with defamation (*injuria*) by the attorney general on 16 June 2015 in connection with an article published by *Semana* in October 2011, which detailed alleged medical negligence. If convicted he could face between 16 and 54 months in prison. On 11 July 2015 the *Semana* magazine published an article stating that the article in question from 2011 had suffered editing errors not attributable to Mejía, thus theoretically freeing Mejía from any penal or journalistic responsibility for the article. Despite this, 30 September 2015 reports suggest that Mejía was awaiting to be formally charged by the prosecution and would soon appear in court for an initial hearing. It is unclear whether a formal trial has begun as of 31 December 2015. **Background:** Mejía claims that he is being charged because of an editing error and not his own mistake. According to news reports, Mejía claims that his report was wrongly edited to suggest that the plastic surgeon in question did not have a medical license.

Death threats

**Gonzalo GUILLÉN:**

**Profession:** an independent investigative journalist who has produced documentaries and reported for the Miami newspaper *El Nuevo Herald*, and reports for Colombian newspapers *El Tiempo* and *El País de Cali*. Guillén has received numerous death threats for his reporting and has had to flee the country for his own safety on several occasions. **Details of threats:** According to news reports, on 29 April 2015, Guillén was summoned to give testimony before the Supreme Court relating to a case currently being pursued against a former governor of Guajira department. After the hearing, Guillén reported that sources had overheard people discussing putting out a hit on him. **Background:** Guillén has been subject to slander, threats and harassment since he investigated links between Kiko Gómez, a former governor of La Guajira currently serving time in prison, and a crime syndicate. For details of threats and harassment in 2013 and 2014, see previous Case Lists.

**\*Ana Cristina RESTREPO JIMÉNEZ (f):**

**Profession:** columnist for *El Colombiano* and *El Espectador* newspapers **Date of threat:** 14 March 2015 **Details of threat:** Restrepo reportedly received a telephone call in which she was warned not to return to Medellín’s Lovaina neighbourhood or she and once of her contacts in the area would be killed. The anonymous caller also intimated that he knew where Restrepo’s children go to school. Restrepo reported the incident to Medellín police and the attorney general’s office. No further information as of 31 December 2015. **Background:** Restrepo had recently conducted interviews in Lovaina – known for its strong presence of drug gangs – for a chapter in a book about Medellín

neighbourhoods. She spoke to sources about local drug sales. **Awards:** Premio Nacional de Periodismo Simón Bolívar 2015

#### Harassed

##### **\*Yohir AKERMAN:**

**Profession:** former columnist for *El Colombiano* **Date of harassment:** 17 February 2015 **Details of harassment:** Akerman was reportedly fired as a columnist for *El Colombiano* after he criticised God and the bible for rejecting homosexuality in one of his columns, entitled 'Enfermos' (The Ill). No further information as of 31 December 2015. **Background:** The column in question came in response to a report by La Sabana University that classified homosexuality as an illness. In his column, Akerman criticised the university and the Constitutional Court for continuing to define homosexuality as an illness or treating the Lesbian, Gay, Bisexual, Transsexual, Queer and Intersex (LGBTQI) community as abnormal because of the teachings of the bible. Using citations from the bible, he demonstrates that public opinion has progressed beyond its teachings, such as demanding the stoning of women who lose their virginity before marriage or disobedient sons.

#### Case closed

##### **Yesid TORO MELÉNDEZ:**

**Profession:** writer and reporter for *Q'Hubo* and *El País* **Date of threat:** 29 September 2014 **Details of threat:** Toro's name was reported to be among that of eight others placed on a hit list by criminal group Los Urabeños. The death threat came in response to the journalists' coverage of the arrest of an alleged member of the group in Chile, and gave the journalists 24 hours to flee their respective departments. According to 29 April 2015 reports, Toro has admitted that he falsified the threats made against him in order to continue receiving state protection. He may now face civil and criminal proceedings. **Background:** Toro is the author of *Complot para matar al diablo (Plot to Kill the Devil)* (2013). In April 2013 he received death threats following its publication, leading him to flee Cali (see January-December 2013 case list for more information). Toro's protective measures were due to expire, however, after the announcement of the September "threats" his provisions were extended, as well as those of the other eight people listed on the hit list.

## **CUBA**

#### Imprisoned: main case

##### **José Antonio TORRES:**

**Profession:** correspondent for the government newspaper *Granma*. **Sentence:** 14 years in prison and the withdrawal of his university degree in journalism **Date of arrest:** February 2011. **Details of arrest:** Torres was arrested after writing articles about the mismanagement of an aqueduct project in Santiago de Cuba and the installation of fibre-optic cable between Venezuela and Cuba. **Current place of detention:** A detention centre in Santiago de Cuba **Details of trial:** In mid-June 2012, following a closed trial, Torres was reportedly convicted of espionage and sentenced to 14 years in prison and the withdrawal of his university degree in journalism. On 16 November 2012 it was reported that Torres had appealed against his conviction, but feared that his sentence could be increased as a result. According to 23 March 2015 reports, changes to the terms of Torres' imprisonment will now allow him to work and to visit his home. After being informed that he was to be placed under a "minimum severity regime" on 9 March, Torres was transferred from Boniato prison to a detention centre in Santiago de Cuba. No more information as of 31 December 2015. **Background:** Torres' 5,000-word article on the mismanagement of the aqueduct project, published in July 2010, was reportedly praised by President Raúl Castro, who wrote in *Granma* that "this is the spirit that should characterise the (Communist) Party press: transparent, critical and self-

critical.” His report on the fibre-optic cable was published four months later. Torres noted in neutral terms that the Vice President Ramiro Valdés was responsible for supervising both projects. Cuba’s state-run media has made only a few brief references to Torres’ case and little is known about the espionage charge, although there are rumours that he may have offered or given confidential information to the US Interests Section in Havana. **PEN Actions:** [RAN 09/13](#)

#### Imprisoned: investigation

##### **Yoenís de Jesús GUERRA GARCÍA:**

**Profession:** independent blogger with *Yaybo Press* agency. **Sentence:** seven years in prison **Date of arrest:** October 2013 **Details of trial:** Guerra was reportedly sentenced by a court in Sancti Spiritus on 13 March 2014 on charges unclear to PEN. Some media reports have suggested he was convicted of theft and killing of animals. According to news reports, Guerra claims that he has been targeted for his criticism of the government in his writings and his defence of human rights. No more information as of 31 December 2015. **Current place of detention:** Nieves Morejón Prison **Conditions of detention:** Guerra has reportedly been the repeated victim of treatment amounting to torture by prison staff. **Health concerns:** Guerra is reported to suffer from anxiety attacks related to his treatment in prison. **Background:** Guerra is reportedly also a member of the Council of Rapporteurs on Human Rights in Cuba (Consejo de Relatores de Derechos Humanos de Cuba – CRDHC) and a reporter for the *Boletín Voz Avileña*.

#### Attacked

##### **\*Lázaro Yuri VALLE ROCA:**

**Profession:** independent journalist and blogger for *YurielConteston* **Date of attack:** various in 2015 **Details of attack:** According to news reports, an unmarked car attempted to ram Valle in Havana on 9 May 2015. On 7 June 2015, he was reportedly arrested and taken to the Ministry of the Interior’s State Security Services headquarters, where he was interrogated and threatened in an attempt to dissuade him from covering the protests of the ‘Damas de Blanco’ (Ladies in White). He was then reportedly driven to another location where he was forced on to his knees and, while held at gunpoint, told, ‘Now you have been warned what could happen to you.’ During the second half of 2015, Valle was detained on at least three more occasions. Most recently he was held as part of a mass arrest of people involved in protests in Havana on 10 December 2015 (Human Rights Day). He is not believed to be under arrest or charged with any crime as of 31 December 2015. **Background:** Valle is reportedly often arrested on Sundays for his attempts to cover the protests of the Damas de Blanco. On 13 June 2015, Valle wrote to the Inter-American Press Association and Reporters Without Borders to denounce the continued repression of the opposition, including independent journalists in the country.

#### Harassed

##### **\*Enrique DÍAZ TORRES:**

**Profession:** independent journalist **Date of harassment:** 6 February 2015 **Details of harassment:** According to reports, Díaz was arrested by police and detained for three hours during which time they threatened to prosecute him if he continued his work as a journalist. No further information as of 31 December 2015.

**\*Bárbara FERNÁNDEZ BARRERA (f), Profession:** member of the Cuban Network of Community Journalists (Red Cubana de Comunicadores Comunitarios - RCCC)

**\*Misael AGUILAR HERNÁNDEZ, Profession:** member of the RCCC

**\*Jorge BELLO DOMÍNGUEZ:** member of the RCCC

**Date of harassment:** 27 May 2015 **Details of harassment:** According to reports, Fernández, Aguilar and Bello were arrested on 27 May 2015 as they made their way to a RCCC meeting in the capital. Bello, who was arrested separately, was reportedly interrogated and threatened with prosecution if he continued his journalism and writing for the “enemy.” They were all released later that day. No further information as of 31 December 2015. **Background:** Reporters with the RCCC are regularly harassed. In August 2014 Fernández and Aguilar were reportedly detained for eight hours by state security agents in order to prevent them from attending an RCCC meeting (see 2014 Case List). In April 2014, a group of members were arrested as they made their way to a network meeting.

**José Leonel SILVA GUERRERO:**

**Profession:** correspondent for *Hablemos Press* news agency **Date of harassment:** 11 March 2015 **Details of harassment:** Silva was reportedly arrested in a police raid on his home and detained for more than 10 hours. According to reports, State Security Department officials questioned him, stating that they had evidence that he was harbouring a fugitive from justice – an accusation he denied. Silva reportedly believes that the raid was an attempt to intimidate him following his reporting on unexplained deaths in Holguín province. No further information as of 31 December 2015. **Background:** In November 2014, Silva was reportedly summoned to court and threatened with legal sanctions if he refused to work for a state-run media outlet (see 2014 Case List).

Released

**Ángel SANTIESTEBAN PRATS:**

**Profession:** award-winning writer and author of the blog ‘The Children Who Nobody Loved’ (*‘Los Hijos que Nadie Quiso’*) **Sentence:** five years in prison **Date of arrest:** 28 February 2013 **Date of release:** 17 July 2015 (conditional release). **Details of trial:** convicted on 8 December 2012 for alleged assault and trespassing. The case dates back to 2009, when a number of charges were filed against him including charges of a hit and run and aggravated robbery. Santiesteban was eventually found guilty of having broken into his ex-wife’s house and physically assaulted her; all of the other charges were dropped. The writer maintains that the charges are fabricated and politically motivated, retribution for his blog which is critical of the Cuban situation and government. He also claims that he was informed of the outcome of the trial before it happened. According to the appeal lodged by Santiesteban’s lawyer in December 2012, there were a number of serious irregularities in the writer’s trial and sentencing. However, the Supreme Court confirmed Santiesteban’s five-year sentence on 28 January 2013. According to a 28 February 2014 report by Reporters without Borders, the National Association of Law Offices suspended Santiesteban’s lawyer for six months. **Conditions of detention:** Santiesteban reportedly developed skin cancer while in prison for which he received medical treatment. He complained of ill treatment during his detention and resorted to going on hunger strike on several occasions. On 26 September 2014, the Inter-American Commission on Human Rights (IACHR) reportedly requested that the Cuban government adopt the necessary protective measures to ensure Santiesteban’s physical safety after the editor of Santiesteban’s blog appealed to them with evidence of threats, mistreatment and psychological torture in June 2013. **Release:** Santiesteban was conditionally released on 17 July 2015 and is now on parole. He is reported to be calling for a re-trial. **Re-arrest:** On 4 November 2015, Santiesteban was reportedly detained by state security forces in Havana and brought to a police station where he spent a night in custody. The motives for his arrest were unclear; some police sources reportedly claimed that he was suspected of armed robbery while other sources state he was violating the terms of his parole. He was released without charge the next day. No further information as of 31 December 2015. **Background:** Santiesteban is a member of the official Union of Writers and Artists of Cuba (Unión de Escritores y Artistas de Cuba - UNEAC). On 20 July 2015, he published his latest book *Última Sinfonía*, a collection of short stories on violence in Cuba written while he was in prison. Santiesteban has won a number of awards for his writing. **PEN position:** PEN holds no position on Santiesteban’s guilt or innocence. However, it is concerned that his trial appears to have fallen short of international human rights

standards. It calls on the Cuban government to ensure that his appeal and request for a retrial are considered. (For full details of this case see 2014 Case List). **PEN Actions:** [RAN 09/13](#)

**Angel Yunier REMÓN ARZUAGA (aka “El Crítico del Arte”):**

**Profession:** rapper and human rights activist **Sentence:** Six years in prison **Date of arrest:** 26 March 2013 **Date of release:** 9 January 2015 **Details of arrest:** Remón was reportedly arrested following his attempt to stand up to an organised mob that harassed him at his home between 23 and 26 March 2013. The mob reportedly threw objects, including dead animals, at his home. Remón reportedly believes that the group was organised by the police. According to reports, Remón was accused of assaulting a police officer. **Details of trial:** Remón was reportedly sentenced to six years in prison on 15 October 2014 for contempt, public disorder and resisting arrest. **Details of release:** Remón was reportedly released as part of negotiations between the USA and Cuba for normalising relations between the two countries. No more information as of 31 December 2015. **Conditions of detention:** He was reportedly ill-treated while in prison. Remón reportedly contracted cholera while in detention in July 2013. On 16 October 2013 he began a hunger strike, which on 20 October he expanded to exclude liquids. Remón reportedly broke off his hunger strike on 11 November 2013 following promises that his case would be reviewed. **Background:** Remón’s wife reportedly suffered from continued harassment while he was in prison, and is frequently arrested alongside members of the Damas de Blanco opposition movement.

## DOMINICAN REPUBLIC

### Death threats

**\*Juan BOLÍVAR DÍAZ:**

**Profession:** journalist for *Hoy* newspaper and the TV station Teleantillas, Canal 2 **Date of harassment:** 26 January 2015 **Details of harassment:** Bolívar was reportedly labelled a traitor and threatened with death alongside Telesistema journalists **Luis Eduardo “Huchi” Lora, Amelia Deschamps (f)** and **Roberto Cavada** for openly supporting Haitians resident in the Dominican Republic. On 26 January, during a protest organized by nationalist groups such as the ultra-right-wing National Progressive Strength (FNP) in the city of Santiago, a man stated on television that ‘the traitors of the motherland deserve death’ and specifically named Bolívar. Earlier that month, on 16 January, an unidentified man shouted at Deschamps in a supermarket in Santo Domingo: ‘You are the first one who deserves to be killed! And after that, Huchi and Juan Bolívar! You are all traitors of the homeland!’ They continued to receive threats in February 2015. **Details of investigation:** The four journalists reportedly also filed two complaints at the prosecutor’s office in Santiago and Santo Domingo (National District). On 3 February, police informed the press that an investigation had been initiated. The same day, the Minister of the Interior and a high-ranking police officer reportedly visited Bolívar and told him that the President of the Republic had instructed them to carry out a thorough investigation. No further information as of 31 December 2015. **Background:** In May 2014, the Dominican Republic adopted Law 169/14, which denies Dominican citizenship to many persons of Haitian descent born in the Dominican Republic. The law is said to violate the American Convention on Human Rights.

### Case closed

**Robert VARGAS and Julio BENZANT:**

**Profession:** editor and journalist respectively for the news website Ciudadoriental.org **Details of trial:** The pair were facing charges of criminal defamation brought against them by a member of parliament, according to a 5 December 2013 Reporters Without Borders report. No further news as of 30 June 2015; case closed due to lack of information. **Background:** In 2012, Vargas faced similar

charges of defamation, which were subsequently dropped on 21 November 2012 (see July-December 2012 Case List).

## ECUADOR

### Death threats

#### **Javier BONILLA ‘BONIL’:**

**Profession:** cartoonist for *El Universo* newspaper **Date of threat:** 1 March 2015 **Details of threat:** Bonilla reportedly received threats on 1 March via a letter posted to *El Universo*. No more information as of 31 December 2015. **Background:** Bonilla has faced harassment previously from pro-government supporters in connection with a political cartoon published in January 2014 (see 2014 Case List). On 13 February 2015 the Superintendent of Information and Communication (Supercom) reportedly levied administrative sanctions against *El Universo* and Bonilla in reaction to the publication of a cartoon in August 2014 seen to be of a discriminatory nature. On 17 March 2015, Bonilla spoke before the Inter-American Commission of Human Rights (IACHR) during a hearing on the situation for freedom of expression in Ecuador. **Awards:** Inter-American Press Society (SIP) Grand Prize 2015 [**Stop press:** On 6 January 2015 Supercom said that it had admitted a new case against Bonilla for alleged ‘continued diffusion of discriminatory content’. The case was reportedly brought by one Geovanni Jaramillo on behalf of an Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) organisation on the basis of Bonilla’s publication of 28 December 2015.]

### Released

#### **Fernando VILLAVICENCIO:**

**Profession:** journalist for the digital publication Plan V, advisor to opposition party legislator Cléver Jiménez and author of *Sarayaku*, a book about his life in hiding published in November 2014 **Sentence:** 18 months’ imprisonment, reduced to 12 months **Date of release:** 23 March 2015 **Details of trial:** On 14 April 2014, Villavicencio was sentenced to 18 months in prison after he was found guilty of defaming President Rafael Correa along with opposition party legislator, Cléver Jiménez, and activist Carlos Figueroa. Jiménez was also handed down an 18-month term while Figueroa received a six-month sentence. In March 2014 the Ecuadorian authorities issued a detention order for Villavicencio. The order also suspends Jiménez’ citizenship rights for the duration of his sentence, and calls for the men to apologise to the president and pay US\$140,000 in damages. The authorities are reported to have requested Interpol’s assistance in detaining Villavicencio. According to the Committee to Protect Journalists, Villavicencio went into hiding in the Amazon in order to evade capture. His wife reports being followed by agents of Ministry of the Interior. On 26 August 2014, Villavicencio and Jiménez’ sentences were reportedly reduced from 18 to 12 months following revision under the new Integrated Penal Code (COIP). According to reports, on 23 March 2015 the Criminal Division of the National Court of Justice rescinded the sentence imposed on Villavicencio and Jiménez. The pair are reported to have come out of hiding. Figueroa had by then served out his sentence. According to WikiLeaks, in July 2015 Villavicencio reportedly filed a complaint to David Kaye, the UN Special Rapporteur on the Promotion and Protection of Freedom of Expression and Opinion, against Rafael Correa’s government concerning violations of his rights as well as political and police persecution, among other violations. Villavicencio contends that the Correa administration acted in contempt of precautionary measures issued by the Inter-American Commission on Human Rights (IACHR), which ordered the suspension of the sentence against the journalist and his two colleagues in March 2014. **New legal action:** According to reports, Villavicencio is now facing prosecution from the government over a book titled *Ecuador Made in China* which discusses the oil deals negotiated by Ecuador. No further information as of 31 December 2015. **Background:** In 2011, the three men reportedly filed a complaint against President Correa with

the attorney general for allegedly having ordered an armed intervention into a hospital for law enforcement officers during a police uprising in 2010. Prosecutors reportedly claimed that they did not find evidence to support the claims and threw out the complaint. President Correa filed a counter suit. Villavicencio regularly writes investigative reports on government corruption, especially concerning the oil industry. **Other information:** In December 2013, a group of officials and an armed team reportedly raided Villavicencio's home, confiscating his files and computer. The events were satirised in *el Universo*, resulting in a fine and an order to issue a correction after it was found that the cartoon violated Ecuador's Communications Law. On 24 March 2014, the IACHR issued precautionary measures on behalf of Villavicencio, Jiménez and Figueroa and demanded the suspension of the detention order against them.

## GUATEMALA

Killed: motive unknown

### **\*Danilo LÓPEZ:**

**Profession:** correspondent for *Prensa Libre* newspaper **Date of death:** 10 March 2015 **Details of death:** López was shot dead alongside Radio Nuevo Mundo correspondent **Federico Salazar** in Mazatenango, Suchitepéquez. Another journalist, cable TV station Óptimo 23 reporter **Marvin Túnchez**, was reportedly injured during the shooting in the Central Park. The shooting was carried out by two assailants on a motorbike. López died at the scene. **Details of investigation:** The local police arrested one of two suspects hours after the crime, according to reports. However, according to news reports dated 17 March 2015, the prosecutor investigating the case received a telephone call warning him not to continue investigating López' death. He is reported to have asked that the case be passed on to Major Risk unit. On 26 June 2015, three more suspects were reportedly arrested, including two police officers. According to 19 October 2015 reports, the judge in charge of the case declared that the trials had established that López was the primary target and that his murder was a contract killing. The trial, as well as investigations into the mastermind of the killings, was believed to be ongoing as of 31 December 2015. **Background:** López had worked for *Prensa Libre* for eight years, during which time he covered politics, current affairs and sports. The newspaper described him as being particularly noteworthy for his coverage of corruption and financial mismanagement on the part of local officials. He was the founder of the Suchitepéquez Journalists' Association (Asociación de Periodistas de Suchitepéquez). According to reports, López had been facing harassment at the hands of the local mayor, for which he had filed an official complaint with the Public Prosecutor. Cerigua reports that López had also been the victim of threats on the part of another mayor in Suchitepéquez department relating to the publication of an article published in July 2013. In addition, López had posted on social media denouncing corruption of local officials between 19 and 26 February 2015, according to *Prensa Libre*. **PEN Action:** [PEN Statement 12 March 2015](#)

Killed: impunity

### **Jaime Napoleón JARQUÍN DUARTE:**

**Profession:** journalist for *Nuevo Diario* newspaper **Date of death:** 20 March 2013. **Details of death:** Jarquín (63) was playing cards on the street with friends in Ciudad Pedro de Alvarado, Jutiapa, when unidentified gunmen got out of a farm vehicle and opened fire, killing the journalist and wounding two of his companions. Police indicated that the attackers remain unidentified and that the motive for the killing was still unknown. Colleagues of the journalist have suggested that Jarquín had not reported receiving any threats. On 30 June 2014, police reportedly arrested a 23-year-old man in connection with Jarquín's murder following the issuance of an arrest warrant on 19 June 2014. The man is thought to be a member of a gang of hit men known as Cristo Negro. He is also reportedly

implicated in the murder of the ex-governor of Jutiapa, Luis Alberto Lemus Ruano. No further information as of 31 December 2015. **Background:** Jarquín was a former professor who joined the paper three years prior to his death. He was the founder of a committee to create a new municipality and a consultant for various political candidates vying for the local mayor's position. *Nuestro Diario* is known for its coverage of crime and violence in Guatemala. **PEN Actions:** [RAN 13/13](#)

#### On trial

##### **Juan Luis FONT:**

**Profession:** editor of the magazine *Contrapoder* **Details of trial:** Font stands accused of criminal libel and 'ideological and material falsehood' in connection with an article published on 21 March 2014. The complaint is reported to have been brought against him by six members of the Libertad Democrática Renovada (LIDER) political party. According to news reports, Font issued a public apology for the article's mistakes and corrected the online version immediately following the filing of the complaint. However, the plaintiffs reportedly chose to bring additional charges, extending them to all of *Contrapoder's* staff and demanding 30 million quetzals (US\$ 3.8 million). According to 13 January 2015 reports, in its August 2014 edition *La Nación* published an article in which it alleged that Font had been receiving bribes in return for manipulating information. Font reportedly responded by filing a lawsuit for defamation against the newspaper on 12 January 2015. According to news reports, Font may now be facing charges of money laundering filed by members of LIDER. No more information as of 31 December 2015. **Background:** In July 2014, Font and other colleagues working for Canal Antigua TV station were charged with plagiarism. The lawsuit claims that the name of a reality TV programme hosted on the channel was plagiarised from a regional newspaper.

#### Death Threat

##### **\*Jaime SOC:**

**Profession:** Journalist **Date of threat:** 25 August 2015 **Details of threat:** Soc reported receiving a threatening phone call from a mayoral candidate in Cantel, in the western department of Quetzaltenango, where the caller reportedly told him 'I will break your legs if you continue publishing.' **Details of investigation:** Soc has formally denounced the threat via the Public Ministry which will investigate. No further information as of 31 December 2015. **Background:** Soc reportedly received other threats from members of the Partido Libertad Democrática Renovada (Lider) after an article in which he claimed that the party bought a social project for campaign gains.

#### Attacked

##### **\*Edwin PITAN:**

**Profession:** Reporter for *Prensa Libre* **Date of attack:** 23 July 2015 **Details of attack:** Pitán was among a group of journalists outside the Supreme Court when he was reportedly attacked by a security guard of the vice-president of the Libertad Democrática Renovada (Lider) party after attempting to interview the politician as he was entering his vehicle. The politician had reportedly been attending an event protesting against the 'criminalisation of politics' along with deputies and mayoral candidates. No further information as of 31 December 2015. **PEN Action:** [statement](#) by PEN Guatemala 28 July 2015

## **HAITI**

#### Killed – impunity

##### **Georges Henry HONORAT:**

**Profession:** editor-in-chief for the weekly newspaper *Haiti Progrès*, aide to Haiti's prime minister and secretary general of the Popular National Party, an opposition party which opposed the Duvalier



dictatorships **Date of death:** 23 March 2013 **Details of death:** Honorat was shot dead when two masked hit men reportedly opened fire on him while passing his house on a motorbike, shooting him twice. According to reports, the newspaper had received threats prior to the shooting. Employees of the paper reportedly suspect 'grassroots organisations' were responsible for the killing. **Details of investigation:** An investigation was opened but no motive was suggested. No further information on the murder investigation as of 31 December 2015; PEN is seeking an update. **Background:** In 2008 *Haiti Progrès* reportedly lost two of their journalists in a sudden outbreak of mob violence in northern Haiti while covering a national senate campaign.

## HONDURAS

### Killed – impunity

#### **José Noel CANALES LAGOS:**

**Profession:** reporter for the news website Hondudiario **Date of birth:** c 1979 **Date of death:** 10 August 2012 **Details of death:** According to reports, Canales was driving to work in Comayagüela when a group of men opened fire on his vehicle, shooting him in the head. The motive for the attack was unknown. Canales had also worked for Sepoc news, a company dedicated to monitoring national news. According to news reports he had received frequent death threats since 2009. According to a letter from the Office of the Public Prosecutor (Ministerio Público) dated 16 July 2013, Lagos is not considered to be a journalist as he transcribed the news for *Hondudiario*. PEN is seeking to establish whether an investigation into his murder is taking place. No further information as of 31 December 2015. **Background:** On 16 October 2012, it was reported that a contributor to Hondudiario, **Aristedes Aceituno**, had been receiving anonymous telephone threats in relation to its investigations into excessive use of helicopters by the government and the debt it allegedly owed to the helicopter rental company. The website was reportedly also hacked.

#### **Erick MARTÍNEZ ÁVILA:**

**Profession:** journalist and gay rights activist **Date of birth:** c 1981 **Date of death:** 7 May 2012 **Details of death:** Martínez was found dead and dumped in a ditch in Guasculile, north of Tegucigalpa. He had been strangled. Martínez was a well-known spokesman for the lesbian and gay rights group Kukulnan and was politically active in the National Popular Resistance Front (Frente Nacional de Resistencia Popular - FNRP) and Freedom and Re-Foundation (Libertad y Refundación - LIBRE). LIBRE is the political wing of the FNRP, grassroots movement led by Xiomara de Castro Zelaya the wife of Manuel Zelaya, the former Honduran president who was deposed in a coup in 2009. The motive for Martínez' murder was unknown. **Details of investigation:** On 12 September 2012, the police arrested Eduardo José López Gutierrez (18) on a bus in El Pedregal. López, thought to be a member of the '18' gang, was one of the main suspects in the investigation and was expected to be charged with murder and theft of a car. Testimony of protected witnesses reportedly placed López and two other accomplices at the scene. There were conflicting reports as to the status of López' alleged accomplices. While some reports claimed that one was in prison and the other dead, other reports suggested that the police were still looking for the accomplices. Police reportedly suspect that Martínez Ávila was picked up in a stolen car, strangled and left at the side of the road. The police had not yet confirmed the motive for Martínez Ávila's murder. According to the Office of the Public Prosecutor (Ministerio Público), as of 16 July 2013 two suspects had been charged, one of whose cases was at the preliminary hearing stage and the other at the preparatory hearing stage. According to reports, on 30 June 2014 one of the accused accomplices was absolved of Martínez' murder. The court deemed that the public prosecutor had failed to produce evidence to support the charge of murder (*asesinato*) – which implies a level of premeditation – allowing a charge of manslaughter (*homicidio simple*), ruling that the public prosecutor failed to prove the accused's involvement. The court ruled that the man should be released. The reading of the sentence was scheduled for 6

August 2014. According to news reports, witnesses' testimony was deemed unreliable as was evidence gathered at the scene, including DNA evidence. News reports indicate that the accused had already been arrested on charges of armed robbery at the time of Martínez' murder, making it impossible for him to have participated in the crime. On 28 January 2015, the main suspect in Martínez' murder, Eduardo José López Gutierrez, was reportedly abducted and killed after having escaped from a young offenders' detention centre in November 2014. No further information as of 31 December 2015.

#### On Trial

##### **\*Cesario Alejandro Félix PADILLA FIGUEROA:**

**Profession:** journalism graduate, student leader and founding member of PEN Honduras **Details of charges/ trial:** A law suit has reportedly been filed against Padilla for taking part in student protests in the Honduran National Autonomous University (UNAH) in the capital Tegucigalpa. On 14 July, Padilla and his two co-defendants were reportedly ordered not to leave the country and to report to the court on a weekly basis. According to reports, the charge brought against him on 17 July 2015 is alleged 'usurpation' of UNAH property, under Article 227 of the Honduran Penal Code, after Padilla allegedly took part in the occupation of a university building during a student protest. The charges were upheld at an initial hearing on 5 August 2015. If convicted, Padilla faces a prison sentence of between two and four years. **Threats:** On 15 August 2015, Padilla reported that in the previous few days he had been tailed by two unknown armed men in his neighbourhood who had also been keeping watch over his home. The men had made it known to Padilla that they intended to harm him. He and PEN Honduras believe that this surveillance was in retaliation for his activities as a student leader. He feared for his safety. No further information as of 31 December 2015.

**Background:** Padilla and his two co-defendants were among six UNAH students arbitrarily suspended from the university in December 2014 after taking part in previous protests about access to state education and student participation in governance of the university. They were subsequently re-admitted to the university after a ruling by the Honduran Supreme Court of Justice in February 2015. All three are also members of a student committee where they document alleged human rights abuses within the UNAH (*Comité Pro Defensa de los Derechos Humanos*). The most recent charges stem from Padilla's role in the recent widespread student protests against the privatisation of the university and calling for democratisation of the governing bodies of the UNAH. **PEN Actions:** [PEN Honduras statement 6 August 2015](#); [PEN statement 17 August 2015](#)

##### **\*Samuel Antonio VÁSQUEZ:**

**Profession:** journalist for [www.laviacampesina.hn](http://www.laviacampesina.hn) **Date and details of trial:** On 16 July 2015 Vásquez was reportedly arrested in the village of Plan de Santa María in the department of La Paz while covering a violent eviction of peasants and farmers which left many injured. Vásquez reportedly remained detained until 21 September 2015, along with 14 other peasants, under charges of illegal land occupation, environmental crimes, theft, sedition and terrorism. All were released with precautionary measures, told not to leave the country and made to present themselves before a court once a week. No further information as of 31 December 2015; it is unclear whether the charges against Vásquez have been dropped.

#### Death threat

##### **Leticia ELVIR LAZO (f):**

**Profession:** poet and writer, founding member of PEN Honduras, and lecturer for the UNAH National University of Honduras (Universidad Nacional Autónoma de Honduras – UNAH). Elvir reported being subjected to death threats and ongoing harassment in the first half of 2015. As a result, she left the country in August 2015. **Details of death threat:** On 24 June 2015, Elvir told PEN that she had recently been informed that her name featured on another "hit list" comprised of professors, students and union members of UNAH to be targeted for assassination. This is particularly

concerning given the murder of UNAH lecturer Héctor Orlando Martínez Motiño on 17 June and the reported disappearance of another union leader connected to the UNAH, Donatilo Jiménez, on 8 April. Elvir's name previously appeared on a "hit list" alongside those of 35 other journalists, lawyers, human rights defenders and activists who had been "investigated" and were reportedly targets for assassination in the run up to the 24 November 2013 presidential elections (see 2013 case list).

**Details of harassment:** Elvir reported that her security situation generally worsened in the first half of 2015. She believed that her phone was tapped and reported being the target of increasing surveillance at her home and workplace. Her health has deteriorated as a result. As of February 2015, the UNAH authorities had not responded to a complaint she made about an incident of harassment at her workplace in late 2014. On 27 October 2014, attempts were made to physically prevent and intimidate her from attending a University Council meeting. She reports that, as president of the UNAH's Humanities and Arts Faculty's Board, she was entitled to attend; however, members of the UNAH's security team attempted to physically restrain her when she entered the building. Once seated, she reports that the head of security – a former captain in the military – then ordered two young men to photograph and film her, close up. When confronted, the head of security reportedly claimed that he would be filing a report about her, but did not detail to whom, and claimed that the man taking photographs worked for *Presencia Universitaria*, a university newspaper. Elvir was followed by the photographer as she spoke to students attending the meeting. She reports that her car has previously been photographed. Elvir reported this incident to the university ombudsman, PEN Honduras and local rights group CPTRT. Also in October 2014, the university authorities tried to prevent her from attending a conference in the USA because she "spoke badly about the authorities", according to Elvir. She reports that she was followed by unmarked cars with tinted windows as she was driving home in November 2014.

#### Attacked

##### **\*Dunia MONTOYA:**

**Profession:** journalist for *Vida Laboral* (Working Life) magazine **Date of attack:** 1 September 2015

**Details of attack:** Montoya was among five Honduran journalists who were attacked by the security forces with tear gas and firearms to force them to disperse during tense anti-government demonstrations in El Progreso, Yoró department. Montoya was hospitalised with a broken arm after being beaten by the members of national police. No more information as of 31 December 2015.

#### Threatened

##### **Dina MEZA (f):**

**Profession:** journalist and human rights defender. Meza has worked for a number of human rights organisations and digital media outlets since 1989. She is the author of the Honduras chapter in *Vamos a portarnos mal: protesta social y libertad de expresion en América Latina* (Let's misbehave: social protest and freedom of expression in Latin America) (Friedrich-Ebert Stiftung, Bogotá, 2011) and *Kidnapped: Censorship in Honduras* (Eva Tas Foundation, 2015). In 2014 she was elected President of the newly established PEN Honduras Centre of which she is a founding member **Date of threat:** Since 2006 **Details of threats:** Meza's security situation continued to be a concern in 2015. As of 20 July, she had reported 20 security-related incidents linked to her work since January to the non-governmental organisation Peace Brigades International (PBI), which provides her with protective accompaniment. For example, she and other Honduran NGO representatives attending the pre-session of the UN's Universal Periodic Review (UPR) of Honduras in Geneva in April were the subject of a smear campaign in the media by the Honduran government. In June, she reported that she was under surveillance and her car was sabotaged on two occasions in the days leading up to and after the murder of university lecturer Héctor Orlando Martínez Motiño on 17 June; Meza and lawyer Kenia Oliva, also a member of PEN Honduras, had been accompanying Martínez in his quest for protection. On 21 July Meza was the subject of a smear campaign on her Facebook page; the man

responsible was seen taking photographs of her home on 21 August, and sent her more defamatory messages the next day. On 29 July, Meza felt so threatened by a man who was following her that she stood beside a security guard and phoned PBI for help. On 5 and 7 September Meza received viruses via email thought to be spyware. On 8 September, unidentified men reportedly attempted to run over Meza; she was also the subject of a verbal attack by two men. She remains at risk as of 31 December. **Background:** Meza began her work as a human rights defender in 1989 after one of her brothers, a carpenter who was part of an agricultural collective with connections to the *campesino* (rural worker) movement, was abducted by security forces and detained incommunicado for a week, during which time he was tortured and accused of being a *guerrilla*. She has been subjected to threats and harassment on a regular basis since 2006, when a lawyer who formed part of her team supporting security guards whose labour rights were being violated was killed. Since then, she has reported being followed, watched and threatened, including receiving death threats and threats of sexual violence. She also reports that her communications have been intercepted and her vehicle sabotaged. None of these incidents have been properly investigated. Meza and her family have had to move house several times since 2012 for security reasons and she left Honduras temporarily in 2013 due to her security situation. Meza believes that recent harassment is in part linked to her campaigning on behalf of journalist **Julio Ernesto Alvarado** (see below). Meza has been the beneficiary of precautionary measures from the Inter-American Commission on Human Rights since 2006 but these have had little effect. PEN International believe that she is targeted for exercising her right to free expression and that her physical security is at risk. (See 2014 Case List for more details). **Awards:** 2007 Amnesty International UK's Special Award for Human Rights Journalism Under Threat; 2014 Oxfam Novib/PEN International Freedom of Expression Award. **Honorary member:** PEN Català **PEN Actions:** [Day of the Imprisoned Writer Case 2013](#); appeared at [Free the Word! Event at Hay Cartagena 2014](#); [PEN press release 14 February 2014](#); [International Women's Day Case 2014](#); brought by PEN to testify at [Inter-American Commission on Human Rights May 2014](#).

## MEXICO

*PEN is monitoring the cases of some 66 print journalists and writers killed in Mexico since 2004. The following list gives details of deaths in the period January to June 2015 ('Killed' and 'Killed: motive unknown') as well as cases from previous periods where there have been recent developments ('Killed: impunity'). The full list of names of writers killed since 2004 is available upon request.*

### Killed

#### **\*José Moisés SÁNCHEZ CERESO:**

**Profession:** owner and journalist for *La Unión*, a free weekly newspaper circulated in communities surrounding Medellín de Bravo, Veracruz state **Date of death:** 2 January 2015; body discovered on 24 January 2015 **Details of death:** Sánchez was reportedly abducted from his home in Medellín, Veracruz state, by a group of heavily armed men on 2 January 2015. His abductors confiscated his camera, laptop and mobile phone before forcing him into one of three vehicles. According to his son, Sánchez had been warned against continuing his reporting on 30 December 2014 when a man approached his home. Sánchez had recently reported on – and participated in – protests against alleged abuses carried out by the mayor of Medellín. His family are reported to believe that he has been targeted for these articles. In a public statement, the mayor of Medellín denied any involvement and confirmed that he had been in direct contact with the family, according to news reports. **Details of investigation:** The Veracruz state attorney general is reported to have led investigations into Sánchez' disappearance in coordination with the federal Special Prosecutor for Crimes against Freedom of Expression (Fiscalía Especial para la Atención de Delitos cometidos en contra de la Libertad de Expresión - FEADLE). They reportedly interviewed at least 60 people in connection with his disappearance, including several public employees and the town's mayor.

Thirteen members of the municipal police were arrested in connection with his disappearance on 5 January 2015, according to a statement by the attorney general's office. Sánchez' body was reportedly discovered in bin bags in the municipality of Manlio Fabio Altamirano on 25 January 2015 after a man arrested in the course of the investigation into the journalist's disappearance confessed. Sánchez was reportedly killed on the same day as his disappearance, 2 January. The arrested man, then one of six suspects, is reported to be a former police officer with a disbanded inter-municipal police unit and connected to a local drug-dealing gang. He claims that the hit was ordered by the deputy chief of the municipal police – who also acts as chauffeur and security guard to the mayor of Medellín de Bravo – who was in turn acting on behalf of the mayor himself. The state attorney general's office has reportedly requested the impeachment of the mayor so that they might then charge him for his role in Sánchez' murder, however, the mayor is reported to have fled the state. According to the journalist's son, there have been numerous irregularities in the investigation. The Veracruz state authorities were seeking the five other suspects with the assistance of the state police force (*Fuerza Civil*) and Navy (*Secretaría de Marina*). On 21 March 2015, FEADLE informed PEN International that five suspects were charged with Sánchez' murder on 24 January, the day his body was found. Two of them were also charged with failure to follow orders, along with one other suspect. FEADLE says it had referred Sánchez' family members to the Victims' Commission and to the national journalists' protection mechanism. However, FEADLE declined a request by Sánchez' wife and son to assert jurisdiction over the case. The Veracruz state authorities are therefore in charge of the murder investigation. On 17 November 2015 the deputy chief of the municipal police of Medellín was released from prison after a federal judge accepted his appeal on the grounds that there was not enough evidence to keep him in jail. The charges against him were reportedly not dropped. **Background:** Sánchez was an active member of his community, who regularly participated in protest marches and had denounced the increase in violent crime in the area. He was also a taxi driver and shop owner. **PEN Action:** [PEN Statement 27 January 2015](#)

**\*Filadelfo SÁNCHEZ SARMIENTO:**

**Profession:** host of news programme of a Favorita 103.3 FM La Voz de la Sierra Sur radio station and contributor to local newspapers **Date of death:** 2 July 2015 **Details of death:** Sánchez was reportedly shot dead outside his offices in Miahuatlan, Oaxaca state, on the morning of 2 July 2015. He and his colleagues at the radio station had reportedly received death threats in the run-up to the June 2015 congressional elections; the radio station is reported to regularly receive threats. No further information as of 31 December 2015. **PEN Action:** [PEN statement 8 July 2015](#)

Killed: motive unknown

**\*Ismael DÍAZ LÓPEZ:**

**Profession:** reporter for *El Criollo* and *Tabasco Hoy* newspapers **Date of death:** 18 June 2015 **Details of death:** Díaz was reportedly killed at his home in the municipality of Teapa, Villahermosa, Tabasco State. According to the Inter American Press Association, unknown assailants broke into his home and attacked him with a knife. He received wounds to the chest and died on his way to hospital. **Details of investigation:** The state attorney general's office (Fiscalía General del Estado) reportedly tweeted that the strongest line of enquiry is that his murder was linked to a family conflict, which they have based on pre-existing legal evidence. According to another tweet by the state attorney general's office, they are working in coordination with the federal Special Prosecutor for Crimes against Freedom of Expression (Fiscalía Especial para la Atención de Delitos cometidos en contra de la Libertad de Expresión - FEADLE). No further information as of 31 December 2015. **Background:** Díaz reportedly covered events in Teapa and Tlacotalpa for *Tabasco Hoy* and crime for *El Criollo*. According to news reports, Díaz was having problems with his ex-wife, who had recently denied him access to his children. According to an article published on *Tabasco Hoy*, his family suspects that Díaz was murdered by his step-son in complicity with Diaz' ex-wife. **PEN Action:** [PEN statement 8 July 2015](#)

**\*Juan MENDOZA DELGADO:**

**Profession:** editor of local news website *Escribiendo la verdad* ('Writing the truth') **Date of death:** 30 June or 1 July 2015 **Details of death:** Mendoza was reported missing on 30 July and his body was found the next day. According to news reports, the journalist left his home in Medellín de Bravo, Veracruz State, on 30 June to cover his shift as a taxi driver, but failed to return later that evening. Unofficial reports suggested that he had been run over and was found on the roadside between Santa Fe-San Julián de Veracruz. **Details of investigation:** According to news reports, the state attorney general confirmed that Mendoza was run over on the Santa Fe-San Julián de Veracruz motorway in the early hours of the morning. Mendoza's wife and local press reports questioned the official version of his death, pointing out that his body was found far from his usual work route and, according to some, his body showed signs of torture. Mendoza's wife was reportedly not aware of the journalist having received any threats prior to his death. It is unclear whether an official investigation is underway as of 31 December 2015. **Background:** Mendoza reportedly covered the crime beat for *Escribiendo la verdad*. He had reportedly criticized local politicians and organised crime groups in his columns. Previously he covered the crime beat for the local daily newspaper *El Dictamen* for more than a decade, according to news reports. He also worked part-time as a taxi driver. He is the second journalist to be killed in Medellín de Bravo this year (see **Moisés Sánchez Cerezo**, under 'Killed'). **PEN Action:** [PEN statement 8 July 2015](#).

**\*Gerardo NIETO ÁLVAREZ:**

**Profession:** editor of the weekly newspaper *El Tábano, voces independientes del Río Laja* **Date of death:** 26 June 2015 **Details of death:** Nieto was reportedly found dead by his daughter at his offices in Comonfort, Guanajuato state, on 26 June 2015. While there are conflicting reports surrounding exactly how he died, it is believed that his throat was slit. **Details of investigation:** The state attorney general is said to have opened an investigation. According to the online newspaper *Zona Franca*, the state attorney general ruled out any connection to his work, claiming that the authorities had discovered many empty bottles of alcohol and a possible weapon, which they believe could have been used to kill him. Investigators reportedly believe from a preliminary analysis of the crime scene that he had been drinking with at least two individuals before he died and that an argument may have broken out. The authorities have reportedly summoned three separate people thought to have been with Nieto in the hours prior to his death for questioning. According to his son, Nieto's laptop, which contained information he was going to publish around the time of his murder, disappeared at the time of his death. No further information as of 31 December 2015. **Background:** *El Tábano* is reported to be a publication dedicated to the coverage of local politics in Guanajuato state. **PEN Action:** [PEN statement 8 July 2015](#)  
Killed: impunity

**Marco Antonio ÁVILA GARCÍA:**

**Profession:** reporter for newspapers *Diario Sonora de la Tarde* and *El Regional de Sonora* **Date of death:** 17 or 18 May 2012 **Details of death:** Ávila was abducted and murdered in Obregon, Sonora State. Witnesses say that he was approached at a car wash by armed men and asked if he was a journalist. After replying that he was, he was then bundled into a waiting truck. His body was discovered dumped on a road hours later. He had been tortured and then strangled to death. Police say that a note, reportedly signed by a cartel, was found near his body. They did not reveal the contents of this note. **Details of investigation:** According to communications with the federal Special Prosecutor for Crimes against Freedom of Expression (Fiscalía Especial para la Atención de Delitos cometidos en contra de la Libertad de Expresión - FEADLE), the case was being investigated by the attorney general of Sonora. No further information as of 31 December 2015. **PEN Action:** [RAN 26/12](#)

**Víctor Manuel BÁEZ CHINO:**

**Profession:** crime reporter for the daily newspaper *Milenio El Portal de Veracruz* and editor of the



website [reporterospoliciacos.mx](http://reporterospoliciacos.mx) **Date of death:** 14 June 2012 **Details of death:** According to reports, Báez Chino was kidnapped by a group of armed men as he was leaving his office late at night on 13 June 2012. In the early hours of the next morning, his body was found dumped in a street in the state capital Xalapa near where the offices of the newspapers *Oye Veracruz*, *Gráfico de Xalapa* and *Diario de Xalapa* are located. **Details of investigation:** Local and federal authorities have said they believe Báez Chino to be a victim of organized crime. According to reports, the drugs cartel Los Zetas are suspected to be responsible for the murder. On 15 August 2012, the Attorney General of Veracruz, Amadeo Flores Espinosa, announced that authorities had solved the case. The attorney general said that witnesses had identified two members of the Zetas cartel who were killed in a shootout with authorities in June as responsible for the murder. Flores did not elaborate on the case or take any questions. The Committee to Protect Journalists and other press freedom groups are sceptical, noting that the authorities have been unwilling to provide credible details to support their announcement that the murder has been solved. No further information as of 31 December 2015. **PEN Action:** [RAN 30/12](#)

**Mario Ricardo CHÁVEZ JORGE:**

**Profession:** founder, director and contributor to the news website *El Ciudadano* **Date of death:** Between 24 May and 24 June 2013 **Details of death:** Chávez was reportedly found dead in Ejido Santa Clara, Tamaulipas state, on 24 June 2013. His body was discovered partially buried alongside the decapitated corpse of an unidentified female victim thought to be unconnected to him. Press reports at the time indicated that the journalist had been missing for about two weeks, and that he had been kidnapped by a group of armed men as he left a cinema in Ciudad Victoria. Chávez' Twitter account had been inactive since 22 May. According to a 7 August 2013 article by the Committee to Protect Journalists (CPJ), Chávez went missing on 24 May 2013; *El Ciudadano* website went dark at the same time. His girlfriend, who reported him missing on 30 May 2013, reportedly told police that she had received ransom demands over the telephone. CPJ's report also indicates that police received an anonymous telephone call on 10 June 2013 which led them to Chávez' dismembered body. However, the state attorney general's spokesman reportedly denied that the office had received any report of Chávez' death. **Details of investigation:** According to federal officials, state investigators did not conduct any forensic work at Chávez' home or at the site where his body was found. The federal Special Prosecutor for Crimes against Freedom of Expression (Fiscalía Especial para la Atención de Delitos cometidos en contra de la Libertad de Expresión - FEADLE) opened a parallel investigation into the case without having asserted jurisdiction over the case and stated that she had identified key witnesses. Four people who worked for *El Ciudadano* had reportedly gone into hiding since Chávez' went missing. According to a 15 January 2014 report by *Diario19*, the official investigation determined that the motive for Chávez' killing was not related to his journalistic work and closed the case. No further information as of 31 December 2015.

**Guillermo FERNÁNDEZ GARCÍA:**

**Profession:** poet and translator **Date of birth:** 2 October 1932 **Date of death:** 31 March 2012 **Details of death:** Neighbours discovered his body at his home in Toluca. He had been bound and killed with a blow to the head. Nothing was stolen by the killer or killers and the motive for the murder is unknown. However, some are suggesting that the killer(s) was/were known to Fernández as there were glasses of wine and full ashtrays in the room with the body. **Details of investigation:** According to official correspondence with the Mexican authorities, the case was referred to Mexico's attorney general. On 4 April 2013, it was reported that attorney general's office had failed to make headway in its investigation. According to PEN International's information, the case remains at a standstill as of 31 December 2014. No further information as of 31 December 2015. **PEN Action:** [RAN 16/12](#)

**María del Rosario FUENTES RUBIO (f):**

**Profession:** Doctor citizen journalist who tweeted about violence and organised crime under the pseudonym 'Felina' using the @Miut3 account **Date of death:** 15-16 October 2014 **Details of death:**



Fuentes was reportedly kidnapped by armed men as she left the Tierra Santa clinic in Tamaulipas, where she worked as a doctor, on 15 October 2014. One day later, tweets were sent from her account deterring people from risking their lives by informing about organised crime, and warning them that the cartels were closing in on them. Subsequent tweets exposed her true identity and posted two images of Fuentes – the first alive, the second apparently dead. **Details of investigation:** As Fuentes’ body has not yet been found, the case officially remains open as a kidnapping. The case is thought to be being pursued by the anti-kidnapping squad, after family members filed a report on her abduction. According to a press statement by the Tamaulipas Attorney General, officials believe that Fuentes’ abduction and probable murder are linked to her work as a doctor. According to information provided by the federal Special Prosecutor for Crimes against Freedom of Expression (Fiscalía Especial para la Atención de Delitos cometidos en contra de la Libertad de Expresión - FEADLE) in March 2015, Fuentes was involved in an incident at the hospital involving the treatment of an assumed gang-member for a gunshot wound. Fuentes reportedly quit her job at the hospital three days later. The investigation into the case remained ongoing. No further information as of 31 December 2015. **Background:** Fuentes had reportedly contributed to Valor por Tamaulipas (Courage for Tamaulipas), a website used by citizen journalists to report on criminal activity, until she felt forced to stop in 2013 for safety reasons. She is also reported to have regularly posted to a related Facebook page called Responsabilidad por Tamaulipas (Responsibility for Tamaulipas). In February 2013 an unidentified drug cartel offered a reward of US\$44,000 for the identities of Valor por Tamaulipas’ administrators. **PEN Action:** [17 November 2014 Statement](#).

**Jesús Antonio GAMBOA URÍAS (“El Tony Gamboa”):**

**Profession:** editor of the magazine *Nueva Prensa* **Date of death:** 10 October 2014 **Details of death:** According to local news reports, Gamboa was reported missing on 10 October 2014 and was found semi-buried in Villa de Ahome, Sinaloa state, 12 days later. **Details of investigation:** The Sinaloa state attorney general reportedly ruled out Gamboa’s journalism as a possible motive, indicating that the murder related to a confrontation in a bar with one of its employees. The authorities reportedly arrested the bar employee and her partner after one of the suspects used Gamboa’s credit card. According to reports, Gamboa had a disagreement with the barmaid, who immediately called her partner, who went to the bar along with several men. Gamboa was reportedly dragged from the establishment and taken behind a local motel where he was shot multiple times. On 20 March 2015 it was reported that the Attorney General’s office had arrested two further suspects in Gamboa’s murder, one of whom is suspected of firing the shots. According to reports, the authorities suspect that Gamboa was mistaken for a member of a drug gang. No more information as of 31 December 2015. **PEN Action:** [17 November 2014 Statement](#)

**Jaime Guadalupe GONZÁLEZ DOMÍNGUEZ:**

**Profession:** editor and reporter for the news website *Ojinaga Noticias* ([www.ojinaganoticias.com.mx](http://www.ojinaganoticias.com.mx)) **Date of birth:** 1975 **Date of death:** 3 March 2013 **Details of death:** Shot dead by a group of armed men in the centre of Ojinaga, Chihuahua state. González (38) was reportedly shot 18 times at close range with large-calibre firearms. The woman he was with at the time of the shooting was unharmed. Witnesses said that the only thing taken during the attack was González’ camera, leading to speculation that he was targeted for photographs that he had taken. According to the newspaper *La Jornada*, the camera contained photos of a member of a criminal gang. González’ colleagues at *Ojinaga Noticias* believe that González was targeted for his journalism. They decided to suspend all activities the day after the murder for fear that they might also be targeted. The website covered community events, local sports, crime and politics. According to the newsweekly *Proceso*, González had been working on articles about issues affecting people who work on the streets and had been due to publish a second article on the subject before he was killed. Reportedly among the last stories posted on the website were two about the arrest of racketeers and recent murders in Ojinaga. On 12 March 2013 it was reported that González had received repeated written threats from persons demanding that he ignore certain subjects. For this reason, he had reportedly been considering

selling the news website and moving to Mazatlán, Sinaloa state. These reports lend support to the theory that he was killed in connection with his work. **Details of investigation:** A spokesperson for the Chihuahua state Attorney General's office has stated that the authorities do not consider theft to be the motive for the murder. No further information as of 31 December 2015. **Background:** Prior to setting up *Ojinaga Noticias*, González reportedly worked for several years as a journalist for a local weekly newspaper, *Contacto*, but resigned after receiving threats. Ojinaga is reportedly disputed territory for organised crime groups vying to control drug trafficking routes to the United States. **PEN Action:** [RAN 11/13](#)

**Miguel Ángel GUZMÁN GARDUÑO:**

**Profession:** Opinion columnist for the daily newspaper *Vértice* and primary school teacher. **Date of death:** 23 January 2014. **Details of death:** Guzmán (55) was reportedly found dead at his home in Chilpancingo, capital of Guerrero State. His body, discovered in his bedroom, was reported to have been in an advanced state of decomposition. **Details of investigation:** Statements made by Mexican authorities have indicated that they believe that Guzmán was beaten to death in a suspected robbery, on the basis that a number of electrical items had been removed from his home and his car was also missing. However, on 24 January 2014 the chief of the National Commission of Human Rights (Comisión Nacional de los Derechos Humanos- CNDH) called on the federal and state authorities to conduct a timely and thorough investigation into Guzmán's murder as an attack on freedom of expression. The CNDH also launched its own parallel investigation into the killing. No further information as of 31 December 2015. **PEN Action:** [3 March 2014 statement](#)

**Gregorio JIMÉNEZ DE LA CRUZ ("Goyo"):**

**Profession:** Reporter covering the police beat for the newspaper *El Liberal del Sur* and the news agency *NotiSur*. **Date of death:** 6 February 2014; body found 11 February 2014. **Details of death:** Jiménez (42) was abducted by armed men from his home in Coatzacoalcos on 5 February and reportedly forced, handcuffed, into an unmarked pickup truck. His body was found in a clandestine grave in Las Choapas, Veracruz State, alongside the body of union leader Ernesto Ruiz Guillen and an as yet unidentified taxi driver. Forensic reports indicate that it is likely that he was killed the day after he was kidnapped, on 6 February 2014. **Details of investigation:** The initial stages of the investigation into Jiménez' abduction were widely reported to be inadequate; however, a joint operation conducted by the army, navy and Veracruz state police was later instigated. The arrest of a man at Coatzacoalcos bus station by members of the Veracruz Investigation Agency (Agencia Veracruzana de Investigaciones –AVI) on 10 February 2014 led to the discovery of Jiménez' body and the apprehension of five other suspects. On interrogation, the man reportedly confessed to his role in Jiménez' murder and identified Teresa de Jesús Hernández – Jiménez' neighbour and owner of a local bar – as the mastermind of the crime. According to the Veracruz state prosecutor (Procurador General de Justicia de Veracruz), Felipe Amadeo Flores Espinosa, Hernández hired the group to kidnap and kill Jiménez for the sum of 20,000 pesos (approx. US\$1,500) following a series of personal differences. By the end of 2014, Hernández and the other five suspects were all detained pending trial, with three further suspects sought for arrest. The Veracruz state prosecutor cited "personal vengeance" as the motive for the killing, following reports of a conflict between Hernández' son and Jiménez' daughter, who had allegedly been romantically involved. However, Jiménez' widow claims that the dispute in fact arose from articles that the journalist had written on homicides that allegedly took place in Hernández' bar, according to an interview with *Animal Político*. Some of Jiménez' colleagues have questioned the investigation's conclusions, urging that his journalism not be ruled out as a possible motive given the fact that he had written two articles on the disappearance of union leader Ernesto Ruiz Guillen, alongside whom he was found buried. According to a 17 February 2014 report, a number of NGOs including Reporters Without Borders and Article 19 have raised concerns over the impartiality of the presiding judge in the case. Judge Uriel Domínguez Colío is the brother of the state government's spokesperson. Journalists and organisations alike called for a new judge to be assigned to the case. According to 28 May 2014 reports, new evidence against those held

in connection with Jiménez' murder linked them to other violent crimes. At a press conference, the state prosecutor indicated that the investigation was following three lines of inquiry: the personal dispute with a local bar owner, his work as a journalist, and an additional theory where the two other lines of inquiry may be connected. According to reports, those held in connection with Jiménez' abduction and murder were granted an *amparo* (legal protection of their constitutional rights) on 2 September 2014 pending an investigation into handling of the case after they alleged that they were tortured during their detention. According to 18 February 2015 reports, Jiménez' widow, Carmela Hernández Osorio, has reportedly faced repeated threats and harassment despite the protection provided by Veracruz state and as such has sought protection under the federal protection mechanism. No further information as of 31 December 2015. **Background:** Jiménez had recently covered a wave of kidnapping reported in Villa Allende, including that of Ernesto Ruiz Guillen. He had reportedly received threats prior to his death, which had been reported to the authorities. **PEN Action:** [3 March 2014 statement](#)

**Ramón Abel LÓPEZ AGUILAR:**

**Profession:** editor of the website *Tijuana Informativo* and photojournalist **Date of birth:** 1959 **Date of death:** 14 October 2012 **Details of death:** López was shot in Tijuana, Baja California state. His body was found on a street in Tijuana the next morning; he died of a single gunshot to the head, according to the state attorney general's office. **Details of investigation:** The state authorities began an investigation into López' murder, including the possibility that the shooting was related to his journalistic work. *Tijuana Informativo* had recently reported on drug trafficking and organized crime in the region. There are inconsistencies in officials statements as to the time at which the body was found. Initial reports suggested that López had been abducted by an armed group at 5 a.m. at a bar in the Zona Río. Subsequent reports by the deputy attorney suggest that López' son-in-law, who also worked for the website, had alleged that López was kidnapped at 3:15 a.m. whilst they were travelling together to hospital to receive treatment for a head injury. He said he did not report the abduction for several hours, fearing reprisals. On 16 October 2012 López' son-in-law was arrested after he confessed to the killing once police identified inconsistencies in his statement and gunshot residue on his hand. As a result, the state attorney general ruled out a link between López' death and his work as a journalist. No further information as of 31 December 2015. **PEN Actions:** [RAN 69/12](#)

**Alberto LÓPEZ BELLO:**

**Profession:** crime reporter for the daily newspaper *El Imparcial* and reporter for Radiorama's police news programme "Foro Político" **Date of death:** 17 July 2013 **Details of death:** López' body was found in the early hours of the morning on the outskirts of Oaxaca City, Oaxaca, next to that of Arturo Alejandro Franco, variously described in media reports as a police informant, police officer and city employee. Both bodies showed signs of gunshot wounds and blunt force trauma, although at the time the murders were reported the authorities were yet to specify the precise weapons used in the attack. López (28) and Franco had reportedly been drinking in a bar in Oaxaca the previous night. López was last heard from at three in the morning on 17 July 2013, when he spoke to a friend; there was no indication of a problem at that time. He had worked for *El Imparcial* for six years and had recently written several stories about drug dealing in Oaxaca. **Details of investigation:** The Oaxaca state governor reportedly instructed the attorney general to treat López' murder as a high-impact crime and to channel the case through a special unit for crimes against journalists. Organised crime was reportedly one of the lines of enquiry being pursued by state authorities. There was some suggestion that López himself might have had links with the drugs trade; however, his colleagues have asserted that he was killed because of his journalistic work. According to the Committee to Protect Journalists, an email circulated among state investigators on 23 July 2013 suggested that senior officials in the state police were responsible for López' murder because he knew of their connections to drug traffickers. On 27 July 2013, *Noticias* newspaper reportedly called for an investigation into two former heads of the State Investigations Agency (AEI) for alleged involvement

in López' murder. By 30 September 2013, according to Reporters Without Borders, the investigation had stalled and López' family had felt forced to leave Oaxaca, having received no assistance from either the authorities or *El Imparcial*. According to press reports, on 6 November 2013, the state authorities and the Special Prosecutor for Crimes against Freedom of Expression (Fiscalía Especial para la Atención de Delitos cometidos en contra de la Libertad de Expresión - FEADLE) confirmed that on the basis of a joint investigation they had ruled out López' journalism as a possible motive, favouring the theory that an argument broke out between López and a gang associated with organised crime in the bar where he and Franco had been drinking. Four men identified as the culprits were arrested on 6 May 2014: Julián Ramírez Benítez, Gerardo García Flores, Rafael Martínez González and Aldo Tenorio Benítez. The men reportedly confessed to the crime after being arrested in a separate murder enquiry. The Oaxaca prosecutor Manuel de Jesús López resigned the day after the FEADLE report was published, having left the case open. López Bello's family disputed the FEADLE conclusion, pointing to faults in the investigation, and claimed the government was protecting López's murderers. No further information as of 31 December 2015. **Background:** On 18 May 2013, López was reportedly arrested by state police along with his colleague, **Jacobo Robles**, while photographing a sign allegedly left on a footbridge by an organised crime group. Officials confiscated their equipment and telephones and detained them for four hours until the public prosecutor's office ordered their release on the grounds that their detention was illegal. In October 2007, three of *El Imparcial's* newspaper sellers were killed as they drove in a van marked with the newspaper's logo. The case remains unresolved.

**Regina MARTÍNEZ (f):**

**Profession:** journalist for investigative news magazine *Proceso*, **Date of death:** 28 April 2012 **Details of death:** Martínez was found beaten and strangled at her home in Veracruz state. She had reported on drug trafficking and organised crime. **Details of investigation:** According to communications with the federal Special Prosecutor for Crimes against Freedom of Expression (Fiscalía Especial para la Atención de Delitos cometidos en contra de la Libertad de Expresión - FEADLE), the state attorney general of Veracruz was investigating the crime, including any possible link with her writing, with the participation of the federal attorney general. However, according to reports in July and August 2012, investigators had found that Martínez had almost solely been interviewing other journalists and concluded the murder was a crime of passion. This interpretation and approach was strongly criticized by journalists who demonstrated in the streets calling for justice for Martínez and for police to investigate links with organised crime. On 2 November 2012, it was reported that a man charged with Martínez' murder, Jorge Hernández Silva, had retracted his confession, claiming that he had been tortured and his mother threatened in order to force him to confess to the murder. On Hernández Silva' arrest, the state attorney general had given the motive for murder as robbery, using his confession as the principal piece of evidence against him. DNA samples taken from the scene reportedly do not match anyone on the national criminal database and therefore rule out Hernández Silva, owing to his criminal record. Both *Proceso* and the FEADLE reported being excluded from the investigation, despite being entitled to participate fully alongside the state authorities according to the law. Neither *Proceso's* appointed reporter nor FEADLE were party to the line of enquiry that led to Hernández Silva' arrest. *Proceso's* appointed reporter has noted that 'at no point did the state ever consider Regina's journalistic work as a possible motive for murder.' On 13 November 2012, it was reported that the authorities had confirmed the motive for Martínez' murder was robbery after her watch was recovered. The man in possession of the watch indicated that Jorge Hernández Silva and José Adrián Hernández Domínguez had sold it to him. According to reports, the authorities identified Hernández Domínguez as Martínez' boyfriend and named him as the principle suspect. He remains at large. On 10 April 2013, it was reported that a judge had sentenced Jorge Hernández Silva to 38 years and 60 days in prison for Martínez' murder. According to reports, Hernández Silva, who initially confessed to the murder, 'did not provide evidence of his innocence.' While the state case was considered closed with the conviction of Hernández Silva, a federal investigation reportedly

remained open. According to the Committee to Protect Journalists, two federal investigators doubted Hernández Silva's guilt based on the evidence collected at the scene. On 8 August 2013, Hernández Silva's sentence was overturned by the Veracruz State Supreme Court, citing insufficient evidence on the basis that the 'confession' was allegedly obtained under torture. According to 28 May 2014 reports, the Veracruz state prosecutor announced in a press conference that the investigation into Martínez' murder remains open, that it would re-start from the beginning in order to explore a number of avenues, and that an arrest warrant has been issued for José Adrián Hernández Domínguez, who remained at large. According to a statement by the Veracruz attorney general made on 22 October 2014, state police re-arrested Jorge Hernández Silva on charges of the aggravated robbery and murder of Martínez. According to the statement, his arrest warrant was secured after Martínez' family lodged an *amparo* appeal, in which the judge found that there was sufficient evidence to determine that Hernández Silva had committed the crime. He is expected to serve out the remainder of his 38-year prison sentence in Pacho Viejo prison. The authorities continue to search for José Adrián Hernández Domínguez. No further information as of 31 December 2015. **PEN Action:** [RAN 23/12](#)

**René ORTA SALGADO:**

**Profession:** political activist and former *El Sol de Cuernavaca* journalist with 20 years' experience  
**Date of death:** 12 or 13 May 2012 **Details of death:** Reported missing by his family on 12 May 2012; his body was discovered in the boot of his car in Cuernavaca, Morelos state, 24 hours later, on 13 May 2012. A scarf had been taped across his face. Reports suggested that he had been stabbed and strangled. According to the Mexican authorities, Orta had not received any death threats prior to his death. He was a vocal supporter of the Institutional Revolutionary Party (PRI) political party, which was then in opposition. **Details of investigation:** On 19 May 2012, it was reported that investigations by the Morelos State Attorney's Office were underway. In a press conference, the investigating authorities confirmed that the cause of death was stab wounds, a blow to the head and strangulation and that the journalist had not been bound and gagged. The authorities ruled out organised crime as a possible cause of death owing to the lack of a note and the fact that while the body did show signs of a beating, the marks were not made by a gun. The authorities announced that they hoped to establish a timeline of events leading up to his murder and identify those who were last to see him alive once they have received all of the surveillance footage. No further information as of 31 December 2015. **PEN Action:** [RAN 25/12](#)

**Víctor PÉREZ PÉREZ:**

**Profession:** journalist for crime *Sucesos* magazine **Date of death:** 3 September 2014 **Details of death:** Pérez (40) was reportedly shot dead at his home in Ciudad Juárez, Chihuahua State. His assailants reportedly forced entry to his home. He died upon his arrival at hospital. **Details of investigation:** According to reports, municipal police had arrested one of Pérez' alleged killers by the end of the day. The other is thought to remain at large. No further information regarding the investigation has been released as of 31 December 2015. **Background:** Pérez' relative and former editor of *Sucesos*, **Candelario Pérez Pérez**, was also shot dead in 2008 (see Jan-June 2008 Case List). **PEN Action:** [17 November 2014 Statement](#)

**Octavio ROJAS HERNÁNDEZ:**

**Profession:** crime correspondent for *El Buen Tono*, based in Veracruz state, and municipal press officer for Cosolapa, Oaxaca state **Date of death:** 11 August 2014 **Details of death:** Rojas (47) was reportedly shot four times by an as yet unidentified attacker at his home in San Jose Cosolapa, Oaxaca, on 11 August 2014. Rojas had recently returned home from an event in the community of Palma Sola, Oaxaca, when a man knocked on his door to enquire about the sale of a car parked outside. The man fired four shots after Rojas went outside to discuss the sale, hitting him twice in the head and once in the chest and shoulder. Rojas died at the scene while the killer fled on foot. **Details of investigation:** According to a statement by the state attorney general, the State

Investigations Agency (Agencia Estatal de Investigaciones – AEI) responded to the call, sending out the prosecutor and various specialists to investigate the crime scene. Investigators recovered four bullet casings from the scene. The statement made no reference to Rojas’ work as a correspondent for *El Buen Tono*, giving rise to concern that they would not pursue his work as a journalist as a line of inquiry. His colleagues reportedly believe that his murder relates to his recent articles for the newspaper. The investigation was believed to be on-going at the end of 2014. No further information as of 31 December 2015. **Background:** Just two days prior to his murder, Rojas had published his latest article in a series on *Chupaductos* – a cartel-linked gang that reportedly siphons off fuel and oil from illegally tapped pipelines for sale on the black market. In the article, Rojas reported on a military operation against the *Chupaductos* and implicated Cosolapa chief of police as a member of the criminal gang. The police chief has reportedly since disappeared and is considered a fugitive from justice. Although the article did not include his by-line, Rojas was easily identifiable as the author as he was the only reporter in the Cosolapa area. *El Buen Tono* has been the subject of previous threats and harassment; in 2011, a few months after opening, the newspaper’s offices were set alight. In 2013, the federal Special Prosecutor for Crimes against Freedom of Expression (Fiscalía Especial para la Atención de Delitos cometidos en contra de la Libertad de Expresión - FEADLE) reportedly announced that it was not competent to investigate the arson attack and transferred the case to the Veracruz state prosecutor’s office. **PEN Action:** [17 November 2014 Statement](#)

**Adrián SILVA MORENO:**

**Profession:** freelance journalist and crime reporter for local media outlets including the newspapers *Global México* and *Puntual Puebla* **Date of birth:** c1978 **Date of death:** 14 November 2012 **Details of death:** Silva (34) was shot dead along with a former policeman in Tehuacán, Puebla state. He had been covering an army investigation into the theft of gasoline from a government petroleum company in Tehuacán, an area said to be controlled by organised criminal groups. Silva reportedly called another journalist to tell him he had witnessed an armed stand-off between soldiers and gunmen and that he had found something important at the scene of the theft which he would explain later. However, his car was then apparently intercepted and he was shot dead; his body was found with multiple gunshot wounds. His passenger, former municipal policeman Misrael López González, was shot in the head after he fled from the car. On 19 November 2012, it was reported that family members and colleagues of Silva who had attempted to visit his body at the morgue where it had been taken had received threats from unidentified individuals. The police subsequently sent officers to protect the morgue. The motive for Silva’s murder was unknown, but colleagues suspected that it may have been related to his reporting on the gasoline theft. He is not known to have received threats from organised criminal groups prior to his death. **Details of investigation:** On 20 November 2012, it was reported that investigators were pursuing organised crime as one of their main lines of enquiry. In addition, investigators found finger prints, suspected to belong to those responsible, on a truck left 150 metres from the scene. On 29 November 2012, the federal Special Prosecutor for Crimes against Freedom of Expression (Fiscalía Especial para la Atención de Delitos cometidos en contra de la Libertad de Expresión - FEADLE) reportedly commented that Silva’s case may be passed on to local authorities because he was not active as a journalist at the time his murder. She also announced that the sheer number of avenues for investigation made it impractical for her office to investigate the case. No further information as of 31 December 2015. **PEN Action:** [RAN 74/12](#)

**Jorge TORRES PALACIOS:**

**Profession:** writer of political column ‘Nothing Personal’ for weekly newspaper *El Dictamen de Guerrero*, correspondent for the newspaper *Novedades*, former correspondent for Televisa, host of a nightly news programme on Radio y Televisión de Guerrero, and spokesman for the public health department of Acapulco **Date of death:** Between 29 May and 2 June 2014 **Details of death:** Torres was reportedly kidnapped on 29 May 2014 by 12 armed men driving three vehicles. His body, which reportedly bore marks of torture, was found inside a bag semi-buried in a clandestine grave on 2



June 2014. Early reports indicated the cause of death was asphyxia, however later reports suggest that he was decapitated and dismembered. **Details of investigation:** An anonymous tip-off led the authorities to the location of Torres' body in Plan de los Amantes, Acapulco, according to news reports. An investigation by Ministerial Police and agents of the public prosecutor's office was reported to be underway, with the team reportedly collecting evidence and witness statements. According to news reports, three suspects connected to Torres' murder were arrested by police in Acapulco on 13 February 2015. The men are also being investigated for attacks in several schools. No further information as of 31 December 2015. **Background:** According to news reports, Torres' column for *El Dictamen de Guerrero* often reported on the region's high level of violent crime. A recent article referred to public anger in Chilpancingo, the Guerrero state capital, and protests against the alleged involvement of public officials in crime, including arbitrary arrests, extortion and abduction. Both Torres' father and brother were shot dead in January 2001. As with the murder of **Gregorio Jimenez de la Cruz** (see above), journalists came out on the streets to protest Torres' abduction, demanding his safe return. **PEN Action:** PEN Mexico [5 June 2014 statement](#)

**Ana María Marcela YARCE VIVEROS (f) and Rocio GONZÁLEZ TRÁPAGA (f):**

**Profession:** founder, reporter and head of public relations of the bimonthly political magazine *Contralínea*; and freelance journalist and former Televisa reporter respectively **Date of death:** 1 September 2011 **Date of birth:** Both born c1964 **Details of death:** Yarce and González were found dead near a cemetery in a park in a poor neighbourhood of the capital Mexico City on 1 September 2011. Both women were reportedly abducted as they left their office in the city centre the previous night and strangled. Their bodies were found naked with nooses around their necks and their hands tied behind their backs. **Details of investigation:** According to a letter to PEN from the Mexican Presidency dated 13 September 2011, the case was referred to the federal attorney general. However, according to another letter from the federal Special Prosecutor for Crimes against Freedom of Expression (Fiscalía Especial para la Atención de Delitos cometidos en contra de la Libertad de Expresión - FEADLE), also dated 13 September 2011, the case was being investigated by the Mexico City attorney general's office although FEADLE had offered its assistance. Two men, Oscar Yair Quiñones Emmer and Lázaro Hernández Ángeles, were arrested on 30 September and 1 October 2011 respectively, suspected of killing the journalists. A third man, Jonathan González Tapia, was arrested in June 2012, suspected of providing the weapons used during the attack; an unnamed youth has also been implicated in their murders. According to Federal District prosecutor Miguel Ángel Mancera, the motive for the murders was robbery. Quiñones and Hernández reportedly confessed they had attacked the two women to rob them of a large sum of money. Quiñones had known Yarce for three years since working as a parking attendant at the offices of *Contralínea*. Yarce was reportedly not involved in any specific journalism projects at the time of her death. González, who owned a currency exchange point at Mexico City's international airport, apparently withdrew a large amount of money on the afternoon of 31 August 2011, according to Article 19. According to a press report dated 21 June 2012, the Mexico City attorney general's office considered its investigation into Yarce and González' murders closed following the detention of the four suspects. On 19 September 2012 it was reported that Lázaro Hernández Ángeles was sentenced to 109 years in prison for the murders of Yarce and González and ordered to pay one million pesos in damages along with 94,515 pesos in compensation. The trial against Oscar Yair Quiñones Emmer was on-going. No further news on Quiñones' trial as of 31 December 2015. **PEN Action:** [RAN 47/11](#)

Reported missing

**Gabriel Manuel FONSECA HERNÁNDEZ ( "Cuco"):**

**Profession:** police reporter for the newspaper *El Mañanero* based in the municipality of Acayucan, southern Veracruz state **Date of disappearance:** Fonseca (19) has been missing since 19 September 2011. According to the newspaper's director, Fonseca was last seen when he came to the paper's offices to collect his wages that day. Witnesses claimed to have seen him in Acayucan later that



afternoon but he did not return home that night and had not responded to calls to his mobile phone. His father reported him missing to the authorities on 21 September 2011. Fonseca, who previously worked for the newspapers *El Diario de Acayucan* and *La Verdad de Jáltipan*, covered the police beat for *El Mañanero* but did not report on matters directly related to organized crime, according to the paper's director. The investigation was referred to the attorney general's office. **Details of investigation:** On 18 September 2012, a year after Fonseca's disappearance, it was reported that the case had been referred to the Agencia del Ministerio Público Especializada en Delitos Cometidos contra la Prensa and the federal Special Prosecutor for Crimes against Freedom of Expression (Fiscalía Especial para la Atención de Delitos cometidos en contra de la Libertad de Expresión - FEADLE) but that there had apparently been no progress in the investigation. According to February 2014 reports, the state attorney general has reopened the investigation into Fonseca's disappearance following pressure from state government (Secretaria del Gobierno) and the Acayucan Journalists' Union. The State Commission for the Comprehensive Care of Victims of Crime (Comisión Estatal para la Atención Integral a Víctimas de Delito) has reportedly been assigned the case. The commission will also offer friends and relatives psychological support, while the State Commission for the Attention and Protection of Journalists agreed to provide the family with financial support for six months. No further information as of 31 December 2015. **PEN Action:** [RAN 51/11](#)

**Sergio LANDA ROSADO:**

**Profession:** police reporter for the newspaper *Diario Cardel*, based in the municipality of La Antigua, Veracruz state **Date of birth:** c1967 **Date of disappearance:** 22 January 2013 **Details of disappearance:** Landa (45) has not been seen since leaving his offices on 22 January 2013. He was reportedly last seen at *Diario Cardel's* offices where he was preparing material to send to print; he failed to return home that evening and was reported missing the next day. **Details of investigation:** Ministerial and state authorities said they would coordinate their efforts to find the reporter. Landa's case is under investigation by the federal Special Prosecutor for Crimes against Freedom of Expression (Fiscalía Especial para la Atención de Delitos cometidos en contra de la Libertad de Expresión - FEADLE). According to a 30 September 2013 report, he remained missing. No further information as of 31 December 2015; PEN is seeking to establish whether an investigation is ongoing. **Background:** According to reports, colleagues nicknamed Landa the "oilcloth reporter" owing to the fact he had escaped unharmed from previous attacks. Landa was reportedly kidnapped by an armed group in November 2012, later being released after the intervention of federal forces. After his release, Landa reportedly went into hiding with the support of the state government, but returned to *Diario Cardel* in January 2013 following the murder of a man who had been identified as the leader of the group which had kidnapped him. Landa ran as a candidate for federal congress for Nueva Alianza in 2012; however, he pulled out prior to the elections, citing disenchantment with the party. **PEN Action:** [RAN 20/13](#)

**Marco Antonio LÓPEZ ORTIZ:**

**Profession:** news editor for the daily newspaper *Novedades Acapulco* **Details of abduction:** López (42) was reportedly kidnapped in Acapulco, Guerrero state, on 7 June 2011 and has not been seen since. As he left work he was assaulted and abducted by unidentified men. López was 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. **Details of investigation:** The state attorney general began an investigation and the National Human Rights Commission was reportedly also looking into the disappearance. The office of former president Calderón sent a letter dated 18 July 2011 to PEN International, saying that López' case had been referred to the Federal Attorney General (Procuraduría General de la República). In June 2012, a year after López' disappearance, it was reported that there had been no progress in the investigation. The case is believed to remain unsolved as of 31 December 2015. **PEN Actions** [RAN 33/11](#)

## Judicial concern

### **Enrique ARANDA OCHOA:**

**Profession:** university teacher and writer **Sentence:** 57 years in prison, reduced to 24 years and six months **Expiry:** 2022 **Date of arrest:** 25 June 1996. Aranda has been imprisoned along with his brother, Adrián Aranda Ochoa, since 1996 for allegedly kidnapping the daughter of a politician. **Place of detention:** Imprisoned in Reclusorio Sur prison in Mexico City as of October 2010 and believed still to be held there as of 31 December 2015. **Details of arrest:** Arrested together, the Aranda brothers were accused of several crimes, including kidnapping and carrying weapons. They were later charged with kidnapping Lorena Pérez-Jácome F., a television presenter and the daughter of an Institutional Revolutionary Party (PRI) politician who has been a senator and presidential spokesman. They were also charged with robbery. The brothers were allegedly tortured while in the custody of the police and Public Ministry and forced to sign confessions. **Details of trial:** In August 1997, both brothers were sentenced to 57 years in prison, confirmed in December that year. The allegations of torture were not taken into account. Following a retrial, the brothers' sentence was reduced to 40 years in January 2005. This was further reduced to 32 years in March 2007 after the robbery charge was dropped, and in December 2008 to 24 years and six months. Enrique Aranda believes his arrest and conviction were due to his political activism and open criticism of the former PRI administration. When he was initially detained he was questioned about his political activities. He claims that the legal process has been marred by political pressure throughout. **Conditions in detention:** The brothers filed a complaint against the state for torture and abuse of authority. In May 1999, a medical certificate was issued showing that they had been tortured. In 2002, the Human Rights Commission of the Federal District (CDHDF) issued a recommendation calling for those responsible for torturing the Aranda brothers to be brought to justice and that the brothers should be awarded reparations. The recommendation was accepted by the Attorney General, however it has yet to be implemented. The brothers have requested released on parole. According to reports, Enrique Aranda was denied release on parole at a hearing on 9 August 2013. The presiding judge reportedly ruled that he had not fulfilled all the requirements of the law in order to be permitted parole. While he had met the provision of good conduct while in prison, it was determined that he had not sufficiently participated in work, educational, sporting or other activities organised by the prison. In April 2014, the Centro de Derechos Humanos Fray Francisco de Vitoria submitted the case of the Aranda brothers to the UN Special Rapporteur on Torture. No further information as of 31 December 2015. **PEN position:** PEN holds no position on Aranda's guilt or innocence. It is concerned by the allegations that he was tortured and calls on the Mexican authorities to implement CDHDF's recommendation. **Background:** Enrique Aranda lectured for several years in political psychology at the Iberoamerican University in Mexico and is a former president of the Mexican Association of Psychologists. Since his imprisonment, he has become a prolific writer, having produced six books of poems, short stories, plays, novels and non-fiction, all unpublished to date. His work has reportedly earned him some 11 national awards. Adrián Aranda Ochoa is an accountant.

## Death Threat

### **\*Maité AZUELA (f):**

**Profession:** journalist *El Universal* and human rights activist **Date of threat:** 25 November 2015 **Details of threat:** Azuela found a yellow envelope addressed to her when she arrived home on 25 November 2015. Inside the envelope, which had no return address, was a copy of her *El Universal* staff profile picture with insults and death threats written on it. Azuela contacted the Special Prosecutor for Crimes against Freedom of Expression (FEADLE) and the Federal Mechanism for the Protection of Human Rights Defenders and Journalists. Despite the threats, which are believed to be connected to her work as a journalist, Azuela continues writing at the *El Universal* and has [openly](#)

discussed the death threats. According to Azuela, on 2 December two individuals, apparently traffic wardens, were seen photographing the façade of the building where she lives. The next day, a vehicle of the Mexican Secretariat of National Defence (SEDENA) parked half a block away from her home. It is unclear whether an official investigation into the threats is underway. Later that month suspicious individuals were still keeping watch on her building. No further information as of 31 December 2015.

**Background:** The focus of Azuela's activism and journalistic is on political rights and human rights violations. Recently she has written about the army and the government of Puebla. Azuela has previously been targeted in other incidents, including in May 2014 when heavily armed Federal Police agents tried to gain access to her department at the paper, citing a 'suspicious call.' They did not have a search warrant or a case reference number.

#### Attacked

**\*Elena ANELL (f), profession:** journalist for *Radiover* news website

**\*José Francisco GARCÍA REYES, profession:** journalist for *Radiover* news website

**Date of attack:** 7 June 2015 **Details of attack:** The journalists were reportedly attacked in Xalapa, Veracruz state, as they attempted to cover alleged vote-buying by members of the Institutional Revolutionary Party (Partido Revolucionario Institucional – PRI). According to reports, unidentified individuals armed with a revolver broke the windshield of their car and stole their equipment, mobile telephones, and other personal effects. No further information as of 31 December 2015. **Background:** On 7 June 2015, Mexico held its legislative elections. The campaign saw the murder of four candidates and major clashes in several states including Oaxaca, Guerrero and Chiapas, as well as violence against media workers, especially by members of political parties, including against journalists **Elizabeth Ibal Rocha** (f) and **Fabiola Rosales** (f) (see below).

**\*Elizabeth IBAL ROCHA (f), profession:** journalist for *El Occidental*

**\*Fabiola ROSALES (f), profession:** journalist for *Sol de México*

**Date of attack:** 4 June 2015 **Details of attack:** The journalists were reportedly attacked by two members of the National Action Party (Partido de Acción Nacional – PAN) in Colima, Colima state, as they attempted to interview people about motorcycles that had been passing by with propaganda. No further information as of 31 December 2015. **Background:** On 7 June 2015, Mexico held its legislative elections. The campaign saw the murder of four candidates and major clashes in several states including Oaxaca, Guerrero and Chiapas, as well as violence against media workers, including against journalists **Elena Anell** (f) and **José Francisco García Reyes** (see above).

**\*Enrique JUÁREZ:**

**Profession:** editor of *El Mañana* newspaper, based in Matamoros, Tamaulipas state **Date of attack:** 4 February 2015 **Details of attack:** According to news reports, Juárez was kidnapped and beaten by gunmen for four hours on 4 February. The incident led to him fleeing Mexico with his family. Shortly his departure from the country the newspaper reportedly announced that it would no longer cover violence in the state. **Background:** Juárez is reported to have regularly covered violence in Matamoros and the alleged frequent clashes between police and armed gangs. No further information as of 31 December 2015.

**\*José Ignacio SANTIAGO MARTÍNEZ:**

**Profession:** crime reporter for *El Imparcial de Oaxaca* newspaper **Date of attack:** 12 January 2015 **Details of attack:** According to news reports, Santiago was knocked off his motorcycle and beaten by two unknown assailants who had followed him in a truck since he left his home. Santiago reportedly lost consciousness during the attack and suffered two broken arms, a broken nose and damage to his spine. He has since undergone surgery. No further information as of 31 December 2015.

**Karla Janeth SILVA (f):**

**Profession:** reporter for *El Heraldo de León* newspaper **Date of attack:** 4 September 2014 **Details of attack:** Silva was reportedly beaten and kicked in the chest and head by three armed men who broke into the newspaper's offices in Silao, Guanajuato state, on 4 September 2014. After the attack, her aggressors reportedly warned her to change the tone of her reporting and stole her computer and telephone. Silva was admitted to hospital as a result of her injuries. **Details of investigation:** According to *Sin Embargo*, the United Nation's Mexico Office of the High Commissioner for Human Rights (OHCHR) has taken charge of the investigation into Silva's attack. Representatives of the OHCHR are said to have visited the newspaper's offices in order to meet with Silva in late September 2014. Four men were arrested in connection with the attack while government officials are implicated in its instigation, including the former director of Public Security in Silao who is alleged to have ordered the attack. On 12 March 2015, it was reported that the federal Special Prosecutor for Crimes against Freedom of Expression (Fiscalía Especial para la Atención de Delitos cometidos en contra de la Libertad de Expresión - FEADLE) would not be pursuing criminal action against Silva's assailants and that they had closed the case. FEADLE reportedly claimed that they had reached this decision as they wished to avoid violating the principle of *Ne bis in idem*, which establishes that an accused may not be tried for the same crime twice. According to media reports, one of her confessed aggressors was released after paying a fine. No further information as of 31 December 2015. **Background:** Silva covers the local government stories for *El Heraldo de León* and had recently been critical of the municipal authorities and the escalating crime rate in the city of Silao.

Threatened

**Anabel HERNÁNDEZ (f):**

**Profession:** award-winning journalist and author, currently a freelance contributor to the investigative newsweekly magazine *Proceso* and the daily newspaper *Reforma* (previously worked for *Milenio*, its investigative supplement *La Revista* (now *emeequis*) and newspaper and website *Reporte Índigo*). Hernández also writes books on corruption and the abuse of power in Mexican politics, including *La Familia Presidencial* (2005), *Fin de fiesta en Los Pinos* (2006), *Los Señores del Narco* (Grijalbo, Random House Mondadori, 2010) [translated in English as *Narcoland: The Mexican Drug Lords and their Godfathers*, Verso, September 2013] and *México en llamas* (2012). **Details of threats:** Hernández has received constant death threats since late 2010, following the publication of *Los Señores del Narco* (2010) which reveals alleged links between drug trafficking cartels and the Mexican state. In the book, she makes a number of controversial allegations against public figures, including accusing Genaro García Luna – who at the time was Federal Secretary of Public Security – of illicit enrichment and complicity with organised crime while he was serving as former president Felipe's Calderón's chief of police. In December 2010, Hernández made public an alleged plot to have her killed involving officials working for García Luna and the federal police. Hernández' sources have been subjected to harassment, intimidation and even murder. (See 2014 Case List for details of past threats). **Details of investigations:** The journalist has filed numerous complaints with federal and local authorities but reports that the investigations have led nowhere. Meanwhile, she and her family continue to be subjected to threats and harassment despite police protection. As a result, Hernández left Mexico in September 2014. In November 2015, Hernández reported that the federal Special Prosecutor for Crimes against Freedom of Expression (Fiscalía Especial para la Atención de Delitos cometidos en contra de la Libertad de Expresión - FEADLE) was refusing to allow her to appoint a lawyer to access and review her legal file in order to ensure due diligence. She argues that this affects her ability to take appropriate security measures to protect herself and her family. **Further harassment:** According to Hernández, who has been living in exile since 2014, a group of unknown people broke into her apartment in Mexico City on 4 November 2015 in suspicious circumstances. Three of the assailants forced entry to the block where her apartment is located with

their faces uncovered, despite the visible presence of security cameras. Two of them then entered her apartment where they remained for 20 minutes, while the third stayed outside. None of them made any attempt to flee or hide when a resident came into the building during that time. They stole nothing of any value, but moved a personal object. Hernández believes that the break-in was connected to her current journalistic investigations. Specifically, between December 2014 and October 2015 she authored a series of pieces alleging the involvement of Mexican security and intelligence services in the enforced disappearance and assumed death of 43 trainee teachers in Ayotzinapa, Guerrero state, in September 2014. She also published two articles alleging collusion by the federal, police and prison authorities in drug trafficker Joaquín Guzmán Loera's July 2015 escape from prison (*Proceso* magazine, August 2015). Hernández reported the break-in to the federal journalists' protection mechanism, which reported the incident to FEADLE and opened an investigation. However, according to Hernández, the PGR has made no progress in its investigation, despite having access to security camera footage showing the assailants' faces, car registration number and the time the incident occurred.

**\*Raúl RODRÍGUEZ:**

**Profession:** correspondent for *El Buen Tono* **Date of threat:** May 2015 **Details of threats:** According to reports, Rodríguez was reportedly warned off writing by a man who approached him on a motorcycle and showed him a gun. Rodríguez reported the incident to the municipal police of Cuitláhuac, Veracruz state, who mounted an ultimately unsuccessful search operation for the assailant. The state commission for the protection of journalists (Comisión Estatal para la Atención y Protección de los Periodistas – CEAPP) is reported to have requested that the authorities provide him and his family with protective measures. No further information as of 31 December 2015.

**\*Moisés VILLEDA RODRÍGUEZ:**

**Profession:** journalist **Details of threat:** Villeda reportedly fled the country in January 2015 after receiving threatening messages in connection with an article he published on the topic of corruption in *El Mexicano* newspaper. According to reports, one of the threatening messages included a dead cat being left on outside a radio station where he worked with a sign saying 'shut up.' No more information as of 31 December 2015.

Harassed

**\*Flor GOCHE (f), profession:** contributor to *Contralínea* and journalist for *Desinformémonos*

**\*Elva MONDOZA (f), profession:** journalist with *Contralínea* magazine The journalists' home in Mexico City was broken into on 8 September 2015, according to press reports. Computer equipment and journalistic documentation were reportedly stolen from their apartment while valuables such as screens and cash were left behind. The incident took place during the day and the front door did not show signs of forced entry. The incident was reported to the authorities but no one has been found responsible. No further information as of 31 December 2015. **Background:** Goche had been following the case of the forcible disappearance of the 43 students from the Rural Normal School of Ayotzinapa, as well as other human rights violations, while Mendoza had been investigating megaprojects, environmental destruction, transgenic crops and the destruction of natural resources. The break-in is part of a pattern of similar incidents targeting female investigative journalists – see cases of **Anabel Hernández** (above) and **Gloria Muñoz Ramírez** (below).

**\*Gloria MUÑOZ RAMÍREZ (f)**

**Profession:** journalist, director of *Desinformémonos.org*, columnist for *La Jornada*, co-editor of monthly *Ojarasca* **Date of harassment:** 20 November 2015 **Details of harassment:** Muñoz' house in Mexico City was reportedly broken into on 20 November while she was not at home. It was reportedly the second time her home had been broken into since she began working as a journalist. According to Muñoz, she arrived home in the evening and found that her front door had been

opened but not forced. Some objects had been stolen but many valuables had been left behind. She also noticed footprints on her carpet. The journalist also reports that her desk drawers had been opened and gone through, leading her to believe that the thieves were looking for materials related to her work as a journalist. It is unclear whether authorities have launched an investigation. No more information as of 31 December 2015. **Background:** The day before the break-in, on 19 November, *Desinformémonos* suffered a targeted cyber-attack on its servers which suspended the services of its website as well as its social media networks. The attackers also stole information from all the personal devices, cell phones and computers which were in the magazine's offices at the time. This break-in is the latest in a pattern of similar incidents against other investigative journalists in Mexico City – see above cases of **Anabel Hernández** and of **Elva Mondoza** and **Flor Goche**.

#### Case closed

#### **Susana CHÁVEZ CASTILLO (f):**

**Profession:** prominent poet and activist who led protests against the unsolved murders of women in Ciudad Juárez since the early 1990s **Date of death:** 6 January 2011 **Details of death:** Found strangled, with a bag over her head, and her left hand cut off, in the city centre of Ciudad Juárez on. Chávez (37) was identified only five days later. The authorities denied that her murder was related in any way to her activism and poetry, or to organised crime, despite the recent murder and harassment of numerous other local rights defenders. **Details of investigation:** The Chihuahua state attorney general's office said that Chávez was killed by three teenage boys she had met while out drinking. In January 2011, the prosecution for the case was reportedly given 60 days to produce sufficient evidence to convince the judge that the juveniles deserved the maximum sentence. The Mexican National Commission of Human Rights was reportedly following the case. On 3 April 2013, a court in Ciudad Juárez, Chihuahua State, reportedly sentenced Sergio Ruben Cárdenas, Aarón Roberto Acevedo Martínez and Carlos Gibrán Ramírez Muñoz to 15 years in prison each for Chávez' murder. According to reports, a trail of blood led police to Cárdenas' home, where they found more blood and Chávez' severed hand. Cárdenas reportedly confessed immediately following his arrest and named his two accomplices. The teenagers allegedly invited her to Cárdenas' house 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. According to news reports, Chávez and the teenagers got into an argument after Cárdenas claimed that they were members of the local gang 'Los Aztecas'. In response, Chávez reportedly told them that she was an undercover police officer and that she would report them, at which point they took her to the bathroom and asphyxiated her. According to reports, Aarón Roberto Acevedo Martínez was acquitted on appeal of his part in Chávez' murder and released on 22 July 2013. The judge reportedly ruled that there was insufficient evidence that Acevedo was directly involved in Chávez' murder. No further information as of 31 December 2015; case closed due to lack of information. **Background:** Chávez was active in organisations supporting the families and friends of the deceased women, and took part in poetry readings that she dedicated to the victims. Her death took place three weeks after the 16 December 2010 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. At least five other rights activists had reportedly been killed in Chihuahua in the previous two years while others had been threatened and attacked. Some 1,000 mainly poor women were murdered in the Juárez area between 1993 and 2010, 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. **PEN Action:** [Women's Day action, March 2011](#); [Day of the Imprisoned Writer Case 2011](#); [World Poetry Day action, March 2014](#) and [March 2015](#).

#### **PARAGUAY**

## Killed: impunity

### **Pablo MEDINA VELÁZQUEZ:**

**Profession:** correspondent for daily newspaper *ABC Color* **Date of death:** 16 October 2014 **Details of death:** Medina (56) was reportedly shot dead by unknown assailants in the north-eastern department of Canindeyú as he was returning home after doing a report in the Ko'ê Porã indigenous community in Villa Ygatimí. His assailants, wearing camouflage, reportedly asked him to identify himself before they shot him several times in the head and chest. Medina died at the scene, while his assistant died on the way to hospital from injuries she sustained in the attack. **Details of investigation:** Police reportedly suspected local drug traffickers and had arrested four suspects by 17 October 2014, the day after Medina's murder. On 4 March 2015, Brazilian authorities reportedly captured Vilmar Acosta Marques, a Paraguayan national and former mayor of Ypejhú who is accused of being the mastermind of Medina's murder, in Naviraía, Mato Grosso do Sul state, Brazil. According to 30 March 2015 reports, the Paraguayan authorities had begun seeking Acosta's extradition from Brazil. Medina had reportedly linked Acosta to drug trafficking and homicides. They requested that he be held in preventative detention until a decision is reached on his extradition. Additionally, according to July 2015 reports by *ABC Color*, the sister of Medina's assistant testified before a court identifying Wilson Acosta Marques – brother of Vilmar Acosta Marques – as the person who pulled the trigger. On 11 November 2015, Brazil announced Vilmar Acosta's extradition, which took place on 17 November. In a statement, the Paraguayan President Horacio Cartes thanked the 'good will' of the Brazilian government and Paraguay's commitment to solving Medina's murder and addressing impunity. Acosta is currently detained in Paraguay where he is facing murder charges. According to [reports](#), Acosta's brother, Wilson Acosta Marques, and nephew, Flavio Acosta Riveros, are being sought by the authorities as those who physically carried out the crime. The prosecution is also [seeking](#) five years' imprisonment for Acosta's driver for not having denounced the crime. **Background:** Canindeyú is known for the trafficking of marijuana and timber. Medina had regularly received threats related to his reporting. In previous years he had been afforded the protection of a police escort, however this was withdrawn in September 2013. [**Stop press:** Flavio Acosta Riveros was reportedly [arrested](#) by police in Paraná state, Brazil, after his Brazilian partner turned him in when she reported him for domestic violence. Wilson Acosta Marques had yet to be located. Vilmar Acosta Marques remained in detention.]

## On trial

### **Nelson AGUILERA:**

**Profession:** writer and author of a series of children's stories, member of PEN Paraguay and teacher **Sentence:** 30 months in prison **Details of trial:** Aguilera was convicted of plagiarism on 4 November 2013. His lawyer filed an appeal on 25 November 2013 with the Chamber of Appeals. According to Aguilera, 40 witnesses were prevented from testifying in his defence as the judge ruled that they had been presented too late. These included a recognised legal expert in plagiarism employed by the court to investigate the case against Aguilera and whoruled that Aguilera did not have a case to answer. In June 2014, Aguilera's conviction and sentence was confirmed by the Chamber of Appeal in Asunción. According to Aguilera, his appeal with the Supreme Court was at a standstill as of 14 December 2015. In November 2015, the judges responsible for his trial allowed Aguilera to fly to the United States to attend his son's wedding. No more information as of 31 December 2015. **Background:** The case relates to a lawsuit filed by writer **Maria Eugenia Garay** that began in 2010. Garay alleged that Aguilera had plagiarised her adult fiction novel *El túnel del tiempo* (The Tunnel of Time) (2005) in the second in his series of children's fiction novels *Karumbita: La patriota* (Karumbita: The Patriot) (Alfaguara Infantil, 2010). A number of independent experts and writers have provided a detailed analysis of both works and found that the similarities in them cannot be described as plagiarism. They argue that while they both feature similar thematic elements, such as time travel, and significant dates in Paraguayan history, the manner in which they are used is significantly



different. The experts add that time travel has been used as a theme throughout literature and as such its use alone cannot constitute plagiarism. The analysis also showed that the literary styles, structure and argument of the works differ significantly and that Aguilera had not taken any sentences or paragraphs from Garay's work. There has been some suggestion that the sentence for plagiarism may have been influenced by the fact that Garay's brother, César Garay Zuccolillo, is minister of the Supreme Court of Justice. **PEN Action:** [Day of the Imprisoned Writer Case 2015](#); [open letter from Luisa Valenzuela](#)

## PERU

### Killed: impunity

#### **Fernando RAYMONDI URIBE:**

**Profession:** reporter for *Caretas* magazine and final-year student of journalism. **Date of death:** 9 November 2014 **Details of death:** Raymondi (22) was reportedly shot dead at his father's grocery store in San Vicente de Cañete by two unknown assailants. He was standing outside the shop along with a friend when the men appeared on a motorcycle, according to local news reports. The assailants then reportedly ordered Raymondi into the shop and asked for money. As his father reached for money to give them, one of the assailants reportedly shot Raymondi in the chest. The men fled the scene empty-handed. Raymondi died en route to hospital. **Details of investigation:** According to *Caretas*, Cañete police arrived at the scene two hours after the shooting; eight hours later the Lima Homicide Division (División de Homicidios de Lima) took over the case. According to news reports, on 11 November 2014 head of the Peruvian Police, General Jorge Flores Goicochea, reportedly rejected any connection between Raymondi's death and his work as a journalist, arguing that police believed that Raymondi was a victim of circumstance, caught up in an attempted robbery gone wrong. Unidentified police officers reportedly disagreed with the general's statement, arguing that no hypothesis had been ruled out – assertions that were supported by the Minister for the Interior, according to media reports. The police had reportedly identified five individuals as suspects. According to reports by *Caretas* dated 4 June 2015, the allocated time for the investigation elapsed in March 2015, leading the prosecutor in charge of the case to ask for an extension. A new prosecutor had also been brought on to investigate the case. No further information as of 31 December 2015. **Background:** Raymondi began working for *Caretas* in March 2014, while in the final year of his journalism degree at Universidad San Martín de Porres, and had begun covering organised crime and corruption that July. He had recently begun investigating an alleged spate of murders in Cañete, including several in the construction industry. According to his editor, he had been working on a story about killing by gangs who had allegedly been extorting construction companies in the town. Raymondi had not reported receiving any threats.

### Judicial harassment

#### **Mónica VECCO (f):**

**Profession:** investigative journalist and academic **Details of trial:** Vecco has been subjected to judicial harassment, smears and threats since September 2013. She believes that these are in reprisal for her work for the fact-checking team of the *megacomisión*, a multiparty congressional commission in charge of investigating alleged irregularities committed during ex-President Alán García Pérez' administration (2006-2011). On 7 September 2013, Mauricio Mulder Bedoya, congressman for the Alianza Popular Revolucionaria Americana (Popular Revolutionary American Party, APRA) – the political party of former President García and owner of the newspaper *El Diario de Hoy*, publicly accused congressman Sergio Tejada, head of the *megacomisión*, of having leaked a preliminary report of one of the commission's investigations through Vecco, whom he wrongly identified as Tejada's press secretary. Vecco has subsequently denied the allegations, pointing out that she left the

congressional commission three months before the leak and had never worked as part of Tejada’s press team. A few days later, *El Diario de Hoy* reportedly accused Vecco of having an inflated salary and of being romantically linked to one of the commission’s members. On 20 October 2013, in a ‘Panorama’ programme broadcast on Canal 5TV, a key witness in the *megacomisión’s* investigation – former drugs trafficker Carlos Butrón Do Santos – reportedly retracted all statements he made to the commission and alleged that Tejada had offered him money in exchange for his testimony; the witness also alleged that Vecco was Tejada’s “right-hand man”. During the programme, Congressman Mulder reportedly indicated that Vecco had been involved in helping the witness flee the country. The programme is reported to have supplied as evidence edited versions of private emails between Vecco and the witness. Vecco contends that her emails were illegally hacked and “used maliciously to incriminate” her. She says that Butrón Do Santos contacted her via Facebook in September 2013; since by then she was no longer working for the Commission and was therefore free to practice journalism again, she began corresponding with him as a potential source. Following the programme, on 21 October 2013, Jorge del Castillo filed a criminal complaint against Tejada and Vecco for “criminal conspiracy”, amongst other accusations, reportedly submitting the ‘Panorama’ programme as evidence. On 12 December 2013, Vecco’s lawyer applied for a postponement of a hearing into the case filed against her set for 27 December 2013. According to the application, Vecco had yet to be formerly notified of the charges laid against her and as such could not prepare an adequate defence. Vecco was reportedly summoned by the 10<sup>th</sup> Prosecutor to be interviewed regarding the complaint filed against her and Congressman Tejada on 11 January 2014. According to Vecco, the complaint against the congressman was dropped on 6 January 2014, however, the same has not been done in Vecco’s case. Vecco was interviewed again on 13 February 2014. According to Vecco as of 20 August 2015, the judicial harassment against her continued. She reported that the plaintiffs had tried to have a judge summon her for questioning without success and that the plaintiff had also exerted his political weight in order to prevent her from obtaining other work. No further information as of 31 December 2015. **Other information:** After the show was aired, Vecco reports being followed by vehicles and motorcycles near her home and work. She reported that a well-groomed man approached her, mentioned the Panorama story and said “this time you’re not getting away, we’re following you... take care of yourself” on 20 October 2013. Vecco interpreted this as a death threat against her and her family. In response, she requested 24-hour police protection for her and her son and reportedly stated that she would hold Mulder and secretary general of APRA Jorge del Castillo responsible if there were an attempt on her life. On 24 October 2013, Vecco filed a criminal complaint with the the Dirección de Investigación Criminal de la Policía Nacional del Perú: División de delitos de Alta Tecnología (DIVINDAD) against Mauricio Mulder Bedoya; Jorge del Castillo; Fernando Viaña, director of *Diario de Hoy*; Rosana Cuevas, director of ‘Panorama’; and *megacomisión* witness Carlos Butrón Do Santos. In her complaint, Vecco reportedly claims that the five individuals have committed computer crimes, crimes against privacy, crimes against personal freedom and defamation. The public prosecutor has reportedly taken up the case. On 29 October 2013 it was reported that Vecco intended to file an additional complaint against former President Alán García. **Background:** Vecco worked as an investigative journalist for the daily newspaper *La República* between 1990-1997 where she wrote about human rights violations, corruption and drug trafficking associated with the armed forces during former President Fujimori’s leadership. Since 1997 she has worked for various television channels as an investigative reporter and as a university lecturer in investigative journalism. Due to her experience in investigative journalism, Vecco was invited to lead the *megacomisión’s* fact-checking team, where she worked between January 2012 and May 2013. Among the illegal activities alleged to have been perpetrated by the Alán García Pérez administration is the commutation or pardon of jail sentences that benefitted 373 drug traffickers.

#### Harassed

\***César HILDEBRANDT, profession:** editor of weekly newspaper *Hildebrandt en sus trece*

**\*Rebeca DIZ (f), profession:** managing editor of weekly newspaper *Hildebrandt en sus trece*  
**Date of harassment:** 23 October 2015 **Details of harassment:** The journalists reported that they had been subjected to illegal surveillance by the government of President Ollanta Humala. They reported seeing two men were taking pictures of them as they were leaving a restaurant in the capital Lima, and several days later Diz reported seeing an unknown car waiting for her when she arrived home. In mid-October, their newspaper reportedly obtained information from a Peruvian Army intelligence officer, who produced a document confirming that both reporters were being tracked by the government. No further information as of 31 December 2015. **Background:** *Hildebrandt en sus trece* has published several investigative reports involving President Humala and his wife as well as public officials. It was reported this year that the National Intelligence Directorate (DINI) prepared files on politicians, businessmen and opposition journalists, and conducted surveillance operations. One of the journalists spied on was Hildebrandt. In 2013, Hildebrandt was handed a two-year suspended sentence for criminal defamation in a separate case involving a governor of the northern Ancash region; the conviction was overturned on appeal.

Case closed

**Asencio CANCHARI SULCA:**

**Profession:** columnist for the Ayacucho daily newspaper *La Calle* **Sentence:** two-year suspended prison sentence and 3,000 nuevo soles (US\$1,000) damages **Details of trial:** He was convicted of defamation on 21 October 2013. The charges relate to a series of columns published in 2012 in which Canchari alleged government corruption on the part of the current Ayacucho department president and that local journalists, including the former aide to the current Ayacucho department president, had attempted to cover up the incident. Canchari reportedly intended to appeal the ruling. No further update as of 31 December 2015; case closed due to lack of information. **Background:** On the same day, **Esther Valenzuela Zorilla**, editor of *La Calle*, was also handed down a two-year suspended sentence and fine in an unrelated defamation case (see below).

**Humberto ESPINOZA MAGUIÑA:**

**Profession:** former editor of the *Prensa Regional* newspaper **Sentence:** two-year suspended prison sentence, 120 days community service, and 5,000 nuevos soles (approx. US\$2,000) damages **Details of trial:** Espinoza was convicted of defamation on 18 September 2013. The following day, he was convicted of further defamation charges. In both cases Espinoza was accused of defaming the same regional politician in articles alleging corruption published in *Prensa Regional* in August and October 2012. Espinoza is reported to have appealed both sentences, requesting an annulment of proceedings. No further update as of 31 December 2015; case closed due to lack of information. **Background:** According to reports, Espinoza and his family have been threatened with death if he does not stop reporting on accusations against the politician.

**Alcides PEÑARANDA OROPEZA:**

**Profession:** editor of the newspaper and magazine *Integración* **Sentence:** two-year suspended prison sentence and 10,000 nuevo soles (US\$3,700) in damages **Details of trial:** Peñaranda was convicted of defamation on 21 May 2013. The conviction relates to an article published in the magazine in February 2013, in which he reprinted phrases published in another magazine, *Hildebrandt en sus trece*, referring to the alleged protection provided to the regional president of the Ancash region by the local public prosecutor's office. Peñaranda appealed the verdict. He reported being threatened by supporters of the politician in the days before and after the complaint. **Background:** The magazine's manager **Yolanda Quito Camones (f)** reported being threatened and was physically attacked by a group of the politician's supporters at the end of the final court hearing. Quito was reportedly hit by the politician's official car and filed a complaint against the driver with the police station in Huaraz. No further update as of 31 December 2015; case closed due to lack of information.

**Esther VALENZUELA ZORILLA (f):**

**Profession:** editor of the Ayacucho daily newspaper *La Calle* **Sentence:** two-year suspended prison sentence and a fine of 1,050 nuevo soles (approx. US\$380), as well as 25,000 nuevo soles (approx. US\$9,000) in damages **Details of trial:** Valenzuela was reportedly convicted on charges of defamation on 21 October 2013. The charges relate to a series of 2010 reports in which Valenzuela reportedly alleged that the president of the department of Ayacucho had mishandled contracts and public money budgeted for the construction of a new public hospital. She was reported to be appealing the conviction. On 24 January 2014 Valenzuela's conviction and sentence was reportedly confirmed by the Superior Court. No further information as of 31 December 2015; case closed. **Background:** Other lawsuits against the media outlet are reportedly pending.

**TRINIDAD & TOBAGO**

Harassed

\***Asha JAVEED (f), profession:** journalist for the *Trinidad Express*

\***Denyse RENNE (f), profession:** journalist for the *Trinidad Express*

\***Anika GUMBS (f), profession:** journalist for the *Trinidad Express*

\***Sunity MAHARAJ (f), profession:** journalist for the *Sunday Express*

**Date of harassment: details of harassment:** According to March 2015 reports, the journalists have come under attack on social media as a result of their investigations into alleged suspicious behaviour in the public administration. The *Trinidad Express* is reported to believe that the attacks originate from a network of anonymous bloggers who support the People's Partnership government and who are known to target those it deems to be critical of the government. No further information as of 31 December 2015. **Background:** General elections took place in Trinidad and Tobago in September 2015.

**UNITED STATES OF AMERICA**

On Trial

**Ryan REILLY, profession:** reporter with the *Huffington Post*

**Wesley LOWERY, profession:** reporter with *The Washington Post*

**Date of harassment:** 11 August 2014 **Details of harassment:** The journalists were reportedly arrested by police officers attempting to clear a McDonalds in Ferguson, Missouri. Reilly and Lowery were covering events following the fatal shooting of unarmed black teenager Michael Brown by a police officer on 9 August 2014. According to reports, police reportedly slammed Lowery into a drinks machine after giving him conflicting instructions as to where to exit the McDonalds. Both were released 45 minutes later without being charged. According to 11 August 2015 reports, Reilly and Lowery face prosecution for trespassing and interfering with a police officer. A court summons dated 6 August 2015 ordered Lowery to appear in court on 24 August. No further information as of 31 December 2015; PEN is seeking to establish whether the trial is ongoing.

Judicial concern

**Mumia ABU-JAMAL:**

**Profession:** journalist and author **Sentence:** Life imprisonment without parole. **Details of trial:** Abu-Jamal was sentenced to death for the murder of Police Officer Daniel Faulkner in 1982. Amid serious concerns about the fairness of his trial, which did not meet international fair trial standards or those guaranteed by the Constitution of the United States, his death sentence was commuted to life

imprisonment without parole in 2011. Abu-Jamal has consistently denied any involvement in the murder, and the evidence presented at trial was reportedly contradictory and incomplete. However, his lawyers have never been successful in their request for him to be granted a re-trial. Mumia Abu-Jamal continues to call for a fair trial, but since all options for appeal have been exhausted, any chance of a retrial is now unlikely. According to December 2015 reports, Abu-Jamal was successful in securing a court hearing regarding his Hepatitis C condition (see below). No further information as of 31 December 2015. **Health concerns:** According to reports, Abu-Jamal was hospitalised on 31 March 2015 after going into diabetic shock. There are further reports that he has Hepatitis C, type-2 diabetes and suffers from severe skin rashes. **Background:** Despite the difficult conditions of his detainment in a death row cell in Waynesburg, Pennsylvania, Abu-Jamal continues to work as a writer and journalist. He has written seven books in prison, making him an internationally renowned activist against death penalty. **PEN Position:** PEN considers that life imprisonment without the possibility of parole may amount to torture or other ill-treatment. PEN is calling for the authorities to take the necessary steps to ensure that Mumia Abu-Jamal is given the opportunity to have his sentence of life imprisonment without parole reviewed. **PEN Actions:** [PEN International Resolution 2014](#) (see also previous Case Lists)

#### Harassed

**Ansgar GRAW, profession:** correspondent for *Die Welt* (German national)

**Frank HERRMANN, profession:** correspondent for *Die Welt* (German national)

**Date of harassment:** 18 August 2014 **Details of harassment:** Graw and Herman were reportedly detained for three hours by police in Ferguson, Missouri, as they attempted to cover the demonstrations that were taking place in response to the fatal shooting of unarmed black teenager Michael Brown by a police officer on 9 August 2014. They were released without charge. According to 2 April 2015 reports, Graw and Herrman are suing Ferguson police department for battery, false arrest and unreasonable search and seizure, seeking unspecified punitive damages. No further information as of 31 December 2015.

**Lukas HERMSMEIER, profession:** reporter for *Bild* newspaper (German national)

**Ryan DEVEREAUX, profession:** reporter for online newspaper The Intercept

**Date of harassment:** 19 August 2014 **Details of harassment:** the two journalists were reportedly detained in the early hours of 19 August 2014, while they attempted to cover the clearing of demonstrators in Ferguson, Missouri. They were released without charge several hours later. According to 2 April 2015 reports, Hermsmeier and Devereaux are suing Ferguson police department for battery, false arrest and unreasonable search and seizure, seeking unspecified punitive damages. No further information as of 31 December 2015.

#### **Gerald Trey YINGST:**

**Profession:** journalist with website News2Share **Date of harassment:** 22 November 2014 **Details of harassment:** Yingst was reportedly arrested in Ferguson, Missouri, as he attempted to cover a demonstration being held during the wait for the grand jury decision on whether to indict a policeman who had shot dead unarmed black teenager Michael Brown in August 2014. Police held Yingst for four hours, initially charging him with 'failure to disperse' and later with 'unlawful assembly.' He was released after video evidence proved that he had not been where the police claimed. Yingst had been carrying his media credentials and a camera at the time of his arrest. According to 3 August 2015 reports, Yingst has been awarded an US\$8,500 settlement from St Louis County after he filed a civil suit in December 2014 with the American Civil Liberties Union of Missouri. Additionally, all three charges against him have been dropped. No further information as of 31 December 2015.

## Case closed

### **James RISEN:**

**Profession:** *New York Times* reporter and author of the book *State of War: The Secret History of the CIA and the Bush Administration*. **Details of harassment:** On 19 July 2013, an appeals court in Virginia ruled that Risen must give evidence at the criminal trial of a former Central Intelligence Agency (CIA) agent who was being prosecuted for leaking state secrets. The former CIA agent was charged with violating the Espionage Act for leaking classified information to Risen which was subsequently included in his book *State of War*. The court ruled that the journalist could not claim a reporter's privilege. On 15 October 2013, a federal appeals court declined to hear Risen's appeal. On 2 June 2014, the United States Supreme Court rejected Risen's appeal, deciding not to intervene in the case. Risen is reported to have said that he would not comply with the subpoena, a decision that could result in a prison sentence or heavy fine if the subpoena is not dropped and he fails to testify. Risen has now exhausted his legal avenues to challenge the subpoena. On 12 January 2015, the United States Department of Justice took the decision to withdraw its subpoena following a 5 January 2015 hearing in which Risen made it abundantly clear that he would never reveal his source. **Background:** The case is reported to stem from Risen's description of a botched, top-secret CIA operation to sabotage Iran's alleged nuclear programme in *State of War* (2006). Risen has been fighting subpoenas to testify against the former CIA agent accused of disclosing the information since 2008 by invoking his First Amendment rights. In 2013 a court of appeal overturned the 2011 ruling of the Federal District Court that while Risen must testify as to the accuracy of his reporting, he could not be compelled by the government to reveal his source. **Awards:** Risen was awarded the 2006 Pulitzer Prize for national reporting alongside his *The New York Times* colleague, Eric Lichtblau. Case closed as no longer at risk.

### **James ROSEN:**

**Profession:** chief Washington correspondent for Fox News **Details of harassment:** Rosen was investigated by the Federal Bureau of Investigation (FBI) for his newsgathering activities. Rosen is the author of a Fox News online story disclosing the government's analysis of North Korea's intentions. According to reports, Rosen was labelled by an FBI agent as an 'aider, abettor and/or co-conspirator' in the government's 2010 investigation into a leak of classified information regarding North Korea. In May 2013 it was reported that investigators had seized two days' worth of Rosen's personal emails and phone records along with records of his security badge in order to ascertain his comings and goings within the state department. A federal judge reportedly signed off on the search warrant. No further update as of 31 December 2015. **Background:** Stephen Jin-Woo Kim, a state department arms expert, was convicted of leaking intelligence suggesting North Korea would conduct a nuclear test. Case closed due to lack of information

## **VENEZUELA**

### Killed – impunity

#### **Jhonny GONZÁLEZ:**

**Profession:** journalist for the sports newspaper *Líder de Deportes* **Date of death:** 3 May 2013 **Details of death:** González (33) was shot dead as he was leaving the paper's offices in the early hours. It is thought that the assailants, who intercepted González on two motorcycles and in a car, were attempting to steal his car; when the journalist resisted, he was shot three times and died instantly. González worked the night shift at *Líder*, covering boxing. **Details of investigation:** According to reports dated 3 March 2015 the authorities had detained a suspect reportedly responsible for acquiring the murder weapon. Four other suspects were being investigated. No further information as of 31 December 2015.

Detained: investigation

**\*Leocenis GARCÍA:**

**Profession:** editor and director of *Sexto Poder* **Date of arrest:** 22 March 2015 **Details of arrest:** According to news reports, García was arrested by the National Guard on the orders of Court 11. His detention was ordered owing to his alleged repeated failure to appear in court. He apparently remained under house arrest as of 31 December 2015. **Health concerns:** García was reported to be in ill-health after spending 87 days on hunger strike in June-September 2015. He was hospitalised in early September and following his release was put under house arrest. **Background:** García's arrest reportedly relates to charges of money laundering, tax evasion and financing terrorist acts which date back to July 2013 in connection with which he spent four months in detention (see 2014 Case List). Prior to that arrest, García had reportedly accused the government of carrying out a campaign against him. He was previously detained without trial for two years and two months between 3 May 2008 and 6 July 2010 for allegedly causing damage to property, carrying a gun without a permit and resisting arrest. In 2011, he was charged with 'inciting hatred, insulting officials and offending women' after the publication of a satirical photomontage on 20 August 2011 (see previous case lists).

**Victor Manuel GARCÍA HIDALGO:**

**Profession:** director and editor of the news portal Informe Cifras, and former politician **Date of arrest:** 1 March 2013 **Current place of detention:** Previously held in Yare 3 prison, he was placed under house arrest after nine months in prison **Details of trial:** Accused of participating in the 2002 coup, García faces charges of 'civil rebellion'. If convicted, he could face between 14 and 24 years in prison. The government is reportedly using as evidence García's documented opinions of the 2002 coup – broadcast on 12 April 2012 on the programme '24 horas de Venevisión' – and a photograph of García with a known opponent of the late President Chávez taken inside the Army General's Command Headquarters. García's defence has reportedly argued that García was there in his capacity as a journalist. The journalist is reported to be subject to a gag order, which prohibits him from writing or speaking to the public. According to 15 July 2015 reports by Informe Cifras, García's trial has finally resumed. A public prosecutor reportedly filed for the application of a travel ban in order to allow García to seek medical treatment for back injuries sustained while held in Yare 3 prison and allow him to stand trial while on bail. The application was reportedly denied by the judge who offered a reduced sentence if García admitted the alleged offences. **Health concerns:** García has longstanding problems with hypertension, which requires quarterly assessments. However, García has reportedly been denied access to a cardiologist on three separate occasions. No further information as of 31 December 2015. **Background:** On 11 April 2002 a military coup d'état succeeded in ousting the late President Hugo Chávez for almost 48 hours.

**Inés Margarita GONZÁLEZ ÁRRAGA (f):**

**Profession:** chemistry specialist at Ohio University **Date of arrest:** 4 October 2014 **Current place of detention:** Helicoide, the Caracas headquarters of SEBIN. **Details of arrest and trial:** González (41) was reportedly arrested after presenting herself to the public prosecutor's office following a subpoena in connection with comments she made on her Twitter account (@inesitaterrible) criticising Robert Serra, a young Congressman murdered on 1 October 2014. The tweets in question, which she made in the days following Serra's death, include the following: 'Tyrants get killed, it's not hatred, it's justice. Robert Serra was not innocent like our glorious students, you can't compare.' ('A los tiranos se les da de baja, no es odio, es justicia. Robert Serra no era inocente como nuestros gloriosos estudiantes, no comparen') (1 October) and 'Robert Serra was not a human being, he was a criminal who commanded terror units and armed children' ('Robert Serra no era un ser humano, era un criminal que comandaba colectivos del terror y armaba niños') (3 October). González' comments appear to make reference to allegations that the late congressman had links to pro-government paramilitary groups known as *colectivos*, and, in particular, to a 23 January 2011 public event apparently linked to a *colectivo* that featured children holding rifles with their faces covered. Several



conspiracy theories surround Serra's murder and President Nicolás Maduro has publically accused former Colombian president Álvaro Uribe of masterminding the killing. After being detained for a month, Gonzales received a release form. However, the authorities proceeded to charge her with 'public instigation', to which she reportedly pled guilty, and on 24 February 2015 she was sentenced to three years in jail. **Conditions of detention:** 25 May 2015 reports state that during a transfer to the military hospital, six SEBIN officers allegedly woke her up violently and beat her. Her sister (@malion2003) tweeted that on 26 July 2015 she still had bruises on her arms. **Health concerns:** Gonzales is reported to suffer from endometriosis, a gynaecological illness that causes pain during menstruation and urination. Since 25 May 2015, the court has mandated that Gonzales be transferred to the military hospital on five separate occasions (most recently on 3 September 2015) for medical examinations and surgery, always in relation to her medical condition. It has been reported that the military hospital has to date refused to comply with the court's order to remit the results of medical examinations. No further information as of 31 December 2015. **Background:** González' Twitter biography makes her opposition to the Maduro government clear: "Agitator by trade in the process of accumulating forces. Dissident of the regime of Toripollo Genocide. Chávez I swear to you, we shall overthrow Maduro."

#### On trial

\***Miguel Enrique OTERO, profession:** editor of *El Nacional*,

\***Teodoro PETKOFF MALEC, profession:** editor of *Tal Cual*,

\***Alberto Federico RAVELL, profession:** owner of *La Patilla*

**Details of trial:** According to news reports, the journalists are currently facing charges connected to a defamation lawsuit filed by the president of the National Assembly, Diosdado Cabello, on 23 April 2015. The lawsuit came after the three news outlets reproduced a report published by the Spanish newspaper ABC in January 2015 which was based on statements given to the US Justice Department by Leamsy Salazar, a former close collaborator of Cabello's. The information, attested to by ABC's editors, declared that Cabello was one of the heads of the Soles drug cartel that engages in cocaine trafficking in Venezuela. On 12 May 2015, Judge María Eugenia Núñez issued a restriction preventing Otero, Petkoff and Ravell – along with 19 other media executives and representatives involved in the lawsuit – from leaving the country. Otero and others are reportedly required to report to the court once a week. According to reports, on 13 August 2015 the courts imposed a heavy fine on *La Patilla*. On 4 October 2015, Otero reported that there was an arrest warrant against him and that he would be taken to prison if he returned to Venezuela. On 6 October 2015, a tribunal is reported to have given an order for the Integrated Police Information System (Sistema Integrado de Información Policial - SIPOL) to use public force to arrest the editors of *El Nacional* and *La Patilla*. Two days later, the Scientific, Penal and Criminalistic Investigations Corp (Cuerpo de Investigaciones Científicas, Penales y Criminalísticas - CICPC) are seen to have visited the offices of these two news outlets looking for Otero and Ravell. CICPC also reportedly went to the offices of *Tal Cual* looking for board member Francisco Layrisse. In the case of Petkoff the authorities will reportedly not use force due to his delicate health situation. It is unclear whether the journalists are detained. On 9 November 2015, the Inter-American Commission on Human Rights granted precautionary measures to the three journalists, calling on the Venezuelan state to prevent irreparable harm to them in connection with their pending cases and 'to ensure [their] legitimate exercise of freedom of expression.'. No further information as of 31 December 2015. **Background:** The Inter-American Press Association have criticised the lawsuit owing to the fact that it violates the principles established by the Inter-American Court of Human Rights, which ruled that the media cannot be held responsible for faithfully publishing information that was originally disseminated by other media.

#### Harassed

**\*Beatriz LARA MENDOZA (f):**

**Profession:** journalist for *El Aragueño* newspaper **Date of harassment:** 19 June 2015 **Details of harassment:** Lara was reportedly detained by officials of the Scientific, Penal and Criminalistic Investigations Corps (CICPC) in Villa de Cura, Aragua state, along with photographer **Alfredo Parada** when they attempted to cover an arrest being made. They were reportedly accused of obstructing justice and resisting arrest, in addition to complicity in the escape of criminals. According to news reports, Lara was beaten while in detention and subjected to verbal and physical assault as well as degrading treatment, including being forced to remove her clothes in order to check that she was not carrying a weapon. She and her colleague were released without charge several hours later. Officials are reported to have apologised for the events, putting them down to stress. The Secretary of Popular Power for Women's Affairs and Gender Equality 'activated the necessary mechanisms' to provide care to the newspaper's journalists, according to *El Aragueño*. The newspaper also reported that the case was sent to the attorney general and that the journalist was receiving legal and psychological counselling. According to reports, on 6 July 2015 the attorney general granted Lara and Parada the emergency protection measures they had sought. These will be valid for a six-month term. There has been no official statement on this case by the police authorities, and any advances in or results of the internal investigation remain unknown as of 31 December 2015.

## ASIA AND THE PACIFIC

### AFGHANISTAN

Killed: motive unknown

**\*Yama BEHROZ:**

**Profession:** recent graduate, freelance journalist with a local media organization **Date of death:** 18 September 2015 **Details of death:** Behroz was killed in Faizabad when, according to reports, an Improvised Explosive Device (IED) exploded at his doorstep. Some of the reports suggested that the IED was planted at his door and he was then called and asked to come out of the house. **PEN position:** PEN is currently investigating whether Behroz is a print or broadcast journalist.

Killed: impunity

**Sushmita BANERJEE (f):**

**Profession:** author of the best-selling memoir *A Kabuliwala's Bengali Wife* **Date of death:** 5 September 2013 **Details of death:** According to reports, armed men broke into her home and tied up her husband before kidnapping and shooting her at least 20 times. Banerjee's body was left outside a *madrasa* (religious school) on the outskirts of Sharan City, Paktika province. **Details of investigation:** On 9 September 2013, local police officials reportedly arrested two men – initially said to be armed militants connected to the [Haqqani Network](#), an affiliate of the Taliban which has connections to Pakistan – in connection with her murder. According to press [reports](#), the suspects confessed to Banerjee's murder. Local villagers reportedly led the police to the men, who were said to have been found with weapons, including explosives. Four men arrested on 11 September reportedly indicated that the plan was orchestrated in Pakistan by three Pakistan Taliban militants working with a local commander of the Afghan Taliban in Paktika. According to [the BBC](#), the Afghan Taliban has denied responsibility for the attack. Banerjee was reportedly targeted by the group because of her critical writings of the Taliban in her memoir and for installing an Internet connection in her house. Banerjee had recently returned to Afghanistan to live with her husband and run a midwifery clinic. She had reportedly been filming the lives of local women as part of her work prior to her death, and was writing a second book. Despite the recent arrests, on 15 September 2013 news [reports](#) indicated that a splinter Taliban group – known as the Suicide Group of the Islamic Movement of Afghanistan – had admitted responsibility for Banerjee's murder via a Western news website, claiming they had killed her because she was an Indian spy. No further information as of 31 December 2015. **PEN Action:** RAN 30/13

Attacked

**\*Qasim MUZAFARI:**

**Profession:** journalist in state-run newspaper *Bidar Daily*. **Date of attack:** 26 August 2015 **Details of attack:** Muzafari was on duty when he was attacked with knives and critically injured by unknown assailants in Mazar-e-Sharif. **Other information:** According to reports citing the Editor-in-Chief of the newspaper, Muzafari was admitted to hospital for treatment with injuries to his hands and stomach. **Details of investigation:** An investigation is thought to have been opened. No further information as of 31 December 2015.

Case closed

**Palwasha Tokhi MERANZAI (f):**

**Profession:** Journalist **Date of death:** 16 September 2014 **Details of the death:** Meranzai was reportedly found stabbed to death at her home in Mazar-e-Sharif city. She worked for the Bayan Media Centre until 2012, and left to pursue her masters' degree in Thailand, from where she

returned in July 2014. It has been reported that Meranzai received a death threat a month before her death, which she communicated to the Bayan Media Centre. **Details of investigation:** The police arrested a man in October 2014 and attributed the motive to robbery; Meranzai's father asked the police to investigate other possible reasons for the killing. According to Bakhtar News Agency, on 9 November 2014 a citizen called Gul Mohammad was found guilty and condemned to death for the murder of Meranzai. The head of the primary court stated that Mohammad entered Meranzai's house to rob it, murdering her after encountering her. Case closed.

## AUSTRALIA/PAPUA NEW GUINEA

Detained: main case

### **Behrouz BOOCHANI:**

**Profession:** journalist and human rights advocate **Date of detention:** 27 August 2013 **Details of detention:** Boochani, an Iranian national, was reportedly rescued at sea by the Australian navy, whom he asked for asylum. Due to Australia's offshore processing policies, Boochani was reportedly taken to Manus Island Regional Processing Centre at Lombrum, Papua New Guinea. **Treatment while in detention:** According to PEN's information, Boochani has faced harassment for reporting to the Australian media and other organisations on conditions inside the detention centre and human rights abuses alleged to be taking place there. He reports being the target of beatings as a direct result of his reporting. **Current place of detention:** Boochani was initially held in an immigration detention centre, Manus Island, Papua New Guinea. However, according to reports, he was transferred to the East Lorengau refugee transit centre in February 2015. **Background:** According to PEN's information, in his native Iran, Boochani worked as a journalist for several newspapers, including national dailies *Qanoon*, *Kasbokar* and *Etemad*, and the Kurdish-language monthly magazine *Varia*. Due to his focus on business and politics, Boochani was subject to constant surveillance by the Iranian authorities. In 2013, he was reportedly arrested, interrogated and threatened by the Iranian Intelligence Services. Fearing that he would be imprisoned, he fled Iran on 13 May 2013. Since his detention, Boochani has been documenting human rights violations, which he passes on to the Humanitarian Research Partners (HRP), who in turn pass the information on to the United Nations and its relevant agencies. Boochani has continued to write for several publications while in detention, and has published the first instalment of his book documenting his experiences in detention. **Honorary Member:** PEN Melbourne, Norwegian PEN **PEN Action:** 2015 World Human Rights Day [Action](#), PEN Greeting Card Campaign 2015, [Joint open letter to the Australian authorities](#).

## BANGLADESH

Killed

### **\*Niloy CHAKRABARTI (also known as Niloy Neel):**

**Profession:** Blogger **Date of Death:** 7 August 2015 **Details of killing:** Chakrabarti was reportedly attacked at his home in Gorhan, Dhaka by five unknown assailants wielding machetes. The men reportedly gained entry to his home after pretending to be potential new tenants. His name had recently appeared in a hit list alongside 83 other secular bloggers described as anti-Islamic and blasphemous, three others of whom have also been killed this year. **Details of investigation:** On 14 August 2015 police arrested two suspects, both of them members of the Islamist group Ansarullah Bangla Team. No further information as of 31 December 2015. **Background:** Chakrabarti contributed to several blogging platforms writing against extremism, as well as on women's and minority rights. He is known as having some involvement with the Ganajagaran Mancha movement. He is also reported to be a founding member of the Science and Rationalist Council. In addition, Chakrabarti worked for an NGO in north-western Bangladesh. **Other information:** Chakrabarti was reported to

have faced harassment and numerous threats in connection with his writings and activism in months prior to his death. On 25 May 2015, he posted on Facebook that he was followed home after attending a demonstration in Dhaka protesting **Bijoy Dash's** (see 'Killed' below) death. According to one news report, he had recently removed all his photographs from his Facebook account and changed his current location to Calcutta owing to the threats. **PEN Action:** [7 August 2015 statement](#).

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

**Profession:** award-winning writer, editor of quarterly magazine *Jukti* and blogger **Date of death:** 12 May 2015 **Details of death:** Dash was hacked to death by a masked gang wielding machetes on his way to work in a bank, in the city of Sylhet. **Details of investigation:** On 18 August 2015, three members of Ansarullah Bangla Team, including a British citizen of Bangladeshi origin, were arrested by security forces in connection to the killings of Ananta Bijoy Dash and **Avijit Roy** (see below). On 28 August 2015, one of the arrested, Mannan Yahia, confessed his involvement in Dash's murder. On 10 September 2015 three more, including the head of the Ansarullah Bangla Team, Mohammad Abul Bashar, were arrested in connection with both bloggers' murders. Bashar is reported to be thought to be the mastermind of the bloggers' killing. **Background:** His writings focused on rationalism, atheism and science, with a particular emphasis on biological evolution. He also wrote blog posts that criticised some aspects of Islam as well as of Hinduism, and wrote a poem eulogising the renowned Bangladeshi secular writer Taslima Nasreen, who fled to Europe in 1994 after being threatened by Islamist extremists. **Other information:** Bijoy Dash appeared in two assassination lists compiled by the extremist Islamist group Ansarullah Bangla Team in February 2013 and March 2015. After the murder of blogger Avijit Roy, Bijoy Dash had been in hiding and was seeking protection. He had been accepted for placement by the International Cities of Refuge Network (ICORN), and in early April 2015 he was invited to Sweden to give a talk by Swedish PEN. On April 22 the Swedish embassy in Dhaka refused his visa application. **Awards:** Mukto-mona Rationalist Award in 2006. **PEN Action:** [12 May 2015 statement and RAN 08/15, Swedish PEN statement; joint letter 22 May 2015](#)

**\*Faisal Abedin DEEPAN:**

**Profession:** publisher at Jagriti Prokashoni publishing house **Date of death:** 31 October 2015 **Details of death:** Deepan was found dead in his office in Dhaka on 31 October 2015. According to reports, he had been hacked to death by a group of men who then fled. **Investigation:** As of 31 December 2015, no one had been arrested for Deepan's murder. **Background:** Earlier on the same day, publisher **Ahmed Rahim "Tutul" Chowdhury** and writers **Ranadeep Basu** and **Tareque Rahim** (see below under 'Attacked') were attacked in the offices of Shuddhashar publishing house in Dhaka. Both Deepan and Tutul's publishing houses had published books by Bangladeshi-American writer and blogger **Avijit Roy** (see below 'Killed'), who was hacked to death in February. Deepan's company published *The Virus of Faith*, by Roy. The local Islamist group Ansarullah Bangla Team had claimed responsibility for Roy's killing, alongside the killings of three other bloggers in 2015, and threatened to kill more bloggers. Deepan had filed a complaint with police after being threatened with death in a posting on Facebook following the attack on Roy, his friends said. **PEN Action:** [1 November 2015 statement](#)

**\*Washiqur RAHMAN (aka Kutshit Hasher Chhana):**

**Profession:** Blogger **Date of death:** 30 March 2015 **Details of death:** Rahman was hacked to death close to his home, reportedly by three men. **Details of investigation:** Five men (an organizer of Ansarullah Bangla Team and four supporters) were charged with Rahman's murder by Bangladeshi police on 1 September 2015. **Background:** According to local reports, Rahman was known for his atheistic views and he used to write against religious fundamentalism and repression of ethnic minorities. He also worked as an IT manager at a travel agency. **PEN Action:** [30 March 2015 statement](#)

**\*Avijit ROY:**

**Profession:** writer and blogger, founder and administrator of the blog mukto-mona.com **Date of birth:** 12 September 1972 **Date of death:** 26 February 2015 **Details of death:** Roy and his wife had just left a book fair near University of Dhaka when they were attacked by a group of men with machetes. Roy received a mortal blow to the head, while his wife's fingers were severely injured. **Details of investigation:** The Islamist group Ansar al Islam claimed responsibility for Roy's murder in a series of messages on its Twitter account. On 18 August 2015 three members of Ansarrullah Bangla Team were arrested by security forces in connection with Roy's murder, as well as that of **Ananta Bijoy Dash** (see above). On 10 September 2015 three more, including the head of the Ansarullah Bangla Team Mohammad Abul Bashar, were arrested in connection with both bloggers' murders. Bashar is reported to be considered the mastermind of the bloggers' killing. **Background:** Roy founded and administered a popular blog called *Mukto-mona* (Free mind) which encouraged free thinking, humanism and rationalism. **PEN Action:** [27 February 2015 statement](#)

Imprisoned – Main Case

**Salah Uddin Shoaib CHOUDHURY:**

**Profession:** editor of the tabloid *Weekly Blitz* **Sentence:** seven years in prison with hard labour **Date of arrest:** 9 January 2014 **Details of trial:** Choudhury had written articles about alleged anti-Israeli attitudes in Muslim countries and the spread of Islamist militancy in Bangladesh. Choudhury was eventually convicted of harming the country's interests under section 505(A) of the Bangladeshi Penal Code for 'intentionally writing distorting and damaging materials' on 9 January 2014 and immediately imprisoned. He was acquitted of a sedition charge. Choudhury's family said they would appeal the decision in the High Court. No further information as of 31 December 2015. **Background:** Choudhury was previously arrested in November 2003 after he tried to travel to Israel to participate in a conference with the Hebrew Writers Association. Bangladesh has no diplomatic relations with Israel, and it is illegal for Bangladeshi citizens to travel there. Choudhury was released on bail in 2005 after spending 17 months in solitary confinement (see Case Lists of 2004 and 2005). First charged with passport violations, charges which were dropped in 2004, he was later charged with sedition and other charges in connection with his articles. **PEN Action:** RAN 23/04 and updates **Honorary member:** English PEN, PEN USA

Detained: main case

**\*Mohon Kumar MONDAL:**

**Profession:** director of the local NGO LEDARS **Date of the arrest:** 26 September 2015 **Details of arrest:** Mondal was arrested on 26 September 2015 for making 'derogatory' comments on Facebook criticising Saudi Arabia's security arrangements during the Hajj. Mondal had removed the post from Facebook short time before his arrest. **Details of trial:** Mondal was arrested after the President of the Upazila (regional unit of Awami League, the governing political party in Bangladesh) filed a case against him under section 57 of the Information Communication and Technology Act. He was charged with damaging the religious sentiment of Muslims. **Other information:** In his Facebook post, Mondal criticised Saudi Arabia's security measures at Mina, Mecca during the Hajj, and their negligence in dumping the dead bodies after the stampede on 24 September 2014. He also questioned the rationality of throwing stones at devils during the Muslim ritual suggesting that 'such devils were roaming everywhere.' **Background:** On 24 September 2015, during the annual Hajj Muslim pilgrimage to Mecca, Saudi Arabia, at least 2,177 people died in a crowd collapse.

On trial

**Nasiruddin ELAN and Adilur Rahman KHAN:**

**Profession:** director and secretary of leading Bangladeshi human rights group Odhikar **Date of arrest:**

Khan was arrested on 10 August 2013; Elan was arrested on 6 November 2013. **Date of release:** Khan was released on bail on 30 October 2013; Elan was released on bail on 1 December 2013 **Details of arrest:** A day after his arrest, Khan was remanded for five days for interrogation. On 12 August 2013, the High Court of Bangladesh ordered him to be sent to jail. Police reportedly raided the Odhikar offices and confiscated computers and other materials. Elan was arrested on 6 November 2013 when a judge refused him bail. **Details of trial:** The case is linked to a fact-finding report issued by Odhikar on the killing of 61 people during an operation carried out by security forces against Hefazat-e-Islam activists during mass demonstrations in Dhaka in May 2013. Both were charged on 4 September 2013 with distorting information, presenting false evidence and manipulating photographs under section 54 of the Code of Criminal Procedure, section 57 of the Information and Communication Technology Act (which criminalizes publishing or transmitting material that is ‘fake and obscene’, tends to deprave and corrupt persons’ or causes to ‘prejudice the image of the State’) and sections 505 and 505(A) of the Bangladesh Penal Code. The court applied September amendments to the ICT Act retroactively in their case, raising unfair trial concerns. The pair reportedly face a minimum of seven years and maximum of 14 years in prison. On 8 January 2014, a cyber-crimes tribunal reportedly rejected their plea to dismiss the charges and ordered that their trial commence on 22 January 2014. The High Court stayed proceedings for three months on 21 January 2014. **Update:** On 8 August 2015, Adilur Rahman Khan reportedly received serious death threats. Also in August 2015, the Bangladeshi police issued a statement declaring that the work carried out by Adilur Rahman Khan’s organisation was “synonymous to defamation and a criminal act”. **Other information:** The UN Working Group on Arbitrary Detentions (WGAD) ruled in December 2013 ruled that Khan’s detention resulted “directly from his peaceful exercise of the right to freedom of expression” and therefore in contradiction to the UDHR and ICCPR provisions protecting liberty and freedom of expression. The WGAD requested that Bangladesh immediately release Mr. Khan and “discontinue the criminal proceedings against him.” Khan was reportedly followed by two men on motorcycles in February 2014. He and his family are reported to face continued harassment. **Awards:** Khan received the 2014 Robert F. Kennedy Human Rights Award and the 2014 International Bar Association (IBA) Human Rights Award.

**Asif MOHIUDDIN:**

**Profession:** Prominent blogger, his Bengali-language blog *Almighty only in name, but impotent in reality*, is said to be one of the most popular blogs in Bangladesh. He writes about religious issues, freedom of expression, human rights and he also comments on news items. **Date of arrest:** 3 April 2013 and 29 July 2013 **Date of release:** 27 June 2013 and 7 August 2013 **Details of arrest:** Mohiuddin was arrested for writing an openly atheist blog, which has been suspended under order by the Bangladesh Telecommunication Regulatory Commission since 21 March 2013. **Details of trial:** He was accused of ‘hurting religious sentiments’, under Article 57(2) of the 2006 Information and Communication Technology Act, and could face up to 14 years in prison. On 27 June 2013, the court heard and accepted a petition for Mohiuddin’s conditional release for one month on health grounds, but he returned to jail on 29 July when his application for permanent bail was refused. He was again released on 7 August 2013 when a further one month bail order was issued. He was charged on 8 September 2013 and his trial began on 6 November 2013. On 16 February 2014, the High Court of Bangladesh put the case on hold for three months and asked the government to explain why it should not be scrapped. He remains free and arrived in Germany on a one-year scholarship in April 2014. **Update:** According to Mohiuddin, he was successful in his application to put the case on hold for one year, due to expire in late 2015. No further information as of 31 December 2015. **Background:** Mohiuddin was stabbed while leaving his office in the Uttara district, Dhaka, on 14 January 2012. On the day of the attack, three unidentified men stabbed him several times before they fled. The authorities are said to be investigating the attack. PEN has no further information on the outcome of the investigation as of 30 June 2013. **PEN Action:** RAN 16/13 – 5 April 2013



**Rabiullah ROBI:**

**Profession:** Editor for the *Daily Inqilab* **Date of arrest:** 19 August 2014 **Date of release:** March 2015  
**Details of arrest:** Robi was arrested after the newspaper's office in Dhaka was raided by the police, under the Informational and Communication Technology Act as a result of an article published on 18 August 2014 in the daily. The article reportedly 'hurt religious sentiment' and created disorder within the administration. The case against Robi was filed by an acting Assistant Inspector General who was mentioned in the article and who allegedly abused his authority by using the Prime Minister's name. On 24 September 2014, Robi's defence petitioned for the editor to be released on bail, but a court in Dhaka rejected the request. His trial had not begun by the end of the year. According to March 2015 reports by Civicus, Robi has been released on bail and his case is still ongoing. No further information as of 31 December 2015. **Background:** On 16 January 2014, Robi was reportedly arrested along with two other journalists for the *Daily Inqilab*. The trio were later charged with publishing 'false and fabricated' news in connection with a front-page report that claimed that forces from neighbouring India had assisted the Bangladeshi army in quelling violence in Bangladesh's Satkhira district ahead of the January elections. They were released on bail in August 2014 (see 2014 Case List for more information). [Stop Press: News [reports](#) on 7 February 2016 indicate that Robi, along with three other journalists with the paper were charged under Article 57(2) of the 2013 Information and Communications Technology (ICT) Act in December 2015 based on the complaint. They face a maximum sentence of 14 years' imprisonment if convicted.]

**Subrata Adhikari SHUVO, Mashiur Rahman BIPLOB, and Rasel PARVEZ:**

**Profession:** Bloggers **Date of arrest:** 1 April 2013 **Date of release:** Shuvo and Parvez were released on bail on 12 May 2013, while Biplob was similarly released on 2 June 2013. **Details of trial:** They were charged on 8 September 2013 with 'hurting religious sentiments' under Article 57(2) of the Information and Communication Technology Act, for posting derogatory material about Islam and the Prophet Muhammad online and could face up to 14 years' imprisonment under Bangladesh cyber-crime laws. The bloggers have reportedly criticized the authorities and the press for being partial towards Islamist views in an alleged secular country. Soon after their arrest, their blogs were shut down. Their trial started in November 2013. On February 16, 2014, the High Court of Bangladesh put the case on hold for three months and asked the government to explain why it should not be scrapped. **Update:** Subrata Adhikari Shuvo is believed to have left the country. No further information as of 31 December 2015. **PEN Action:** RAN 16/13 – 5 April 2013

Brief detention**\*Mizanur RAHMAN:**

**Profession:** correspondent of the private newspaper *Prothom Alo*. **Date of arrest:** 17 March 2015  
**Date of release:** 4 June 2015 **Details of arrest:** Local police reportedly arrested Rahman in Patuakhali district and he was charged with assaulting an officer and obstructing government duties. According to *Prothom Alo*, Rahman was arrested in retaliation for his reports alleging corruption by local officials, particularly for quoting comments allegedly made by a parliamentarian of the ruling Awami League. **Details of release:** On 22 March a court denied Rahman bail, *Prothom Alo* reported without providing an explanation. Rahman was reportedly eventually released on bail on 4 June 2015. **Place of detention:** Patuakhali jail **Conditions of detention:** On 22 March Rahman reportedly told local journalists that he had been tortured in police custody. A court-appointed medical team examined Rahman and concluded that they found "muscle injuries and torture marks" on his body. On 23 March his father filed a legal petition demanding punishment for the law enforcement officers that allegedly tortured Rahman.

**\*Probir SIKDAR:**

**Profession:** editor of *Daily Bangla 71* and online news portal u71news.com. **Date of arrest:** 16 August 2015 **Date of release:** 19 August 2015 **Details of arrest:** Sikdar was reportedly arrested in Dhaka on

16 August 2015 and brought to Faridpur district Detective Branch office. Police said they called him for questioning over a Facebook post he wrote on 10 August in which he accused three officials of putting his life in danger. **Details of release:** On 19 August a Faridpur court granted Sikdar interim bail until 22 September 2015 upon a bond of Tk 5,000 (USD 65). **Details of trial:** The day Sikdar was detained, a case under the ICT Act was filed in Faridpur accusing him of slandering the Minister for Expatriates' Welfare & Overseas Employment in a Facebook post where he said his life was in danger and blamed the insecurity on the minister. He was [exempted](#) from appearing in court in person on 22 September 2015. The case against him was [dropped](#) on 16 December 2015. **Background:** In 2001 Sikdar lost his leg to an attack carried out allegedly by Moosa bin Shamser's men. Shamser is one of the three officials Sikdar accused in his Facebook post in August 2015. According to [bdnews24.com](#), Sikdar had written on Shamser's alleged role in the Liberation War when he was correspondent of *Daily Janakantha*.

### Death threat

\***Ashfaque ANUP, profession:** blogger

\***Ananya AZAD, profession:** blogger

\***Sushanta DASGUPTA, profession:** blogger

\***Mahmudul HAQUE MUNSHI, profession:** blogger and online activist with social movement Ganajagaran Mancha

\***Muhammad Zafar IQBAL, profession:** Shahjalal University of Science and Technology professor and writer

\***Arif JEBTIK, profession:** blogger

\***Nirjhar MAJUMDER, profession:** blogger

\***Nur NABI DULAL, profession:** blogger

\***Abdur RAHMAN, profession:** blogger

\***Arifur RAHMAN, profession:** blogger

\***Omi RAHMAN PIAL, profession:** blogger

\***Maruf RASUL, profession:** blogger

**Date of threat:** 10 August 2015 **Details of threat:** Media companies reportedly received a letter sent on 10 August 2015 by Ittihadul Mujahidin, one of many Islamist groups in Bangladesh. The letter is reported to list 20 names of people whom the group threatened to kill, including bloggers, writers, intellectuals and members of the social movement Gano Jagoron Mancha. The list also included two ministers of the government, an intellectual, a teacher, a member of parliament, a sculptor and the scratched out name of **Niloy Chakrabarti**, murdered on 7 August 2015 (see above in 'Killed').

**Background:** Gano Jagoron Mancha (National Awakening Stage) is a social movement which arose out of the 2012 Shahbag protests and has called for the application of capital punishment for those convicted of war crimes in the country's civil war.

\***Imran H. SARKER:**

**Profession:** blogger **Date of threat:** 17 October 2015 **Details of threat:** On 17 October 2015 Sarker received a death threat in his Facebook page. The threat reportedly reads 'You [Sarker] are a black sheep for the Muslims. Just prepare to get killed as your life is on the point of ruin (sic). You will be killed like the foreigners.' The threat refers to the Italian aid worker, Cesare Tavella, and Japanese businessman, Kunio Hoshi, killed on 28 September and 3 October 2015, respectively. The account that made the Facebook comment contains the name 'Islamic State (IS)' in it. **Background:** Sarker is one of the most popular bloggers in Bangladesh, with nearly a million followers on social media. He writes in favour of a secular and tolerant environment, and against religious fundamentalism and the current government of the country. He had reportedly received threats before, but he did not report them to the police until this time.

## Attacked

\***Sundeep Kumar Ray BARMAN (also known as Ranadipam BASU), profession:** writer and blogger

\***Tareque RAHIM, profession:** writer and blogger

\***Ahmedur Rashid CHOWDHURY (also known as Tutul), profession:** publisher of Shudhdhoswar publishing house

**Date of attack:** 31 October 2015 **Details of attack:** Basu, Rahim and Chowdhury were reportedly attacked by a group of unidentified men who stormed the offices of the Shudhdhoswar publishing house in Dhaka on 31 October 2015. The three men were transferred to hospital following the incident after sustaining life-threatening injuries, according to reports. **Background:** Another publisher, **Faisal Abedin Deepan** (see above in 'Killed') was hacked to death the same day in his office in Dhaka. Both Deepan's and Shudhdhoswar publishing houses had published books by Bangladeshi-American writer and blogger **Avijit Roy** (see above in 'Killed'), who was hacked to death in February. Before the attack, Tutul received threatening messages via phone, according to reports. Basu writes a blog and has published commentaries on *Mukto-Mona* (Free Mind), the blog founded by **Roy**. **PEN Action:** [1 November 2015 statement](#)

## Threatened

\***Henry SWAPAN, profession:** poet and activist

\***Syed Mehedi HASAN, profession:** poet and activist

\***Tuhin DAS, profession:** poet and activist

\***Nazrul BISWAS, profession:** activist, journalist and Gano Jagoron Mancha organiser

\***Pritom CHOWDHURY, profession:** activist, blogger and Chhatra Union Barisal unit General Secretary

\***Charu TUHIN, profession:** sculptor, activist and blogger

**Date of threat:** 10 August 2015 **Details of threat:** The six from Barisal were threatened in a Facebook post, according to reports. An account named Ansar BD reportedly posted photos of the men and declared them enemies of Islam along with the apparent threat, having already sent each of them a 'friend request' on the social media site. **Details of investigation:** Local news sources have reported the police as saying that they patrolled and surveilled the homes of the six men in the days after the attack, but that they did not know who was behind the threat. **Background:** The six are reported to be members of Gano Jagoron Mancha (roughly translating to National Awakening Stage), social movement which arose out of the 2012 Shahbag protests, those involved campaign for capital punishment for those who committed war crimes during the 1971 Bangladesh war and a ban on religious politics. The group alleged to be responsible for the threat, Ansar al Islam, is an Islamist militant group which has claimed links with Al Qaeda. The threat came three days after the murder of Niloy Chakrabarti, see 'killed' above).

## Harassed

\***C. R. ABRAR. Profession:** writer and teacher at the University of Dhaka

\***Hana Shams AHMED. Profession:** writer, activist and coordinator of the International Chittagong Hill Tracts Commission

\***Rahnuma AHMED. Profession:** founder of the department of anthropology at Jahangirnagar University, author of several books and articles, columnist and translator

\***Farida AKHTER. Profession:** Founding Executive Director of UBUNIG (Policy Research for Development Alternative) and publisher of Narigrantha Prabartana, the only Feminist Publishing House in Bangladesh, as well as editor of *Chinta*, an analytical Bengali fortnightly on politics and development

\***Nasrin Siraj ANNIE. Profession:** anthropologist and filmmaker

\***Afsan CHOWDHURY. Profession:** journalist for *Dhaka Courier*, the *Daily Star* and the BBC among others, and researcher

\***Leesa GAZI. Profession:** writer, actor and TEDx speaker, runs the TV talk shows 'Aei Jonopode' on

Bangla TV

**\*Delwar HUSSAIN. Profession:** anthropologist, writer and correspondent for *The Guardian*

**\*Anu MUHAMMAD. Profession:** writer, economist and political activist

**\*Shabnam NADIYA. Profession:** writer and translator

**\*Mahmud RAHMAN. Profession:** writer and translator

**\*Ziaur RAHMAN. Profession:** university teacher, CEO and Legal Adviser at IITM, Dhaka Judge Court and contributor to various national dailies and monthly magazines

**\*Muktasree Chakma SATHI. Profession:** rights activist, researcher and columnist

**\*Ali Ahmed ZIUADDIN. Profession:** freedom fighter, researcher, author, farmer and social activist

**Date of harassment:** 22 April 2015 **Details of harassment:** The three-member International Crimes Tribunal 2 issued show cause notices upon 23 people, including the 14 writers above, asking why they should not be punished for contempt of court, over a statement they made expressing concern for the sentence of Dhaka-based British journalist **David Bergman** (see 2014 Case List). **Background:** On 2 December 2014 a tribunal sentenced **Bergman** to a fine of Tk5,000 for two articles he had posted on his personal blog. After over two weeks of Bergman's conviction, 50 noted personalities issued the statement, observing that the tribunal's order would restrict freedom of expression. Twenty-six of the signatories were cleared of the charge as they had tendered unconditional apologies for their conduct, and one signatory withdrew her name from the statement. Twenty-two of the other signatories were exonerated after receiving a 'serious caution'. The last, Dr. Zafrullah Chowdhury, was sentenced to an hour in the dock and a fine.

#### Judicial harassment

**\*Matiur RAHMAN, profession:** editor of the leading newspaper *Prothom Alo*,

**\*Azad RAHMAN, profession:** correspondent of *Prothom Alo*

**\*Subrata SARKAR, profession:** local journalist of *Prothom Alo*

**Date of harassment:** 4 August 2015 **Details of harassment:** On 4 August 2015, a court in Jhenaidah issued an arrest warrant for Matiur Rahman, Azad Rahman and Subrata Sarkar in two defamation cases. A total of eight cases were filed against them in connection with reports published in the daily about alleged corruption in purchasing 15 tractors with the government's subsidy. Two non-bailable extortion cases were also filed against Azad Rahman and Sarkar. **Background:** On 21 January 2015, a court in Jhalakhati had earlier issued an arrest warrant against Matiur Rahman over a cartoon and an article. The cartoon in question, published in the magazine *Alpin* in 2007, depicted the Prophet Mohammad. Matiur Rahman was accused of hurting religious sentiments in a case filed last October. Public prosecutor Alam Khan Kamal said the judge issued the arrest warrant after Matiur Rahman failed to appear in court on three occasions. Finally, the case against Matiur Rahman was dropped as the complainant, a police officer, failed to appear in court.

#### Sentenced

**\*Muhammad Ruhul Amin KHANDAKER:**

**Profession:** Jahangirnagar University teacher **Sentence:** three years in prison and a fine of Tk 10,000, failure to pay would reportedly increase his prison term by another six months **Details of trial:** On 18 August 2011 the High Court asked Khandaker to explain within two weeks why he should not be prosecuted for his 'derogatory comment' made in a Facebook post, where he wished the Prime Minister's death. When he failed to respond, the court sentenced *him in absentia* to six months in prison for contempt of court and ordered police to start a sedition case against him. On 7 August 2015, a Dhaka court reportedly sentenced Khandaker *in absentia* to three years in prison for sedition. **Other information:** Khandaker has been staying in Australia since 2009 on a study leave.

#### Case closed

**Ahmed Rajib HAIDER (aka Thaba Baba):**

**Profession:** Prominent blogger critical of Islamic fundamentalism **Date of death:** 15 February 2013

**Details of death:** killed by assailants outside his home in the Pallabi neighbourhood, Dhaka.

According to his brother, the blogger had been targeted by the Islami Chhatra Shibir (the student wing of the Jamaat-e-Islami party) for his 'online activities'. Members of the Jamaat-e-Islami party reportedly denied the accusation. **Details of investigation:** The authorities reportedly arrested five individuals who have confessed to carrying out the murder as they regarded it was their religious obligation to do so. **Trial of perpetrators:** According to January 2014 reports, eight people believed to be connected to the Ansarullah Bangla Team militant organisation, including its alleged chief Jasim Uddin Rahmania, were charged with Haider's murder. Rahmania, Imam of Bashila mosque in Dhaka, is accused of instigating the murder by delivering sermons against atheist bloggers, inciting his audience to kill them. The seven other co-accused, aged between 19 and 28, are reportedly students from North South University. Of the seven, only one has been identified as the person who carried out the killing. He remains at large, while the other seven have been arrested. On 18 March 2015 a Dhaka court indicted the seven university students and Rahmania to stand trial for the murder of Haider, whom they claimed had defamed Islam. One of the seven students, Rezwanul Azad Rana, remains at large. The other six students and Rahmania pleaded not guilty but were remanded into custody. On 11 May 2015 the case was shifted from Dhaka's Fourth Additional Metropolitan Sessions Judge Court to the Third Speedy Trial Tribunal to speed up the proceedings. **Update:** On 31 December 2015, a Dhaka court sentenced two students to death for the murder of Ahmed Rajib Haider, including Rezwanul Azad Rana, who is still missing. The court also sentenced Rahmania to five years in jail for 'abetting murder' by inciting students to kill secular bloggers. Another student was sentenced to life imprisonment, and four more to three years in jail for lesser charges, according to reports. **PEN Action:** RAN 16/13 – 5 April 2013

**CAMBODIA**

Killed: impunity

**Taing TRY:**

**Profession:** Investigative journalist for the *Vealntri* newspaper **Date of death:** 12 October 2014

**Details of death:** Try, aged 48, was gathering evidence of the smuggling of illegal luxury wood in the Tuol Punley hill in Pum Ksem Kang Krow village, Kratie region in Northeast Cambodia. Try was reportedly shot to death outside his car. **Details of investigation:** On 15 October 2014 three people were arrested by the police and charged with Try's death. Two of them, the former chief of police in Mondolkiri's Sre Chhouk commune, and a military police officer were released in December 2014 just before witnesses to the killing were to be questioned, after police said that the third man arrested, a former soldier, had confessed to killing Try on his own. A local human rights group expressed concern at the releases. No further information as of 31 December 2015.

**Suon CHAN:**

**Profession:** reporter for *Meakea Kampuchea* newspaper **Date of death:** 1 February 2014 **Details of death:** Chan, aged 44, was reportedly beaten to death outside his home in Peam Chhkork commune, Cholkiri district of central Kampong Chhnang province, by a group of fishermen. The assailants reportedly beat him repeatedly with sticks and stones, and attacked two relatives who came to his aid. Chan died on his way to hospital. **Details of investigation:** The police chief of Peam Chhkork commune told the *Phnom Penh Post* that preliminary investigations indicated that those involved in illegal fishing were likely related to the murder, however, Cholkiri district's police chief reportedly told Radio Free Asia that initial investigations indicated that Chan's murder was not related to his work as a journalist, stating that investigations had identified three suspects, but that no arrests had been made by June 2014. On 7 October the trial *in absentia* of six men charged with Chan's murder

opened at Kampong Chang provincial court. One of them was arrested on 14 October. On 23 October, seven journalists reportedly submitted a report to the police claiming that Chan's real murderers were four men not wanted by the police and that the six on trial had been framed by police. The police denied the journalists' allegations. On 12 November 2014 the six men were sentenced to 13 years in jail, five of them *in absentia*. **Update:** Only one of the accused is detained and his appeal was rejected by the Kampong Chhnang Provincial Court on 2 March 2015. During the same 2 March hearing, all six men were reportedly ordered to pay five million riel (approx. US\$1,245) in compensation to the victim's family. The other five were reported to be on the run as of 25 March 2015. **Background:** Chan had recently reported on illegal fishing in Peam Chhkork commune, which had led to a police crackdown on activities.

#### On trial

##### **Yorm BOPHA (f):**

**Profession:** Activist and protest song writer **Date of arrest:** 4 September 2012 **Sentence:** Three years in prison, reduced to two years on appeal. **Details of arrest:** Yorm Bopha has been actively involved in her community's struggle against forced evictions related to a land conflict at Boeng Kak Lake in Phnom Penh. **Date of release:** On 22 November 2013 a Supreme Court ruled to release Bopha on bail pending a re-hearing of her case by the Court of Appeal. **Details of trial:** On 27 December 2012, the Municipal Court in Cambodia's capital Phnom Penh convicted Yorm Bopha, 31, of "intentional violence with aggravating circumstances", sentencing her to three years' imprisonment. She was accused of planning an assault on two men in August 2012. But during the trial witness testimonies were inconsistent, sometimes conflicting with each other and some witnesses admitted to being intoxicated when the alleged crime occurred. She is widely believed to be targeted for peacefully protesting forced evictions related to a land conflict in the Boeng Kak community. Her conviction was upheld on appeal in late June 2013, and the sentence reduced to two years. Yorm Bopha was in jail between 4 September 2012 and 22 November 2013, leaving behind her young son and husband who is in ill health. Yorm Bopha writes protest lyrics to popular song tunes which are then chanted at demonstrations. While in prison, she was reportedly chronicling her experiences in prison in a prison diary. Her new trial had not been scheduled as of April 2015. No further information as of 31 December 2015. **PEN Action:** [Call to Action](#) 14 October 2014. Bopha was unable to attend a side event organised by PEN and ARTICLE 19 during the 18<sup>th</sup> Session of the Universal Periodic Review under which Cambodia was to be examined as she was unable to obtain a passport in time. She gave her testimony via video link. **Awards:** 2014 James Lawson Award

## **CHINA**

#### Death in custody: Impunity

##### **CAO Shunli (f):**

**Profession:** activist **Date of death:** 14 March 2014 **Details of arrest:** Cao was intercepted at Beijing airport on 14 September 2013 while attempting to board a flight to Geneva to attend to take part in a human rights training on UN mechanisms organised by an international human rights organisation. On 30 October 2013, human rights lawyer, Ms Wang Yu, was finally permitted access to the Chaoyang Detention Centre in Beijing where Cao was being held on charges of 'picking quarrels and provoking trouble.' There were reports that she was tortured while in police custody. **Background:** Cao had been an active participant in sit-ins in front of the Ministry of foreign Affairs from mid-June until her arrest and had been campaigning since 2008 for greater civil society involvement in China's drafting of its reports for the Universal Period Review (UPR) and of its National Human Rights Action Plans. China's UPR review took place on 22 October 2013; Cao Shunli was previously sent to a prison camp for Re-education Through Labour for one year in April 2010, and for one year and three

months in April 2011 because of her peaceful activism and human rights work. Cao went into detention in ill health, and told her lawyer in October that she was not receiving medical treatment. Cao's lawyer made several requests for medical parole. The authorities did not respond to those requests until 20 February 2014 when she was critically ill and was transferred to a military hospital in Beijing. Cao died in 309 military hospital on 14 March 2014. Cao's lawyer reported that the hospital initially refused to allow her family members to view Cao's body, but later allowed only the family to do so. **Update:** One year on from her death, there has been no sign of any investigation by the Chinese authorities, according to Human Rights Watch.

#### Reported missing

**\*GUI Minhai:** (joint Chinese-Swedish national)

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

**Date of disappearance:** mid-October 2015 **Details of disappearance:** Gui went missing in mid-October while in Thailand, where he has a home. He is believed to have been returned to China. No further information as of 31 December 2015 **Background:** The Hong Kong-based Mighty Current has published and marketed books highly critical of mainland China. The titles are banned on the mainland, where the news media and the publishing industry are tightly controlled by the government. The publishing house was reportedly preparing to publish a book on the private life of China's President, Xi Jinping. Since October 2015, five employees of the publisher Mighty Current and its retail arm Causeway Book Store have disappeared. They include, Causeway Book Store manager, **Lin Rongji**, general manager **Lu Bo** and staff member of the publishing house and book shop, **Zhang Zhiping**, who are reported to have disappeared while travelling in mainland China in October; editor at the publishing house, **Lee Bo**, who disappeared from Hong Kong on 30 December (see below). **PEN Action:** [12 November 2015 statement](#) [**Stop press:** On 17 January 2016, Gui appeared in a televised 'confession' on state broadcaster CCTV. The broadcast confirmed previous suspicions that Gui was being held in mainland China. In the video, Gui reportedly claimed that he had voluntarily surrendered himself to the Chinese authorities over his supposed involvement in a fatal hit-and-run incident which took place in December 2003.]

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

**Profession:** editor at Mighty Current publishing house **Date of disappearance:** 30 December 2015

**Details of disappearance:** Lee reportedly disappeared from Hong Kong on 30 December 2015. According to local news reports, he was last seen at his company's warehouse and did not have his travel permit for mainland China with him. Lee is the fifth person associated with Mighty Current to have disappeared since October 2015. **PEN Action:** [12 November 2015 statement](#) [**Stop press:** According to 5 January 2016 reports, Lee's wife retracted a missing persons' report after receiving a letter from him in which he reports that he went to mainland China in order to work with "concerned parties". According to 16 January 2016 reports, the Hong Kong police have received confirmation from Guangdong province's public security department that Lee was in mainland China.]

#### Imprisoned: Main case

**CHEN Wei:**

**Profession:** Freelance writer and activist **Date of Birth:** 21 February 1969 **Sentence:** Nine years in prison and two years deprivation of political rights. **Expires:** 2020 **Date of arrest:** 21 February 2011 **Details of arrest:** 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. **Details of trial:** Formally charged on 28 March 2011, by the Public Security Bureau of Suining City, Sichuan Province, with "suspicion of inciting subversion of state power" for several essays published online on overseas websites calling for freedom of speech and political reform. Convicted of 'inciting subversion of state power' at a closed two-hour trial on 23 December 2011 in relation to seven passages in four essays criticising the Chinese political system and praising



the development of civil society. **Current place of detention:** Jialing Prison, Nanchong City, Sichuan Province. **Treatment in prison:** Chen was granted his first family visit in January 2012 after being held for 11 months in prison. **Background:** Chen Wei was a first year student at Beijing University of Technology in 1989 and was dismissed from the university for his involvement in the pro-democracy movement. In 1999, he was sentenced to five years' imprisonment on "counter-revolutionary" offences for his involvement in the China Liberal Democracy Party. He is a signatory of Charter 08, a manifesto for democratic reform. **PEN Action:** RAN 66/11 – 26 December 2011 **Award:** Recipient of Independent Chinese PEN Centre 2011 Liu Xiaobo Courage to Write Award. **Honorary member:** Independent Chinese PEN Centre (ICPC).

**CHEN XI (aka CHEN Youcai):**

**Profession:** Freelance writer and prominent human rights activist **Date of Birth:** 2 April 1954 **Sentence:** 10 years in prison and three years deprivation of political rights. **Expires:** 2021 **Date of arrest:** 29 November 2011 **Details of arrest:** Chen is a member of the Guizhou Human Rights Forum, which was declared an 'illegal organisation' by the Guizhou authorities on 5 December 2011, prior to the UN Human Rights Day (10 December). Chen was detained in November 2011 after he announced his intention to run for the Guiyang City People's Congress Election as an independent candidate. At least 10 other members of the group were arrested but all were later released without charge. **Details of trial:** Sentenced by a Guiyang court for 'inciting subversion of state power' at a trial on 26 December 2011 which lasted less than three hours. The speed of the legal process of Chen's case is unprecedented. According to the court verdict, his conviction is based on several quotations from over 30 of his articles published on overseas Chinese-language websites. He has decided not to appeal the verdict. **Current place of detention:** On 17 January 2012 Chen Xi was transferred to the Xingyi Prison, Guizhou province, to serve his sentence. **Conditions in detention:** In early February 2012, Chen's wife reported that she was allowed to visit him in prison and that he had serious frostbite in his fingers. Prison officers refused to accept the extra pieces of clothing she had brought for Chen. In late December 2014, after visiting Chen, his wife reported that his health remains of concern and that his application for medical parole had been rejected. There are also reports that Chen has been ill-treated and held in solitary confinement on several occasions. According to reports, Chen has not been allowed to send or receive letters from family and friends, and has also been prohibited from making a three-minute phone call to his family each month which is the usual allowance given to other inmates of the prison. Chen Xi is currently allowed only a 20-minute visit from his family every month, for which they have to travel 400 km. **Health concerns:** In January 2015 Chen reportedly told his wife that he was suffering from chronic diarrhoea. He had been given medicine in prison, but his condition had not improved and he was not given any further medical care. **Background:** Chen Xi has already served a total of 13 years in prison on "counter-revolutionary" offences for his peaceful activism, three years from 1989-1992 and 10 years from 1995-2005. **Awards:** Recipient of the 2014 Hellman/Hammett award. **Honorary Member of:** Independent Chinese PEN Centre **PEN Action:** RAN 1/12 – 6 January 2012.

**\*FU Zhibin:**

**Profession:** writer and filmmaker **Date of birth:** 1964 **Sentence:** one year and 10 months in prison and a fine of 150,000 yuan (approx. US\$23,505) **Date of arrest:** 9 September 2014 **Details of arrest:** Fu was reportedly initially detained on 9 September 2014 by Qingshanhu district police, and was indicted by the local state prosecution office in December 2014. Fu was detained over the publication of his book *A History of Brainwashing* and charged with "running an illegal business". **Details of trial:** On 4 December 2015, authorities in the province of Jiangxi reportedly sentenced Fu to one year and 10 months in prison on charges of "running an illegal business". The court accused Fu of publishing his book *A History of Brainwashing* in Taiwan and then selling more than one thousand copies in mainland China. Fu was also fined 150,000 yuan (approx. US\$23,505), and, as the charge was "running and illegal business" his assistant **Wu Wei** and his printer **Zhao Zhenhuo** were also jailed for one year and five months and one year and three months, respectively. **Conditions in**

**detention:** Fu had reportedly been detained for more than a year before the case was brought to trial, and was mistreated during his incarceration at the Nanchang No. 1 Detention Center.

**Background:** Fu is an outspoken author and he is reported to be very active on the Internet, where he openly criticises the Communist Party. In his book *A History of Brainwashing*, Fu describes the Chinese Communist Party as having seized power with backing from the Soviet Union, and as having brainwashed and controlled the thoughts of Chinese citizens through “red terror” was a “slander”, according to Independent Chinese PEN. He has also made films about Tibetan Buddhism. **Honorary Member of:** Independent Chinese PEN (ICPC).

#### **GUO Quan:**

**Profession:** Internet writer and activist **Date of Birth:** 8 May 1968 **Sentence:** 10 years in prison and three years deprivation of political rights. **Expires:** 2018 **Date of arrest:** 13 November 2008 **Details of arrest:** 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 ‘subversion of state power’ on 19 December 2008. On 16 October 2009 a court in Jiangsu province sentenced Guo Quan to 10 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. **Current place of detention:** Pukou Prison, Nanjing, Jiangsu Province. **Background:** Guo is a former criminal-court judge and literature professor at Nanjing Normal University; however, due to his political activities he has been banned from teaching. He wrote several open letters to Chinese leaders and was frequently briefly detained by police, most recently in May 2008 when he spent 10 days in prison after criticising the government’s response to the 12 May 2008 Sichuan earthquake **Awards:** Recipient of the 2011 Hellman/Hammett award. **Honorary member of:** Independent Chinese PEN, Uyghur PEN and Guatemalan PEN. **PEN Action:** RAN 63/08 – 2 December 2008; Update #1 – 2 November 2009.

#### **JIN Andi:**

**Profession:** Freelance writer **Date of Birth:** 23 May 1953 **Sentence:** 8 years in prison and one year deprivation of political rights **Expires:** January 2019 **Date of arrest:** 17 January 2011 **Details of arrest:** Jin was reportedly arrested on 17 January 2011 and charged with ‘inciting subversion of state power’ in articles critical of former Chairman of the Chinese Communist Party, Jiang Zemin, published from 2000-2010 along with **Lü Jiaping** (see ‘released’ below). Jin was reportedly held under residential surveillance 19 September 2010. **Details of trial:** Sentenced to eight years in prison on charges of ‘subversion of state power’ by the Beijing First Intermediate Court on 13 May 2011. Three articles were used as evidence to convict them, in particular an article published in 2009, ‘Two Traitors Two Fakes’, discussing Jiang’s historical background. **Current place of detention:** Shaoyang prison, Hunan. **Background:** Jin had allegedly provided Lü with information for some of the writings while also helping revise drafts and disseminate the articles.

#### **LI Bifeng:**

**Profession:** Chinese activist, novelist and poet **Date of birth:** 3 March 1964 **Sentence:** 10 years in prison **Expires:** 7 September 2021 **Date of arrest:** 8 September 2011 **Details of arrest:** According to PEN’s information, leading Sichuan activist Li Bifeng, aged 48, was arrested on 8 September 2011 after being summoned for questioning by police in Mianyang city, Sichuan province, for alleged “economic crimes”. **Details of trial:** Li Bifeng was convicted of alleged ‘contract fraud’ by the Shehong County People’s Court, Sichuan province, on 19 November 2012 and handed down a 12-year prison sentence, which was reduced to 10 years on appeal, on 25 June 2013. He is believed to be targeted for his peaceful political activism, in particular his links with exiled Chinese writer Liao Yiwu, who is a

close friend of Li's and who fled China two months before Li's arrest **Current place of detention:** Jintang Prison, Qingjiang Town, Jintang County, Sichuan Province 610409. **Background:** Li Bifeng is a prolific poet and novelist as well as a well-known dissident, who has spent a total of over 12 years in prison since 1990 for his activism and critical writings. He served a five-year sentence for taking part in the 1989 pro-democracy movement, followed by a seven-year jail term from 1998-2005 for reporting on a workers' protest in the Sichuan city of Mianyang in 1998. While in prison, Li produced poetry and kept a diary. Some of his work can be found [here](#). Vaguely worded economic crimes are increasingly used to suppress political dissent in China, and those targeted include prominent Chinese artist and social critic Ai Weiwei. **Awards:** Recipient of the 2014 Hellman/Hammett award. **Honorary member:** German PEN and Independent Chinese PEN Centre. **PEN Action:** RAN 31/12 and update

#### **LI Tie:**

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

#### **LIU Xianbin:**

**Profession:** Dissident writer and activist **Date of Birth:** 25 August 1968 **Sentence:** 10 years in prison and four months deprivation of political rights. **Expires:** 7 June 2020 **Date of arrest:** 28 June 2010 **Details of arrest:** Arrested 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 for fair trial. **Current 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. **Background:** Liu previously served nine years of a 13-year jail sentence from 1999 to 2008 for his part in organising the Sichuan branch of the outlawed China Democratic Party. After his release, he was one of the first signatories of Charter 08. **Award:** Recipient of the 2011 Hellman/Hammett award and ICPC 2010 Liu Xiaobo Courage to Write award. **Honorary member:** Independent Chinese PEN Centre (ICPC).

#### **LIU Xiaobo:**

**Profession:** Prominent dissident writer, former President and Board member of the Independent

Chinese PEN Centre and 2010 Nobel Peace Laureate. **Date of Birth:** 28 December 1955 **Sentence:** 11 years in prison and two years' deprivation of political rights. **Expires:** 21 June 2020 **Date of arrest:** 8 December 2008 **Details of arrest:** 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 'inciting subversion of state power' on 23 June 2009. The charge is said to be based on his endorsement of *Charter 08* and over twenty articles published between 2001-2008. **Details of trial:** On 25 December 2009 Liu was sentenced to 11 years in prison and two years' deprivation of political rights on charges of "incitement to subversion of state power." On 11 February 2010 a Beijing Court rejected his appeal. According to reports, Liu and his legal team filed an extraordinary appeal against his conviction in November 2013. The extraordinary appeal seeks a retrial based on flaws in the original trial procedure, or now evidence which has come to light. Liu's legal team had reportedly yet to receive a response by 25 December 2013. Liu has been refused permission to receive visits from his legal team, according to news reports. As of 30 June 2014, prison authorities continue to deny Liu access to his legal team. **Current place of detention:** Jinzhou Prison, Nanshan Road 86, Taihe District, 121013 Jinzhou City, Liaoning Province. **Conditions of detention:** Liu was reportedly granted a visit with his wife during the 2014 Chinese New Year period, according to 6 February 2014 reports. In August 2015, Liu's brothers were given permission to visit him in prison. **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 on Civil and Political Rights (ICCPR), and launching Charter 08, a declaration calling for political reforms and human rights. These activities formed part of campaigns across China to commemorate the 60th Anniversary of the Universal Declaration of Human Rights (10 December), and the Charter was signed by more than 8000 scholars, journalists, freelance writers and activists. **Awards:** The 1990 and 1999 Hellman-Hammett Grant, People in Need (Czech) 2009 Homo Homini Award, Recipient of American PEN 2009 Freedom to Write award, 2010 Giuseppe Motta Medal, German PEN 2010 Hermann Kesten Medal, HRW 2010 Alison Des Forges Award, 2010 Nobel Peace Prize, PEN Canada 2012 One Humanity Award, and NED 2014 Democracy Award. His wife, **Liu Xia** (see below), 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. **Background:** 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, Canadian and Portuguese PEN Centres.

#### **LU Jianhua:**

**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 Birth:** 3 July 1960 **Sentence:** 20 years in prison **Expires:** April 2025 **Date of arrest:** April 2005 **Details of trial:** First arrested in April 2005 on charges of 'leaking state secrets'. Sentenced on 18 December 2006 to 20 years in prison leaking state secrets to a Hong Kong reporter Ching Cheong. The latter was sentenced to five years in prison for spying and was a main case of PEN International. Human rights groups have questioned the evidence in the reporter's case, but Lu's trial was held in secret and reportedly only lasted for 90 minutes. **Current 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).

#### **QI Chonghuai:**

**Profession:** Journalist **Date of Birth:** 7 February 1965 **Sentence:** Four years in prison, with an

additional eight years added on 9 June 2011 **Expires** 2019 **Date of arrest:** 25 June 2007 **Details of arrest:** Reportedly arrested from his home in Jinan, the capital of Shandong province, 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 11-month pre-trial detention. The case returned to the police in mid-February 2008 for lack of evidence, before being brought to trial in May 2008. **Details of trial:** The trial on 13 May 2008 at the People's Court of Tengzhou City, Shandong Province, reportedly did not comply with international standards of fairness. The appeal was rejected without any hearing by the Intermediate People's Court of Zaozhuang City on 24 July 2008. On 9 June 2011 Qi was sentenced to a further eight years in prison, two weeks before the end of his four-year sentence in connection with further charges of 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. **Current place of detention:** Tengzhou Prison, Tengzhou City, Shandong Province. **Conditions of detention:** 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 10 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. **Background:** Qi Chonghuai worked as a journalist for 13 years before his arrest. Between 2004 and 2006, he worked for various publications, including the *Shandong 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. **Awards:** Recipient of the 2012 Hellman/Hammett award. **Honorary member:** Independent Chinese PEN Centre.

#### **XU Zhiyong:**

**Profession:** blogger and essayist, and leader of the New Citizens' Movement – a grassroots network of activists in China **Date of birth:** 3 March 1973 **Sentence:** four years' imprisonment **Expires:** 15 July 2017 **Date of arrest:** 16 July 2013 after spending a number of months under house arrest **Details of arrest:** Charged with "gathering crowds to disrupt public order", in connection with a series of peaceful demonstrations held by the New Citizens' Movement. **Details of trial:** Xu was reportedly sentenced on 26 January 2014 to four years' imprisonment after a four-day trial. On 11 April 2014 a court rejected Xu's appeal and upheld his sentence. **Other information:** Xu is known for campaigning against official corruption and in support of children's rights. PEN believes he has been targeted because of his growing presence on Chinese social media platforms. During his trial, foreign reporters outside the courtroom were reportedly prevented from covering the trial. **Award:** Recipient of ICPC's 2013 Lin Zhao Memorial award, and the NED 2014 Democracy award. **Honorary member:** Independent Chinese PEN Centre (ICPC).

#### **YANG Maodong (aka Guo Feixiong):**

**Profession:** dissident writer, independent publisher and civil rights activist **Date of birth:** 2 August 1966 **Sentence:** six years in prison **Date of arrest:** 8 August 2013 **Details of arrest:** His arrest followed his involvement in anti-censorship and anti-corruption protests and he was held without charge for more than four months and was not permitted access to his lawyer until 14 November 2013. According to his lawyer, Yang was denied bail due to accusations that he had destroyed evidence and interfered with witnesses – a supposition which his lawyer denies. On 31 December 2013, it was reported that Yang had been formally charged with ‘incitement to disturb public order’. On 7 February 2014, the Tianhe district procuratorate reportedly sent Yang’s case file back to the police, requesting more evidence, in what his lawyers suggest is a stalling tactic. The state procuratorate is bound under Chinese law to return a decision on cases transferred from police investigations within six weeks of receiving them. According to 24 June 2014 reports, Yang has been charged with gathering crowds to disrupt public order. **Current place of detention:** Tianhe Detention Center, Guangdong Province. **Details of trial:** His trial on 28 November 2014 reportedly lasted nearly 18 hours and ended without verdicts for the defendants. The activists were tried in the Guangzhou Municipal Tianhe District People’s Court. The hearing ended only at 2:50 a.m. with the judge granting a recess after Yang nearly fainted from hunger. The court had repeatedly rejected earlier requests for food, according to reports. **Update:** On 27 November 2015, Yang was sentenced to six years in prison by the Tianhe District People’s Court on charges of “gathering crowds to disrupt order in public places and “picking quarrels and provoking troubles”. On 4 December 2015, Yang made an appeal to the Guangzhou Municipal Tianhe District People’s Court challenging the validity of the ruling and requested a re-trial. Among the arguments made are: the extraction of witness testimony under torture and beating, and failing to prove that he disrupted order in public spaces on the date of his protests activities in January 2013. **Conditions of detention:** Yang is reportedly denied any outdoor break and kept in a cell with more than 30 other inmates. In June 2015 Yang reportedly filed a complaint against the Tianhe Detention Center in Guangzhou, where he is detained, for subjecting detainees to daily strip searches. He previously demanded state compensation for the ill-treatment he received from bailiffs of the Guangzhou Municipal Tianhe District People’s Court when they escorted him to a pre-trial hearing and two court hearings. Guo stated that during those walks, his head was covered in a black hood, his wrists were handcuffed behind his back, and his feet were shackled. He stated that he sustained various injuries from the tight handcuffing and foot shackling. **Background:** Yang was released on 13 September 2011 on completion of a five-year prison sentence for ‘illegal business activity’ though is believed to be targeted for his critical writings and civil rights activism. He reported that he was tortured or otherwise ill-treated during that detention. He was a main case of PEN International during his imprisonment. **Awards:** 2015 Front Line Defenders Award for Human Rights Defenders at Risk **Honorary member of:** Independent Chinese PEN Centre (ICPC). [**Stop Press:** On 16 January 2016, [reports indicated](#) that Yang’s appeal was rejected and his conviction and six year sentence upheld.]

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

**Profession:** Dissident writer and member of Independent Chinese PEN Centre (ICPC) **Date of Birth:** 12 April 1961 **Sentence:** 12 years in prison and four years deprivation of political rights **Expires:** 2017 **Date of arrest:** 23 December 2005 **Details of arrest:** 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, participating in China’s Velvet Action Movement and being elected as a member of its “Interim Government of Democratic China,” and accepting illegal funds from overseas to transfer to jailed political dissidents and their families. Sentenced by the Zhenjiang intermediate court in eastern China’s Jiangsu province at a three-hour trial on 16 May 2006. **Health concerns:** Yang suffers from a number of illnesses including intestinal tuberculosis, diabetes, kidney inflammation and high blood pressure. He was hospitalised for at least 50 days in early 2010 with a fever and his appeal for

medical parole was rejected in 2010. Amnesty International reported that relatives who visited Yang in prison in September 2013 said that while he continued to suffer from chronic diseases, his health had seemed to be improving. **Current place of detention:** Nanjing Prison, Ningshuang Road 9, Box 1215-12, Nanjing City, Jiangsu Province. **Background:** Yang Tongyan is known for his critical writings published on dissident news websites such as Boxun.com and Epoch Times. He spent a decade in prison from 1990 to 2000 on “counter-revolution” charges for his involvement in the 1989 pro-democracy protests. He was also previously held incommunicado from 24 December 2004 - 25 January 2005. **Awards:** Recipient of Independent Chinese PEN Centre’s 2006 Writer in Prison Award, and the 2008 PEN/Barbara Goldsmith Freedom to Write Award. **Honorary Member:** PEN Canada, Italian PEN, and PEN American Center

**YAO Wentian (also known as Yiy Mantin):**

**Profession** Publisher and former chief editor of the Hong Kong-based Morning Bell Press **Date of birth:** 11 July 1941 **Sentence:** 10 years’ imprisonment **Expires:** 2023 **Date of arrest:** 27 October 2013 **Details of arrest:** Yao was reportedly arrested at a friend’s house in Shenzhen whilst he was delivering industrial paint. Initially accused of “carrying prohibited items” he was later charged with the more serious offence of “smuggling ordinary items” for 70 alleged deliveries of paint since 2010. While the paint itself is legal, there is an import duty required for industrial usage of which Yao was reportedly unaware. Friends and associates believe he was set up. **Details of trial:** Yao was convicted of ‘smuggling prohibited items’ on 7 May 2014 and sentenced to 10 years in prison by the Shenzhen Intermediate People’s Court. On 18 July 2014, his appeal was rejected. **Health concerns:** Yao suffers from asthma and a heart complaint. Applications for medical parole were rejected. According to the International Publishers Association, Yao has repeatedly fainted during his time in custody due to his heart disease. **Current place of detention:** Dongguan Prison, 523299 Dongguan, Guangdong Province. **Background:** According to Yao’s son, Yao had previously been harassed for his collaboration with dissident writer **Yu Jie** and his publication of *Hu Jintao: Harmony King*, a critique of the former president’s concept of “harmonious society”. He reported that his Gmail account was hacked while he was preparing to print the book. Since 2007, Yao has worked closely with dissident writers, including many members of the Independent Chinese PEN Centre (ICPC), to publish books which have been banned in mainland China. His publications include an ICPC Membership Literature Series, of which more than a dozen volumes have been published. More of his publications can be found at <http://morningbellpress.blogspot.se/>. His current arrest is thought to be connected to his latest collaboration with Yu Jie, as he was preparing to publish the book *Chinese Godfather Xi Jinping*. **Honorary Member:** Independent Chinese PEN and Danish Centres. **PEN Action:** RAN 02/14 and updates

**ZHAO Changqing:**

**Profession:** freelance writer and political essayist. Member of Independent Chinese PEN Centre (ICPC). **Date of Birth:** 6 April 1969 **Sentence:** Two years and six months in prison. **Expires:** 2015 **Date of arrest:** 17 April 2013 **Date of sentence:** 18 April 2014 **Details of arrest:** Arrested at his home by police who confiscated his computer, notebooks, books and other items. **Details of trial:** Charged with disrupting social order in connection with his activities with the New Citizens’ Movement, a grassroots network of activists in China (see Xu Zhiyong above), his trial commenced on 23 January 2014. Zhao was reportedly convicted of disrupting social order on 18 April 2014. On 27 June 2014 his appeal was rejected. **Current place of detention:** Beijing’s No.3 Detention Centre until 22 July 2014, and then transferred to Beijing Deportation Centre of Prisoner, pending further transfer to a prison in Shaanxi, his home province. **Background:** Zhao has previously been detained twice for his dissident activities and writings. He has served a total of eight years in prison for “inciting subversion of state power” since 1998. **PEN Action:** Mentioned in Update #1 to RAN 02/14

**ZHU Yufu:**

**Profession:** Dissident poet and member of Independent Chinese PEN Centre (ICPC). **Date of Birth:** 13 April 1953 **Sentence:** Seven years in prison and three years deprivation of political rights. **Expiry:**



2018 **Date of arrest:** 5 March 2011 **Details of arrest:** Reportedly arrested on 5 March 2011 and charged on 10 April 2011 by the Public Security Bureau of Hangzhou City, Zhejiang Province, on suspicion of “inciting subversion of state power” for his critical writings, in particular his poem *‘It’s time’*. The poem appears to have drawn the authorities’ attention for its timing around the Jasmine Revolution controversy. **Current place of detention:** Transferred to Zhejiang Provincial No.4 Prison, Zhejiang Province, on 10 May 2012. **Details of trial:** On 10 February 2012 a court in Hangzhou sentenced Zhu to seven years in prison for ‘inciting subversion of state power’. Zhu’s wife and son were present at the hearing. He announced he would appeal the verdict. **Conditions in detention:** Denied access to books and letters from his family. **Health concerns:** Reported in November 2012 to be in very poor health and to be denied adequate health care, food and medication. In October 2013, prison authorities refused to allow a US doctor to visit him. According to reports, his family has requested for medical parole up to five times since his incarceration, and all of them have been refused. **Background:** Zhu Yufu, previously spent seven years in prison for subversion after being convicted in 1999 for helping to found the banned opposition group, the China Democracy Party. In 2007, a year after his release, he was detained and sentenced to a further two years in prison after allegedly pushing a police officer while being arrested. **Awards:** Recipient of the 2011 Hellman/Hammett award. **PEN Action:** RAN 05 – 25 January 2012; Update #1 – 14 February 2012

#### Imprisoned - Investigation

##### **DONG Rubin (also known as Bianmin):**

**Profession:** Writer, blogger and businessman **Date of birth:** 1962 **Sentence:** Six and a half years in prison **Expires:** 9 March 2020 **Date of arrest:** 10 September 2013 **Details of the arrest:** Initially arrested for allegedly posting false information on line for profit and disrupting public order, by officers of the Public Security Bureau of Wuhua District, Kunming City. Dong had previously posted critical comments against the Chinese authorities on issues including alleged corruption. More recently Dong, as others members of the public, had reportedly referred to a statue of an amphibian being installed in Beijing park, who according to other critics, resembled a former president. **Details of the trial:** On 23 July 2014 Dong was convicted of ‘illegal business operations’ and ‘fabricating and spreading online rumours for economic gain’ and sentenced to six and a half years in prison. On 4 December 2014, the Intermediate People’s Court of Kunming City, Yunnan province, confirmed the verdict and rejected his appeal. **Current place of detention:** Detention Centre of Wuhua District. **Conditions in detention:** Reportedly ill-treated for refusing to confess. **Honorary Member:** Independent Chinese PEN (ICPC).

#### Detained – main case

##### **HE Zhengjun, GUO Yushan and HUANG Kaiping:**

**Profession:** All writers, as well as Administrative Director, former and current President of the Transition Institute, respectively. **Date of birth:** He was born on 26 January 1982, Guo on 2 August 1977 and Huang on 29 September 1982. **Date of arrest:** He was arrested on 26 November 2014. Guo on 9 and Huang on 10 October 2014. **Details of trial:** Both of their lawyers were barred from seeing them for an extended period of time. Lawyer Xia Lin is reportedly in custody, under the charges of ‘fraud,’ after failed attempts to visit Mr. Guo. He Zhengjun’s lawyer was finally able to see his client after filing a complaint against the Beijing Public Security Bureau (PSB), according to news reports. However, a bail request for He was rejected. The procuratorate returned the case to the Beijing PSB in May 2015 for further investigation, further delaying their detention. No further information as of 31 December 2015. **Other information:** The Transition Institute is a renowned civil society independent think tank which has now been shut down by the Beijing authorities. Writers Guo Yushan and Huang Kaiping, the Transition Institute’s founder and ex-director, respectively, were arrested on charges of creating disturbances for publically supporting the protests in Hong Kong. The charge of creating disorder is commonly used to silence dissent. The Transition Institute, founded in

2007, has carried out investigations in the fields of fiscal reform, local elections, legal reforms, business regulations, citizen participation and education rights. On 9 October 2014 the Transition Institute's office was raided and all electronic equipment including computers and hard drives were confiscated. **Current place of detention:** He and Guo were held in Beijing No.1 Detention Centre until April 15, 2015, when both were transferred to Haidian District Detention Centre, Beijing. Huang's whereabouts have not been disclosed. **Honorary members:** Independent Chinese PEN Centre (ICPC). **PEN Action:** Press statement [9 December 2014](#); RAN 17/14 and updates

**HUUCHINHUU Govruud (aka Gao Yulian) (f):**

**Profession:** Southern Mongolian dissident writer and activist who is a member of the banned Southern Mongolia Democratic Alliance. She is said to have authored several books and a large number of essays on the ethnic problems in Southern Mongolia. Two of her works, *Silent Stone* and *Stone-hearted Tree*, have been banned in China. **Date of birth:** 1955 **Date of arrest:** early November 2010 **Details of arrest:** She was arrested for her internet activism on behalf of the Mongol people and placed under house arrest apparently for campaigning demanding the release of Hada, a prominent political prisoner (see below); her phone and Internet lines were cut off and she had about 20 policemen guarding her every day. A month later, she was transferred to hospital due to a serious health condition. She went reportedly missing whilst under police guard in hospital on 27 January 2011 and appears to have been subjected to an enforced disappearance for several months. She appears to have been placed under house arrest in one of her relatives' residencies in Southern Mongolia's Tongliao Municipality. In January 2015, she called for her release from house arrest and said that the authorities had frozen her bank accounts after she received money from her son abroad on suspicion that the money was destined for Hada. **Current place of detention:** Placed under house arrest in one of her relatives' residencies in Southern Mongolia's Tongliao Municipality. **Details of trial:** On 28 November 2012, Huuchinhuu was reportedly tried in secret and found guilty by the Tongliao Municipality People's Court of "providing state secrets to a foreign organisation" and "leaking state secrets" for circulating some publicly available information through the Internet. **Conditions of detention:** In September 2011 the Southern Mongolian Human Rights Information Centre (SMHRIC) reports having received photos dated July 2011 in which Huuchinhuu appeared to have been severely beaten. **Health concerns:** According to the SMHRIC Huuchinhuu is currently suffering from a loss of eyesight and chronic diseases. **Awards:** Recipient of the 2012 Hellman/Hammett award.

**\*LIANG Qinhui (aka "Sharp Knife"):**

**Profession:** internet writer **Date of arrest:** 4 February 2015 **Details of arrest:** Liang Qinhui was reportedly arrested on 4 February 2015 by the Haizhu District Branch of Guangzhou Public Security Bureau for his online comments supporting the Umbrella Movement – a 2014 pro-democracy movement – in Hong Kong. He was charged with "suspicion of inciting subversion to state power". **Current place of detention:** Detention Center of Haizhu District, Guangzhou City, Guangdong Province **Details of trial:** On 13 November 2015, Liang stood trial in the Intermediate People's Court in Guangzhou, where he pleaded not guilty. According the indictment, Liang was tried accused of posting "sensitive and extreme" comments to the popular chatroom site QQ, with the prosecution focusing in particular on his comment: "Better to be an American dog than a Chinese pig." **Background:** The line of text was an apparent reference to the Mao-era description of the United States as "capitalist running dogs," and comes against a background of underground satirical cartoons in the style of George Orwell's *Animal Farm* showing pigs dressed as ruling Chinese Communist Party officials. According to the indictment, Liang's postings "show evidence of foreign influence," citing his use of the web circumvention tool Freegate to view overseas websites normally blocked by China's censorship system, collectively known as the Great Firewall. **Honorary Member of:** Independent Chinese PEN (ICPC).

**LIU Xia (f):**

**Profession:** poet and artist, founding member of the Independent Chinese PEN Centre. **Date of birth:** 1 April 1959 **Date of arrest:** October 2010 **Details of arrest:** Liu has been held under unofficial house arrest in her Beijing apartment since. Liu's house arrest is thought to be a form of punishment for the human rights work carried out by her husband imprisoned poet and Nobel Laureate **Liu Xiaobo** (see 'Imprisoned: main cases' above). Liu was reportedly permitted to visit her husband in Jinzhou Prison during the 2014 Chinese New Year period. **Other information:** On 14 February 2014, supporters of Liu Xia and her husband gathered in a shopping district of Hong Kong to shave their heads. **Health concerns:** Liu is said to be suffering from severe depression. Liu is not allowed to see the doctor of her choice and has refused a police-appointed doctor as she fears being interned in a psychiatric hospital. According to reports, Liu was briefly hospitalised for a heart attack in January 2014 and was later turned away from the hospital after she returned for a scheduled observation. Liu reportedly sought permission to leave China to seek medical help abroad following the incident, however, the request was denied. She has since been allowed back to the hospital. No further information as of 31 December 2015. **Honorary member:** PEN America and ICPC **PEN Actions:** Mentioned in [Creativity and Constraint in Today's China](#), Press statements [22 October 2013](#), [6 December 2013](#), [8 December 2014](#), [8 December 2015](#) [World Poetry Day 2014](#); International Women's Day 2014, World Poetry Day 2015, Liu Xia Solidarity Campaign

**\*LIU Xinglian:**

**Profession:** Editor of news website *Rose China* **Date of arrest:** 19 June 2015 **Details of arrest:** Liu's whereabouts had reportedly been unknown for a month until, on 19 June 2015, he was formally arrested on charges of 'inciting subversion of state power.' It would appear that Liu had been secretly taken from his home by Wuhan Municipal Public Security Bureau. It is thought that his arrest may be connected to his publishing and re-posting of human rights news on *Rose China* **Background:** Liu had been publishing news on human rights abuses in China in the webpage *Rose China*. In March 2015 local police reportedly put Liu under house arrest for over a month in order to prevent him from attending a protest.

**MI Chongbiao:**

**Profession:** activist and member of the Guizhou Human Rights Forum **Date of birth:** 1940 **Date of arrest:** September 2013 **Details of arrest:** Mi and his wife were reportedly placed under house arrest at their home in Guiyang city after Mi wrote about a complaint he made to the United Nations. His post entitled, 'filing a complaint to the U.N. Human Rights Council for the second time,' which called for greater democracy and protection of human rights was published on 15 June 2013. Mi and his wife Li Kezhen reportedly had no contact with friends or family until January 2014 during which time they were held in conditions amounting to enforced disappearance. Mi was reportedly placed under surveillance before his arrest. **Current place of detention:** According to Front Line Defenders, Mi Chongbiao and Li Kezhen are currently being held in an undisclosed location in Guiyang city by members of the Guiyang city police force, the Public Security Bureau and hired security guards. They are regularly moved to different locations to ensure that their whereabouts remain unknown. The couple are reportedly kept under watch by three teams of ten guards, who work eight hour shifts. **Conditions of detention:** Their two sons are permitted to see them once every two weeks, where they are brought to meet them, under surveillance, for three hours at a restaurant designated by police. The sons have obtained information from these meetings about their conditions under house arrest, particularly about alleged torture and other forms of mistreatment against Mi. In late April 2015, Mi's elder son and his lawyer, Sui Muqing, visited the couple and found that their lives are under increased threats of violence, and that guards now routinely and arbitrarily beat the couple, according to reports by Chinese Human Rights Defenders. **Health concerns:** In February 2014 it was reported that Mi had been spotted in hospital by a fellow activist. He is thought to have been visiting his wife in hospital after she fell ill in January 2014.

**WANG Jiamin, GUO Zhongxiao and LIU Haitao:**

**Profession:** journalists, publisher (Wang) and editors (Guo and Liu) for the Hong Kong-based Chinese-language magazines *New-Way Monthly* and *Multiple Face* **Date of birth:** 1953, 1975 and 1982 respectively. **Date of arrest:** Wang and Guo were arrested on 30 May 2014, and Liu on 17 June 2014. **Details of arrest:** Wang and Guo were reportedly detained by police in the southern city of Shenzhen where they were residing, for “operating an illegal publication”. Liu was also arrested at his home in Henan province by the police from Shenzhen 18 days later, as well as Wang’s wife and father-in-law in Shenzhen, both of whom were released on bail later. **Current place of detention:** Detention Center of Shenzhen City, Guangdong Province **Details of trial:** On 5 November 2015, the three men reportedly pleaded guilty to running an illegal business in Shenzhen. Though the publications are published in Hong Kong, where they are legal, copies are sent to eight people in the mainland, where the publications are not registered, as argued by the prosecutors. However, the mainland audience accounted for 66,000 yuan (HK\$80,600) of total revenue, less than half the 150,000 yuan minimum needed to raise the offence to the level of running an illegal business. Wang, Guo and Liu were still awaiting sentencing at the end of the year. **Background:** Both Guo and Wang are reportedly considered politically well-connected journalists, who had worked for Hong Kong based *Yazhou Zhoukan (Asia Weekly)* before they started their own magazines, which frequently report insider information and speculation on political affairs in China. They employed Liu as an editor working at home in Henan Province, printed their magazines in Hong Kong and partially distributed the copies in mainland China. Members of the Hong Kong Journalists Association have reportedly attributed their arrests to part of a wider attempt to suppress the publishing industry in Hong Kong. Also in May 2014, Hong Kong publisher **Yao Wentian** was sentenced to a 10-year prison term for ‘smuggling ordinary goods’ to Shenzhen (see ‘imprisoned: main case’). **Honorary member of:** Independent Chinese PEN Centre (ICPC).

**\*WANG Xiaolu:**

**Profession:** journalist with *Caijing Magazine* **Date of arrest:** 25 August 2015 **Details of arrest:** Wang was taken into custody on 25 August 2015 for a story published on 20 July, according news reports. Wang was reportedly accused of “colluding with others and fabricating and spreading fake information on securities and futures market”. Following his arrest, he was placed under criminal compulsory measures, including surveillance, on 30 August. **Conditions of detention:** On 31 August, Wang made a televised public apology in an alleged confession on the state broadcaster, CCTV. In the apology, in which he looked tired and nervous, Wang regretted publishing the story, said he was willing to confess his crime and hoped the authorities to handle him leniently. **Details of trial:** Wang remains in pre-trial detention as of 31 December 2015. **Background:** The arrest of Wang comes after Chinese authorities clamped down on media reporting of the troubled stock market. In July, the government issued a directive restricting all media to limit coverage of the stock exchange to prevent fluctuations of the market. **Honorary Member of:** Independent Chinese PEN (ICPC).

Detained: investigation

**CHEN Shuqing:**

**Profession:** Dissident writer, activist and member of ICPC. **Date of birth:** 26 September 1965 **Date of arrest:** 11 September 2014 **Details of arrest:** Reportedly arrested by Domestic Security officers from the Hangzhou Public Security Bureau, at his home in Hangzhou, for his online writings and dissident articles. On 17 October 2014, Chen was formally arrested and charged with ‘subverting state power’. **Details of trial:** On 29 September 2015 Chen was tried before the Hangzhou Intermediate People’s Court for ‘subversion of state power’. He faced a maximum sentence of life imprisonment. The trial ended without verdict. **Background:** Chen is a former PEN Main Case who served a four-year sentence for “inciting subversion of state power” in connection with the China Democracy Party (CDP) and articles he wrote calling for democratic reform. He was released in September 2010 (see previous Case Lists). Chen was a participant in the 1986 and 1989 student movements, and

graduated from Hangzhou University with Master's Degree in Science in 1990. **Award:** Chen was honoured with the 2014 Liu Xiaobo Courage to Write Award. **Honorary member of:** Independent Chinese PEN Centre (ICPC).

**LÜ Gengsong:**

**Profession:** Dissident writer and activist **Date of birth:** 7 January 1956 **Date of arrest:** 8 July 2014 **Details of arrest:** Arrested from his home in Hangzhou, after approximately 20 policemen raided his house. He is held on suspicion of 'subversion of state power'. Recently, Lü has posted online comments about alleged corrupt officials, as well as cases of petitioners in Jiangsu province. **Details of trial:** On 29 September 2015 Lü was tried before the Hangzhou Intermediate People's Court for 'subversion of state power'. He faced a maximum sentence of life imprisonment. No verdict had been announced by the end of the year. **Background:** Lü is a former PEN Main Case who 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). In November 2013, he was briefly arrested under similar charges, but was released. Previously, he served a four-year prison sentence for 'incitement to subvert state power'. He was released in August 2011 (see previous Case Lists).

**SU Changlan (f):**

**Profession:** Activist and blogger **Date of birth:** 18 July 1971 **Date of arrest:** 27 October 2014 **Details of arrest:** Arrested while at her home by officers from the Nanhai Branch of Foshan Public Security Bureau, for posting online comment in support of the pro-democracy protest in Hong Kong. She was initially held on suspicion of 'inciting subversion of state power', and formally arrested by police in the southern province of Guangdong on 3 December 2014. Local authorities reportedly held Su incommunicado for over six months until she was finally allowed to meet her lawyer in May 2015. After months of failed requests to see Su, her husband and brother began to protest in February 2015 in front of a police station, according to Chinese Human Rights Defenders. Both of them were later criminally detained for nearly one month. Her lawyer has made requests for the disclosure of details about her case, but these have been refused. **Current place of detention:** Nanhai District Detention Center, Foshan City, Guangdong Province. **Details of trial:** According to reports, Su met with her lawyer on 20 November 2015, who found out that she had been formally interrogated for the first time on 21 October, and indicted on 13 November 2015. **Conditions of detention:** According to her lawyer, she has only been allowed to shower in cold water, even in winter. **Health concerns:** Su reportedly suffers from hyperthyroid heart disease, which can be fatal if not properly treated, but authorities denied requests for bail on medical grounds. Su had been hospitalised in 2014 prior to her detention and required medical care. **Update:** After meeting her on 20 November 2015, her lawyer said that "she was in terrible shape", she is receiving no treatment for her illnesses, and now her throat is chronically swollen and coughs regularly. When the detention centre conducted a physical inspection on her, they found that she suffered an arrhythmic heartbeat and anti-clockwise rotation of the heart. **Background:** It has been reported that this is the third time that Su has been arrested and questioned by the authorities. The other two occasions were 12 September and 5 October 2014. Su was a primary school teacher who lost her job allegedly for campaigning for land rights. **Honorary Member of:** Independent Chinese PEN (ICPC), Swedish PEN.

On trial

**\*LIU Wei:**

**Profession:** award-winning investigative reporter for the newspaper *Southern Metropolis* **Date of arrest:** 8 October 2015 **Date of release:** 31 October 2015 **Details of detention:** Police from the Pingxiang prefecture in Jiangxi province detained Liu in Chengdu, Sichuan province, on 8 October 2015. Liu has been accused of illegally acquiring state secrets, according to the Committee to Protect

Journalists. His arrest is in connection with his coverage of Wang Lin, a detained martial artist. Liu was reportedly released on bail on 31 October 2015. **Background:** Liu reported on Wang Liu, a martial artist who was detained in July 2015 and accused of involvement in the murder of one of his students. Liu published documents he obtained from Wang's ex-wife about Wang's case. **Honorary Member of:** Independent Chinese PEN (ICPC). **Awards:** 2014 journalist of the Year by Southern Media Group.

**XIANG Nanfu (pen-name: Fei Xiang):**

**Profession:** freelance journalist and contributor to overseas-based Boxun news website. **Date of arrest:** 3 May 2014. **Date of release:** 19 August 2014 **Reason for arrest:** Xiang was reportedly detained on suspicion of "picking quarrels and stirring up trouble" after selling a number of stories to Boxun that the authorities claim are fabricated. **Details of release:** Xiang was released on bail for one year, pending trial, on 19 August 2014 **Background:** Xiang had reportedly written a number of stories for Boxun including report that alleged that the Chinese government had harvested organs from living people and buried them alive, and another alleging that police had beaten a pregnant woman to death in a land dispute. Boxun, which typically focuses on news that would be censored within China, reportedly rejected the charges against Xiang. No further information as of 31 December 2015.

Attacked

**Kevin LAU:**

**Profession:** Former editor-in-chief of the Hong Kong-based daily newspaper *Ming Pao* **Date of attack:** 25 February 2014 **Details of attack:** Lau was reportedly badly injured after his was stabbed in the back and the leg while getting out of his car in Chai Wan. His assailant, reportedly a pillion passenger on a motorcycle, reportedly dismounted, stabbed him several times with a meat cleaver, and then fled with his accomplice on the motorcycle. Lau reportedly required extensive surgery to his lungs and legs following the incident but returned to work in August 2014. **Details of Investigation:** two people were reportedly charged in connection with the attack on 19 March 2014. Eight men and one woman arrested in connection with the case are reportedly on bail and were scheduled to report to the police in April. In August 2014, two men appeared in court charged with malicious wounding with intent to do grievous bodily harm in connection to the attack. **Update:** On 12 August 2015 Yip Kim-wah and Wong Chi-wah were found guilty by a jury in Hong Kong, but have refused to say who ordered the attack. Lau urged police to find the mastermind of the attack. **Background:** Lau is known for his hard-hitting political reporting. On 7 January Lau was replaced as editor of *Ming Pao*. His removal has been widely blamed on the newspaper's criticism of the Chinese government in Beijing. On 19 May two senior media executives with Hong Kong Media News, said to be preparing to launch a Chinese-language newspaper, were beaten with metal bars by four masked men.

Harassed

**\*Ursula GAUTHIER: (French national) (f)**

**Profession:** journalist for the French news magazine *L'Obs* **Details of harassment:** Gauthier reportedly left China on 25 December 2015 after being denied press credentials and facing heavy criticism from the Foreign Ministry and state media over her reporting. The Chinese government refused to renew Gauthier's press credentials, without which she could not obtain a new visa. It demanded that she apologise publicly and express contrition over what it said was anti-Chinese bias.

**HADA:**

**Profession:** Owner of the Mongolian Academic bookstore and founder and editor-in-chief of *The*

*Voice of Southern Mongolia*. **Date of birth:** 29 November 1955 **Details of harassment:** Hada issued an open letter on 3 March 2015 to the United Nations Human Rights Council, seeking to put pressure on Chinese officials to end the punishments his family continues to suffer long after his release from two decades in prison. His bank account was frozen after his release in December 2014 and his family is in dire straits. **Update:** On 10 December 2015, he and his family underwent a one day hunger strike in protest at their continuing harassment. In a statement, he [reportedly said](#) that the period of suspension of his wife's prison sentence had been extended by two years. **Background:** Hada was arrested on 10 December 1995 for his activities as founder and publisher of the underground journal *The Voice of Southern Mongolia* and for his leading role in the Southern Mongolian Democracy Alliance (SMDA), an organisation that peacefully promotes human rights and Mongolian culture. He was convicted in 1995 of inciting separatism and espionage and sentenced to 15 years in prison and four years' deprivation of political rights. His sentence expired on 10 December 2010, when he was reportedly transferred to an unofficial detention facility in Inner Mongolia in order to serve the four years of deprivation of political rights as stated in his conviction. He was finally released by the Chinese authorities on 9 December 2014 after serving his four years' deprivation of political rights. He is said to be in poor health after the years of ill-treatment in prison, which he has spoken about publicly. He will reportedly look for redress and compensation. **Other information:** Hada received a degree in 1983 from the department of Mongolian language and Literature at the Inner Mongolian Teacher's College for Nationalities. In October 1989, he opened the Mongolian Academic Bookstore in Hohhot, the Inner Mongolia capital. The bookstore was closed down immediately after his arrest in 1995, and all the books, research papers and other properties were confiscated as criminal utilities and evidence. Hada, who co-founded the SMDA in 1992, published the organisation's underground journal, *The Voice of Southern Mongolia*. He also published a book, *The Way Out for the Southern Mongols*, which reported alleged ill-treatment of the Mongols of Inner Mongolia at the hands of the Chinese authorities, including mass killings, deprivation of social and political rights, and suppression of Mongol culture. **Awards:** Recipient of the 2011 Hellman/Hammett award. **Honorary member:** PEN Canada, PEN America and Independent Chinese PEN Centre. **PEN Action:** RAN 26/11 No further information as of 30 June 2015.

**\*JIANG Yannan (f):**

**Profession:** journalist for Hong Kong-based news magazine *Asiaweek* **Date of harassment:** 23 January 2015 **Details of harassment:** Chinese authorities reportedly briefly detained and questioned Jiang Yannan in a police station in Pingyang county, near Wenzhou, Zhejiang province. Jiang had been covering a story about demolition of church crosses in the region. She told Radio Free Asia that police had continued to monitor her movements and contact with interviewees since her release. **Background:** Hundreds of Protestant churches in Zhejiang have reportedly been targeted for demolition in the past year. According to a church member, Jiang's detention could be linked to local tensions around plans to sue the Pingyang authorities over the detention of a church pastor.

**\*WANG Lixiong:**

**Profession:** writer **Date of harassment:** 16 December 2015 **Details of harassment:** Wang Lixiong was reportedly barred from traveling to Japan on 16 December 2015 apparently due to concerns that his visit would "damage national security." **Background:** The Japanese translation of his 1991 novel "*Yellow Peril*" about an apocalyptic civil war in China went on sale in Japan in November 2015. Wang is known for his critical views of the Chinese authorities' treatment of minorities. Arrested in 1999, he spent 42 days in prison, and has been placed under house arrest several times, including most recently in July 2014 with his wife, Tibetan writer Tsering Woeser, during the visit to China of US Secretary of State John Kerry. **PEN Action:** RAN 15/15



## Conditional release

### **GAO Yu (f):**

**Profession:** former chief editor of *Economics Weekly* before being barred from publishing and contributor to German newspaper *Deutsche Welle*. Member of ICPC. **Date of birth:** 23 April 1944  
**Sentence:** Five years in prison **Date of release:** 26 November 2015 **Details of release:** Gao Yu was released on medical parole on 26 November 2015 following an appeal **Expires:** April 2019 **Date of arrest:** 24 April 2014 **Details of arrest:** Gao went missing on 23 April, her whereabouts were unknown until 8 May when the authorities confirmed that she was being detained by Beijing police on suspicion of 'leaking state secrets abroad.' At the time of her disappearance she was writing a column titled "Party Nature vs. Human Nature", which is said to focus on the new leadership of the Chinese Communist Party and its internal conflicts. The article was never submitted, and when Gao did not attend as scheduled a 26 April event in Beijing to commemorate the 4 June 1989 anti-government protests which were brutally suppressed, friends reported her disappearance. According to Gao's lawyer, the charges are believed to be based on a document known as "Document Number 9", which Gao had written about in August 2013. The document is said to detail the government's vision of pushing economic reforms while maintaining ideological controls concerning issues such as democracy, civil society and freedom of press. On 8 May 2014 Gao appeared in a televised 'confession' shown on China's national broadcaster CCTV. The trial started on 24 November 2014 but had not concluded by the end of the year. **Current place of detention:** No.1 Detention Centre, Beijing. **Details of trial:** Gao was found guilty on 17 April 2015 of 'Leaking state secrets abroad' and was sentenced to seven years in prison. According to her lawyer, Mo Shaoping, in the interview with *Deutsche Welle*, the court took into consideration Gao's 'confession' during their deliberation, in contravention of Chinese law that dictates that evidence obtained under duress must be thrown out and must not be considered when passing a verdict. Furthermore, her sentence comes despite evidence submitted to court which asserted that the supposed recipient of Document 9, He Pin of Mirror Publishing, had not received the document from Gao Yu. **Update:** On 26 November 2015 the Beijing high court upheld Gao's conviction following a closed hearing on her appeal, held on 24 November 2015 but reduced her sentence to five years. The judge reportedly upheld her conviction in light of her 'confession'. She was granted medical parole. **Health concerns:** Gao Yu, who suffers from Menière's Disease, has also suffered severe gastroenteritis while in prison. Gao reportedly suffered two heart attacks at the beginning of October 2015. According to her lawyer, Gao's health was deteriorating and the medical treatment received in prison was insufficient. **Background:** Gao has been jailed twice before for her activism. After the Tiananmen crackdown in 1989 she was locked up, but she was released after 15 months for health concerns. In 1993 she was arrested again and in November 1994 was sentenced to six years for leaking state secrets in her writing in politics. She was released in 1999 thanks to a medical parole. **Awards:** The WAN 1995 Golden Pen of Freedom award, the IWJF 1995/2006 Courage in Journalism Awards, and the UNESCO/Guillermo Cano 1997 World Press Freedom prize, named one of the International Press Institute's 50 World Press Freedom Heroes of the 20<sup>th</sup> century. **Honorary member:** Honorary Director of Independent Chinese PEN Centre (ICPC), Honorary member of Czech PEN, Swedish PEN and Danish PEN. **PEN Action:** [Press statements 7 May 2014](#); [2 June 2014](#) and [21 November 2014](#) ; RAN 09/14 and updates; [Day of the Imprisoned Writer case 2014](#); [International Women's Day case 2015](#)

### **HUANG Zerong (pen name: Tie Liu):**

**Profession:** Publisher and writer **Date of birth:** 20 May 1933 **Date of arrest:** 14 September 2014 **Date of release:** 25 February 2015 **Sentence:** two and a half years, suspended for four years, and a fine **Details of the arrest:** He was reportedly arrested on charges of 'creating disturbances', after the police raided his home and took his laptop, mobile phone, iPad and plenty of his publications. Later that day he was put under criminal detention, which allows the authorities to hold him at least for 30 days. **Current place of detention:** No. 1 Detention Centre of Beijing City, and since 24 November

2014, Detention Centre of Chengdu City. **Details of trial:** On 25 February 2015 Tie Liu received a suspended sentence of two and a half years in jail, after pleading guilty to the charge of 'illegal business activity' in a court in Chengdu, Sichuan province. He was fined 30,000 yuan (approx. US\$ 4,800) and released on bail the same day. He still faces charges of 'creating disturbances.'

**Background:** Tie Liu, aged 81 at the time of his arrest, is said to be one of the oldest dissident writers in China. Reports say that he has published a number of memoirs of dissidents who suffered repression under Mao's rule. According to some press reports, Tie Liu's arrest is probably linked to one of his recent essays in which he criticised a member of the Communist Party who is the advisor on ideology and propaganda. Tie Liu is said to have also being charged with running an 'illegal business'. Tie served over 20 years in prison during the so called 'anti-rightist' campaign during the Mao regime. **Honorary member of:** Independent Chinese PEN Centre (ICPC).

#### **LIU Futang:**

**Profession:** Citizen journalist specialising in the environment. **Sentence:** three-year suspended prison sentence and a fine **Date of arrest:** 20 July 2012 **Details of arrest:** He was reportedly detained by Haikou Public Security Bureau, on suspicion of illegal business activities. Haikou is the capital of the southern island province of Hainan. **Date of release:** Believed to have been released in December 2012 **Details of trial:** Futang was charged with 'illegal expression' and 'running an illegal business'; the charges are believed to be linked to Futang's self-published books and articles which, among other issues, deal with the environmental effects of businesses operating in Hainan. On 5 December 2012 Futang was given a suspended sentence and a 17,000 (approx. US\$ 2,675) fine. No further information as of 31 December 2015.

#### **PU Zhiqiang:**

**Profession:** writer and human rights lawyer **Date of birth:** 17 January 1965 **Date of arrest:** 4 May 2014 **Date of release:** 15 December 2015 **Sentence:** three years suspended **Details of arrest:** A number of participants at a 3 May 2014 gathering were reportedly taken in for questioning by police. Most were released after interrogation, however, Pu was criminally detained along with **Hu Shigen, Hao Jian, Xu Youyu and Liu Di** (see 'Brief detention' in 2014 Case List) on suspicion of 'causing a disturbance.' On 13 June, he was formally charged with 'causing a disturbance' and 'illegal access to citizens' personal information' for allegedly providing media with materials of investigations about corruption. In November 2014, police extended the charges against Pu for inciting to split the country and inciting ethnic hatred, reportedly based on 28 pieces of his critical comments on Weibo, China's version of Twitter. **Current place of detention:** Beijing No. 1 Detention Centre. **Details of trial:** On 15 May 2015 Pu's lawyers stated that he will stand trial in Beijing on the charges of 'inciting ethnic hatred' and 'picking quarrels'. The prosecutors did not announce the date of the trial, which could be two or three months away, according to Pu's lawyers. On 22 May, Pu's defence said that he denied the charges. **Update:** On 14 December 2015, Pu was tried before a Beijing court, and on 15 December he was given a three year suspended sentence. The sentence meant that the lawyer could go free, but, according to his lawyer Mo Shaoping, Pu's career as a lawyer is over due to his criminal conviction. **Health concerns:** Pu suffers from diabetes, high blood pressure, high cholesterol and prostatitis (being unable to sleep). His lawyer's applications for a release on medical grounds were all rejected. On 15 August 2015 Pu was taken to a hospital due to a shortness of breath, but was returned to the prison the same day. **Background:** On 3 May 2014, at least 15 people – writers, scholars and activists – gathered at a private residence in Beijing to commemorate the forthcoming 25<sup>th</sup> anniversary of the brutal crackdown on 4<sup>th</sup> June 1989 pro-democracy protests, which resulted in the deaths of an estimated 2,000 unarmed individuals at the hands of Chinese troops in cities across the country. The group released a statement after the meeting calling on the Chinese government to launch an official investigation into the events in 1989 and to compensate the victims. **Awards:** ICPC's 2015 Liu Xiaobo Courage to Write Award **Honorary member of:** Independent Chinese PEN Centre (ICPC). **PEN Action:** Press statement [7 May 2014](#)

Released

**CHEN Yongzhou:**

**Profession:** journalist with New Express **Sentence:** 22 months in prison and a fine **Date of arrest:** 18 October 2013 **Date of release:** 18 August 2015 **Details of arrest:** Chen was reportedly detained by police on following the publication of 15 articles between September 2012 and June 2013 that questioned a partly state-owned construction equipment company's revenue and profit figures. Chen alleged that the company had exaggerated profits and manipulated the market. New Express initially came out in full support of the journalist, until his televised "confession" to defaming the company on 26 October. **Details of trial:** He was officially charged with criminal defamation in late October 2013 following his public "confession". He was found guilty of accepting a bribe on 16 October 2013 by Changsha court. **PEN Position:** PEN International does not have sufficient information to determine whether he did accept a bribe or not, but is concerned that he did not receive a fair trial, as his TV 'confession' violates the right not to be forced to testify against oneself. **Details of release:** According to ICPC, Chen was released on 18 August 2015. **Honorary member of:** Independent Chinese PEN Centre (ICPC).

**KOU Yandin (f):**

**Profession:** Writer, poet, independent documentary film-maker and scriptwriter **Date of arrest:** 10 October 2014 **Date of release:** 14 February 2015 **Details of arrest:** She was reportedly arrested and held on charges of creating disturbances for publically supporting the called 'Occupy Central' protests in Hong Kong. **Details of release:** released on 14 February 2015 and escorted home. No further details on her legal status as of 31 December 2015. **PEN Action:** Press statement [9 December 2014](#) RAN 17/14 and update.

**LI Huaping (aka Norwegian Woods):**

**Profession:** writer and ICPC member **Date of birth:** 6 September 1966 **Sentence:** Two years in prison. **Date of arrest:** 10 August 2013 **Date of release:** 9 August 2015 **Details of arrest:** Li was reportedly arrested in Changsha City for "gathering a crowd to disrupt order of a public place." However, according to human rights lawyer Liu Xiaoyuan the notice indicating Li's detention did not provide the reason and date of detention. The [Chinese Human Rights Defenders Organisation](#) has suggested that the detention was 'in apparent retaliation for Li's strong protest against authorities' preventing Annie Zhang, the 10-year-old daughter of dissident Zhang Lin, from attending school in Hefei, a deprivation of education rights that attracted a groundswell of public activism'. Li had also reportedly initiated a "watch project" calling for support and financial assistance for individuals swept up in the crackdown. **Details of release:** On 9 August 2015 Li was released. He was taken away by police on his release from the No. 1 Detention Center of Hefei City, Anhui Province, and taken to a neighbouring province in handcuffs. He was locked up in a prison van with five police officers until they arrived in Zhuzhou, Hunan, 12 hours later. The police officers left Li incommunicado in Zhuzhou and he was not able to contact his family until the following day. **Details of the trial:** On 12 December 2014, the Shushan District People's Court in Anhui province sentenced Li to two years in prison, for "gathering a crowd to disrupt order of a public place" under Article 290 of the Criminal Law. **Current place of detention Background:** Li has written online about democracy and freedom and been involved with the New Citizens' Movement, a loose grouping of activists who for the past couple of years have advocated for democratic and rule-of-law reforms, constitutionalism, and social justice. **Honorary member of:** Independent Chinese PEN Centre (ICPC)

**LÜ Jiaping:**

**Profession:** Writer on military history and a retired soldier. **Date of Birth:** 14 June 1941 **Sentence:** 10 years in prison and two years deprivation of political rights. **Date of arrest:** 17 September 2010 **Date**

**of release:** 17 February 2015 **Details of arrest:** Reportedly held under residential surveillance from 4 September 2010; arrested on 17 January 2011 together with freelance author **Jin Andi** (see above in 'Imprisoned: main case') and charged with 'inciting subversion of state power' in articles critical of former Chairman of the Chinese Communist Party, Jiang Zemin, published from 2000-2010. **Details of release:** Released on medical parole in February 2015. **Details of trial:** Reportedly sentenced to 10 years in prison on charges of 'subversion of state power' by the Beijing First Intermediate Court on 13 May 2011. Three articles were used as evidence to convict them, in particular an article published in 2009, 'Two Traitors Two Fakes', discussing Jiang's historical background. Lü's wife was arrested and tried in the same court case. Details of their case emerged in February 2012 when Lü's wife was released from prison. **Place of detention:** Shaoyang prison, Hunan. **Health concerns:** Lü Jiaping is reported to suffer variously from heart disease, femoral necrosis, gallstones and diabetes. According to reports, his health deteriorated while imprisoned leading to a call for his release by his son in December 2013. Following a visit by his son in June 2014, it was reported that Lü's illnesses have become more serious and prison authorities were no longer allowing Lü time outside for fresh air. **Background:** Lü Jiaping, a Beijing scholar, is known for revealing scandals about high-ranking Chinese officials over the Internet. In February 2004 he was placed under house arrest for an article he wrote exposing an affair between former Chairman of the Chinese Communist Party, Jiang Zemin, and Song Zuying, a famous Chinese singer. **Honorary member of:** Independent Chinese PEN Centre (ICPC)

**ZHANG Miao (f):**

**Profession:** Beijing-based arts reporter for the German weekly *Die Zeit* **Date of birth:** 1 May 1974 **Date of arrest:** 2 October 2014 **Date of release:** 9 July 2015 **Details of arrest:** Zhang was reportedly arrested after reporting on the protests in Hong Kong for *Die Zeit*, and attending a poetry reading by artists in Songzhuang, eastern Beijing, to support the protests in Hong Kong. She was held incommunicado until 12 December 2014, when she was allowed to meet her lawyer, who confirmed that she is charged with 'creating disturbances'. Her lawyer reported that she is in good condition, although she was reportedly assaulted by police during her arrest. **Details of release:** On 9 July 2015, Chinese police released Zhang without charges. Nevertheless, her lawyer was detained the following day, according to news reports **Honorary member of:** Independent Chinese PEN Centre (ICPC). **PEN Action:** RAN 17/14 and update.

Case closed

**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 10 years in prison each for writing and publishing 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. **Current place of detention:** unknown. No further information since their sentence. Assumed released in 2014, case closed.

**TIBET AUTONOMOUS REGION (TAR)**

Imprisoned: Main cases

**Kunchok Tsephe! GOPEY TSANG:**

**Profession:** Internet writer and editor of the Tibetan language website *Chomei* <http://www.tibetcm.com> and also worked as an environmental officer for the Chinese government **Date of Birth:** 1970 **Sentence:** 15 years in prison **Expires:** 2024 **Date of arrest:** 26 February 2009 **Details of arrest:** 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. **Current place of detention:** Served four years of his sentence in Digxi prison in Lanzhou, Gansu province, before being transferred in August 2013 to another prison in the region where conditions are reported to be harsher. No further information as of 31 December 2015. **Health concerns:** There are fears for his health. **Background:** *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. 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. **Honorary member of:** Independent Chinese PEN Centre (ICPC). **PEN Action:** RAN 16/09 – 17 March 2009; Update #1 – 23 November 2009; [2013 Day of the Imprisoned Writer](#) case

**Gartse JIGME:**

**Profession:** Writer and monk **Date of Birth:** 1977 **Sentence:** Five years in prison **Expires:** January 2018 **Date of arrest:** 1 January 2013 **Details of arrest:** A team of security officials reportedly raided his room at the Rebgong Gartse monastery in the Malho prefecture on 1 January 2013, before escorting him away. Arrested for political views expressed in his book *Tsenpoi Nyintop (Tsenpo's Valour)*, which he had finished writing in early December 2012 and was planning to publish. The book in question is the second volume of *Tsenpoi Nyintop*, which contains the writer's reflections and opinions on wide ranging subjects including self-immolation protests. Between February 2009 and June 2014, the total number of self-immolation protests in Tibet reached 131. **Current place of detention:** After his arrest, Gartse Jigme was initially held in the provincial capital of Xining, followed by several months' detention in Rebkong County in Malho Prefecture. No further information as of 31 December 2015. **Details of trial:** On 14 May 2013, Gartse Jigme was sentenced to five years in prison by Tsekhog County People's Court in Malho Tibetan Autonomous Prefecture, Qinghai Province. **Background:** Gartse Jigme has been writing since 1999 and had won several local literary prizes. His first book, *Musings on My Reflections* received favorable reviews from friends and others in the community. He was also a Buddhist scholar having studied and successfully passed major Buddhist courses at his monastery in 2003. The first volume of *Tsenpoi Nyintop* was published in 2008. In April 2011, the local Public Security Bureau (PSB) officers briefly detained him for his views published in the book. The second volume could not be published in Tibet as planned by its author. However, the book was published soon after Gartse Jigme's sentencing by exiled Tibetans in India. An English translation of his essay on Tibetan self-immolation protests is available from the [Tibetan Centre for Human Rights and Democracy](#) (TCHRD). **Honorary member of:** Independent Chinese PEN Centre (ICPC).

**Paljor NORBU (aka Panjue Ruobu):**

**Profession:** Printer **Date of Birth:** 1927 **Date of arrest:** 31 October 2008 **Sentence:** Seven 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. No further information as of 31 December 2015, although he should have been released. His family is worried due to his age and his unknown whereabouts. **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.

Imprisoned: investigation

**GANGKYE Drubpa Kyab:**

**Profession:** said to be a well-known and popular writer, whose writings include "*Call of Fate*", "*Pain of This Era*" and "*Today's Tear of Pain*". He has worked as a teacher in Serthar for almost a decade.

**Date of birth:** c 1979 **Sentence:** five and a half years in prison **Date of arrest:** 15 February 2012

**Details of arrest:** Gangkye was arrested without a warrant by a team of 20 police officers from his home in Serthar county, Sichuan Province, just before midnight on 15 February 2012. He was held incommunicado for 18 months after his arrest. **Details of trial:** Gangkye was reportedly sentenced on 1 August 2013 at the County People's Court in Nyagchu County after conviction of inciting a split in the country. The charges are thought to be in relation to his alleged membership of a secret political group the "Anti-Communist Party Association (Mashog Ngogol Tsogpa)". According to reports, Gangkye was sentenced along with four other Tibetan men. **Current place of detention:** His present place and conditions of detention remain unknown. No further information as of 31 December 2015.

**Background:** His arrest came amidst escalating tensions in Tibetan areas following a series of self-immolations and protests against Chinese rule which were violently suppressed by the security forces. PEN International is seeking information about his whereabouts and wellbeing. (RAN 10/12 – 22 February 2012). **Honorary member of:** Independent Chinese PEN Centre (ICPC).

**Tsultrim GYALTSEN (pen-name: Shokdil), Profession:** Writer

**YUGYAL, Profession:** Writer, former policeman

**Sentence:** 13 years and 10 years in prison, respectively **Date of arrest:** 11 and 12 October 2013, respectively **Details of arrest:** Gyaltzen and Yugyal have reportedly been detained since 12 October 2013, in Tengkhara village in Shamchu town, in Driru county. **Details of trial:** On 28 October 2013, the writers were sentenced by a People's Court in Tibet Autonomous Region, to 13 and 10 years in prison for "disturbing social stability" and "misconduct with government officials". Family members were reportedly only informed in March 2014 of the prison sentences, prior to which there had been no information on the two men since their detention in October 2013. **Background:** Both are suspected of being involved in protests in Driru county which began after Tibetans refused government orders to fly Chinese flags from their homes.

**Lo LO:**

**Profession:** Singer **Date of Birth:** 1983 **Sentence:** Six years in prison **Date of arrest:** Briefly detained on 19 April 2012 and rearrested later. **Details of arrest:** Lo was reportedly arrested on 19 April 2012, a few months after the release of his album *Raise the Flag of Tibet, Sons of the Snow*. The lyrics call for independence for Tibet and for the return of the Dalai Lama. Lo is originally from Dhomda town in Yulshul county. He was released shortly afterwards but was later re-detained. **Current place of detention:** prison in Siling, Qinghai province. **Details of trial:** On 23 February 2013 he was reportedly sentenced to six years' imprisonment in connection with his songs. PEN International is seeking information about the specific charges. An English translation of one of his songs can be read [here](#).

**Conditions of detention:** A picture of Lo lo taken clandestinely in April 2015 during a prison visit has raised fears that he is not being treated well and that he has been suffering from health complications, according to the Tibetan Centre for Human Rights and Democracy. The Chinese authorities are also reported to have refused permission for family members to visit him in prison to deliver clothes and food. **Health concerns:** According to various reports, Lo is in very poor health.

**Gonpo TENZIN:**

**Profession:** singer and song-writer **Sentence:** Three and a half years in prison, as well as deprivation of his political rights for four years **Date of arrest:** 30 November 2013 **Details of arrest:** Tenzin had

reportedly been on a police wanted list prior to his being taken into custody in Lhasa. He was reportedly arrested in November 2013 on unknown charges, and was kept in detention without any access to legal proceedings for over a year. His CD entitled "How Can We Have New Year's Celebrations in Tibet?" is thought to be the main reason for his detention. **Details of trial:** On 15 April 2015, Tenzin was reportedly sentenced to three and a half years in prison in connection with his song "Where is the new year in Tibet". The precise charges are unknown. **Current place of detention:** unknown. **Conditions of detention:** During his detention, Tenzin was brutally tortured and deprived of all political and legal rights, according to the Central Tibetan Administration. **Background:** Tenzin's recordings reportedly focussed on themes involving Tibetan unity and the promotion of the Tibetan language.

**TOBDEN:**

**Profession:** nomad and writer **Sentence:** five years in prison **Date of arrest:** 28 October 2013 **Details of trial:** The exact charges are unclear, but it is thought that he and eight others were convicted of maintaining contacts with "the Dalai clique" and "engaging in activities to split the nation". Tobden was reportedly sentenced to five years in prison on 30 November 2013. **Background:** According to reports, Tobden's writings on Tibetan national themes may have especially angered the Chinese authorities.

**TRITSUN (aka Tri Bhoe Trak):**

**Profession:** Tibetan monk and writer **Date of Birth:** 1987 **Date of arrest:** 11 March 2013 **Sentence:** Unknown **Details of the arrest:** Detained on unknown charges by the People's Armed Police in Grade (Gade) County, while he was visiting his mother. It is widely believed that Tritsun's arrest is linked to the book he authored and published on 8 March 2013 *Denpai Khalang (Breath of Truth)*, at Tongkyap Monastery, which contains essays on self-immolations. **Details of trial:** In late April 2013 an officer from Grade county police is said to have visited Tritsun's mother with a notification that her son had been sentenced. She was not given information on the length of the sentence or the prison where Tritsun is currently held.

**Trinley TSEKAR:**

**Profession:** singer and song-writer **Date of arrest:** 20 November 2013 **Sentence:** nine years' imprisonment **Details of arrest:** He was reportedly arrested in Nagchu town following a public protest in May 2013. Tsekar had reportedly gone to Nagchu in order to apply for a driver's license. **Details of trial:** Tsekar was reportedly accused of "attacking the local public security organ, assaulting policemen, smashing offices, damaging properties and objects [and] gravely disturbing social order due to his participation in the protests." According to a 13 January 2014 report, Tsekar was convicted and sentenced to nine years in prison in late December 2013. No further information as of 31 December 2015. **Background:** Tsekar has reportedly written many songs on Tibetan themes. His CD entitled, "Links of Unity" is especially well known. PEN International is seeking further details.

Detained: investigation

**Dawa TSOMO (f):**

**Profession:** Blogger **Date of arrest:** 23 August 2014 **Details of arrest:** There are reports that her arrest could be linked to her postings on political issues such as the conditions in which Tibetans live in the areas affected by the April 2014 earthquake. Tsomo was arrested from her home, in Dzatoo County, eastern Tibet on unknown charges. Her whereabouts remained unknown at the end of the year. No further information as of 31 December 2015.

**KHELSANG (KALSANG) Jinpa (pen-name: Garmi):**

**Profession:** 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 and contributed to the Tibetan-language journal *Shar Dungkri*. **Date of**



**arrest:** early 2014. No further information as of 31 December 2015; PEN is seeking to confirm if he remains in detention. **Background:** Khelsang was released from prison on expiry of his three year prison sentence for “incitement to split the nation” in July 2013 in connection with an article written under the pen name ‘Garmi’ (‘the Blacksmith’), ‘The case for lifeblood and life-force’, published in Shar Dugri in 2008. **Honorary member:** Independent Chinese PEN Centre (ICPC) and Suisse Romand PEN Centre.

**\*Druklo (also known as SHOKJANG):**

**Profession:** writer and blogger **Date of detention:** 19 March 2015 **Details of detention:** According to *Voice of America*, Chinese security police in Rebgong arrested Shokjang and his brother-in-law on 19 March 2015. While his fellow detainee has since been released, Shokjang remains under detention without any reasons given or charges filed against him. PEN is seeking further information on the charges he faces, whereabouts and well-being. **Background:** According to Radio Free Asia, Shokjang had written on the deployment of Chinese security forces in Rebgong; he had also written a report poor students in Kangtsa (Gangcha) county the day before his arrest. **[Stop press:** According to reports, Shokjang was sentenced to three years in prison by the intermediate public court in Malho prefecture on 17 February 2016.]

Released

**DROKRU Tsultrim:**

**Profession:** Tibetan writer from Ngaba county **Sentence:** Four and a half years in prison **Date of arrest:** 24 May 2010 **Date of release:** 5 December 2014 **Details of arrest:** he was reportedly arrested after police searched his room at the Gomang Monastery, eastern Tibet, and took documents and his laptop. There was allegedly no warrant for the raid or Tsultrim’s arrest. A relative in exile reported that Tsultrim was planning to publish a compilation of writings by young Tibetan writers prior to his arrest. **Details of release:** released on completion of his sentence. **Details of trial:** Family members were told of his trial on 8 May 2011, but when they arrived, found it had taken place the day before. **Current place of detention:** Initially believed to be held at the detention centre in Barkham, in Ngaba, but sent after his trial to a prison in Chengdu. **Conditions of detention:** His family were not allowed to visit him until the day after his trial, when they were granted a 10-minute visit. **Previous detention:** Previously detained in early April 2009 while working as the magazine editor of *Khawai Tsesok* (Soul of the Snow). Held for a month for his alleged anti-government articles in support of ‘separatist forces’ of the Dalai Lama before being released. The authorities have suspended the publication of the magazine. **Honorary member of:** Independent Chinese PEN Centre (ICPC).

**Dolma KYAB:**

**Profession:** Writer and teacher **Sentence:** Ten-and-a-half-years in prison. **Expires:** 2015 **Date of arrest:** 9 March 2005. **Date of release:** 8 October 2015 **Details of arrest:** Dolma Kyab was reportedly arrested in the city of Lhasa for allegedly endangering state security in a book he authored. 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. **Details of release:** Kyab was released from prison on 8 October 2015, after completing his sentence. **Details of trial:** Dolma Kyab was convicted of ‘espionage’ and ‘illegal border crossing’. His trial was conducted in secrecy. **Current place of detention:** 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. Believed to have been 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. **Award:** Recipient of the ICPC 2012 Liu Xiaobo Courage to Write award. **Honorary member:** English PEN, PEN American Center and German PEN.

## XINJIANG UYGHUR AUTONOMOUS REGION (XUAR)

### Imprisoned – Main case

**Perhat HALMURAT, profession:** editor of Uyghur Online

**Shohret TURSUN, profession:** student of Ilham Tohti

**Abdukeyum ABLIMIT, profession:** student of Ilham Tohti

**Mutellip IMIN, profession:** student of Ilham Tohti

**and Atikem ROZI, profession:** student of Ilham Tohti:

**Date of arrest:** January 2014 **Reason for arrest:** The five were reportedly arrested around the same time as **Ilham Tohti** (see ‘detained: main case’ above). Halmurat and Tursun were reportedly formally charged with ‘splittism’, while Ablimit was charged with ‘revealing state secrets’ on 24 February 2014. Charges against Imin and Rozi remain unknown. **Current place of detention:** Halmurat, Tursun and Ablimit are thought to be held in a detention centre in Urumqi. The whereabouts of Imin and Rozi are unknown. **Details of trial:** Reportedly tried on 25 November 2014 at the Intermediate People’s Court in Urumqi. The verdict of the court remains unknown as of 31 December 2015.

**Background:** Halmurat and Imin were both subjected to harassment in 2013 when they were each prevented on separate occasions from boarding flights to Turkey. Imin was held without charge for 79 days, while Halmurat was held for 16 hours (for more information see January-December 2013 case list). **PEN Action:** RAN 03/14 and updates

### **Tursunjan HEZIM:**

**Date of Birth:** 1973 **Profession:** Former history teacher and founder of the now closed popular Uyghur history website *Orkhun* ([www.orkhun.com](http://www.orkhun.com)). **Sentence:** Seven years in prison **Expires:** July 2016 **Date of arrest:** July 2009 **Details of arrest:** Reportedly arrested shortly after the 5 July 2009 protests in Urumchi, which turned violent after police cracked down on peaceful protesters. Hezim’s family was never informed of the charges against him and his whereabouts remain unknown. No official reason has been given for his detention though he is believed to be targeted for his peaceful cultural activism and writings. **Details of trial:** Reported in March 2011 to have been sentenced in July 2010 to seven years in jail by the Aksu district court at a closed trial. According to Amnesty International, the *Orkhun* website mainly featured scholarly articles on Uyghur history and culture and was an important resource for Uyghur intellectuals and students. No further information as of 31 December 2015.

### **Gulmire IMIN (f):**

**Profession:** Uyghur poet and website moderator for the Uyghur language website *Salkin*. **Date of birth:** 1978 **Sentence:** Life imprisonment **Date of arrest:** 14 July 2009 **Details of arrest:** arrested after protests which took place in Urumqi on 5 July 2009. **Details of trial:** She was handed down a life imprisonment sentence for ‘splittism, leaking state secrets and organising an illegal demonstration’ by the Urumqi Intermediate Court on 1 April 2010. **Treatment in detention:** There are reports that Imin was tortured and ill-treated in a police detention centre. She was reportedly coerced into signing a document without knowing the content. She is allowed to receive family visits once every three months. **Current place of detention:** She is said to be held at the Xinjiang Women’s Prison in Urumqi. WiPC learned of the case in late 2012 and is seeking for further details. **UN Working Group on Arbitrary Detention:** In 2012, the WGAD ruled that “the deprivation of liberty of Ms. Imin is...arbitrary and in contravention of articles 8, 9, 10 and 19 of the Universal Declaration of Human Rights.” **Awards:** 2012 Hellman/Hammett award.

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

**Profession:** Freelance journalist and former editor of the website *Uyghur Online* ([www.uyghurbiz.net](http://www.uyghurbiz.net)). **Date of Birth:** 14 June 1959 **Date of arrest:** 1 October 2009 **Sentence:** 15 years in prison **Expires:** 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 and which he had tried to warn the authorities about. **Details of trial:** The prosecution reportedly used as evidence essays written by Niyazi highlighting mounting ethnic tension in the region prior to the riots, and interviews he gave to Hong Kong media after the violence. Niyazi was convicted by the Urumqi Intermediate People's Court on charges of 'endangering national security' on 23 July 2010. His appeal was rejected. **Current place of detention:** Changji Prison, Changji Hui Autonomous Prefecture, XUAR, PR China. **Other information:** A week after his sentencing, a group of 51 Chinese lawyers and intellectuals, including Wang Lixiong, Mao Yushi, Cui Weiping, published an [open letter](#) expressing their concern about the "criminalization of free speech" that occurred in the case of Gheyret Niyaz. An English translation of the letter may be read [here](#). **Background:** Hailaite Niyazi is a former reporter and columnist for Xinjiang Economic Daily and Xinjiang Legal News. Until June 2009 he edited and managed [uyghurbiz.net](http://uyghurbiz.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' and, most recently, in January 2014 (see below). **Honorary member:** Independent Chinese PEN Centre. **PEN Action:** RAN 56/09 and updates

#### **Iham TOHTI:**

**Profession:** writer, academic, member of Uyghur PEN and founder of the website Uyghur Online **Date of birth:** 25 October 1969 **Sentence:** Life imprisonment **Date of arrest:** 15 January 2014. **Details of arrest:** Tohti was arrested at his home on 15 January 2014 and held incommunicado, without access to his lawyer. He was formally arrested in February. A statement released by the Bureau of Public Security at the time of Tohti's arrest alleged that Tohti was under investigation for the promotion of separatism and recruiting followers through his website. Reports indicate that his mother may also have been briefly detained. **Details of trial:** Formally charged with 'splittism' in July 2014, he was sentenced to life imprisonment and confiscation of all his property on 23 September 2014 after a two-day trial which began on 17 September 2014. Tohti denied the charges. There are reports that during the trial material were shown representing Tohti's views on the Uighur minority and China's policies. Some of the material had been downloaded from his website and teaching papers. The prosecutor also reportedly added that Tohti had "internationalised" the Uyghur issue with the translations of articles and essays about the Xinjiang region for his website, and by providing interviews to international media. On 21 November 2014 the Xinjiang's high court rejected Tohti's appeal against the conviction and upheld the life sentence. **Update:** In October 2015, Tohti reportedly called on his family to engage lawyers and lodge an appeal for him through the Chinese judicial system. **Conditions in detention:** Tohti was allowed to see his lawyer for the first time in June 2014. He is reported to have been shackled, deprived of food and adequate water while in prison in March 2014 as a punishment for failing to cooperate with the authorities. During his initial days in detention, Tohti reportedly staged a 10-day hunger strike in protest against the food served to him, as it did not follow Islamic dietary laws. He was reportedly denied food for a further eight days after a deadly attack at a train station in Kunming, which the government blamed on separatist Uyghur militants. Authorities have reportedly denied Tohti's relatives permission to visit him or provide him with clothing and money. **Other information:** In May 2014, the university reportedly stopped paying his salary. In March 2014 it was reported that the authorities had frozen Tohti's bank accounts. **Background:** An economics professor at Beijing's Central University for Nationalities, Tohti is known as an outspoken critic of the government's ethnic policies in the Xinjiang Uyghur Autonomous Region (XUAR). In 2009, Tohti spent over six weeks in detention after he spoke out about the ethnic unrest which broke out in Urumqi, capital of Xinjiang, on 5 July 2009 (see under 'released' in July-December

2009 case list). A number of people associated with Uyghur Online, a website dedicated to the promotion of understanding between ethnic Uyghurs and Han Chinese, have faced similar harassment. Two students **Perhat Halmurat** and **Mutellip Imin** (see 'Brief detention') were prevented from taking up their studies abroad, while **Hailaite Niyazi**, also known as Gheyret Niyaz, is serving a 15-year prison sentence for "endangering national security" following his conviction on 23 July 2010 (see 'Imprisoned: main case' above). Tohti reportedly faced continued harassment on the part of the Chinese authorities over the course of 2013. For more information, please see January – December 2013 case list. Five of his students, **Perhat Halmurat, Shohret Tursun, Abdukeyum Ablimit, Mutellip Imin and Atikem Rozi** were arrested around the same time as Tohti (see above). Halmurat and Tursun were reportedly formally charged with 'splittism' while Ablimit was charged with 'revealing state secrets' on 24 February 2014. They are thought to be held in a detention centre in Urumqi, however their exact location and that of Imin and Rozi remains unknown. **Awards:** 2014 PEN/Barbara Goldsmith Freedom to Write Award; and the Ismail Gaspirali Turkic World Freedom Award from the Bartın Province Journalist Association and International Journalism association For Turkic-Speaking Countries. **Honorary Member:** PEN American Centre and Independent Chinese PEN Centre (ICPC). **PEN Action:** Press statement 23 September 2014, [open letter](#) 28 February 2014, RAN 03/14 and updates, Empty Chair at PEN's 80<sup>th</sup> Congress in Bishkek, Kyrgyzstan, subject of PEN [resolution](#) adopted at the 80<sup>th</sup> Congress, 2015 International Mother Language Day case

#### **Nurmuhammet YASIN:**

**Profession:** Freelance Uyghur writer and poet **Date of Birth:** 6 March 1974 **Date of arrest:** 29 November 2004 **Sentence:** 10 years in prison. **Expires:** 30 November 2014 **Details of arrest:** Nurmuhammet 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 Uyghur-language Kashgar Literature Journal, issue No. 5, November 2004. Authorities also confiscated Yasin's personal computer containing an estimated 1,600 poems, commentaries, stories, and one unfinished novel. Yasin's story was widely circulated and recommended for one of the biggest Uyghur literary websites in the Uyghur Autonomous Region for outstanding literature award. It also attracted the attention of the Chinese authorities, who apparently consider the fable to be a tacit criticism of their government in the Xinjiang Uyghur Autonomous Region. **Details of trial:** After a closed trial in February 2005 at which he was not permitted a lawyer, Yasin was sentenced by the Maralbesh County court to 10 years in prison for "inciting Uyghur separatism" in his book *Wild Pigeon (Yawa Kepter)*. The Kashgar Intermediate Court upheld his sentence on appeal and Yasin was transferred on 19 May 2005 to Urumqi No. 1 Jail. **Current place of detention:** Urumqi No.1 Jail, Siping Road 5, Urumqi City 830013, Xinjiang Uyghur Autonomous Republic, P.R.China. **Treatment in prison:** According to PEN's information, unconfirmed reports that Nurmuhammet Yasin had died in prison which have been circulating since 2010 were [disputed](#) by a family member, who claims to have visited him in Urumqi No.1 prison in July 2012 and found him in reasonably good health. She also reported having received a letter from him in October 2012 which she believes is genuine. Yasin has spent most of the past eight years detained incommunicado without access to family visits, fostering speculation about his condition and possible death. However, Yasin's wife and two children were reportedly been given permission to visit him at the prison on 16 January 2013. In spite of repeated requests for information about his condition, the Chinese government has remained silent on the issue. **Background:** Nurmuhammet Yasin is an award-winning and prolific freelance Uyghur writer. He has published many highly acclaimed literary works and prose poems in recent years, including the poetry collections *First Love, Crying from the Heart, and Come on Children*. He is married with two young sons. An English translation of his story *Wild Pigeon* can be read in two parts [here](#) and [here](#). **Honorary member:** American, English and Independent Chinese PEN Centre (ICPC). **PEN Action:** RAN 01/13 – 9 January 2013; International Mother Language Day 2014. **PEN Position:** Although Yasin's sentence expired in late 2014, there has been no news of his release. PEN is calling for the authorities to clarify Yasin's fate and to release him if still alive.

## Case Closed

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

**Profession:** Editor of the Uyghur-language website *Diyarim.com* **Sentence:** Five years in prison  
**Expires:** 2014 **Date of arrest:** 7 August 2009 **Details of arrest:** Reportedly taken from his home in Urumqi, capital of the Xinjiang Uyghur 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 Uyghur-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. **Conditions of detention:** Held at an unknown location without access to family visits since his arrest. Assumed released on expiry of sentence in 2014; case closed.

## **INDIA**

### Killed

#### **\*Dr Malleshappa Madivalappa KALBURGI:**

**Profession:** epigraphist, former Vice Chancellor of the Hampi University in Kamataka. **Date of birth:** 28 November 1938 **Date of death:** 30 August 2015 **Details of death:** Kalburgi, aged 78, died in the hospital after being shot at close range by two men on his doorstep. **Investigation:** An investigation is reported to be underway. **Background:** Kalburgi had, through his writings and speeches, upset groups within the Lingayat community, a middle-caste group, as well as right wing Hindutva groups. In June 2014, Kalburgi dismissed the sanctity of religious idols, which brought protesters to his doorstep, and he was placed under police detention. **Awards:** Sahitya Akademi Award **PEN Action:** PEN Statement, PEN Writers' Statement of Solidarity: 81st PEN International Congress, Quebec City

#### **\*Sandeep KOTHARI:**

**Profession:** journalist for the *Hindi Daily* newspaper **Date of death:** 19 June 2015 **Details of death:** Kothari (40) was reportedly abducted from his home state of Madhya Pradesh, choked and set on fire. His body was discovered in the neighbouring district of Maharashtra the following evening. **Details of investigation:** According to news reports, Kothari was targeted because of his writing about illegal mining in the area and for refusing to withdraw a court case he filed against individuals involved in the mining racket. Police arrested three men few days after Kothari's death; they were suspected to be involved in illegal mining. **Update:** According to reports, a total of seven persons allegedly involved in the crime have been arrested so far. **PEN Action:** 23 June 2015 Statement

### Killed – motive unknown

#### **\*Raghavendra DUBE:**

**Profession:** owner and editor of *Khushboo Ujala*, a local weekly newspaper in Mumbai. **Date of death:** 17 July 2015 **Details of death:** Dube's body was reportedly found near a police station in Mumbai, just half an hour after he left the station, where he had been helping a police investigation into an attack on two other journalists. He was beaten and stabbed to death. **Background:** According

to reports, Dubey often helped police by informing them about bars that were operating illegally. On this occasion, he was reported to be informing about the attacks that took place the evening before on journalists Shantosh Mishra and Shashi Sharma, who were attacked by a bar's employees for photographing its owner.

**\*Mithilesh PANDEY:**

**Profession:** journalist for the online Hindi newspaper *Dainik Jagran* **Date of death:** 24 October 2015 **Details of death:** Pandey (40) was shot inside his house in Bihar while he was sleeping by a group of masked intruders. No further information as of 31 December 2015. **Background:** According to reports, Pandey had received death threats and he had approached the police on several occasions regarding the issue.

**\*Jagendra SINGH:**

**Profession:** freelance journalist **Date of death:** 8 June 2015 **Details of death:** According to news reports, Singh died from injuries sustained following a police raid on his home in Uttar Pradesh on 1 June 2015. Conflicting accounts of the events of the raid suggest that the 6 police officers – including two in civilian clothing – questioned him regarding Facebook posts he had made. Singh sustained burns to more than 50 per cent of his body and died of his injuries on 8 June. **Details of investigation:** According to reports, Singh gave a statement to a magistrate before dying on 8 June, in which he claimed that a police officer had beaten him, doused him in petrol and set him alight. Singh's son is reported to have filed a police complaint against two of those his father named. Others have suggested that Singh killed himself when the police raided his home, news sources indicate. **Background:** Singh was a freelance journalist who reported critically on politics and current affairs in Hindi-language newspapers and on Facebook. According to the journalist's son, Singh had previously been attacked after he accused a state minister of being involved in illegal mining and land seizures in northern India in an article written for a local Hindi newspaper, the details of which he later circulated on Facebook. **PEN Action:** 23 June 2015 Statement

Killed – impunity

**Tarun Kumar ACHARYA:**

**Profession:** reported for the Oriya-language newspaper *Sambad* and stringer for Oriya-language television channel Kanak TV. **Date of death:** 27 May 2014 **Details of killing:** Acharya was reportedly found dead with his throat slit and injuries to his chest on 28 May 2014. According to news reports, assailants had stabbed him the night before as he made his way home from work in Khallikote town, Odisha. **Details of investigation:** Initial news reports reportedly indicate that Acharya's profession has been ruled out as a motive, with the authorities favouring a possible familial dispute. By October 2014, four men had been arrested in connection with Acharya's murder, including the alleged mastermind who is the owner of a cashew processing plant in Khallikote. **Update:** In February 2015, a fifth suspect was arrested and remanded in custody. No further information as of 30 December 2015. **Background:** Shortly before his murder, Acharya had published a report exposing child labour practices at a cashew processing factory. It is thought that the owner of the plant hired the men to kill Acharya shortly after, paying the men 50,000 rupees (US\$850).

**Narendra DABHOLKAR:**

**Profession:** editor of the weekly Marathi-language magazine *Sadhana* (Spiritual Devotion) **Date and details of killing:** He was reportedly shot dead by two unidentified gunmen on motorcycles on 20 August 2013. Dabholkar, aged 71, was reportedly shot in his neck and back. He had reportedly spent several years campaigning for legislation to ban fraudulent and exploitative superstitious practices. His murder came days after the Maharashtra state government said it would introduce an anti-superstition bill. **Details of investigation:** Police are investigating the case; the Police Commissioner stated he believed it was a contract killing. On 2 September, the police stated that seven surveillance

cameras had captured footage of the two assassins, and the footage had been sent to a London-based forensic lab for analysis. On 9 May 2014, the Bombay High Court reportedly transferred the investigation into Dabholkar's murder to the Central Bureau of Investigation after no headway was made by Pune police. **Update:** On 27 May 2015 the Central Bureau of Investigation reportedly released a sketch of two suspects based on descriptions by eyewitnesses. The sketches are reported to depict the motorcycle driver and the pillion that shot Dabholkar.

**Nemi Chand JAIN:**

**Profession:** journalist for the Hindi dailies *Hari Bhoomi*, *Nayi Duniya* and *Dainik Bhaskar* **Date and details of death:** Jain was found dead near Tongapal, Chhattisgarh, central India, on 13 February 2013. Jain, aged 43, was found with a note which said that he was a police informer. Some colleagues believe that a local gang could be responsible for the journalist's murder, as days before his death, Jain exposed mineral smuggling. **Details of investigation:** The authorities are investigating the case. According to a 10 December 2013 report, 45 days after his murder, Maoist insurgents took responsibility for his attack. Three men accused of being Maoist insurgents were arrested in connection with his killing in December 2013 and July 2014. **Update:** A man alleged to have been involved in the killing was [arrested](#) in December 2015.

**Sai REDDY:**

**Profession:** reporter for the daily Hindi-language newspaper *Deshbandhu* **Date and details of death:** Reddy, aged 51, was beaten and stabbed to death in Basaguda, Chhattisgarh, on 6 December 2013. A group of Maoist rebels are suspected of carrying out the attack at a market near Reddy's home. He sustained severe head and neck injuries, and died on his way to hospital. **Details of investigation:** No one has been brought to justice for the murder as of 31 December 2015. **Background:** Reddy covered local issues such as health, education, water supply, food distribution and corruption, often criticising the government, Maoist insurgents and the security forces. According to reports, Reddy had been targeted in the past by both the authorities and Maoists in connection with his investigative reporting of the Naxalite (Maoist) insurrection. In March 2008 he was arrested for his supposed links with Maoists – he was later released on bail – while the Maoists reportedly accused him of having links with the security forces, set fire to his home and threatened to kill him. Reddy fled Chhattisgarh and only returned after he apologised to the Maoists.

**Rakesh SHARMA:**

**Profession:** senior reporter for the Hindi-language daily newspaper *Dainik Aaj* **Date and details of death:** 23 August 2013. He was shot dead in Etawah, in the northern state of Uttar Pradesh, by five assailants on a motorcycle. According to reports, Sharma, aged 50, had left his home after receiving a call from an unknown number. He reportedly sustained several gunshot wounds. Local journalists suspect the involvement of a local gambling mafia in his murder, in response to an article published by Sharma critical of illegal gambling operations. **Details of investigation:** No one was known to have been brought to justice for his killing as of 31 December 2015.

**Jitendra SINGH:**

**Profession:** reporter for the daily newspaper *The Hindu* **Date and details of death:** he was killed in Khunti district, Jharkhand state, on 27 April 2013. There are reports that the groups People's Liberation Front of India (PLFI), claimed responsibility for his killing. Singh also ran a local construction business. **Details of investigation:** The authorities are investigating the case. No further information as of 31 December 2015.

Detained: main case

**\*Somaru NAG:**

**Profession:** journalist covering rural issues for *Patrika* newspaper **Date of arrest:** 16 July 2015 **Details of arrest:** Nag was reportedly arrested by plainclothes police officers at his family's mobile telephone



shop in Darbha town. Police are reported to have accused Nag of aiding villagers identified as Maoist or Maoist-sympathisers who are alleged to have set fire to equipment being used to build roads. He has reportedly been charged under the Arms Act, as well as banditry, arson and criminal conspiracy, sections 395, 435 and 120B of the Indian Penal Code, respectively. **Place of detention:** Nag is thought to be being held in Jagdalpur jail in Chhattisgarh.

**\*Santosh YADAV:**

**Profession:** freelance journalist **Date of arrest:** 29 September 2015 **Details of arrest:** Police reportedly arrested Yadav in the state of Chhattisgarh. He was charged with rioting, criminal conspiracy, and attempted murder under the Indian penal code; with “associating with a terrorist organisation” and “supporting and aiding terrorist groups” under the Chhattisgarh Special Public Security Act; and with charges under the Unlawful Activities (Prevention) Act, a counterterrorism law. In October 2015, Yadav was placed in pre-trial custody, according to reports. **Details of trial:** Yadav’s next court hearing is scheduled to be held in early 2016. **Background:** According to PEN’s information, Yadav has contributed reports and photographs to local privately-owned newspapers including *Dainik Navbharat*, *Patrika*, and *Dainik Chhattisgarh*. He reported on human rights abuses by the police against tribal communities in the region, according to his lawyer. Yadav also helped connect members of his community, whose family members faced arrest, to legal aid groups. His lawyer said that Yadav has been harassed by police several times in recent years. According to the People’s Union for Civil Liberties, an Indian human rights organisation, police had harassed the journalist since they saw him at a May 2013 attack by Maoists that left dozens dead, including three Congress Party officials. The PUCL said that police presumed Yadav was a participant in the attack because he was one of the first reporters to arrive at the scene. In 2014, police summoned Yadav to the police station, where they stripped him and held him for several hours, according to his lawyer. In August 2014, police filed a case against Yadav, accusing him of harassing a woman, which the journalist’s family and colleagues said was a false allegation. Yadav’s wife, Poonam, told *The Hindu* that police had threatened to kill her husband in 2014. In late August 2015, about a month before Yadav was arrested, police arrested at least five men from Bhadrimahu village in Chhattisgarh and accused them of helping Maoist rebels carry out a deadly ambush in which a police official was killed, according to news reports. On 29 September 2015, the families of the men went to the police station to secure their release, and Yadav accompanied them to cover the incident. He was arrested later that day. Police denied that Yadav was arrested for reporting on the case. **Other information:** Police said that Yadav had links to Maoists rebels and that he had participated in violence between police and Maoists in the state on 21 August 2015, according to *The Hindu*.

On trial

**Lingaram KODOPI:**

**Profession:** journalist for the *Tehelka* magazine, based in New Delhi **Date of arrest:** 9 September 2011 **Date of release:** 14 November 2013 **Details of arrest:** Kodopi was reportedly arrested by police from a weekly market at Palnar village in Dantewada district of Chhattisgarh **Details of release:** He was reportedly granted interim bail on 12 November 2013 and released two days later. The Indian Supreme Court have forbidden Kodopi from entering Chhattisgarh state and ordered that he check in weekly with a local police station in Delhi. **Details of trial:** He has reportedly been charged with criminal conspiracy, sedition, and waging war against the state, according to the New Delhi-based *Tehelka* magazine. His next court hearing was scheduled for 3 December 2013. His colleagues believe his arrest is linked to his reporting on police violence, although other reports allege he is linked to an insurgent Maoist group in Chhattisgarh. A Supreme Court hearing on February 2014 upheld the bail order pending trial. No further information as of 31 December 2015. **Other information:** He is the nephew of tribal activist Soni Sori who was also arrested and held for over two years, during which time she says she was tortured and pressured to say that Kodopi worked for Maoists.

**S. Nagesh KUMAR:**

**Profession:** editor of the English-language newspaper *The Hindu* **Details of trial:** reportedly faces criminal proceedings following the 13 September 2013 publication of a report on a meeting between the Director-General of the Police in Andhra Pradesh and the head of a spiritual cult based in Hyderabad. The complaint alleges intent to bring the police force into disrepute. Kumar succeeded in securing bail, providing him with provisional immunity against arrest. No further information as of 31 December 2015.

Brief detention

**\*S. SIVADAS (Stage name: Kovan):**

**Profession:** folk singer **Age:** 52 **Date of arrest:** 30 October 2015 **Details of arrest:** Kovan was arrested at his home in Tiruchirappalli district, Tamil Nadu, on 30 October 2015 under India's sedition law for two songs that criticise the state government for allegedly profiting from state-run liquor shops at the expense of the poor. **Details of trial:** Kovan was reportedly charged with sedition, promoting enmity between social groups, criminal intimidation and insulting the state government. On 16 November 2015, he was granted release on bail, after the judge observed that the case was not one of defamation. **Background:** Kovan is a member of the Makkal Kalai Ilakkiya Kazhagam (People's Art and Literary Association), which has long used art, music and theatre to educate marginalized communities and raise issues of corruption. In his recent songs, he blamed the government for choosing revenue from liquor sales over people's welfare.

Attacked

**\*Prasanta KUMAR:**

**Profession:** correspondent of daily newspaper *Asamiya Pratidin* **Date of attack:** 18 June 2015 **Details of attack:** Kumar was reportedly shot in his shoulder and attacked by a group of five people while returning home from dropping off a friend on his motorbike. After blindfolding him, the attackers forced him into a car. The attackers stole his money and mobile phone, before throwing him out of the car, according to news reports. Kumar survived the attack; he managed to reach the local police station where he received some primary first aid and was then rushed to hospital. **Details of investigation:** Police have not arrested anyone but are investigating the incident. The motive of the attack is not clear although police are reported to suspect that a terrorist organisation in the region is behind the attack as Kumar was actively writing against an extortion drive and the ongoing anti-terrorist operations.

**\*Puliyur MURUGESAN:**

**Profession:** Novelist **Date of attack:** 25 February 2015 **Details of attack:** Tamil author 'Puliyur' Murugesan was abducted from his home in Karur, Tamil Nadu and attacked, according to local media. Murugesan reportedly received a phone call from a leader from the Kongu Vellalar, or Gounder, community asking him to meet and explain his work. According to reports, on the day of the agreed meeting a group of around 25 men entered Murugesan's home, took him by force to a remote location, and beat him for several hours before he was found by police and admitted to hospital with internal bleeding and blood clots **Background:** In December 2014, Murugesan's collection of short stories *Balachandran Ennoru Peyarum Enaku Undu* was published, featuring a story dealing with incest, forced marriage, sexual harassment, and transgender issues in a Gounder family. Activists in the Kongu Vellalar community have also conducted various protests calling for legal action to be taken against Murugesan. Three days after the February 2015 attack – and following a complaint filed by the President of the Puliyur Perunkudi Arakkatalai – he had charges brought against him under five separate sections of the Indian Penal Code (IPC) relating to obscenity, defamation, and provocation. Anticipatory bail has been granted on the condition that he signs in daily with the local authorities.

## Threatened

### **\*Shyamsundar SONNAR:**

**Profession:** journalist with Marathi-language daily newspaper *Prahaar* **Date of threats:** 1 September 2015 **Details of threats:** Sonnar was reportedly labelled 'anti-Hindi' in an article published by Sanatan Sanstha, a Hindu group in Mumbai, in their publication *Sanatan Prabhat*. **Details of investigation:** Sonnar filed a complaint against the threats. **Other information:** According to reports, Sanatan Sanstha also threatened news channel editor Nikhil Wagle on his personal Twitter and in an article published in their publication on 22 August 2015.

## Harassed

### **\*Perumal MURUGAN**

**Profession:** Novelist and professor **Date of harassment:** 12 January 2015 **Details of harassment:** Tamil-language writer Murugan publically announced his retirement from writing in a Facebook post following a "peace meeting" with several organisations regarding his 2010 book *Madhorubagan*. According to reports the meeting in Namakkal in the author's home state of Tamil Nadu was attended by several regional caste and religious groups demanding that Murugan issue an unconditional apology, expurgate the book, recall any unsold copies, and refrain from writing on controversial or sensitive subjects. The Facebook post also asked his publishers to cease sale of any works, urged those owning copies to burn them, told literary festivals to not contact him, and requested that caste and religious outfits desist from their protests. **Background:** Murugan's book *Madhoubagan* features a controversial scene with a fictitious, extramarital sex ritual with members of the Gounder community at a local Hindu shrine. There have been reports of a campaign against the writer including a book burning and calls for a ban on the novel and the arrest of its author and publisher.

## Sentenced

### **\*Devidas Ramachandra TULJAPURKAR:**

**Profession:** Editor of *Bulletin*, the in-house magazine of the All India Bank Association Union **Details of trial:** On 14 May 2015 the Supreme Court of India dismissed a plea from Tuljapurkar against charges he had broken Section 292 of the Indian Penal Code (IPC) (obscenity) following a hearing on 16 April. In its ruling, the Supreme Court upheld an earlier verdict reached by Bombay High Court in 2010. The court ruled that the right to freedom of speech is important but not absolute and does not give liberty to offend where a historically revered figure is concerned. The judge considered the poem to be offensive according to "contemporary community standards." The same charges were reportedly brought against the printer and publisher but dropped after they tendered unconditional apologies. **Background:** The charges were brought by the State of Maharashtra regarding a poem 'Gandhi Mala Bhetala' (I met Gandhi) published in the July-August 1994 issue of *Bulletin* magazine, in which offensive words are attributed to Gandhi. Breaking Section 292 of the IPC is variously reported as carrying a maximum sentence of two years prison term and fine of Rs 2000 or a five year prison term. Article 19, Part 3 of the Indian Constitution protects the right to freedom of speech and expression for all citizens but not if it contradicts any laws upholding decency or morality. The Supreme Court's ruling now means that words that would otherwise not be deemed obscene, when placed in the fictionalized mouths of 'historically respected personalities' may be deemed obscene. The court did not provide a definition for 'historically respected personalities'.

## INDONESIA

Killed: motive unknown

### \*Beni FAISAL:

**Profession:** chief editor of *Fokus Lampung* weekly **Date of death:** 27 January 2015 **Details of death:** Faisal, aged 42, was reportedly shot dead in Lampung, Sumatra, by three assailants who tried to steal Faisal's motorbike. The journalist confronted them with a machete and a spear but he was shot in the chest, and the killers immediately fled. **Details of investigation:** Police detained three men on 30 January 2015 for their alleged involvement on the killing of Beni Faisal. Reportedly, police shot a fourth man who resisted arrest, also linked to Faisal's assassination. **Background:** *Fokus Lampung* is known for being critical to the government and institutions.

## LAOS

Imprisoned: main case

### \*BOUNTHANH KHAMMAVONG (Polish national):

**Profession:** activist **Sentence:** four years and nine months in prison **Date of arrest:** June 2015 **Details of arrest:** According to news reports, Bounthanh was arrested in June and charged with "disseminating propaganda against the government with the intention of undermining the state" under Article 65 of the penal code after police found evidence connecting him to a Facebook post during a search of his home in the capital Vientiane. **Details of trial:** On 18 September 2015, the Vientiane Supreme Court found Bounthanh guilty and sentenced him to four years and nine months in jail, according to a report by the Ministry of Public Security, in a trial which was televised. The report did not provide the details of the message Bounthanh had posted. **Conditions of detention:** According to Radio Free Asia, Bounthanh was not given access to a lawyer or represented by one during the trial. **Background:** Bounthanh was reportedly forced into exile from Laos due to its democracy activism and became a citizen of Poland, where he founded the Organization of Lao Students for Independence and Democracy. He relocated to Laos in 2010 after receiving assurances from Lao officials that he would not face arrest on his return. **Other information:** On 8 October 2015 Bounthanh's wife, who lives in Poland, asked Poland's justice ministry to request the Lao government to transfer her husband to a detention centre in his home country.

Brief detention

### \*CHANTAPHONE (f):

**Profession:** government staffer at Natural Resources and Environment Department **Date of detention:** 25 June 2015 **Date of release:** 4-6 August 2015 **Details of detention:** She was detained on 25 June 2015 for posting a "confidential document" on her Facebook account earlier that month about the deal to develop the area around the Khouangxi waterfalls, a popular tourist attraction. **Details of release:** According to Radio Free Asia, she was released between the 4 and 6 August 2015, while the provincial party congress was taking place. **Background:** The mid-June posting had sparked widespread public criticism among locals who say the provincial government routinely gives away public property to domestic and foreign investors in the form of concessions which bring the population little benefit.

## MALAYSIA

On trial

### \*Eric PAULSEN:

**Profession:** Lawyer, co-founder and executive director of Lawyers for Liberty **Dates of arrest:** (1) 12 January 2015 (2) 22 March 2015 **Date of release:** (1) 5 February 2015 (2) 23 March 2015 **Details of arrest:** (1) Paulsen was reportedly arrested by a group of 20 police officers in Brickfields in connection with a tweet he published two days earlier which accused the Malaysian Islamic Development Department (Jakim) of promoting extremism through its Friday sermons. The tweet was subsequently removed by Paulsen who also filed a police report in the afternoon after he reportedly received death threats in response to his tweet. He later clarified that he was not insulting Islam but criticising Jakim as a government agency. **Details of trial:** On 5 February 2015 Paulsen was charged in a Sessions Court with “publishing seditious words” on his Twitter account under Section 4(1)(c) of the Sedition Act 1948. **Details of release:** He was released on a RM2,000 (approximately US\$470) bail pending a hearing on 27 April 2015. (2) Paulsen was reportedly arrested at Dataran Merdeka underground and taken for questioning at the Dang Wangi police headquarters for violating the Sedition Act after a series of tweets questioning the implementation of hudud law in Kelantan. Police reportedly confiscated his phone. He was released from detention the next day after a magistrate reportedly rejected police’s application to remand the lawyer for four days. **Background:** The Sedition Act 1948 makes it an offence to excite disaffection against the government and to promote feelings of ill-will and hostility between different races or classes of the population.

**Dr Azmi SHAROM:**

**Profession:** Academic from the University of Malaya and columnist **Details of trial:** On 2 September 2014, Dr Sharom was charged under Section 4(1)(b) and Section 4(1)(c) of the Sedition Act, after the online publication of comments he allegedly made regarding the political crisis of the Perak state in 2009. Dr Sharom challenged the constitutionality of the Sedition Act, initially before the High Court, which transferred his challenge to the Federal Court, Malaysia’s highest judiciary. **Update:** On 6 October 2015, the Federal Court dismissed Dr Sharom’s legal challenge and ruled that the British-enacted law remains a constitutional piece of legislation. Consequently, Dr Sharom will have to stand trial.

**\*Yusuf al-Siddique SURATMAN (alias Milosuam):**

**Profession:** Blogger **Sentence:** Two years in prison **Details of trial:** On 19 January 2015, Suratnam received the maximum prison sentence under section 505(b) of the Penal Code for a post on his blog from March 2013, during the Lahad Datu crisis in Sabah, claiming to reveal a leaked police memo which mentions the possibility of 1,500 foreigners potentially causing chaos in Sabah. Suratnam is thought to be appealing to the High Court. **Background:** Suratnam was reportedly a first time offender with no prior record. Section 505(b) makes it an offence to publish or circulate any statement, rumour, or report with the intent to cause, or which is likely to cause fear or alarm to the public. The Lahad Datu situation was an invasion in eastern Malaysia which began on 12 February 2013 and lasted one month. Some 200 troops, reportedly belonging to an armed group from southern Philippines, landed at Kampung Tanduo, Sabah, set up camp and staked their claim on Sabah. There were discussions back and forth although the turning point was seen to be on 2 March 2013 when six police officers were killed in an ambush. Three days later it was reported that Malaysia deployed fighter jets to end the standoff. **[Stop Press:** On 19 February 2016, the High Court [rejected](#) his appeal and confirmed his conviction and sentence A stay of execution was granted pending a further appeal to the Court of Appeal]

**\*Zulkifli Anwar ULHAQUE (aka ZUNAR):**

**Profession:** cartoonist and writer **Date of arrest:** 10 February 2015 **Date of release:** 14 February 2015 **Details of arrest:** Zunar was reportedly detained for four days during the investigation into his tweet. **Details of trial:** Zunar was reportedly charged under the Sedition Act on 3 April 2015. The charges are reportedly related to a tweet Zunar posted on 10 February 2015 implying Federal Court judges had bowed to regime pressure in convicting and sentencing opposition leader, Anwar Ibrahim, to five years in prison. He faces a total of nine charges and up to 43 years in prison. **Background:** Zunar has been investigated several times under the 1948 Sedition Act. In 2014 he was arrested for two days with

regards to a tweet he posted. In 2012 Zunar was investigated for sedition charges in connection with some of his published work. Between 2009 and 2010 the Home Minister for Malaysia reportedly banned five of Zunar's books, and many of his drawings are censored. In April 2015, the Malaysian government are reported to have made amendments to the law in order to grant the government broader powers with respect to online media and stiffen penalties. **Update:** On 29 September 2015, Zunar announced that police had begun an investigation into his latest book, *Sapuman – Man of Steal*. **Awards:** Committee to Protect Journalists' 2015 International Press Freedom Award. **PEN Action:** [Joint statement](#) 20 May 2015

#### Brief detention

\***HO Kay Tat, profession:** publisher of *The Malaysian Insider*

\***Amin Shah ISKANDAR, profession:** editor of *The Malaysian Insider*

\***Lionel MORAIS, profession:** managing editor of *The Malaysian Insider*

\***Zulkifli SULON, profession:** editor of *The Malaysian Insider*

**Date of arrest:** Morais, Iskandar and Sulong were arrested on 30 March 2015, while Ho and chief executive **Jahabar Sadiq** were arrested on 31 March 2015. **Date of release:** 1 April 2015 **Details of arrest:** Police reportedly raided the offices of *The Malaysian Insider* on 30 March 2015 in Kuala Lumpur, searched on staff's computer and proceeded to arrest Morais, Iskandar and Sulong. The following day Ho and Sadiq were arrested when both arrived at Kuala Lumpur Dang Wangi's police station to make statements about the editor's arrests. Reportedly, the arrests stemmed from a *Malaysian Insider* report on 25 March 2015 that claimed a senior council comprising royal rulers and state governors, known as the Conference of Rulers, had rejected a proposal to amend federal law to allow for the introduction of hudud, or punishments meted out under Islamic law. **Details of release:** Ho and Sadiq were released after spending the night in jail and after making a statement on the report mentioned above. The three editors were released later after police failed to obtain a remand order for them.

#### Harassment

\***Steven GAN:**

**Profession:** editor-in-chief of Malaysia's biggest independent news website *Malaysiakini*, journalist for *The Star* tabloid. **Date of harassment:** 9 November 2015 **Details of harassment:** Ten police officers raided the offices of *Malaysiakini* over the course of three hours and interrogated Steven Gan for the source of a story. Gan refused to reveal the source of their story, and he and other workers were threatened with defamation charges. According to reports, police confiscated a laptop and several documents. The offices of *The Star* tabloid were also raided the same day for the same reason. **Background:** The story in question, published on 2 November 2015 by *Malaysiakini* and *The Star* tabloid, revealed that a deputy public prosecutor investigating allegations of financial wrongdoing by Prime Minister Najib Razak was neutralised by being transferred out of the Malaysian Anti-Crime Commission special operations division. The Law Minister confirmed the report as accurate on 4 November 2015. On 6 November 2015, police raided both *Malaysiakini* and the offices of the *Star* tabloid over the story. The offices of *Malaysiakini* had been raided before in 2003 when 19 of the website's computers were confiscated. The most recent harassment seems to be part of a crackdown by state authorities on the press, opposition leaders and members of reform organizations, as pressure has grown on the Prime Minister amid alleged corruption scandals. The publication of *The Edge* newspaper group was suspended for three months on 27 July 2015, and the UK-based editor of the website Sarawak Report, **Clare Rewcastle-Brown** (see below) has been repeatedly harassed. The famous cartoonist Zulkifli Anwar Ulhaque, better known as **Zunar** (see above under 'On trial'), who draw cartoons – printed and published in *Malaysiakini* – mocking on the Prime Minister, is facing charges under the Sedition Act.

**Susan LOONE (f):**

**Profession:** Journalist for the news website *Malaysiakini* **Date of arrest:** 4 September 2014 **Details of the arrest:** Loone was arrested in George Town, Penang state's capital, under the Sedition Act, for allegedly defaming the police in one of her articles. She was questioned by the police for more than eight hours, before being released on bail. In her article, the journalist interviewed the leader of the Penang Voluntary Patrol Unit (PPS), who was arrested himself on 31 August, and who reportedly said he had been 'treated like a criminal'. No further information as of 31 December 2015.

**\*Clare REWCASTLE-BROWN (f):** (British national)

**Profession:** journalist, editor of English-language news website Sarawak Report **Date of birth:** 1960 **Date of harassment:** 4 August 2015 **Details of harassment:** On 4 August 2015, Malaysian authorities issued a warrant for Rewcastle-Brown's arrest on a charge of "activity detrimental to democracy", according to Reporters Without Borders. Previously on 20 July, the Malaysian Communications and Multimedia Commission blocked access to Sarawak Report. The same day, in London, the journalist filed a report with the Metropolitan Police in London after establishing proof of wide-ranging harassment by persons believed to be in the employ of the United Malays National Organisation (UMNO) – Malaysia's largest political party – in Malaysia. She claimed that she was being followed and photographed during the day by teams of stalkers. **Background:** Sarawak Report had been at the forefront of reporting on a corruption case directly involving Prime Minister Najib Razak. Two other print publications that had also been covering the investigation, *The Edge Weekly* and *The Edge Financial Daily*, were suspended on 27 July.

**MALDIVES**Abduction**Ahmed RILWAN ABDULLA (Twitter name: Moyameehaa):**

**Profession:** Investigative journalist for the independent news website *Minivan News* **Date of abduction:** 8 August 2014 **Details of abduction:** Rilwan was last seen by his family on 7 August 2014. There are reports that the journalist was seen being forced into a car at knifepoint outside his flat at about 2 in the morning of 8 August. Previously, the journalist had published an article about a number of death threats against journalists in the region, and against himself, in which they were told not to report on local criminal gangs. On 25 September 2014, the alleged leader of one of Maldives' gangs attacked *Minivan News* by destroying the CCTV camera located at the entrance of the building and burying a machete in the front door. **Details of investigation:** Police are investigating Rilwan's disappearance; however, there have been suggestions that the authorities are not doing enough to find him. His family, friends and supporters have also set up a [campaign website](#) to raise awareness of his case. It has been reported that the camera's footage captured the identity of the attacker. Three men were arrested in September but released later without charge. An independent investigation commissioned by the Maldives Democracy Network (MDN) released in September implicated radicalised gangs in the journalist's disappearance. **Other information:** On 8 July 2015, the police reportedly prevented a news conference being held on the state of Rilwan's investigation. Reporters Without Borders referred Rilwan's case to the UN's working group on enforced disappearances on 28 August 2015. Several members of Rilwan's family were reportedly pepper-sprayed by the police as they attempted to organize a silent demonstration marking the one-year anniversary of Rilwan's disappearance. Rilwan's family and friends continue to accuse the police of negligence.

**MYANMAR (BURMA)**Killed – Impunity



**Aung Kyaw NAING (aka Par Gyi):**

**Profession:** Freelance journalist **Date of death:** 4 October 2014 **Details of death:** Naing was arrested on 30 September 2014 by the Burmese army while reporting on clashes between the government forces and the Democratic Buddhist Karen Army in Mon state, at the border with Thailand. Naing's family did not know about his arrest and they reported to the media that he had disappeared. It was almost a month later, on 25 October 2014, that the Burmese army confirmed that the journalist had died and had been buried three weeks earlier. **Investigation:** At his family's request, Naing's body was exhumed and sent for a post-mortem examination, as they had concerns for his death and his quick burial. On 5 November 2014, the Ministry of Defence confirmed that the journalist had been shot dead on 4 October while trying to escape from military custody. Some accounts suggest that Naing was tortured and shot dead while in military detention and that the army believed Naing was a member of the Karen group. **Update:** On 2 December 2014, the National Commission on Human Rights – charged with investigating the case – decided the case should be referred to and heard in a civil court. As the civilian trial was ongoing, on 11 May 2015 it was reported that two soldiers implicated in the case by the Myanmar Military Court were acquitted. On 23 June 2015 the civilian court closed the case on Naing, determining that he died of a gunshot wound while in military custody, but failing to find a culprit. **PEN Action:** Mentioned in March 2015 submission to the UPR review of Myanmar

Imprisoned: main case

**\*CHAW Sandy Tun (aka Chit Thami) (f):**

**Profession:** opposition activist **Sentence:** six months in prison **Date of arrest:** 12 October 2015 **Details of arrest:** Police reportedly arrested Chaw on 12 October 2015 and took her to the police station in neighbouring Ayeyawady Region's Maubin district. The reason for her arrest was a collage and a written text she published on Facebook. In the text she reportedly compared the colour of Commander-in-Chief, Min Aung Hlaing, and other military personnel's uniforms to Aung San Suu Kyi's typical clothes. **Current place of detention:** Maubin jail **Details on trial:** On 13 October 2015, Chaw was charged under Article 34(d) of Burma's Electronic Transactions Law, a charge which was later changed to Section 66(d) of the 2013 Telecommunication Law. In the first court hearing on 27 October 2015 at Maubin court, Chaw was notified of an additional charge being brought against her under Section 500 of the Penal Code, a defamation clause. On 28 December 2015, the Ma U Bin township court sentenced her to six months in prison. According to her mother, Ei San, Chaw will appeal. **Other information:** Chaw joined the local chapter of the National League for Democracy to assist with the party's campaign ahead of general elections set for 8 November 2015. **PEN Action:** [2015 Resolution on the Republic of the Union of Myanmar](#)

**HTIN Lin Oo:**

**Profession:** Writer and former information officer of the National League for Democracy (NLD), Myanmar's main opposition party. **Sentence:** Two years in prison. **Date of arrest:** 17 December 2014 **Details of arrest:** On 23 October 2014 he gave a speech at a literary event in Chaung-U Township, Sagaing Region in northern Myanmar, criticising the use of Buddhism to promote discrimination and prejudice. The speech, which lasted around two hours, was heard by around 500 people. Soon after the event, a 10-minute edited video of the speech appeared on social media, causing outrage among some Buddhist groups. **Current place of detention:** Monywa prison, Sagaing Region. **Details of trial:** On 4 December 2014, Htin Lin Oo was charged by the Chaung-U Township Court, after a complaint was filed against him by township officials. He was charged with "insulting religion" under Section 295(a) of Myanmar's Penal Code and with "wounding religious feelings" under Section 298, which impose punishments of up to two years and one year of imprisonment respectively. Htin Lin Oo was detained at his first court hearing on 17 December after being denied bail. Further requests for bail were rejected. **Update:** On 2 June 2015, Htin Lin Oo was found guilty by the Chaung-U Township

court under the Penal Code's Article 295(a) which prohibits "deliberate and malicious acts intended to wound religious feelings" and sentenced him to two years' imprisonment and hard labour. He was reportedly acquitted of the second, lesser, charge due to insufficient evidence. Htin Lin Oo returned to Monywa Prison to serve the two-year sentence, less the six months already spent in remand. On 2 July 2015, the Monywa District court rejected his appeal reportedly stating that they should not interfere with the decision of the Chaung-U court. The defendant's lawyer has pronounced his intention to pursue a second appeal to the divisional court.

**Yazar Soe (also seen as Ya Zar Oo), Sithu Soe, Lu Maw Naing, Paing Thet Kyaw (aka Aung Thura):**

**Profession:** reporters and editors for the independent Yangon-based weekly news journal *Unity*

**Sentence:** Seven years in prison with hard labour **Date of arrest:** February 2014 **Details of arrest:** The journalists were reportedly arrested along with the chief executive of the journal *Tint San* following the publication of a story that alleged that the Burmese military was operating a secret chemical weapons facility on 25 January 2014. The journal reportedly published denials by the government, but ceased publication shortly afterwards. **Current place of detention:** Pakkoku prison in Magwe Region. **Details of trial:** Formal hearings reportedly began on 17 March 2014. The journalists were reportedly charged under Myanmar's 1923 State Secrets Act, which forbids anyone from entering a prohibited place for any reason "prejudicial to the safety or interests of the state." They were found guilty and sentenced to 10 years in prison with hard labour on 10 July 2014. On 2 October 2014 the Magway Region High Court reduced the sentence from 10 years' imprisonment to seven. **Update:** On 15 May 2015, the Supreme Court rejected the Unity reporters and chief executive's final appeal leaving them no other avenue to challenge their conviction in Myanmar.

Detained: main case

**\*Patrick Kum Jaa LEE:**

**Profession:** peace activist **Date of arrest:** 15 October 2015 **Details of arrest:** Patrick Kum Jaa Lee was arrested on 15 October in his home in Yangon for a Facebook post showing someone stepping on a photo of Commander-in-Chief General Min Aung Hlaing. **Current place of detention:** Lee is currently detained in a Yangon police station. **Health concerns:** According to Amnesty International, he suffers from a number of medical conditions and there are fears that he is not receiving the needed medical attention. **Other information:** Lee's phone and computer were confiscated and the post was deleted.

**\*MAUNG Saungkha:**

**Profession:** Poet **Date of arrest:** 5 November 2015 **Details of arrest:** After several days on the run, Maung was arrested on 5 November 2015 for a verse posted on social media. The verse in question—posted on Facebook and reading roughly, "I have the president's portrait tattooed on my penis / How disgusted my wife is"—prompted a warning from the President's Office director to "be prepared to take responsibility" for the post. Maung fled his home when he was informed that a case had been filed against him under Article 66(d) of Burma's Telecommunications Law, spending nearly a month in hiding. **Current place of detention:** Shwepyithar Township **Details of trial:** He was charged with defamation under Section 66(d) of the Telecommunications Law and faces three years in prison. On 17 December 2015, an additional charge under Section 505(b) of the colonial-era Penal Code was reportedly added to the proceedings, facing two additional years if convicted. Courthouse

On trial

**\*Shayam BRANG SHAWNG:**

**Profession:** human rights campaigner **Sentence:** Fine of 50,000 kyat (around US\$50). **Details of trial:** Brang Shawng's 14-year-old daughter, Ja Seng Ing, died on 13 September 2012 in Sut Ngai Yang village, Hpakant Township, Kachin State, northern Myanmar. According to eyewitnesses, Myanmar Army soldiers shot her dead. However, the Myanmar Army claims she was killed by a Kachin

Independence Army (KIA) landmine, which exploded around the same time as she was shot. According to Amnesty International, Brang Shawng sent a letter to the President on 25 September 2012, calling on him to take action on the case. This was followed on 1 October 2012 by a letter to the Myanmar National Human Rights Commission (MNHRC), in which Brang Shawng called on them to undertake an investigation into his daughter's death. He did not receive a response to either letter. Instead, on 25 February 2013, he was charged under Article 211 of Myanmar's Penal Code with making false allegations against the Myanmar Army in his letter to the MNHRC. The charges follow a complaint lodged by a Myanmar Army Major to the Hpakant Township police station. It is unclear how the Myanmar Army accessed Brang Shawng's letter to the MNHRC. On 13 February 2015, Brang Shawng was reportedly sentenced by Hpakant Township Court in Kachin State, northern Myanmar, to either six months in detention or a 50,000 kyat fine (approx. US\$50) under Article 211 of the Penal Code for making "false charges" against the Myanmar Army. Brang Shawng chose to pay the fine and has been released from detention, but plans to appeal the conviction.

### Brief Detention

**\*Phyo Aung MYINT, profession:** journalist for *Reporter News Journal*

**Nyan Lin TUN, profession:** reporter for *Myanmar Post*

**Date of arrest:** 10 March 2015 **Date of release:** 13 March 2015 **Details of arrest:** Myint and Tun were two journalists covering a security force clampdown on a student protest in the central town of Letpadan, where reportedly 127 individuals were arrested after the protesters breached a police barricade intended to block them from travelling to the country's commercial capital, Yangon. Tun reports being beaten with bamboo and a police baton as well as being hit and kicked on the head and other parts of his body at the time of his arrest. Several other journalists also report being harassed and attacked (see Ko Myo under 'Attacked' below). **Details of release:** Both journalists were released, acquitted of all charges, from Pegu Division's Tharyarwaddy Prison after three days of being detained. **Conditions of detention:** Both journalists report being treated fairly and receiving medical care for injuries sustained during their arrest.

### Attacked

**\*Than HTUT AUNG:**

**Profession:** chief executive officer for Eleven Media Group **Date of attack:** 14 July 2015 **Details of attack:** Htut Aung was attacked by slingshot-wielding assailants, according to news reports. Assailants used slingshots to shoot iron tire lug nuts at Htut Aung's car while it was at a traffic intersection in Yangon city's Bahan Township, according to news reports. Htut Aung was not injured in the attack, which reports said damaged the car's passenger-side window where he was seated. The assailants escaped in a taxi, the reports said. **Background:** On 15 June, the Ministry of Information reportedly filed a complaint against the publisher of *Eleven Daily*, the newspaper affiliated with the group, and 16 editorial employees that claimed their coverage of a defamation suit the ministry brought against another Eleven Media Group publication last October prejudiced the proceedings. Both legal complaints are still pending. **Other information:** Htut Aung writes a column for *Eleven Daily* in which he is reported to often criticise the military's political role and official harassment of the press. **Awards:** 2013 WAN-IFRA Golden Pen of Freedom.

**\*Ko MYO:**

**Profession:** reporter for *Pyi Htaung Su Daily* **Date of attack:** 10 March 2015 **Details of attack:** Journalists covering a security force clampdown on a student protest in Letpadan reported being beaten by security forces – including plain clothes police – while covering the protests. Myo is reported to have sustained injuries to his head and body. No investigation is known to have been undertaken. **Background:** Police are reported to have arrested over 100 individuals (see Phyo Aung Myint and Nyan Lin Tun under 'Brief Detention' above) after the protesters breached a barricade

intended to block them from travelling to the country's commercial capital Yangon. **Other information:** Students in central Myanmar had been protesting a new educational law that they claim threatens to restrict academic freedoms.

#### Harassed

**\*Myo Zaw LINN, profession:** reporter for *Daily Voice of Burma*

**K NIKKI, profession:** journalist for *7 Day Daily*

**Date of harassment:** 4 March 2015 **Details of harassment:** Linn and Nikki were reportedly covering the demonstrations of workers from the Shweepyithar Industrial Zone. Both journalists were reportedly detained in Rangoon's Insein Township and were taken to an interrogation facility on Kabar Aye Pagoda Road after being caught up in a clash between officers and workers at the Danyingone intersection. The authorities reported that they would be released promptly after having their belongings checked and signing an affidavit. Both journalists were reportedly freed the same day without charge.

#### Released

**Kyaw Zaw HEIN, Ko Win TIN, Thura AUNG, Yin Min HTUN and Kyaw Min KHAING:**

**Professions:** Hein is a reporter, Tin and Aung are editors, Htun and Khaing are owners of the weekly journal *Bi Midday Sun*. **Date of arrest:** Between 7 and 16 July 2014 **Date of release:** 30 July 2015

**Details of arrest:** On 7 July 2014 the journal published erroneous news that NLC and opposition leader Aung San Suu Kyi had formed an interim government with the Movement for Democracy Current Force (MDCF). **Details of release:** All five media workers were reportedly released on 30 July 2015 as part of a presidential prisoner amnesty. **Place of detention:** Insein Prison in Yangon **Details of trial:** The journalist and owners of the journal were initially charged under Myanmar's Emergency Provision's Act. On 16 October 2014, the five defendants were sentenced by the Pebedan Township Court in Rangoon to two years in prison, under Article 505(b) of the Penal Code for spreading statements that alarm the public or offend the state. The newspaper was closed as soon as the news was published, on 7 July. The defence will appeal the verdict to the Supreme Court, amongst other reasons, because the new Press Law should have been used in this case.

**\*Than Htike THU, profession:** editor-in-chief of the *Myanmar Post*

**Hsan Moe TUN, profession:** deputy chief reporter of the *Myanmar Post*

**Sentence:** two months in prison **Date of arrest:** 18 March 2015 **Date of release:** 15 May 2015 **Details**

**of trial:** On 18 March 2015 the Moulmein Township Court in Mon State found both journalists guilty of defamation under Article 500 of Myanmar's Criminal Code and sentenced them to 2 months in prison. **Background:** In February 2014, both reporters were reportedly charged after their weekly newspaper published an article entitled 'A Military Parliamentary Representative Says They Have to Take Seats in Parliament Because of Low Educational Standards' where a military lawmaker in the Mon State legislature was reportedly quoted making comments about military representatives in parliament having low education. This individual reportedly took offense over the headline and decided to file a complaint of defamation against the two journalists. **Other information:** It was reported that the sentence of both journalists marks the first time in over 100 years that a jail term was handed down under Article 500 of the Criminal Code in Myanmar.

## NEPAL

#### Death threat

**\*Jitendra Kumar JHA**

**Profession:** reporter with *Nagarik* daily newspaper **Date of threat:** 6 February 2015 **Details of threat:** On the night of 6 February 2015, Jha received a call from an individual who said “I’ve entered your district from the neighbouring country to finish you off. I’ll kill you at any place I meet you”. Jha has stated that he has not been able to ascertain the reason behind the death threat. Jha also reported that the security forces were not giving this case proper attention.

#### Attacked

##### **\*Laba Dev DHUNGANA**

**Profession:** journalist affiliated with the *Kanchanjungha Times* **Date of attack:** 12 April 2015 **Details of attack:** On the evening of 12 April 2015 three attackers reported to be affiliated to the United Communist Party of Nepal (Maoist) attacked Dhungana over a news report published in *Kanchanjungha Times*. Injured severely in the attack, Dhungana was rushed to Neuro Hospital of Biratnagar. **Details of investigation:** The police reportedly arrested all three attackers on the morning of 13 April 2015.

##### **\*Krishna HUMAGAIN:**

**Profession:** editor of *Arundhara* daily newspaper **Date of attack:** 2 September 2015 **Details of attack:** Humagain was reportedly attacked by a group of strike enforcers while he was covering a general strike. According to reports, police were present at the scene of the attack, but did not intervene. He received minor injuries and received medical treatment at a local hospital. **Background:** Protests broke across Nepal in August 2015 over a proposed federal structuring in a new constitution. Several journalists have been attacked.

**\*Bhisma OJHA, profession:** journalist for *National News Agency (RSS)*

**\*Upendra Man SINGH, profession:** journalist for the *Associated Press*

**\*Devaki BISTA, profession:** journalist for *Himal Khabar Patrika* newspaper

**\*Chara Chandra BHANDARI, profession:** journalist for *News Abhiyan* daily newspaper

**\*Tika KHATIWADA, profession:** journalist for *Sandakpur* daily newspaper

**Date of attack:** 20 January 2015 **Details of attack:** During the Nepalese general strike of 20 January 2015 there were several reports of attacks on journalists and media workers covering the strike across Nepal. In Kathmandu, protesters reportedly damaged the equipment of Ojha, Singh, and Bhandari as they were covering the protest. In eastern Nepal, Khatiwada was reportedly attacked and had his motorcycle keys stolen. There were also reports of journalists from *Annapurna Post Daily* being threatened by protesters during the strike. **Background:** Over seven attacks on journalists were recorded across the country by those enforcing the strike, which was called by opposition political parties led by the United Communist Party of Nepal (Maoist).

##### **\*Arjun OLI:**

**Profession:** reporter for *Nagarik* daily **Date of attack:** 21 November 2015 **Details of attack:** On 21 November 2015, a contractor reportedly attacked Oli at his offices in Nepalgunj. Oli had written a report on irregularities in the construction of a bridge. According to the reporter, the contractor called him, went to the office and insulted and manhandled him.

##### **\*Binod PAUDEL:**

**Profession:** editor of *Mission Today* **Date of attack:** 2 September 2015 **Details of attack:** A group of protestors reportedly attacked Paudel in his office in Kailali. **Background:** Protests broke across Nepal in August 2015 over a proposed federal structuring in a new constitution. Several journalists have been attacked. In a protest in Kailali on 24 August, eight policemen were reportedly killed by protestors.

**\*Jitendra Narayan YADAV:**

**Profession:** reporter for the state-owned daily newspaper *Gorkhapatra* **Date of attack:** 9 September 2015 **Details of attack:** Yadav and Navin Karn, correspondent of Makalu Television, were reportedly both attacked by a group of 30 protestors after covering a protest in Rani, Biratnagar. The attackers set Karn's motorbike on fire when Yadav and Karn were returning from the protests. **Background:** Protests broke across Nepal in August 2015 over a proposed federal structuring in a new constitution. Several journalists have been attacked.

**PAKISTAN**

Killed: motive unknown

**\*Zafarullah JATAK**

**Profession:** correspondent for the Quetta-based, Urdu language daily, *Intekhab* **Date of death:** 28 June 2015 **Details of death:** Jatak was reportedly killed when unidentified gunmen entered his home in Jaffarabad, Balochistan province, as Jatak slept and opened fire. Jatak died instantly and the assailants fled the scene. **Details of investigation:** As of 30 June 2015, police are yet to ascertain the motive behind the targeted killing of Jatak but have reportedly made eight arrests. No further information as of 31 December 2015.

**\*Zaman MEHSUD:**

**Profession:** journalist for the Urdu newspaper *Daily Ummat* and SANA news agency **Date of death:** 3 November 2015 **Details of death:** Mehsud (38) was shot dead in Khyber-Pakhtunkhwa's Tank district when unidentified persons opened fire on his motorbike. Mehsud was brought to hospital, where he succumbed to his injuries. Later on the same day, the Taliban reportedly claimed responsibility for the murder, saying that 'we killed him because he was writing against us'. **Background:** Mehsud was also reported to be the district coordinator of the Human Rights Commission of Pakistan in Tank, as well as the president and secretary-general of the Tribal Union of Journalists' South Waziristan chapter.

Killed: impunity

**Mahmoud Ahmed AFRIDI:**

**Profession:** Correspondent for the newspaper *Intikhab* **Date of death:** 1 March 2013 **Details of death:** Afridi was killed in Baluchistan, southwestern Pakistan, on 1 March 2013. Two unknown men approached Afridi when he was in a shop, opened fire and the journalist died immediately. Afridi, aged 56, was also the president of the Kalat Press Club. There are reports that the Baluchistan Liberation Army (BLA) claimed responsibility for the killing. **Details of investigation:** The authorities are investigating this death. No further information as of 31 December 2015.

**Nadeem HYDER:**

**Profession:** Journalist for the daily *Dunya* **Date of death:** 3 October 2014 **Details of death:** Hyder was shot by unidentified men in Hafizabad, Punjab region. The journalist was reportedly teaching at a school in Kaliki Mani area of Hafizabad, when two men barged into the school, shot Hyder and fled the scene. **Details of investigation:** The police are investigating the case. No further information as of 31 December 2015.

**Ahmed Ali JOIYA (or Joya):**

**Profession:** Journalist for various newspapers and magazines **Date of death:** 24 May 2013 **Details of death:** Joiya was shot dead by an unknown man in Bahawalnagar district, Punjab province. Joiya, aged 25, had been investigating a crime story in coordination with the local police. It is said that Joiya had already received death threats for investigating this particular case. The journalist had previously

exposed local criminal activities. **Details of investigation:** Police said they believed the man responsible for the death threats may have been behind the killing.

**Ayub KHATTAK:**

**Profession:** reporter for *Karak Times* newspaper **Date of death:** 11 October 2013 **Details of death:** Khattak was shot dead by two men on a motorcycle outside his home in Karak district, Khyber Pakhtunkhwa province, on 11 October 2013. The journalist, aged 42, had received a number of threats previously related to his investigation into an alleged increase in drug dealing in the Wrana Mir Hassankhel neighbourhood. Khattak had recently published a story on the sale of illegal drugs and drug dealing. **Details of investigation:** According to reports, two men identified as brothers involved in drug dealing are being investigated by police and are said to be on the run. **Update:** According to May 2015 reports, two suspects have been arrested and Khattak's family is said to be pursuing murder charges against them.

**Irshad MASTOI and Abdul Rasool KHATTAK:**

**Profession:** Bureau chief of the news agency *Online International News Network* and trainee reporter, respectively. **Date of death:** 28 August 2014 **Details of death:** Mastoi and Khattak were shot dead by two unidentified men who broke into the news agency's office, based in Quetta city, capital of Baluchistan province. The assailants fled the scene. **Details of investigation:** On 1 September 2015, police reportedly arrested two suspects in Quetta involved in the murder of Mastoi and Khattak. The two suspects are thought to be connected to the Baloch Liberation Army. Confessions obtained by the pair have indicated the identity of the supposed mastermind behind the murders. No further information as of 31 December 2015. **Background:** Mastoi, aged 34, was the secretary general of the Baluchistan Union of Journalists (BUJ). He also contributed to other local and national publications, including *The Express*. Khattak was in his early 20s, and was a student in his final year at the Journalism faculty of the University of Baluchistan.

**Malik MUMTAZ:**

**Profession:** Journalist for the daily *News International* **Date of death:** 27 February 2013 **Details of death:** was shot dead by unidentified men in a car, while driving to his home in Miran Shah, North Waziristan. Aged 48, Mumtaz, worked for over 20 years for media outlets in Urdu and English. Before his death, Mumtaz had written articles about violence in North Waziristan and on the polio vaccination programme, a controversial topic in Pakistan. He had recently been elected president of the regional press association. **Details of investigation:** No one known to have been brought to justice as of 31 December 2015.

**Haji Abdul RAZZAK:**

**Profession:** reporter for the Balochi-language daily newspaper *Tawar* **Date of death:** unknown **Details of death:** Found dead in Karachi on 21 August 2013. Missing since 24 March, Razzak was reportedly tortured to death. According to reports, his body was so badly mutilated that only his arms and legs were sufficiently intact to enable identification. Razzak was reportedly found alongside that of another, as of yet unidentified, mutilated body. Thirteen days after his disappearance, *Tawar's* single-room office was burned, and the computers taken away. The paper frequently reported on human rights abuses against the Baloch population and several others of its reporters have been killed in previous years such as Javed Naseer Rind in 2011. **Details of investigation:** No one known to have been brought to justice as of 31 December 2015.

**Yaqoob SHEHZAD AMAR:**

**Professional:** Journalist for the newspapers *Express News* and *Daily Express* **Date of death:** 5 October 2014 **Details of death:** Shehzad was at an office in Hafizabad, Punjab province, when four unknown men in a motorcycle approached him and opened indiscriminate fire. He was also the president of the Hafizabad Press Club. **Details of investigation:** The police opened an investigation but no one



was known to have been brought to justice by the end of the year. Shezad's house had been attacked some months earlier.

**Abrar TANOLI:**

**Profession:** General Secretary of Mansehra Press Club, photographer for Reuters and reporter for *Daily Mahsib* and *Daily Shamal* newspapers. **Date of death:** 3 March 2014 **Details of death:** Tanoli was reportedly shot in the neck by unidentified gunmen while travelling with his family at Mamsehra on 2 March 2014. He died the following day. **Details of investigation:** No one known to have been brought to justice as of 31 December 2015. **Background:** Tanoli had reportedly received threats for his reporting and had recently been provided with police protection for a two-month period. In January 2013 Tanoli was reportedly arrested and released on bail in a case of murder of two students, whose family had publically threatened him with revenge.

Enforced disappearance

**\*Nasrum MINALLAH**

**Profession:** correspondent of *Express Tribune* **Date of disappearance:** 31 March 2015 **Details of disappearance:** Security forces reportedly intercepted Nasrum Minallah along with his father, correspondent for *Daily Dawn* newspaper, and four other journalists at Kajori check post in North Waziristan Agency (NWA) near the Pakistan-Afghan border on 31 March 2015 where they were asked to provide proof of identity. Having ascertained their identities, the security forces reportedly let them go, only to stop them 4 to 5 kilometres later at which point they were taken to an unknown location and detained for about 10 hours. Minallah was reportedly kept in a separate room. Later, Nasrum Minallah's father and the four other journalists were released but Minallah's whereabouts remain unknown as of 31 December 2015; PEN is seeking to ascertain whether he is still being held in detention. No reason was given for his detention. **Background:** Haji Pazir Gul, Minallah's father, stated that their group was going to cover a story on internally displaced persons (IDPs) when this incident occurred.

On Trial

**\*Mumtaz MEMON, profession:** journalist of the daily newspaper *Sindh*

**\*Niaz MEMON, profession:** journalist of the daily newspaper *Sindh*

**\*Yousuf JANI, profession:** journalist of the daily newspaper *Koshish*

**\*Dir Murad MARI, profession:** journalist of the daily newspaper *Koshish*

**\*Shankar KUMAR, profession:** journalist of the daily newspaper *Hilal e Pakistan*

**\*Meharrudin MARI, profession:** journalist of the daily newspaper *Hilal e Pakistan*

**\*Shafqat PINYARO, profession:** journalist of the daily newspaper *Sindh Express News*

**\*Aachar AZEEM, profession:** journalist of the daily newspaper *Tameer e Sindh*

**Details of trial:** Police in the town of Badin in Pakistan's southern Sindh province have reportedly brought criminal cases against the journalists they covered the activities of Dr Zulfiqar Mirza, a dissident politician and former member of the Pakistan People's Party (PPP), the ruling party in Sindh province in June 2015, along with **Murtaza Memon**, a reporter at Neo TV, and **Haji Khan Lashari**, a member of the Talkhar Press Club. **Details of trial:** Meharrudin Mari and Murtaza Memon, along with Haji Khan Lashari, were later charged under the Anti-Terrorism Act (ATA). The others are also facing unspecified criminal charges. All journalists are reportedly suspected by police to be supporting Mirza, and there are reports that these journalists have received a message that their names could be removed from the cases if they submit a written apology for their coverage of Mirza and promise not to report on his activities in the future. No further information as of 31 December 2015. **More information:** Journalists and Press Clubs in the province have been demonstrating in protests of the allegations against these eight journalists, and have demanded the government form a judicial commission to investigate the police actions.

## Attacked

### **Raza RUMI:**

**Profession:** journalist with the liberal weekly newspaper *The Friday Times* and host of 'Khabar Se Agay' (Beyond the News) programme for Express News TV **Date of attack:** 28 March 2014 **Details of attack:** The car Rumi was travelling in was fired upon by unidentified gunmen near Raja market in Lahore as he returned home. Rumi was unharmed, however, his driver was killed and bodyguard injured. **Background:** Rumi had not received any direct threats prior to the attack, but reportedly knew that he was on a hit list of Express Media personnel. **Update:** According to a March 2015 interview, Rumi has left the country, fearing what might happen if he were to remain. According to Rumi, the Lahore police informed him that they made six arrests, individuals whom the authorities allege confessed to the attack and attempted murder. Reportedly, these attackers were members of the Lashkar-e-Jhangvi terrorist group. The survivors of the attack and their families claim to still receive threats from this organisation, warning them not to pursue the case.

## **PHILIPPINES**

### Killed: motive unknown

#### **\*Nerlita LEDESMA (f):**

**Profession:** Correspondent with the national tabloid newspaper *Abate*, radio news anchor and the president of the Tagnai Homeowners Association **Date of death:** 9 January 2015 **Details of death:** Ledesma (48) was shot by an unknown assailant while waiting for a lift to work near her home in central Bataan province's Balanga City on the morning of 9 January 2015. The assailants fled the scene on motorcycle. **Details of investigation:** Bataan police have formed a "Task Group Ledesma" and are investigating the case. The police reportedly released one of two suspects arrested for the murder on 13 January 2015, citing insufficient evidence. According to local reports, the police found bullet casings from a .45 calibre handgun at the crime scene and have produced a sketch of one of Ledesma's gunmen. The motive for the killing remains unclear, however, a second suspect apprehended for Ledesma's murder is also reported to be a suspect in the murder of Ledesma's predecessor to the role of president of the Tagnai Homeowners Association. No further information as of 31 December 2015. **Background:** Ledesma was reportedly still on bail after she was arrested over a libel case filed against her by a local media man last 2011. The Balanga City Police Chief Superintendent told reporters that her house had been fired upon over year ago by unknown assailants, and that she had received anonymous death threats prior to her murder.

#### **\*Gregorio YBANEZ:**

**Profession:** publisher of the weekly newspaper *Kabuhayan News Services*, president of the Davao Del Norte Press and Radio-TV Club and board director of the Davao Del Norte Electric Cooperative power distributor **Date of death:** 19 August 2015 **Details of death:** On 18 August an unidentified assailant shot Ybanez three times in the chest and once in the arm in front of the journalist's home in southern Davao Del Norte province's Tagum City. Ybanez died the next morning from his injuries, news reports said. **Details of investigation:** Police said they were investigating motives related to both his roles as journalist and director of the power distributor. A vice president of the Davao Del Norte media club was quoted in news reports as saying that he believed Ybanez's murder was more likely linked to his position at the power cooperative than his news publishing. Cornejos said that Ybanez's news publication was "not hard-hitting," but that he had received death threats at the height of a management conflict he was involved with at the cooperative in 2012.

### Killed: impunity

#### **Vergel BICO:**

**Profession:** publisher and editor of the newspaper *Kalahi* **Date of birth:** 1972 **Date of death:** 4 September 2013 **Details of death:** he was reportedly shot dead on 4 September 2013 in Calapan City, Mindoro. The journalist, aged 41, was reportedly travelling on a motorcycle when he was shot twice in the head by two unidentified men also on a motorcycle. **Details of investigation:** Police are reported to suspect a personal grudge as a motive, although they have not ruled out the possibility that it was related to his work. No further information as of 31 December 2015. **Background:** Bico had reportedly previously received threats from the subjects of his columns in *Bandera Pilipino*, the last of which was published in December 2012, where he often wrote on illegal gambling.

**Rubylita GARCIA (f):**

**Profession:** reporter for the tabloid newspaper *Remate* in Bacoor City, Cavite province **Date of death:** 6 April 2014 **Details of death:** Garcia, aged 52, was reportedly shot at least four times by two individuals who entered her home with no attempt at concealment. Her assailants fled the scene on a motorcycle. Garcia was reportedly taken to hospital, where she died of her injuries a few hours later. Shortly before she died she is reported to have told her son that she believed that a police chief in the nearby town of Tanza – with whom she had had an altercation three days earlier – was behind the shooting. **Details of investigation:** According to news reports, a national police spokesman announced that the police chief had been suspended from duty so that he would not be able to influence the investigation. As of 31 December 2015, police have yet to identify the two suspects who fled the scene after killing Garcia. **Update:** In January 2015, her family were reported to be [receiving police protection](#).

**Bonifacio LORETO Jr., profession:** publisher of the tabloid *Aksyon Ngayon*

**Richard KHO, profession:** reporter for the tabloid *Aksyon Ngayon*

**Date of Death:** 30 July 2013 **Details of death:** They were reportedly shot dead in Quezon City, Manila. **Details of investigation:** The police filed two counts of murder charges against Clemente Bersosa and Roel Manaog on 13 August 2013, according to news reports. The suspects were reportedly identified by witnesses who looked at photographs of people with criminal records. Family members believe that the killings are related to their work as journalists. On 4 September 2014 there were reports that four people had been arrested on suspicion of the killing of the journalists. The suspects are said to be part of a gun-for-hire gang, who might be responsible for the recent killing of a police inspector. No further information as of 31 December 2015.

Threatened

**\*Lito RULONA:**

**Profession:** correspondent of *The Mindanao Gold Star Daily* **Date of threat:** 2 July 2015 **Details of threat:** Rulona interviewed a regional officer on a government development program on 2 July 2015. When Rulona said he received information about allegedly uneven distribution of funding to schools the official reportedly threatened him. He said it was “an unverified complaint” and that Rulona would “share the same fate as other journalists who were attacked” for reporting on unverified complaints, Rulona told the Center for Media Freedom and Responsibility.

Harassment

**\*Emmaruth ESTEBAN (f):**

**Profession:** freelance journalist **Date of harassment:** 7 August 2015 **Details of harassment:** According to reports, an unidentified man tried to force his way into Esteban’s house in Mandaluyong city, while another man seemed to serve as a look-out and was standing across her house. She believes the harassment may be as a result of articles she has written. **Background:** Esteban told the Center for Media Freedom and Responsibility that she had been threatened and harassed for over a year for reasons suspected to be work-related. On 25 December 2014, a group of unidentified men attempted to hit her with their motorcycles in front of her house. Other forms of

harassment had been threatening text messages, a box of bullets left inside her house, the theft of important documents, and unidentified persons following her.

#### Judicial harassment

**Natashya GUTIERREZ (f), profession:** reporter for the online news site Rappler.com

**Berteni CAUSING, profession:** lawyer-blogger

**Details of harassment:** On 6 August 2013, Janet Lim Napoles, a business woman connected to a current multibillion peso corruption scandal (see case below), reportedly filed charges of criminal libel against both Gutierrez and Causing in connection with their coverage of the 'lavish lifestyle' of the businesswoman's daughter. If brought to trial and convicted, the pair face a maximum six-year jail sentence and/or fine. Napoles is reportedly seeking damages of P10 million (approx. US\$275,000) and attorney's fees from each of them. **Update:** According to local news reports dated 17 June 2015, Napoles was imprisoned for tax evasion and Gutierrez has asked the Taguig City prosecutor to dismiss the libel charge against her. No further information as of 31 December 2015. **[Stop Press:** In January 2016, it was reported that the complaint against Gutierrez had been thrown out by the Taguig City prosecutor and the grounds that her blog had been neither defamatory nor malicious.]

**Raul PANGALANGAN, profession:** publisher of the Manila broadsheet *Philippine Daily Inquirer*

**Letty JIMENEZ-MAGSANOC (f), profession:** editor of the *Philippine Daily Inquirer*

**Jose Ma. D. NOLASCO, profession:** editor of the *Philippine Daily Inquirer*

**Gil C. CABACUNGAN, profession:** reporter for the *Philippine Daily Inquirer*

**Details of harassment:** Janet Lim Napoles filed a complaint of criminal libel against them on 7 August 2013. In July 2013, the *Inquirer* published a series of reports on a recent corruption scandal relating to the misuse of pork barrel funds. The reports allege that fake NGOs misused at least P10 billion (approx. US\$200 million) of public funds. Whistleblowers reportedly identified Napoles as the head of several of the fake NGOs and as a major beneficiary of the scam. Napoles is reportedly seeking P10 million (approx. US\$275,000) and attorney's fees. If convicted the journalists could face a maximum six-year prison sentence. **Background:** The charges filed against the journalists came a day after Napoles filed similar charges against **Natashya Gutierrez** and **Berteni Causing** (see above). A warrant for Napoles' arrest was reportedly issued on 14 August 2013 in relation to the illegal detention of one of the whistleblowers, her former assistant. No further information as of 31 December 2015.

**\*Stella ESTREMER (f) 'R.S.A'**

**Profession:** Editor-in-chief and reporter for *Sun.Star Davao* **Details of harassment:** The Davao City Prosecutor's Office [dismissed](#) a libel complaint filed before against Estremera and RSA by Antonio Paner and Johnny Repaso over a story published in April 2015 about the alleged eviction of 40 lumad (indigenous people) families from their ancestral land in Tugbok, Davao City by the group allegedly headed by Paner and Repaso. According to a [Sun.Star report](#), a joint resolution dated 23 November 2015 by Prosecutor 3 Gaye Cañete and approved by Chief Prosecutor lawyer Nestor Ledesma said that "The dismissal was based on the grounds that 'despite the fact that the source of the news came from e-mails sent to the reporter, there is no sufficient proof that will bolster the fact that the reporter entertained...that there was a high degree of awareness of [the report's] probable falsity...such that other news agencies picked up related news article involving the lumad in the area where killings and chaos were allegedly happening.'

**\*Jerry YAP:**

**Profession:** Publisher and columnist for *Hataw* and former National Press Club President **Date of arrest:** 5 April 2015 **Date of release:** 6 April 2015 **Details of arrest:** Manilla Police District officers reportedly arrested Yap at the Ninoy Aquino International Airport Terminal 3 in Pasay City after coming back from a week in Japan. He was arrested on the strength of a warrant issued by the

Manila Regional Trial Court on 30 March 2015 in connection with a libel case filed by the MPD-District Police Intelligence Operation Unit Chief Senior Inspector. **Details of release:** Yap was released on 6 April 2015 after posting bail of PHP 20,000 (approximately US\$430) **Background:** The libel case in question is based on Yap's column *Bulabugin (Rout)* in which he wrote about an alleged drug pusher who always manages to be released from Manila police custody every time he is arrested. Yap said the man was first caught for illegal drugs and gun possession at a checkpoint but was released later without charges.

## SINGAPORE

### Judicial harassment

#### **\*Amos YEE:**

**Profession:** blogger, Social media activist **Date of birth:** 31 October 1998 **Date of harassment:** 12 December 2015 **Details of harassment:** On 12 December 2015, the police force released a statement notifying Yee that he must appear before them over a blog post he wrote on 27 November 2015 about former Singapore Nominated Member of Parliament Calvin Cheng and allegedly made anti-Islamic comments. Lee went into hiding and had not reported to police by the end of the year. **Background:** Amos Yee had been previously arrested on 29 March 2015 over a controversial YouTube video and a caricature criticising the late Lee Kwan Yew and his policies, and he was charged with 'obscenity' and 'hurting religious feelings'. On 6 July 2015 Lee was sentenced to four weeks in prison, backdated to 2 June 2015. He was released the same day, as he had already completed his sentence.

### Sentenced

#### **\*Roy NGERNG:**

**Profession:** social worker and blogger **Details of trial:** Prime minister Lee Hsien Loong sued Ngerng for defamation after the blogger raised questions about the fate of billions of dollars' worth of workers' savings in Singapore's secretly managed investment fund. Lee's lawyers argued that Ngerng should pay the prime minister more than S\$400,000 (US\$282,000). On 17 December 2015, a Singapore High Court judge ordered Ngerng to pay the prime minister S\$150,000 (US\$106,172) in damages for defamation. **PEN position:** PEN is concerned about the high level of damages imposed upon Ngerng.

#### **\*Alex Au WAIPANG:**

**Profession:** blogger at *Yawning Bread* **Sentence:** fined S\$8,000 (US\$5,843) **Details of trial:** Waipang was sentenced by the High Court on 5 March 2015 for "scandalising the judiciary" for writing a blog post two years ago that allegedly accused the Chief Justice of manipulating the court proceedings related to the petitions against Section 377A, the law which criminalises sex between men. **Background:** Waipang is a prominent figure in the LGBT equality community.

## SOUTH KOREA

### Released

#### **Tatsuya KATO (Japanese national)**

**Profession:** Journalist and Seoul bureau chief of the Japanese daily *Sankei Shimbun* **Details of the trial:** An association of South Korean citizens filed a complaint against Kato on 18 August 2014 in connection with a report published on 3 August 2014. In his report, he mentioned a rumour regarding the South Korean president's absence for a few hours during the Sewol ferry disaster of April 2014, in which about 300 people died. The rumour concerned the president being with a

married aide during the tragedy, which the president has denied. On 8 October 2014 Kato was charged with criminal defamation, and the trial begun on 27 November. If found guilty, he could face up to seven years in prison. **Update:** On 14 April 2015, a travel ban imposed during the trial was lifted to allow him to visit his ailing mother in Japan. On 17 December 2015, the Seoul Central District Court acquitted Kato after finding him not guilty of defaming the South Korean president.

## SRI LANKA

### Enforced disappearance

#### **Pregeeth EKANALIYAGODA (also known as Prageeth Eknaligoda):**

**Profession:** Political analyst, journalist and visual designer for the *Lanka eNews* **Date of disappearance:** Ekanaliyagoda was reported missing on 24 January 2010, and his whereabouts remain unknown. **Details of disappearance:** He was last seen leaving his office that evening, and his family believe that he was abducted by pro-government forces and subsequently killed. Government sources have denied the allegation and have suggested he fled abroad, but have been unable to provide any evidence of this. 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. **Details of investigation:** In March 2015, the Sri Lankan authorities reported having revitalised their search for Ekanaliyagoda. According to local reports, on 16 August 2015 the search for Ekanaliyagoda was temporarily halted at the request of the Sri Lankan Army because the investigations would have reportedly compromised several senior members of the Army Intelligence Unit along with their operations. Following the continuation of the investigations, several army personnel including a Major General have reportedly been arrested for questioning by the Criminal Investigations Department and one of them has allegedly confessed to interrogating Ekanaliyagoda for three days after his disappearance in January 2010. **Background:** 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. **PEN Action:** RAN 09/10 - 26 February 2010; 2012 [Impunity campaign case](#); 2014 [International Day to End Impunity case](#)

### On trial

#### **\*N. LOGATHAYALAN:**

**Profession:** Freelance journalist for *Uthayan* **Date of arrest:** 8 April 2015 **Date of release:** 9 April 2015 **Details of arrest:** Logathayalan was reportedly detained in connection with a story he wrote for the paper that alleged a girl had been assaulted by police in the Nellyyadi police station in Jaffna city. Police denied the story and Logathayalan was released on bail on 9 April 2015 after being charged with "providing false information for the publication of a news item". No further information as of 31 December 2015.

## TAIWAN

### Harassed

**\*SUNG Hsiao-hai, profession:** reporter for *Cooloud Collective*

**LIN Yu-yu, profession:** freelance reporter

**Date of harassment:** 23 July 2015 **Details of harassment:** Sung and Lin were reportedly arrested

together with a photographer, Liao Chen-hui, on 23 July 2015. The journalists had been covering a demonstration that started on 22 July, during which 200 students surrounded the Education Ministry in Taipei to protest changes to high school curriculum guidelines, according to reports. On 24 July, after refusing to pay NTD 10,000 (approx. US\$320) each in bail, the journalists were released without charge, according to reports. **Other information:** In a statement, Mayor of Taipei Ko Wen-je apologised for "the violation of press freedom" and said that as mayor, he had "an obligation to protect press freedom."

## THAILAND

*Since the introduction of a constitutional monarchy in 1932, Thailand has been a hotbed of political instability, experiencing alternating periods of democracy and military rule. After nearly seven months of escalating political violence in Thailand, a military coup d'état led by General Prayuth Chan-ocha was declared on 22 May 2014. The coup imposed martial law and a curfew, dissolved the Senate – the only remaining national government body with elected members – and granted wide-ranging executive and legislative powers to its military leaders. In the wake of the coup, tight control of the media was imposed; many television and radio stations were shut down and journalists and academics arrested. Martial law was finally revoked in March 2015.*

*Thailand's lèse majesté laws are among the world's strictest laws against insult and have been remained unchanged since 1908. According to Article 112 of the Thai criminal code, any person who 'defames, insults or threatens the king, the queen, the heir-apparent or the regent' will be punished with up to 15 years in prison. Since the military seized power in May 2014 through a coup, the number of trials and detentions related to lèse majesté offences has significantly increased in order to silence dissent.*

### Killed – impunity

#### **Kamol DUANGPHASUK: (Pen-name: Mainueng K. Kunthee)**

**Profession:** poet **Date of death:** 23 April 2014 **Details of death:** Kunthee was reportedly shot several times by unknown assailants who had approached his car at a restaurant parking lot in northern Bangkok on 23 April 2014. The gunman escaped on a motorcycle. Kunthee, aged 45, died in hospital. The motive for Mainueng K. Kunthee's murder is not known, although it is thought that he may have been targeted for his political activism amidst the escalating political violence in the country at the time. **Details of investigation:** On 24 July 2014, police issued arrest warrants for two individuals suspected of his killing. No further information as of 31 December 2015. **Background:** He was widely known for his poetry since the late 1980s and was popular for his direct poetic style and for voicing strong political messages. His poems call for social justice, the rights of the rural poor and for challenging the forces of oppression. His poems were published in a number of magazines including the Matichon Weekly in the 1990s. Mainueng strongly opposed the 2006 military coup and the subsequent crackdown on critics of the monarchy. He took part in many rallies of the United Front for Democracy against Dictatorship (UDD), known as the "Red Shirts," and became known as a "Red Shirts poet." He was also very active in the campaign against Article 112 of the Penal Code, or lèse majesté law, which has been widely used to criminalise free expression and imprison writers, journalists and publishers. His murder is one of a string of violent attacks on activists and academics known to be critical of the monarchy and the lèse majesté law. **PEN Action:** RAN 10/14

### Imprisoned – Main case

#### **\*Pornthip MUNKONG (f) and Patiwat SARAIYAEM:**

**Profession:** Students and political activists **Sentence:** Two and a half years in prison **Date of arrest:** Saraiyaem was arrested on 14 August 2014 and Munkong on 15 August 2014. **Details of arrest:**



Munkong and Saraiyaem were arrested and charged with lèse majesté under Article 112 of the criminal code for their role in the theatre play *The Wolf's Bride*. **Conditions of detention:** During their detention they both were denied bail several times and on 29 December 2014 both pleaded guilty in order to reduce their sentence. **Details of trial:** The Bangkok's Criminal Court reduced an initial sentence of five years in jail due to the confession of the students sentencing Munkong and Saraiyaem to two years and a half in jail on 23 February 2015. **Place of detention:** Central Women's Prison (Munkong) and Bangkok Remand Prison (Saraiyaem). **Other information:** Munkong and Saraiyaem played the main protagonists in the play *The Wolf's Bride*, which was performed at Thammasat University on 13 October 2013. It commemorated the 40th anniversary of the 14 October Popular Uprising and dramatised the story of a fictional king and its advisor. The play was recorded and shared on social media. **Background:** Thailand's lèse majesté are among the world's strictest and have remained unchanged since 1908. The law protects the monarchy from perceived insult or defamation and can carry a penalty of up to 15 years in prison. **PEN Action:** 2015 Seasons' Greetings campaign; [Day of the Imprisoned Writer 2015](#); [RAN 05/15](#)

**Somyot PRUKSAKASEMUSK:**

**Profession:** Independent journalist, editor of the magazine *Voice of Taksin*, and prominent labour activist. **Date of arrest:** 30 April 2011 **Sentence:** 11 years in prison **Details of arrest:** Reportedly arrested by the Department of Special Investigation (DSI) on 30 April 2011 and charged with two counts of lèse-majesté under Article 112 of the Criminal Code which prohibits acts of insulting, defaming or threatening Thailand's king, heir apparent or Regent for publishing two articles written by an anonymous author in his magazine. Pruksakasemus, aged 50, was reportedly charged after refusing to reveal the identity of the writer of the articles, which are deemed to be defamatory to the King. Pruksakasemus may have been targeted for his campaign calling for the repeal of the lèse-majesté law. **Details of trial:** His trial started on 21 November 2011. On 23 January 2013, the Bangkok Criminal Court found Prueksakasemus guilty on both counts. He was sentenced to five years for each count. He received an additional year's imprisonment for a previous suspended sentence passed in a separate defamation case in 2009. He has been detained since his arrest and has been repeatedly denied bail, most recently in July 2013. On 18 September 2014, Thailand's Court of Appeals upheld his conviction and sentence. Neither Prueksakasemus nor his lawyer were informed of the hearing in advance. No further information as of 31 December 2015. **Current place of detention:** Petchaboon Prison, 31 Praputabat Rd, Ni-Muaeng Sub-district, Muaeng District, Petchaboon 67000, Thailand. **Treatment in prison:** Reportedly ill-treated in detention. **Health concerns:** Somyot suffers from hypertension and gout and there are concerns for his health, which is said to have deteriorated during his detention. **Other information:** During its 64<sup>th</sup> session from 27-31 August 2012 the UN Working Group on Arbitrary Detention (WGAD) examined his case and concluded that his detention is arbitrary and in violation of Article 19 of the UN Declaration on Human Rights and Article 19 (2) of the International Covenant on Civil and Political Rights, to which Thailand is a party. WGAD called for his release. On 25 May 2014, three days after the military coup, the Thai military reportedly carried out a search in Somyot Prueksakasemus's house and arrested his wife and son. They were held incommunicado without access to a lawyer and the authorities did not provide them with any reasons for their arrest. They were released without charges on the following day, but were warned not to give interviews, make political comments, or take part in any political activities. **PEN Action:** RAN 04/13 – 24 January 2013

**Nut RUNGWONG (pen name: Somsak Pakdeedech)**

**Profession:** Website editor for the *Thai E-News* **Sentence:** Four and a half years in prison **Date of arrest:** 24 November 2014 **Details of arrest:** The editor was arrested due to an article posted on *Thai E-News* in 2009, written by an academic, which is allegedly defamatory to the Thai monarchy. **Details of trial:** He was charged under Article 112 of the Criminal Code (known as the lèse majesté law), which prohibits acts of insulting, defaming or threatening Thailand's king, heir apparent or regent.

According to press reports, the military court cut nine-year prison sentence in half as he had pleaded guilty. No further information as of 31 December 2015. **Current place of detention:** Unknown  
**Background:** The article on which the trial was based was written by Giles Ji Ungpakorn, who was a political science professor at Chulalongkorn University, Bangkok. The professor was forced to leave Thailand in February 2009, after the publication of his book entitled *A Coup for the Rich*, in which he argues that the 2006 military coup in Thailand was illegitimate and had the support of the Thai monarchy.

#### On trial

**Andy HALL:** (UK national)

**Profession:** Labour activist and researcher who blogs at <http://andyjhall.wordpress.com/> **Details of trial:** He is on trial for both criminal and civil defamation, as well as offences under the Computer Crimes Act after publishing a report on alleged abuses committed by the Natural Fruit Company Limited, a fruit processing company in Thailand. Hall's investigative report entitled *Cheap has a high price: Responsibility problems relating to international private label products and food production in Thailand*, was published in late 2012, by the Finnish NGO FinnWatch. The report focuses on production practices of juices and fruit sold in Finland, and was reportedly based on interviews with employees, many of them undocumented migrants from Myanmar, who suffered labour rights abuses, from poor working conditions to child labour. Andy Hall was the lead researcher of the report, while working as Associate Researcher at Mahidol University in Thailand. If found guilty, Hall faces up to two years in prison and civil damages of US\$10 million. The charges were filed on 14 February 2013, and his trial before the South Bangkok Criminal Court began on 2 September 2014.

**Update:** On 18 September 2015 the Appeal court upheld their decision from last year to dismiss the defamation charges against Andy Hall over a press interview conducted in Myanmar, saying neither Natural Fruit Company Limited nor the state prosecutors had grounds to sue for defamation in Thailand. This is just one of four cases of defamation Natural Fruit has filed against Andy Hall. Hearings on the other cases are due to continue. If found guilty, Hall could face up to seven years in prison. **[Stop press:** At a bail hearing held on 13 January 2016, a Bangkok court imposed a travel ban upon Hall and confiscated his passport. On 18 January 2016, a Bangkok court reportedly indicted Hall on charges of defamation and computer crimes. His trial is due to begin on 19 May 2016.] **PEN Action:** RAN 01/16

#### Brief detention

**Pravit ROJANAPHRUK:**

**Profession:** journalist with the daily newspaper *The Nation* **Date of arrest:** 13 September 2015 **Date of release:** 15 September 2015 **Details of arrest:** According to interviews and reports, from 13 to 15 September 2015 Rojanaphruk was detained incommunicado by the military junta for what it calls "attitude adjustment" after allegedly spreading false information about the junta on social media. While detained he was reportedly blindfolded and transported to an undisclosed location where high ranking military officials questioned him over his political stance. Rojanaphruk reports the military informed him that a report had been filed against him and if he disobeyed the NCPO again they would proceed with the case. After being freed he was fired from *The Nation* due to the pressure received by the publication while detained. **Background** Rojanaphruk was summoned by the army on 23 May 2014, the day of the 2014 coup d'état. He appeared at the headquarters of the National Council for Peace and Order (NCPO), accompanied by a lawyer and UN representatives. He was reportedly questioned for five hours without his lawyer being present and was subsequently taken to an unidentified detention centre where he was held until 31 May 2014 (see 2014 Case List) He is known for his critical views on Thailand's lèse majesté law.

#### Threatened

**\*Andrew DRUMMOND:** (UK national)

**Profession:** Blogger and reporter for the *Observer*, the *Times* and *London Evening Standard* **Date of threat:** 17 January 2015 **Details of threat:** Drummond announced on his blog that he had received multiple threats on his well-being and that of his children and that he was under threat from foreign criminals and the Thai police. Drummond announced that he was leaving country in response to the most recent threat which he claimed came from a group of people who have killed with impunity before, and have even had police set people up on false charges. **Background:** Drummond specialised in exposing the activities of foreign criminals in Thailand. In his blog he previously voiced support for Alan Morison, Chutima Sidasathian and Andy Hall (see above).

Harassed

**\*SAKDA Sae Iao (aka Sia):**

**Profession:** cartoonist with the *Thai Rath* newspaper **Date of harassment:** 4 October 2015 **Details of harassment:** Police briefly detained Sakda on 4 October 2015. They warned him he could be prosecuted for his future work, according to news reports. He was questioned for about 90 minutes at the Royal Thai Army's headquarters in Bangkok. The cartoonist said afterwards that "They [the NCPO] said if my new cartoons cause damage, I should be prepared for lawsuits." **Background:** Two weeks after the coup d'état on 22 May 2014, Sakda was summoned and authorities told him he would not be punished for his existing drawings, but that he could be prosecuted if future caricatures are perceived to distort the truth, reports said.

Released

**Alan MORISON and Chutima SIDASATHIAN (f):**

**Profession:** respectively editor and reporter for the news website *Phuketwan.com* **Details of trial:** They were charged with criminal defamation, as well as offences under the Computer Crimes Act, on 18 December 2013. The charges were reportedly brought against the journalists by a Thai naval officer, on behalf of the Royal Thai Navy, following the 17 July 2013 publication of a report, which detailed the treatment of Rohingya migrants fleeing Burma. The article reportedly quoted extensively from a Reuters report which implicated the Thai Navy in human trafficking. Criminal defamation carries a two-year prison term, while the Computer Crimes Act provides for up to five years in prison. On 17 April 2014, a Thai court formally charged Morison and Sidasathian with criminal defamation and their trial started on 14 July 2015. **Update:** On 1 September 2015, both Morison and Sidasathian were found not guilty of criminally defaming the Thai navy and of all Computer Crimes Act charges. Morison had since quitted his post as editor for *Phuketwan* and was planning to move back to Australia. However, on 1 December 2015 the Thai legal prosecutor was granted a 30-day extension to lodge an appeal against the verdict, until 31 December 2015, making Morison's and Sidasathian's legal situation uncertain. **Background:** *Phuketwan* has reported on the Rohingya people's exodus from Burma since 2008. [**Stop press:** According to reports in early January 2016, the deadline by which the prosecution could file an appeal against their acquittal passed, despite their appeals to extend it.]

**VIET NAM**

Imprisoned: Main cases

**BUI Thi Minh Hang (f) and NGUYEN Thi Thuy Quynh:**

**Profession:** bloggers **Sentence:** three years and two years in prison, respectively **Expiry:** Bui's sentence expires in February 2017, Nguyen's in February 2016. **Date of arrest:** 11 February 2014 **Details of arrest:** The bloggers were reportedly arrested as they were travelling to the home of

Nguyen Bac Truyen, a lawyer who had been arrested arbitrarily, along with a number of friends and activists, including netizen **Luu Trong Kiet**, in Dong Thap. They were reportedly taken to Lap Vo police station where they were beaten and had their electronic devices confiscated. While many of those with her were released the next day, Bui Thi Minh Hang and Nguyen Thi Thuy Quynh remained detained. Bui and Nguyen, along with activist Nguyen Van Minh, faced charges of 'disturbing public order' and 'obstructing traffic.' Five activists reportedly refused to sign testimonies they gave to the police over the charges the bloggers face, claiming that their statements were fabricated. **Details of trial:** On 26 August 2014, the People's Court of Dong Thap, southern province, sentenced the bloggers in a summary trial, under paragraphs (a) and (b) of Article 245 of the Penal Code for 'causing public disorder'. There are reports that the trial did not comply with international standards of fair trial, including the fact that four defence witnesses were not allowed to attend the trial. On 12 December 2014, the Dong Thap Court of Appeal confirmed the sentence against the bloggers. **Place of detention:** On 29 January 2015, Bui Thi Minh Hang was transferred to Camp Gia Trung, Ajun village, Mang Yang district, Gia Lai province, Viet Nam. There are unconfirmed reports that Nguyen Thi Thuy Quynh is being held at the Public security camp in Saigon (Ho Chi Minh city). **Health concerns:** Bui had embarked upon a hunger strike immediately following her arrest, but after 24 days her health was deteriorating, she stopped as advised by her lawyer. Other information: several UN Special Rapporteurs sent an [urgent communication](#) to Vietnam about their case on 26 March 2014; Vietnam [responded](#) on 30 May. No further information as of 31 December 2015. **PEN position:** PEN believes their arrest on public order offences was a reprisal for their critical blogging, as they and Nguyen Van Minh were the only ones brought to trial of the 21 arrested. All three are known for their peaceful human rights activities, calling in particular for religious freedom, the release of political prisoners, and for support to victims of land confiscation.

#### **DINH Nguyen Kha:**

**Profession:** Blogger, human rights activist, student of the Long An University of Economics and Industry, and member of the banned human rights defenders' group Tuoi Tre Yeu Nuoc (Young Patriots). **Date of Birth:** 1988 **Sentence:** Eight years in prison, reduced to four on appeal. **Expires:** 2016 **Date of arrest:** 11 October 2012 **Details of arrest:** Reportedly arrested after dropping 2000 anti-government leaflets at An Suong, Ho Chi Minh City which the prosecution claimed distorted "the party and the state's policies related to religion and land, and exhibit[ing] a twisted viewpoint regarding the Spratly and Paracel islands [whose sovereignty is disputed] and the border land between Viet Nam and China". **Current place of detention:** Camp K3 Xuyen Moc, Ba Ria - Vung Tau province, Viet Nam. **Details of trial:** Dinh was convicted on 16 May 2013 for "conducting propaganda against the Socialist Republic of Viet Nam", prohibited under Article 88-1(c) of the Criminal Code. On 16 August 2013, Dinh's sentence was reportedly halved, while that of his co-accused was overturned. **Health Concerns:** Along with his cellmates Dang Xuan Dieu and Trau Vu Anh Binh (see below) Dinh reportedly went on a hunger strike starting 19 March 2015 in protest of the poor prison conditions. Their hunger strike reportedly ended on 4 April 2015. Afterwards Dinh and his fellow hunger strikers were reported as very ill, all having been banned from purchasing any items from the canteen to restore their health after the hunger strike, and their families not being allowed to send limited quantities of dried food each month. **Other information:** According to a copy of the indictment, on 29 September 2012 the People's Court of Tan An city convicted and sentenced Dinh Nguyen Kha to two years in prison for "intentionally causing injuries to others". Dinh was tried with poet, activist and blogger Nguyen Phuong Uyen (see below). Dinh's brother, **Dinh Nhat Uy**, was given a suspended 15-month prison term in October 2013 after conviction of "having abused democratic freedoms against the interests of the state" for posting messages on Facebook that were critical of the treatment of Dinh Nguyen Kha.

#### **HA Huy Hoang:**

**Profession:** former journalist for the publication *World* and for a newspaper published by the Ministry of Foreign affairs **Sentence:** six years in prison **Date of arrest:** October 2014 **Details of**

**arrest:** Ha was reportedly arrested in October 2014 for providing state secrets to China **Details of trial:** On 30 September 2015, the Hanoi prosecutor office charged Ha with espionage under Article 80 of Vietnam criminal code, according to Radio Free Asia. During the trial, Ha testified that he was told to say what the investigators wanted him to say and that the investigation report did not reflect what he actually said. Prosecutors did not prove that Ha really intended to help China. **Other information:** State newspapers removed articles about the trial from their websites the same day.

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

**Profession:** Internet writer and human rights activist **Date of Birth:** 1967 **Date of arrest:** 15 November 2011 **Sentence:** Five years in prison and three years' probationary detention. **Expiry:** 2016 **Details of arrest:** Ho was arrested by the public security police after a search of her house, where agents confiscated many items, including books and computers. **Details of trial:** Ho was tried on 29 December 2011, at Nghe An People's Court, for "conducting propaganda against the Socialist Republic of Viet Nam" under Article 88-1(c) of the Criminal Code. The accusation alleged that Ho and Nguyen Trung Ton, a priest and activist who was present at her house at the time of Ho's arrest (see 'Nguyen Trung Ton - main case' below), had been collecting documents and writing several online articles which tarnished the reputation of the Socialist Republic of Viet Nam. Ho Thi Bich Khuong was also accused of giving interviews to foreign radio stations criticizing the government's abuse of power and belonging to illegal human rights organizations. During the trial, she openly criticized the Communist Party. On 30 May 2012 the Appeal Court in Hanoi confirmed the sentence against Ho and Nguyen. The trial, reportedly, did not comply with international fair trial standards. **Place of detention:** Since January 2015, Thanh Xuan Detention camp, My Hung commune, Thanh Oai district, Ha Noi, Viet Nam. **Health concerns:** There are serious concerns that Ho's health has deteriorated as a result of the conditions of her detention. According to her family, Ho has badly been attacked on various occasions by common law detainees. It was thought that camp administrator and prison guards would have punished her for refusing to do forced labour because of her painful fracture on her arm. Also, because she maintains she is not guilty of any offense and protests against physical aggression by common law detainees and mistreatment in detention. Ho still suffers a long-untreated broken collarbone as a result of the attack and adequate medical attention is not available. She is frequently held in solitary confinement for protesting against persistent detention conditions by hunger strikes. In January 2015, she went on hunger strike when, without prior notification to her family, she was secretly transferred from the camp No. 5, Thong Nhat, Yen Dinh district, Thanh Hoa province (Central Viet Nam) to the camp Thanh Xuan, commune My Hung, district Thanh Oai, Ha Noi (North Viet Nam). **Background:** Ho Thi Bich Khuong served two previous prison sentences, in 2005 and 2007, after conviction of offences under article 245 of the Criminal Code (Causing public disorder), and article 258 (Abusing democratic freedoms to infringe upon the interest of the State), respectively. She has also been attacked, threatened and subject to brief detentions. **Other information:** Ho's writings urged the release of prisoners of conscience and political detainees, and promoting freedom of expression, religion and association. She wrote a memoir of her time in prison which was published in 2009 by *Nguoi Viet Online*, a Vietnamese-American newspaper in the United States. She has also written some satirical poems and was a member of the prodemocracy movement Bloc 8406. **Awards:** Ho is the recipient of the 2011 Hellman/Hammett 2011 award. [**Stop press:** Ho was reportedly released from prison on 15 January 2016]

**NGO Hao:**

**Profession:** Internet writer and human rights activist **Date of Birth:** 1948 **Sentence:** 15 years in prison and 5 years in probationary detention **Expiry:** February 2028 **Date of arrest:** 8 February 2013 **Current place of detention:** Labour Camp An Diem, Dai Loc district, Quang Nam province, Viet Nam. **Details of trial:** Accused of "carrying out activities" aimed at "overthrowing the people's administration" under article 79 of the Criminal Code. Sentenced to 15 years in prison and 5 years in probationary detention on 11 September 2013, upheld on appeal on 23 December 2013. No further information as of 31 December 2015. **Background:** He reportedly criticised social injustice and human rights

violations committed by the administration of his country in online articles, in particular official corruption and religious persecution. He sent an appeal to foreign governments and international human rights organizations seeking support for victims of repression against freedom of expression and opinion and freedom of religion.

**NGUYEN Kim Nhan:**

**Profession:** Human rights defender. Known for dissident writings concerning illegal land expropriation and abuses of authority in Bac Giang province, and contributing to the underground review *Tô Quốc (Fatherland)*. **Date of Birth:** 1949 **Sentence:** Five-and-a-half years in prison and four years of probationary detention. **Expiry:** December 2016 **Date of arrest:** 7 June 2011 **Details of arrest:** Nguyen Kim Nhan was arrested after public security policemen's searched his residence and confiscated a number of personal effects including a computer and several documents. **Current place of detention:** Trai giam số 6, Huyện Thanh Chuong district, Nghệ An, Việt Nam. **Details of trial:** On 16 July 2012 Nguyen was convicted after a one-day trial in Bac Giang province under Article 88-1(c) of the Criminal Code for "conducting propaganda against the Socialist Republic of Viet Nam". He was tried for publishing critical articles and letters online, allegedly containing defamatory comments damaging the reputation of the Communist party and its leaders, reporting human rights violations, illegal land expropriation and giving interviews to overseas Vietnamese-language media. Nguyen was tried together with Do Van Hoa and Dinh Van Nhung (see 'main cases' above). **Conditions in detention:** Since his arrest, he has had no direct access to his family. No further information as of 31 December 2015. **Background:** Nguyen Kim Nhan has previously served two prison sentences for his dissident activities and writings, from 24 September 2008 to 22 January 2009 and from 8 May 2009 to 20 December 2010, also after convictions under article 88 of the Criminal Code.

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

**Profession:** pastor, online writer, head of the Evangelical Lutheran Church of Viet Nam, member of the banned human rights defenders network Bloc 8406 and the Vietnamese Political and Religious Prisoners Friendship Association. **Date of Birth:** 10 October 1969. **Sentence:** 11 years in prison. **Expires:** 2022 **Date of Arrest:** 28 April 2011. **Details of arrest:** Arrested at his house where security police seized a dozen of his writings and documents. **Current place of detention:** Camp An Phuoc, Phu Giao district, Binh Duong province, Việt Nam. **Details of trial:** On 26 March 2012 Nguyen was sentenced by the People's Court of the Gia Lai province for 'undermining the unity policy' under article 87 of the Criminal Code. He was accused of writing and spreading online texts (about 19 titles) that "slandered Communist authorities" and "distorted the situation of freedom of opinion and religion" in Viet Nam. He was also accused of sending to NGOs, foreign media and international institutions his online critical writings and complaints about human rights violations and the persecution of ethnic minorities, and for giving interviews to foreign radio and newspapers. No defence lawyers, even court-appointed ones, were present at Nguyen Thanh Long's trial. **Conditions in detention:** Reportedly attacked and ill-treated in prison. His family is seriously concerned for his well-being. **Other information:** Nguyen Thanh Long has long been subject to harassment, interrogations and arbitrary detention by public security police, and has also been attacked and beaten. His family has also faced harassment, intimidation and threat. His house is permanently kept under surveillance by the public security police. No further information as of 31 December 2015.

**NGUYEN Van Ly:**

**Profession:** Priest, scholar, essayist and co-editor of the underground online magazine *Tu Do Ngon luan (Free Speech)*. **Date of Birth:** 1946 **Sentence:** Eight years in prison and five years of probationary detention (a form of house arrest). **Expires:** June 2016 **Date of arrest:** 19 February 2007 **Details of arrest:** Reportedly arrested on 19 February 2007 during an "administrative check" at the archdiocesan building where he lives in the city of Hue. Two other editors of *Tu Do Ngon luan*, Father Chan Tin and Father Phan Van Loi, were reportedly also placed under house arrest. **Current place of detention:** Labour camp Trai K1 Ba Sao Nam Ha, Kim Bang district, Ha Nam province, Viet Nam

**Details of trial:** On 30 March 2007 a People's Court in Hue (Central Viet Nam) sentenced Father Nguyen Van Ly under Article 88 of the Criminal Code for "conducting propaganda against the Socialist Republic of Viet Nam". Video footage of his sentencing is available on the Internet: <http://www.youtube.com/watch?v=bUSJeAakoXI..> **Health concerns:** Nguyen Van Ly reportedly suffered a stroke in prison on 14 November 2009. He also suffers from a number of other health complaints. On 15 March 2010 Nguyen Van Ly was released provisionally on medical grounds. The decision was taken by the Supreme Judge of the People's Court on Ha Nam province, who ordered to temporarily defer Nguyen Van Ly's imprisonment for one year as he was in urgent need of medical treatment which is unavailable in prison. On 25 July 2011, Ly was returned to the labour camp to continue serving his sentence. **Other information:** In September 2010, the United Nations Working Group on Arbitrary Detention called for the immediate and unconditional release of Nguyen Van Ly, who it said had been arbitrarily and illegally detained and denied access to legal counsel by the Vietnamese authorities. No further information as of 31 December 2015. **Background:** 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 Viet Nam, and was a main case of PEN International. The sentence was commuted several times and he was released under amnesty in February 2005. **Awards:** In July 2008 Nguyen Van Ly received the Hellman/Hammett award in recognition of his work in the face of persecution. He was nominated for the Sakharov Prize for Freedom of Thought 2009 and 2010. **Honorary member:** Sydney PEN. **PEN Actions:** RAN 12/07 - 28 February 2007; update #1 - 7 March 2007; updates #2 – 3 April 2007; RAN 06/14

**PHAN Ngoc Tuan:**

**Profession:** Dissident poet, writer and human rights defender. **Date of Birth:** 1959 **Sentence:** Five years in prison and three years in probationary detention. **Expires:** August 2016 **Date of arrest:** 10 August 2011 **Details of arrest:** Arrested by the public security police when he took refuge with one of his acquaintances in Ho Chi Minh city. He was then escorted back to his place of residence for interrogation. **Current place of detention:** Camp T345 Xuyên Môt district, Ba Ria – Vung Tau province, Việt Nam. **Details of trial:** On 6 June 2012, Phan Ngoc Tuan was sentenced by the Ninh Thuan province's people court to five years in prison and three years in probationary detention after conviction of "conducting propaganda against the Socialist Republic of Viet Nam" under article 88-1(c) of the Criminal Code. The indictment alleged that Phan Ngoc Tuan's writings "slandered" the government and its leaders. No defence lawyers, even court-appointed ones, were present at Phan Ngoc Tuan's half-day trial. Phan Ngoc Tuan denied the charges. **Other information:** His family has reportedly faced harassment, intimidation and threats. No more information as of 31 December 2015. **Background:** Phan is the author of several satirical texts, lampoons, pamphlets and documents criticizing the communist authorities for their human rights violations and denouncing corruption, social injustice and ideological discrimination in the regime's legal system.

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

**Profession:** Businessman, poet and prolific Internet writer. 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 Viet Nam. He has various web blogs, the most prominent being 'Change we need', where he publishes his articles on the social and political situation in Viet Nam, as well as his poems. He is said to be the co-author of the clandestine book *The Way for Viet Nam*. **Date of Birth:** 1966 **Sentence:** Sixteen years in prison and three years of probationary detention. **Expires:** 23 May 2025 **Date of arrest:** 24 May 2009 **Details of arrest:** 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 88-1(c) 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 "carrying out activities aimed at overthrowing the people's administration" under article 79 of the



Criminal Code. The trial lasted one day, and neither Tran's relatives or the press were allowed into the courtroom. Said to be convicted for his dissident activities and writings. **Current place of detention:** Labour camp T345 Xuyên Mộc district, Ba Ria – Vung Tau province, Việt Nam. **Awards:** Tran is the recipient of the 2013 Viet Nam Human Rights Network Prize. No further information as of 31 December 2015.

**TRAN Vu Anh Binh:**

**Profession:** Songwriter and blogger. Tran has written songs which deal with social matters, advocating the respect of human rights, denouncing social injustice and abuse of power. His best-known songs include *Father, You Gave Me (Your Child) the Future*, and *The Lullaby is Not Fully Sung Yet*. He is also credited with writing the music for *Courage in the Dark Prison*, a song that reportedly expresses support for imprisoned blogger Nguyen Van Hai. **Date of Birth:** 1974 **Sentence:** Six years in prison and two years house arrest **Expiry:** 2017 **Date of arrest:** 19 September 2011 **Details of arrest:** Arrested by a group of about 10 plain-clothed police, who confiscated his computers and audio-visual equipment. **Details of trial:** On 30 October 2012, Tran was convicted after a five-hour trial at Hi Chi Minh People's Court of "conducting propaganda against the Socialist Republic of Viet Nam" under article 88-1(c) of the Criminal Code. He was tried with songwriter and performer Vo Minh Tri (see 'main case' below). **Current place of detention:** Detention Camp Z30A, District Xuan Loc, Province Dong Nai, Viet Nam. **Conditions of detention:** Tran has reportedly been denied the right to practice his religion in prison. **Health concerns:** On 19 March 2015 Binh went on hunger strike for 16 days along with his cellmate Dinh Nguyen Kha (see above) and Dang Xuan Dieu (see below) in protest against poor conditions. According to reports, Binh was handcuffed and moved to another cell during this hunger strike. **PEN Action:** RAN 70/12 – 31 October 2012

**GROUP OF ACTIVISTS, BLOGGERS and CITIZEN JOURNALISTS**

*Between August and December 2011, the following activists, bloggers and citizen journalists, most of them members of the Catholic organisation Congregation for the Holy Redeemer, were arrested by the Vietnamese authorities, after attending a training course in Bangkok held by the banned Viet Tan political party; which, according to Human Rights Watch, currently works for peaceful political reform, democracy and human rights in Viet Nam. The group of 13 were initially charged and later prosecuted in one of the biggest trials in Viet Nam under Article 79 of the Criminal Code for 'carrying out activities aimed at overthrowing the people's administration'. The criminal activities the group are said to have engaged in include writing commentaries that are critical of the Government and distributing them on the internet, as well as participating in and encouraging peaceful protest. On 9 January 2013, the People's Court of Nghe An province sentenced the activists to terms of up to 13 years in prison. On 23 May 2013, on appeal, some of their convictions were reduced and one of the bloggers was given a suspended sentence. There are reports that these activists have been facing difficult prison conditions, and that some of them have received limited water and food. The names and prison sentences are the following:*

**DANG Xuan Dieu:**

**Profession:** Human rights activist, blogger contributing to Viet Nam *Redemptorist News*. **Date of Birth:** 1979 **Sentence:** 13 years in prison and five years in probationary detention. **Expiry:** July 2024 **Date of arrest:** 30 July 2011 **Current place of detention:** Labour Camp #5, Yen Dinh district, Thanh Hoa province, Việt Nam. **Details of trial:** Dang was unable to appeal, as he submitted a request for a new trial, which was rejected after the deadline for appeal had passed. **Background:** Dang is also an engineer, and was active in mobilising access to education for students from disadvantaged backgrounds. **Conditions of detention:** Dang is reportedly forbidden to practice his faith in prison. **Health Concerns:** Along with his cellmates Tran Vu Anh Binh and Dinh Nguyen Kha (see above) Dang reportedly went on hunger strike from 19 March to 4 April 2015. This just the latest in a series of hunger strikes totalling 15 months over the past 4 years. He was last reported as weighing only 88 lbs

(40kg) and having been frequently experiencing significant digestive issues as well as arthritic and skin issues. His health is reported to be in critical condition as of June 2015.

**HO Duc Hoa:**

**Profession:** Human rights activist, blogger and contributor to *Viet Nam Redemptionist News*. **Date of Birth:** 1974 **Sentence:** 13 years in prison and five years in probationary detention (a form of house arrest); conviction upheld on appeal. **Expiry:** July 2024 **Date of arrest:** 30 July 2011 **Current place of detention:** Camp Nam Hà – Ba Sao, Kim Bang district, Hà Nam province, Việt Nam. **Conditions of detention:** Ho was reportedly denied the right to practice his religion in prison.

**NGUYEN Dang Minh Man (f):**

**Profession:** Human rights activist **Date of Birth:** 1985 **Sentence:** Nine years in prison and five years in probationary detention **Expiry:** August 2020 **Date of arrest:** 2 August 2011 **Current place of detention:** Camp Nam Hà – Ba Sao, Kim Bang district, Hà Nam province, Việt Nam. **Other information:** She is said to have drafted documents allegedly containing dissident opinion. **Health Concerns:** Her health is reported to be deteriorating following ill-treatment and two hunger strikes, one in December 2014 and the second March 2015, each one lasting 15 days.

**NGUYEN Dinh Cuong:**

**Profession:** Human rights activist and businessman **Date of Birth:** 1981 **Sentence:** Four years in prison and three years in probationary detention, upheld on appeal. **Expiry:** 2015 **Date of arrest:** 24 December 2011 **Current place of detention:** Camp Nam Hà – Ba Sao, Kim Bang district, Hà Nam province, Việt Nam. **Other information:** Nguyen is said to have worked for the John Paul II Group for Pro-Life, and participated in peaceful protests against local authorities' arbitrary confiscation of church lands. **Health concerns:** Nguyen's health is reported to have deteriorated following ill-treatment and repeated hunger strikes protesting his unfair trial. further information as of 31 December 2015.

Detained: main case

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

**Profession:** Buddhist monk, writer, scholar. Secretary General of the outlawed Institute for the Propagation of the Dharma, United Buddhist Church of Viet Nam (UBCV). **Date of Birth:** 1928 **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. **Current place of detention:** Thanh Minh Zen Monastery in Ho Chi Minh City. No further information as of 31 December 2015. **Background:** On 27 June 2003 he was released from a 27-month detention order. Has spent most of the last 20 years in detention or under residential surveillance because of his campaign for religious freedom and free expression. In August 2008, Thich Quang Do was appointed as the new Patriarch of the Unified Buddhist Church of Vietnam. **Other information:** The UN Working Group on Arbitrary Detention declared his imprisonment as 'arbitrary' in May 2005. **Awards:** Laureate of 2001 Hellman-Hammet Award, 2002 Czech Human Rights Homo Homini Award for his "outstanding merits in promoting human rights, democracy, and the non-violent resolution of political conflicts". Also awarded the 2006 Norwegian Thorolf Rafto Human Rights Prize. **Honorary member of:** French PEN, German PEN and PEN Sweden.

**\*NGUYEN Van Dai:**

**Profession:** citizen-journalist and cyber-activist **Date of arrest:** 16 December 2015 **Details of arrest:** Nguyen Van Dai was taken into police custody and his house in the capital Hanoi was searched, the

Ministry of Public Security said in a brief statement. According to reports, he was detained for spreading propaganda against the state, as the ruling Communist Party prepares for its five-year congress early next year. He is thought to be being held under Article 81 of the Criminal Procedure Code, which allows for the arrest of persons in urgent cases. **Current place of detention:** Camp No. 14, Thanh Chi District district in Hanoi **Background:** Nguyen Van Dai is a leader of Vietnam's pro-democracy movement and a signatory of the Bloc 8406 appeal. He often posts articles advocating democracy on websites based outside Vietnam. He had already been arrested in 2007 and sentenced to five years in prison on charges of spreading anti-state propaganda. An appeals court later reduced the jail term to four years. On 6 December 2015 he was reportedly severely beaten by plainclothes policemen in the northern province of Nghe An after participating in a discussion about human rights in Vietnam and the 2013 constitution. After he left the meeting to return to Hanoi in a taxi with fellow human rights activists Ly Quang Son, Vu Van Minh and Le Manh Thang, they were forced to stop by masked men in a van and men on motorcycles, identified by Nguyen Van Dai as plainclothes policemen. They dragged him to a vehicle, gave him a severe beating, took his mobile phone, wallet containing about 500 dollars and other personal items. A few hours later, an attempt was made to arrest him as he tried to return home by bus. In the end, it took him two days to return to his home in Hanoi.

**TRAN Anh Kim:**

**Profession:** Internet writer and dissident. Former army officer. Author of more than 60 articles and essays focusing in human rights and social injustice, secretary of the banned Vietnamese Democratic Party and member of banned democracy movement known as Bloc 8406. **Date of Birth:** 1949 **Date of arrest:** 21 September 2015 **Details of arrest:** According to reports, on 21 September 2015 Tran was arrested and authorities are thought to have charged him under Article 79 of the Criminal Code. Reports state that his laptop, mobile phone, and some files were taken from his residence. Local news report Tran is being held in police cells in Thai Binh province. **Background:** On 7 January 2015, Tran Anh Kim was released from jail under a probationary detention of three years after completing a five-year-and-a-half term. He had been arrested on 7 July 2009 together with four other activists and charged with "conducting propaganda against the Socialist Republic of Viet Nam" under article 88-1(c) of the Criminal Code and of "carrying out activities aimed at overthrowing the people's administration" under article 79 of the Criminal Code for his pro-democracy activities on 29 April 2010. Tran Anh Kim was known for drafting and circulating petitions protesting injustice and corruption in the Vietnamese Communist Party. In 1991, he was briefly detained and accused of "abuse of power to steal public wealth." He was arrested again in 1994 and sentenced to two years in prison. He was released after one year. He was a member of the editorial board of the underground journal *Fatherland*. **Awards:** Recipient of the 2009 Hellman/Hammett Award. **PEN Action** RAN 49/09 - 15 September 2009

[Detained: investigation](#)

**NGUYEN Dinh Ngoc (pen name: Nguyen Ngoc Gia):**

**Profesion:** Blogger **Date of arrest:** 27 December 2014 **Details of arrest:** Arrested at his home in Ho Chi Minh City. Some of the blogger's posts are said to be critical to the government, particularly its reaction to dissident writers and bloggers. He is reportedly a contributor to the blogs *Dan Lam Bao* and *Dan Luan* (The people's Journal and The People's Opinion, respectively) and Radio Free Asia's Vietnamese service. **Current place of detention:** Public security detention camp, 4 Phan Dang Luu Street, Phuong 14, Binh Thanh district, Ho Chi Minh city, Viet Nam. **Details of trial:** The official charges against Nguyen remain unknown. More than 12 months after his arrest, Nguyen remains in prison without having the right to family or relatives' visits. **PEN Action:** Mentioned in 2015 [resolution](#) on Vietnam

**NGUYEN Huu Vinh (pen-name: Anh Ba Sam) and NGUYEN Thi Minh Thuy (f):**

**Profession:** bloggers and founders of [www.Basam.info](http://www.Basam.info); contributor to banned websites [www.diendanxahoidansu.wordpress.com](http://www.diendanxahoidansu.wordpress.com) and [www.chepsuviet.com](http://www.chepsuviet.com) (Huu Vinh) **Date of arrest:** 5 May 2014 **Reason for arrest:** The bloggers are reportedly held under pre-trial detention for investigation under Article 258 of Vietnam's Criminal Code for allegedly "abusing democratic freedoms to infringe upon the interests of the state, the legitimate rights and interests of organisations and/or citizens" after "publishing online articles with bad contents and misleading information to damage authorities' image and reputation, lower the prestige and create public distrust of government offices, social organisations, and citizens". If convicted, they could face prison terms of up to seven years. **Details of arrest:** They were reportedly arrested at their respective homes in Hanoi on 5 May 2014. **Current place of detention:** Camp B14 Public Security Department, Thanh Liêt village, Thanh Tri district, Ha Noi, Viet Nam. **Details of trial:** On 30 October 2014 both bloggers were charged under Article 258 of the Criminal Code, reportedly on the basis that 24 of their blog posts contained false information liable to "tarnish the state apparatus' prestige". **Background:** Nguyen Huu Vinh is the founder of the political blog Basam, which has become a platform for activists to share blog posts and other content critical of the government. According to the managing editor for Basam, he has not been involved in the site's operation for a number of years.

On trial

**\*Kim Quoc HOA:**

**Profession:** former editor-in-chief of the state-controlled magazine *The Elderly* **Details of trial:** On 13 May 2015, Hoa was charged with "revealing confidential information related to national security" and "abusing freedoms and democratic rights in publishing articles that disseminated false information", a criminal offence under Article 258 of Vietnam's Criminal Code. He is not in custody, and reports did not say when his trial is due to begin. **Background:** *The Elderly* had in recent months published several reports on official corruption. In March 2015, the Ministry of Information and Communications ordered Hoa to be removed from his position after an investigation revealed he had published 11 articles between 2013 and 2014 that alleged he "distorted facts and slandered individuals and organizations," according to news reports. Authorities also shuttered *The Elderly's* website.

**LE Hong Tho:**

**Profession:** Blogger **Date of arrest:** 20 November 2014 **Date of release:** 11 February 2015 **Details of arrest:** Hong was reportedly arrested at his home in Ho Chi Minh City, due to the content of a blog post, under Article 258 of the Criminal Code for 'abusing freedom and democracy to infringe upon the interest of the state'. Aged 65 at the time of his arrest, Hong blogs for *Nguoi Lot Gach* (a brick layer), where he is said to have posted comments regarding the Chinese claims over Vietnamese territory. If charged and found guilty, Hong could face up to seven years in prison. **Details of release:** On 11 February 2015 Le was released to house arrest for medical reasons. He remains under investigation for the previous charges.

**NGUYEN Quang Lap (aka: Bo Lap):**

**Profession:** Blogger, journalist and writer **Date of arrest:** 6 December 2014 **Date of release:** 10 February 2015 **Details of arrest:** Arrested at his home in Ho Chi Minh City, reportedly for 'abusing freedom and democracy to infringe upon the interest of the state' **Details of release:** On 10 February 2015 Nguyen was released to house arrest for medical reasons as he has a paralysed arm and a leg as a result of a stroke.. **Details of trial:** He is still under investigation under Article 258 of the Criminal Code **Background:** Nguyen is said to have been in the Army in the 1980s, for about five years. He then started his career as a journalist and became the deputy editor of the magazine *Cua Viet*, which was closed by the authorities allegedly for the magazine's pro-democracy line. He later wrote some plays, film scripts, a collection of stories and a novel. He is an award-winning writer and a member of

the Vietnamese Writers' Association. In 2007 he started blogging in *Que Choa* (Dad's Homeland), which is said to be one of the most popular blogs inside and outside Viet Nam. In recent years, the blog has suffered cyber-attacks, but it continues to be active and popular.

#### Attacked

##### **\*CHU Manh Son, LE Dinh Luong, TRAN Thi Nga and TRUONG Minh Tam:**

**Profession:** human rights defenders and bloggers **Date of attack:** 29 August 2015 **Details of attack:** The four bloggers were reportedly assaulted by a group of plain-clothes policemen when they were on a bus in their way to Saigon. They had attended a celebration hosted by the human rights journalist **Tran Minh Nhat** (see 'Released'), who had been released on 27 August after four years in prison. According to reports, approximately 30 plain-clothes policemen forced their way into the bus and attacked the bloggers. All of them suffered serious injuries to their face, head and body. The assaulters destroyed some of Chu Manh Son's belongings, including his phone and iPad.

#### Harassed

##### **TRAN Thi Nga (f):**

**Profession:** blogger and human rights activist **Date of attack:** 30 March 2015 **Details of attack:** According to reports, Tran and her two children (aged two and five years old) were abducted by plainclothes policemen at Giap Bat bus station on the morning of 30 March 2015. Reports state she was threatened, gagged and attacked as she was brought to the Phu Ly City police station where she was detained until approximately 19.00 before being released without charge. **Background:** Previously, Tran was reportedly seriously injured following an attack by five unknown assailants on 25 May 2014. The five men – suspected to be undercover police members, according to the Electronic Frontiers Foundation – surrounded her motorbike, which she was riding with her two children. Tran sustained injuries to her knee, arm and back after being beaten with a metal pole (see 2014 Case List).

#### Judicial Harassment

##### **PHAM Chi Dung:**

**Profession:** writer and civil society advocate **Date of harassment:** 25 June 2015 **Details of harassment:** Dung was reportedly arrested after failing to present himself to the Security Investigation Department (SID) upon being summoned multiple times. According to reports, he was released at the end of the same day only to be arrested again the next day. Reports dated 14 September 2015 state that Dung was blocked from leaving his home to meet with the visiting US Assistant Secretary of State for Democracy, Human Rights and Labour, Tom Malinowski on 5 August 2015. **Background:** Previously, Pham's passport was reportedly confiscated in order to prevent him attending the examination of Vietnam's human rights record at the Universal Periodic Review in Geneva on 5 February 2014. The police reportedly prevented him from boarding his flight at the Tan Son Nhat airport. Pham had been due to speak at a side-event at the UPR session. According to news reports, his passport had not yet been returned to him in time for him to testify at a US congressional briefing in Washington due to take place to coincide with World Press Freedom Day. He spoke to a side event hosted by PEN International and others via a video-link (see 2014 Case List). **PEN Action:** Press Statement [2 February 2014](#)

#### Released

##### **Le Thi Phuong ANH, Do Nam TRUNG and Pham Minh VU:**

**Profession:** Bloggers **Sentence:** 12, 14 and 18 months in prison, respectively **Date of arrest:** 15 May 2014 **Date of release:** 15 May, 15 July and 15 November 2015 respectively **Details of arrest:** Anh, Trung and Vu were reportedly arrested while covering an anti-Chinese demonstration by South China Sea oil rig workers. Authorities also confiscated two motorcycles, several mobile phones and cash from the bloggers. **Details of release:** Released on expiry of sentence **Details of trial:** On 12 February

2015, ruling that a total of 157 posts had “insulted the prestige of the state and Communist Party and undermined the trust of people, especially workers, students and young people, in the Party,” the court sentenced Anh, Trung and Vu to 12, 14 and 18 months in prison respectively. **Background:** The charges are thought to be connected to their Facebook posts about anti-Chinese protests and China’s violations of Vietnam’s territorial waters.

**LE Quoc Quan:**

**Profession:** Human rights lawyer and prominent blogger **Date of Birth:** 1971 **Date of arrest:** 27 December 2013 **Date of release:** 27 June 2015 **Sentence:** 30 months in prison and a fine of 1.2 billion dong (approx. US\$ 59,000) **Details of arrest:** Le was arrested on 27 December 2012 and held, reportedly incommunicado, at Temporary camp B14 (Public Security Police Ministry) Thanh Liet village, Thanh Tri district, Hanoi. His pre-trial detention exceeded the maximum four months stipulated by the Vietnamese Criminal Procedures Code, during which time he was reportedly prohibited from seeing his family and said not to have regular access to legal counsel. In his blog, Le regularly writes about issues such as human rights abuses, social injustice, and lack of political and religious freedoms, amongst others. Nine days before his arrest on 27 December 2012, Le Quoc Quan wrote a critical article on the re-drafting of Vietnam’s Constitution, in which he expressed concern that it should not be used as a political vehicle for the ruling party. In addition, he called for its careful revision, arguing that it should provide the foundations for democracy. **Details of trial:** Le Quoc Quan was convicted of charges of tax evasion under Article 161 of the Criminal Code on 2 October 2013. The charges related to the alleged evasion of tax equivalent to approximately US\$30,000 in relation to a consultancy company which he owned, but are widely believed to be politically motivated. Le Quoc Quan denied the charges, arguing that he had been targeted for his human rights activism. On 18 February 2014 the Hanoi People’s Court of Appeals upheld Le Quoc Quan’s conviction, ruling that he had failed to prevent any new evidence. The court president is reported to have said that Le Quoc Quan “did not show regret and took a disrespectful attitude towards the court.” He has no further right to appeal his conviction. However, has the right to file a procedural complaint. **Health:** Le Quoc Quan is reported to be in ill-health following two hunger-strikes. Concerns for his well-being are heightened owing to the reported cramped and unsanitary conditions in the Hanoi detention camp where he is currently held. In February 2014 it was reported that Le Quoc Quan had embarked upon another hunger strike in response to the refusal of the prison authorities to provide him access to legal and religious books. **Place of detention:** Labour Camp An Diêm, Dai Lôm district, Quang Nam province, Viet Nam since 14 June 2014. **Details of Release:** On 27 June 2015, Le Quoc Quan was released on completion of his 30-month prison sentence. **Additional information:** On 12 November 2013, the United Nations Working Group on Arbitrary Detention determined that Le’s detention violated his right to freedom of expression and his right to fair trial. The working group found that Le had been targeted for his work as an activist and blogger and called for his immediate release or for his conviction to be reviewed by an independent court. **Background:** Le was detained in 2007 and held for four months without formal charges against him; later he was not allowed to exercise his profession. In April 2011, he was detained again while attempting to observe the trial of another human rights defender, released without charges three days later. In August 2012 Le was attacked by unknown individuals, and was hospitalised as a result. **Awards:** Le Quoc Quan is the recipient of the 2013 Vietnam Human Rights Prize. **PEN Action:** RAN 32/13 and updates, press statements [14 February 2014](#) and [19 February 2014](#)

**NGUYEN Van Duyet:**

**Profession:** Human rights activist and citizen journalist writing for the media network and contributing to Viet Nam *Redemptorist News*. **Date of Birth:** 1980 **Sentence:** Six years in prison and four years in probationary detention (a form of house arrest); prison term reduced on appeal to three-and-a-half years. **Date of arrest:** 7 August 2011 **Date of release:** 30 January 2015 **Details of release:** a week before completion of his sentence, Nguyen was released from prison due to the loss

of his father. **Other information:** Nguyen is President of the Association of Catholic Workers of Vinh city in Hanoi. He is said to have covered the trial of dissident writer Cu Huy Ha Vu (see above).

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

**Profession:** Journalist for the daily newspaper *Tuoi Tre* (<http://tuoitre.vn>). **Date of Birth:** 1989 **Date of arrest:** 2 January 2012 **Date of release:** 21 January 2015 **Sentence:** Four years in prison upheld on appeal on 27 December 2012 **Detail of the arrest:** Nguyen was arrested in Ho Chi Minh City. His arrest was linked to an undercover investigation that concluded with the publication of an article on 10 July 2011, in the daily *Tuoi Tre*, exposing police corruption. **Details of trial:** Nguyen was tried on the charge of “taking bribes” under Article 289 of the Criminal Code for his alleged involvement in handing US\$720, to a traffic police officer, in return for the release of an impounded motorbike. At the end of the trial the prosecution asked for a seven-year prison sentence against Nguyen; however, the court imposed a lighter sentence due to his work as a journalist. The traffic police officer was given a five-year sentence for ‘taking bribes’. **Place of detention:** Public Security Police Cong An detention camp, Phan Dang Luu street, Ho Chi Minh City, Viet Nam. **Details of release:** On 21 January 2015, Nguyen Van Khuong was released 12 months before the end of his four-year prison term. No official reason was given. **Other information:** On 3 December 2011, Nguyen was suspended from the *Tuoi Tre* daily, allegedly after pressure from the authorities.

**TA Phong Tan (f) (Pen name: Cong Ly Va Su That):**

**Profession:** Blogger for *Conglythat (Justice & Truth)*, jurist and former police officer. Ta is a popular blogger among dissidents in Viet Nam. Her articles have been published in many mainstream media outlets in Viet Nam, including *Tuoi Tre* (Youth), *Nguoi Lao Dong* (Labourer), *Viet Nam Net*, and the *Vietnamese Service of the BBC*. **Date of Birth:** 1969 **Sentence:** 10 years in prison and five years in probationary detention (a form of house arrest). **Expires:** 4 September 2021 **Date of arrest:** 5 September 2011 **Date of release:** 19 September 2015 **Details of release:** Ta was released into exile on 19 September 2015. She is reported to have immediately boarded a flight to the United States. **Details of the trial:** On 24 September 2012 the Court in Hi Chi Minh City tried and sentenced Ta for “conducting propaganda against the Socialist Republic of Viet Nam” under article 88-1(c) of the Criminal Code, for her online writings for the banned website *Free Journalist Club (Cau Lac Bo Nha Bao Tu Do)*, which she co-founded, and on her own blog. She has written articles about corruption, abuse of power, confiscation of land, among other issues. Ta was tried together with bloggers Nguyen Van Hai (who was released in October 2014, see below ‘Released’), and Phan Thanh Hai (released in 2013 on completion of his imprisonment sentence). The trial against the three bloggers had been repeatedly postponed, and did not comply with international standards of fairness. Her conviction and sentence were upheld on appeal on 28 December 2012. **Current place of detention:** She is currently being held at Camp No. 5, Thong Nhat, Yen Dinh district, Thanh Hoa province, Viet Nam. During the first half of 2013, Nguyen was transferred to two different detention camps, without her family being informed. **Health concern:** Ta Phong Tan is in very poor health and suffering many serious illnesses including heart disease, high blood pressure, arthritis and sore throat. According to her younger sister returning from a camp visit before last weekend, Ta’s latest hunger strike started on 13 May 2015 and lasted over 3 weeks in protest at harsh treatment of her and other co-detainees. She has suspended her hunger strike only on her family and friends’ persuasion. She is very frail and weak. “My sister Ta said she would continue to be on hunger strike to death if the mistreatment of the prisoners of conscience in the camp does not stop. **Other information:** On 30 July 2012 her mother died after self-immolating outside government buildings following months of harassment from Public Security officials. **Awards:** Ta is a recipient of the 2011 Hellman/Hammett award, and the 2013 US Government ‘International Women of Courage’ honour. **PEN Action:** RAN 66/12 – 24 September 2012; [RAN 12/15 – 24 September 2015](#).

**TRUONG Duy Nhat:**

**Profession:** well-known blogger who writes for his blog *Another Viewpoint*, in which he is said to



have written critical comments against high government officials. Truong is a former journalist who worked for two state newspapers, and resigned in 2010 to focus on his blog. **Date of Birth** 1964 **Sentence:** Two years in prison **Date of arrest:** 26 May 2013 **Date of release:** 26 May 2015 **Details of arrest:** He was arrested at his home in Danang city. The police reportedly carried a warrant issued by the Ministry of Public Security ordering an urgent arrest against Truong, who was escorted by plane to Hanoi for questioning and investigation. **Details of Release:** Truong was released on completion of his two-year prison sentence. **Place of detention:** Camp Hoa Son, 6 Ba Dinh, Hai Chau district, Da Nang, Việt Nam. **Details of trial:** Truong was reportedly charged with “abusing democracy and infringing upon the interests of the state,” under article 258 of the Criminal Code. He was sentenced to two years in prison on 4 May 2014; his conviction and sentence were upheld on appeal on 26 June 2014.

#### Conditional release

##### **DINH Van Nhuong:**

**Profession:** human rights activist and dissident writer **Date of Birth:** 1958. **Date of arrest:** 7 June 2011 **Date of release:** released from prison on 6 June 2015 into probationary detention (house arrest) **Sentence:** Four years in prison and three years of probationary detention **Details of trial:** On 16 July 2012, Dinh was convicted after a one-day trial in Bac Giang province under article 88-1(c) of the Criminal Code for “conducting propaganda against the Socialist Republic of Viet Nam”. He was tried for publishing critical articles online allegedly containing defamatory comments to the reputation of the Communist party and its leaders, illegal land expropriation and giving interviews to overseas Vietnamese-language media. Tried together with **Do Van Hoa** and **Nguyen Kim Nhan**. **Details of release:** On 6 June 2015, Dinh Van Nhuong was released on completion of his four-year prison sentence. Following his release, he is required to serve three years of probationary detention.

##### **DO Van Hoa:**

**Profession:** human rights activist and dissident writer **Date of Birth:** 1966 **Date of arrest:** 7 June 2011 **Date of release:** released from prison on 6 June 2015 into house arrest **Sentence:** Four years in prison and three years of probationary detention. **Expiry:** June 2015 **Details of trial:** On 16 July 2012, Do was convicted after a one-day trial in Bac Giang province under article 88-1(c) of the Criminal Code for “conducting propaganda against the Socialist Republic of Viet Nam”. He was tried for publishing critical articles online allegedly containing defamatory comments to the reputation of the Communist party and its leaders, illegal land expropriation and giving interviews to overseas Vietnamese-language media. **Details of release:** On 6 June 2015, Do Van Hoa was released on completion of his four-year prison sentence. Following his release, he is required to serve three years of probationary detention.

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

**Profession:** Independent reporter, member of the banned human rights defenders network Bloc 8406. **Date of Birth:** 1968 **Date of arrest:** 1 December 2011 **Date of release:** released from prison on 29 June 2015 into probationary detention (house arrest) **Sentence:** Four years in prison and four years in probationary detention. **Details of arrest:** Reportedly arrested by public security police after searching his house, seizing his computers and camera, and confiscating underground publications of the Bloc 8406, letters and articles. **Details of the trial:** Le was tried for “conducting propaganda against the Socialist Republic of Viet Nam” on 10 August 2012, and was sentenced after an hour-long hearing. No defence lawyer was present during the trial; Le defended himself and pleaded not guilty. On 28 November 2012 an appeal court reduced his sentence from five to four years of imprisonment. **Place of detention:** Labour camp No. 5, Yen Dinh district, Thanh Hoa province, Viet Nam. **Details of Release:** Le Thanh Tung was released five months before the end of his four-year prison term on 29 June 2015. Following his early release, he is required to serve four years of probationary detention. **Background:** Under the pen-name Le Ai Quoc, he wrote several online

articles denouncing violations of human rights, freedoms of opinion and religion, and defending farmers whose land has been confiscated by local authorities. In 2008, he was briefly arrested and denounced as a “traitor” at a so-called “people’s tribunal” for writing and publishing online several articles on the situation of human rights and democracy, and an account of his life, entitled *Memoir of a Former Volunteer Fighter in the Vietnamese People’s Army*.

**LE Van Son Paulus:**

**Profession:** Blogger, writer and Christian activist. **Date of Birth:** 1985 **Sentence:** 13 years in prison and five years in probationary detention, reduced on appeal to four years in prison and four of probationary detention. **Expiry:** 2015 **Date of arrest:** 3 August 2011 **Date of release:** Released from prison on 3 August 2015 into probationary detention (house arrest) **Details of arrest:** On 3 August 2015 Le Van Son Paulus was released on completion of his four-year prison sentence. Following his release, he is required to serve four years in probationary detention **Other information:** Le Van Son writes for his blog *paulusleson.worldpress.com/* and contributes to the collective blog *Baokhongle* and *Viet Nam Redemptorist News*. Previously, he signed a petition for the release of the dissident writer Cu Huy Ha Vu, (see above), and covered his trial in April 2011. He is also a community organizer on matters that include HIV and public education.

**NGUYEN Van Oai:**

**Profession:** Human rights activist, citizen journalist contributor to *Viet Nam Redemptorist News*. **Date of Birth:** 1981 **Sentence:** Four years in prison and four years in probationary detention. **Date of arrest:** 30 July 2011 **Date of release:** Released from prison on 2 August 2015 into probationary detention (house arrest) **Details of release:** On 2 August 2015, Nguyen Van Oai was released on completion of his four-year prison sentence. Following his release, he is required to serve four years in probationary detention.

**THAI Van Dung:**

**Profession:** Human rights activist and blogger. **Date of Birth:** 1988 **Sentence:** Four years in prison and three years in probationary detention, confirmed on appeal. **Expiry:** August 2015. **Date of arrest:** 19 August 2011 **Date of release:** released from prison on 19 August 2015 into probationary detention **Details of release:** On 19 August 2015, Thai Van Dung was released upon completion of his prison sentence.

**TRAN Minh Nhat:**

**Profession:** Human rights activist, contributor to the *Viet Nam Redemptorist News*. Student of the Ho Chi Minh City University of Foreign Languages and Information Technology. **Date of Birth:** 1988 **Sentence:** Four years in prison and three years in probationary detention. **Date of arrest:** 27 August 2011 **Date of release:** 27 August **Details of release:** On 27 August 2015, Tran Minh Nhat was released upon completion of his prison sentence into probationary detention – a form of house arrest

**VO Minh Tri (aka Minh Tri and Viêt Khang):**

**Profession:** Songwriter and performer **Date of Birth:** 19 January 1978 **Sentence:** Four years in prison and two-year probationary period. **Expires:** December 2015 **Date of arrest:** 23 December 2011 **Date of release:** Released from prison on 10 December 2015 into probationary detention (house arrest) **Details of arrest:** Arrested on 16 September 2011 and held for a week. Re-arrested in December 2011 at his home by public security police. His computer and recording equipment were seized by the police. **Details of release:** Vo Minh Tri was released on 10 December 2015 after serving his full four-year sentence. Police escorted him to his family’s home near Ho Chi Minh City. He is now required to serve out two years in probationary detention. **Details of the trial:** On 30 October 2012, Vo was sentenced after a five-hour trial at Ho Chi Minh People’s Court for “conducting propaganda against the Socialist Republic of Viet Nam’ under Article 88 of the Criminal Code. Vo was tried with songwriter and blogger Tran Vu Anh Binh (see above). **Other information:** In April 2011, Vo and other

young professionals, students and activists founded the organisation *Tuoi Tre Yeu Nuoc* (*Young Patriots*), a human rights defenders' group. Vo's lyrics and writings have been published in the group's websites [www.tuoitreyeunuoc.com](http://www.tuoitreyeunuoc.com) and [www.tuoitreyeunuoc.net](http://www.tuoitreyeunuoc.net). The group advocates for respect for issues including human rights and democratic reforms. With that spirit, Vo's songs *Who are you?*, *Where is my Viet Nam?* and *The Mother in the Mekong Delta*, among others, quickly spread on internet sites. **PEN Action** RAN 70/12 – 31 October 2012]

# EUROPE and CENTRAL ASIA

## ARMENIA

### Harassed

#### **Hrant GALSTIAN and Ani HOVHANNISIAN (f)**

**Profession:** reporters for the online *Hetq* newspaper, which is published by a nongovernmental organization called Investigative Journalists **Date of harassment:** 23 June 2015 **Details of harassment:** Both were among some 10 reporters (broadcast, print and online) detained by police when covering a demonstration in Yerevan on 23 June 2015 against rises in the price of electricity. Hovhannisian said she was beaten by police and others who complained of being physically attacked, mistreated, verbally assaulted, and detained by police while covering the demonstration include journalists from *Haykakan Zhamanak (Armenian Time)* and its English-language website, as well as the online news agencies News.am, PanArmenian.net, Espress.am, and Arajin.am.

### Judicial harassment

#### **\*Kristine KHANUMIAN:**

**Profession:** editor of the news website *Ilur.am* **Details of trial:** Khanumian was charged on 21 July 2015 with refusing to comply with a court order to reveal her source for a report about a case of police abuse in June 2014. The charges were dropped on 24 July 2015 after an international outcry. In October 2015, the Constitutional Court ruled that journalists are not obliged to disclose their confidential sources of information in cases not involving serious crimes and the need to protect a person. **Background:** In June 2014, a Yerevan court ordered *Ilur.am* and the newspaper *Hraparak* to reveal their sources for reports that a senior police officer had physically attacked two men. Both *Ilur.am* and *Hraparak* refused to reveal their sources and described the order as an attempt to intimidate media critical of the authorities.

## AZERBAIJAN

*President Aliyev's government has engaged in a deliberate strategy to limit dissent. The situation has worsened considerably in recent years, and the presidential elections of October 2013 triggered a new wave of repression which continues today. In the last 30 months, the Azerbaijani authorities have jailed (often on trumped up charges relating to drugs or firearms offences), blackmailed or otherwise harassed scores of independent journalists, political activists and employees of non-governmental organizations (NGOs). They have also violently broken up peaceful political rallies and imposed legislation restricting the rights to free expression and free assembly. At PEN International's World Congress in Bishkek, Kyrgyzstan, 2014, a [resolution on Azerbaijan](#) reflecting concern at the worsening freedom of expression situation was passed by the Assembly of Delegates. In April 2015, the OSCE Representative on Freedom of the Media Dunja Mijatović highlighted the continued detention of PEN cases Khadija Ismayilova, Seymur Khaziyev, Omar Mamedov, Abdul Abilov, Parviz Hashimli, Nijat Aliyev and Rashad Ramazanov (see below) as being symptomatic of Azerbaijan's continuing assault on free speech. There are worrying signs that a pattern may be emerging where critical journalists die in suspicious circumstances and where no one is brought to justice for their deaths. In 2015, the [ECHR dealt with](#) 153 applications concerning Azerbaijan, of which 123 were declared inadmissible or struck out. It delivered 19 judgments (concerning 30 applications), which found at least one violation of the European Convention on Human Rights, compared to 11 applications decided in 2014 and 13 decided in 2013.*

## Killed

### **\*Rasim ALIYEV:**

**Profession:** sports journalist and Chair of the Institute for Reporters' Freedom and Safety (IFRS), the leading media monitoring group in Azerbaijan **Date of death:** 9 August 2015 **Details of death:** On 8 August 2015, Aliyev was beaten by six men in a busy Baku square. The journalist died the following day in the hospital. **Details of investigation:** In August 2015 police arrested the international footballer whose supporters and family, according to Aliyev, beat him and provoked his death. Five other suspects were also arrested. **Background:** Aliyev criticised an Azerbaijani international footballer in a Facebook post on 17 August 2015. He subsequently received phone calls, seemingly from the player's family and agreed to meet in a busy square in Baku. Aliyev had previously reported receiving threats after posting photographs showing police brutality. **Other information:** Mentioned in European Parliament [Resolution on Azerbaijan](#) September 2015 [**Stop press:** the trial against five men accused of involvement in the killing of Aliyev started in a Baku court on 5 January 2016. The football player is not among the suspects, but he has been charged with not reporting a crime and faces a separate trial].

## Killed: Impunity

### **Rafiq TAGI:**

**Profession:** journalist **Date of death:** 23 November 2011 **Details of death:** Died in hospital after he had been attacked while returning home from work on 19 November 2011. Although the motive for the attack remains unknown, it is reported that it may have been related to an article Tagi published on 10 November 2011, entitled '*Iran and the Inevitability of Globalisation*,' in which he criticised the Iranian government and described threats made against Azerbaijan by Iran as "ridiculous". **Details of investigation:** a criminal investigation into the crime was launched by the Khatai District Prosecutor's Office in November 2011. In February 2012, media reports stated that the authorities ruled out medical negligence as a contributory factor, which was criticised by Tagi's family members. The investigation was reportedly suspended on 8 January 2014, owing to the "non-establishment of the person subject to prosecution." On 8 January 2015, Tagi's lawyer announced on Facebook that the Prosecutor-General's Office had informed him in writing that the probe into Tagi's death had ended. No further information was given. No further information as of 31 December 2015 **Background:** Tagi, a former PEN main case, was previously arrested in November 2006 for an article entitled 'Europe and Us,' published in *Sanat* newspaper, and for which he was accused of insulting the Prophet Mohammad. Following the publication of the article the Grand Ayatollah Fazil Lankarani of Iran issued a fatwa calling for Tagi's death. He was sentenced to three years in prison for the article under Article 283 of the Azerbaijani Criminal Code for "inciting national, racial and religious enmity". Following significant international pressure, Tagi was granted amnesty on 28 December 2007.

## Imprisoned: Main Case

### **Parviz HASHIMLI:**

**Profession:** journalist **Sentence:** eight-year prison sentence **Date of Arrest:** 17 September 2013 **Current place of detention:** Held in No 1 Prison as of August 2014 **Details of arrest:** arrested by Ministry of National Security officials. News reports said that agents also raided Hashimli's home in Baku, where they claimed to have found a pistol and several hand grenades. The agents conducted the search without presenting Hashimli's wife with a court order and in the absence of the journalist's lawyer. He was issued with a two-month pre-trial detention order on 18 September 2013 by the Sabail District Court. His detention term was extended for another three months on 7 November 2013. On 26 September 2013, the Baku Appellate Court denied his appeal against his pre-

trial detention. On 23 December 2013, the Baku Appellate Court denied Hashimli's appeal against the denial of his request for transfer from the Ministry of National Security remand centre to a pre-trial detention facility. **Details of trial:** Charged under two articles of the Azerbaijani Criminal Code: Article 206.3.2 ("pre-arranged smuggling of firearms by an organised group") and 228.2.1 ("pre-arranged illegal procurement, storage, and transport of firearms and their spare parts by an organised group") and of repeatedly committing the same acts (Article 228.2.2). He was sentenced to eight years in prison on 15 May 2014. His appeal against his conviction and sentence was rejected on 24 December 2014. **Conditions of detention:** Hashimli was allegedly subjected to torture and other ill-treatment during his detention at the Ministry of National Security remand centre. His lawyer reports that the journalist was placed in a 'punishment cell'. Hashimli has reportedly alleged that he was stripped naked and that he refused the food served to him by guards; he said that he was denied contact with his family and lawyer. The ministry is reported to have refuted the claim, and the prosecutor's office did not investigate his allegations. **Background:** The agents also raided the newsrooms of his places of work, *the Moderator* and *Bizim Yol*, and confiscated their equipment, according to reports. Both outlets are known for their coverage of corruption and human rights abuses as well as for their critical reporting on the government of Azerbaijan's authoritarian president Ilham Aliyev. **Other information:** Hashimli is also the Chairman of the Centre for Protection of Political and Civil Rights. **PEN Action:** Mentioned in joint [third party intervention](#) to European Court on Human Rights about the situation of freedom of expression in Azerbaijan.

**Arshad (or Ershad) IBRAHIMOV:**

**Profession:** freelance journalist and former journalist for Azadliq **Sentence:** 11 years in prison **Date of arrest:** 18 June 2014 **Details of arrest:** reportedly placed under pre-trial detention by the Ganja City Nizami district Court of Grave Crimes on 18 June 2014. Reportedly arrested at the request of the former head of the education department in Kalbajar region, against whom a criminal case was launched in April 2014 by the Corruption Department of the General Prosecutor's Office. Ibrahimov's articles reportedly allege that corruption took place in the education department while Bagirov headed it. These articles reportedly provoked the current case against Bagirov. Sentenced to 11 years in jail on charges of extortion in August 2014. **Details of trial:** charged under article 182 of the Criminal Code (extortion by threats). The Prosecutor General's Office said that Ibrahimov demanded AZN 30,000 from Bagirov in 2012-2013 and that when Bagirov did not pay him, on 13 April 2013 Ibrahimov posted a Youtube video entitled "Former head of Kalbajar Region Department of Education Mamed Baghirov raped a 17-year-old girl". **PEN Action:** Mentioned in joint [third party intervention](#) to European Court on Human Rights about the situation of freedom of expression in Azerbaijan.

**Khadija ISMAYILOVA (f):**

**Profession:** investigative journalist and radio host for Radio Free Europe **Sentence:** Seven and a half years in jail **Date of arrest:** 5 December 2014 **Details of arrest:** served with a two-month pre-trial detention order by the Sabail District Court of Baku on 5 December 2014, which was repeatedly extended until her eventual trial and conviction. **Current place of detention:** Prison No. 4, Baku **Details of trial:** She was initially charged under Article 125 of the Penal Code with having allegedly provoked the attempted suicide of Tural Mustafayev, the former contributor to Radio Azadlyg and another opposition media platform, Meydan TV (he had allegedly tried to kill himself two months previously). Later, charges of tax evasion, illegal business activity, and abuse of power were brought against her. Ismayilova was sentenced to seven and a half years in prison on 1 September 2015 after conviction of tax evasion, illegal business activity, and abuse of power. **Background:** Ismayilova has faced repeated judicial and other harassment. **1)** She was called in for questioning by the state prosecutor's office on 18, 19 and 20 February 2014 in relation to a Facebook post that included a photo of a scanned document reportedly issued by the Azerbaijani security service, the Ministry of National Security (MNB). The document alleges the recruitment of an Azerbaijani opposition activist as an MNB informant. Ismayilova, who redacted the name of the purported recruit before publishing the document, said on Facebook that she

had been given the document by a former MNB employee. **2)** She is currently [being sued for libel](#), as part of a legal proceeding that began on 9 October 2014, by Elman Gassanov, a former member of the Popular Front party. He accuses her of having defamed him in an article in which she pointed to his work in subverting opposition organizations on behalf of intelligence services. **3)** In March 2012, Ismayilova was subjected to a campaign intended to intimidate her into stopping a very public investigation into President Aliyev's family's alleged interests in lucrative construction projects in Baku ahead of the Eurovision Song Contest. She received anonymous threats warning her to stop her work or face consequences. When she did not, a video of a personal nature, purportedly depicting her, was posted online, and the pro-government media published articles calling her "immoral" and "corrupt". **4)** Another wave of harassment started in April 2013 and continued through the year, with videos secretly recorded in the journalist's apartment being posted online. **Other information:** Numerous states and human rights mechanisms have called for Ismayilova's release. **Awards:** 2012 Gerd Bucerius Free Press of Eastern Europe Award; 2012 Courage of Journalism Award; 2013; Global Shining Light Award for a report with other journalists exposing "questionable business dealings" involving the family of Azerbaijani President Ilham Aliyev; 2015 PEN America/Barbara Goldsmith Freedom to Write Award. **PEN action:** On 12 August 2013 PEN signed a joint letter to President Aliyev protesting the harassment of Ismayilova and calling for a thorough investigation into the threats made against her. PEN was a signatory to a joint statement in October 2014 protesting a travel ban imposed on her and calling for all legal proceedings against her to be lifted. 2015 [International Women's Day Action](#); RAN 02/15 and update; [Statement](#) to 59<sup>th</sup> session of the Commission on the Status of Women; [news release](#) 1 September 2015. [Intervention](#) before the European Court of Human Rights. **Honorary Member:** PEN Canada.

#### **Hilal MAMEDOV:**

**Profession:** editor-in-chief of independent newspaper *Talyshi Sado* (*Voice of the Talysh*) and human rights activist **Date of birth:** 1959 **Sentence:** five years in prison **Date of arrest:** 21 June 2012 **Current place of detention:** Penal colony No. 17 **Details of trial:** In a press release, Azerbaijan's Interior Ministry stated that Mamedov had undermined the country's security in his article for *Talyshi Sado*, in his interviews with the Iranian broadcaster *Sahar-2*, and also in unnamed books he had allegedly translated and distributed. The statement also denounced domestic and international protests against Mamedov's imprisonment and said the journalist had used his office to spy for Iran. Mamedov was convicted on 28 September 2013 of illegal selling of drugs (Article 234.4.3 of the Criminal Code), treason (Article 274 of the Criminal Code), and incitement to national, racial, social and religious hatred and hostility (Article 283 of the Criminal Code) by the Baku Court of Grave Crimes. According to reports, a preliminary hearing took place in Baku during the first week in January 2013. Mamedov's family claim that the drugs that police claimed to find in his apartment were planted, and have stated their belief that the arrest was politically motivated. Another hearing of his case took place on 29 May 2013 at the Baku Grave Crimes Court. The trial started with the presentation of a written 'objection to the composition of the jury' by the defence, which was not accepted by the judge. During the hearing Mamedov said that the prosecution was a reprisal for his social activism and critical opinions. Further hearings took place on 5 June and 10 July 2013. Lawyers for Mamedov petitioned the court to be allowed to question the investigators who searched Mamedov's house during his arrest. The court rejected the petition. Human rights observers inside and outside Azerbaijan believe that that he is being punished for his journalism and activism for national minorities' rights. There are concerns over the fairness of his trial, including reports of coercion of witnesses and lack of substantive evidence against him. Mamedov's conviction was upheld by a higher court on 25 December 2013 and by Azerbaijan's Supreme Court on 26 June 2014. Mamedov complained that the Interior Ministry and the Prosecutor General's office had violated his right to the presumption of innocence in a joint statement on July 4 2013 by presenting him as a guilty person, although his guilt had not been proved by the court. His complaint was thrown out by the Baku Court of Appeal on 21 January 2014, but was reportedly upheld on 12 June 2014 by the



Board for Administrative and Economic Affairs of the Supreme Court which ordered a retrial in the Baku Court of Appeal. His lawyers submitted an appeal to the European Court of Human Rights which, in November 2014, began communications with the Azerbaijani authorities in the case over Mamedov's complaint regarding violations of the prohibition on torture and the right to liberty.

**Health concerns:** Mamedov was reportedly attacked and injured by his cellmate on 29 November 2012. He was saved from serious injury by the intervention of prison guards. **Background:** Mamedov's newspaper is printed in the Talysh language, which is related to Persian. The Talysh minority's leader in Azerbaijan, Novruzali Mamedov, who edited the newspaper before Mamedov, died in prison in 2009 after he was found guilty of spying for Iran and was sentenced to 10 years in prison. **Other information:** In May 2015, the Council of Europe Commissioner for Human Rights, Nils Muižnieks, said that Mamedov had been unjustly imprisoned and should be released. Mentioned in European Parliament [Resolution](#) of September 2015. **PEN Action:** Mentioned in joint [third party intervention](#) to European Court on Human Rights about the situation of freedom of expression in Azerbaijan.

**Rauf MIRKADYROV (or MIRGADIROV):**

**Profession:** Turkey correspondent for Azerbaijani newspaper *Zerkalo* **Sentence:** Six years in prison **Date of arrest:** 19 April 2014 **Details of arrest:** Mirkadyrov was detained in Ankara, Turkey on 18 April 2014 in connection with his travel documents allegedly having expired. He was deported to Azerbaijan the following day. He was arrested upon his arrival in Baku and placed in pre-trial detention following a hearing on 21 April 2014, renewed twice in 2014. **Update:** In May 2015 his detention was extended until 19 September 2015. **Details of trial:** When brought before the Nasimi District Court in Baku on 21 April 2014, the prosecutor-general accused him of being an Armenian spy, citing his past trips to Armenia and Georgia as well as his time in Turkey. Mirkadyrov was accused of meeting Armenian security services and handing them political and military information as well as Azerbaijani state secrets during his stay in Turkey. Mirkadyrov denied the accusations as politically motivated, claiming that they are in retaliation for his work. In a [statement](#) in November 2014 to the OSCE, responding to a report by the Special Representative for Freedom of the Media, the authorities said that he was held under suspicion of treason under Article 274 of the Penal Code. On 28 December 2015, his lawyer [announced](#) that he had been convicted of high treason, namely spying for Armenia and had been sentenced to six years in prison. The prosecution contended that Mirkadyrov had been recruited as a spy by prominent human rights defender Leyla Yunus and her husband **Arif Yunus** (see Conditional Release below). **Background:** At the time of his arrest Mirkadyrov had been a reporter in Turkey for three years, often criticising both Turkish and Azeri authorities for human rights abuses. He has also been involved in non-governmental projects focused on improving dialogue between Armenia and Azerbaijan. His arrest and deportation followed a visit to Baku by Turkish Prime Minister Erdoğan. Mirkadyrov's family were reportedly granted asylum in Switzerland in December 2014. **Other information:** There has been a widespread outcry at his deportation and trial. **PEN Action:** Mentioned in joint [third party intervention](#) to European Court on Human Rights about the situation of freedom of expression in Azerbaijan.

**Tofig YAGUBLU:**

**Profession:** columnist for *Yeni Musavat* newspaper and Deputy Leader of the opposition Musavat Party: **Sentence** Five years in prison **Date of arrest:** 4 February 2013 **Details of arrest:** Yagublu was arrested with co-leader of the REAL movement, Ilgar Mammadov. Yagublu was accused along with Mammadov of organising a mass protest which led to violence and the breakdown of order in the province of Ismaili on 23-24 January 2013. The protest took place after a traffic incident involving a government minister's son and local residents led to an altercation. This incident led to a series of violent reprisals by local residents including the burning of cars and a hotel alleged to belong to Nizami Alakbarov. On the second day, a group of protesters attempted to walk on the Governor's home, demanding his resignation and throwing stones. This then led to confrontation with security forces who responded with force. In a statement afterwards, Tofig Yagublu and Ilgar Mammadov

both stated that they went to the region and protest as observers and played no role in stirring up unrest among the local population. The founder of *Yeni Musavat* newspaper and the head of the Musavat Party executive board have both confirmed that Yagublu was on a reporting assignment in Ismayilli and that he was carrying a press card at the time of his arrest. Yagublu was reportedly initially arrested on 24 January 2013, when he arrived at the town to interview local residents about the causes of the unrest. In August 2013, the Nasimi District Court of Baku ruled to extend his detention until 4 December 2013. **Current place of detention:** He was being held at Prison No. 13 in late 2014, according to *Kavkazsky Uzel*. [Update: According to his lawyer, Yagublu was released for seven days in April 2015 to attend the funeral of his daughter.] **Details of trial:** Initially charged with organising public disorder (Article 233 of the Criminal Code), Yagublu was charged in May 2013 under Article 220.1 of the Criminal Code of Azerbaijan (“organising mass acts of violence”,) and Article 315.2 (“resisting the authorities in a manner dangerous to life or health”). His trial began on 18 November 2013 in the Sheki Court of Grave Crimes. Yagublu was found guilty of “organizing mass acts of violence” and sentenced to five years in prison on 17 March 2014. Yagublu’s appeal was denied by an appeal court in September 2014 and his appeal to the Supreme Court was due to begin in January 2015. However, the Supreme Court postponed consideration of the appeal on 13 January 2015. **Other information:** On 5 November 2015, the European Court of Human Rights [ruled](#) that Yagublu had suffered a violation of his rights under Article 5 of the European Convention (right to liberty and security) by ordering him to be detained in the absence of a reasonable suspicion that he had committed a criminal offence and ordered the state to pay him compensation. **PEN Action:** Mentioned in joint [third party intervention](#) to European Court on Human Rights about the situation of freedom of expression in Azerbaijan.

*On the basis of the available evidence, there is a clear pattern of the Azerbaijani authorities using drugs, firearms, ‘hooliganism’ or tax evasion charges to arrest and imprison writers and journalists who criticise the authorities. On 12 November 2015, the European Court of Human Rights [ruled](#) that journalist, satirist and poet Sakit Zakhidov had not received a fair trial. He was convicted of possession of drugs but had claimed they had been planted on him by police following his arrest. The following cases all follow this pattern, and until PEN receives information to the contrary, we will regard them as Main Cases.*

**Abdul ABILOV:**

**Profession:** a social media activist and blogger, administrator of the critical Facebook pages “Yaltaqlara dur deyək!” (“Stop those flattering the regime!”) and “Seçki saxtakarlığı” (“Election Fraud”) **Sentence:** Five and a half years in prison **Date of arrest:** 22 November 2013 **Details of arrest:** Abdul Abilov was arrested in Baku. Police claimed that drugs were found both in Abilov’s pocket and at his home. Both Facebook pages were shut down shortly after police seized his computer during a search of his home. **Current place of detention:** Penal Colony 13, Qaradag region **Details of trial:** charged with possession of drugs. Abilov reportedly says that the drugs were planted and that during his interrogation police asked him questions only about his critical posts, political activism, and relationship to the opposition Popular Front Party. He alleges that he was denied access to a lawyer of his own choosing during initial police interrogation and at his pre-trial detention hearing. On 27 May 2014, the Grave Crimes Court sentenced Abilov to five and a half years in prison. His appeal was rejected in November 2014; according to reports, he is planning to appeal to the Supreme Court. No further information as of 30 June 2014. **Conditions of Detention:** In February 2015, according to reports, he was placed in solitary confinement for one day as a punishment for having lunch with another political prisoner. **Other information:** Dunja Mijatović OSCE Representative on Freedom of the Media has referred to his case in several statements, most recently in May 2015 when she called for the release of all imprisoned journalists in Azerbaijan. In September 2014, the European Parliament passed a [resolution](#) on the human rights situation in Azerbaijan referring to his case.

**Nijat ALIYEV:**

**Profession:** editor-in-chief of azadxeber.net **Date of arrest:** 20 May 2012 **Sentence:** 10 years in prison **Current place of detention:** Prison No. 2 **Details of arrest:** Arrested near Memar Ajami metro station in downtown Baku while he was distributing CDs about house demolitions in the run-up to the Eurovision Song Contest, then taken to Tasamal district police office and given two month's pre-trial detention. This was extended by a month at a hearing on 16 October 2012. At a 29 October 2012 hearing, Aliyev's appeal against his continued pre-trial detention was rejected. His pre-trial detention term was extended for two months by Nasimi District Court on 15 February 2013. Aliyev's lawyer has said that officers beat Aliyev whilst in custody, and that they had also tried to coerce him into making a "confession". The police allegedly told Aliyev that if he did not admit to the drug-related charges, they would sentence him to more than five years in prison, under more serious charges. **Details of trial:** initially charged with possession of illegal drugs (Article 234.1 of the Criminal Code of Azerbaijan), three other charges were brought against him some nine months later: "distributing or selling religious literature, goods or any other religious informational content as a person or as part of a group without special dispensation (article 167.2.2.1 of the Criminal Code); and publicly calling for the overthrow of the government, the constitution and the territorial integrity of the Republic of Azerbaijan by force (Article 281.2). He was also charged with incitement to ethnic hatred by using mass media as part of an organised group (Article 283.2.3). Aliyev denied the charges and claimed the drugs had been planted in his house. A hearing took place on 30 May 2013 at the Baku Grave Crimes Court. Due to the alleged beating of the journalist whilst in detention, his lawyer filed a petition requesting the court to arrange a forensic medical examination for the journalist; it was granted. However, at another hearing of the case at the Baku Grave Crimes Court on 27 June 2013, Aliyev's lawyer stated that the examination of his client had taken place without the presence of legal representation, and that because of this, his client had refused to comply fully. The lawyer alleged that irregularities such as these were delay tactics to allow the signs of torture to fade. He was sentenced to 10 years in prison on 9 December 2013. His appeal against his conviction was dismissed by a Baku court on 27 June 2014. **Background:** Some international and local human rights groups believe that Nijat Aliyev was arrested for criticising Azerbaijan's hosting of the Eurovision Song Contest, including the high expenditure involved. He also allegedly wrote articles criticising a proposed gay pride parade in Azerbaijan. **Other information:** Dunja Mijatović OSCE Representative on Freedom of the Media has referred to his case in several statements, most recently in May 2015 when she called for the release of all imprisoned journalists in Azerbaijan. **PEN Action:** Mentioned in joint [third party intervention](#) to European Court on Human Rights about the situation of freedom of expression in Azerbaijan.

**Araz GULIYEV:**

**Profession:** editor in chief of the Islamic news website, xeber44.com **Sentence:** eight years in prison **Date of arrest:** 8 September 2012 **Details of arrest:** The journalist was arrested while reporting on a protest in the city of Massally, where residents were allegedly angry at the dress code of festival dancers. **Current place of detention:** Prison No. 14, outside Baku, **Details of trial:** Originally arrested on hooliganism charges. Guliyev was convicted and sentenced on 5 April 2013 by the Lankaran Court of Grave Crimes. He was convicted of illegal possession of firearms (Article 228.1 of the Criminal Code), organising and participating in a public order disturbance (Article 233), inciting national, racial or religious hatred (Article 283.1), resisting the authorities in a manner dangerous to life or health (Article 315.2) and insulting the republic's flag and insignia (Article 324). Guliyev's lawyer claimed that the police planted a grenade on the journalist when he was arrested and that he was beaten and denied access to legal advice. Guliyev is the brother of Nazim Guliyev (see below). Guliyev rejected all of the charges, claiming that he was arrested for his journalistic and religious activities. On 30 May 2013 the Shirvan City Appellate Court held a preliminary appeal hearing. The hearing was held in absentia. The journalist's lawyer Fariz Namazli filed a petition for partial reconsideration, indicating that Araz Guliyev had not seen the persons alleged to be victims of his alleged actions during his trial; Guliyev said he did not know the persons involved. On 5 July 2014, the Supreme

Court rejected his appeal against his conviction and sentence. No further information as of 31 December 2015. **PEN Action:** Mentioned in joint [third party intervention](#) to European Court on Human Rights about the situation of freedom of expression in Azerbaijan.

**Faraj KARIMOV:**

**Profession:** blogger **Sentence:** Six and a half years in prison **Date of arrest:** 23 July 2014 **Details of arrest:** On the morning of the day of his arrest, Karimov called his father and stated that people wearing civilian clothes were following him. Shortly after, Karimov was no longer contactable by phone. His father alerted Ministry of Internal Affairs' officials, but they failed to provide information about the whereabouts of his son. Later that day it was announced that Karimov had been detained on drugs charges and it emerged he was held at the Organized Crime Unit of the Ministry of Internal Affairs. **Current place of detention:** transferred to the Baku Detention Facility on 30 July 2014 **Conditions of detention:** According to Amnesty International, Karimov was visited by his lawyer on 2 August after being held incommunicado for 10 days. Karimov told his lawyer that he had been beaten by police to make him admit to drug-related charges. He was threatened that unless he signed a 'confession', police would "cause problems to his parents" by planting weapons at their house. Although held on drug-related charges, Karimov was questioned about his political and social activities. Police asked him about the Facebook groups and pages he manages, which are well-known for their criticism of the Azerbaijani government. He was also asked for information about his fellow activists at the opposition political party Musavat. **Details of trial:** Karimov was charged with possession of drugs. His trial before the Baku Grave Crimes Court began on 18 March 2015 and on 6 May 2015 he was sentenced to six and a half years in prison. **Background:** Karimov is a well-known blogger and administer of the highly popular "Basta!" ("Enough!") and "Istefa" ("Resign") Facebook pages. The Facebook pages, with thousands of followers, served as platforms for criticism against human rights violations, social problems, and corruption. He is also a member of the opposition political party Musavat and manager of Musavat Party's official website. Karimov's brother, Siraj Karimov, who was arrested six days earlier claimed that he was pressured to sign a 'confession' to drug-related charges and was asked questions by police about his brother's activities. His family believes that he was targeted for his brother's activism. **Other information:** Dunja Mijatović, OSCE Representative on Freedom of the Media has referred to his case in several statements, most recently in May 2015 when she called for the release of all imprisoned journalists in Azerbaijan. In September 2014, the European Parliament passed a [resolution](#) on the human rights situation in Azerbaijan referring to his case.

**Seymur KHAZIYEV (also known as Seymur Hezi or Hazi):**

**Profession:** reporter with the opposition daily *Azadlig*, presenter of the programme "Azerbaijan Saati" broadcast via the Internet and by satellite **Sentence:** Five years in prison **Date of arrest:** 29 August 2014 **Details of arrest:** He was arrested near his home in the village of Jeyranbatan, on the outskirts of Baku, after an altercation with a then-unidentified man. Khaziyev was assaulted by the other man, and defended himself using a bottle he was holding. His attacker, Maherram Hasanov, was in turn arrested on 3 September and charged with hooliganism. Khaziyev's lawyer and colleagues argued that he had been provoked and Hasanov was arrested merely to give the impression that the investigation was fair. He was placed in pre-trial detention for two months on 30 August 2014. **Details of trial:** He was charged under article 221.3 of the criminal code with 'aggravated hooliganism'. On 29 January 2015 he was convicted and sentenced to five years in prison. **Background:** In March 2011, Khaziyev was abducted and tortured for several hours by unidentified men who advised him to be as "intelligent and quiet as the others." **Other information:** Dunja Mijatović OSCE Representative on Freedom of the Media has referred to his case in several statements, most recently in May 2015 when she called for the release of all imprisoned journalists in Azerbaijan. **PEN Action:** RAN 14/11; mentioned in PEN's joint submission on Azerbaijan to the UN Universal Periodic Review issued in October 2012. **PEN Action:** Mentioned in joint [third party](#)

[intervention](#) to European Court on Human Rights about the situation of freedom of expression in Azerbaijan.

**Omar MAMEDOV:**

**Profession:** blogger **Sentence:** five years in prison **Date of arrest:** 24 January 2014 **Details of arrest:** Mamedov was arrested shortly after returning to Azerbaijan from Northern Cyprus, where he is a student at Cyprus International University. Upon Mamedov's return to Azerbaijan he was invited along with his father to have a "talk" with the police, during which they confiscated his laptop and demanded that he close an anti-government Facebook page. The following day he was charged with possession of drugs and remanded in custody. **Details of trial:** Mamedov was convicted of "possession of drugs" under Article 234.4.3 of the Penal Code on 11 July 2014 and sentenced to five years in prison. His lawyers said that they would file an appeal. His appeal against his conviction and sentence was rejected by the Baku Appeal Court in December 2014. **Background:** Mamedov was an active blogger who often reported human rights abuses and used to manage the anti-government "Selections from AzTV" and "Named after Heydar Aliyev" Facebook pages. While he was studying abroad his father was reportedly summoned to the interior ministry's organised crime directorate where he was told to get his son to stop "slandering" the government. He is a member of several youth opposition movements including NIDA (Nida Civic Movement, which works for political and social reform). Eight other NIDA activists were sentenced to between six and eight years in prison in May 2014. **Other information:** Dunja Mijatović OSCE Representative on Freedom of the Media has referred to his case in several statements, most recently in May 2015 when she called for the release of all imprisoned journalists in Azerbaijan. In September 2014, the European Parliament passed a [resolution](#) on the human rights situation in Azerbaijan referring to his case.

**Elsever MURSELLI:**

**Profession:** Facebook activist **Sentence:** two years in prison **Date of arrest:** 3 October 2013, one week before the presidential election **Details of trial:** charged with "possession of drugs". Police warned Murselli's family that he could get a lengthy prison sentence if the family publicised the arrest to the media or retained a lawyer of their choosing; he was instead defended by a state-appointed lawyer. In April 2014 he was sentenced to five years in prison. On 23 June 2014, Murselli wrote a letter of apology to the president. A month later in July, his sentence was reduced to two years by an appeal court. **Background:** Murselli was active on social media during the lead-up to the presidential election, when he posted on Facebook about social problems in Khachmaz, northern Azerbaijan. He alleged corruption and nepotism and called on people to vote for a certain political opposition candidate. Murselli had also participated in pre-election opposition demonstrations and posted video footage of the rallies online. **Other information:** In September 2014, the European Parliament passed a [resolution](#) on the human rights situation in Azerbaijan referring to his case

**Rashad RAMAZANOV (Rashad Hagigat Agaaddin):**

**Profession:** blogger **Sentence:** nine years in prison **Date of arrest:** 9 May 2013 **Details of arrest:** Rashad Ramazanov was arrested near the '20 January' metro station and taken to the Department for Combating Organised Crime. The police reportedly found nine grams of heroin on his person. **Details of trial:** He was charged with "illegal possession and sale of a large scale of drugs (Article 234.4.3 of the Criminal Code). On 7 August 2013, his case was referred to the Baku Court of Grave Crimes and he was convicted and sentenced to nine years in prison on 13 November 2013. Ramazanov rejects the charges and has claimed that he was tortured during interrogation. On 14 May 2014, Ramazanov's appeal against his conviction was dismissed. **Background:** Ramazanov is well-known for his anti-government postings. **Other information:** Dunja Mijatović OSCE Representative on Freedom of the Media has referred to his case in several statements, most recently in May 2015 when she called for the release of all imprisoned journalists in Azerbaijan.

[Imprisoned – investigation](#)



**Nazim GULIYEV:**

**Profession:** founder and editor-in-chief of the newspaper *Ideal*, currently shut down **Sentence: 1)** six months in prison **2)** He was further sentenced to 13 years and three months in prison and confiscation of his property **Date of arrest:** April 2009 **Details of arrest:** Guliyev was issued with a pre-trial detention order after a hearing in the Nasimi District Court on 30 October 2008; however, by then he had gone into hiding. He was arrested in late April 2009. **Details of trial: 1)** Guliyev was arrested in late April 2009 and sentenced to six months in prison. He was convicted in 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. On 26 May 2009 he was sentenced to six months in prison on defamation charges (see Case List of January to June 2009). **2)** The anti-corruption department of the Chief Prosecutor's Office later brought a case against him in the Grave Crimes Court in which he was charged with extortion (Article 182 of the Criminal Code); hooliganism (Article 221); and the illegal manufacturing, purchase, storage, transportation, transfer or selling of drugs/psychotropic substances (under Article 234). He was convicted and sentenced to 13 years and three months in prison on 15 January 2010. Guliyev is serving his sentence in a special penitentiary. PEN is seeking clarification of the current criminal charges so as to ascertain whether he is in fact detained for his writings.

On trial**Emin HUSEYNOV:**

**Profession:** journalist, blogger, director of the Institute for Reporters' Freedom and Safety (IRFS) in Azerbaijan **Date of birth:** 4 December 1979 **Details of trial:** Huseynov was charged in absentia with tax evasion and illegal entrepreneurship in August 2014 and placed under criminal investigation. Fearing arrest, he sought refuge in the Swiss embassy in Baku the same month (evading Azerbaijani police to enter the building posing as a Swiss national) and stayed there for 10 months. He was flown out of Azerbaijan by the Swiss government on 12 June 2015, reportedly following months of negotiations between the Swiss and Azerbaijani authorities. PEN is seeking clarification as to whether the charges against Huseynov have been dropped. **Background:** Huseynov, a fierce critic of President Aliyev, was beaten by the police in 2003 and 2008. His family faced various kinds of pressure from authorities from the moment he sought refuge at the Swiss embassy. **Other information:** On 7 May 2015, the European Court of Human Rights [ruled](#) that Emin Huseynov had suffered two violations of Article 3 (prohibition of inhuman or degrading treatment and lack of effective investigation) of the European Convention on Human Rights; a violation of Article 5. 1 (right to liberty and security); and a violation of Article 11 (freedom of assembly) during his arrest and beating by police in 2008.

Harassed**Natiq ADILOV:**

**Profession:** reporter for *Azadlig* and presenter of the programme *Azerbaijan Saati* **Details of harassment:** he was prevented by Azerbaijani border guards from crossing into Georgia on 8 September 2014. The guards told him his passport was "no longer valid", although it does not expire until 2020. In November 2014 it was reported that Adilov had fled the country; he is now reportedly in France. **Other information:** on 14 May 2015, Adilov's brother – Murat Adilov, a member of the opposition Popular Front Party - was given a six-year prison sentence after being convicted of illegal narcotics possession. In closing remarks in the courtroom, he denied the charges and said the conviction was intended to discredit both him and his brother.

**Genimet ZAKHIDOV (or Ganimat ZAHID):**

**Profession:** editor of the opposition newspaper *Azadlyq* **Details of harassment:** Genimet Zakhidov

fled to France in exile in 2011. However, Azerbaijani authorities are harassing the members of his family who still live in the country. According to Reporters Without Borders, his mother has been placed under close surveillance for a long time. His nephew Tural Zakhidov was arrested on 18 July 2015 for allegedly refusing to comply with instructions from the police and was quickly given an “administrative” sentence of 30 days in detention. His cousin Rovshan Zakhidov and another nephew, Rufat Zakhidov, were arrested separately on 20 July 2015, with Rovshan placed under “administrative” detention for 25 days while Rufat is facing 5 to 12 years in prison on a charge of drug possession. None of these relatives are involved in any journalistic or political activity.

**Background:** Zakhidov was arrested on trumped-up charges in November 2007 and sentenced to four years in prison. He was released in March 2010 under a presidential pardon after serving over half the sentence. He fled the country with his wife and children in 2011, after they were the targets of serious threats, and has continued to run *Azadliq* from exile in France, although it is being subjected to government-orchestrated economic asphyxiation. Criminal defamation charges were reportedly filed against him by two public officials in connection with an article published in March 2013, which alleged that the ministers supported two opposing factions within the administration and were therefore in conflict with each other.

### Conditional Release

#### **\*Arif YUNUS:**

**Profession:** historian, writer and activist, and head of the Department of Conflict and Migration of the Institute of Peace and Democracy **Date of birth:** 12 January 1955 **Sentence:** seven years in prison **Date of arrest:** August 2014 **Date of release:** 12 November 2015 **Details of arrest:** Arif Yunus and his wife Leyla Yunus, an outspoken political activist, were arrested in August and July 2014, respectively. They were detained following Leyla's public calls for a boycott of the inaugural European Games, which were held in Baku in June 2015. **Details of release:** The Baku Court of Appeals granted Yunus's release on 12 November at the request of his lawyers after his health deteriorated. **Place of detention:** Arif was held at the Ministry of National Security's investigative prison. **Details of trial:** On 13 August 2015 Arif Yunus was sentenced to seven years in prison by the Baku Court of Grave Crimes. Leyla Yunus was sentenced the same day to eight and a half years in prison. Both were convicted on politically motivated charges, including illegal entrepreneurship, tax evasion, and fraud. **Health concerns:** Both Arif and Leyla suffer from serious health problems and their health has sharply deteriorated in detention. This has caused delays during trial proceedings, including on the day of the verdict, when Arif fainted and was attended to by a doctor. He suffers from very high blood pressure. **Other information:** In August 2015, Michel Forst, Special Rapporteur on the situation of human rights defenders; Maina Kiai, Special Rapporteur on the rights to freedom of peaceful assembly and of association; David Kaye, Special Rapporteur on freedom of opinion and expression; Mónica Pinto, Special Rapporteur on the independence of judges and lawyers; Dainius Pūras, Special Rapporteur on the right to health; and Seong-Phil Hong, Chair-Rapporteur of the UN Working Group on Arbitrary Detention issued a [joint statement](#) expressing concern at the sentencing of Yunus and his wife Leyla. Mentioned in European Parliament [Resolution](#) of September 2015 **Background:** Arif Yunus has published over 30 books and 190 articles related to Azerbaijani history and Armenian-Azerbaijani relations. **PEN Action:** [Resolution on the Republic of Azerbaijan](#), 80<sup>th</sup> PEN World Congress, October 2014.

## **BELARUS**

### Judicial Harassment



**\*Ihar LOHVINAU:**

**Profession:** publisher, bookseller and member of Belarusian PEN **Details of harassment:** On 9 January 2015, the Economic Court of Minsk convicted the Lohvinau Bookstore of operating without the required state registration and fined it 976 million rubles (56,000 euros), which represented the income received from selling books in 2014. Failure to pay the fine would have resulted in the confiscation of his property and a possible prison sentence. PEN participated in a successful campaign directed at NGOs and arts organisations, asking them to contribute towards the payment of his fine. **Background:** Lohvinau is a very well-known figure in Belarusian literary and cultural circles. He has been running the Lohvinau Publishing House since 2000, and has printed over 700 titles, many of which are translations of international works of history, politics, literature and art. He also runs a bookshop, a book club and a café which acts as a meeting place for members of the Belarusian intellectual community. **PEN Action:** RAN 03/15 (2 February 2015)

Conditional Release

**Alyksandr ALESIN:**

**Profession:** journalist for the Minsk-based independent newspaper *Belorusy i rynek* (Belarusians and the Market) **Date of arrest:** 25 November 2014 **Date of release:** 10 December 2014 **Details of release:** Alesin was released on bail after a state-appointed lawyer requested his release on health grounds. However, he was banned from traveling outside Belarus pending investigation. **Details of trial:** Alesin was reportedly initially charged under articles 356 and 356.1 of the Belarus penal code with “high treason” and “collaborating with the special security services or intelligence services of a foreign government,” charges which carry a sentence of five to 15 years in prison. According to *Belorusy i rynek*, the authorities also amended their initial charges to “cooperation with a foreign secret service,” which can be punished by up to two years in jail. Following his release, Alesin allegedly signed a pledge not to reveal information about the investigation into his activities. The main suspect in the case is said to be a foreign diplomat with whom Alesin was having a drink in a Minsk café when they were both reportedly detained. PEN is seeking confirmation as to whether the charges against him remain pending. [**Stop Press:** In January 2016, the prosecution [announced](#) that the case against Alesin had been suspended; Alesin said he hoped the charges would be eventually dropped.]

**BOSNIA-HERZOGOVINA**

*In 2015, journalists continued to face threats and criminal lawsuits in connection with their work. On 5 February 2015, the National Assembly of Republika Srpska (the legislative body of one of the two entities in Bosnia and Herzegovina established under the 1995 Dayton peace agreement) approved a law entitled Public Peace and Order. Articles 7 and 8 criminalize social media postings that disturb the public order, display symbols, images, drawings or texts containing indecent, offensive or disturbing content or insult or engage in rude or insolent behavior. OSCE Representative on Freedom of the Media Dunja Mijatovic denounced the law.*

On trial:

**Ivan SUSNJAR:**

**Profession:** editor of poskok.info **Details of trial:** Susnjari is facing trial over a satirical article published in 2012, which was about the case of Nerkez Arifhodzic, a diplomat from Bosnia. The Press Council in Bosnia and Herzegovina characterized the trial as suppression of the freedom of information in the public interest and free satire. “

## Threatened

### **\*Zeljka DOMAZET (f):**

**Profession:** Sarajevo correspondent for *Glas Srpske* **Date of threat:** 13 October 2015 **Details of threat:** The Deputy Auditor General of the Audit Office of the Institutions of Bosnia and Herzegovina verbally harassed Domazet in a telephone call to her office, according to local media. The threat followed an article by Domazet where she claimed that Nekić tried to employ his son at the Audit Office.

### **\*Employees of *Dnevni Avaz* (daily newspaper)**

**Date of threat:** 24 October 2015 **Details of threat;** Two threats were sent to the head offices of the Bosnian daily. The first threat was sent in the early morning via email to the news desk and the second through an anonymous call to the desk, announcing that the building “will be blown up.”

**Details of investigation:** A 21-year-old man identified as M.M., was arrested in the early hours of 25 October 2015, according to local police.

### **\*Slobodan VASKOVIC:**

**Profession:** independent journalist and blogger **Date of threat:** 30 December 2015 **Details of threat:** The minister of the interior for Bosnia's Serb-majority entity, Republika Srpska, accused Vaskovic of trying to destroy the entity's institutions. Following Lukac's press conference, Vaskovic posted a reply on his personal blog, *Sa druge strane*, accusing Lukac and the authorities of trying to intimidate him. The Association of Journalists of Republika Srpska have condemned Lukac's declaration adding that “Vaskovic's security is in danger”. The Association of BH Journalists also called on state institutions to improve protection for the journalist because he was at risk of physical and verbal attacks as a result of the accusation.

## Harassed

**\*Edita GORJANAC, Profession:** journalist for klix.ba website

**\*Dario ŠIMIĆ, Profession:** Director of Klix.ba website

**Mario ŠIMIĆ, Profession:** Director of Klix.ba website

**Date of harassment:** 29 December 2014 **Details of harassment:** Following a court order issued by the Cantonal Court in Sarajevo, police raided the Sarajevo offices of Klix.ba on 29 December. Reportedly, the police seized computers, documents, notes and other items from the offices, apparently in an attempt to discover sources. Almost the entire staff of Klix.ba was asked to leave the premises, while editor Jasmin Hadžiahmetović, directors and journalist were detained for questioning. They were later released and the police also left the premises. On 3 December 2014 the Interior Ministry of Republika Srpska in Bosnia and Herzegovina summoned journalists from the online news portal Klix.ba for questioning to identify the journalists' sources. The probe was launched following an audio recording which was published in Klix.ba, in which the Republika Srpska Prime Minister allegedly spoke of bribing members of certain political parties in order to obtain parliamentary majority.

## **BULGARIA**

*There are worrying signs that freedom of expression in Bulgaria may be declining. In 2015 journalists reported harassment and, in February 2015, the OSCE Representative on the Freedom of the Media [expressed concern](#) that large fines imposed on newspapers in Bulgaria for publishing news stories on companies' financial activities and the banking sector could lead to censorship in reporting on issues of public interest.*

## Harassed

### **\*Atanas CHOBANOV:**

**Profession:** journalist **Details of harassment:** According to reports, Chobanov was the target of a complaint brought by a former planning and investment minister and has been questioned by the police as a result of the investigation that the prosecutor's office opened on 26 June 2015. The complaint reportedly involves an article that Chobanov wrote for the investigative news website Bivol.bg in June 2013 which alleged that Danov was collecting 1,800 Euros a month in unemployment benefits in France while holding down two jobs in Bulgaria. No more information as of 31 December 2015. **Background:** According to press reports Chobanov has been the target of an orchestrated smear campaign as a result of his coverage of alleged corruption involving media mogul Deylan Peevski, who is also the former head of the State Agency for National Security (DANS) intelligence agency and a current parliamentary representative of the Turkish minority party Movement for Rights and Freedoms (DNL). When Chobanov was abroad, a crew from Kanal 3, a Peevski-owned Bulgarian TV station, turned up without warning at his home on 10 October 2015, talked to members of his family and filmed them being questioned without their knowledge.

### **\*Dimitar STOYANOV:**

**Profession:** investigative reporter with the news website Bivol.bg **Details of harassment:** On 20 October 2015, Dimitar Stoyanov filed a police report after being followed by a number of unidentified people. The following day, he informed the police that his house had been broken into and searched in his absence. Other journalists with Bivol have recently been threatened for their reporting, including **Atanas Chobanov** (see above). **Other information:** On 20 November 2015 the OSCE Representative on Freedom of the Media [called on the Bulgarian authorities](#) to investigate threats against journalists including Stoyanov.

## **CROATIA**

### Attacked

#### **\*Zeljko PERATOVIC:**

**Profession:** freelance journalist and blogger **Details of attack:** Zeljko Peratovic was reportedly beaten by three unknown assailants on 28 May 2015. The reported attack took place at approximately 7pm in front of the journalist's home in Luka Pokupska, near the town Karlovac. The alleged attackers arrived by car and beat Peratovic about the head, leaving him in need of medical attention. **Details of investigation:** Three men were arrested but quickly released. In August 2015, reports indicated three men were to be investigated for attempted murder. **Background:** Peratovic is well known for his investigative stories. He has received several serious threats in the past. **Awards:** Croatian Journalists Association's Investigative Journalism Award in 2014. [**Stop Press:** In February 2016, the Karlovac county state attorney reportedly closed the murder attempt investigation for lack of evidence.]

## **CYPRUS**

### Judicial Harassment

#### **\*Andrey NEKRASOV** (Russian national)

**Profession:** journalist and blogger **Date of harassment:** 15 July 2015 **Details of harassment:** At the behest of Russian authorities and under an Interpol warrant, Nekrasov was arrested at Larnaca airport in Cyprus and faces a possible 15-year sentence if extradited to Russia. He was then

transferred to Nicosia prison and was due to appear in court on 13 August 2015, when a judge would begin considering Russia's extradition request. Nekrasov requested asylum and began a hunger strike on 22 July 2015. Cyprus decided to send him to Lithuania, citing European Union regulations, rather than extraditing him to Russia. On 22 September 2015 Nekrasov was [granted asylum](#) in Lithuania which issued him with a residency permit. **Background:** Nekrasov had fled Russia in March 2015 as he was being investigated by the authorities following a complaint filed by the CEO of a factory in Izhmash in 2013 against Nekranov accusing him of blackmail and extortion at a time when he was writing about the demands of the factory workers. He was initially questioned as a witness but, according to reports, the Federal Security Service (FSB) had him placed in police custody and attempted to extract a confession. It is as a result of these charges that he is facing 15 years in prison in Russia. In February 2015 Nekrasov was fined 30,000 roubles (450 euros) on a criminal defamation charge for linking a local official in the ruling United Russia party to a person of the same name with assets in the United States. Fearing that this conviction would be used as an aggravating circumstance in the other case, Nekrasov fled the country the following month.

## DENMARK

### Killed

#### **\*Finn NØRGAARD:**

**Profession:** filmmaker **Date of killing:** 14 February 2015 **Background:** Nørgaard had been invited to attend a discussion at the Krudttønden cultural centre, Copenhagen entitled 'Art, Blasphemy, and Freedom of Expression', organized by the Lars Vilks Committee. During the discussion an armed man entered the building and began shooting; Nørgaard was killed and three police officers were injured. Neither the motive for the attack, nor the intended victim, is clear. Many believe that the intended victim of the attack was **Lars Vilks**, a controversial Swedish artist who has faced death threats for caricaturing the prophet Muhammad. Some believe that the attack was inspired by the attack in Paris on the French satirical newspaper *Charlie Hebdo* the previous month (see entry under France). The gunman was later killed by police.

## FRANCE

*On 7 January 2015, two armed brothers, Saïd and Chérif Kouachi, forced their way into the Paris offices of the French satirical weekly newspaper, Charlie Hebdo. They killed 12 people (eight of whom were cartoonists or journalists) and injured another 11 (four of whom were journalists or cartoonists) in the building. The two brothers were later shot dead by the police. The motive for the attack was allegedly the newspaper's controversial cartoons depicting the Prophet Muhammad and other Muslim leaders (the newspaper's cartoons also often featured religious leaders from the Jewish and Christian communities). Charlie Hebdo had received threats previously for its cartoons of the Prophet, which are considered blasphemous in Islam. Following the massacre, a mass rally in solidarity with Charlie Hebdo and its right to free expression – 'Je Suis Charlie' - was organised in Paris. However the reactions from governments to the attack were extremely worrying, and varied from banning the republishing of the images to calling for greater power to censor the internet and all-round surveillance. In the aftermath of the attack, PEN convened a meeting to discuss appropriate responses and future actions with other free expression groups. We issued a number of statements, including one on World Press Freedom Day (May 2015) which was signed by over 60 global free expression organisations and PEN centres, and which called for greater protection of our right to free expression, drawing attention to the fact that the greatest threat to this right still comes from governments, not from individuals motivated by an ideology. Other notable PEN activities connected to Charlie Hebdo included an event at the European Parliament in April entitled Freedom in a Time of*

Crisis and at the Writers in Prison Committee conference in Amsterdam (April 2015), at which a former *Charlie Hebdo* cartoonist made a speech about free expression to PEN members. PEN American Center gave *Charlie Hebdo* the Freedom of Expression Courage Award in May 2015.

### **Victims of the *Charlie Hebdo* massacre:**

#### Killed

##### **\*Jean CABUT:**

**Profession:** cartoonist for *Charlie Hebdo* **Age:** 76 **Date of killing:** 7 January 2015 **Background:** Known by his pen-name, Cabu, Cabut had worked as a cartoonist since the 1960s. He was one of the founders of *Hara-Kiri* magazine and did political caricatures for *Charlie Hebdo* and *Le Canard enchaîné*. In February 2006 one of his cartoons, which appeared on the cover of *Charlie Hebdo* in response to the protests that followed a Danish magazine's decision to publish cartoons of the Prophet Muhammad, led to a lawsuit against him. His cartoon depicted the prophet Muhammad - under the caption "Muhammad overwhelmed by fundamentalists" – crying: "So hard to be loved by jerks!"

##### **\*Elsa CAYAT (f):**

**Profession:** columnist and psychoanalyst **Age:** 54 **Date of killing:** 7 January 2015 **Background:** Cayat wrote a bi-weekly column "Le Divan" ("The Couch") in *Charlie Hebdo*. She was the author of several works on relationships and sexuality.

##### **\*Stéphane CHARBONNIER:**

**Profession:** editor-in-chief of *Charlie Hebdo*, satirist, cartoonist and journalist **Age:** 47 **Date of killing:** 7 January 2015 **Background:** Known as Charb, he worked for several newspapers and magazines, joining *Charlie Hebdo* in 1992 and becoming the director of the publication in 2009. Charbonnier had been subject to death threats from Islamists previously. From the time the magazine was firebombed in 2011, he lived under police protection. Charbonnier's comic strip, *Maurice et Patapon*, featured Maurice, a dog described by the newspaper *Libération* as leftist, pacifist, outgoing, and omnisexual, and a cat, *Patapon*, who is conservative, violent, asexual, and perverse. *Libération* described the series as philosophical and scatological. One of his regular columns was the monthly 'La fatwa de l'Ayatollah Charb' (The Fatwa of the Ayatollah Charb) in *Fluide Glacial*.

##### **\*Philippe HONORE:**

**Profession:** cartoonist for *Charlie Hebdo* **Age:** 73 **Date of killing:** 7 January 2015 **Background:** Honoré had a long career in newspaper and magazine cartoons, working with dozens of publications, including *Sud-Ouest*, *Libération*, *Le Monde*, *Les Inrockuptibles*, *La Vie ouvrière*, *Charlie Mensuel*, *Le Matin*, and *Expressen*. He illustrated many book covers, including the anniversary edition of *Petit Larousse*. His artwork was featured in a number of group exhibitions.

##### **\*Bernard MARIS:**

**Profession:** economist, writer and journalist who was also a shareholder in *Charlie Hebdo*. **Age:** 68 **Date of killing:** 7 January 2015

##### **\*Mustapha OURRAD:**

**Profession:** copyeditor for *Charlie Hebdo* **Age:** 60 **Date of killing:** 7 January 2015

##### **\*Bernard VERLHAC:**

**Profession:** staff cartoonist at *Charlie Hebdo* **Age:** 57 **Date of killing:** 7 January 2015 **Background:** known as Tignous, he was a member of Cartoonists for Peace as well as of the Press Judiciare, an association of French journalists covering the legal system. He was one of the founding sponsors of Clowns sans Frontières (CSF), the French affiliate of Clowns without Borders International, and

participated in CSF projects in the Philippines, Burma, and Nord Pas de Calais. He was also a contributor to the weekly newsmagazine *Marianne* and the monthly publication *Fluide Glacial*. In addition he drew for *Télérama* and *L'Echo des Savanes*.

**\*Georges WOLINKSKI:**

**Profession:** cartoonist and comic writer **Age:** 80 **Date of killing:** 7 January 2015 **Awards:** received the Grand Prix de la ville d'Angoulême in 2005. In the same year he was also awarded the Legion of Honour.

Attacked

The following were wounded in the *Charlie Hebdo* attack:

**\*Simon FIESCHI:**

**Profession:** webmaster at *Charlie Hebdo* **Age:** 31 **Date of attack:** 7 January 2015 **Details:** shot in the shoulder.

**\*Philippe Lançon:**

**Profession:** journalist **Age:** 52 **Date of attack:** 7 January 2015 **Details:** shot in the face **Background:** Lançon works primarily for other French publications, specialising in literature. He is a weekly contributor to *Charlie Hebdo*. He also writes for *Libération* and is a renowned critic of Latin American writings. He is also an educator on culture and Latin American literature

**\*Fabrice NICOLINO:**

**Profession:** journalist **Age:** 60 **Date of attack:** 7 January 2015 **Details:** shot in the leg **Background:** Nicolino has contributed articles on environmental issues to *Charlie Hebdo* since 2010. He has worked as an investigative reporter and has worked for a number of print publications, including *Géo*, *Le Canard enchaîné*, *Télérama*, *Terre sauvage* and the catholic daily *La Croix*.

**\*Laurent SOURISSEAU:**

**Profession:** author and cartoonist **Age:** 48 **Date of attack:** 7 January 2015 **Details:** shot in the shoulder **Background:** the author of several books of political commentary and satire, he has been working as a cartoonist for *Charlie Hebdo* since 1992.

Death Threat

**\*Louis PASQUIER:**

**Profession:** editor-in-chief of *La mouette bâillonnée*, the Lycée Marcelin Berthelot school newspaper **Details of threats:** 17-year-old Pasquier has been getting death threats ever since he published a special issue on 21 January 2015 in solidarity with the victims of the *Charlie Hebdo* massacre in Paris. The threats have consisted of envelopes containing bullets, swastikas, a miniature coffin or verbal messages such as "We know where you live, we won't hesitate" or "Something will happen to you." Pasquier had returned home and found a copy of *Charlie Hebdo* burning on his couch. In his room, posters autographed by *Charlie Hebdo* were torn and thrown to the ground. However nothing was stolen from the apartment. **Details of investigation:** Pasquier and his family have reportedly filed many complaints about the threats however details about the police investigation are unclear. On 17 September 2015 two people were taken into custody after being arrested near Pasquier's house where a violent break-in had occurred. On 18 September 2015 Pasquier posted on his Facebook that he was quitting his post on the newspaper and the newspaper was shut down. No more information as of 31 December 2015.

Sentenced

**\*Dieudonné M'BALA M'BALA:**

**Profession:** comedian and blogger **Sentence:** on 20 March 2015 he was handed a two-month

suspended prison sentence **Date of arrest:** 14 January 2015 **Details of trial:** Charged with ‘making an apology for terrorism’ based on Dieudonné’s ‘Charlie Coulibaly’ Facebook comment following the 11 January 2015 ‘Je Suis Charlie’ rally (an event that protested the attack on *Charlie Hebdo*, and which was attended in Paris by politicians from around the world). Dieudonné’s statement on his Facebook page was as follows: “After this historic, no legendary, march, a magic moment equal to the Big Bang which created the Universe, or in a smaller (more local) way comparable to the crowning of the Vercingétorix, I am going home. Let me say that this evening, as far as I am concerned, I feel I am Charlie Coulibaly.” His comment conflated the rallying cry ‘Je Suis Charlie’ and [Amedy Coulibaly](#), one of the gunmen who killed four people at Jewish supermarket on 9 January 2015. Later Dieudonné attempted to clarify/excuse his comment in an open letter to the French interior minister, Bernard Cazeneuve, in which the comedian claimed that he had been misunderstood. He said that he, like *Charlie Hebdo*, was a victim of attempts to deny free speech. In his case, he said, his assailant was the government. What he had meant to say on Facebook, he claimed, was that “I am considered like another Amedy Coulibaly when in fact I am no different from Charlie.” **Background:** Dieudonné M'bala M'bala has a long history of making anti-Semitic remarks and generally causing offence. In 2008 he was fined for describing a Holocaust memorial as ‘memorial pornography’. He was also convicted in 2009 of ‘public insult of people of Jewish faith or origin’, and had his show forcibly closed until he made amendments to the content. He is currently on trial in two other cases: **1)** where he has been charged with “incitement to racial hatred” against Jews in connection with remarks he made about a French Jewish journalist; **2)** where he has been charged with “insulting a member of the government” after he described the Prime Minister Manuel Valls in 2013 as a “semi-Down’s-Syndrome Mussolini.” **PEN’s position:** PEN International considers the ‘offence’ of ‘making an apology for terrorism’ to be a vaguely worded charge which does not meet the criteria for a legitimate, proportionate and necessary restriction of the right to freedom of expression and as such calls for the legislation to be reviewed to ensure that it complies with France’s obligations to protect freedom of expression under international law. According to news reports on 4 February 2015, at least 41 people had been tried for this ‘offence’ and 18 had received short prison sentences since the attacks in Paris on *Charlie Hebdo* and the Jewish supermarket in January 2015.

## GREECE

### Killed – Impunity

#### **Pavlos FYSSAS (aka Killah P):**

**Profession:** hip hop artist **Date of birth:** aged 34 when killed **Date of death:** 18 September 2013

**Details of killing:** Fyssas was stabbed twice outside a cafe in the Keratsini area west of Athens.

**Details of investigation:** The police arrested the reportedly self-confessed killer, Giorgos Roupakias, a supporter of far right political party Golden Dawn. The trial of some 70 Golden Dawn members on charges including the murder of Fyssas began on 20 April 2015. It was adjourned several times (reportedly due to the absence of virtually all politicians implicated in the party’s alleged criminal activities). Judges have allowed Fyssas’ mother and sister to address the court as civil claimants. The prosecutor has proposed that Fyssas’ relatives seek compensation only from those charged with the actual murder, Roupakias and his accomplices, and not from Golden Dawn politicians who are alleged to have been briefed about the attack. In the trial Fyssas’s family members have all testified accusing the Golden Dawn of directing a professional hit on Fyssas. On 17 September 2015 Nikos Michaloliakos, the leader of the Golden Dawn, accepted political responsibility for the murder of Fyssas on live radio but has not testified officially. The trial was ongoing as of 31 December 2015.

Released

#### **Kostas VAXEVANIS:**

**Profession:** journalist, editor of HotDoc (an investigative journalism magazine). **Sentence:** 26



months, suspended. **Date of release:** 27 November 2015 **Details of trial:** On 30 March 2015 a court in Athens found Vaxevanis guilty of the criminal defamation of a well-known Greek businessman, Andreas Vgenopoulos. According to reports, the charges related to the April 2013 edition of Vaxevanis' *HotDoc*, which described Vgenopoulos's alleged role in the 2012-2013 Cyprus financial crisis. That edition's cover image depicted Vgenopoulos in the foreground, smoking a cigar, while a Euro symbol emblazoned with the Cypriot flag sinks into the sea behind him. Vaxevanis said he would appeal as his sentence contradicted the European Court of Human Rights's 2014 decision *Mika v. Greece*, in which the court found that even a suspended prison sentence for defamation was disproportionate and therefore constituted a violation of freedom of expression. On 27 November 2015 he was acquitted and the charges were dropped. **Background:** Vaxevanis reportedly faces legal action in 42 further cases. In 2013, he was notably acquitted of breaking a privacy law over *HotDoc*'s publication of a list of suspected tax evaders (see 2013 Case List).

## ITALY

### On trial

\***Maria CATTINI (f), Profession:** journalist at L'Aquila blog

\***Germana D'ORAZIO (f), Profession:** editor of L'aquila blog

**Details of trial:** On 1 May 2015 Paolo Costanzi, an administration manager for the regional council of Abruzzo demanded compensation of 51,000 Euros for defamation. Cattini had offered to publish a clarification, but the official chose to sue. The first hearing was due to be held at the Civil Court of L'Aquila on 7 October 2015.

\***Fabio CAPOLLA, Profession:** journalist at *Il Tempo Abruzzo*

\***Gianfranco FALCONI, Profession:** blogger and manager of duepunti.it

**Details of trial:** both men were charged under article 684 of the criminal code for the arbitrary publication of criminal documents in relation to articles published in 2013 describing complaints of alleged harassment made by a female police officer of the Teramo Local Police Constabulary against her commander. **[Stop Press:** on 5 February 2016 a Teramo Court convicted both men, and sentenced them to a suspended prison term and a fine of 160 Euros. The two men are reportedly appealing to the Supreme Court.]

\***Massimiliano AMATO:**

**Profession:** journalist and writer **Details of trial:** Massimiliano Amato, one of the authors of the book *Il Casalese* which tells of the story of the former economy undersecretary Nicola Cosentino is on trial for defamation following a complaint by Palmiro Cosentino, the brother of Nicola, as the book had confused him with a nephew. On learning of the error, Amato apologised and ensured further editions were corrected. **[Stop Press:** On 3 February 2016, Amato was [acquitted](#)].

\***Liborio LA MATTINA**

\***Emiliano ROZZINO**

**Profession:** journalists for *La Voce del Canavese* **Sentence:** 18 months and six months in prison respectively **Details of trial:** Both were convicted in Turin in relation to an article entitled *Condominiopoli* published on 23 July 2007 and to a correction published the following week on the building boom in Chivasso. Following the publication, a city councilor of Chivasso and his lawyer sued them for libel. La Mattina was sentenced to 18 months in prison (an aggravated sentence as he had already received another conviction for defamation) and Rozzino six months. Both were ordered to pay damages of 20,000 Euros. An appeal court upheld the sentences in December 2014. On 6

November 2015, the Supreme Court [annulled](#) the appeal court verdict and ordered the appeal to be reheard.

### Threatened

#### **\*Federica ANGELI (f):**

**Profession:** Journalist for *La Repubblica* **Date of threat:** 14 September 2015 **Details of threat:** According to the [Mapping Media Freedom Project](#), she was threatened on live television by a member of the Casamonica crime family, on the TV show *Quinta Colonna*. During and after the broadcast the journalist received multiple insults via social media. Angeli filed a complaint to Ostia police on 17 September, 2015 about the intimidation on social media. **Background:** The journalist has lived under police protection since 2013 following death threats aimed at her by members of the Spada organised crime family, which is related to the Casamonica clan.

#### **\*Daniele CAMILLI:**

**Profession:** journalist for TusciaWeb **Date of threat:** 9 September 2015 **Details of threat:** According to the [Mapping Media Freedom Project](#) a hand-written threat was delivered to Camilli, who writes about organised crime, on 9 September 2015. Camilli immediately announced the threat and reported it to the police.

#### **\*Fabio POSTIGLIONE:**

**Profession:** Journalist for *Il Roma* **Date of threat:** Repeated threats since July 2014, last on 9 December 2015. **Details of threat:** Unknown attackers drilled holes in the wheels of Postiglione's car, which was parked on the street near his home. He was not known to have received any protection by the end of the year.

#### **\*Nello TROCCHIA**

**Profession:** journalist for *Il Fatto Quotidino* and *L'Espresso* **Date of threat:** 10 June 2015 **Details of threat:** Police reportedly recorded a telephone conversation between a boss of the Camorra (a crime syndicate based in Naples) in prison and his brother discussing Trocchia, who had reportedly published news and inquiries about them, in which the boss reportedly told his brother, "I have to split that journalist's skull, then they can arrest me." From the subsequent dialogue it is reported that the two know well enough the working spaces of the journalist. The Camorra bosses were also alleged to have said they were aware of Trocchia's movements and whereabouts. However, Trocchia was apparently not given any police protection. No more information as of 31 December 2015.

#### **\*Ruggero VANTAGGIATO:**

**Profession:** director and founder of the biannual satirical magazine *La Carrozza* **Date of threat:** 21 January 2016 **Details of threat:** An envelope containing over three hundred 22 caliber bullets, a brochure of the Sunday liturgy and a local copy of the magazine was delivered to the headquarters of the magazine in Lecce. Vantaggiato is now under police protection.

#### **\*Alessio VISCARDI:**

**Profession:** investigative reporter for the online newspaper Fanpage.it **Date of threat:** 22 August 2015 **Details of threat:** He was threatened by four people in Terzigno (40 km south of Naples), when he was looking for where the helicopter had taken off from to throw rose petals on the funeral procession of mafia boss Vittorio Casamonica held in Rome on 21 August 2015. The attackers threatened to kill him and took photographs of his documents.

### Judicial harassment

**\*Gian Marco CHIOCCI, Profession:** editor-in-chief for *Il Tempo*

**\*Simone DI MEO, Profession:** journalist for *Il Tempo*, writer

**Date of harassment:** 12 November 2015 **Details of harassment:** According to the [Mapping Media Freedom Project](#), the Prosecutor of Torre Annunziata has opened an investigation into Simone Di Meo and Gian Marco Chiocci for allegedly using classified government documents for three articles published for Il Tempo.it in January 2015. The articles reveal the story of Maria Giulia Sergio, also known as Lady Jihad, an Italian native of Torre del Greco who converted to Islam and joined ISIS. If convicted, Di Meo will face a prison sentence of up to three years. Interviewed by Ossigeno Di Meo commented, "A good journalist has a duty to reveal the secrets of public interest."

**\*Giovanni ROSSI:**

**Profession:** editor of the weekly *L'Informatore Lomellino* **Date of harassment:** 13 August 2015  
**Details of harassment:** He received a notification of a lawsuit for libel for an article published in the newspaper on 1 April 2015. Rossi is being sued by the mayor of Lomello and her deputy, who objected to the content of the article and proceeded with legal action without asking for any correction. In the article the journalist criticizes the Lomello government's decision to sign an agreement with the sludge firm Ecological Research Centre Spa (CRE). The newspaper said the agreement "would open the doors" to the disposal of 115 million kilograms of sludge per year and would leave the company with control over the quality of water and soil at the expense of the City.

**\*Ivo IANNOZZI:**

**Profession:** editor of the daily newspaper *Il Granchio* **Date of harassment:** 8 May 2015 **Details of harassment:** The President of a local association in the city of Nettuno sued Ianozzi for alleged libel and stalking. The suit follows the publication of an article in May 2015 about alleged irregularities in some extension work done to the Town Sports Hall dating back to 2002.

### Sentenced

**\*Antonio BRINDISI:**

**Profession:** manager of ilgorgon.eu website **Sentence:** fine of 1500 Euros **Details of trial:** On 5 October 2015 a court in Livorno convicted journalist Antonio Brindisi of defamation because of a satirical poem published on the site in 2012 after a lawsuit was brought by eight residents of the Isle of Gorgona who claimed that the poem mentioned some of the islanders in a defamatory manner. On 10 April 2012 the site was blocked and remains closed despite Brindisi's willingness to remove the poem. Brindisi has stated that he will appeal the ruling.

**\*Adelina Lilli MANDARA (f), Profession:** reporter for *Il Messaggero*

**\*Mario ORFEO, Profession:** editor-in-chief of *Il Messaggero*

**Sentence:** 45,000 Euro compensation **Details of trial:** Both were convicted of defamation on 20 October 2015 for a 16 September 2011 article which investigated the then-Prime Minister's alleged promises to the Director of the Regional Environmental Agency of the Abruzzo Region, using information that emerged from an investigation carried out by a prosecutor in Naples. They were sued for libel by the Director.

### Released

**Erri DE LUCA**

**Profession:** Novelist **Date of birth:** 1950 **Date of release:** 19 October 2015 **Details of trial:** De Luca was charged with "incitement to violence" by Italian magistrates on 24 January 2014 for comments made in an interview with the Italian version of the Huffington Post website. In the interview, De Luca stated that construction of a 35-mile tunnel connecting France and Italy ought to be "sabotaged". He was charged following official complaints from the Lyon Turin Rail Company. De Luca's trial began on 28 January 2015. In that month he published a small pamphlet openly mocking

the charge against him. Prosecutors sought an eight-month prison term. “If what I said is a crime, I will continue to say it and repeat it. The word sabotage has a noble meaning. It was also used by Mandela and Gandhi,” De Luca said in his final comments to the court before the judge began deliberations. He was acquitted on 19 October 2015.

**\*Marilù MASTROGIOVANNI:**

**Profession:** chief editor of the *Tacco d'Italia* **Date of release:** 27 July 2015 **Details of release:** Mastrogiovanni was sued for defamation after publishing an investigation in April 2013 that exposed questionable practices in the construction of housing units in Salve, Lecce. The housing complex had been constructed under permits for single-family homes. The case was thrown out after a judge ruled that the investigation had been in the public interest.

Case Closed

**Riccardo ARENA, Andrea MARCENARO and Giorgio MULÈ:**

**Profession:** journalists for the weekly news magazine *Panorama* **Sentence:** One year and eight month prison sentences respectively **Details of trial:** Convicted of defaming a Palermo magistrate in an article published in 2010. On 22 May 2013 Marcenaro and Mulè received prison sentences and were ordered to pay €20,000 in compensation to the defendant. Arena was judged only to have contributed to the text and so received a 12 month suspended sentence. Both Marcenaro and Mulè are reportedly appealing their convictions. **Background:** The article in question, which alleged that the magistrate had connections to organised crime, was written by Marcenaro. Mulè, the editor of *Panorama*, was accused of failing to check the article. **PEN Action:** RAN 24/13. No further information as of 30 December 2015; case closed.

**KAZAKHSTAN**

Imprisoned – Main Case

**Vladimir KOZLOV:**

**Profession:** journalist and leading member of Alga! (Forward!), a popular, unregistered opposition party in Kazakhstan. In addition to his work in print media, he has worked as an editor for the AKTIVi TV channel, and was also one of the founders of the Kazakhstan's first private television channel, Aktau-Lada. **Date of birth:** 10 August 1960 **Sentence:** Seven and a half year prison sentence **Date of arrest:** 23 January 2012 **Details of arrest:** Following a police massacre of approximately 15 striking oil workers in Zhanaozen (December 2011), Kozlov travelled to Europe and met with Members of the European Parliament and the European Commission, calling for an international investigation into the killing. He was arrested on his return to Kazakhstan on 23 of January 2012 by the staff of the National Security Committee. **Current place of detention:** In mid-March 2014, following international appeals from human rights organisations, Kozlov was transferred from the penal colony in Petropavlovsk (164/3) to Penal Colony 155/14 in Zarechnoe (or Zarechnoy) village in Almaty. In Petropavlovsk, Kozlov had been 1800 km away from his family in Almaty. In early February 2015, Kozlov was denied a transfer request to a prison with a more lenient regime. The commission that reviewed Kozlov's request to be transferred decided that he should spend the rest of his sentence in the prison where he is currently held. **Details of trial:** On 16 of August 2012, he was charged under the following articles of the Criminal Code of the Republic of Kazakhstan: Article 164.3 ('inciting social hatred'), Article 170.2 ('calling to the overthrow of the constitutional order of the state') and Article 235.1 ('creating and managing an organised criminal group with a view to committing one or more crimes'). He denied all charges. On 8 October 2012 he was convicted and sentenced to seven and a half years in prison, which was upheld by the Appellate Court on 19 November 2012. Kazakhstan's Supreme Court refused to review Kozlov's case on 5 August 2013, saying there were 'no grounds for doing so.' **Conditions of detention:** In July 2015,

Kozlov was placed in solitary confinement at least twice after he protested at deteriorating prison conditions. **Other information:** On 11 June 2014, Isabel Santos, the Chair of the OSCE Parliamentary Assembly's Committee on Democracy, Human Rights and Humanitarian Questions, visited Kozlov in prison and raised his 'and other politically-motivated cases' with the Kazakh government. In November 2015, a [video interview](#) with Vladimir Kozlov in prison was published online. **PEN Action:** Kozlov was one of PEN's Empty Chairs at the PEN International World Congress in Bishkek, Kyrgyzstan in September 2014. Before the Congress began, a small PEN delegation travelled to Kazakhstan where they visited Kozlov in jail, expressing solidarity. He passed on a [message](#) to the delegation to be shared with PEN members at the congress. The PEN delegation also protested Kozlov's imprisonment at a [meeting](#) with the Head of the Executive Office of the President of the Republic of Kazakhstan, the Chairman of The Committee of Criminal and the Executive System. [Joint statement](#) with Open Dialog Foundation, 27 August 2015; RAN 11/15.

Imprisoned: investigation

**Aron ATABEK:**

**Profession:** poet, writer, newspaper publisher and political activist **Date of birth:** 31 January 1953 **Sentence:** 18 years in prison **Date of arrest:** 17 July 2006 **Details of arrest:** Arrested following a July 2006 riot that broke out in the Shanyrak shantytown of Almaty after local residents and activist groups clashed with security forces that had been brought in to clear the area for demolition. **Current place of detention:** AP 162/1 in Pavlodar **Details of trial:** charged and convicted in 2007 of organising mass disorder. PEN is currently investigating reports that he was also convicted on other charges. Atabek denied the charges. His appeal against the ruling was dismissed in August 2008. Some observers said that the trial was unfair; the prosecution's two key witnesses said – after the guilty verdict – that they had been tortured by the police into giving false evidence against Atabek. **Conditions in detention:** Atabek was held in a high security jail in Arkalyk, over 1,600km away from his family, until October 2013. He was placed in solitary as punishment for writing a book that criticised the president (the book, *Heart of Eurasia*, was written in prison, smuggled out, and published on the internet in 2012). He was reportedly denied access to natural light, communication with other prisoners, and writing materials. This was his second period in solitary confinement; he previously spent two years (2010-2012) there for refusing to wear a prison uniform. He was denied family visits from 2010 until the end of 2013. In September 2013, the Karaganda regional court said that it would hear an appeal against Atabek's solitary confinement sentence. In early October 2013, Atabek's family received an anonymous telephone call informing them that the poet was to be transferred to Karazhal Prison in the Kargandy region. The family say that they did not receive any communication from Atabek or from the prison authorities regarding this move. Askar Aidarkhan, Atabek's son made several attempts to discover the whereabouts of his father. He contacted the prison administration numerous times, asking for confirmation that Atabek was now being held in Karazhal Prison. However, on each occasion, the prison authorities refused to give him this information. According to Atabek's son, a local Kazakh human rights organisation was able to confirm with the prison authorities that Atabek left Arkalyk Prison on 5 October 2013. In early December 2013, Askar was able to visit his father in prison. On 5 December 2013, it was reported that Atabek would be transferred to a minimum-security penal colony near Almaty, closer to his family. On 7 April 2014 Atabek was transferred to another prison, AP 162/1 in Pavlodar. In July 2014 Atabek's son revealed that his father has suffered regular beatings to his head and neck during his incarceration in this new prison facility. In November 2014, Atabek alleged that prison guards were deliberately splashing water containing high concentrations of chlorine into his cell, causing him respiratory problems and skin irritation. **Update:** According to local media sources in September 2015 he was placed to solitary confinement allegedly 'by his own decision' probably because of the other prisoners in the cell. In total he has now spent six years in solitary confinement. **Background:** Atabek has written several books of poetry and prose inspired by Tengriist spirituality, as well as a

book about the relationship between the Alash and the Kazakhs. In February 1992, he founded and organised the publication of the monthly newspaper *Khak (The Truth)*. He was awarded the literary 'Almas Kylysh' prize in 2004, as well as the Freedom to Create 'Imprisoned' prize in 2010. On 28 May 2014, Catherine Ashton, the High Representative for Foreign Affairs and Security Policy for the European Union responded on behalf of the European Commission to a question in the European parliamentary about Aron Atabek. She said: "No evidence linking him explicitly to the death of the police officer or to violence was presented in court...The EU is and will continue to follow the developments in this case very closely and to encourage the Kazakh authorities to ensure that Mr Aron's right to a fair trial has been respected, and that his treatment is in line with Kazakhstan's international commitments and obligations." **PEN Action:** Calls to action 5 August 2013; Updates on 24, 29 October, 12 November 2013 and 6 January 2014, 17 March 2014, 20 June 2014. Shortly before PEN International's World Congress in Bishkek, Kyrgyzstan (September 2014), a small PEN delegation travelled to Kazakhstan where they protested Atabek's ill treatment at a meeting with Head of the Executive Office of the President of the Republic of Kazakhstan, the Chairman of The Committee of Criminal and the Executive System. [World Poetry Day](#) Action 2015.

**\*Jaroslav GOLYSHKIN:**

**Profession:** editor of newspaper *Version* (based in Pavlodar) **Sentence:** eight years in prison **Date of arrest:** 14 May 2015 **Details of trial:** Golyshkin was arrested on 14 May 2015 in connection with an investigation into alleged blackmail and extortion. The investigation was reportedly instigated by the governor of the region, who said that he had been the victim of a blackmail attempt by unknown persons. The alleged blackmailers reportedly asked for \$50,000 in exchange for a video in which the governor's son is accused of rape by his alleged victim, who also claims that she was threatened about talking about the alleged incident. *Version* had reportedly published articles relating to the alleged crime. **Details of trial:** After several extensions of his pre-trial detention in August and September 2015, Golyshkin was found guilty extortion and sentenced on 30 October 2015 to eight years in prison. **Background:** Golyshkin is known for doing well-researched stories on corruption and criminal cases. He reportedly contacted the alleged victim and filmed her account of the alleged assault. He did not publish the video. In mid-April, he was summoned for questioning by the National Security Agency (KNB) and learned that the governor had accused him of blackmail on the basis of the video. According to reports, the journalist was subjected to repeated interrogations without being charged; he surrendered all copies of the video to the authorities. According to his lawyer, he was finally arrested when he refused to make a false statement clearing the governor's son of any blame.

Detained: main case

**\*Ernek NARYMBAEV and Serikzhan MAMBETALIN:**

**Profession:** Narymbaev is a civic activist, and Mambetalin is also an activist and the former head of the Rukhaniyat party **Date of arrest:** 12 October 2015 **Details of arrest:** Police confiscated Narymbaev's laptops and modems. **Details of trial:** The two activists are being investigated on charges of "inciting national discord". The charges appear to be connected to Facebook posts by both activists about writings attributed to another activist, Murat Telibekov. On 15 October, and Almaty court confirmed a two-month pre-trial detention order. **Background:** Both Narymbaev and Mambetalin are critical of the government and are active on social media networks. Both have previously found themselves in government crosshairs for peaceful civic activity. On 21 August 2015, Narymbaev was arrested and sentenced to 20 days' imprisonment. He was found guilty of allegedly convening an unsanctioned demonstration that did not take place. In late 2011, Mambetalin's party was prevented from participating in 2012 parliamentary elections due to alleged irregularities in its party list.

On trial

**\*Amangeldy BATYRBEKOV:**

**Profession:** head of the non-governmental organisation Adilet (Justice) and chairman of the *Edilet* newspaper public union **Sentence:** one and a half years in jail **Details of arrest:** Batyrbekov was charged in relation to an article he authored that was published in the *Edilet* newspaper on 10 April 2015 in which he criticised a local prosecutor. **Details of trial:** Batyrbekov was charged with libel for criticising a local prosecutor and sentenced to one and a half years in prison on 29 October 2015. [**Stop Press:** He was acquitted by an appeals court on 28 January 2016]

**\*Aigul MUSABAEVA (f):**

**Profession:** editor of the newspaper *Issyyskiy Vestnik* **Details of trial:** She was charged with criminal libel on 30 March 2015, following a complaint by the deputy director of legal college, Gulbarshyn Mukhamedzhanova, in Enbekshikazakh District Court (Almaty Oblast). The deputy director alleges that the editor, in an article published on 10 March 2015 (entitled "Death Under Bridge") about the death of a student, 'disseminated misleading information.'

Harrassed

**\*Guzyal BAIDALINOVA (f), Profession:** owner of nakanune.kz

**\*Yulia KOZLOVA (f), Profession:** journalist for nakanune.kz

**Date of harassment:** 18 December 2015 **Details of harassment:** On 18 December 2015, police searched the offices in Almaty of *Nakanune.kz* and the homes of the owner of the website, Guzyal Baidalinova, and one of the website's journalists, Yulia Kozlova. Almaty police said they have initiated pre-trial investigations against Nakanune.kz for allegedly disseminating false information about the activities of the bank Kazkommertsbank. Kozlova is also accused of using narcotics after police found narcotics during their search, which were suggested to have been planted as a pretext to arrest her.

**\*Yuri GEIST:**

**Profession:** journalist for the newspaper *Diapason* **Details of harassment:** Yuri Geist was reportedly briefly detained on 21 April 2015 alongside photographer Vladimir Zobenko while conducting a series of brief interviews with residents of Aktobe regarding candidates for the presidential election. The police demanded that the journalists show their official permits to carry out their work and that they write an explanation of what their work entailed. The journalists were then released.

Conditional Release

**Aleksandr KHARLAMOV:**

**Profession:** journalist **Date of arrest:** 14 March 2013 **Details of arrest:** Police reportedly searched his home and the office of the *Ridderskiye Vesti* ('The Ridder News') newspaper on 6 February, 2013, seizing his personal computer as well as seven newspapers containing his articles. When Kharlamov appeared at the police station demanding the return of his computer, he was arrested. **Date of release:** On 3 September 2013, he was released from jail on bail, pending investigation. **Details of detention:** Kharlamov spent six months in detention, including seven weeks enforced residency in a psychiatric clinic in Almaty, where his family were denied access to him. **Details of trial:** An investigation began in September 2012. He was charged after his arrest with 'inciting religious hatred' under Article 164.1 of the Kazakhstan Criminal Code relating to a number of his blog posts (the journalist is an atheist). His trial began on 19 July 2013, with the prosecution seeking a four-year jail term; in August, the prosecution requested an adjournment for further investigation. The investigation is ongoing, though the religious freedom watchdog Forum18 reported that the Deputy Head of East Kazakhstan Police told them that "Kharlamov should not worry; we are not intending to put him in prison." He faces up to seven years in prison if convicted. The case was believed to remain



open at the end of 2015. **Other information:** According to the journalist's wife, local authorities in Ridder launched an investigation against him after an article he wrote criticising the local police. He attributes his release to international pressure. In August 2013, several UN Human Rights mechanisms [wrote](#) to the Kazakh authorities expressing concern about his case.

#### Case Closed

#### **Natalya SADYKOVA (f):**

**Profession:** regional correspondent for independent Kazakh newspaper *Assandi Times* **Details of trial:** In March 2014 Sadykova was accused of defamation by a former Kazakh parliamentarian and businessman who is seeking 10 million tenge (\$55,000) in damages. An arrest warrant was issued on March 17 2014 by a regional court in the western Kazakh city of Aktobe. The charges relate to an article published on the banned *Respublika* website, which alleges that Itegulov engaged in corrupt practices in order to win government contracts. Itegulov claims that Sadykova is the author of the article, which was posted under the penname Bakhyt Ilyasova. Sadykova evaded arrest by fleeing Kazakhstan for Ukraine after a tipoff from a police source on 9 March 2014. The *Assandi Times* was suspended indefinitely in April 2014. No further information; case closed.

#### **KYRGYZSTAN**

*The freedom of expression situation in Kyrgyzstan has declined since 2014. These included the continued imprisonment of the journalist Azimjon Askarov, reports of the closure of minority language newspapers and two legislative developments that curtail free speech. In April 2014, the Kyrgyz parliament passed an amendment to Article 329 of the Criminal Code which effectively negated Kyrgyzstan's decriminalisation of defamation in 2010; the Kyrgyz parliament also began considering a draft law that would criminalise the so-called "propaganda" of "non-traditional" relationships which passed its second reading in June 2015. PEN believes that this law would likely lead to censorship relating to LGBTQI issues, and that similar censorship would be felt in the fields of education and health care provision. At PEN International's World Congress in Bishkek, Kyrgyzstan in 2014, a [resolution on Kyrgyzstan](#) was passed by the Assembly of Delegates.*

#### Imprisoned: main case

#### **Azimjon ASKAROV:**

**Profession:** journalist and head of the human rights group Vozdukh, and member of the Uzbek minority **Date of birth:** 1951 **Sentence:** sentenced to life imprisonment **Date of arrest:** 15 June 2010 **Details of arrest:** He was arrested in the village of Bazar-Korgon, where, on 12 June 2010, a police officer was killed and several others wounded in violent, inter-ethnic disturbances that took place in Kyrgyzstan in May and June 2010. Askarov's lawyer claims that his client was not present at the riot. **Place of detention:** Prison No. 47 in Bishkek **Details of trial:** He was arrested on charges of inciting ethnic violence. Prosecutors subsequently extended the charges and he was convicted on 15 September 2010 of hostage-taking, inciting ethnic hatred, participation and organisation of mass disorder, possession of ten rounds of ammunition and complicity in murder. On 20 December 2011, it was reported by the news website Fergana News that Askarov's sentence had been upheld on appeal by Kyrgyzstan's Supreme Court. The Oktyabrsky District Court in Bishkek ruled to renew the investigation into Askarov on 30 April 2014. The decision came in response to Askarov's defence team's appeal against the Prosecutor General Office's February 2014 verdict that there were no grounds to renew the investigation. However, the decision to renew the investigation was overturned on 12 June 2014 when the Bishkek City Court rejected the lower court's ruling. Askarov's

lawyer appealed this ruling to the Supreme Court, which, on 3 September 2014, confirmed the Bishkek City Court's decision. **Health concerns:** Askarov's lawyer and witnesses say that Askarov was beaten repeatedly whilst in custody. According to an October 2012 report by the international NGO Physicians for Human Rights (PHR), Askarov's medical condition had markedly deteriorated during his imprisonment. It said that his eyesight, nervous system and breathing had weakened, but that he had not received the necessary medical care. Following an examination in January 2012, PHR experts concluded that Askarov showed clinical evidence of traumatic brain injury consistent with his allegations of torture. In November 2012, his lawyer submitted a complaint to the UN Human Rights Committee. PEN International believes Askarov has been targeted for revenge by Jalal-Abad law enforcement because of his documentation of human rights violations, including by local police, in southern Kyrgyzstan. **Other information:** After the US State Department awarded Askarov its 2015 Human Rights Defender award, Kyrgyzstan ended a 1993 bilateral cooperation agreement. **PEN Action:** Askarov was one of PEN's Empty Chairs at PEN International's 2014 World Congress, held in Bishkek. Askarov's wife attended and made a personal plea to PEN members to continue working for her husband's release; Askarov's artwork was placed prominently on display. PEN delegations also met separately with the President of Kyrgyzstan and the General Prosecutor. At both meetings, the delegations protested the conviction and imprisonment of Azimjon Askarov, raising our concerns that he did not receive a fair trial. He was also featured in the [2015 Day of the Imprisoned Writer campaign](#). **Awards:** Homini Award (2011), CPJ International Press Freedom Award (2012), U.S. State Department's [Human Rights Defender Award](#) (2015)

#### Harassed

##### **\*Umar FAROOQ:**

**Profession:** freelance reporter and contributor to *The Los Angeles Times*, IRIN News agency, and The Daily Beast **Details of harassment:** Farooq was arrested on 25 March 2015 in Osh, southern Kyrgyzstan, whilst doing research related to the inter-ethnic clashes that took place there in 2010 and religious extremism. According to reports, he was interrogated by Kyrgyz security services, reportedly on suspicion that he was in possession of documents of an 'extremist nature'. Farooq was reportedly detained after meeting with the Kyrgyz human rights organisation Bir Duino; while Farooq was being held, security agents raided Bir Duino's office in Osh, confiscating materials, pen drives and computer equipment. Farooq appeared before the Osh City Court on 28 March 2015, and although he was not charged with criminal activity, the court said that Farooq had been reporting on religious extremism without proper accreditation and would be deported. He left Kyrgyzstan the same day.

## **LATVIA**

#### On trial

##### **Leonids JAKOBSONS**

**Profession:** Investigative journalist **Date of arrest:** 15 December 2011 **Date of release:** 17 December 2011 **Details of arrest:** In 2011 an article written and published by Jakobsons on his investigative news portal kompromat.lv. Jakobsons's piece reportedly exposed the mayor of Riga's alleged ties with a Russian secret service employee. The article contained email contents written by the mayor to a Russian contact. Once the article was published, Jakobsons's investigative news portal was subject to a two-week long hacker attack. Subsequently, police searched his home from where he works, as well as the location of his work server. Jakobsons was handcuffed and put in isolated police custody for two days. His work computer was seized and remains with the police. **Details of trial:** Jakobsons is being prosecuted for revealing in November 2011 emails allegedly exposing wrong-doing by Riga's mayor. He is the first Latvian journalist to be charged with disclosing personal

information from emails. His trial is being pursued behind closed doors at the Riga Central District Court by a judge whose media and freedom of information expertise has been questioned by human rights defenders. The trial is considered highly unusual for Latvia as only trials involving minors, people who are ill, family matters and classified information are permitted to be kept from the public. The case was still ongoing on 30 June 2015 and remains at the fact-finding stage. In April 2015, Media Legal Defence Initiative which is supporting his defence quoted him as saying “*The court procedure is very unpleasant. It just consumes much time and energy. There is just this constant pressure. I write much less articles.*” **Background:** In March 2012, Jakobsons was attacked in the stairwell of his apartment building in Riga by two assailants. He was physically beaten and suffered burns to the skin when his attackers fired pistols close to him. The UN Human Rights Committee, which reviews states’ compliance with the International Covenant on Civil and Political Rights, expressed concern in April 2014 about the delay in concluding the investigation into the attack.

#### Harrassed

##### **Leonids JAKOBSONS**

**Profession:** Investigative journalist **Details of harassment:** According to Media Legal Defence Initiative ([MLDI](#)), in January 2015 Jakobsons received a phone call from a stranger who threatened to kill him. In March 2015 Jakobsons had contacted the mayor of the Latvian town Rezekne for an interview. The mayor, from the same political party as the Mayor of Riga, allegedly threatened to put Jakobsons into prison if he returned to Rezekne. **Background:** Jakobsons is on trial for revealing personal information (see above under on trial).

#### **MACEDONIA**

*In 2015 there were worrying signs of a decline in freedom of expression in Macedonia. Despite the welcome (if only conditional) release of PEN main case Tomislav Kezarovski, there have been attacks on journalists and a scandal about mass online surveillance by the government. PEN Macedonia and PEN International issued a joint [statement](#) condemning the reported mass surveillance as well as an apparent attempt by the Macedonian Public Prosecutor to pre-emptively censor journalists investigating allegations of government corruption.*

#### Death Threat

##### **\*Branko TRICKOVSKI:**

**Profession:** columnist for the opposition newspaper *Sloboden Pecat* and former editor of *Utrinski Vesnik* and *Globus* newspapers **Date of threat:** 13 May 2015 **Details of threat:** Trickovski received death threats and his car was set on fire after he posted comments on Facebook about the events in Kumanovo at the start of the month in which eight policemen died. **Background:** The attack came at a time of extreme political tension between the Prime Minister and the opposition, with both sides holding violent demonstrations in the capital, Skopje. The tension dated back to February 2015, when the opposition leader produced audio recordings indicating that the government had illegally eavesdropped on thousands of people and had put pressure on journalists, judges and others.

#### Attacked

##### **\*Sasho DENISOVSKI**

**Profession:** journalist and blogger **Date of attack:** 5 November 2015 **Details of attack:** Denesovski was brutally assaulted near his home in Ohrid, according to local media reports. Three masked men beat him with metal bars, inflicting injuries to his head and arms. Denesovski claims that the attack was motivated by his work and blamed the local police in a statement for one of his web portals,

stating that they were the perpetrators behind it. The attack has been reported to the police. No more information as of 31 December 2015. **Background:** According to the journalist, a high ranked police officer from Ohrid police station had recently threatened him with a gun.

**\*Sashe IVANOSKI:**

**Profession:** owner of the online news portal Maktel **Details of attack: 1)** Sashe Ivanovski was reportedly beaten by two unidentified attackers in Skopje on 22 May 2015. Ivanovski reportedly suffered injuries to his head and back that required medical treatment. Several days earlier Ivanovski had complained that he had been banned from entering the club for members of Parliament after he quizzed the Prime Minister on his purchase of a luxury vehicle. **2)** Ivanovski was physically assaulted by Aleksandar Spasovski, a reporter for TV Sitel, in front of dozen witnesses outside the European Union residence in Przhino, Skopje on 14 July, local media reported. The incident happened during a political meeting between EU politicians and leaders of the four leading political parties in Macedonia. Ivanovski has reported the attack to the police but officers reportedly did not accept his complaint. **3)** On 15 July 2015 the Macedonian Deputy Prime Minister for Economic Affairs physically assaulted Sashe Ivanovski while the latter was asking him about a recent wiretapping scandal in Macedonia. The Deputy Prime Minister reportedly punched and chased the journalist until he was restrained by a third person. Later on the ruling party VMRO-DPMNE issued a statement justifying the attack on Ivanovski and warning other journalists that "Next time, SDSM [the main opposition party] and its mercenaries such as Politiko [Sashe Ivanovski's nickname] and those similar to him should be aware of the consequences resulting from any threat to privacy, freedom and rights that every individual and entity has regardless of the position held."

**\*Marjan STAMENKOVSKI:**

**Profession:** editor of Dokaz website **Date of attack:** 20 July 2015 **Details of attack:** Stamenkovski was brutally assaulted outside a coffee bar in Skopje by a group of five masked men who beat him up using metal bars at about 9pm. He sustained serious head, face and arm injuries which required hospital treatment. He reported the attack to the local police station. **Background:** Dokaz website is frequently critical of the ruling party, VMRO-DPMNE, in its reporting. In an interview on NOTA TV the victim said his attackers had sent him "greetings from his former party".

Threatened

**\*Jordanka IVANOVSKA (f):**

**Profession:** journalist for the daily *Dnevnik* **Date of threat:** 27 August 2015 **Details of threat** received threats from a group of individuals reportedly displeased with a piece she published on the inhumane treatment of a horse that subsequently died in a local school yard. A group of 15 people told journalists and animal rights activists that they plan to harm Ivanovska and her family, local media reported.

Harassed

**\*Ivana KOSTOVSKIA (f):**

**Profession:** chief editor of the web portal Telegraf.mk and of the English language web portal Independent.mk **Date of harassment:** 16 February 2015 **Details of harassment:** Kostovskia resigned from her job, saying that the management of Media Print Macedonia was putting pressure on her. Kostovskia said that she had been forced to publish or hide information on both sites.

Judicial harassment

**\*Borjan JOVANSKI:**

**Profession:** editor-in-chief of the web portal of Nova TV **Date of harassment:** 21 July 2015 **Details of harassment:** A Russian businessman and owner of Macedonian handball and football teams filed a

lawsuit against Jovanovski for libel, according to [local media](#). The complaint relates to a 20 March 2015 article about how his investments in Macedonia are funded from off-shore companies in Belize.

#### Released

#### **Tomislav KEZAROVSKI:**

**Profession:** journalist for the *Nova Makedonija* newspaper **Sentence:** four and a half years in prison **Date of arrest:** 28 May 2013 **Date of release:** 20 January 2015 **Details of arrest:** He was reportedly arrested by special forces soldiers and given a 30-day temporary detention order. The 30-day temporary detention order was extended every 30 days until his trial concluded. He was released on 8 November 2013 to house arrest pending the outcome of his appeal. **Details of trial:** On 24 October 2013 he was convicted of revealing a protected witness's identity under the Law on Witness Protection and sentenced to four and a half years in prison. He was sentenced in relation to allegedly having revealed a protected witness's identity in a 2008 article he wrote for the *Reporter 92* newspaper about a murder in Orese. The witness confessed in court in February 2013 that he gave false evidence against the accused killers. He also testified that he did not have protected witness status until 2010. Kezarovski's appeal was heard on 24 October 2014. Kezarovski was released on 20 January 2015 on 'conditional freedom', reportedly for a month. An appeal earlier in the month had reduced his sentence to two years, but he had been arrested again on 16 January. **PEN Action:** PEN International [wrote to the Macedonian Minister of Justice](#) in 2013 calling for his release. PEN International's president attended a mass rally in Macedonia, calling for Kezarovski's release and [met Kezarovski](#) in a show of solidarity following his release.

#### **MOLDOVA**

#### Brief detention

#### **\*Sergei ILCHENKO:**

**Profession:** freelance journalist **Date of arrest:** 18 March 2015 **Date of release:** 19 July 2015 **Details of arrest:** Ilchenko was detained in the autonomous Transnistria region of Moldova when national security agents came to his home and confiscated his computer and reporting equipment, according to press reports. The agents accused Ilchenko of making public calls 'to extremism' in connection with an article that was published on a local online forum and which allegedly called on residents to pick up arms and start a revolution against the pro-Russia Transnistria authorities. He was issued with a two-month detention order. **Details of release:** He was released, apparently after signing a forced 'confession' following an international campaign for his release. **Background:** Ilchenko has often criticized the Transnistrian authorities and the national security forces in his commentary for the independent regional news websites Dniestr and Ava. Ilchenko has also appeared on TV stations in neighbouring Ukraine, giving interviews about the social and economic conditions in the Transnistria region, authorities' alleged corruption, and Russia's apparent influence on local politics.

#### **POLAND**

#### Killed – motive unknown

#### **\*Lukasz MASIAK:**

**Profession:** journalist for news portal NaszaMlawa.pl **Age:** 31 **Date of death:** on the night of 13 to 14 June 2015 **Details of killing:** Masiak was beaten to death in the city centre of Mlawa, a town located in north-central Poland. **Details of investigation:** The Polish authorities [stated](#) to the Council of Europe on 9 July 2015 that an investigation into the murder had been launched, but that the suspect

was still at large and subject to an Interpol wanted notice. However the statement said that ‘*the evidence collected so far, does not indicate that the killing of Mr. Masiak was related to his professional activities.*’ The alleged perpetrator, although still at large, is reportedly facing charges of homicide. The investigation is still ongoing, although no arrests are thought to have been made in connection to this case as of 31 December 2015. **Background:** the news portal NaszaMlawa.pl – operated by Masiak himself – performed an important role in monitoring local authorities in Mlawa. Masiak had received regular death threats because of his journalistic work, and had been beaten up twice during the last year. After one attack an obituary was sent to Masiak's home. Following that attack Masiak told the media, “It was certainly not an attack by the robbers. The person attacking me was clearly waiting for me. I'm sure it was about the reports we have published on our news portal.” Masiak had reported every attack and threat he received to the police but the police investigation had been unproductive.

#### Judicial harassment

##### **\*Paweł GAŚIORSKI**

**Profession:** editor-in-chief of the independent information portal gminablachownia.pl **Date of harassment:** 6 November 2015 **Details of harassment:** The mayor of the southern Polish municipality of Blachownia is [pressing charges for defamation](#) against Gąsiorowski under Article 212 of the Polish criminal law, which provides for a fine or a prison sentence of up to two years for damage to reputation conducted via mass media. **Background:** Gąsiorowski is co-initiator of a referendum that seeks to remove mayor Szymańska from office. The web portal positions itself as critical towards local authorities and on the bottom of its front page has a survey that encourages readers to vote on their position on the initiative to remove the mayor.

##### **\*Jarosław JAKIMCZYK**

**Profession:** investigative journalist and art historian **Date of harassment:** 24 September 2015 **Details of harassment:** Jakimczyk was [sued for defamation](#) by the company Qumak SA in relation to an email he sent to the company's external press office with questions on the alleged sale of customers' private information sourced from Peka, a leading Polish bank. The journalist was conducting research for a book on Poland's financial sector. Shortly after Jakimczyk had sent his questions he received a notification of the charges pressed against him, citing Article 212 of the Polish criminal code. On 16 November 2015 the courts decided to drop defamation charges against Jakimczyk as he had not passed on the information to anyone else and his aim was verification, rather than defamation.

## **RUSSIA**

*The free expression environment in the Russian Federation has worsened considerably since 2014, with the authorities taking ever more extreme measures to consolidate their control over the flow of information. The increasing legislative chokehold on free expression was accompanied by a general growth in pressure placed on journalists and other writers to stay in line with official opinion, and by the blocking of websites carrying opposition views. Much of this crackdown has been fuelled by Russia's role in the conflict in neighbouring Ukraine. On 1 February 2014, an amendment to the Law on Information empowering the prosecutor general's office to block websites and blogs 'containing calls for unsanctioned acts of protest' within 24 hours and without any court approval. In April 2014, the Russian Parliament passed an amendment to an anti-terror law that imposes strict rules on blogs and websites attracting more than 3,000 visitors per day. PEN believes that this law is likely to lead to greater self-censorship amongst bloggers. On 1 July 2014, an obscenity law came into force banning the use of profanity in books, theatre, film and other cultural events. These new free speech-stifling laws add to Russia's already burgeoning legislation limiting freedom of expression, including*



the so-called “religious insult” and anti-gay “propaganda” laws, and criminal defamation. At PEN International’s World Congress in Bishkek, Kyrgyzstan in 2014, a [resolution on Russia](#) was passed by the Assembly of Delegates. A so-called ‘foreign agents’ law of 2012 placed onerous restrictions on any non-governmental organisations receiving funds from abroad). By 1 October 1 2015, the Registry of NCOs Carrying Functions of Foreign Agents included 94 NCOs (non-commercial organization), with only seven of them registered voluntarily (including three under pressure from considerable administrative penalties). By October 2015, six NCOs had been excluded from the NCO register on the grounds they were performing functions of a foreign agent. A ‘Law on Undesirable Organizations’ entered into force on 3 June 2015 under which a foreign or international NGO can be declared “undesirable” by the Prosecutor General or the Prosecutor General’s deputies if they decide that the NGO is a threat to national security. Activities of all such “undesirable” organizations in Russia are prohibited, and all persons participating in such activities are subject to administrative and criminal penalties.

Killed: impunity

**Akhmednabi AKHMEDNABIEV:**

**Profession:** deputy chief editor of a leading independent weekly in Dagestan, *Novoe Delo* (New Action), and regular contributor to the Caucasian Knot online **Date of death:** 9 July 2013 **Details of death:** Akhmednabiev was known for reporting on corruption and human rights abuses in Dagestan. He was shot to death outside his home in the village of Semender near the Dagestani capital, Makhachkala. Akhmednabiev had just started the engine of his car when the unidentified assailants opened fire. He died instantly. **Details of investigation:** A criminal investigation was launched. The Russian authorities have stated that they believe the journalist’s murder is related to his reporting. On 5 September 2013, Abdurashid Sheikhov, Akhmednabiev’s legal representative, asked for the investigation to be transferred to the Chief Investigating Department (CID) of the North-Caucasian Federal District (NCFD). No-one had been arrested and no suspects had been named by the end of 2015. In October 2015, a lawyer acting for the family wrote an [open letter](#) to the federal Investigative Committee head Aleksandr Bastrykin, accusing the Dagestani authorities of failing to continue its search for Akhmednabiev’s killers. **Background:** The journalist survived a previous attempt on his life on 11 January 2013, when unidentified assailants shot at him three times but missed. He had received death threats in May 2012 and immediately reported them to police. Reportedly, law enforcement authorities did not effectively investigate either the threats or the subsequent shooting. **PEN Action:** In November 2014, PEN joined [30 other organisations](#) in an action calling for the investigation into the murder of the journalist to be transferred to the Central Investigative Department of the Russian Federation’s Investigative Committee.

**Natalia ESTEMIROVA (f):**

**Profession:** journalist and human rights defender **Date of birth:** 28 February 1958 **Details and date of death:** Estemirova was abducted on 15 July 2009 as she left her home for her office in Grozny, and was later murdered. Her body was found in woodland in neighbouring Ingushetia. She had been shot in the head and chest. **Details of investigation:** The then 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. Memorial has since closed its Grozny office, fearing for the safety of its staff. 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 denied this. On 12 July 2010, 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. 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. An independent investigation carried out by *Novaya Gazeta*, the Russian human rights organisation Memorial, and the International Federation for Human Rights, published on 15 July 2011, reiterated that the official investigation into Estemirova's death had been mistaken in focusing its suspicion exclusively on the rebel Chechen leader Alkazar Bashayev. It reported that at the time of her murder Estemirova was working on a more sensitive case investigating the possible involvement of Chechen police officers in the public execution of local resident Rizvan Albekov. Estemirova was the first person to report on the killing. The report claimed that investigators inexplicably stopped pursuing the possible link between this case and the journalist's murder in early 2010. Human Rights Watch claimed that "there were very strong circumstances around Estemirova's murder that suggest that there could have been some official involvement." **Background:** The Chairman of the Memorial Centre, Oleg Orlov, is on trial on charge of slander against the Chechen president. He reportedly suggested that the Chechen president was responsible for Estemirova's death. If convicted, Orlov could face up to three years in prison. On 5 September 2013, Abdurashid Sheikhov, Akhmednabiev's legal representative, asked for the investigation to be transferred to the Chief Investigating Department (CID) of the North-Caucasian Federal District (NCFD). As of 31 December 2015, no-one had been arrested and no suspects had been named. **Other information:** 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. **PEN Action:** RAN 28/09 – 16 July 2009; Update #1 – 23 July 2009, [Day of the Imprisoned Writer Case 2009](#)

**Khadzhimurad KAMALOV:**

**Profession:** journalist and founder of the independent Dagestan-based weekly newspaper *Chernovik*  
**Date of birth:** 11 February 1965 **Date and details of death:** Shot dead by a masked assailant shortly before midnight on 15 December 2011. Kamalov was reportedly shot up to 14 times by the unidentified person as he was leaving the offices of *Chernovik* in Makhachkala, the capital of the southern republic of Dagestan. The gunman reportedly fled the scene in a car. **Details of investigation:** The Investigative Committee of the Russian Prosecutor-General's Office decided to take over the reportedly stalled investigation into the death of Khadzhimurad Kamalov on 28 May 2012. Investigative Committee spokesman Vladimir Markin told journalists that the decision was made in response to a request by about 100 deputies in the Russian parliament's lower chamber, the State Duma, that federal investigators take charge of the probe. No further information as of 31 December 2015. **Other information:** There is a long history of harassment of the staff at *Chernovik*, with five of its journalists being arrested on reportedly trumped-up charges of "extremism" between 2008 and 2011. The newspaper has frequently addressed highly sensitive topics in the southern republic of Dagestan, in particular reports of police abuses in neighbouring Chechnya.

**Timur KUASHEV:**

**Profession:** freelance journalist, correspondent for *Dosh*, a prominent independent magazine focused on the North Caucasus, and also for the *Caucasian Knot* and *Caucasus Politics*. **Date of death:** 1 August 2014 **Details of death:** was found dead in the outskirts of Nalchik, the capital of Kabardino-Balkaria, on 1 August 2014. Late in the evening of 31 July, Kuashev's mother returned to the apartment they shared to discover that her son was gone, though his wallet, ID, and cell phone were left behind. She assumed that Kuashev had gone out, but contacted other relatives and the

police when he had not shown up several hours later. The next morning, police called Kuashev's parents and said Emergencies Ministry personnel had found the body of a young man in a wooded area, asking them to come in for identification. The parents identified their son. **Details of investigation:** A representative of local investigation authorities made a public statement that Kuashev's body bore no traces of violence and that the authorities had no grounds to suspect that his death was the result of a crime. However, Rustam Matsev, a local human rights lawyer who had worked closely with Kuashev, allegedly told Human Rights Watch that the forensic doctor who performed Kuashev's autopsy noted a trace of a needle prick, likely an injection, under Kuashev's arm. Matsev told Human Rights Watch that forensic experts took samples of Kuashev's blood and bodily fluids to test for toxins and other abnormalities. In September 2014 it was reported in the press that the republican division of the Investigative Committee had opened a murder investigation on the assumption that Kuashev was killed because of his professional activities. No results of the investigation had been announced by 31 December 2015, although local activists continue to [mount demonstrations](#) calling for a thorough investigation into Kuashev's death. **Background:** Kuashev's articles dealt mostly with the persecution of religious Muslims, including allegations of police abuse and fair trial violations. He was covering, among other things, the trial of over 50 people charged with terrorism offenses in connection with an armed uprising in Nalchik in 2005. Kuashev often received threats online, mostly through social media from people writing under aliases. Kuashev also reportedly received calls during 2014 from police and security officials, 'inviting' him for "conversations", warning him to "be careful" and suggesting that his activism and his publications could get him in trouble. In June 2014, security officials reportedly contacted Kuashev's father and told him to "rein in his son before something bad happens to him." They reportedly wanted Kuashev's father to try to convince his son to stay away from public activism and journalism. Kuashev was also a prominent rights activist and worked closely with local representatives of Memorial Human Rights Center, particularly on cases of police abuse. Kuashev was very active on social media, including Live Journal and VKontakte. He also planned to run for Kabardino-Balkaria's legislative assembly in the September 2014 election as a candidate for the opposition Yabloko party.

**Anna POLITKOVSKAYA (f):**

**Profession:** journalist and author **Date of birth:** 30 August 1958 **Date of death:** 7 October 2006 **Details of death:** Shot dead in the elevator of her apartment on 7 October 2006. She covered the war in Chechnya and had been receiving threats since 1999 after she wrote articles claiming that the Russian armed forces had committed human rights abuses in Chechnya. 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 last book, published in 2006, was *Putin's War: Life in A Failing Democracy*. In 2002 Politkovskaya was one of the few outsiders allowed into a Moscow theatre in an attempt to negotiate with Chechen rebels the release of hundreds of hostages held there. In 2004, she fell seriously ill as she attempted to fly to Beslan to cover the hostage crisis there, leading to speculation that she had been deliberately poisoned to stop her from reporting on the crisis. **Details of investigation:** On 27 August 2007, the Prosecutor General announced that ten suspects had been arrested in connection with the murder including Chechen criminals, and former and serving members of the Russian Federal Security Services and police forces. On 18 June 2008, the Investigative Committee announced that it had charged three men, a former police officer and two ethnic Chechen brothers. **Trial of perpetrators:** On 17 November 2008, the trial of Politkovskaya's alleged murderers began, at first open to the public, but then behind closed doors. On 19 February 2009, the men accused of assisting Politkovskaya's murder were acquitted by a twelve-member jury for lack of evidence. After prosecutors appealed the not-guilty verdict, the Supreme Court overturned this decision and ordered a retrial. On 24 August 2011, Russian authorities arrested Lt. Col. Dmitry Pavlyuchenkov in connection with the case and named convicted criminal Lom-Ali Gaitukayev as the organiser of the murder. In December 2012, Pavlyuchenkov was found guilty and sentenced to 11 years in a high security penal colony. Five other suspects, including three Chechen brothers - two of

whom were acquitted by a jury back in 2009 – were subsequently tried in separate proceedings. The three Makhmudov brothers, Rustam, Ibragim, and Dzhabrail Makhmudov, the criminal Lom-Ali Gaitukayev and Sergei Khadzhikurbanov, a former police officer were all convicted of Politkovskaya's murder on 20 May 2014. On 9 June 2014, Lom-Ali Gaitukayev and Rustam Makhmudov were handed life sentences; Sergei Khadzhikurbanov, Dzhabrail and Ibragim Makhmudov were handed sentences of 20, 14 and 12 years in prison respectively. However, the mastermind who ordered her killing has never been brought to justice; Anna Politkovskaya's family have said that they will continue to campaign for justice. **Other information:** Politkovskaya was the winner of numerous international awards for her courage, including the 2004 Olaf Palme Award that was set up by the family of the murdered Swedish prime minister. The prize was given to Politkovskaya to honour her work for the "long battle for human rights in Russia". **Honorary member:** PEN Canada **PEN actions:** RAN 8/11, 2 March 2011; PEN 50<sup>th</sup> anniversary campaign (case for 2006);, [statement](#) 7 October 2011; RAN 78/12 21 December 2012; [PEN World Cup Campaign 2014](#); [statement](#) 22 May 2014)

### Imprisoned- Main Case

#### **Sergei REZNIK**

**Profession:** blogger at LiveJournal. He also contributed reporting to regional news outlets, including the website Yuzhnyi Federalnyi and *Novaya Gazeta* **Sentence:** originally given 18 months in prison in November 2013 and was due for release in May 2015. However, he was handed a further three-year sentence on 22 January 2015 in a separate trial. **Date of arrest:** 26 November 2013 after his conviction **Current place of detention:** held in the city of Rostov-on-Don, reportedly in solitary confinement **Details of trial: 1)** Convicted of insulting a public official, bribery, and deliberately misleading authorities. According to news reports, authorities filed charges against Reznik in November 2012. His trial opened in June 2013. The charges of insult reportedly stemmed from a series of articles posted on his blog in which Reznik accused the chairwoman of the Regional Arbitration Court of corruption and nepotism. The other two charges stemmed from Reznik's reporting of threats against him to the police and allegedly bribing a car shop mechanic. On 27 November 2013, Reznik's lawyer filed an appeal against the verdict. **2)** On 24 July 2014, a new insult case was opened against him, under Article 319 of the Penal Code. Roman Klimov, former regional deputy prosecutor; Dmitry Ishtshenko, head of the General Directorate for Combating Extremism; and Andrei Glinkin, a Rostov police officer, accuse the journalist of having libelled them in articles on his blog. The police officer is also suing him for alleged perjury concerning a serious crime, under Article 206-2 of the Penal Code. The trial [began on 20 August](#) 2014 and was held partly behind closed doors. A defence request to replace the judge and the prosecutor (who held the same positions in Reznik's first trial) was rejected. The defence reportedly contends that the judge [has falsified](#) a number of official documents. On 22 January 2015 Reznik was convicted of insult and misleading authorities, and was sentenced by the Leninsky District Court in Rostov-on-Don to three years in a prison colony. He was also banned from practising journalism for two years. Reznik's lawyers said they would appeal. **Background:** Articles written by Reznik were often critical of the regional and municipal authorities and alleged widespread corruption and abuses. According to the regional press, in February 2012 Reznik reported receiving threats by phone from anonymous people who demanded that he stop publishing his articles. On 22 October 2012, Reznik was attacked by two unidentified men outside his apartment building, beaten with baseball bats, and then shot at with a pistol, according to news reports. Although not hit by gunfire, he suffered head and neck injuries from the beating and fell unconscious. **PEN's position:** As of June 2015, Reznik has been imprisoned for criminal defamation. PEN International opposes the criminalisation of defamation and calls for the release of all writers held under such charges. International human rights mechanisms have repeatedly clarified that criminal defamation laws violate the right to freedom of expression and should be abolished, leaving insult and defamation claims to be dealt with by civil courts.

**\*Vadim TYUMENSTEV:**

**Profession:** blogger **Sentence:** five years in prison and a three-year ban on using the internet **Date of the arrest:** 28 April 2015 **Details of arrest:** Tyumenstev was arrested on 28 April 2015 for his 'extremist activities in the Internet' after he wrote several critical posts urging people to attend protests and criticising the Russian intervention in Ukraine's civil war. **Details of trial:** On 30 December 2015 Tyumenstev was sentenced to five years in jail and he was banned from using the Internet for three years. The court said he had urged people to overthrow the authorities in his posts. **Background:** According to reports, Tyumenstev had irritated local politicians in Tomsk, where he lives, after a series of posts on the Internet where he accused them of incompetence and corruption. He urged people to attend an unsanctioned demonstration to protest against high transport fares and he also criticised the Russian intervention in Ukraine.

Imprisoned – Investigation

**Aleksandr TOLMACHEV:**

**Profession:** editor of the magazine *Upolnomochen Zayavit* and the newspaper *Pro Rostov* **Date of birth:** c.1956 **Sentence:** nine years hard labour **Date of arrest:** 20 December 2011 **Details of arrest:** ordered to be placed in pre-trial detention by a court in the southern city of Rostov-on-Don on 20 December 2011. **Current place of detention:** SIZO (pre-trial prison) No. 2 of the city of Armavir **Details of Trial:** Tolmachev had just been acquitted in a libel case when he was arrested on 20 December 2011 under articles 91 and 159 of the federal penal code for allegedly extorting 1 million roubles from a businessman in nearby Novocherkassk by threatening to publish compromising information about him. Arguing that his journalistic activities could influence the course of the case, judges ordered him placed not only in pre-trial detention but also solitary confinement. He spent almost three years in detention, with hearings of his case repeatedly being postponed, until his conviction on 29 October 2014. There are concerns about the fairness of the trial: according to reports, of the 50 witnesses listed in the indictment, only seven testified in court; it is also reported that two young women alleged that they had been forced to sign [pre-written affidavits](#) against Tolmachev. **Conditions of detention:** According to Caucasian Knot website, on 2 December 2014, he was beaten, handcuffed and kicked by prison staff who also refused to call an ambulance and notify the supervising prosecutor. He submitted a complaint on 8 December 2014 to the prison authorities. **Health concerns:** His health has reportedly deteriorated dramatically in prison. Tolmachev reportedly suffers from high blood pressure. **Awards:** 2013 Artyom Borovik prize for investigative journalism in recognition of his articles about judicial corruption in the Rostov region

On trial

**Nikolai ALEXEYEV:**

**Profession:** journalist, lawyer and LGBTQI rights activist **Details of trial:** Nikolai Alexyev is facing a criminal libel case. According to reports, in August 2013, two members of the Russian Duma - Yelena Mizulina and Olga Batalina – asked for criminal libel proceedings to be brought against Alexyev following remarks made on his own Twitter account criticising Mizulina and Batalina for their support of a ban on disseminating “propaganda of non-traditional sexual relations” to minors. Alexyev reportedly faces a substantial fine on the grounds of insulting a representative of authority. He has reportedly been harassed by police since the politicians' request. On 29 May 2015, he said on Twitter that he had been officially charged in the case. **Background:** In May 2012, Alexyev was the first person to be convicted of disseminating “gay propaganda” to minors in Russia. He was convicted under a new ‘anti-gay propaganda’ law that prohibits the “propaganda of homosexuality among minors” that was first introduced in St Petersburg. He was fined 5000 roubles. In June 2015, he was sentenced to ten days in prison following his arrest at a gay pride rally in Moscow (see below).

**\*Natalia SHARINA** (Ukrainian national):

**Profession:** director of the Moscow Library of Ukrainian Literature **Age:** 58 **Date of arrest:** 28 October 2015 **Details of arrest:** On 28 October 2015 law enforcement officials took Natalia Sharina into custody and searched her apartment, raided the library and seized books and documents. Authorities apparently alleged that some of the library's materials are meant to 'incite hatred' toward the Russian people. In their search, officials found some books they claimed were banned in Russia as 'extremist'. Following the library search, the authorities took Sharina to the Tagansky district investigation agency and questioned her there until midnight. A government-appointed lawyer then arrived, and the investigator told Sharina that she was being detained on suspicion of abuse of office to incite hatred between Russians and Ukrainians. Sharina became ill upon hearing this news. Emergency medics arrived at about 1:15 a.m. and diagnosed Sharina as having a hypertonic collapse, with dangerously high blood pressure. They gave her blood pressure medications and told the investigator that she should be hospitalized for the next 24 hours.

**Conditions of detention:** According to Sharina, the investigator told the medics he would arrange for Sharina's transfer to a prison hospital. Instead, at about 3 a.m., law enforcement officials took Sharina to a police precinct, where she spent the rest of the night with no sleeping facilities and no access to medical aid. **Details of trial:** On 30 October 2015, Sharina was put under house arrest pending trial, which had not begun by the end of 2015. **Other information:** The Ukrainian government sent an official protest to the Russian authorities in connection with the search in Moscow's Library of Ukrainian Literature, describing the actions of Russian law enforcement as "ruthless and unmotivated." [Stop Press: In January 2016, a court was due to consider the [extension of Sharina's house arrest](#) for a further three months]

#### Brief detention

**Nikolai ALEXYEV:**

**Profession:** journalist, lawyer and LGBTQI rights activist **Sentence:** 10 days in jail **Details of trial:** Alexyev was sentenced to 10 days in prison by a Moscow city court on 1 June 2015 following his participation in an unsanctioned gay pride rally in Moscow after a conviction of disobeying police orders. Several LGBTQI activists were also arrested, some of whom were attacked by anti-gay protesters. The rally took place in Tverskaya Street, near the mayor's office; Alexyev drove a red quad bike down the street waving a rainbow flag. **Background:** Alexyev has campaigned for years for LGBTQI rights. In 2010, he won a case at the European Court of Human Rights, which denounced the Moscow authorities' bans on gay pride rallies as unlawful. He has been arrested several times in the past for involvement in unsanctioned public events, including previous Moscow Pride rallies. He was also the first person in Russia to be punished under the original St. Petersburg law against spreading "homosexual propaganda," having been fined 5,000 rubles (\$170 at the time). Alexyev is currently the defendant in a criminal libel case brought against him by two politicians (see separate entry above).

#### Death threat

**\*Elena MILASHINA:**

**Profession:** an investigative journalist for *Novaya Gazeta* **Details of threat:** Elena Milashina reportedly received a veiled death threat delivered in an editorial on 19 May 2015 by *Grozny Inform* (the Chechen Republics most widely-read media outlet and closely linked to the republics leadership). The editorial reportedly drew comparisons between Anna Politkovskaya (the murdered Russian journalist that investigated human rights abuses in Chechnya) and Milashina, saying that she too could be killed for 'vilifying her country.' The editorial said: 'It was not at all an accident that [US] Secretary of State John Kerry gave Milashina the International Women of Courage award for her journalistic investigation. Lets hope that it is not posthumous.' **Background:** Milashina has been the victim of death threats before because of her outspoken accounts of enforced disappearances, extrajudicial executions, and torture. In 2012, Milashina and a friend were assaulted in what



appeared to be a targeted attack in Moscow, leaving her with over a dozen bruises on her head and a missing tooth.

#### Attacked

##### **\*Vyacheslav STARODUBETS:**

**Profession:** blogger running pages called Moi Derbent (My Derbent) and Zhemchuzhina Yuga (Pearl of the South) on Facebook, as well as the Russian social networks VK and Odnoklassniki; he is also employed by the press department of Derbent Museum **Date of attack:** 5 April 2015 **Details of attack:** Starodubets was reportedly attacked by masked men in Derbent, in the southern republic of Dagestan. According to his account, the blogger was grabbed outside his hotel by three men (at least two were masked) and dragged into a waiting car. Once inside the car, Starodubets said the attackers taped his eyes and hands, put a bag over his head, and drove to the mountainside where he was put in another vehicle and questioned about his personal information, his parents' address, and his connection to regional parliament members. Starodubets said that his attackers beat him on his arms and head, broke his nose, told him not to write anything about municipal officials, and urged him to leave the region within three days. Afterwards, the blogger said he was forced back into the first car and taken to the Derbent area where the attackers dropped him off. Starodubets reports on social and economic problems in Derbent and criticized municipal authorities for their apparent inability to address them. **Details of Investigation:** Starodubets reported the incident to police, saying that he believes the attack was related to his reporting. According to the independent regional news website Kavkazsky Uzel (Caucasian Knot), regional authorities placed armed police agents in Starodubets' hospital ward and moved him from Derbent to a hospital in the regional capital, Makhachkala. The Dagestan branch of Russia's Investigative Committee, a federal agency tasked with investigating grave crimes, said in statement on its website that it had started a preliminary investigation. In July 2015 Starodubets began a [daily demonstration](#) in Makhachkala in protest at the authorities' failure to investigate the attack. **Background:** Starodubets reports on social and economic problems in Derbent and has criticised municipal authorities for their apparent inability to address them.

#### Harassed

##### **\*Stevan DOJČINOVIĆ** (Serbian national):

**Profession:** a Serbian journalist working for the Organized Crime and Corruption Reporting Project (OCCRP) **Details of harassment:** Stevan Dojčinović was reportedly detained on 13 May 2015 for 20 hours at Moscow's Sheremetyevo International Airport without explanation; he was later deported. The journalist said later that officials had told him to sign a document stating: "I, Stevan Dojčinović, am aware that according to Russian Federal law №114 issued on 15 August 1996 I am not allowed to come to Russia until 13 May 2020." Seeking to avoid harassment, Dojčinović said he signed the document, but there is no official ban in his passport. Dojčinović is an investigative journalist who specialises in revealing links between organised crime and businessmen, as well as money laundering and the gambling industry. He went to Russia to give a lecture at the Faculty of Journalism in the Russian city of Voronezh.

#### Conditional Release

##### **Alexei NAVALNY:**

**Profession:** lawyer, political activist, blogger and runner-up in the 2013 Moscow mayoral elections **Date of birth:** 4 June 1976 **Sentence:** three and a half years suspended prison sentence **Date of arrest:** 28 February 2014 **Details of arrest:** Navalny was placed under house arrest on 28 February 2014 following a request by investigators. The terms of his house arrest stipulated that he may not access the internet, send or receive letters, talk to the press or leave his house without prior permission from investigators. The term of his house arrest was extended by six months on 24 April

2014. **Details of trial:** Navalny was charged with fraud and money laundering. In late October 2013, investigators charged Alexei and his brother Oleg of defrauding a Russian subsidiary of the French cosmetics company Yves Rocher out of approximately \$811,000, and a Russian company, MPK, out of 4m roubles (approx. \$125,000). They also charged the brothers with laundering \$656,000. On 30 December 2014 he was convicted and given a three and a half year suspended prison sentence. His brother was sentenced to three and a half years' in prison. **Background:** He was convicted of embezzling \$500,000 from a state-owned timber company while he was an advisor to the governor of the Kirov Oblast and was handed a five-year prison sentence by a local court in Kirov on 18 July 2013. Unusually, the Prosecutor's Office requested his release and Navalny was freed the following day, pending the appeal of his sentence. The sentence was later suspended (on 16 October 2013) and Navalny is not allowed to run for political office for the foreseeable future. **Background:** Navalny is a long-time critic of Vladimir Putin's ruling United Russia Party; his criticisms often appear in his popular blog which he has used to organise large-scale demonstrations against corruption in Russia. He has also written articles in several Russian publications, such as *Forbes Russia*. In a 2011 interview with Reuters, he claimed that Putin's political system is so weakened by corruption that Russia could face an Arab Spring-style revolt within five years. On 10 July, he registered as a candidate for the Moscow mayoral elections scheduled for 8 September 2013, and earlier had voiced his ambition to one day run for president. Throughout 2012 there were various investigations into Navalny's financial affairs. Article 19 and Amnesty International have said that Navalny did not receive a fair trial and that the charges against him were politically-motivated. In 2014 Navalny's blog was banned under an amendment to the Law on Information, Information Technology, and Information Protection which empowers the prosecutor general's office to block websites and blogs "containing calls for unsanctioned acts of protest" within 24 hours, and without any court approval. **PEN Action:** the ban on Navalny's blog was mentioned in PEN's 2014 [resolution on the Russian Federation](#). Navalny was detained briefly in January 2015 after breaking the terms of his house arrest by trying to attend an anti-Putin demonstration in Moscow. His suspended sentence was upheld by an appeals court in February 2015; the court also lifted his house arrest order]

*When the Russian Federation annexed Crimea in March 2014, it became responsible – under the law of occupation – to maintain order, safety and ensure that the fundamental rights of the occupied population were protected. However, under the law of occupation (which Russia does not accept applies in Ukraine), the Russian authorities are obliged to imprison arrested persons in the occupied territory.*

*Since the annexation, the Russian authorities have also introduced Article 280.1 to the Russian Penal Code which penalises anyone making public calls which 'harm the territorial integrity of Russia' with up to five years in prison.*

#### Judicial concern

#### **Oleg SENTSOV:**

**Profession:** filmmaker, best known for his 2011 film, *Gamer* **Sentence:** 20 years in prison **Date of arrest:** 11 May 2014 **Details of arrest:** Sentsov alleges that FSB officers held him at his apartment in Crimea on 10 May where they not only beat him up, but also suffocated him with a plastic bag to the point where he lost consciousness. Along with blows to his back and head, Sentsov's trousers and underpants were removed and he was threatened with rape with a police baton. This treatment continued for over three hours during which Oleg Sentsov refused to confess. These allegations are not known to have been investigated. He was then arrested, and his official arrest was recorded on 11 May on 'suspicion of plotting terrorist acts' and membership of Right Sector, a far-right Ukrainian group (this charge has reportedly since been dropped. On 26 June 2014, Russia's presidential council for human rights appealed to the deputy prosecutor to review the circumstances surrounding the



arrests of Sentsov and a fellow Ukrainian activist. A reply, posted on the council's website, said that prosecutors found 'no grounds for altering the detention of either suspect'. On 7 July 2014 Sentsov's arrest was extended until 11 October 2014; in October 2014 his arrest was extended to 11 January 2015. In September 2014, his lawyer appealed to the European Court of Human Rights regarding Sentsov's arrest, pre-trial detention and ill treatment. He also requested an interim measure requesting access to the case file. Also in September, at a pre-trial hearing, Sentsov reportedly claimed that he has never been a member of Right Sector or any other extremist group and denied all charges, stating that he had been tortured. Sentsov also indicated that he feared being killed in prison. The Ukrainian authorities are banned by their Russian counterparts from contacting Sentsov. **Current place of detention:** Initially held in Moscow's Lefortovo pre-trial detention centre, the judge ruled in August 2015 that he would be held in SIZO (pre-trial prison) No. 4 in Rostov-on-Don until the judgment came into force. **Details of trial:** Russian prosecutors have stated that Sentsov had confessed to plotting terrorist attacks in Crimea. Sentsov's trial was due to begin on 11 May 2015, the one-year anniversary of his detention, but in the same month a Moscow city court judge ruled that his pre-trial detention should be extended a further two months until 11 July 2015. On 20 August, Sentsov was sentenced to 20 years in prison in a high security penal colony. **Background:** Sentsov was also an activist in the Maidan movement which toppled former Ukrainian President Viktor Yanukovich. **PEN Action:** Mentioned in the 2014 [resolution on Russia](#) passed at PEN's annual congress. **PEN position:** PEN believes on the basis of the available evidence that Oleg Sentsov is most likely held on account of his political activities. As he is not held for his screen-writing, PEN's concern relates to the shortcomings in the judicial procedure followed, including the failure to investigate his allegations of torture and his lengthy pre-trial detention, as well as the fact that he is held in Russia. Under international law, Crimea constitutes occupied territory and as the Occupying Power, Russia is obliged under the Geneva Conventions not to transfer civilian prisoners out of the territory.

#### Judicial Harassment

##### **\*Anna ANDRIYEVSKAYA:**

**Profession:** journalist affiliated to the Center for Investigative Reporting **Date of harassment:** 23 March 2015 **Details of harassment:** Andriyevskaya, who lives in Kyiv, reportedly told journalists that Russian FSB agents went to her parents' house in Crimea and showed them documents that said she faced anti-state charges in connection with an October 2014 article she wrote in which authorities said she called for the pro-Russian regime to be overthrown in Crimea. **Background:** The Center for Investigative Reporting was initially based in Simferopol, the regional capital of Crimea, the Ukrainian peninsula that was annexed by Russia last year. The centre was forced to relocate to Kiev after its staff was reportedly subjected to attacks, harassment, and legal restrictions by the authorities.

##### **\*Natalya KOKORINA:**

**Profession:** journalist affiliated to the Center for Investigative Reporting **Date of harassment:** 23 March 2015 **Details:** According to reports, the authorities detained Kokorina and initially refused her access to her lawyer. She was detained and interrogated for six hours and then released; the Russian FSB also searched her parents' house. **Background:** The Center for Investigative Reporting was initially based in Simferopol, the regional capital of Crimea, the Ukrainian peninsula that was annexed by Russia last year. The center was forced to relocate to Kiev after its staff was reportedly subjected to attacks, harassment, and legal restrictions by the authorities.

#### **SPAIN**

*In July 2015 a controversial public safety law came into force in Spain. Known as the 'gag law', it allows for fines of up to 600,000 Euros for a variety of public order offences, such as unlicensed*

demonstrations outside a parliament building, inciting an unauthorised protest online and showing disrespect to the police. It had been widely criticised by civil society organisations and opposition parties. PEN International and PEN Català also [criticised](#) the law and called for its repeal or amendment. Also coming into force in July 2015 were amendments to the [Penal Code](#) and [anti-terror legislation](#) which some commentators fear could be used to restrict legitimate freedom of expression.

#### Sentenced

##### **Eduardo DÍAZ**

**Profession:** Salesman and social media user **Details of trial:** Díaz, from Tenerife, was the first known individual to fall foul of Spain's controversial new "gag law. He received a fine for describing his local police force as "slackers" in a 22 July Facebook post. He told the newspaper *El Mundo* that the comment he posted on his mayor's Facebook page about the decision to provide the local police force with a new and larger headquarters was "just a criticism, not an insult. I get the impression that they are trying to silence the voice of critical citizens".

#### Attacked

##### **\*Javier GARCIA ANGOSTO**

**Profession:** reporter for *La Luz de Melilla* **Date of attack:** 25 June 2015 **Details of attack:** Garcia was brutally assaulted following the publication of a series of articles denouncing alleged irregularities in the awarding of a public tender for the use of one of the beaches in the locality of Melilla to one agency. The journalist was attacked and then abandoned in a semi-conscious state in front of his home, where the owner of the agency and one accomplice had lain in wait for him. His two attackers were convicted of the assault in December 2015 and ordered to pay fines.

#### Released

##### **Javier SALUTREGI:**

**Profession:** sub-editor for *Egin*, a Basque daily newspaper that was forcibly closed in 1998 by a court order (the ban was subsequently lifted in 1999) **Sentence:** Seven years and six months in prison **Date of arrest:** 22 July 1998 **Date of release:** 29 October 2015 **Details of release:** Released on completion of his sentence **Details of trial:** *Egin* was accused of printing coded messages for Euskadi Ta Askatasuna (ETA) and thus supporting "terrorism". Salutregi was charged alongside **Teresa Toda** (see previous Case Lists) and 15 administrative staff of the newspaper. He received a 12-year prison sentence on 19 December 2007 on charges of membership of an armed organisation (ETA), reduced on appeal to seven years and six months. Salutregi was freed on €150,000 bail on 20 November 1998, reduced to €6000 in December 1999, until detained to serve his prison sentence. 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 due for release in 2015.

## **TAJKISTAN**

#### Case closed

##### **Alexander SODIQOV:**

**Profession:** academic and blogger **Charges:** reportedly charged under Article 305 with treason **Date of arrest:** 16 June 2014 **Date of release:** 24 July 2014 **Details of arrest:** Sodiqov was arrested in Khorog, the capital of the autonomous province of Gorno-Badakhshan, by secret police after interviewing local opposition leader Alim Sherzamonov as part of his PhD field research. On 19 June

2014 the State Committee for National Security announced that Sodiqov had been arrested and transferred to the capital Dushanbe. Tajik media reported that Sodiqov was under investigation on suspicion of espionage for an unnamed foreign country. According to reports he was denied access to a lawyer of his choosing during the first two weeks of his detention. If found guilty, Sodiqov faces 12-20 years in prison. **Details of release:** Released on bail, he was initially told to remain in the country. He was allowed to leave Tajikistan and return to Canada on 10 September 2014, but the investigation against him remains open. **Background:** Sodiqov is a PhD student in political science at the University of Toronto and has worked for UNICEF and the OSCE in the past. He is also a contributor to the citizen journalism and blogging portal *Global Voices*. He was in Tajikistan as part of a research project on conflict management in Central Asia. **PEN Action:** RAN 10/14 and updates. Sodiqov wrote a note of thanks to PEN for our support while he was detained, which was read to members at the PEN International World Congress in Bishkek, September 2014. Case closed as Sodiqov is no longer in the country.

## TURKEY

*The freedom of expression situation in Turkey continued to deteriorate throughout the year, with restrictive legislation introduced, new arrests of writers, and hundreds of defamation cases brought by officials, particularly President Erdogan, including against writers. In the second half of the year, escalating tension in the mainly Kurdish regions of south-east Turkey led to crackdowns on social media and news sites by the Turkish authorities. In December 2015, PEN International and PEN Norway published a report [Surveillance, Secrecy and Self-Censorship: New Digital Freedom Challenges in Turkey](#) highlighting the situation and making recommendations to the Turkish authorities, the international community and internet businesses.*

### Killed

**\*Ibrahim ABD al-QADER** (Syrian National):

**Profession:** citizen-journalist, contributor to the “Raqqqa is Being Slaughtered Silently” (RBSS) information network and the *Ayn al-Watan* website **Date of death:** 30 October 2015 **Details of death:** 20-year-old Abd al-Qader was found beheaded in the southeastern city of Sanliurfa, Turkey, where he had been living as a refugee for the past year. He was reportedly found at the home of a friend who had also been decapitated. Turkish media reported that several suspects were arrested although the Islamic State organisation also known as ISIS has since claimed responsibility for the double murder. No more information as of 31 December 2015. **Background:** The RBSS network was created in April 2014 to document the Islamic State’s atrocities in Raqqqa, a city in northern Syria controlled by the jihadist group since the start of 2014. After quickly establishing itself as one of the most reliable sources of information about what is happening in Raqqqa, RBSS this year received an [International Press Freedom Award](#) from the Committee to Protect Journalists (CPJ). Its contributors are under permanent threat from IS, which has declared them to be “enemies of God.”

**\*Naji JERF** (Syrian National)

**Profession:** founder and editor of opposition magazine *Henta* and documentary filmmaker **Date of death:** 27 December 2015 **Details of death:** Jerf was gunned down in broad daylight in Gaziantep, southeastern Turkey where he had worked for the past three years documenting atrocities by Islamic State (also known as ISIS and ISIL) and the Syrian government. No group has claimed his murder as of 31 December 2015 although it is believed Islamic State is responsible. **Background:** Originally from Salamiyah, Hama province Jerf covered human rights abuses and coordinated the work of citizen-journalists after the start of the uprising in 2011. When the government intelligence officers identified him and ransacked his office in October 2012 he went into hiding and fled the country a month later. He had previously told Reporters Without Borders (RSF) that he had been receiving

threats and had just obtained a visa for France where he had planned to move next month. In his visa application letter, he said he feared for his safety and would like to live in a country that “respects human rights.” France gave him the protection he sought but his killers acted before he left. In a letter in July 2015 to the French ambassador in Turkey in support of his application, he wrote: “I now live in the Turkish city of Gaziantep and my safety is more and more difficult after an increase in the threats to me and my family, above all because I am a secularist and belong to the Ismaili minority, which is targeted by the Jihadis.” The threats against Jerf began to increase this past summer because of his coverage of the atrocities by Islamic State. His film “[ISIL in Aleppo](#),” which documented the Islamic State's execution of many Syrian activists, was released in December 2015. Jerf was also in contact with [Raqqa is Being Slaughtered Silently](#) (RBSS), a citizen-journalist collective whose members are being pursued by Islamic State, which has declared them to be “enemies of God.”

Killed: impunity

### **Hrant DİNK**

(NOTE: The direct perpetrators of his murder have been convicted and imprisoned although the organised conspiracy behind his murder is still being investigated):

**Profession:** editor of the Armenian language *Agos* magazine **Date of death:** 19 January 2007 **Details of killing:** Killed outside his office in Istanbul by an assassin on 19 January 2007. Dink had been convicted under Article 301 of the Penal Code for “insulting Turkishness” for his writings on an Armenian genocide. In October 2005, he was given a six month suspended sentence for a 2004 article entitled “The Armenian Identity”. Dink’s murder sparked debate on revision or repeal of Article 301, which many believe marked Dink out as a target for ultranationalists. **Details of investigation:** Ogün Samast was sentenced to 22 years and 10 months in prison on 25 July 2011, the heaviest sentence that can be passed against a minor. He was 17 at the time of the murder. He confessed to the killing and his sentence was upheld by the Supreme Court. Yasin Hayal, a criminal with a previous conviction for a bomb attack on a McDonald’s restaurant, was sentenced to life in prison in solitary confinement and with no possibility of parole, for “soliciting another person to wilfully commit a murder”; he earlier admitted to arming Samast and instructing him to murder Dink. Separately, Hayal was sentenced to three months in prison for threatening Nobel Laureate Orhan Pamuk and a year in prison for “unauthorised possession of arms”. Two others, Ersin Yolcu and Ahmet İskender, were sentenced to 12 years and six months in prison each, for “assisting in a felonious murder”. İskender was also sentenced to a year in prison for “unauthorised possession of arms.” In May 2013, the Supreme Court of Appeal accepted Hrant Dink’s lawyers’ call for the case to be considered as an organised crime, overturning a January 2012 court ruling that this was not the case. This has opened the way for a new trial to be opened, which started on 17 September 2013. This will mean that: Yasin Hayal, whose sentence has already been upheld by the Supreme Court, will now also be tried for leading the criminal gang behind the murder. Osman Hayal, (brother of Yasin Hayal) who was earlier tried and acquitted of involvement, will have his acquittal reviewed. He was allegedly caught on security cameras as being with Samast at the time of the murder. Erhan Tuncel, another suspect acquitted of the murder, will now be retried as being a member of a criminal organisation as will three other defendants also acquitted when an earlier court ruled that no such organisation existed. Dink’s lawyers were, however, disappointed that the retrial decision did not go further in defining the organisation as a “terrorist organisation,” which would have given investigators greater powers. On 21 May 2014, the court lifted a non-prosecution order protecting Istanbul Deputy Governor Ergün Güngör, Istanbul Police Chief Celalettin Cerrah and seven other security officials from being prosecuted in relation to the Dink murder. **Update:** On 29 June 2015, Istanbul’s 5th Penal Court rejected Yasin Hayal’s plea for a retrial. On 28 May, the same court had ordered former Istanbul police intelligence chief Ali Fuat Yilmazer to be arrested on charges of aiding and abetting premediated murder. On 3 September 2015, at the 6th hearing of the case, the court

demanded the Scientific and Technological Research Council of Turkey (TÜBİTAK) to prepare a report based on security camera tapes to clarify whether Osman Hayal had been following Ogun Samast at the crime scene. On 7 October 2015 seven police officers were reportedly taken into custody after new evidence relating to Dink's murder came to light. The seven are reportedly suspected of "helping kill a person intentionally in an organised way; forgery and cover-up of official documents." In a letter dated 13 November 2015, Ogun Samast reportedly requested to be allowed to present his testimony for the "criminal organisation" leg of the case into the murder, also asking to be transferred to a prison in Istanbul, from the high-security F-type prison in Kandıra, Kocaeli province, where he is currently held. On 9 December 2015 the Istanbul Chief Public Prosecutor's Office approved the indictment prepared against 26 former officers, including police chiefs, into "negligence on public duty" in the shooting death of Dink, although the court reportedly refused to join the two cases and therefore the prosecutor forwarded the indictment report to the Istanbul 14<sup>th</sup> High Criminal Court. According to reports, there are arrest warrants for two further suspects. No more information as of 31 December 2015. **Honorary Member:** PEN Vlaanderen, English PEN and Norwegian PEN. **PEN Action:** He was one of the 50 writers chosen to represent the struggle for freedom of expression since 1960 for the Writers in Prison Committee's 50th Anniversary Campaign – [Because Writers Speak Their Minds](#), representing 2007.

Imprisoned: Main case

**\*Gültekin AVCI**

**Profession:** columnist for independent daily *Bugün* **Date of arrest:** 18 September 2015 **Details of arrest:** Prosecutors charged Avcı in connection with a series of columns he wrote in 2013 and 2014 for *Bugün* in which he reportedly alleged that the Turkish National Intelligence Organisation or MIT, the country's spy agency, had links to an Iranian-backed group called Tawhid-Salam, a group which the Turkish authorities declared a terrorist organisation in 2014. **Details of trial:** Avcı was first reportedly detained in Izmir and then taken to the 2<sup>nd</sup> Penal Court of Peace in Istanbul on 20 September 2015 where he was officially arrested. According to reports the court ordered Avcı to be imprisoned pending trial on charges including "attempting to overthrow the government" and being a member of a terrorist organisation. Seven articles were submitted as evidence on charges that he "relayed the orders of Fethullah Gulen (an Islamic thinker who lives in the USA) to members of the Gulenist Terror Organisation" and that he "moulded public opinion by way of the press". According to news reports dating 2 October 2015, Avcı submitted a request to appeal his arrest together with a recusal of the judge who had issued the arrest warrant. This request pointed out that the judge in question had previously filed a defamation suit against Avcı, claiming the *Bugün* columnist had insulted him in his 23 March 2015 column titled "They Hand Me Lists". Still imprisoned as of 31 December 2015. **Current place of detention:** Silivri Prison in Istanbul **Conditions of detention:** According to reports Avcı has been kept in a solitary cell and is denied warm meals. **Background:** Avcı is a former prosecutor and is also the legal representative for Hidayet Karaca (see below under Detained: investigation). On 17 December 2013, Istanbul police carried out early morning raids on several homes, detained 52 people and confiscated approximately \$17.5 million in cash. The money was allegedly the proceeds of corruption and bribery (in the construction, bid-tendering and development sector of the economy), fraud, money-laundering and gold smuggling; 14 people were arrested, all of whom had close ties to the ruling AKP party; some of those suspected of wrongdoing included Erdogan's own son and family members of cabinet ministers. Three cabinet ministers resigned, and Erdogan immediately undertook a purge of the prosecutors and police leading the corruption investigation, specifically targeting individuals believed to be sympathisers of the faith-based Gülen movement (also known as Hizmet in Turkey) inspired by Turkish Islamic scholar-in-exile Fethullah Gülen who he accused of forming a 'parallel structure' aimed at bringing down the AKP.

**\*Mehmet BARANSU**

**Profession:** Journalist for the daily *Taraf* **Sentence:** 10 months in prison (also on trial for other charges) **Date of arrest:** 2 March 2015 **Details of arrest:** Baransu was arrested along with Murat Seki Çoban on the charges of forming a criminal organization and obtaining, distorting and stealing secret state documents. Baransu broke a story about an alleged military coup known as Sledgehammer in 2010 after having received CDs, tapes and documents from a source. **Current place of detention:** Silivri Prison, Istanbul **Details of trial: 1)** The Istanbul Chief Public Prosecutor's Office launched an investigation against Baransu and Çoban in November 2013 on the grounds that they "revealed confidential documents regarding Turkey's national security interests" in the article "Gülen'i Bitirme Kararı 2004'te MGK'de Alındı" (The Decision to Ruin the Gülen Movement Made at the National Security Council Meeting in 2004), which was written by Baransu and published by *Taraf* on 28 November 2013. Baransu and Çoban were officially charged on 22 May 2014 following a six-month investigation. On 30 June 2015 Baransu was reportedly handed a 10-month jail sentence by an Istanbul court for insulting the president. **2)** On 30 June Baransu was reportedly also questioned by for the first time in an investigation started by MİT, the Turkish intelligence agency, in April. In that case, Baransu is reportedly being investigated over a series of articles and opinion columns published in *Taraf* in 2011 on the Uldere air strike in December of that year, in which 34 Kurdish villagers were killed by Turkish fighter jets. Details of the MİT investigation are limited because it has been declared a state secret. Baransu is reportedly accused of "collecting secret official documents on state's security and political interests". **3)** On 5 October 2015 Baransu was charged with staging a coup against the Turkish government via news articles he reportedly published about genetically modified rice. The Mersin 2nd High Criminal Court has accepted the indictment. The prosecution stated in the indictment that Baransu attempted to create a negative perception about some government officials in the reports by stating that those officials had overlooked those who imported genetically modified rice and that Baransu had intended to put pressure on the government to resign by alleging that the government had covered up the corruption. The first hearing took place on 14 October 2015; a ban on reporting the trial was imposed on 13 October 2015. Biosecurity Law No. 5977 prohibits the production of GMO foods in Turkey and makes it mandatory to secure permission from the ministry to transport these products through Turkey. **Conditions of detention:** According to his lawyer, Baransu was kept in isolation for nearly four months before being given a cell mate on 22 June 2015. Still imprisoned as of 31 December 2015. Coban is free pending trial. **PEN Action:** Statement [5 March 2015](#)

Note on KCK (Kurdistan Communities Union) and Ergenekon Trials:

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

*The **KCK (Kurdistan Communities Union)**, is the alleged 'urban wing' of the outlawed PKK (Kurdistan Workers Party), which has been engaged in armed conflict with the Turkish army since 1984. The various waves of this investigation have targeted Kurdish and Turkish civilians with pro-Kurdish sympathies, including politicians, lawyers, human rights defenders, academics, translators, researchers, publishers, journalists and writers. Each investigation is aimed at targeting a separate alleged 'wing' of the organisation, such as the 'committee of leadership' (46 of the 50 under trial in this wave are lawyers), the 'political wing' (including publishers, academics and translators alongside politicians) and the 'press wing' (which implicates 46 journalists).*

*The **Ergenekon** investigation attempts to uncover an alleged, clandestine, ultranationalist organisation engaged in the plotting of a military-backed overthrow of the government. The early waves of this investigation largely targeted members of security and intelligence forces, as well as investigative journalists with alleged relationships to them. One of the latter waves of the investigation implicated online news outlet ODATV in the conspiracy, as well as a number of*



*investigative journalists writing about the alleged infiltration of the police and judiciary by members of the liberal Islamic 'Gülen Movement'*

*This list indicates those persons whose cases are linked to either the Ergenekon or KCK investigations. Where there is no reference to either, these are cases which are not known to be linked to either investigation.*

Imprisoned: investigation

*PEN is seeking further information as to whether the writers below used or advocated violence.*

**Seyithan AKYÜZ:**

**Profession:** journalist for *Azadiya Welat*, a Kurdish language daily newspaper **Sentence:** 22 years 6 months in prison **Date of arrest:** 7 December 2009 **Current place of detention:** Isparta E-Type Prison **Details of trial:** He was sentenced in October 2012 after conviction of offences under Article 314/2 of the Turkish Penal Code (membership of a terrorist organisation), Article 5/1 of the Anti-Terror Law (membership of a terrorist organisation) and Article 7/2 of the Anti-Terror Law (making propaganda for a terrorist organisation). The indictment against him refers to banned pro-Kurdish calendars and newspapers, some of which he distributed during May Day celebrations in 2006, as well as “engaging in propaganda activities and providing CDs and organization documents within the framework of the urban wing of the armed terrorist organization” and “participating in the illegal demonstration with stones and Molotov bombs in Adana on 9 August 2009.” Remained imprisoned as of 31 December 2015.

**Sevcan ATAK (f):**

**Profession:** *Özgür Halk* editor **Date of arrest:** 18 June 2010 **Sentence:** Seven years and six months **Current place of detention:** İzmir Şakran Women' Prison **Details of trial** She was convicted on 26 May 2011 of offences under Article 314/2 of the Turkish Penal Code (membership of an armed organisation), and Article 5 of the Anti Terror Law (membership of a terrorist organisation) in Diyarbakir. **Conditions in detention:** According to the media reports, Atak has serious health problems. She is suffering from cancer of the uterus and is at risk of losing her eye sight. Medical reports have recommended that she is released for medical treatment. She remained imprisoned as of 31 December 2015.

**Mikail BARUT:**

**Profession:** *Özgür Halk* editor **Sentence:** Seven years and six months **Date of arrest:** 20 December 2011 **Current place of detention:** Silivri L-Type Prison **Details of trial:** an alleged member of the KCK “Press Wing”, he is facing trial for “leadership of an illegal organisation” under Article 5 of the Anti-Terror Law and Article 314/1 of the Turkish Penal Code (“leadership of an armed organisation”). There is no detention order against him under these charges but he remains imprisoned under a separate case for involvement in the KCK. PEN is seeking further details on this other case. He remained imprisoned as of 31 December 2015.

**Gurbet ÇAKAR (f):**

**Profession:** Editor in chief of Kurdish language magazine *Heviya Jine* **Date of arrest:** March 2010 **Sentence:** Seven years and six months in prison **Details of trial:** Sentenced on 30 December 2010 for “committing a crime on behalf of a terrorist organisation without being a member” and “making terrorist propaganda” under Article 7/2 of the Anti-Terror Law. The charges relate to articles published in Kurdish language magazine *Heviya Jine*. Remained imprisoned as of 31 December 2015.

**Ersin ÇELİK:**



**Profession:** journalist for the Dicle News Agency (DİHA) **Sentence:** (1) Six years in prison (2) Ten months in prison **Date of arrest:** 22 March 2008 **Details of trial:** (1) Sentenced in January 2010 by the Malatya Third High Criminal Court with 26 other people on charges of “membership of a terrorist organisation” under Article 314/2 of the Turkish Penal Code and Article 5 of the Anti-Terror Law. He was arrested in March 2008 along with some 100 people for their alleged involvement in the Patriotic Democratic Youth Assembly (YDGM) linked by prosecutors to KCK and the PKK. 30 were detained of which 26 were freed after two months. They were accused on the testimony of one witness who claims to have recognised them as members. PEN is seeking clarification of whether he has appealed his sentence. (2) On 13 May 2011, Çelik was sentenced to 10 months in prison by the Diyarbakır 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 lodged. PEN is seeking further details. No further information as of 31 December 2015.

#### **Ferhat ÇİFTÇİ:**

**Profession:** journalist for *Azadiya Welat*; Gaziantep representative **Sentence:** 22 years and 6 months in prison **Date of arrest:** 16 February 2011 **Current place of detention:** Gaziantep H-Type Prison **Details of trial:** Convicted in early 2013 on charges of leadership of an armed organisation under Article 314/1 of the Turkish Penal Code, leadership of a terrorist organisation under Article 5 of the Anti-Terror Law and making propaganda for a terrorist organisation under Article 7/2 of the Anti-Terror Law. Still imprisoned as of 31 December 2015

#### **Şahabettin DEMİR:**

**Profession:** journalist for Dicle News Agency (DİHA) in Van, south eastern Turkey **Sentence:** Four years for propaganda and 11 years in another case **Date of arrest:** 9 May 2010 **Current place of detention:** Erzurum Oltu T-Type Prison **Details of trial:** Convicted of making propaganda for a terrorist organisation under Article 7/2 of the Anti-Terror Law and subsequently sentenced to four years in prison, upheld by the Supreme Court. The Court sentenced him to four years in prison for "spreading propaganda in favour of PKK organization". The High Appeal Court had confirmed the sentence. He was imprisoned in Bitlis E Type Prison after a violent altercation between him, his two brothers and his cousin. He was transferred on July, 9, 2012 to Giresun E Type Prison. The Heavy Penal Court sentenced Demir to 11 years in prison for "attempting murder, assault with a weapon, and trespassing". Yolyapan believes Demir is convicted because of an article that the journalist wrote on the raping of a minor, allegedly perpetrated by four police officers. As the last resort, his lawyer appealed to the Constitutional Court. On November 2012, Demir launched hunger strike for 28 days with many journalists detained in KCK cases for protesting detention conditions of PKK leader Abdullah Öcalan, and also in recognition of the right of using mother tongue in the courts and education. He stopped it following the government's promises to carry out reforms in favour of the use of the Kurdish language for the defence. He remains imprisoned as of 31 December 2015.

#### **Hamit DUMAN (alias DİLBAHAR):**

**Profession:** poet, politician and journalist for *Azadiya Welat* **Sentence:** 16 years **Date of arrest:** 13 February 2010, as part of the KCK operation. **Current place of detention:** Erzurum E-type prison **Details of trial:** Convicted of leadership of an armed organisation under Article 314/1 of the Turkish Penal Code and leadership of a terrorist organisation under Article 5 of the Anti-Terror Law in early 2013 and sentenced to 16 years in prison. Still imprisoned as of 31 December 2015.

#### **Hatice DUMAN (f):**

**Profession:** *Atılım (Leap)* magazine owner and editor **Sentence:** Life imprisonment **Date of arrest:** 1 April 2003 **Details of arrest:** Arrested as part of an investigation into the Marxist Leninist Communist Party (MKLP) **Current place of detention:** Bakırköy Women Prison in İstanbul **Details of trial:** Her life

sentence imposed in May 2011 was upheld on 16 October 2012 by the Supreme Court of Appeals. She was convicted of leadership of an armed organisation under Article 314/1 of the Turkish Penal Code and leadership of a terrorist organisation under Article 5 of the Anti-Terror Law. Believed to have other convictions and charges against her. Still imprisoned as of 31 December 2015.

**Mustafa GÖK:**

**Profession:** *Ekmek ve Adalet* (bread and justice) weekly's representative and journalist with satirical magazine *Viz Gelir* **Date of birth:** 1966 **Sentence:** Life imprisonment **Date of arrest:** 19 February 2004 **Current place of detention:** Tekirdağ F-Type Prison **Details of trial:** A local court sentenced Gök to six years and three months in prison on charges of being a member of the outlawed Revolutionary People's Salvation Party/Front (DHKP/C), according to his defence lawyer, Evrim Deniz Karatana. Gök's lawyers appealed the sentence. Karatana told CPJ that the evidence against the journalist consisted of his news coverage and attendance at political demonstrations. She said Gök had been targeted for his reporting on politics and human rights, along with his beliefs as a socialist. **Health concerns:** Gök suffers from Wernicke-Korsakoff syndrome, a brain disorder, which has led to a loss of sight and balance. He remains in prison as of 31 December 2015 despite having a medical document that says he has a severe disability and is ineligible for incarceration. **Background:** Gök was also serving a life term on charges of membership in a terrorist organization, forgery, bombing, and murder, all dating to the early 1990s, according to the Justice Ministry's updated list. The life sentence was withdrawn in 2002 when Gök was released on parole for health reasons, Karatana told CPJ. When Gök was rearrested in 2004 on the DHKP/C membership charges, the life term was reinstated, she said. She said their appeal against the reinstated life term was rejected.

**Ali KONAR and Nuri YEŞİL:**

**Profession:** both journalists for *Azadiya Welat* **Sentence:** Seven years and five months, and 22 years and 6 months respectively **Date of arrest:** 27 May 2010 **Current places of detention:** Konar is currently in Malatya E-Type Prison while Yeşil is in Maraş Elbistan E Type Prison **Details of trial:** They were charged in relation to the Yurtsever Demokratik Gençlik Meclisi (YDGM) (Patriotic Democratic Youth Assembly) linked to the KCK. **Konar** was sentenced in December 2010 to 7 years and five months in prison under Articles 220 and 314/2 of the Turkish Penal Code for membership of an armed organisation and Article 5 of the Anti-Terror Law for membership of a terrorist organisation. **Yeşil** was sentenced in June 2013 to 12 years and 6 months in prison under Article 314/2 of the Turkish Penal Code and Articles 5 and 7/2 of the Anti-Terror Law for membership of and propaganda for a terrorist organisation. He had previously been sentenced for propaganda, serving 10 months in prison from November 2008 to August 2009, and later receiving a one year, seven month sentence (unclear if detained for this) for propaganda. A High Appeals Court is expected to decide about the decisions. Both still imprisoned as of 31 December 2015.

**Sevan NİŞANYAN:**

**Profession:** Turkish language historian, writer and *Agos* columnist **Sentence:** **1)** Thirteen and a half months (postponed until the outcome of an appeal) **2)** 11 years (currently being served) **Date of arrest:** January 2014 **Current place of detention:** A prison in Torbali, Izmir province **Details of Trial:** **1)** He was found guilty of religious defamation under Article 216/3 of the Turkish Penal Code on 24 May 2013 for comments he made regarding Muhammad in his personal blog. He was handed a 13-and-a-half month prison sentence, with the court deciding not to suspend his sentence or commute it to a fine as a result of his prior convictions. This sentence has been postponed until the outcome of an appeal, which is currently ongoing. No further information as of 31 December 2015. **2)** Nişanyan is currently serving a prison sentence as a result of a longstanding legal battle with the state over planning permission. Nişanyan began this prison sentence in early January 2014. In April 2015, a court increased the length of this sentence from six years and six months to 11 years and one month after he was convicted of additional planning offences. No more information as of 30 December

2015. **PEN Actions:** Interview with Sevan Nişanyan 5 February 2015. Mentioned in PEN's 2015 report: [Surveillance, Secrecy and Self-Censorship: New Digital Freedom Challenges In Turkey](#)

**Erdal SÜSEM:**

**Profession:** *Eylül Hapishane (September Prison)* magazine editor **Date of arrest:** 1 February 2010 **Sentence:** life imprisonment (date not known) **Current place of detention:** Edirne F-type Prison **Details of trial:** Convicted of "attempting to overthrow the constitutional order by force" and membership of the outlawed Marxist Leninist Communist Party (MKLP) under article 314 of the Penal Code and Article 5 of the Anti-Terror Law. Sentence upheld in February 2011. A second trial against him, related to "propaganda" for terrorism is under way for which he could be sentenced to an additional 15 years in prison. Still imprisoned as of 31 December 2015.

**Sami TUNCA:**

**Profession:** editor-in-chief of *Yeni Evrede Mücadele Birliği* political review **Sentence:** ten years and five months' imprisonment **Date of arrest:** 19 September 2013 **Details of arrest:** Tunca was arrested on 17 September, at his home in Tekirdağ. In June, he had attended several demonstrations held in Sarigazi district. During his arrest, the police showed him pictures of protesters, their faces covered, throwing stones or in possession of iron bars. "I participated in these events with my identity as a journalist and socialist", he wrote in a letter sent to readers, on 5 October 2013. Tunca remains imprisoned as of 31 December 2015. **Current place of detention:** Tekirdağ N.1 F type High Security Closed Prison **Details of trial:** Tunca was convicted by the Adana 7th High Criminal Court for "membership of an outlawed organization", "propaganda of a terrorist organization", "possession of explosive device" and "violation of Law 2911 on demonstration" in a case in Gaziantep (File N. 2008/144). **(2)** Tunca is also on trial on charges of belonging to Labour Party of Turkey/Leninist (a banned organization), "attending illegal demonstrations", "possessing fake ID", "throwing stones and Molotov cocktails" and was released pending trial by Istanbul 19th High Criminal Court on 18 July 2014. **(3)** Istanbul Anatolia 11th First Instance Court recently acquitted Tunca for attending Newroz (Kurdish New Year) celebrations and the Gezi demonstrations in 2013.

**Erol ZAVAR:**

**Profession:** Poet and former editor in chief of *Odak* and *Direnış* magazines **Date of arrest:** January 2000 **Sentence:** life imprisonment **Details of trial:** Convicted of "attempting to overthrow the constitutional order" in January 2001. Imprisoned ever since despite numerous campaigns for his release and several battles with cancer. Zavar was editor in chief at *Odak* and *Direnış* in 1997 and 1998 and has had two books of poetry published during his time in prison. He remained imprisoned as of 31 December 2015.

Detained: Main Case

**\*İdris YILMAZ:**

**Profession:** journalist with *JINHA* **Date of arrest:** 14 November 2015 **Details of arrest:** Yilmaz was arrested while following up news during armed conflicts in Tendürek neighbourhood of Erciş district of Van province alongside **Vildan Atmaca** (see Brief Detention below) and was charged of "defaming the President through social media" and "propagandising for the terrorist organization". According to Yilmaz's police testimony, the journalist said he and Atmaca were among a group of reporters who had been turned away from a local hospital by police after trying to investigate claims that residents had been injured by Turkish soldiers. Yilmaz's testimony says that later that day he and Atmaca were at a café with journalists from other news outlets when plain-clothed police approached and said they were detaining Yilmaz for "producing biased news." Several journalists who stood up for Yilmaz were arrested alongside him but, with the exception of Atmaca, the others were released Saturday, [according to reports](#). **Details of trial:** According to CPI, Yilmaz was accused of creating terrorism

propaganda and running a pro-PKK Facebook page called Ajans Erciş. The reporter stated in police testimony that he had no links to the Facebook page. Yılmaz was questioned about Facebook posts he allegedly made on his personal account that authorities said were pro-PKK, according to the documents. The reporter denied that the posts were terrorist propaganda. Yılmaz was also accused of insulting the president through a cartoon posted to his personal Facebook page that showed President Recep Tayyip Erdoğan defecating on a map of Turkey, according to the documents. In testimony before the Erciş Chief Prosecutor's Office on Friday, the journalist said he did not accept any of the accusations made against him and said he did not think the figure featured in the cartoon looked like the president. Yılmaz remained detained as of 31 December 2015. **[Stop Press: Yılmaz was released on bail on 21 January 2016]**

**\*Deniz BABIR:**

**Profession:** journalist with the Kurdish-language daily *Azadiya Welat* **Date of arrest:** 15 December 2015 **Details of arrest:** Babir was arrested in the Sur district of Diyarbakır while reporting on clashes between Turkish security forces and the Patriotic Revolutionary Youth Movement (YDG-H), a branch of the PKK, local press [reported](#). Four other journalists - Ferit Dere and Elifcan Alkan of the pro-Kurdish daily *Azadiya Welat*, and Pinar Sağnaç Kalkan and Savaş Aslan were of the pro-Kurdish political magazine *Özgür Halk* (Free People) - were arrested alongside Babir and released, [reports said](#). According to the pro-Kurdish Dicle News Agency, Dere said police questioned all four about their reporting and confiscated their cameras, notes, and voice recorders. The equipment was not returned, he said. **Current place of detention:** Babir is being held in Diyarbakır D Type prison. **Details of Trial:** A review of court files showed that he was placed under pre-trial detention on accusations of being a member of the PKK, which is banned in Turkey. The journalist's lawyer, Resul Tamur reported that Babir denied being part of the PKK but admitted to a second charge of carrying false identification. According to Tamur, police questioned the journalist about his work. Remains detained as of 31 December 2015.

**\*Beritan CANÖZER (f):**

**Profession:** reporter with the women's news agency *JİNHA* **Date of arrest:** 16 December 2015 **Details of arrest:** Canözer was arrested by plainclothes police officers while covering a protest over the state military campaign against the PKK's youth wing, known as the 'Patriotic Revolutionary Youth Movement' (YDG-H), in the southeastern city of Diyarbakır. She was charged with aiding a terrorist organization which the journalist denied, local press [reports](#). Three days later, a regional court [ordered](#) her to be held in pre-trial detention on accusations of "knowingly and willingly aiding a terrorist organization," news reports [said](#). Remained detained as of 31 December 2015. **Current place of detention:** Canözer is being held in Diyarbakır E Type prison.

**\*Can DÜNDAR, Profession:** Dündar is the editor of Cumhuriyet and is also a writer, and documentary filmmaker, and member of PEN Turkey

**\*Erdem GÜL, Profession:** Gul is the Cumhuriyet Ankara Bureau Chief

**Date of birth:** 16 June 1961 (Dündar); 1967 (Gül) **Date of arrest:** 26 November 2015 **Details of arrest:** On 26 November 2015 the Turkish authorities detained Dündar and his Ankara bureau chief **Erdem Gül** on terrorism and espionage charges in relation to a news story in June 2015. **Details of trial: (1)** In June 2015 Erdoğan filed a criminal complaint against Dündar over a news story, alleging espionage and demanding an aggravated life sentence. The complaint accused Dündar of trying to manipulate justice with fabricated material and violating confidentiality by publishing the story. Dündar's paper Cumhuriyet had published photos of Turkish intelligence agency's trucks allegedly carrying arms to Syria. Dündar and Gül remain detained as of 31 December 2015. **2)** Dündar is also on trial for criminal defamation under Article 125 of the Turkish Penal Code. He was charged following an official complaint by Turkish President Recep Tayyip Erdoğan and his son Bilal Erdoğan on 7 August 2014. The charge relates to two articles he wrote in July 2014, in which he criticised the

handling of a major investigation into alleged government corruption in Turkey and discussed the ramifications of then Prime Minister Recep Tayyip Erdoğan's presidential candidacy. Dündar faces up to four and a half years in prison if found guilty. Erdoğan has previously attempted to have Dündar charged with defamation for an article he wrote in April 2014. The public prosecutor questioned Dündar on 6 May 2014 following Erdoğan's complaint, but decided against pursuing charges against him. **(3)** In August 2015 the Public Prosecutor of Istanbul drafted an indictment against 18 journalists from nine newspapers for "propaganda in favour of a terrorist organisation", seeking prison terms of between 1.5 to 7.5 years in prison. Dündar is among those indicted. **Other information:** While imprisoned Dündar wrote a letter to The Washington Post entitled *What's freedom worth? Less than three billion euros apparently*, wherein he criticised Europe's dealings with Turkey with regards to managing the refugee crisis. **PEN Actions:** RAN 08/14; 04/15 and updates, [statement](#) 3 June 2015, [press release](#) 23 December 2015 and [call to action](#). Mentioned in PEN's 2015 report: [Surveillance, Secrecy and Self-Censorship: New Digital Freedom Challenges In Turkey](#)

**\*İsminaz ERGÜN (f):**

**Profession:** journalist and editor for ETHA news agency **Date of arrest:** 27 November 2015 **Details of arrest:** Ergün was reportedly detained on charges of 'spreading propaganda for a terrorist organization' by disseminating Kurdistan Workers' Party (PKK) propaganda. Ergün was taken into custody at the Şehit Tevfik Police Station. She remained detained as of 31 December 2015.

**\*Ufuk ERHAN:**

**Profession:** journalist with *Gelecek* daily newspaper **Date of arrest:** 26 May 2015 **Details of arrest:** Police raided the office of *Gelecek* newspaper and arrested Ufuk Erhan alongside fellow reporters **Ezgi Aydın, Onur Öncü, İmge Tabakçı and Sera Yelözer** as well as *Birgün* correspondent **Onur Öncü** who was also present (see below under Brief Detention). Ufuk Erhan remains detained as of 31 December 2015 while the four other journalists were released several days later. **Current place of detention:** Maltepe Cezaevi Prison in İstanbul.

**\*Zeki KARAKUŞ:**

**Profession:** Owner of the pro-Kurdish news website *Nusaybin Haber* **Date of arrest:** 1 December 2015 **Details of arrest:** Karakuş's lawyer reported that the journalist was [summoned](#) to a police station in the Nusaybin district of Mardin province in southeastern Turkey. When Karakuş arrived, authorities brought the journalist before a court on accusations of "making propaganda for a terrorist organization" through the media. He remains detained as of 31 December 2015. **Current place of detention:** Mardin E Type closed prison.

**\*Mohammed Ismael RASOOL:**

**Profession:** Fixer and translator **Date of arrest:** 27 August 2015 **Details of arrest:** Rasool was arrested in Diyarbakir along with his British colleagues Jake Hanrahan and Philip Pendlebury. The three journalists reportedly remained in police custody in for three days before being placed in pre-trial detention on a terrorism charge on 31 August 2015. According to reports they were initially accused of filming without accreditation, before being charged under article 220 of the criminal code which penalises "crimes committed in a terrorist organisation's name" in the same way as membership of a terrorist organisation. On 3 September 2015 the two British journalists were released following a media flurry and worldwide attention. Rasool remains detained without trial. **Current place of detention:** Adana high security prison **PEN Action:** [statement](#) 3 September 2015; [7 September](#) and [30 October](#) open letters to President Recep Tayyip Erdoğan; mentioned in November [report](#) entitled *Surveillance, Secrecy And Self-Censorship: New Digital Freedom Challenges In Turkey*. [**Stop Press:** On 5 January 2015 Rasool was released on bail after 131 days in detention.]

Detained: investigation

**\*Hidayet KARACA:**

**Profession:** former *Zaman* reporter and chairman of the Samanyolu Broadcasting Group **Date of arrest:** 14 December 2014 **Current place of detention:** Istanbul's Silivri prison. Karaca **Details of trial:** Karaca was one of 31 people arrested on 14 December 2014 "on suspicion of membership of an illegal organisation". Among those arrested were high-ranking members of the Istanbul police force as well as journalists, screenwriters, producers and directors who have worked for newspapers and TV stations said to be affiliated with the Gülen movement. The arrests came against a backdrop of escalating political tensions between the ruling party in Turkey and the followers of Islamic cleric Fethullah Gülen. On 26 April 2015, the Istanbul 32nd Court of First Instance issued a verdict to release Karaca but the decision was overruled by the Istanbul 10th Court of Peace on the grounds that the former court had no authority to decide. On 12 December 2015 Istanbul police reportedly raided and searched Karaca's home. According to reports, police carried out a six-hour-long search and seized a computer used by Karaca's children. Karaca's lawyer said that the aim of the search was to disturb the family of the journalist and that "it is impossible that the judge who took this decision does not know that he is already in jail." He remained in prison as of 31 December 2015. **PEN Actions:** [Statement](#) 15 December 2014

On trial

**Mustafa BALBAY (Ergenekon):**

**Profession:** writer and columnist for *Cumhuriyet* and MP **Sentence:** 34 years and eight months in prison **Date of arrest:** early July 2008 **Details of arrest:** Arrested as part of a series of arrests of members of the nationalist group Ergenekon. Released to stand trial but was rearrested on 7 March 2009. **Date of release:** 9 December 2013 **Details of Release:** Balbay was released on 9 December 2013 after the Constitutional Court ruled that his lengthy pre-trial detention violated his rights as an MP. **Details of trial:** Trial opened on 21 July 2009. He was accused of membership of a terrorist organisation; attempting to overthrow the government; attempting to provoke an armed uprising; unlawfully obtaining, using and destroying documents concerning state security; disseminating classified information. Specifically, he 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. At a hearing on 19 November 2009, Balbay made a statement in which he denied charges of inciting an armed uprising. 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". He was sentenced on 5 August 2013 to 34 years and eight months in prison after conviction of "attempting to overthrow the government by force and violence" and "unlawfully obtaining documents concerning government security". Following the release of a reasoned verdict in April 2014, Balbay's release is up for review by the Supreme Court of Appeals, meaning that he could go to prison again if the Constitutional Court's decision is rejected. No further news as of 31 December 2015. **Honorary member:** PEN Turkey. **PEN Actions:** RAN 65/11; raised in meeting with President of Turkey in November 2012, press releases [8 August 2013](#) and [10 December 2013](#). [[Stop Press: the Supreme Court overturned all convictions in the Ergenekon case on 21 April 2016, citing a lack of evidence that any conspiracy had existed](#)]

**Ayşe BERKTAY (f) (KCK – academic):**

**Profession:** scholar, author, translator and woman's activist **Date of arrest:** 3 October 2011 **Date of Release:** 20 December 2013 **Details of trial:** Berkday had been working with the Peace and



Democracy Party (BDP) of which she is a member. She is being tried on charges of “membership of an illegal organisation”, with reference to her allegedly “planning to stage demonstrations aimed at destabilising the state” and “attending academic and human rights conferences outside Turkey on behalf of KCK.” Her trial at the Silivri Court in İstanbul is believed to be ongoing as of 31 December 2015. **Professional details:** Publications include: *History and Society: New Perspectives*, 2008; *The Ottoman Empire and the World Around – with Suraiya Faroqhi*, 2007. Editor of *Women and Men in the 75th Year of the Turkish Republic* 1998. Translations include: *The Imperial Harem: Gender and Power in the Ottoman Empire, 1520-1656* by Leslie Penn Pierce, Princeton University, 1988; *The Ottoman Empire, 1700-1922 (New Approaches to European History)*, by Donald Quataert, Cambridge University Press, 2005. Also writes numerous articles on feminism in Turkey. **Honorary member:** PEN Turkey, PEN American Center, PEN Canada **PEN Actions:** RAN 22/13 07/05/13 & RAN 23/13 23/05/13, Update 12/06/13, [International Women’s Day Action 2014](#), [Interview with Ayse Berktaç](#) 8 March 2014

**Muharrem ERBEY** (KCK – political [Diyarbakır]):

**Date of birth:** 1970 **Profession:** human rights lawyer and writer **Date of arrest:** 24 December 2009. **Date of release:** Released pending trial on 12 April 2014 **Details of arrest:** In the early hours of 24 December 2009, Muharrem Erbey was arrested from his home in Diyarbakir, south-eastern Turkey, by members of the Anti-Terror Unit of the Diyarbakir Security Directorate. He was among 80 people arrested accused of having links with an organisation said to be affiliated to the banned Kurdistan Workers Party (PKK). Muharrem Erbey is a human rights lawyer, and Vice President of the Human Rights Association (IHD) who has conducted research into disappearances and extra-judicial killings in and around the Diyarbakir region. He has represented a number of individuals whose cases have come to the European Court on Human Rights. In 2008 he became Vice President of the Human Rights Association (IHD), one of Turkey's most reputable human rights associations. He is also President of the Diyarbakir Branch of the IHD. **Details of release:** After more than four years in pre-trial detention, Erbey was released pending trial by the Diyarbakir 2nd High Criminal Court on 12 April 2014; the court cited a lack of evidence in its decision to release him. Charges remain pending against him; no further details as of September 2015 **Details of trial:** Erbey is charged with “membership of an armed organisation” under Article 314/2 of the Turkish Penal Code and with “membership of a terrorist organisation” under the Anti-Terror Law. Both charges relate to his alleged membership of the Kurdistan Communities Union (KCK), said to be affiliated to the banned Kurdistan Workers’ Party (PKK). The indictment against Erbey refers to visits to various European parliaments, including in Sweden, Belgium and the UK, where he spoke on Kurdish rights; various pro-Kurdish demonstrations that he attended as an observer; his articles advocating the active involvement of the PKK in a peace and reconciliation process; interviews that he gave to the pro-PKK broadcaster Roj TV; his notes for the IHD on the conflict between the Turkish Army and the PKK; and his attendance both as an observer and as legal counsel in various trials related to the pro-Kurdish movement. 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, such as extra judicial killings and disappearances. No more information as of 31 December 2015. **Background:** Erbey is the author of a collection of short stories, *My Father, Aharon Usta* published since his imprisonment. 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. **Awards:** Muharrem Erbey was awarded the Ludovic-Trarieux International Human Rights Prize in 2012, the Norwegian PEN Freedom of Thought and Expression Prize in March 2014



and Swedish PEN's Tucholsky Prize in November 2014. **Honorary Member:** Danish PEN, PEN Turkey, Swiss Italian PEN. **PEN Actions:** [Call to Action](#) 8 January 2014; [press release](#) 31 January 2014, [14 April 2014](#)

**Professor Büşra ERSANLI (f)** (KCK – academic):

**Profession:** academic, expert on political science and author **Date of Arrest:** 29 October 2011. **Date of release:** 13 July 2012 **Details of release:** Ersanlı was released pending trial on 13 July 2012 along with 15 other KCK defendants in the first hearing of her case. **Details of trial:** She was charged under an indictment issued on 19 March 2012 with “leading an illegal organisation” under Article 314/1 of the Turkish Penal Code, “leading a terrorist organisation” under the Anti-Terror Law in connection with her participation in the Political Academy of the pro-Kurdish Peace and Democracy Party (BDP), a legitimate political party, including advising on lessons to be held within the Academy, proposals for a new constitution for Turkey and her participation in peaceful demonstrations. If convicted, she faces between 15 and 22.5 years in prison. Hundreds of supporters protested outside the court at an appeal hearing against the arrest on 31 October 2011. Her trial is believed to be ongoing as of 31 December 2015. **Background:** Professor Busra Ersanlı is an academic based at Istanbul's Marmara University's Faculty of Political Science and International Relations. She is an expert on political science and at the time of her arrest was working with the BDP's Constitutional Commission. She is also the author of *Peace and History* and *Bulut Falı (Nephomancy)* in which she narrates her nine months-long experience in prison. She is primarily known for her work towards finding non-violent resolutions to conflict. **Honorary member:** PEN Turkey **PEN Actions:** RAN 23/13 23/05/13, Update 12/06/13] [International Women's Day Action 2014](#)

**Mülazım ÖZCAN (aka Mirza RONI)** (KCK – academic):

**Profession:** Kurdish poet, linguist and member of Kurdish PEN. He is also a Kurdish consultant at Belge International Publishing. **Date of arrest:** 4 October 2011 in Istanbul **Date of release:** 7 June 2013 **Details of release:** Released pending trial **Details of trial:** He was charged with “membership of an illegal organisation”, believed to be linked to a lecture he gave on Kurdish language and literature at the BDP Political Academy. Tried alongside Büşra Ersanlı, Ayşe Berktaş, Deniz Zarakolu (see above) and Ragıp Zarakolu (see below). His trial at Istanbul's Silivri Court was believed to be ongoing at the end of 2015. **Background:** Özcan has published poetry in Kurdish under the pen name Mirza Roni. His books: include *Di Siya Dara Xaçê de Serhildan* (Poetry), 1999; *Pratik Kurtce Konuşma Klavuzu (Practical Handbook for Kurdish Speaking)*, Turkish and Kurdish, 2002; *Kurtce Cep Klavuzu (Practical Pocketbook for Kurdish)*, Turkish and Kurdish, 2003. **Awards:** In 2012 he was given the Feqi Huseyn Saginc Linguistics Award for his contribution to education in the Kurdish language and his articles on Kurdology. **PEN Action:** RAN 23/13 and update 12/06/13

**Fazıl SAY:**

**Profession:** popular and internationally acclaimed pianist, composer, writer and EU Culture Ambassador **Sentence:** 10 months in prison, suspended for two years **Details of trial:** Accused of religious defamation. In April 2012, Istanbul's Prosecutor's Office launched an investigation regarding messages he posted on Twitter declaring himself as an atheist and referring to an Omar Khayyam poem that suggests that the Islamic representation of Heaven, replete with wine and 'huris' (virgins), is reminiscent of a pub or brothel. Say is accused of contravening sections one and two of Article 216 of the Turkish Penal Code (TCK), by allegedly “instigating religious hatred and hostility” and “insulting religious values”. The trial was initiated following a complaint from a private individual, not uncommon in such cases. His trial opened on 18 October 2012 at the 19th Criminal Court in Istanbul. On 15 April 2013, Say was sentenced to 10 months in prison, suspended for five years, during which time he is required not to commit a similar offence. On 26 April 2013, the 29th Criminal Court

accepted his lawyers' request to have the suspended sentence annulled, and that the case should return to court for reconsideration. The lawyer had argued that the conditions of the suspension were unclear and therefore did not enable his client to know what actions would constitute a breach of the suspension. On 20 September 2013, the Istanbul 19th Magistrates Court upheld his 10-month prison sentence, suspending it for two years. On 9 November 2013, Say's lawyers applied to Turkey's Supreme Court of Appeals to appeal the ruling. Say faced a criminal complaint that he had unfairly attempted to influence the outcome of his trial through his media statements. The public prosecutor rejected this complaint after a criminal investigation into the matter, concluding that Say's statements were well within the scope of his right to defend himself and that he had made no attempt to pressure or coerce authorities. On 27 November 2014, the Chief Prosecutor of the Supreme Court of Appeals submitted an official request for Say to be acquitted of religious defamation charges. In his submission, the chief prosecutor disputed the conclusions reached by the lower court in its conviction of Say. In October 2015, the Supreme Court ruled by a majority ruling of 4 to 1 that his tweets should be regarded as freedom of thought and opinion and should not be punished. However, unless the lower court accepts the Supreme Court ruling, the judicial process could continue. **Awards:** 2015 International Secularism Prize (Prix de la Laïcité) **PEN Actions:** [Day of the Imprisoned Writer Action](#) 2013

**Nedim ŞENER** (Ergenekon – ODA TV):

**Profession:** journalist and writer **Date of birth:** 1966 **Date of arrest:** 7 March 2011 **Details of arrest:** arrested alongside Ahmet Şık (below) **Date of release:** 12 March 2012 **Details of release:** Şener and Şık were freed pending trial along with **Coşkun Musluk** and **Sait Çakır (see below)**. The presiding Judge Mehmet İkinci cited that the time spent in pre-trial detention was a consideration for his release and also that there had been some changes to the charges. **Details of Trial: 1)** Formally charged on 11 March 2011 with 13 others on charges related to the Ergenekon investigation. ODA TV, a news website, is described as its media wing. Charged with "membership of an armed organisation" under Penal Code Article 314/2. His trial began on 14 April 2011 and was still ongoing at the end of the year. He is being tried jointly with journalist Ahmet Şık (see below). On 26 August 2011, it was announced that 14 people had been indicted in the case, including writer **Hüseyin Soner Yalçın**, and journalists **Coşkun Musluk** and **Sait Çakır**. (Also see below). Among the evidence produced at the trial are documents relating to state security, said to have been found on the ODA TV computers when they were seized. The defendants claim that they did not open or request these files. The evidence was sent to the government Scientific and Technological Research Council of Turkey (TÜBİTAK) that is responsible for research on information technology, among other issues. TÜBİTAK concluded that the files had been placed in the computers by a virus, and that there was no clear evidence that they had been opened or read by the recipients. This was confirmed by an independent report from a US data company. Defence lawyers refer to the publication of a book in August 2010 by **Hanefi Avcı**, a former police chief also implicated in ODA TV in which he claimed that members of the Gülen movement were involved in police activities. Şener and Şık had also written on similar issues, leading the defendants to claim to that the trial was initiated because of these revelations. A hearing in June 2015 postponed the case until 18 November 2015, ordering a further technical report on the case **2)** Nedim Sener is also on trial over his book titled *Yasin El Kadi*. Yasin El Kadi and Cuneyt Zapsu who are close to President Erdogan sued Sener for defamation, seeking compensation of up to 105 thousand Turkish lira (around 20,000 pounds). According to local news reports on 6 December 2015, Şener admitted he wronged former Istanbul Police Department Intelligence Bureau Chief Ali Fuat Yilmazer in his book by attributing statements made by Yilmazer's deputy to Yilmazer. No more information as of 31 December 2015. **Background:** Şener was tried and subsequently acquitted in 2010 for his book that implicates the Turkish security forces in the 2007 murder of the Turkish Armenian newspaper editor, Hrant Dink (see above). Şener has published over 12 books between 1994 and 2012. Since his 2010 acquittal, he has 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 which has many followers in Turkey. It is thought that Şener's arrest is linked to his research into suggestions that the movement holds undue influence in the Ergenekon investigation **Awards:** Şener was awarded the 2011 Oxfam/Novib PEN Freedom of Expression award and also named World Press Freedom Hero by the International Press Institute in 2011; 2013 CPJ International Press Freedom Award 2015 Sparkasse Leipzig Media Foundation's Prize for the Freedom and Future of the Media. He has also won numerous awards for his journalism in Turkey. **Honorary member:** PEN Turkey and Danish PEN. **PEN Actions:** RAN 10/11 Update # 2 – 13/03/2012

**Ahmet ŞİK** (Ergenekon – ODA TV):

**Profession:** journalist and writer **Date of birth:** 1970 **Date of arrest.** Arrested 7 March 2011 alongside Nedim Şener (see above) **Date of release:** 12 March 2012 **Details of release:** On 12 March 2012 Şener, Şık, Musluk and Çakır (Also see below.) were freed pending trial. Yalçın was released in December 2012 and also continues on to be trial. The presiding Judge Mehmet Ekinci cited that the time spent in pre-trial detention was a consideration for their release and also that there had been some changes to the charges. **Details of trial: 1)** Formally charged on 11 March 2011 on charges related to the Ergenekon investigation. ODA TV is a news website described as its media wing. He is charged with "membership of an armed organisation" under Penal Code Article 314/2. His trial began on 14 April 2011 and was still ongoing as of mid-2015. A hearing in June 2015 postponed the case until 18 November 2015, ordering a further technical report on the case, He is being tried jointly with journalist Nedim Şener (see above). On 26 August 2011, it was announced that 14 people had been indicted in the case, including writer Hüseyn Soner Yalçın and journalists Coşkun Musluk and Sait Çakır. Among the evidence produced at the trial are documents relating to state security, said to have been found on the ODA TV computers when they were seized. The defendants claim that they did not open or request these files. The evidence was sent to the government Scientific and Technological Research Council of Turkey (TÜBİTAK) that is responsible for research on information technology, among other issues. TÜBİTAK concluded that the files had been placed in the computers by a virus, and that there was no clear evidence that they had been opened or read by the recipients. This was confirmed by an independent report from a US data company. Defence lawyers refer to the publication of a book in August 2010 by Hanefi Avcı, a former police chief also implicated in ODA TV in which he claimed that members of the Gülen movement were involved in police activities. Şener and Şık had also written on similar issues, leading the defendants to claim to that the trial was initiated because of these revelations. **2)** On 12 March 2012, charges were brought by prosecutors alleging that comments made by Şık on 12 March 2012 as he left Silivri prison were "threatening" to judges and prosecutors and depicted them as "targets for terrorist organisations". Şık was indicted under Articles 106/2-d, 43/1, 53, 125/1, 125/3-a and 125/4 of the Turkish Penal Code (Law No. 5237) on 3 July 2012, with the prosecutor seeking between 3 and 7 years in prison. The charges are said to be linked to the comment "The police, prosecutors and judges who plotted and executed this conspiracy will enter this prison." **3)** Şık is facing 2 years 8 months in prison on charges of defamation against former transport minister Binali Yıldırım in his book titled Paralel Yuruduk Biz Bu Yollarda (We walked Parallel on this Road). The hearing was scheduled for 13 October 2015. The trial is believed to be ongoing as of 31 December 2015. **Background:** Şık is a graduate of the Communications Faculty Department of Journalists, Istanbul University. Reporter for *Milliyet*, *Cumhuriyet*, *Evrensel*, *Yeni Yüzyıl*, and *Radikal* over the period 1991 – 2005. Police are said to have seized the draft manuscript of *İmamın Ordusu (Imam's Army)* by Ahmet Şık, an investigation into the alleged affiliation of police to the Gülen movement. The book was subsequently published in November 2011 as an anti-censorship defiance with 125 writers, journalists and academics acting as co-authors and editors under the title *OOO Kitap (OOO Book)*. Previously, in March 2011 he was acquitted of charges of breaching the confidentiality surrounding the Ergenekon trial in a two volume book published in 2010, before his own arrest, entitled *Kırk katır, kırk satır (40 mules, 40 cleavers)*. The first volume is entitled *Ergenekon'da Kim Kimdir? (Who's who in Ergenekon)*, and the second *Kontrgerilla ve*

*Ergenekon'u Anlama Kılavuzu (Guide to understanding contra-guerrilla and Ergenekon)*. His co-defendant Ertugrul Maviolu was also acquitted. **Awards:** Awarded a number of prizes for his journalism in Turkey, including UNESCO's 2014 Guillermo Cano World Press Freedom Prize. **Honorary member:** PEN Turkey and Danish PEN. **PEN Actions:** RAN 10/11 Update # 2 – 13/03/2012, Update #3 28/03/12]

**Deniz ZARAKOLU** (KCK – academic):

**Date of Birth:** 15 July 1975 **Profession:** author and translator. Son of leading freedom of expression activist, also detained and now freed, Ragıp Zarakolu (see below). **Date of arrest:** 7 October **Date of release:** Freed pending trial on 27 March 2014 **Details of arrest:** Arrested at his home in Tarlabasi, Istanbul. **Details of release:** Deniz Zarakolu was released pending trial on 27 March 2014. The charges against him remain and his trial is ongoing. **Details of trial:** Charged with “membership of an illegal organisation”. He faces 6-12 years in prison if found guilty. The indictment against him references a series of lectures that he gave at a pro-Kurdish Peace and Democracy Party (BDP) event. The lectures concerned political philosophy and the Kurdish movement in Turkey. First held in a prison in Edirne, and then transferred to Kocaeli Prison to be with his father, Ragıp Zarakolu who was released later. The trial is believed to be ongoing as of 31 December 2015. **Professional details:** Civil Engineer and PhD student at Bilgi University, Istanbul. Author of a book on Thomas Hobbes, and translated Hobbes *De Cive* among others. Also translated a book on the Turkish justice system in 1999 (*The Independence of Judges and Lawyers in the Republic of Turkey: Report of a Mission 1999*, published by the Centre for the Independence of Judges and Lawyer, Geneva.) He also acted as interpreter for European human rights. See KCK above. **Honorary Member:** German PEN, Danish PEN, Swiss Italian PEN. **PEN Action:** RAN 23/13 23/05/13, Update 12/06/13

**Ragıp ZARAKOLU** (KCK – academic):

**Profession:** publisher, freedom of expression and minority rights activist, member of PEN Turkey **Date of Arrest:** 29 October 2011 **Date of release:** 10 April 2012 **Details of release:** Zarakolu was released pending trial. The İstanbul 15th High Criminal Court cited the length of time he had already been imprisoned, “the nature of the crime” and “the state of the evidence” as reasons for his release. He has since left the country. **Details of trial: 1)** An indictment was issued on 19 March 2012, charging Zarakolu with “aiding and abetting an illegal organisation” under Penal Code Article 220/7 and demanding between seven and a half and 15 years in prison reportedly in connection with a speech he made at an event by the pro-Kurdish Peace and Democracy (BDP) party, and articles published in the newspaper *Özgür Gündem* (Free Agenda). His trial at İstanbul's Silivri Court was is believed to be ongoing as of 31 December 2015. **2)** According to reports in October 2015, Zarakolu is facing a new investigation on anti-terror charges in relation to an interview he gave in 2010 to Roj TV, a Denmark-based broadcasting organisation. The case was originally opened in 2010 by the Ankara Chief Public Prosecutor's Office but in 2015 was transferred to the Office of Investigation into Crimes Committed Against Constitutional Order. No further information as of 31 December 2015. **Background:** In the days running up to his arrest, he had been campaigning for the release of his son, **Deniz Zarakolu**, (see above) who had been arrested three weeks earlier on 7 October 2011. Ragıp Zarakolu is a well-known political activist who has been fighting for freedom of expression in Turkey for over 30 years, publishing books on issues such as minority and human rights. **Honorary member of:** PEN Turkey, German PEN, Netherlands PEN, San Miguel Allende PEN. **PEN Actions:** RAN 54/11 Update #5 10/04/12&RAN 23/13 23/05/13, Update 12/06/13. He was one of the 50 writers chosen to represent the struggle for freedom of expression since 1960 for the Writers in Prison Committee's 50th Anniversary Campaign – [Because Writers Speak Their Minds](#), representing 1991.

On trial:

KCK- Press Wing

*More than 40 journalists, mainly working for the pro-Kurdish media, have been on trial for forming the 'media committee' of the Kurdistan Communities Union (KCK) and taking orders from the outlawed Kurdistan Workers Party (PKK). All arrested in December 2011, many served more than two years in prison. Following the abolition of Special Authority Courts in the 4th Judicial Reform Package in February 2014, all suspected members of the KCK "Press Wing" were freed pending trial with the sole exception of Mikhail Barut (see above under Imprisoned: Investigation), who is detained on charges relating to a separate investigation. The hearing has been postponed to 15 January 2016, when the court will consider a ruling from the Constitutional Court on whether the case has been conducted on lawful grounds under the Turkish Constitution.*

**Semiha ALANKUŞ (f), Ertuğ BOZKURT, Nevin ERDEMİR (f), Nurettin FIRAT, Şeyhmus FİDAN, Yüksel GENÇ, İsmet KAYHAN, Kenan KIRIKKAYA, Turabi KİŞİN, Mazlum ÖZDEMİR, Ramazan PEKGÖZ and Davut UÇAR:**

**Profession:** All are journalists. **Date of arrest:** Arrested in December 2011 and kept under pre-trial detention for some two years. **Details of trial:** Now released, they are all facing trial for "leadership of an illegal organisation" under Article 5 of the Anti-Terror Law and Article 314/1 of the Turkish Penal Code ("leadership of an armed organisation"). Next hearing is due on 16 January 2016.

**Ciğdem ASLAN (f), Oktay CANDEMİR, Dilek DEMİRAL (f), Nahide ERMIŞ (f), Sibel GÜLER (f), Ayşe OYMAN(f), Haydar TEKİN and Mehmet Emin YILDIRIM:**

**Profession:** All are journalists. **Date of arrest:** Arrested in December 2011 and kept under pre-trial detention for some two years. **Details of trial:** Now released, they are facing trial for "membership of a terrorist organisation" under Article 5 of the Anti-Terror Law and "membership of an armed organisation" under article 314/2 of the Turkish Penal Code. Next hearing is due on 16 January 2016.

**Cihan ALBAY, Selahattin ASLAN, Pervin Yerlikaya BABİR (f), İrfan BİLGİÇ, Ömer ÇELİK, Ömer ÇİFTÇİ, Arzu DEMİR (f), Murat EROĞLU, Sultan GÜNEŞ (f), Çağdaş KAPLAN, Evrim KEPENEK, Eylem Fatma KOÇAK (f), Eylem SÜRMEİLİ (f), Hamza SÜRMEİLİ, Şerafettin SÜRMEİLİ, Zuhâl TEKİNER (f), Sadık TOPALOĞLU, Çağdaş ULUS, İsmail YILDIZ and Nilgün YILDIZ (f):**

**Profession:** All are journalists. **Date of arrest:** December 2011 **Details of trial:** Charged with "membership of a terrorist organisation" under Article 5 of the Anti-Terror Law and "membership of an armed organisation" under Article 314/2 of the Turkish Penal Code. All currently free pending completion of their trial, the next session of which is due on 16 January 2016.

**Hüseyin DENİZ:**

**Profession:** journalist **Date of arrest:** December 2011 **Details of trial:** Charged with "leadership of an illegal organisation" under Article 5 of the Anti-Terror Law and Article 314/1 of the Turkish Penal Code ("leadership of an armed organisation") and freed pending trial as part of the KCK Press Wing Trial. The next session is due on 16 January 2016.

**Zeynep KURAY (f):**

**Profession:** columnist for Turkish newspaper *BirGün* **Date of arrest:** December 2011 **Date of release:** 26 April 2013 **Details of trial:** Charged with "membership of an armed organisation" (Article 314/2 of the Turkish Penal Code) and "membership of a terrorist organisation" (Article 5 of the Anti-Terror Law) as part of the KCK Press Wing Trial. Among the evidence delivered in her May 2012 indictment was a news story written by her and 11 pages of her step-father Ali Berktaş's draft translation of French Historian Jean-François Solnon's 2009 book, *Le Turban et la Stamboulina*, which documents anti-Turkish/Ottoman sentiment in Europe between the 16th and 20th centuries. The 11 pages are from a chapter titled, "Are they any better than dogs or are they good people?" and includes disparaging quotations about Turks from Erasmus and Martin Luther. It is thought that charges are

being sought under Article 301 of the Turkish Penal Code (insulting the Turkish people). Kuray was released pending trial on 26 April 2013. She is said to have been among the journalists injured by police while covering the Occupy Gezi demonstrations in June 2013. The next session of her trial is scheduled for 16 January 2016. **PEN Actions:** [International Women's Day Action 2014](#).

On trial: KCK – Other

**\*Özlem AĞUŞ (f):**

**Profession:** investigative journalist for *Dicle News Agency* **Date of arrest:** arrested in March 2012 on charges of belonging to the KCK. **Details of trial:** She was charged under Article 314/2 of the Turkish Penal Code (“membership of an armed organisation”) and Article 5 of the Anti-Terror Law (“membership of a terrorist organisation”). She was released pending trial on 26 February 2013. Ağuş gained prominence with her coverage of the 2011 Pozanti Prison child abuse scandal and her reporting on the 28 December 2011 Uludere/Roboski Massacre. Her trial was believed to be ongoing on 30 June 2015. PEN is seeking further information.

**Murat AYDIN:**

**Profession:** DiHA reporter **Date of arrest** 20 October 2011 **Sentence:** six years and three months **Date of release:** 18 September 2012 **Details of arrest:** Arrested during KCK raids in Muş Province. He was detained thereafter in an F-Type maximum security prison in the eastern province of Van. Was released 11 months later pending trial. **Details of trial:** Found guilty of “membership of a terrorist organisation” under Article 5 of the Anti-Terror Law and “membership of an armed organisation” under Article 314/2 of the Turkish Penal Code on 13 March 2013. Sentenced to six years 3 months in prison, but remained free pending his appeal. No further information as of 31 December 2015; PEN is seeking further information as to the outcome of his appeal.

**Abdullah ÇETİN:**

**Profession:** journalist for the DIHA news agency **Date of arrest:** 16 December 2011 **Date of release:** 25 June 2014 **Details of arrest:** Arrested in Diyarbakır and held for over two years pending trial **Details of release:** He was released pending trial after a court hearing on 25 June 2014. **Details of trial:** He is among 27 people linked to the Peace and Democracy Party (BDP) arrested as part of the KCK investigation. Nine were formally charged, including Çetin and the mayor of Kurtalan, south east Turkey. The trial opened before a court in Diyarbakır on 9 September 2012. Çetin is accused of being a leader of an illegal organisation. DIHA reports that he is accused of participation in 8 March International Women's Day events, press releases organised by BDP Kuratalan branch, press releases organised on the anniversary of the 1988 poison gas attack in Iraqi Kurdish town of Halabj, Newroz (Kurdish New Year) celebrations and other actions. It is claimed that the only evidence against him are press statements, and his own wedding videos. He remained on trial as of December 2014. PEN is seeking an update.

**Ziya ÇİÇEKÇİ:**

**Profession:** editor of the pro-Kurdish *Günlük* newspaper **Date of arrest:** December 2011 **Date of release:** February 2013 **Details of arrest:** Arrested as part of the KCK investigations for “membership of a terrorist organisation”. Freed pending trial in February 2013. No further information as of 31 December 2015; PEN is seeking an update. See below for references to other cases against him.

**Hamdiye ÇİFTÇİ (f)**

**Profession:** reporter for the DIHA news agency **Sentence:** one year in prison, suspended for five years. **Date of arrest:** 6 June 2010 **Date of release:** 10 February 2012 **Details of arrest:** Among a number of people detained on raids carried out in connection with arrests of alleged members of the

Kurdistan Communities Union (KCK). **Details of release:** She appealed against her continued detention without charge three times and was released on 10 February 2012 after having been detained for almost two years. **Details of trial: (1)** She is facing charges of leadership of an armed organisation under Article 314/2 of the Turkish Penal Code and leadership of a terrorist organisation under Article 5 of the Anti-Terror Law. On 21 May 2012, the prosecutor demanded six years three months in prison for her. The trial against her was ongoing as of December 2015. **(2)** A separate set of charges was brought against Çiftçi on 28 December 2012 for a newspaper report from 2008 in which she allegedly revealed the identities of a number of Anti-Terror investigators. The report in question concerned allegations made by the then 14-year-old Cüneyt Ertuş, who claimed that he was exposed to police brutality while in custody. The Van Public Prosecutor claims that the newspaper report constituted “propaganda for a terrorist organisation” under Article 7/2 of the Anti-Terror Law, pointing to four medical reports which found that Ertuş had not experienced the injuries claimed in the article (including a fractured arm). Çiftçi was sentenced to one year in prison on 9 July 2013. The Court suspended the sentence for five years.

**Hüseyin DENİZ:**

**Profession:** *Günlük Evrensel* daily Berlin reporter and former Ankara reporter for *DIHA* **Date of arrest:** 20 December 2011 under the KCK investigations. **Date of release:** 27 March 2014 **Details of release:** Released pending trial by a court order **Details of trial:** He is accused of being a member of the Media Committee of an organisation linked to the PKK and that he worked for the KCK during visits to the Kurdish regions of Northern Iraq in 2003 and 2005. His lawyers have pointed out that the KCK did not exist in early 2000s. Charged under Article 314/1 of the Turkish Penal Code with leadership of an armed organisation and Article 5 of the Anti-Terror Law with leadership of a terrorist organisation. Detained at Kocaeli Kandira F Type prison till his release. No further information as of 31 December 2015; PEN is seeking an update. **Background:** Reportedly worked for *Özgür Gündem* until 2006, on an oral history project from 2006-2008, and then for *Evrensel* as from 2008, based in Berlin.

**Şadiye ESER (f):**

**Profession:** reporter for *Evrensel* **Date of arrest:** 12 December 2012 **Date of release:** 11 September 2013 **Details of trial:** Charged under Article 314/2 of the Turkish Penal Code (membership of an armed organisation) and Article 5 of the Anti-Terror Law (membership of a terrorist organisation) as part of the KCK investigation. According to the Journalists’ Union of Turkey, she was asked about political rallies that she had covered as a journalist, as well as notes she had taken as a reporter. Her lawyer, Devrim Avcı, has stated that material seized during her arrest includes photographs she had taken at demonstrations and a banned book from her home. She was released from Bakırköy Women’s Prison on 11 September 2013 pending completion of her trial which was ongoing as of December 2015. PEN is seeking an update.

**Osman İŞÇİ:**

**Profession:** researcher, translator and former president of the Human Rights Association (IHD) **Date of arrest:** 25 June 2012 **Date of release:** 10 April 2013 **Details of trial:** İşçi and 27 others were arrested under the scope of KCK operations targeting trade union members affiliated with the Confederation of Public Workers (KESK). He was placed under pre-trial detention. He has been charged with “membership of an armed organisation” under Article 314/2 of the Turkish Penal Code and “membership of a terrorist organisation” under Article 5/1 of the Anti-Terror Law. The first hearing of İşçi’s trial was held on 10 April, 2013 in the Ankara Special Court. Following ten months of pre-trial detention in prison, he was released together with other 21 trade unionists and human rights activists pending trial. Believed to still be on trial as of 31 December 2015; PEN is seeking an update.

**Cengiz KAPMAZ:**



**Profession:** journalist and author of *Öcalan's Days on Imrali* **Date of arrest:** 22 November 2011 **Date of release:** March 2014 **Details of trial:** Arrested in Istanbul as part of a mass arrest of 50 people, mainly lawyers, related to the KCK investigation. On 10 December 2011, around 50 journalists and intellectuals gathered in Istanbul's Taksim Square calling for an end to attacks on *Özgür Gündem*, for which Kapmaz also wrote, and specifically for his release. He was formally indicted on 18 April 2012 under Article 314 of the Penal Code. The trial opened on 16 July 2012 at Penal Court No.6 within the Justice Palace in The evidence relates to contacts lawyers had with detained PKK leader Abdullah Öcalan in the course of their legal work. Subsequent hearings have been held at the court in Silivri, outside Istanbul. They were detained in prison till March 2014 when they were released upon the order of the High Criminal Court No.1 in İstanbul, citing the lengthy of time already spent in pre-trial detention. No more information as of 31 December 2015; PEN is seeking an update.

#### **Turabi KİŞİN:**

**Profession:** former editor of *Ozgur Gundem (Free Agenda)* **Date of arrest:** 3 January 2012 **Date of release:** 12 May 2014 **Details of trial:** Arrested with 15 others and held on charges of "membership of an armed organisation" under Article 314/2 of the Turkish Penal Code and "membership of a terrorist organisation" under Article 5 of the Anti-Terror Law. Released in May 2014 by the order of 3rd High Criminal Court in Istanbul. No more information as of 31 December 2015; PEN is seeking an update.

#### **Hasan ÖZGÜNEŞ:**

**Profession:** journalist for *Azadiya Welat* **Date of arrest:** 28 October 2011 **Details of arrest:** Originally arrested briefly on 17 September 2011 in Nusaybin, he was rearrested on 28 October 2011 and placed under pre-trial detention. **Date of Release:** Özgüneş was released on 24 April 2014 together with the rest of the defendants within the same case. **Details of trial:** Özgüneş is charged under article 314/1 of the Turkish Penal Code; Articles 7/2 and 5 of the Anti-Terror Law; and Law 2911 on Meetings and Demonstrations. He is accused of being a member of the KCK, making propaganda for the organisation, being involved in demonstrations organised by the group and teaching at the Peace and Democracy Party (BDP) political academies. He was transferred to the Third High Criminal Court in Istanbul subsequent to the abolition of the Special Authority Courts. No more information as of 31 December 2015; PEN is seeking an update.

#### **Kazım ŞEKER:**

**Profession:** editor of *Özgür Gündem*, a Kurdish publication **Date of arrest:** 4 October 2011 **Date of release:** 13 July 2012 **Details of arrest:** Arrested in Istanbul as part of a mass arrest of around 60 members of the pro-Kurdish Peace and Democracy Party. Believed to be detained under anti-terror legislation. **Details of release:** Was released pending trial along with 15 other KCK suspects on 13 July 2012. No more information as of 31 December 2015; PEN is seeking further information as to whether he remains on trial.

#### **Aziz TUNÇ:**

**Profession:** historian and human rights activist **Date of arrest:** 4 October 2011 **Date of release:** Reportedly released from Silivri prison in March 2013. **Details of arrest:** arrested as part of the second wave of arrests in the KCK investigation. **Details of trial:** He is charged with "membership of an illegal organisation". **Other information:** Tunç has written a book on the Marash Massacre of Alevi by ultranationalist militants in 1978 in his book, *Maraş Kıyımı Tarihsel Arka Planı ve Anatomisi (Anatomy and Background of the Marash Massacre)*. He has written for magazines *Zulfikar* and *Ak-El*, and has worked in the past for the Human Rights Association (IHD). He is waiting to publish two new books, one on the history of Marash and the other on the political impact that the Alevi minority has had in Turkey. No more information as of 31 December 2015; PEN is seeking further information as to whether he remains on trial.

**Müge TUZCUOĞLU (f):**

**Profession:** anthropologist and writer **Date of arrest:** 8 March 2012 **Date of release:** 28 September 2012, pending trial **Details of arrest:** arrested as part of the KCK investigation in Diyarbakır and subsequently detained in Diyarbakır Prison. **Details of trial:** charged with membership of an illegal organization. **Background:** She claims that the charges relate to a seminar on the history of civilisation that she gave at a BDP Politics Academy conference. Tuzcuoğlu's 2011 book, *I am a Stone*, centres on a group of Kurdish children who throw stones at police officers during protests in Southeast Turkey. No more information as of 31 December 2015; PEN is seeking an update.

**A. Dursun YILDIZ:**

**Profession:** author and lecturer at the Free University in Istanbul. Leading member of Party for Peace and Democracy (BDP). BDP MP for Istanbul. Author of *A Pedagogic View on Freedom*, 2003 and *A Pedagogic View on Migration*, 2011. **Date of arrest:** 4 October 2011 **Date of release:** He was released pending trial on 24 April 2014. **Details of trial:** Arrested under a crackdown against the Party for Peace and Democracy (BDP) as part of the KCK operations. He remained on trial as of December 2015. PEN is seeking an update.

On trial: Ergenekon – ODA TV

(see also PEN main cases listed above **Ahmet Şık and Nedim Şener**)

**Coşkun MUSLUK and Cahit ÇAKIR, Profession:** contributors to the ODA TV news website

**Hüseyin Soner YALÇIN, Profession:** owner of ODA TV news website and journalist for the *Hürriyet* newspaper, author of 12 books

**Date of arrest:** early 2011 **Date of release:** Musluk and Çakır were freed on 12 March 2012; Yalçın was freed on 27 December 2012 pending trial **Details of arrest:** arrested in connection with the Ergenekon investigation. **Details of release:** On 12 March 2012 **Şener, Şık, Musluk and Çakır** were freed pending trial. Avcı's Oda TV-related pre-trial detention order was lifted in December 2013, although he continued to be detained as a result of two other cases that he is facing. He was eventually released on 20 June 2014 following a Constitutional Court ruling that his excessive pre-trial detention constituted a violation of the Turkish statute of limitations (amended as part of a series of Turkish reform packages). **Yalçın** was released on 27 December 2012 and also continues to be on trial. The presiding Judge Mehmet Ekinci cited that the time spent in pre-trial detention was a consideration for their release and also that there had been some changes to the charges. **Details of trial:** Musluk and Çakır were charged with "membership of an armed organisation" and "holding classified information". Yalçın was formally charged on 11 March 2011 on charges including "aiding an armed terrorist organisation," "inciting hatred and hostility," and "obtaining confidential state security documents". First trial hearing was held on 14 April 2011. Among the evidence produced at the trial are documents relating to state security, said to have been found on the ODA TV computers when they were seized. The defendants claim that they did not open or request these files. The evidence was sent to the government Scientific and Technological Research Council of Turkey (TÜBİTAK) that is responsible for research on information technology, among others. TÜBİTAK concluded that the files had been placed in the computers by a virus, and that there was no evidence that they had been opened or read by the recipients. This was confirmed by an independent report from a US data company. Other evidence against ODA TV journalists relate to wiretapped telephone and internet correspondence, and articles published on the ODA TV website. Defence lawyers refer to the publication of a book by **Hanefi Avcı**, a former police chief, in August 2010 in which he claimed that members of the Gülen movement were involved in police activities. Charged with assisting four different armed terrorist groups, Avci was arrested 38 days after the publication of his book and is involved in three different cases including ODA TV. Şener and Şık had also written on similar issues, leading the defendants to claim to that the trial was initiated because of these revelations. A hearing in June 2015 postponed the case until 18 November 2015, ordering a further technical report on the

case. No more information as of 31 December 2015. **Background:** Yalçın has written extensively about criminal and extremist religions in Turkey. Claims to have received death threats as a result, and spent some time in hiding as a result.

*The entries below relate to individuals sentenced under the scope of the Ergenekon trial but freed on 5 August 2013 and who remained free as of 30 September 2015 pending the verdict of the Supreme Court of Appeals. According to media reports in July 2015, the first session of the appeal hearing was scheduled for 6 October 2015. No more information on their cases is known as of 31 December 2015; PEN is seeking updates.*

**Muhammed Murat AVAR:** journalist for the *Millet Sesi* daily. He has been sentenced to five years and four months in prison; currently free pending appeal.

**Serhan BOLLUK:** journalist and chief editor of the *Aydınlık* daily. Others report that he is former CEO of TV channel Ulusal Kanal. Sentenced to seven years and six months in prison; currently free pending appeal.

**Mehmet BOZKURT:** former editor in chief of the *Aydınlık* daily. Sentenced to nine years and three months in prison; currently free pending appeal.

**Ufuk Mehmet BÜYÜKÇELEBİ:** journalist for the *Tercüman* daily. Sentenced to seven years and six months in prison; currently free pending appeal.

**Behiç GÜRCİHAN:** *Açık İstihbarat* news website journalist. Sentenced to eight years and nine months in prison; currently free pending appeal.

**Fatma Sibel GÜRCİHAN(f):** *Açık İstihbarat* news website journalist Sentenced to six years and three months in prison; currently free pending appeal.

**Ünal İNANÇ:** Journalist for *Aydınlık* magazine and Avrasya TV and president of the Security Reporters' Association. Also said to be linked to *Aykiri Haber* website. A defendant in the third round of indictments following arrests made in January to April 2009. Trial opened on 7 September 2009. Sentenced to 19 years and one month in prison; released on parole due to his age and issues relating to his health.

**Güler KÖMÜRCÜ (f):** journalist for the *Akşam* daily. Sentenced to seven years and six months in prison; currently free pending appeal.

**Hayati ÖZCAN:** Reporter for the *Aydınlık* daily. Also said to be with TV station Ulusal Kanal. Sentenced to ten years and eleven months in prison; currently free pending appeal.

**Ruhsar ŞENOĞLU:** Former editor in chief of the *Aydınlık* daily. Sentenced to eight years and one month in prison; currently free pending appeal.

**Caner TAŞPINAR:** Editor of the nationalist daily *Yurt*. Sentenced to six years and three months in prison; currently free pending appeal.

**Özlem Konur USTA:** Social issues editor for *Aydınlık* magazine. Sentenced to six years and three months in prison; currently free pending appeal.

**Merdan YANARDAĞ:** editor of the nationalist daily *Yurt* magazine. Sentenced to ten years and six months in prison and ordered to be detained immediately. Having been imprisoned on 13 September 2013, he was released pending appeal in March 2014 by order of the 20th High Criminal Court of Istanbul.

**Vedat YENERER:** independent journalist and war reporter arrested 22 January 2008. Sentenced to seven years and six months in prison; currently free pending appeal.

On trial: Other

**Doğan AKHANLI** (German national)

**Profession:** Writer and human rights activist **Date of birth:** 1957 **Date of arrest:** 10 August 2010 **Date of release:** 8 December 2010 **Details of trial:** Acquitted on charges of “robbery” and “membership of armed organisation” by the domestic court in 2011, yet the Supreme Court reversed this decision in February 2013. Akhanlı, who permanently lives in Germany as a German citizen was arrested in 2010 when he was visiting Turkey. Reportedly, Akhanlı was among the group who robbed an exchange office in 1989. When fleeing, the robbers left a bag in the office, in which some photos and documents were found. In 1992, the owner of the documents was identified and he told police that Hamza Kopan had organised the robbery. Hamza Kopan was claimed to have been leading a left-wing organisation of which Akhanlı was a member. As Kopan knew that Akhanlı was in Germany and would not therefore be arrested, he gave his name to the police. Hoping to clear his name, Akhanlı took a risk and came to Turkey to see his family, but was arrested. Akhanlı was acquitted on 12 October 2011 by the 11th High Criminal Court of Istanbul. However, the Supreme Court overturned this verdict and demanded life imprisonment, stating that “the suspect’s membership of a left-wing organisation at the time of the crime” and “the Article 146/1 of Turkish Penal Code” [attempting to overthrow the constitutional order by force] were to be argued. Following the abolition of Special Courts, the case was delegated to the 3th High Criminal Court of Istanbul. No more information as of 31 December 2015. **Background:** He had to flee to Germany in 1991 because of his political past as a member of TDKP (Revolutionary Communist Party of Turkey) when he was a student at University. He was held in a military prison between 1985 and 1987. Turkey deprived him of Turkish citizenship in 1998. Akhanlı greatly contributes to projects and campaigns dealing with violence in history and human rights. His novel *Madonna'nın Son Hayali (Last Fantasy of Madonna)* was acclaimed by critics among the 10 best novels in Turkish in 2005. Akhanlı is also known for his efforts to clarify the circumstances of the murder of Hrant Dink (see above: killed - Impunity) and to keep his memory alive.

**Fatih Özgür AYDIN, Profession:** Editor for *Artı İvme*

**Gamze KEŞKEK (f), Profession:** Editor for *Tavır* magazine

**Date of arrest:** Arrested between 17 and 21 January 2013 **Details of arrest:** Aydın and Keşkek were arrested alongside *Yürüyüş* and *Tavır* journalists **Doğan Karataşın, Yeliz Kılıç and Veysel Şahin** as part of an investigation into the Revolutionary People’s Liberation Party – Armed Front (DHKP-C). **Date and details of release:** Fatih Özgür Aydın was released along with Doğan Karataşın, Veysel Şahin and Yeliz Kılıç in January 2014. The latter three were released without charge. Gamze Keşkek was released on 11 June 2014. **Details of trial:** On 5 November 2013, Aydın was charged with membership of an armed organisation (Article 314/2 of the Turkish Penal Code); praising offences or offenders (Article 215 of the Turkish Penal Code); obstructing a public official from carrying out their duty (Article 265 of the Turkish Penal Code); and violating the Law on Meetings and Demonstrations (Law 2911). He faces over 50 years in prison if found guilty. Keşkek is also being tried, although the charges against her are unclear. No further information as of 31 December 2015.

**İsmail BEŞİKÇİ:**

**Profession:** sociologist and author **Sentence:** one year and three months. **Details of trial:** Accused in June 2010 of “making propaganda for the PKK” under anti-terror legislation for an article published in the Contemporary Lawyer’s Association periodical. **Zeycan Balcı Şimşek**, editor of the periodical, was accused alongside Beşikçi. 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 seven and a half years each were suggested. In the court Beşikçi stated that if Turkey wished to gain influence in the Balkans and Caucasus, it would first have to deal with the Kurdish problem, which should not be the tackled by prosecutors and business people, but by academics, journalists and philosophers. Şimşek 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. On 4 March 2011, Beşikçi was sentenced by a court in Istanbul to one year and three months. Şimşek was sentenced to a fine. Beşikçi is free while his appeal is ongoing. No further information as of 31 December 2015; PEN is seeking an update. **Background:** Beşikçi spent many years in prison in the 1990s during which time he was a main case for PEN International. **Awards:** In 2012, he was the recipient of the prestigious Hrant Dink Foundation Award.

**Gökhan BULUT:**

**Profession:** Editorial Coordinator at Aram Publishing House **Details of trial:** Bulut edited and published three books written in Kurdish by Hayrettin Ekinci, Rodi Zinar and Hasan Hüseyin Deniz respectively. He was charged with “making propaganda for a terrorist organisation”, specified as PKK/KCK in the indictment. The books, written by Kurdish fighters, are described as being “guerrilla memoirs”. The public prosecutor has stated that he will drop the case if Aram Publishing House pays a fine of 20,000 Turkish Liras for each book. Following the abolition of Special Authority Courts, the case has been delegated to the 3rd High Criminal Court of Diyarbakir. The last hearing of the trial was held on 25 September 2014. He remained free at the end of 2015 pending the outcome of his trial. **Background:** Aram Publishing House has faced a number of high profile court cases over the years for its focus on publishing content related to the Kurdish issue. Noam Chomsky’s *Interventions* and Thomas Benedikter’s *The World’s Regional Authorities* are amongst the books that have prompted court cases against Aram Publishing House.

**Reyhan ÇAPAN:**

**Profession:** editor-in-chief at *Özgür Gündem* **Sentence:** one year and three months in prison **Details of trial: 1)** Çapan was sentenced on 24 October 2012 for making “propaganda for a terrorist organisation” under article 7 of the Anti-Terror Law. He was first charged in May 2012, in relation to a headline ‘Revolt Speaks’, which appeared in the March 2012 issue of *Özgür Gündem*. The court sentenced him to one year and 3 months in prison, opting not to suspend his sentence on grounds that he had not expressed any regret during the trial, thus leading to a lack of personal conviction on the part of the court that he would not commit the same crime again. The sentence was overturned on appeal in June 2014, and the Supreme Court ordered a retrial by the Istanbul 10th High Criminal Court which acquitted him. However, the prosecutor appealed against this decision to the Supreme Court and the case remains open. **2)** Çapan is facing criminal defamation charges under Article 125 of the Turkish Penal Code. The complainant is a retired colonel from the Turkish Army, whom Çapan has accused of being responsible for a number of unsolved political murders committed at the height of the Turkish-Kurdish conflict. The first hearing of the criminal defamation trial was heard on 19 November 2013. **3)** On 5 November 2015 the Istanbul Public Prosecutor’s Office has opened probe against 26 journalists and authors. Speaking on a TV programme on July 24 Press Freedom Day, former Deputy Prime Minister Bülent Arınç made the following remarks; “A number of dailies and

news agencies including Özgür Gündem and Evrensel are a crime machine. If we happen to bring an action against these papers, they will get drowned in penalties but will still continue to write the same things", after which the websites of over a hundred news agencies including ANF and DİHA were blocked by Telecommunications Communication Presidency (TİB) by a court order. **4)** The first hearing of a trial involving 18 journalists, including Çapan, from nine newspapers who face up to seven-and-a-half years in prison for publishing a photo of a prosecutor being held hostage at gunpoint was held on 17 November 2015. The next hearing is scheduled for 14 January 2016. **5)** Çapan is currently reported to be the target of nine different prosecutions in connection with articles published in February and March 2014. Accused of reproducing PKK statements or communiqués and publishing PKK propaganda, he is facing up to 45 years in prison under the Anti-Terrorism Law. Çapan is believed to remain free as of December 2015.

**İbrahim ÇİÇEK, Profession:** editor in chief for *Atılım* newspaper

**Bayram NAMAZ, Profession:** journalist for *Atılım* newspaper

**Date of arrest:** 10 September 2006 **Sentence:** Life imprisonment (currently under appeal) **Details of**

**trial:** The two journalists have been detained since their arrest and were convicted of "membership of an armed organisation" (Article 314/2 of the Anti-Terror Law) and "membership of a terrorist organisation" (Article 5 of the Anti-Terror Law) in November 2013. The organisation in question is the Marxist-Leninist Liberation Party (MLKP). Both were denied access to their case files until 13 April 2007 on grounds that the content was classified, with their first defence hearing being held exactly two years after their arrest in September 2008. According to the indictment, they were arrested in September 2006 in the western village of Ocaklı, where they were allegedly preparing the MLKP's fourth congress and where guns were allegedly found. The first trial was marked by clashes between supporters and police, during which tear gas was used. At a hearing held on 26 October 2007 at the Istanbul 10th Heavy Penal Court, there were protests when it was announced that all the defendants in this case would continue to be held in pre-trial detention. Around 24 May 2011 lawyers questioned the veracity of a document said to have been seized during "Operation Gaye" during which the defendants were arrested. They requested a review of the evidence. They also pointed out that the defendants had been held for over six years without conclusion of their trial, flouting the European Convention on Human Rights. Scuffles broke out at this hearing after one of the defendants attempted to make a speech commemorating a person who had been killed by the military in 1995. In May 2011, İbrahim Çiçek was freed pending trial after five years behind bars. However, on 24 June 2012, he was re-detained. Both were sentenced on 5 November 2013, along with journalists **Sedat Şenoğlu** and **Fusun Erdoğan**. Namaz, Çiçek and Erdoğan were released pending the outcome of their appeal in May 2014. No further information as of 31 December 2015; PEN remains concerned that their trial was unfair and that they face life in prison if the court rejects their appeals. **PEN Action:** [Press release](#) 8 November 2013

**Ziya ÇİÇEKÇİ:**

**Profession:** editor of the pro-Kurdish *Günlük* newspaper **Sentence: 1)** 18 months in prison

**2)** 10 months in prison, suspended **Details of trial: 1)** Sentenced in 2010 to under Article 7/2 of the Anti-Terror Laws for "making propaganda for a terrorist organisation" for articles on the PKK.

Amnesty International in its 2013 report states that these articles were analyses of the PKK and could not be construed to be promoting violence. The case is currently pending appeal. **2)** In December 2011 he was convicted under Article 6/2 of the Anti-Terror Law for "printing or publishing declarations or statements of terrorist organisations" which related to an article which contained extracts of an interview with a leading PKK member regarding the conditions of imprisonment of PKK leader Abdullah Öcalan. He was subsequently sentenced to 10 months' imprisonment in September 2012 which was suspended under the provisions of the Third Judicial Package. **3)** Among those arrested in December 2011 under the KCK investigations. See above. Believed to remain free pending trial at the end of 2015; PEN is seeking an update.

**Murat Sevki ÇOBAN:**

**Profession:** managing editor for the daily *Taraf* **Details of trial:** The Istanbul Chief Public Prosecutor's Office launched an investigation against Mehmet Baransu (see detained above) and Çoban in November 2013 on the grounds that they "revealed confidential documents regarding Turkey's national security interests" in the article "Gülen'i Bitirme Kararı 2004'te MGK'de Alındı" (The Decision to Ruin the Gülen Movement Made at the National Security Council Meeting in 2004), which was written by Baransu and published by *Taraf* on 28 November 2013. Baransu and Çoban were officially charged on 22 May 2014 following a six-month investigation. **Update:** His trial began in June 2015 on charges of "providing documents related to the security of the state," "publishing information that must remain confidential due to the state's security or political interests in domestic or foreign policies" and "publishing a document or information related to the activities or duties of the National Intelligence Organization [MİT]." He faces a possible 52-year prison term if convicted.

**\*Canan COŞKUN (f):**

**Profession:** journalist for daily newspaper *Cumhuriyet* **Details of trial:** The reporter faces a potential 23-year prison sentence on charges of "insulting public officials over their duties" after judiciary officials reportedly objected to her article that alleged they were able to buy residences from a public real estate company at a discounted price. The journalist appeared in court at the Istanbul 2<sup>nd</sup> Criminal Court of First Instance on 12 November 2015. Eight prosecutors and a judge were reportedly listed among the victims in the indictment. The court adjourned the trial to 15 March 2016, asking the prosecution to find out whether the alleged manipulated selling of homes took place. The reporter is currently free pending trial. **Background:** The judges and prosecutors who allegedly bought discounted residence from the public firm included members of the Unity in Justice Platform (YBP), which had been supported by the Justice and Development Party (AKP) in the recent elections to the High Council of Judges and Prosecutors. The news story in question was published on 19 February 2015 in *Cumhuriyet*.

**Ekrem DUMANLI, profession:** former editor-in-chief of *Zaman*

**Fahri SARRAFOĞLU, profession:** journalist for *Zaman*

**Hüseyin GÜLERCE, profession:** former columnist for *Zaman*

**Nuh GÖNÜLTAŞ (f), profession:** journalist for *Bugün*

**Ali Samim NOYAN, Ali KARA, Elif YILMAZ (f), Radiye Ebru ŞENVARDAR (f), Hikmet TOMBULCA, Makbule Çam ELMADAĞ (f) Professions:** screenwriters

**Date of arrest:** 14 December 2014 **Details of arrest:** The ten people named above were arrested alongside journalist **Hidayet Karaca** (see above) on 14 December 2014 "on suspicion of membership of an illegal organisation". Among those arrested were high-ranking members of the Istanbul police force as well as journalists, screenwriters, producers and directors who have worked for newspapers and TV stations said to be affiliated with the Gülen movement. The arrests came against a backdrop of escalating political tensions between the ruling party in Turkey and the followers of Islamic cleric Fethullah Gülen. An indictment has not been delivered as of 31 December 2014 although all of the above remain under investigation. All were released after questioning with the exception of Karaca.

**PEN Actions:** Press release [15 December 2014](#)

**\*Ekrem DUMANLI, profession:** former *Zaman* editor-in-chief

**\*İbrahim TÜRKMEN, profession:** responsible editor of *Today's Zaman*

**Details of trial:** Ahmet Özel, a lawyer representing Erdoğan, lodged a lawsuit claiming that a news article published on 9 January 2015 and titled "Erdoğan slams terrorist attack launched by Boko Haram militants", intended to insult Erdoğan. At the time the article was published Dumanlı was the general manager of the Zaman media group. Following Özel's criminal complaint in March 2015, the



Bakırköy Chief Public Prosecutor's Office prepared an indictment against Dumanlı and Türkmen, demanding up to four years in jail for each. The trial was due to start in December 2015.

**İhsan ELİAÇIK:**

**Profession:** writer, theologian and publisher; owner of İnşa Publishing House **Details of trial:** On 21 June 2013, a petition was filed against Eliacık in an Ankara court by Prime Minister Erdoğan's legal representatives. The court accepted a defamation suit against Eliacık for 12 tweets, nine of which concern Erdoğan directly, posted at the time of the Gezi Park protests. Charged with criminal defamation under Article 125 of the Turkish Penal Code, Eliacık faces both a criminal trial and a civil suit. The civil suit was settled on 20 January 2014 by the 23th Court of First Instance in Ankara, awarding Erdoğan 2,000 Turkish Liras in damages. The criminal charge was believed to still be pending at the end of 2015. **Background:** İhsan Eliacık has written over 20 books since the early 1990s, including a series on revolutionary Islamic intellectuals and a number of books outlining a socialist interpretation of Islam. He is the ideological leader of "the Anti-Capitalist Muslims", a group that strongly opposes the synthesis of capitalism and Islam on moral grounds. An outspoken critic of the incumbent AKP administration and Turkey's Directorate of Religious Affairs, Eliacık and his group were present throughout the Gezi Park protests, and garnered significant attention for their condemnation of the heavy handed government response. Believed to remain on trial in criminal defamation case as of 31 December 2015. **PEN Actions:** Featured in PEN's 2014 report [The Gezi Park Protest: The Impact on Freedom of Expression in Turkey](#)

**Füsun ERDOĞAN (joint Dutch/Turkish national) (f):**

**Profession:** a radio journalist and a writer at *Bianet* **Date of arrest:** 12 September 2006 **Sentence:** life sentence **Date of release:** 8 May 2014 **Details of release:** Erdoğan was released from prison together with other 8 journalists including Bayram Namaz. Erdoğan had been kept under detention for 8 years when the release order was issued. It was reported that the order was issued subsequent to the reduction in the usual period of detention from 10 to 5 years. **Details of trial:** Convicted of "membership of an armed organisation" (Article 314/2 of the Anti-Terror Law) and "membership of a terrorist organisation" (Article 5 of the Anti-Terror Law) in November 2013. The organisation in question is the Marxist-Leninist Liberation Party (MLKP). Tried in the same case together with Bayram Namaz and İbrahim Çiçek-see above. Her appeal to the Supreme Court is believed to be pending as of 31 December 2015.

**\*Sedat ERGIN**

**Profession:** editor-in-chief *Hürriyet* newspaper **Details of trial:** Ergin has reportedly been indicted for insulting the President Recep Tayyip Erdoğan in a report by paraphrasing his 6 September remarks about an attack by the outlawed Kurdistan Workers' Party (PKK) in Dağlica on the Iraqi border that killed 16 Turkish soldiers. According to *Hürriyet Daily News*, the prosecutor demanded up to five years and four months in jail for Ergin. The journalist's file has been merged with a lawsuit opened into daily Zaman's former editor-in-chief, Ekrem Dumanlı (see above), on the same charges over the newspaper's reporting about the same speech by Erdoğan. The indictment said *Hürriyet* and Zaman published "unreal, offending, and ill-intentioned" reports over Erdoğan's remarks about the Dağlica incident. The indictment also said the reports should not be regarded within the right to freedom of speech. The prosecutor is reportedly demanding up to five years and four months in jail for Ergin. Prosecutors have also launched an investigation into *Hürriyet's* owner, Dogan Media Group, on accusations of "terrorism propaganda". **Background:** *Hürriyet* has been singled out for criticism as the government struggles to control a surge in Kurdish militant violence in the southeast. After the article's publication, on 7 September, a pro-government mob attacked *Hürriyet's* Istanbul offices, accusing the newspaper of sympathising with the banned Kurdistan Workers Party (PKK). In October, a prominent *Hürriyet* journalist, Ahmet Hakan (see below under Attacked), was beaten up outside his home.

**Halit GÜDENOĞLU, Kaan ÜNSAL, Cihan GÜN, Musa KURT, Naciye YAVUZ (f):**

**Profession:** reporters for *Yürüyüş* **Date of arrest:** in or around December 2010 **Details of trial:** The first hearing was held on 10 January 2012, after 13 months of pre-trial detention. Charges are apparently terror-related. The *Yürüyüş* magazine office in Istanbul was raided on 24 December 2010. The raid also included the publishing company Ozan Publishing. The five were released pending trial on 20 July 2012. It was reported in July 2013 that Ünsal had been re-arrested on 14 March 2013. It was also suggested that Kurt was similarly re-arrested on 18 September 2012. The two are reportedly no longer detained. No more information as of 31 December 2015; PEN is seeking an update.

**Hasan KABAKULAK:**

**Profession:** journalist **Date of arrest:** 10 April 2013 **Details of arrest:** arrested in Hatay, near the Syrian border. **Details of trial:** Arrested on suspicion of being an agent for the Syrian government, Kabakulak was charged with “obtaining classified information from the state with the intention of political or military espionage” under Article 328/1 of the Turkish Penal Code. He was detained in Adana Kürkçüler Prison from 10 April 2013 until 8 October 2014. He is currently free pending the outcome of his trial.

**Doğan KARATAŞTAN:**

**Profession:** Journalist at *Yürüyüş* Newspaper **Date of arrest:** 18 January 2014 **Date of release:** 21 January 2014 **Details of trial:** Karataştan was charged with “leading an illegal organisation” and detained on 18 January 2014. He was charged after three days in police custody before being released pending trial as a result of a medical report showing that he suffered from Wernicke-Korsakoff syndrome. His trial was believed to be ongoing as of 31 December 2015.

**Deniz KISMETLİ:**

**Profession:** journalist for *Halkın Gunlugu (People's Daily)* newspaper **Date of arrest:** 22 or 23 February 2011 **Details of arrest:** Kismetli is among 23 people (two of whom are journalists) arrested in raids in several cities across Turkey in February 2011 as part of an investigation into DHKP-C (the Revolutionary People's Salvation Army – Military Wing). **Date and details of release:** He was released pending trial on 26 February 2014. **Details of trial:** Kismetli is accused of membership of an armed organisation and membership of a terrorist organisation under Article 314/2 of the Turkish Penal Code and Article 5 of the Anti-Terror Law respectively. His trial was believed to be ongoing at the end of 2014.

**Ozan KILINÇ:**

**Profession:** former editor-in-chief of the Diyarbakir-based Kurdish language newspaper *Azadiya Welat* and Free Journalists' Association Executive Board member **Date of birth:** 1984 **Details of trial:** Kılınç is facing up to half a dozen cases in front of the Supreme Court of Appeals, all of them pertaining to the charge of “making propaganda for a terrorist organisation”. No more information as of 31 December 2015. **Background:** Kılınç was previously sentenced under anti-terror legislation for membership of the Kurdish Workers Party (PKK) apparently in connection with 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 received an additional six year and three month 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”. Kılınç was not present at the trial and an arrest warrant was issued. He was arrested on 22 July 2010 during a police raid on his home in Diyarbakir, five months after his conviction on 11 February 2010. In February 2011 his previous 21 year sentence was overturned as being too high. 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. Kılınc was released in August 2012 in response to the Third Judicial Reform Package which suspended his sentence for three years. This has now expired. Kılınc was also briefly detained in June 2015 (see Brief Detention – below).

**Sami MENTEŞ:**

**Profession:** reporter for *Yurt* newspaper **Date of arrest:** Arrested as part of the DHKP-C investigation on 21 January 2013 **Date of Release:** Released pending trial on 11 October 2013. **Details of trial:** Charged with “membership of an armed organisation” under Article 314/2 of the Turkish Penal Code and “membership of a terrorist organisation” under Article 5 of the Anti-Terror Law. A trial hearing took place in May 2015; the next hearing was scheduled to take place in 10 November 2015. No more information as of 31 December 2015.

**Sultan ŞAMAN: (f)**

**Profession:** editor of Kurdish women’s magazine *Heviye Jine* **Date of arrest:** 7 February 2012 **Details of arrest:** Reportedly arrested in Nusaybin, Mardin province, for membership of the PKK, and sent to Batman Prison. **Date of release:** February 2014. **Details of release:** Released pending trial **Details of trial:** Charged under Article 314 of the Penal Code and Article 5 of the Anti-Terror Law. Believed to remain on trial as of 31 December 2015; PEN is seeking an update.

**Sedat ŞENOĞLU:**

**Profession:** journalist for the newspaper *Atılım* **Date of arrest:** 10 September 2006 **Sentence:** seven-and-a-half years (under appeal) **Date and details of release:** September 2012 pending completion of the trial **Details of trial:** Trial proceedings against him and others (see Judicial concern – other, **İbrahim ÇİÇEK and Bayram NAMAZ** opened on 13 April 2007 under Article 6 of the Anti-Terror Law. Accused of being a member of the Marxist Leninist Communist Party (MKLP), deemed by the authorities to be a terrorist organisation. There are concerns around the fairness of the trial based on the non-disclosure by the authorities of the reasons for his arrest. 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 High Criminal Court, there were protests when it was announced that all the defendants in this case would continue to be held in pre-trial detention. Around 24 May 2011 lawyers questioned the veracity of a document said to have been seized during “Operation Gaye” during which the defendants were arrested. They requested a review of the evidence. They also pointed out that the defendants had been held for over six years without conclusion of their trial, flouting the European Convention on Human Rights. Scuffles broke out at this hearing after one of the defendants attempted to make a speech commemorating a person who had been killed by the military in 1995. In September 2012, Şenoğlu was released pending trial due to a change in the nature and classification of the crime and the term spent behind bars already. He was sentenced on 5 November 2013 to seven and a half years in prison. The sentence remained under appeal at the end of 2015. **Background:** Senoglu was also briefly detained in June 2013 (see 2013 Case List) **PEN Action:** Mentioned in 8 November 2013 [press release](#)

**Tayyip TEMEL:**

**Profession:** former editor-in-chief of daily Kurdish language newspaper *Azadiya Welat* **Date of arrest:** 3 October 2011 **Date of release:** 1 July 2014 **Details of arrest:** Arrested in Diyarbakir as part of the KCK investigation. **Details of release:** Temel was freed pending trial on 1 July 2014, although the conditions of his release mean that he effectively cannot leave the province of Hakkari. **Details of trial:** Accused of leadership of an armed organisation under Article 314/1 of the Turkish Penal Code and leadership of a terrorist organisation under Article 5/1 of the Anti-Terror Law, he faces up to 22 years in prison. In a letter to the Turkish free expression monitor, Bianet, he said that he was being targeted for his journalism and that the evidence against him consists of wiretaps of his phone calls to the pro-Kurdish Peace and Democracy Party (BDP) and the Democratic Society Party (DTP). He

added that trips he made to Iraq in the course of his journalism are being interpreted as being carried out for meetings with the PKK. His trial was ongoing at the end of 2014. No more information as of 31 December 2015; PEN is seeking an update.

#### Judicial concern (Ergenekon)

*The following cases are of writers and journalists indicted in the Ergenekon case, see above. There are concerns regarding lack of fair trial and in some cases extremely lengthy pre-trial detentions. PEN is not in a position to comment on the charges against them. It urges that further judicial hearings are carried out in accordance to international standards of fairness.*

#### **Hikmet ÇİÇEK:**

**Profession:** columnist for *Aydınlık* **Sentence:** 21 years and 9 months **Date of arrest:** 25 March 2008 **Date of release:** 10 March 2014 **Details of arrest:** Arrested as part of the Ergenekon investigation. **Details of trial:** Charged under several articles of the Penal Code, and Article 5 of the Anti-Terror Law. Accused of obtaining classified documents and illegal data collection. His trial opened in July 2008 at Silivri, Istanbul. His lawyers point out that although he was arrested for possession of classified documents, his indictment makes no reference to this claim. The president of the court hearing the case has recommended on several occasions that Çiçek be freed, but he remained detained in Silivri prison until his release subsequent to a reform package abolishing the special authority courts and reducing the reasonable period of pre-trial detention to five years. His appeal is believed to be [ongoing](#) as of 31 December 2015.

#### **Dr Yalçın KÜÇÜK:**

**Profession:** writer, economist, historian and socialist. Outspoken critic of the ruling AKP. Author of numerous books on socio-economics **Sentence:** 22 years and six months **Date of arrest:** early 2011 **Details of arrest:** Arrested for investigation into the ODA TV news website case. **Date of release:** 10 March 2014 **Details of trial: 1)** Sentenced to 22 years and six months in prison. The court decided that he would be released on 10 March 2014 subsequent to a reform package abolishing the special authority courts and reducing the reasonable period of pre-trial detention to five years. His appeal is thought to be ongoing as of 31 December 2015. **2)** On 10 December 2015 the Constitutional Court ruled that a decision by a lower court to order journalist Yalçın Küçük to pay damages to former President Abdullah Gül, who sued Küçük over his book "Musa'nın Gülü" (The Rose of Moses), in which the journalist accused Gül of having secret ties to the Jewish lobby in the US and the US and British governments, constituted a violation of freedom of speech **Background:** Accused of sympathies with the PKK and sentenced to two years in prison in the late 1990s for interview with its leader, Abdullah Öcalan.

#### **Tuncay ÖZKAN:**

**Profession:** A journalist since the mid-1990s, working for print and broadcast media, he reportedly specialises in covering corruption, drug crime, and terrorism, specifically terrorism linked to religious extremism, and on international relations. His many articles appeared in newspapers including *Milliyet*, *Radikal* and *Akşam*. He has also authored some 17 books. **Sentence:** Aggravated life imprisonment **Date of arrest:** 27 September 2008 **Date of release:** 10 March 2014 **Details of arrest:** Detained in Silivri Prison, 50km outside Istanbul for nearly six years. **Details of trial:** Sentenced in August 2013 to life imprisonment. Özkan had an appeal for release from pre-trial detention turned down by the European Court of Human Rights on 14 February 2012. He was released on 10 March 2014 subsequent to a reform package abolishing the special authority courts and reducing the reasonable period of pre-trial detention to five years. He remained free on appeal as of December 2015.

#### **Ergün POYRAZ:**

**Profession:** author of controversial books on the now banned Islamic Refah and Fazilet Parties, as well as on the key members of the ruling AKP. Evidence in his books is said to have led to the closure of Refah and Fazilet in the late 1990s/early 2000s. **Sentence:** 29 years and 4 months in prison **Date of arrest:** July 2007 **Date of release:** 10 March 2014 **Details of arrest:** [Arrested in July 2007](#) as part of the Ergenekon investigation. **Details of trial:** 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 *Musa'nin cocuklari – Tayyip ve Emine (The Children of Moses – Tayyip and Emine)* which claims that Prime Minister Recep Tayyip Erdoğan is part of a "Zionist conspiracy" concocted by JITEM, a clandestine organisation 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. On 5 August 2013, he was sentenced to 29 years and 4 months in prison. He was released on 10 March 2014 subsequent to a reform package abolishing the special authority courts and reducing the reasonable period of pre-trial detention to five years. He remained free pending appeal as of December 2015.

#### **Deniz YILDIRIM:**

**Profession:** former executive director of *Aydınlık* newspaper **Date of arrest:** 9 November 2009, held in Silivri Prison **Sentence:** 16 years and 10 months **Date of release:** 10 March 2014 **Details of trial:** Accused of membership of an illegal organisation under the Turkish Penal Code. Accusations against him include disclosure of audio and visual files. Early reports suggest that evidence against him include that he secretly wiretapped the prime minister's telephone. Trial opened on 28 June 2010. Yıldırım was sentenced in August 2013 to 16 years and 10 months on charges of "acquiring confidential documents concerning the security of the State," "obtaining and distributing personal data illegally," and "membership of an armed terrorist organisation". He was released on 10 March 2014 subsequent to a reform package abolishing the special authority courts and reducing the reasonable period of pre-trial detention to five years. He remained free pending appeal as of 31 December 2015.

#### Brief detention

**Elifcan ALKAN and Ferit DERE, Profession:** journalists for the pro-Kurdish daily *Azadiya*

**Savaş ASLANWERE and Sağnaç KALKAN, Profession:** Journalists for the pro-Kurdish political magazine *Özgür Halk (Free People)*

**Details of arrest:** The four were arrested alongside **Deniz Babir** (see Detained: Main Case above) in the Sur district of Diyarbakır while reporting on clashes between Turkish security forces and the Patriotic Revolutionary Youth Movement (YDG-H), a branch of the PKK, local press [reported](#). They were released shortly afterwards, [reports said](#). According to the pro-Kurdish Dicle News Agency, Dere said police questioned all four about their reporting and confiscated their cameras, notes, and voice recorders. The equipment was not returned, he said.

#### **\*Vildan ATMACA (f)**

**Professions:** journalist with *JINHA* **Date of arrest:** 14 November 2015 **Date of release:** 29 December 2015 **Details of arrest:** She was arrested alongside Idris Yılmaz (see above under Detained: Main Case) while following up news during armed conflicts in Tendürek neighbourhood of Erciş district of Van province. According to Yılmaz's police testimony, the journalist said he and Atmaca were among a group of reporters who had been turned away from a local hospital by police after trying to investigate claims that residents had been injured by Turkish soldiers. Yılmaz's testimony says that later that day he and Atmaca were at a café with journalists from other news outlets when plain-

clothed police approached and said they were detaining Yılmaz for "producing biased news." Several journalists who stood up for Yılmaz were arrested alongside him but, with the exception of Atmaca, the others were released Saturday, [according to reports](#). Yılmaz remains detained as of 31 December 2015. **Details of trial:** Both were charged of "defaming the President through social media" and "propagandising for the terrorist organization". According to CPJ, Atmaca was reportedly questioned about posts on her personal Facebook page dated August 2014, including a quote from a convicted PKK leader that authorities claimed conveyed sympathies for the organization. She was also questioned about a tweet dated 14 October 2015, in which she criticized Van police for allegedly firing on civilians. Atmaca denied the social media posts were terrorist propaganda. Atmaca's trial began on 29 December 2015 in Van Erçiş High Criminal Court after which the journalist was released pending trial. The next hearing of Atmaca will be held on January 21, 2016.

**\*Ezgi AYDIN, İmge TABAKÇI and Sera YELÖZER, Profession:** journalists with *Gelecek* daily newspaper  
**Onur ÖNCÜ, Profession:** correspondent for *Birgün*  
**Date of arrest:** 26 May 2015 **Details of arrest:** Police raided the office of *Gelecek* newspaper and arrested **Ufuk Erhan** (See above Detained: Main Case) alongside fellow reporters **Ezgi Aydın, Onur Öncü, İmge Tabakçı and Sera Yelözer** as well as *Birgün* correspondent **Onur Öncü** who was also present. All four journalists were released several days later.

**\*Murat ÇAPAN, Profession:** managing editor of *Nokta* magazine

**\*Cevheri GÜVEN, Profession:** editor in chief of *Nokta* magazine

**Date of arrest:** 3 November 2015 **Date of release** 29 December 2015 **Details of trial:** Güven and Çapan were released pending trial by the İstanbul 8th Penal Court of Peace after the first hearing of their trial at the İstanbul Courthouse after 58 days of imprisonment in Silivri Prison in İstanbul. The two editors were detained by the İstanbul 8th Penal Court of Peace on 3 November under Article 313 of the Turkish Penal Code (TCK) for allegedly inciting the public to armed conflict. The detentions came after an issue of *Nokta* was pulled from the shelves on 3 November over a story titled "2 Kasım Pazartesi: Türkiye İç Savaşı'nın başlangıcı" (Monday, Nov. 2: The beginning of a civil war in Turkey) published following the 1 November election. The prosecutor had reportedly demanded between 15 and 20 years in jail for Güven and Çapan who both denied all charges. As part of the investigation, an İstanbul court had also ordered the confiscation of all copies of the magazine on the grounds that its cover "incites crime". Their trial is still ongoing as of 31 December 2015. **Background:** Çapan was also detained on 14 September 2015 on charges of "insulting the president" and "making terrorist propaganda" after the magazine published a photomontage showing President Erdoğan taking a selfie near a dead soldier's coffin. Çapan was reportedly sent to court with a demand to be arrested and was later released on probation. According to news reports, the offices of the magazine were raided by İstanbul Police Department officers and confiscated issues of the magazine. The twitter account of the magazine was reported to have been blocked.

**\*Federike GEERDINK (f)** (Dutch national):

**Profession:** journalist for *Diken* news website, author and blogger "Kurdish Matters" **Date of arrest:** 6 September 2015 **Date of release:** 10 September 2015 **Details of arrest:** Geerdink was arrested in Yüsekova, a town near the Iranian border in Hakkara province, while covering a group of Kurdish activists who were also arrested for reportedly trying to act as human shields in an attempt to prevent attacks by government forces. She was reportedly detained for "travelling in a forbidden area". **Details of release:** According to reports, Geerdink was deported to Amsterdam by the Turkish authorities after having detained for two days and reportedly accusing her of "hindering a military operation and supporting a terrorist organisation." **Background:** Geerdink was reportedly the only foreign journalist based in Diyarbakir, south-eastern Anatolia's biggest city, where she had been reporting since 2012.



**\*Ozan KILINÇ:**

**Profession:** former editor-in-chief of the Diyarbakir-based Kurdish language newspaper *Azadiya Welat* and Free Journalists' Association Executive Board member **Date of arrest:** 11 June 2015 **Date of release:** 14 June 2015 **Details of arrest:** He was arrested from his home in Diyarbakir by police following an attack on a pre-election rally by the People's Democratic Party on 5 June. **Details of release:** He was released three days later after appearing before a judge.

Attacked

**\*Deiaa DUGHMOSH:**

**Profession:** journalist with *ANA Press* digital news medium **Date of attack:** 2 December 2015 **Details of attack:** According to reports, Dughmash was assaulted by Turkish border guards after crossing the border from Syria into Turkey. Dughmash was reportedly shot and then apprehended by the military police after crossing back into Turkish soil. When apprehended, Dughmash presented his official work papers and residency permit for Turkey. He was reportedly subjected to further attacks while in custody before being thrown back into Syria and refused entry. Dughmash's colleagues posted pictures of his bruises on his Facebook account attempting to draw attention to the issue of Turkish forces assaulting journalists along the Turkey-Syria border. No more information as of 31 December 2015. **Background:** Dughmash had spent three weeks inside Syria covering the movements of Isis and the impact of foreign airstrikes.

**\*Ahmet HAKAN:**

**Profession:** columnist for *Hürriyet* newspaper and "Tarafsız Bölge" (Impartial Zone) TV show host **Date of attack:** 30 October 2015 **Details of attack:** Hakan and his bodyguard were attacked shortly after midnight in Istanbul's Nişantaşı neighbourhood by four men in a black Honda as Hakan was returning home from the studios of CNN Türk where he hosted a program. The assailants fled the scene after the attack which left Hakan hospitalised with broken ribs and a broken nose. The health status of the bodyguard is unclear. **Details of investigation:** Four suspects reportedly taken into custody claimed that the attack was the result of a traffic-related quarrel, but the video footage indicated that the assailants had been following Hakan's car since he left CNN Türk's studios. Two of the suspects are affiliated with the AKP, according to Kanal D, a TV channel of the Doğan Media Group, which also owns *Hürriyet*. No more information as of 31 December 2015. **Background:** Hakan himself had been previously targeted with politically motivated threats including death threats, most notably from pro-government media who accuse Hakan of spreading propaganda for the outlawed PKK which had been engaged in a series of deadly clashes with Turkish government forces. Also, the Turkish authorities had launched an investigation into Doğan Media Group on 15 September 2015, accusing its media outlets of carrying terrorism propaganda, according to news reports.

**\*Nagieb KHAJA (Danish national):**

**Profession:** freelance journalist and author **Date of attack:** 2 December 2015 **Details of attack:** According to Khaja, Turkish border police assaulted him while attempting to cross the border into Syria to cover the refugee crisis. Khaja reportedly told local media that he showed the Turkish border guards his press card and told them that he was ready to hand himself over voluntarily. "But they started beating me and when I showed them my press card again they beat me even harder, throwing me to the ground and kicking me in the head and face." Khaja posted a picture of himself on his Twitter account with a swollen eye, covered with bruises. Following the demand of the organisations to investigate the assault, the Turkish authority responded on 7 December 2015 that they have started an investigation into Khaja's case. No more information as of 31 December 2015.

**\*Cüneyt YAVUZ:**



**Profession:** journalist with the *Özgür Gündem* daily newspaper and Kurdish news agency *Dicle Haber Ajansı* (DİHA) **Date of attack:** 26 June 2015 **Details of attack:** Yavuz was injured in the leg by a tear gas canister fired by the riot police during protests in the Istanbul neighbourhood of Gazi. Police reportedly prevented ambulances from accessing the area, causing Yavuz to wait around an hour for treatment. No more information as of 31 December 2015. **Background:** Riots broke out between police and demonstrators during the funeral of a member of the leftist group who was killed two days before and the journalist was believed to have been targeted in an attempt by the authorities to curtail media reporting on the event.

#### Judicial harassment

##### **Sedef KABAŞ (f):**

**Profession:** journalist, writer and TV anchor **Details of arrest:** Kabaş was arrested by the Turkish police on 30 December 2014 on suspicion of having “targeted” a government official through a social media post she made on micro-blogging site Twitter. She was released after being questioned by the public prosecutor. Kabaş’s home was searched by the police on the same day and her laptop, iPad and telephone were seized as evidence. At the first hearing on 30 April the first instance court decided that the trial to be seen by a higher criminal court. On 6 October 2015 Kabaş was acquitted on charges of “targeting individuals involved in the fights against terrorism”. No more information as of 31 December 2015. **PEN Action:** Featured in PEN’s [report](#) *Surveillance, Secrecy and Self Censorship in December 2015*

##### **\*Hasan CEMAL:**

**Profession:** journalist and Platform for Independent Journalism (P24) Chairman **Date of harassment:** 17 September 2015 **Details of harassment:** The İstanbul Chief Public Prosecutor's Office has summoned journalist and Platform for Independent Journalism (P24) Chairman Hasan Cemal to testify because of a column titled “The number one [person] who is responsible for the bloodshed is the sultan in the palace, period!” The sultan in the headline apparently refers to President Recep Tayyip Erdoğan, and the accompanying column says Erdoğan is responsible for the current bloodshed in Turkey. Cemal was called to testify in the case and was told that if he did not appear voluntarily he would be brought in by the police. The written notice of Cemal's investigation was signed by İstanbul public prosecutor. It was reported by the *Hürriyet* daily that this is the first time since the 1971 coup that an investigation has been launched into Cemal for his writing. No more information as of 31 December 2015. **Awards:** Louis M. Lyons Award for Conscience and Integrity in Journalism from Harvard University 2015

#### Sentenced

##### **Uğur DÜNDAR:**

**Profession:** Journalist, anchorman and writer. He has produced and presented various television programmes dealing with politics and social issues. He writes a regular column for the *Sözcü* daily. **Sentence:** 11 months and 20 days in prison reduced to a fine **Details of trial:** Dündar was charged with defaming the former Minister of Transportation, Maritime Affairs and Communication, in his column and via his Twitter posts. His trial began in July 2014 in the 2nd Criminal Court of First Instance in Istanbul. On 9 October 2015 local news reported that Dündar was sentenced to 11 months and 20 days in prison along with *Sözcü* daily columnist **Necati Doğru** for insulting the former minister. The court allowed them to pay a fine in lieu of serving their sentences. No more information as of 31 December 2015.

#### Conditional release

**Ayşegül DEVECİOĞLU (f):**

**Profession:** Kurdish writer **Sentence:** 23 months in prison; suspended for five years **Details of trial:** Charged with Articles 7/2 (“making propaganda for a terrorist organisation”) and 5 (“membership of a terrorist organisation”) of the Anti-Terror Law as well as Article 28/1 (“illegal demonstrations”) of the Law on Meetings and Demonstrations. The indictment against her was delivered in March 2012 following Devocioğlu’s arrest along with 20 other BDP members for chanting slogans in support of imprisoned PKK leader Abdullah Öcalan at an illegal demonstration in Yalova, Western Turkey. At her last hearing held on 30 December 2013 she was sentenced to 23 months in prison, with the sentence suspended for a period of five years. No further information as of 31 December 2015. **Background:** Devocioğlu has received critical acclaim for two novels and two books of short stories. **Awards:** In 2008 she was awarded the Orhan Kemal Prize for one of her novels.

**Ali DURSUN, Profession:** publisher of online news website Haber Rüzgarı

**Yüksel ÖZBEK, Profession:** owner of online news website Görele Sol

**Sentence:** 11 months and 20 days in prison suspended for five years **Details of trial:** On 12 February 2013 they were convicted of insulting Prime Minister Recep Tayyip Erdoğan (under Article 125 of the Turkish Penal Code). Both have been placed under ‘judicial control’ for five years, meaning that if they commit “another crime of the same nature” within that time-frame, they will have to serve their suspended sentence. No further information as of 31 December 2015.

**\*Bülent KENEŞ**

**Profession:** Editor-in-chief of English-language daily newspaper *Today’s Zaman* **Date of arrest:** 9 October 2015 **Date of release:** 14 October 2015 **Details of arrest:** Keneş was reportedly taken from his office by police after a judge issued a warrant for his arrest on charges of insulting Turkish President Erdoğan in a series of tweets. Keneş was initially placed in Istanbul’s Metris Prison before being moved to the city’s high-security Silivri Prison on 12 October 2015. **Details of release:** Keneş was released from prison pending trial but is currently barred from travelling abroad. He will have to register every Sunday with the local police station. No further information as of 31 December 2015.

Released

**Aytuğ AKDOĞAN:**

**Profession:** novelist **Details:** He was officially charged with breaking the Law on Meetings and Demonstrations, damaging public property and obstructing law enforcement agents from performing their duties on 18 December 2013. The charges relate to his participation in the Occupy Gezi movement. The third hearing of his trial was held in May 2014. Believed to have been acquitted in March 2015. **Background:** He has written a number of novels in Turkish, including *Ben, Hiçbir Şey (I, Nothing)*; *Ağladı ve Gözyaşlarını Öptüm (She cried and I kissed her tears)*; and *Ben Hep 17 Yaşındayım (I am forever seventeen)*.

Case closed

**Utku AYKAR, Necla CAN (f), Halit GÜDENOĞLU, Ali Ekber KALENDAR, and Tuncer GÜMÜŞ:**

**Profession:** journalists for *Yürüyüş* **Date and details of arrest:** Between 17 and 21 January 2013 at the same time as **Fatih Özgür AYDIN, Doğan KARATAŞTAN, Gamze KEŞKEK (f), Yeliz KILIÇ (f), Sami MENTEŞ and Veysel ŞAHİN** (see above), under the scope of the DHKP-C investigation. **Date of release:** The five journalists were released after posting bail of 10,000 TL each shortly after their arrest. The reason for their release has not been disclosed. The charges against them are unknown. No further information as of 31 December 2015; case closed.

**Erol ÖZKORAY:**

**Profession:** founder and editor-in-chief of left-leaning social democrat magazine *Idea Politika* (1998-2002), publisher and writer for *Idea Politika Publications* (founded in May 2012), columnist for online magazine *Jiyan*. **Sentence:** 11 months and 20 days in prison, suspended for a period of five years  
**Details of trial:** On 24 September 2013, Özkoray was accused of defaming then Prime Minister Recep Tayyip Erdoğan in his newly published book about the Gezi Park protests, *Gezi Fenomeni (The Gezi Phenomenon)*. The book featured pictures of anti-Erdoğan graffiti and quoted slogans and banners directed at Erdoğan by the Gezi Park protesters. In its indictment, the public prosecutor's office accused Özkoray of engaging in criminal defamation by reproducing these slogans, banners and graffiti in print. Özkoray was found guilty of criminal defamation on 1 October 2014 and was handed an increased sentence for having committed the offence via publication. Özkoray's lawyers have launched an appeal. According to reports on 16 July 2015 Özkoray became an ICORN writer in the city of Växjö, Sweden. **Awards:** best interview by the Contemporary Journalism Association 1983, Medal of Courage by the French Council of Coordination of Armenian Organisations, Award of Freedom of Thought and Expression by the Association of Human Rights 2014, Dawit Isaak Award 2015. **PEN Actions:** RAN 13/14, Signatory to PEN [Open Letter](#) to President Erdoğan. Case closed as he is no longer in Turkey

**Semih SÖKMEN and Müge SÖKMEN (f):**

**Profession:** directors of the Metis Publishing House. Müge Sökmen formerly headed PEN Turkey's Writers in Prison Committee. **Details of harassment:** Brought to trial on 25 November 2010 for publishing a calendar entitled *İllallah (I've had enough)*. The calendar was published by Metis Publishing and printed in 2009. When it was introduced to the market, it touched upon the subject of protection of the right to believe from organised religions, state budgets and police or military force. In its introduction it read, "We, as the ones who prepared this calendar, respect the right to believe. Yet we have to mention that we have a slightly deeper respect for the right not to believe". The document is said to include quotations from world famous writers and thinkers including George Bernard Shaw, Einstein, Joyce and others. The case was brought under Article 216 – incitement to religious hatred - by an individual complainant, Ali Emre Bukağlı, known for having taken similar cases against other publishing houses, such as that which published Stephen Hawkin's *God Delusion* and Nedim Güzel's *Daughters of God* which were not successful in securing sentences. In October 2012, the trial was suspended for three years under the terms of a Judicial Reform package passed in July 2012 that requires suspension of "media" trials. If the defendants are to repeat the "crime" between the sentence in October 2012 and October 2015, this could be added to the charges against them, in effect acting as a deterrent to future publications. Case closed as the suspension period has now passed.

## TURKMENISTAN

Imprisoned: main case

**\*Saparmamed NEPESKULIEV:**

**Profession:** freelance journalist for the news website Alternative Turkmenistan News and Radio Free Europe/Radio Liberty **Sentence:** three years in prison **Date of arrest:** 7 July 2015 **Details of arrest:** Nepeskuliev's family last saw him on 7 July 2015 and they were not notified of his detention. **Current place of detention:** Three weeks after his disappearance, his family found out that Nepeskuliev was detained in a prison near Turkmenbashi. **Details of trial:** His mother told Alternative Turkmenistan News that she had learned on 4 September 2015 that Nepeskuliev was sentenced to three years in prison on 31 August 2015 apparently on narcotics charges, which his family denies. **Conditions of detention:** Nepeskuliev has been denied all contact with his family. **Background:** Nepeskuliev often criticises local government authorities for their incompetence and abuses on social and infrastructural issues.

## UKRAINE

*The ousting of the Ukrainian President Viktor Yanukovich in February 2014 was followed in March by the Russian Federation's unrecognised annexation of Crimea, which triggered an international crisis. This crisis worsened in May when the local pro-Russian groups seized control of Donetsk and Luhansk and declared independence from Ukraine. During 2014 there was a rapid escalation in violence in eastern Ukraine. Pro-Russian separatist groups, Russian volunteers, Russian armed forces, the Ukrainian security services and pro-Kiev forces committed very serious violations of human rights. In the course of the crisis, dozens of journalists were detained, kidnapped, tortured or otherwise harassed solely for carrying out their work. PEN is not able to document all of these attacks. Although both pro-Kiev and separatist groups carried out these attacks, separatists were reportedly responsible for the majority of them. At PEN International's World Congress in Bishkek, Kyrgyzstan in 2014, a [resolution on Ukraine](#) was passed by the assembly of delegates. Since then, the Ukrainian authorities have taken steps to restrict freedom of expression such as an April 2015 law which criminalizes public denial of the activities of the communist and Nazi regimes in Ukraine and bans all related symbols, except for restricted educational or scientific purposes. Violation of the law carries a penalty of potential termination of activities of media and prison sentences for five to ten years. A further law introduced in May 2015 criminalises the public expression of disrespect for certain groups of fighters for Ukrainian independence and criminalizes public denial of the legitimacy of their fight for Ukraine's independence.*

### Killed - Impunity

#### **Georgy GONGADZE:**

**Profession:** editor of the independent Internet newspaper *Ukrainska Pravda* (which often criticised the policies of then President Leonid Kuchma) **Date of birth:** 21 May 1969 **Date and details of death:** Gongadze was kidnapped around 16 September 2000 and murdered. His headless body was discovered in November 2000 in a forest outside the town of Tarashcha. **Details of investigation:** an investigation, reportedly plagued by irregularities, began soon after the journalist's death, 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 pegs the responsibility for commissioning the crime on a single culprit (a dead interior minister) and technically precludes investigation into a larger circle of suspected masterminds. Prosecutors have failed to investigate former and current high-ranking officials, including former President Leonid Kuchma and the then-head of presidential administration and current Parliament Speaker Vladimir Litvin, who have long been suspected of being involved in Gongadze's killing. Ukrainian prosecutors indicted former President Leonid Kuchma on 24 March 2011, on abuse-of-office charges in connection with the murder. **Trial of perpetrators:** The trial of Alexsei Pukach began on 7 July 2011 and was conducted entirely in private. On 15 August 2011, a request by Valentina Telychenko, a lawyer for Gongadze's widow, to have the trial opened to the public was denied. It was reported that Pukach allegedly testified on 30 August 2011 that he had carried out the killing in a plot orchestrated by President Kuchma. The defendant claimed that the direct order to carry out the murder was issued by the now deceased Interior Minister Yuri Kravchenko. It was further reported that several other senior officials had been implicated in the murder, including the current Parliament speaker Vladimir Litvin, and two of Kravchenko's deputies, Nikolai Dzhiga and Eduard Free. However, Kuchma and Dzhiga have denied involvement, claiming that Pukach fabricated the account to avoid a potential life sentence. On 14 December 2011 the Kiev court dropped all charges against Kuchma. On the same day a judge ruled that secret tape recordings by Kuchma's former bodyguard, in which he allegedly talks about his annoyance with

Gongadze and desire to “silence him”, could not be used as evidence as they had been acquired by illegal means. On 20 February 2013, the First Deputy [Prosecutor General of Ukraine Renat Kuzmin](#) claimed that his office had collected enough evidence confirming Kuchma's responsibility for ordering Gongadze's assassination. On 29 January 2013, Pukach was sentenced to a life imprisonment by the Pechersk District Court of Kiev. Gongadze's wife appealed against the decision to dismiss the charges against Kuchma but later dropped her appeal, as it might have led to Pukach's release. On 9 July 2014 the General Prosecutor of Ukraine Vitaliy Yarema stated that his Office would revisit investigations into high-profile cases "that were dropped unlawfully", including the cases dealing with the murder of Gongadze. **Update:** In February 2015, it was reported that the Prosecutor General of Ukraine Viktor Shokin had set up a team of investigators and prosecutors and had resumed the investigation into the murder of the journalist.

Killed: Motive Unknown

**\*Oles BUZYNA:**

**Profession:** journalist, blogger and former editor-in-chief of *Segodnya* newspaper **Date of birth:** 13 July 1969 **Date of death:** 16 April 2015 **Details of death:** Buzyna, a journalist known for his pro-Russian views, was shot dead by two masked men in Kiev; the shots were reportedly fired from a car, which, according to police, had Lithuanian or Belarussian number plates. The suspects drove off after the shooting. **Details of investigation:** President Petro Poroshenko has ordered an investigation into the murder. In June, three suspects were reported to have been arrested; two were remanded in custody. On 14 August 2015, an Appeals Court in Kyiv upheld the pre-trial detention of Andrew Medvedko. Denis Polishchuk had been remanded in custody several days earlier. Both men are alleged far-right activists and deny the charge. On 31 December 2015 Medvedko was released from custody and placed under 24-hour house arrest, which was reported to be enforced until 31 January 2016. **Background:** In the first four months of 2015, there was a spate of suspicious deaths of killings of allies of Ukraine's pro-Russian Former President, Victor Yanukovich. According to the Interior Ministry adviser Anton Gerashchenko, Buzyna was part of the 'anti-Maidan' movement that opposed the popular overthrow of President Yanukovich in 2014. Gerashchenko also said that Buzyna was a key witnesses in a criminal case related to pro-Russian activists who attacked protesters in the Maidan Square uprising.

Enforced disappearance

**Sergei DOLGOV:**

**Profession:** editor of *Vestnik Pryazovyya* and *Khochu v SSSR* ("I want to go to the USSR") **Date of abduction** 18 June 2014 **Details of abduction:** Dolgov was abducted from his office in the south-eastern city of Mariupol by six masked men in civilian dress bearing automatic weapons. They took all the computers in the office and beat Dolgov before taking him away with his hands tied. His whereabouts and the identity and motive of his abductors remained unknown for five days. The head of the Security Service of Ukraine in Mariupol announced on 23 June 2014 that Dolgov had been arrested by the Ukrainian National Guard and that he was "alive and in good health" and being held at an anti-terrorism centre in Zaporozhye. Pro-Russian media sources suggested he was killed, but in September 2014, Amnesty International reported that eyewitnesses and relatives believed he was still alive and in detention. In December 2014 Amnesty International said that Ukraine's Security Services had told them that they had no record of Dolgov's detention. Dolgov's wife has said that she has been contacted by a source who wishes to remain anonymous who said he was held with Dolgov in military base A1978 in Zaporozhye until the former's release in October 2014. In December 2014, a member of the European Parliament from the Communist Party of Greece filed a question to the European Commission regarding Dolgov's disappearance. **Update:** In the response received on 5 March 2015, the Vice President of the European Commission said that the Ukrainian authorities must 'thoroughly investigate the case and bring the perpetrators to justice and that

'freedom of the media is a key feature of any democracy and [that] any journalist shall be able to perform work free of harassment and intimidation.' **Background:** Dolgov's colleagues think his abduction was linked to his editing of *Khochu v SSSR*, which mainly publishes historical articles about the Soviet era and which other newspapers in the region recently labelled as a "rebel" publication.

#### Attacked

##### **\*Pavel KANYGIN:**

**Profession:** special correspondent for *Novaya Gazeta* **Details of attack:** Kanygin reported that he was briefly detained, interrogated and beaten in the self-declared Donetsk People's Republic (DNR) in eastern Ukraine on 15 June 2015. He says that he was forced to leave the country soon afterwards. Kanygin, who writes on the conflict in eastern Ukraine, spent a few days in Kiev, the capital, then went to the DNR press office in Donetsk on Tuesday so he could apply for accreditation. At the press office, Kanygin says DNR separatists searched him and found a Ukrainian journalist's business card in his possession. The separatists reportedly called him a criminal and accused him of working for Ukrainian media. Kanygin says that he was forced to undergo a blood test, which the separatists told him was positive for drugs. He was also reportedly accused of receiving a salary from both the U.S. State Department and the Ukrainian Security Service. Kanygin says that the DNR separatists interrogated him and beat him while he was in custody. The DNR separatists reportedly held Kanygin for five hours after which they drove him to the Matveev Kurgan checkpoint on Ukraine's border with Russia's Rostov region, and released him.

#### Threatened

##### **\*Nikita SHLIAKHTUNOV:**

**Profession:** journalist for local media outlet Zanoza **Date of threat:** 28 December 2015 **Details of threat:** She was reportedly threatened by an anonymous caller for publishing information about a search of the premises of the NGO, Khortytskyi Polk in Zaporizhzhya. The premises were searched by masked individuals who failed to show identity documents or a search warrant, despite claiming to be police officers. After the search was over Shliakhtunov received an anonymous call in which an individual warned her to "not impede the investigation" and promised that next time that "[they] will have a different kind of talk".

##### **\*Dmytro VORONOV**

**Profession:** blogger and editor of Oleshshya Online **Date of threat:** 8 September 2015 **Details of threat:** Former Party of the Regions MP Oleksiy Zhuravko threatened Voronov in a telephone conversation in relation to articles published by the media outlet on 4 September 2015 describing what it characterised as Zhuravko's anti-Ukrainian propaganda. Voronov said that Zhuravko called him from a phone number registered in Russia and allegedly threatened to deal with him when the old system came back to power, which according to him was supposed to happen in the immediate future.

## **UZBEKISTAN**

#### Imprisoned: main case

##### **Salidzhon (Salijon) ABDURAKHMANOV:**

**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. Abdurakhmanov is well known for his reporting and monitoring of human rights, as well as economic and social issues in the region. **Date of birth:** 1950 **Sentence:** 10 year prison sentence **Date of arrest:** 7 June 2008 **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 other items. Later, Abdurakhmanov was questioned about a biography of the exile leader of the banned opposition party Erk, found by police amongst his belongings. **Current place of detention:** Karshi prison **Details of trial:** Initially charged with drug possession for personal use under Article 276, paragraph 2(a) of the Criminal Code, this was changed to drug possession with intent to sell under Articles 25 and 273.5 of the Criminal Code. The trial started on 12 September 2008, and only Abdurakhmanov's relatives were allowed to be present. On 10 October 2008, he was given a 10-year prison sentence, which was upheld on 19 November 2008, when his appeal was overturned by the Supreme Court. On 25 March 2009, the Supreme Court for the second time upheld the 10-year prison sentence against Abdurakhmanov, without explaining the basis of its decision. A report on 1 April 2011 stated that Abdurakhmanov was prohibited by the colony administration from filing a complaint - in which he gave details of his arrest and reportedly unfair conviction - with the Uzbekistan Supreme Court. The colony officials seized the letter of complaint from his lawyers and said the document would be mailed to him, but it was not. **Conditions of detention:** A relative was been able to visit who reported in late March 2009, that although he has been held in isolation, he was not being ill-treated. In late April 2009 Abdurakhmanov was visited by his father and wife, and they said he was in good spirits and maintained his innocence. Abdurakhmanov has been accused twice, between June and August 2011, of breaking the rules of the prison in which he is incarcerated. His relatives have claimed the prison authorities have also accused the journalist of another offence in order to reduce his chances of being released under a prisoner amnesty that was expected to accompany the celebrations marking the 20<sup>th</sup> anniversary of Uzbek independence on 1 September 2014. **Health concerns:** In June 2013, it was reported that Abdurakhmanov's health had dramatically declined. He was moved for a second time in 2013 from the Qashqadaryo labour to a prison hospital in Tashkent. In October 2013, the journalist was reportedly placed in solitary confinement until 1 November 2013. It was suggested in news reports that this might have been in retaliation for his relatives giving an interview to the press about his deteriorating health in prison. **Background:** 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. **Other information:** In May 2009, the Special Rapporteur on Freedom of Expression and Opinion of the United Nations (UN) published his annual 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 firstly under Article 276, part 2, paragraph (a), of the Criminal Code, subsequently changed to Articles 25 and 273 part 5 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". **Awards:** 2014 Johann-Philipp-Palm-Award for Freedom of Speech and the Press **PEN Position:** PEN believes that Abdurakhmanov is being held in reprisal for his human rights monitoring. **PEN Actions:** RAN 40/08 – 14 August 2008; Update #1 – 14 October 2008; Update #2 – 20 January 2009

**Muhammad BEKZHON (BEKJANOV):**

**Profession:** former journalist, former contributor to *Erk* **Date of birth:** 1955 **Sentence** 15 years, reduced to 12 years (expired January 2012) **Second sentence:** Four years 8 months **Expires** January 2017 (see below) **Date of arrest:** 15 March 1999 **Details of arrest:** Deported from Ukraine in March 1999 on



accusation of involvement in a series of explosions in Tashkent. Several others were also arrested in connection with these events (see Makhmudov, below). **Current place of detention:** Kasan prison, southwestern Uzbekistan **Details of trial:** It is thought that his arrest is linked to his association with the exiled opposition leader Muhammed Salih and that the charges are linked to his work on *Erk*, the opposition party's newspaper, although it has been banned since 1994. Some of the defendants in the trial have testified to having been tortured under interrogation including beatings, electric shock and threat of rape of female family members. In August 1999, Bekjanov was sentenced to 15 years in prison, convicted of "publishing and distributing a banned newspaper containing slanderous criticism of President Islam Karimov"; "participating in a banned political protest"; and "attempting to overthrow the regime". In addition, the court found them guilty of "illegally leaving the country and damaging their Uzbek passports". The sentence was later reduced by one-fifth. After weeks of uncertainty over what had happened to Bekjanov when he was due for release, his lawyer eventually informed relatives on 23 January 2012 that a mobile court had held hearings at the labour camp over the weekend of 21-22 January and found Bekjanov guilty of beating three other inmates. He was sentenced to an additional four year and eight months in jail as a result. **Conditions of detention:** The UN Special Rapporteur on Torture in his 2003 report referred to allegations of torture resulting in Bekjanov's leg being broken. The Uzbek government responded to the Rapporteur denied that "moral or physical pressure" had been applied. In October 2006, his wife was able to visit him in prison and reports that he was still suffering beatings, and that he had lost most of his teeth. **Update:** in July 2015, it was reported that his lawyer had not been able to see him since April 2015 **Health concerns:** Bekjanov contracted Tuberculosis in prison, for which he received treatment. Concerns for his health remained acute He has reportedly lost his hearing in one ear, allegedly to mistreatment in prison and suffers from a hernia. He has lost most of his teeth. **Other information:** Wife resident in the USA. Brother of exiled opposition leader, Muhammad Salih. **Honorary Member:** English PEN, PEN American Center, PEN USA, PEN Canada.

**Bobomurad RAZZAKOV:**

**Profession:** human rights defender and sometime local correspondent for foreign press. He is chairman of the Bukhara region branch of Ezgulik (Compassion), Uzbekistan's only legally registered independent human rights group. He is also a member of the unregistered political opposition party Erk (Freedom) **Date of Birth:** c.1953 **Sentence:** Four years in prison **Date of arrest:** 10 July 2013 **Details of trial:** Convicted of human trafficking (under Article 135 of the Uzbek Criminal Code) on 24 September 2013. The charge against Razzakov was allegedly based on the complaint of a local woman who accused him of forcing her into the custody of a person who pressed her into prostitution. According to Razzakov, the alleged victim approached him several days before his arrest asking his help in finding a relative in Russia who was missing. Razzakov's state-appointed lawyer believes the woman was pressured by Uzbek security services to testify falsely against him. His trial began on 26 August 2013 in the Bukhara region criminal court. Rights groups, including Human Rights Watch, consider the charges against him to be fabricated in retaliation for his human rights work. **Current place of detention:** Prison No. 64/3 in Tavaksay, Tashkent region **Background:** Razzakov has worked as a local correspondent for foreign media and is known for taking on local corruption and appealing to the regional administration, the prosecutor's office, and the president on behalf of local farmers and others. According to Human Rights Watch, prior to his arrest Razzakov told the media and local human rights groups that he had come under increased pressure from the local security services over his human rights activities. On 10 June 2013, he was reportedly summoned for a two-hour interrogation by the head of Bukhara's counterterrorism criminal investigation unit in the Department of Internal Affairs, who ordered him to resign from *Ezgulik* and cease all contact with foreign media organisations. Razzakov said that he was told that harm would come to him and his family if he did not stop his human rights work.

**Dilmurod SAIDOV (pen name SAYYID):**

**Profession:** journalist for a number of independent websites and member of the human rights

organisation Ezgulik. Saidov's reports have been published in various local newspapers and news websites in Central Asia, including *Voice of Freedom*. Saidov is also an activist of the Tashkent regional branch of the human rights organisation Ezgulik. **Date of birth:** 26 April 1962 **Sentence:** 12 and a half years **Date of arrest:** 22 February 2009 **Current place of detention:** In December 2013, he was visited by his brother in a Penal Colony in Karshi, where he had been transferred after receiving treatment for tuberculosis in a prison hospital. **Details of trial:** Charged with extortion (along with two farmers) and forgery. 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 Saidov 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. The two farmers were sentenced to 11 years in prison and the other to 12 years. According to his brother Obid, by August 2011 Saidov had been found to have broken prison rules five times. According to him, this meant that the amnesty announced in Uzbekistan in December 2011, to mark the 19<sup>th</sup> anniversary of Uzbekistan's constitution, could not be applied to Saidov. His conviction has been upheld twice on appeal and the Supreme Court has rejected his petition for a review of his case. **Conditions of detention:** Saidov was reportedly put in a penal colony in Navoi from 26 to 29 April 2011 for allegedly breaking prison rules, although details of the alleged violation remain unknown. **Health concerns:** He suffers from tuberculosis and requires regular medical treatment. **Background:** There are reports that Saidov'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. **Other information:** In early November 2009, Saidov's wife and daughter, aged six, were killed in a car accident while on their way to visit him in prison. **Honorary Member:** PEN Canada. **PEN Actions:** RAN 32/10 – 10 August 2009; RAN 12/12 9 March 2012

#### Judicial concern

##### **Botirbek ESHKUZIYEV, Bahrom IBRAGIMOV, Davron KABILOV and Ravshanbek VAFOYEV:**

**Profession:** Co-founders of an educational science magazine *Irmoq* **Date of birth:** 1978, 1977, 1973, and 1971, respectively **Sentence:** Ibragimov and Kabilov were sentenced to 12 years in prison, Vafojev to 10 years, and Eshkuziyev to eight years **Date of arrest:** 2009 **Details of arrest:** According to Human Rights Watch, Bahrom Ibragimov was arrested on 27 June 2008 on allegations that he actively recruited for the Nur movement among former classmates. Eshkuziyev, Kabilov and Vafojev were detained on 16 August 2008, and all five were accused of receiving funding for *Irmoq* from radical Nur leaders in Kazakhstan. They were also accused of engaging in proselytism and holding "unsanctioned religious meetings." A fifth man, Abdulaziz Dadahonov was arrested with them and sentenced to eight years in prison, but was released in 2012 following sustained international pressure. **Current place of detention:** a high-security prison in Tashkent (See also Shavkat Ismoilov and Davron Tajiyev below.) **Details of trial:** Sentenced on 16 February 2009 under Article 244.2 ("preparing and distributing literature posing a threat to public security and order") and Article 244.1 ("participating in a banned religious organisation"). Trial monitors reported that the trial was marred by other procedural violations, including the court's refusal to allow the defendants to challenge the state-appointed experts' testimony that *Irmoq* is an "extremist" publication. In April 2009, the Tashkent City Criminal Court rejected the defendants' appeal. **Conditions of detention:** According to Human Rights Watch, the journalists denied the charges and alleged SNB officers tortured them during the investigation including by beatings and the insertion of needles under their fingernails to extract confessions. As a result of this alleged torture, all five men ultimately signed "letters of regret," admitting partial guilt. **Background:** Nur was founded by Kurdish cleric Said Nursi. In the 1990s, Nursi-inspired Turkish scholar Fethullah Gullen financed independent schools in Uzbekistan

which were closed down by the authorities in 1999 amid deteriorating Turkish-Uzbekistan relations. According to the authorities, the schools instilled a belief in the supremacy of the Turkish government and promoted Nursi's teachings. Nur has been listed as a banned religious organisation by the Uzbek Religious Affairs Committee since 2000 and the Uzbek Security Service has reportedly alleged that Nur received funds from Turkey to create a pan-Turkic state. Although socially conservative, Nur is not known to have advocated violence. **PEN position:** PEN is concerned at the reports of torture and irregularity in the trial of these men. It is also concerned that the charges brought against them are politically-motivated to bolster the position of the repressive government. As such, it is calling for their release. If there is any evidence that any of them have used or advocated violence, they should be tried on fresh charges in proceedings which meet international fair trial standards.

**Shavkat (Farhod) ISMAILOV, Profession:** director of the magazine *Yetti Iklim (Seven Dimensions)*

**Davron TAJIYEV, Profession:** editor of the magazine *Yetti Iklim (Seven Dimensions)*

**Profession:** director and editor respectively of the magazine *Yetti Iklim (Seven Dimensions)*

**Sentence:** Eight years in prison **Date of arrest:** 6 November 2008 **Details of trial:** On 8 April 2009 Ismailov and Tajiyev were convicted of allegedly "creating, leading or participating in religious extremist, separatist, or other banned organisations", according to Article 244 (2) of the Criminal Code in relation to their alleged links to the religious organisation Nur (see **Botirbek Eshkuziyev, Bahrom Ibragimov, Davron Kabilov and Ravshanbek Vafoyev above**). Believed still be in prison as of June 2015. **PEN position:** PEN is concerned at the reports of torture and irregularity in the trial of these men. It is also concerned that the charges brought against them are politically-motivated to bolster the position of the repressive government. As such, it is calling for their release. If there is any evidence that any of them have used or advocated violence, they should be tried on fresh charges in proceedings which meet international fair trial standards.

#### Reported missing

**Dzhamshid (Jamshid) KARIMOV:**

**Profession:** journalist for the London-based Institute of War and Peace Reporting (IWPR) until May 2005 and subsequently for a number of other publications **Date of birth:** 1967 **Date of**

**disappearance:** According to uznews.net, Karimov disappeared on 18 January 2012 **Details of**

**disappearance:** He was still in touch with his friends and colleagues the week before his arrest, but suddenly stopped responding to their e-mails and his phone was disconnected. According to his colleague there are three possible explanations: he might have been taken back to the psychiatric hospital in which he had been previously placed (see previous disappearance/detention), he might be under house arrest or he might have gone to ordinary hospital due to the psychotropic drugs he was forced to take. **Previous disappearance/detention:** Karimov disappeared on 12 September

2006. Two weeks later, his friends were able to ascertain that Karimov was held in a psychiatric hospital in Samarkand, where he was kept until his release on 6 November 2011. Karimov was released just before the Muslim festival of Eid al-Adha. It was alleged that his release was a consequence of pledges given by the Uzbek authorities to U.S. Secretary of State Hilary Clinton when she visited Uzbekistan on 22 October 2011. Karimov is reported to have suffered serious damage to his health due to the forced administration of psychotropic drugs. **Personal details:** Karimov is a nephew of President Islam Karimov and, according to CPJ, is said to have been openly critical of his uncle and to be living in poverty. **Honorary member:** English PEN. No further information as of 31 December 2015. **PEN Action:** RAN 61/11 – 30 November 2011. PEN is seeking further information.

#### Released

**Hayrulla HAMIDOV (Khayrullo Kamidov)**

**Profession:** football commentator and radio-host, poet and deputy editor of the newspaper

*Chempion (Champion)* **Date of birth:** 1975 **Sentence:** Six years in prison **Date of arrest:** 21 January 2010 **Date of Release:** 11 February 2015 **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 Release:** Granted amnesty after writing four letters of apology to President Islam Karimov, publicly accepting his guilt. Hamidov had previously said he would not appeal in the courts because he would not get a fair hearing **Details of trial:** Tried under Article 216 of the Criminal Code concerning "the organisation or active participation in a proscribed social or religious movement" and Article 244.1 concerning "dissemination of prohibited material" alongside 18 other people who were found to be members of the Islamic group Jihadchilar (Jihadists). In a closed hearing held on 11 May 2010, the prosecutor demanded that Hamidov be sentenced to seven years in prison. The criminal court in Guibakhor, near Tashkent, postponed the sentencing until 28 May then sentenced Hamidov to six years' imprisonment. **Other information:** Hamidov is reportedly a prolific poet. He was also a popular radio-host of the show 'Kolislik Sari' (Voice of Impartiality), broadcast by the Tashkent-based Navruz FM. **Background:** Hamidov's newspaper *Odamlar Orasida (Among the People)*, which dealt with issues including infant mortality, corruption, and homosexuality, was closed down by the authorities in 2007.

## MIDDLE EAST AND NORTH AFRICA

### ALGERIA

#### Imprisoned – Main Case

##### **\*Rachid AOUINE:**

**Profession:** Activist with National Committee for the Defence of the Rights of Unemployed Workers (CNDDC) **Sentence:** Six months in prison **Date of arrest:** 1 March 2015 **Date of release:** 2 July 2015 **Details of arrest:** Police reportedly arrested Aouine in the northeastern city of Oued Essouf based on ironic comments he made on Facebook. Aouine told Amnesty International that, after police questioned him, they searched his home and confiscated his computer and memory drives. On 3 March, the prosecutor of Oued Essouf's First Instance Tribunal charged Aouine with "inciting an unarmed gathering" under article 100 of the Algerian penal code. **Details of release:** Aouine was released upon completion of his sentence. **Details of trial:** On 9 March, Aouine was found guilty and he was sentenced to six months in prison and a fine of 20,000 Algerian dinars (US\$200). **Background:** In his Facebook posting, Aouine reportedly commented on an announcement by the Algerian authorities that law enforcement officers who staged protests would face disciplinary action, writing: 'Police officers, why don't you go out today to protest against the arbitrary decisions against your colleagues in spite of the Minister of Interior's pledge not to prosecute protesters. Instead, all you do is keep a watch on free-spirited activists and protesters against shale gas?' **Other information:** At Aouine's hearing on 3 March, police reportedly arrested his family members and supporters as they protested his arrest outside the court in Oued Essouf. Youssef Soltani, a CNDDC member, told Human Rights Watch that police arrested him and about 25 others around 10 a.m., beat them, forced them into police cars, and took them to the central police headquarters. Most, including Aouine's wife and mother, were released after several hours; Soltani and six others were held overnight but released without charge by the public prosecutor on 4 March 2015.

#### Sentenced

##### **\*Mohamed CHERGUI (or Mohamed SHARKI):**

**Profession:** Former editor for the government-owned newspaper *El Djoumhouria* **Sentence:** Three years in prison and a fine of 200,000 DZD (\$US 1,893). **Details of trial:** He was sentenced in absentia for "attacking the Prophet." According to the Huffington Post, Chergui did not receive any summons to the trial, which took place on 24 February 2015. Chergui told the local news website *Echorouk Online* on 3 March that he had appealed the verdict. A court session scheduled for 19 May 2015 was postponed until 15 September. No further news as of 31 December 2015. **Other information:** The journalist, who ran a weekly page on Islam, had taken over an article by a European researcher on Koranic expressions which was considered by the management of the newspaper as an 'attack' to the prophet. In June 2014 *El Djoumhouria* fired Chergui and, two months later, filed a complaint against him, accusing him of blasphemy.

#### Released

##### **Abdelhai ABDESSAMIA:**

**Profession:** Previously journalist for the now closed daily *Mon Journal* and *Jaridati*, journalist for Radio Tebessa **Date of arrest:** 18 August 2013 **Date of release:** 21 September 2015 **Details of arrest:** He has been under investigation in administrative detention for reportedly participating in the illegal departure of the daily's former editor from Algeria. The editor, Hicham Aboud, was said to be on probation when Abdessamia allegedly facilitated his escape to Tunisian border. Hicham Aboud has

denied leaving illegally and says he has exit stamps in his passport to prove it. The journalist has been reportedly charged with 'failure to report a person wanted by the justice', and could face up to three years in prison. Abdessamia's family were warned not to publicise his detention and news of his detention came to light at the end of October 2014. **Details of release:** On 21 September 2015 Abdessamia was released without charge from Tebessa prison. **Conditions in detention:** Abdessamia reportedly began a hunger strike on 5 November 2014 after judges rejected his fourth petition for release. **Place of detention:** Tebessa prison.

## BAHRAIN

### Imprisoned - Main Case

#### **Abdulahdi AL-KHAWAJA:**

**Profession:** Leading human rights defender **Sentence:** Life imprisonment **Date of arrest:** 9 April 2011 **Details of arrest:** He was arrested from his home and charged under national security and counter-terrorism legislation for his role in the pro-democracy protests that begun in February 2011. He was badly beaten during his arrest. **Details of trial:** He was among 21 opposition activists to be convicted by a special security court on 22 June 2011 of 'plotting to overthrow the government' following a wave of protests which swept the country in February and March that year (see below Abdul Jalil al-Singace). On 28 September 2011 the military-run National Safety Court of Appeal confirmed the conviction of Abdulhadi al-Khawaja, and his sentence of life imprisonment. The trial did not meet with international standards of fairness, and there has been no independent investigation into his allegations of torture in pre-trial detention. On 30 April 2012 the Court of Cassation ordered a retrial in the case. After the retrial, Abdulhadi al-Khawaja was sentenced to life imprisonment, a decision confirmed by the High Court of Appeals in Bahrain Court on 4 September 2012. **Conditions of detention:** There were allegations of torture during pre-trial detention, while Al-Khawaja and the other detainees were held incommunicado. In one of the earlier hearings at court, prior to the sentence, when al-Khawaja and others tried to speak out about having been tortured in detention, they were removed from court, taken outside and beaten, resulting in al-Khawaja having to be taken to the military hospital. On 26 August 2014 he went on hunger strike in protest at his arbitrary imprisonment and detention conditions, which he ended a month later on 23 September 2014. **Health concerns:** Abdulhadi al-Khawaja is still suffering the effects of the repeated beatings to his face with problems with his jaw and teeth and is expecting to have further medical treatment to assess the extent of the long term damage. **Update:** al-Khawaja underwent a three-week hunger strike starting 2 March 2015, and a one-month hunger strike starting 20 April 2015 in protest at his continued arbitrary detention and ill-treatment while in prison. No further news as of 31 December 2015. **Other information:** The United Nations Working Group on Arbitrary Detention (UNWGAD) in an opinion dated June 2012 found Abdulhadi al-Khawaja's detention to be arbitrary and called on the Government of Bahrain to release him. **Background:** Abdulhadi al-Khawaja has a long history of political persecution. After 12 years in exile he returned to Bahrain in 1999 following wide-ranging political reforms that allowed independent human rights groups to operate in the country. In 2002 he co-founded the Bahrain Centre for Human Rights (BCHR), a member of the International Freedom of Expression Exchange (IFEX), and has since worked in numerous roles for various regional and international human rights organisations. Most recently, he was the Middle East and North Africa regional campaigner with Front Line Defenders. In 2004 he was held for two months for his political activism, and has been subject to regular threats, travel restrictions and harassment. **PEN Action:** RAN 46/10 and updates, trial observation September 2011, PEN 2011 [UPR Submission on Bahrain](#), Joint appeal [7 March 2012](#), Open letter to Hilary Clinton [14 August 2012](#), joint open letters/statements [9 April 2012](#), [18 May 2012](#), [9 April 2014](#) and [24 October 2014](#).

**Dr Abdul Jalil AL-SINGACE:**

**Profession:** Activist and internet writer. He 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

**Sentence:** Life imprisonment **Date of arrests:** (1) 13 August 2010 and (2) 16 March 2011 **Details of arrest:** Dr al-Singace was arrested at Bahrain International Airport on his return from London on 13 August 2010, where he had been attending a conference at the House of Lords during which he had criticised Bahrain's human rights practices. He was initially accused of inciting violence and terrorist acts, before being formally charged under national security and counter-terrorism legislation. He and 21 other opposition activists on trial with him were freed in February 2011 following widespread calls by anti-government protestors for political reform and the release of political prisoners. He was re-arrested on 16 March 2011 after publicising the deteriorating human rights situation in the country following a wave of protests which swept the country in February and March that year, and was later placed under house arrest.

**Current place of detention:** Gurayn Military Prison, Manama, Bahrain. **Details of trial:** Dr al-Singace was among 21 opposition activists to be convicted by a special security court on 22 June 2011. According to a government response of 12 October 2010 to an urgent appeal of several human rights mechanisms on 15 September 2010, he was charged with (1) Founding, organizing and managing an outlawed organization with the aim of violating the law and disrupting provisions of the constitution and to prevent public authorities from exercising their duties using terrorism; (2) Inciting to acts of sabotage, destruction, and arson; (3) Disseminating hatred and mockery of the political regime; (4) Publicly instigating sectarian hatred which disturbs civil peace; (5) Spreading provocative propaganda, news, and false statements to destabilize public security and cause damages to public interests; (6) Raising funds for an organisation that is involved in terrorist acts inside the country, willingly and knowingly. Eight of those convicted received life sentences, including Dr al-Singace. A further ten were sentenced to 15 years in prison, two received five-year terms and one a two-year prison sentence. The trial did not meet with international standards of fairness, and there has been no independent investigation into his allegations of torture in pre-trial detention. On 28 September 2011 the military-run National Safety Court of Appeal confirmed the conviction. On 30 April 2012 the Court of Cassation ordered a retrial in the case. After the retrial, Dr. Abduljalil al-Singace was sentenced to life imprisonment, a decision confirmed by the High Court of Appeals in Bahrain Court on 4 September 2012. The Court of Cassation upheld his conviction and sentence on 7 January 2013. **Conditions of detention:** Dr al-Singace was held incommunicado and in solitary confinement for six months, during which he alleges he was tortured including through beatings, prolonged solitary confinement in a 2m x 3m cell, threats of rape and threats of rape of his daughter. Reportedly, he is denied access to novels, television, radio, pens and paper and even religious books. He was not allowed to receive visits of condolence when his nephew died. **Health concerns:** Dr al-Singace is disabled, and relies on a wheel-chair for his mobility. In October 2013 his family and lawyer reported that he had not received any medical attention since March 2013, and that his health was seriously deteriorating. At least 14 different appointments had been repeatedly cancelled. These appointments have been with the skin disease clinic, the heart disease clinic, and the optician's clinic at the Bahrain Defense Force Hospital, as well as the Prison clinic. Abduljalil al-Singace requires care as a matter of urgency for a damaged ear drum for which he saw a doctor in early September 2014. He also requires an operation to treat a nasal sinus inflammation, as confirmed by an ENT Consultant at Salmaniya Hospital in the presence of the prison doctor. Abduljalil al-Singace also suffers from an enlarged prostate and a shoulder injury. Furthermore, he requires a new examination for medical glasses as his vision has also deteriorated. Although he reportedly received some limited medical care in early 2014, his health condition was still reportedly poor at the end of the year. On 21 March 2015 he started a hunger strike in protest of the prison conditions in Jaw which he was continuing at the end of the year. **Update:** On 2 November 2015 he was granted a temporary release so that he could attend to his mothers' funeral, after which he returned to prison. **Awards:** Recipient of the 2012 Hellman/Hammett award, ICPC's 2015 Liu Xiaobo



Courage to Write Award. **PEN Actions:** RAN 46/10 and updates including [#7 of 25 September 2014](#), [#8 of 6 May 2015](#), [#9 of 6 November 2015](#), trial observation September 2011, [PEN 2011 UPR Submission](#), [Day of the Imprisoned Writer case 2011](#), Joint Open Letters/statements [9 May 2012](#), [28 October 2014](#), Press statement [25 October 2012](#); [Joint statement 3 July 2015](#); [Joint Appeal 27 August 2015](#); [Joint Appeal 7 October 2015](#); [joint appeal 6 November 2015](#)

#### Detained- investigation

##### **\*Mahmood AL-JAZEERI**

**Profession:** Journalist for daily newspaper *Al Wasat* **Date of arrest:** 28 December 2015 **Details of arrest:** According to news reports, on 28 December 2015 security forces raided al-Jazeera's apartment and seized his laptop and mobile phone and he was arrested. Reportedly, he has been detained since and he has not been informed about the reasons of his detention or if there are any charges brought against him. Allegedly, his lawyer informed that he had not been taken to public prosecution. al-Jazeera has only been permitted to do short phone calls to his family to inform them that he was being held in the General Directorate of Criminal Investigations. [**Stop press:** According to news reports, in January 2016 he was charged with alleged terrorist activities. Allegedly, he is accused of plotting with Iranian Revolutionary Guard and Hezbollah.] **Background:** Al Jazeera is a political correspondent for the *Al Wasat* and he is known to cover news about political detainees and discussions in the Shura Council and Parliament. He was arrested one day after the publication of an article he wrote about a new bill proposed in the Shura Council. This bill proposes that if a head of family has his nationality revoked, then he and his family will be deprived of government housing.

#### Sentenced

##### **Ghada JAMSHEER (f):**

**Profession:** Writer, human rights defender and head of the Head of the Women's Petition Committee, an organisation which campaigns for the rights and dignity of women in the Shari'ah family courts **Sentence:** 1) one year in prison, suspended for three years 2) 20 months in prison **Date of arrest:** (1) 14 September 2014 (2) 28 November 2014 **Date of release:** (1) 27 November 2014 (2) 15 December 2014 **Details of arrest:** (1) Jamsheer was arrested in connection with 12 complaints regarding Jamsheer's tweets filed by five individuals which they found 'insulting' and 'defamatory'. In some of her posts in her Twitter account, Jamsheer had reportedly been critical to the management of King Hamad University Hospital in Bahrain and referred to alleged corruption cases there. (2) Her second arrest reportedly relates to a charge of assaulting a police officer in September 2014, a charge which she was unaware of at the time of her release earlier that day **Details of release:** (1) Released on bail but rearrested 12 hours later. (2) Released in December 2014, from the Issa Town Detention Centre for Women, in Manama, Bahrain's capital city. **Details of trial:** 1) On 5 May 2015, the Bahrain High Criminal Court sentenced Jamsheer to one year's imprisonment, suspended for three years, on the charge of assaulting a police officer. On 26 November 2015, the Bahrain High Court of Appeal upheld the suspended one-year prison sentence. 2) On 9 June 2015, the Third Lower Criminal Court sentenced her to 20 months in prison on charges of defamation in connection with messages posted via her Twitter account criticising alleged corruption in the management of King Hamad hospital in Bahrain, which is run by members of the ruling family. She remains free on bail of 400 BHD (US\$800). **Update:** On 1 October 2015, a third trial began before the Second Lower Criminal Court on charges of "verbal and physical confrontation with a police woman". The trial was ongoing at the end of the year. **Other information:** Jamsheer was prevented travelling abroad for medical treatment on 14 March 2015 and was told that she was subject to a travel ban, despite no written notification of the ban having been sent to her. **Background:** Author of "The Killer and the Victim in the Shari'a Courts" in which she examined the committee's movement and the cases of women who were aggrieved by Shari'a verdicts. Jamsheer has been persecuted for

her activism and writings for over a decade. In 2005, she faced three separate criminal charges for allegedly criticizing a number of family court judges. These charges were dropped on 19 June 2005, but she has been under permanent surveillance since 2006. Her blog <http://bahrain-eve.blogspot.co.uk/> has reportedly been blocked in Bahrain since 2009 and is reportedly prevented from appearing on public media. On 29 October 2014, Jamsheer appeared before the Third Lower Criminal Court in three court hearings on charges relating to defamation. She was fined 100 Bahraini Dinar in one of the cases, acquitted in another and granted bail upon the payment of 50 Dinar in the third case. [See previous Case lists] **PEN Action:** [Joint statement](#) about situation in Bahrain referring to her 2014 arrest

**\*Zainab AL-KHAWAJA (f)**

**Profession:** blogger and human rights defender **Date of sentence:** 21 October 2015 **Sentence:** (1) one-year in prison and a fine of 3,000 Bahraini dinars (about US\$ 7,700) (2) 16 months in prison **Details of trial:** In October 2014 she was sentenced to three years in prison for tearing up a picture of King Hamad bin Isa al-Khalifa. On 21 October 2015, Bahrain's Court of Appeal reduced her sentence to one year and to a 3,000 Bahraini dinars (about US\$ 7,700) fine. If she fails to pay the fine she could have her sentence increased by 18 months. As of 31 December 2015 she remained free but at risk of being detained. Reportedly, she is facing three other convictions that she is currently appealing. On 17 November 2015 a judge postponed to 2 January 2016 her appeal hearing on charges for entering a restricted area and insulting a police officer when she was visiting her father. (2) On 3 December 2015, an appeal hearing was scheduled for her conviction held of December 2014 of charges of two-months in prison for destroying public property for also tearing up a photo of the King and a year in prison for 'insulting a public official'. Al-Khawaja and her lawyer decided to boycott the appeal hearing and the judge directly upheld the sentence of 16 months in prison and denied right of appeal. **Background:** Since 2011 she has been arrested several times for her prodemocracy activities. She is the daughter of Abdulhadi al-Khawaja (see above under Imprisoned - Main Case) see RAN 62/11 and updates.

Conditional release

**Nabeel RAJAB:**

**Profession:** Leading human rights defender. President of Bahrain Centre for Human Rights (BCHR) and Gulf Centre for Human Rights (GCHR) **Sentence:** Six months in prison **Date of arrest:** 2 April 2015 **Date of release:** 13 July 2015 **Details of arrest:** He was arrested at his home after being presented with a warrant charging him with "insulting a statutory body" in connection to his documentation of mistreatment and torture in Bahrain's Jaw Prison in his article [Into Bahrain's Jaws of Hell](#). The second charge of "spreading rumours during wartime" relates to his reporting of civilian deaths in Yemen, in contravention of a government prohibition of any public mention that is critical of the conflict. He was remanded in pre-trial detention several times **Details of release:** On 13 July 2015 Nabeel Rajab was released after completing almost four of his six-month prison sentence on charges related to a tweet he published in September 2014 in which he allegedly "insulted the Ministry of Interior". Although he was released on 'health grounds' he still faces charges of "disseminating false rumours in time of war" (Article 133 of the Penal Code, punishable by up to ten years of imprisonment); "disseminating false news causing damage to public security" (Article 168, up to two year); "insulting public authorities" (Article 216, up to three years) for tweeting about the Saudi-Arabia-led coalition air strikes in Yemen and about the torture of detainees at Jaw Prison. Due to these charges, on the same day of his release a travel ban was imposed upon him. Nabeel has unsuccessfully filed three appeals to lift this travel ban. On 3 December 2015, Nabeel submitted a written request to the Attorney General requesting permission to travel with his wife who requires urgent medical treatment abroad. The ban had not been lifted at the end of the year. **Details of trial:** 1) On 20 January 2015, following his arrest on 1 October 2014 and month-long detention, he was [sentenced](#) by the Third Lower Criminal Court to six months' imprisonment on charges of "insulting a

state body” (the ministries of interior and defence) under article 216 of Bahrain’s penal code in relation to a tweet he had posted in which he called Bahrain’s security institutions ‘the first ideological incubator’ for radicalized citizens joining the armed group known as Islamic State in Iraq and Syria (ISIS). Nabeel Rajab paid 200 Bahraini Dinars to remain on bail pending his appeal, however the court maintained the travel ban already in place against him during this time. His six-month sentence was upheld on appeal in May 2015. 2) On 26 February 2015, Nabeel Rajab was summoned to appear at a police station on charges of “incitement of hatred against the regime” and was arrested in connection with this charge on 2 April 2015. If found guilty of these charges, he could face over years in prison. **Background:** Rajab has been harassed and briefly detained, as well as imprisoned on many occasions for his human rights activism and reporting. See previous Case Lists for details. **Other information:** 2 July 2015 UK parliament [early day motion](#) called for his release [European Parliament statement](#) 7 July 2015. Statement by three UN Special Rapporteurs on [16 July 2015](#) On 19 November 2015, 80 members of the European Parliament issued [a letter](#) to King Shaikh Hamad bin Isa Al-Khalifa demanding the lift of Rajab’s travel ban and to drop all his charges, it was also signed by 20 other international NGOs including PEN International **Awards:** Rajab has received many prestigious awards for his activism, including the 2011 Ion Ratiu Democracy Award, the 2011 Silbury Prize and the 2012 Index on Censorship Freedom of Expression Advocacy Award. **PEN action:** [Open letter to Hilary Clinton 14 August 2012](#), Joint statements: [9 October 2014](#) [28 October 2014](#), [PEN statements: 25 October 2012](#), [20 January 2015](#) - 8 April 2015.

Case closed

**Mohamad HASSAN (also spelt Mohamed Hasan):**

**Profession:** Blogger **Date of arrest:** 31 July 2013 **Details of arrest:** a=Arrested at his parents’ house in Sitra by plainclothes security officers, without a warrant, for his alleged involvement in organizing anti-government protests. **Date of release:** 3 October 2013 **Details of release:** Hassan was released on bail from Dry Dock prison in the capital, Manama. He fled to the United Kingdom upon his release on bail, where he sought asylum. **Details of trial:** He has been charged with “inciting hatred against the regime”, “inciting people to ignore the law”, “calling for illegal gatherings” and “being a member of the 14 February media group”. His trial was believed to be ongoing at the end of the year. **PEN Actions:** RAN 28/13; On 9 June 2014 PEN International was among ten human rights groups to sign a [joint letter](#) requesting the UN Special Rapporteurs on freedom of expression and on torture as well as the UN Working Group on Arbitrary Detention to raise Hassan’s case with the Bahraini authorities. Case closed as he is no longer in Bahrain.

**EGYPT**

Killed

**\*Shaimaa EL-SABBAGH (f):**

**Profession:** poet and activist **Date of death:** 24 January 2015 **Details of killing:** She reportedly died when hit by birdshot from a police shotgun during a peaceful march to lay flowers in Tahrir Square, a day before the fourth anniversary of the January 2011 revolution in Egypt. **Details of investigation:** On 11 June 2015 a police officer was sentenced to 15 years in prison for killing el-Sabbagh. He was convicted of “action that led to the death” of el-Sabbagh -- a lesser charge than murder, as well as “deliberately wounding” other protesters. According to [news reports](#), the police officer appealed the conviction which will be heard at Court of Cassation on 15 February 2016. **Other information:** Seventeen witnesses to the killing were acquitted of participating in an illegal protest in October 2015. The charge had been brought after they testified against the police following the killing. **PEN action:** statement [13 February 2015](#)

Imprisoned - main case

**Alaa Abd EL-FATTAH:**

**Profession:** Blogger and activist. Writes a popular [blog Manalaa](#) established with his wife, Manal.  
**Sentence:** Five years in prison **Date of arrest:** 28 October 2014 **Details of arrest:** Rearrested at the start of his retrial on 28 October 2014. **Current place of detention:** Tora Prison, Egypt's notorious maximum security detention centre. **Details of trial:** Among 25 defendants to be sentenced to 15 years in prison in absentia on 11 June 2014 by the Cairo Criminal Court for violating the controversial Protest Law. The Protest Law was issued by former president Adly Mansour on 24 November 2013 to regulate the right to peaceful assembly. The court also fined the defendants with EGP 100,000 each and ordered they be placed under police observation for five years after serving their time in prison. In August 2014 he was granted a re-trial. **Update:** On 23 February 2015 el-Fattah was again sentenced to five years in prison for violating the Protest Law. March 2015 news reports suggest that he is appealing its conviction. He was not included in a Presidential Pardon of political prisoners in September 2015. No further news as of 31 December 2015. **Health concerns:** Abd el-Fattah was on a 100-day hunger strike before being sentenced, which ended on 11 February 2015. According to news reports, he has kidney problems that emerged after his first hunger strike (2014). **Background:** Following the uprising of 25 January 2011, Abd elFattah continued to promote free expression through online platforms. He started a [nation-wide people's initiative](#) enabling citizen collaboration in the drafting of the Egyptian Constitution. He initiated and hosted [Tweet-Nadwas](#) ('Tweet-Symposiums'), that brought activists and bloggers from across the world into Tahrir Square, to participate in open format dialogue about issues ranging from [Islamism](#) to [economic](#) reform. Abd el-Fattah has been jailed or charged under successive governments in Egypt. In 2006, when he was only 22, he was jailed by the Mubarak government. Under the Supreme Council of the Armed Forces (SCAF) he was detained by the military prosecution for allegedly participating in the Maspero clashes in October 2011, when mostly Christian protesters clashed with the military leaving scores dead. Former President Morsi brought a case against him in 2013 and he is now detained by the current military government headed by General Abd el-Fattah al-Sisi. Abd el-Fattah (together with his sister Mona Seif) received a one year suspended sentence in a similar, but separate, trial, which was upheld on appeal in May 2015. On the night of 28 November 2013, security forces raided Abd el-Fattah's home. His wife, Manal, posted a picture on social media showing blood stains in their bedroom where he was beaten by security forces, who raided the home without presenting an arrest warrant. She also reported being slapped. Mobile phones and computers found at their home were confiscated. He was initially taken, blindfolded and handcuffed, to a Central Security Forces camp on the highway road between Cairo and Alexandria, known as "kilo 10.5", which is not an official place of detention On 29 November, prosecutors ordered Alaa Abd el-Fattah's detention for four days, pending investigations in connection to the peaceful protest in front of the Shura Council which took place on 26 November 2013 which the authorities held were in violation of a repressive new law governing public protests. Released on bail pending trial on 23 March 2014 but rearrested in June 2014 after he was sentenced. Released on bail on 15 September 2014, but rearrested on 28 October 2014 Also on trial with 24 others including former President Mohamed Morsi (see below under On trial) **Honorary member:** Austrian PEN **PEN Actions:** [Joint call for release](#), 23 January 2014; [Statement](#) welcoming release 24 March 2014, statement [23 February 2015](#)

**\*Hassan EL-KABBANI (or EL-QABBANI):**

**Profession:** Freelance reporter for several news websites, including *Freedom and Justice* (Muslim's Brotherhood news website) and *Rassd* **Sentence:** Life imprisonment (25 years in Egypt) **Date of arrest:** 22 January 2015 **Details of arrest:** El-Kabbani was arrested in his home in 6 October City by security agents in plainclothes. According to news reports he was held in the local national security headquarters where he was abused. His wife and her brothers were also detained for one day. **Current place of detention:** According to his wife he is being held in Scorpion prison. **Details of trial:** 1) He was charged with espionage, joining an illegal organisation and disseminating false information to disturb people. Since his arrest, Cairo's National Security Court has renewed his pre-trial investigation detention several times (last 5 May 2015). According to news reports, by 1 June 2015

no trial had been scheduled. 2) On 11 April 2015 he was sentenced along with 50 other defendants charged for “forming an operations room to direct the Muslim Brotherhood to defy the government”. According to his family he was not aware that he was tried in that case and Egyptian court listed him as fugitive and tried him in absentia. According to the Committee to Protect Journalists, on 3 December 2015 the Egyptian Court of Cassation accepted the request for an appeal but it had not been heard by 31 December 2015. **Background:** El-Kabbani was previously arrested briefly for a few hours during the 25 January revolution of 2011.

**\*Youssef SHAABAN:**

**Profession:** Editor and reporter for the independent news website *Al-Bedaiah* **Sentence:** 15 months in prison **Date of arrest:** 11 May 2015 **Details of arrest:** Shaaban was briefly detained on 29 March 2013 when covering a protest at Alexandria police station and released on bail pending for trial. **Details of trial:** Sentenced to two years in prison on 9 February 2015 for “protesting without authorisation”, “disrupting traffic”, “damaging content of the Police Station”, “attacking security forces”, “spreading fear and terror among citizens” and “attempt to smuggle prisoners” in connection with an event in March 2013 when he and other activists had gone to el-Raml police station in Alexandria to offer assistance to three detained lawyers. On 11 May 2015 court of appeal in Alexandria reduced his sentence to 15 months in prison, and ordered him to be held in custody. His lawyer has appealed to the Court of Cassation which is his last legal resort. **Health concerns:** Shaaban has Hepatitis C and requires medical attention. **Other information:** He was tried with nine other defendants. All of them have denied the allegations and claim that the police who assaulted them. Shaaban has stated that he attended the protest in order to cover it as a journalist, not to participate. **Update:** According to [news reports](#), on 21 September 2015 and 27 December 2015, the el-Raml Misdemeanour Court of Appeal refused to permit Shaaban’s release until the hearing before Court of Cassation is held. As of 31 December 2015, the appeal had not been heard.

**Emad (or Imad) Sayed Abu ZEID:**

**Profession:** Reporter in Bani Suef for the *Ahram Gate* Arabic news website and for *Suef Online* **Sentence:** Three years in prison **Date of arrest:** September 2014. **Details of arrest:** Arrested when he appeared in court for trial (see below) **Current place of detention:** Prison in Fayyoun **Details of trial:** Sentenced to three years’ imprisonment in September 2014 after conviction of membership of the outlawed Muslim Brotherhood. According to the Committee to Protect Journalists, quoting his daughter, his appeal is scheduled for 11 November 2015. **Update:** According to the Committee to Protect Journalists, on 8 December, 2014, he denied any affiliation with the Muslim Brotherhood in a letter he wrote from prison, which was published on social media. **Background:** Abu Zeid was first arrested on 12 September 2013 in the Beni Suef governorate after the prosecution accused him of disturbing public order through publishing false news and articles on the website in connection an article he wrote in which he criticized the Egyptian authorities. He was released on bail on 13 October 2013 after three months in detention but was rearrested at his trial. No further news as of 31 December 2015.

Detained – Main case

**\*Ismail ALEXANDRANI**

**Profession:** Freelance investigative journalist and researcher **Date of arrest:** 29 November 2015 **Details of arrest:** He was arrested on 29 November 2015 in Hurghada airport, when he returned from Berlin. According to news reports, he is accused of “releasing false news and spreading terror” and “joining a banned group”. The prosecution seized his laptop, mobile phone and some personal belongings and taken as evidence. Reportedly, his wife suggested that after his detention he was questioned in New Cairo for more than 10 hours. He was later detained for 15 days pending further investigation. According to Al Jazeera, on 10 December 2015 Alexandrani was informed that his detention had been extended for another 15 days for investigation. Allegedly, the Egyptian

authorities can legally extend detentions up to 10 times. According to news reports, on 27 December 2015 his detention was extended for a third time. His next hearing is reportedly scheduled for 15 January 2016. **Background:** According to news reports, Alexandrani had recently attended a conference in Berlin regarding counterterrorism and he was considered an expert in 'Sinai and Egypt's extremities, Islamism and post-Islamism and human rights activist'. Reportedly, he had been critical of the Egyptian government and his policies aiming to defeat extremists in the Sinai. His wife also suggested that he had also been critical to the Muslim Brotherhood. **Awards:** Visiting Arab Journalist Fellowship, Middle East Program, Woodrow Wilson International Center for Scholars at the time of his arrest; Open Eye - Hany Darweesh Award for Exceptional Essay 2014; Global Winner in Youth Essay Contest on Democracy 2009; 2009 winner of the National Contest for Spreading Understanding and Mutual Respect of the Cairo Institute for Human Rights Studies

**\*Mahmoud AL-SAKKA**

**Profession:** Journalist for independent news website *Bawabat Yanair* (January Gate) **Date of detention:** 30 December 2015 **Details of detention:** Al-Sakka's lawyer told the Committee to Protect Journalists that on the night of 30-31 December 2015 he was arrested and first taken to Giza's Dokki police station. He was later transferred to an unknown location and held incommunicado for four days and finally to Homeland Security headquarters in Cairo. There he was ordered to remain 15 days in detention on charges of "planning illegal protests to overthrow the government" and "belonging to an illegal organization (the 25<sup>th</sup> January Youth Movement)". Reportedly, during this period his family was not informed of al-Sakka's situation and location. **Conditions of Detention:** His lawyer said on social media that al-Sakka told her that police had beaten him in the Dokki police station and at the Homeland Security building. **Current place of detention:** Homeland Security headquarters in Cairo **Background:** The news website *Yanair* focused on political affairs including news about new political parties, parliament and labour rights. Al-Sakka's arrest came amid a renewed crackdown on critical voices ahead of the fourth anniversary of the 25 January revolution in Egypt which toppled former president Hosni Mubarak.

**\*Hossam AL-DIN EL-SAYED (also spelt Hussam and Hossam Al-Din Al-Syaed)**

**Profession:** Journalist **Date of arrest:** 22 October 2015 **Details of arrest:** On 21 October 2015, the Mada Foundation was raided by security forces (see case below) and arrested the director, **Hisham Jaafar**. The following day, security forces also raided the home of Hussam el-Sayed which is in the same building and detained him though he is not connected to the Mada Foundation. **Details of trial:** He has been charged in a state security trial (No. 720) along with Hisham Jaafar (see below), despite the fact that he is not connected with the Mada Foundation. No further news as of 31 December 2015.

**\*Hisham JAAFAR**

**Profession:** Director of Mada Foundation for Media Development and editor-in-chief of OnIslam.net **Date of arrest:** 21 October 2015 **Details of arrest:** On 6 September 2015, the offices of Mada Foundation were raided by armed and masked security forces. Reportedly, they destroyed furniture and personal items, and questioned male staff members for several hours. The organisation was shut down immediately following the incident. Since then, Jaafar has been in custody and has been accused of "receiving illegal foreign funding" and "belonging to the banned group Muslim Brotherhood". However, the Egyptian Journalists Syndicate suggests that no official sheet of charges is available. As of 31 December 2015, no trial had been scheduled. **Conditions in detention:** According to Committee to Protect Journalists, he has been prevented from receiving visits in prison and has not been allowed to receive clothes, his medication or a new pair of glasses, as his original pair was broken during the arrest. **Current place of detention:** According to his lawyer, he is held in Tora Prison. **Other information:** The Mada Foundation is a non-governmental organisation that provides media training and support for journalists. It also runs a website, OnIslam.net, where news and articles about health, lifestyle and Islamic spirituality are published. Hisham Jaafar's arrest and



the attack on the Mada Foundation was widely condemned by Egyptian and international human rights groups.

#### Detained - investigation

##### **\*Mahmoud Mostafa SAAD:**

**Profession:** Journalist **Date of arrest:** 22 October 2015 **Details of arrest:** Reportedly, he was detained in Cairo's airport when he was about to travel to UK with a student visa. According to his wife, he was held without knowing which were the charges or accusations against him. The whereabouts of Saad are also unknown. No further news as of 31 December 2015. **Background:** The detained journalist is a former member of the Tamarod movement, which worked on gathering signatures in support of the removal of former President Mohamed Morsi, and which organized the mass protests that led to Morsi's removal and takeover of the government by the Armed Forces in 2013. **[Stop Press:** On 2 January 2016, the Stop Forced Disappearances campaign reported that he had appeared before a National Security Prosecutor and was remanded in custody for 15 days in connection with alleged membership of a banned organization.]

##### **\*Abdelrahman ABU OUF**

**Profession:** Editor-in-chief of *Al Mesryoon* **Date of arrest:** 14 November 2014 **Details of arrest:** According to Committee to Protect Journalists, on 14 November 2014 Abu Ouf was detained after the Egyptian police raided his home. He was remanded in custody on suspicion of membership of a banned group, reportedly the Muslim Brotherhood. He had not been brought to trial by the end of the year. **Other information:** The executive editor-in-chief of *Al Mesryoon* said that Abu Ouf had no political affiliations and his work was characterized for being critical of President Abdel Fattah el-Sisi, as well as the former President Mohamed Morsi and his Muslim Brotherhood. He also published many cases exposing corruption cases in Egyptian business. According to the Committee to Protect Journalists, the Egyptian government had already interfered in the printing of *Al Mesryoon* earlier in 2015 because of some articles critical of President Abdel Fattah el-Sisi.

#### On trial

**\*Alaa ABD EL-FATTAH, profession:** Blogger and activist (see also above under Imprisoned – Main Case)

**\*Abdel-Halim QANDIL, profession:** Writer and journalist for *Sawt Al-Omma* (see also below under Sentenced)

**\*Abdul Rahman Yusuf AL-QARADAWI, profession:** Poet

**Details of trial:** The three are among 25 defendants (including former President Mohammad Morsi) accused of “insulting the judiciary”, “attempting to influence public opinion” and “attempting to influence the rulings of presiding via comments made on social media and in interviews with the press”. Although not in detention, all were banned from travel in January 2014; the ban was lifted in 2015. The trial was still ongoing at the end of the year; the next session was scheduled for 16 January 2016.

##### **\*Ibrahim AREF:**

**Profession:** Editor-in-chief of the privately owned newspaper *El-Bayan* **Date of arrest:** 18 May 2015 **Date of release:** 19 May 2015 **Details of arrest:** According to news reports, Aref was arrested by the police at *El-Bayan's* offices in the Dokki neighbourhood of Giza. **Details of detention:** According to news reports, Aref himself explained how he was taken to the High Court, where he was detained for nine hours without food or water. **Details of release:** He was released on bail. **Detail of trial:** News reports claim that Aref is currently under investigation by the prosecution. He faces charges for “publishing false news which would disturb public security, spread terror among citizens and harm the public interests”. No further news as of 31 December 2015. **Background:** The detention came after the publication of an article exposing the killing of six prosecutors on the Cairo-Suez road



on 15 May 2015 after the verdicts against former President Morsi and Muslim Brotherhood supporters. According to news reports, Aref denied writing the article claiming he was on vacation. *El-Bayan* later issued a statement on its website retracting the article and demanding Aref's release. **Other information:** The Egyptian Journalists Syndicate criticised the arrest and declared it illegal as the syndicate had not been informed beforehand.

**\*Ahmed Abu Zeid EL-TANOBI:**

**Profession:** Editor and cultural affairs correspondent for the Muslim Brotherhood daily, *Freedom and Justice* and researcher for Arab Media Freedom Monitor **Date of arrest:** 31 January 2015 **Date of release:** 9 June 2015 **Details of arrest:** El-Tanobi was reportedly arrested in Cairo metro station by the Egyptian police. He was later taken to his house, where several items were confiscated, and then to police station. According to the Committee to Protect Journalists he was accused of "incitement against the government", "participating in illegal protests", and belonging to an "illegal organisation". In addition, the authorities alleged that he had published false reports that harm Egypt's image abroad, although it is not an official charge against him. According to news reports, his wife claimed that el-Tanobi was abused and beaten during his arrest and kept in crowded jail cells.

**Details of release:** On 4 June 2015, a Giza court ordered his release on bail. News reports state that he was released on 9 June 2015 and no trial date had been scheduled. No further news as of 31 December 2015. **Other information:** El-Tanobi claims that he has been targeted because of his work as a journalist.

**\*Ahmed NAJI (or NAGY or NAJE), profession:** writer

**Tarek AL-TAHER, profession:** Editor-in-chief of literary magazine *Akhbar al-Adab*

**Details of trial:** On 31 October 2015, a case was referred to the Criminal Court due to the serialisation of Naji's book in the literary magazine, *Akhbar al-Adab* in 2014. Naji and al-Taher were charged with publishing "obscene sexual content" and "defaming public morals" after a complaint was lodged by a reader in relation to chapter six. The case falls under Law 59, Article 187 which deals with defaming public morals. According to Naji's lawyer, the offence carries a sentence of up to two years in prison and a maximum fine of 10,000 Egyptian pounds (about US\$ 1250). Al-Taher was also charged with failing to carry out his duties as an editor. **Background:** The magazine carried chapter 6 of Naji's novel *The Use of Life* (استخدام الحياة) (Dar al-Tanweer, Beirut) which narrates an experience of sex and drug use. The chapter can be read [here](#). As with any foreign printed book, it was approved by the Publications Censorship Authority before any copies were permitted to enter Egypt through the ports. *The Use of Life* is a hybrid between graphic novel and prose fiction. Sex and sexuality are one of the major themes, narrated through the story of Bassam, a man lost inside a 'spider web of emotional frustration and failure'. **[Stop Press:** Ahmed Naji was acquitted at a hearing on 2 January 2016; however the prosecution appealed the acquittal. On 6 February 2016, Naji was sentenced to two years in prison and taken to prison. He has the right to appeal.]

**\*Fatima NAOOT (f):**

**Profession:** Poet, chief editor of *Qaws Qazah* and columnist for *El-Masry El-Youm* **Date of birth:** 18 September 1964 **Details of trial:** Naoot was reportedly charged with "contempt of Islam", "spreading sectarian strife" and "disturbing public peace" in connection with comments she made on Facebook about the celebration of Eid al-Adha in October 2014. The trial began on 28 January 2015. Contempt of religion is punishable under Egyptian law with a prison sentence ranging from six months to up to five years, along with a minor fine. **Background:** According to news reports the poet criticised the sacrifice of sheep for the Eid al-Adha feast in a Facebook post and in the Egyptian daily newspaper *El-Masry El-Youm* in October 2014. Naoot deleted her post on Facebook but insisted that her remarks were not intended as an insult to Islam. **Other information:** Naoot is an award-winning poet and has published seven poetry collections so far including *Finger's Pat*, *Upon a Woman's Palm* and *A Bottle of Glue*. She is also a former parliamentary candidate. **[Stop press:** According to news

reports, Naoot was sentenced to three years imprisonment and a fine of US\$2,550 on 26 January 2016. Naoot is expected to appeal.]

#### Brief detention

##### **\*Hossam BAHGAT**

**Profession:** Journalist of online news website *Mada Masr* and human rights defender **Date of arrest:** 8 November 2015 **Date of release:** 10 November 2015 **Details of arrest:** Bahgat was summoned by military intelligence in Nasr to be questioned regarding some articles that he published about the army. According to news reports, he was then arrested pending investigation. The charges that are brought against him are “publishing false news”, “harming national interests” and “disturbing the public peace”. **Details of release:** According to news reports, his lawyer stated that Bahgat was released without bail pending investigation. No further news as of 31 December 2015. **Other information:** Bahgat is a prominent journalist and advocate of freedom of expression. He is the founder of Egyptian Initiative for Personal Rights (EIPR) an independent human rights organization. In October 2015 he published an article about the trial of 26 military officials who had been accused of planning a coup d'état. The article was based on official documents, including the military prosecutor's indictment, and on interviews with the military officers' families. After his arrest, media and human rights organizations campaigned for Bahgat's release. The United Nations General-Secretary, Ban Ki Moon, also released a statement condemning his arrest. **Awards:** Winner of 2011 Human Rights Watch Allison Des Forges award for his activism

#### Harassed

##### **\*Alaa AL-ASWANY**

**Profession:** Writer **Date of harassment:** 10 December 2015 **Details of harassment:** The best-selling writer was due to host an event in a cultural centre in Alexandria where he was going to talk about how the government is manipulating public opinion through theories of conspiracies against Egypt. He [told the Guardian](#) that the authorities forced the cultural centre to cancel the event. According to the author, over the course of the year he has been prevented to appear and many TV shows and to publish in newspapers. **Background:** Al-Aswany became a prominent author in 2002, after the publication of *The Yacoubian Building*. This novel deals with the social and political changes in Egypt since the 1952 military coup. The book was later made into a film that starred famous Egyptian actors. Since then, al-Aswany has appeared regularly in different TV shows and newspapers. He publicly supported the removal from power of Morsi and he has been critical to el-Sisi's government.

##### **\*Abdel Halim QANDIL**

**Profession:** Editor-in-Chief of *Sout al-Omma* **Date of harassment:** 8 August 2015 **Details of harassment:** Prevented from travelling to Jordan on the grounds that he had a pending court case against him (see above under 'On Trial') despite the fact that the travel ban had been lifted in October 2014.

##### **\*Mohamed ZAIN**

**Profession:** Volunteer for Dar Merit publishing house **Date of harassment:** 29 December 2015 **Details of harassment:** Zain was arrested during a raid on the publishing house and held for about 12 hours, during which he was questioned about the political orientation of books and seminars at Dar Merit and about the political views of owner Mohammed Hashem. A police spokesman said the raid was in connection with alleged lack of permits to publish and to hold sound equipment. The raid came amid a crackdown on other cultural institutions ahead of the fourth anniversary of the 25th January revolution, including raids on the Townhouse Gallery and the Contemporary Image Collective.

## Sentenced

### **\*Karim AL-BANNA:**

**Profession:** Engineering student **Sentence:** Three-year prison and 1,000 Egyptian pounds (approx. US\$140) **Details of arrest:** He was arrested with a group of people at a Cafe in November 2014. **Details of release:** Released on bail on 10 January 2015 **Details of trial:** Al-Banna was convicted of religious insult charges in relation to posts he made on Facebook. In January 2015, he was sentenced to three years in prison, which was suspended on payment of a EGP3,000 fine. However, the prosecution appealed against the suspension of the verdict, and the appeal was upheld on 9 March 2015, converting the sentence into an actual prison term. According to news reports, al-Banna went into hiding after this verdict his lawyer stated that al-Banna was hiding as he had lost faith in fairness of this trial. He is expected to appeal the verdict through the Court of Cassation. No further news as of 31 December 2015. **Background:** The accusation is based on Facebook posts where he declared himself as an atheist and allegedly insulted Islam. According to news reports among these posts are an image of a women and a Quran where he commented "It's OK to burn a woman... but it's NOT OK to burn a book. Something is wrong with your priorities." He also posted an image with caricatures of bearded men pointing to each other and the comment "A big reward to whoever represents Islam".

### **\*Mohamed SAAD KHATTAB and Abdel Halim QANDIL**

**Profession:** Journalist and editor-in-chief of *Sout Al-Omma* respectively **Sentence: Two years in prison (Khattab, sentenced in absentia); fine of 20,000 Egyptian pounds (Qandil) Details of sentence:** According to local news reports, on 8 December the Giza Criminal Court convicted them of defamation of the Minister of Justice Ahmed el-Zend in connection with an article in *Sout Al-Omma* which accused el-Zind and first deputy of the Judges club Abed Allah Fathy of accepting bribes from companies during el-Zind's presidency at the Club. Qandil was fined 20,000 Egyptian pounds (around \$2,556), while Khattab was sentenced in absentia to two years in prison. No further news as of 31 December 2015. **Background:** El-Zend had already accused the newspaper of publishing false news for the publication of an article entitled "El-Zend failed to profit his son with land bought from the Judges Club in Port Said" in 2014.

### **Karam SABER:**

**Profession:** Author and Director of the Land Centre for Human Rights, which provides human rights assistance to farmers. Wrote a book of short stories in 2010 entitled, *Where is God?* **Sentence:** Five years in prison and a fine of 50,000 Egyptian pounds **Details of trial:** On 12 April 2011 a group of individuals in Beni Suef governorate filed complaint No. 600/2011 accusing Saber of insulting religion in his book *Where is God?* Under Article 98 of Egypt's penal code, anyone convicted of contempt of religion in any form can face up to five years in prison. The prosecution launched an investigation which included consulting the Coptic and Muslim authorities in Egypt. The case was referred to the Misdemeanour Court which issued a sentence of five years' imprisonment on 7 May 2013. The sentence was issued in absentia, and Karam Saber was unaware of the hearing before the sentence was passed. He presented himself to the authorities after the sentence and was briefly detained, but was released on bail pending his appeal. According to press reports, Saber's defence team suggested the testimonies against the writer are a result of personal feuds between Saber and police and Ministry of Endowments representatives because of Saber's work defending farmers' rights. The sentence was upheld by the Summary Court of Beba, Beni Suef, on 13 March 2014 and by the Court of Appeal on 5 June 2014, but he was believed to remain free at the end of the year pending a further appeal to the Court of Cassation. No further news as of 31 December 2015.

## Released

**Omar HAZEK:**

**Profession:** Poet. Omar Hazek is a writer of international acclaim and was formerly employed by the Library of Alexandria in Alexandria Egypt. His publications include a collection of poetry in Arabic and English entitled *Nota - Skies of Freedom* (Egypt 2011), which he co-published with Syrian poet Abdelwahhab Azzawi and two other poets from Italy and Portugal. Omar Hazek won the title of "Poet of Romance" in the TV classical poetry competition "Prince of Poets" in 2007, organized by the Abu Dhabi Organization for Culture and Heritage. **Sentence:** Two years in prison **Date of arrest:** 4 December 2013 **Date of release:** 23 September 2015 **Details of arrest:** Omar Hazek was arrested on 4 December 2013 along with a number of other activists for "protesting without permission" in front of the Alexandria Criminal Court in solidarity with the family of Khalid Said during a [re-trial](#) of his alleged killers. Khalid Said was beaten to death in police custody in 2010, and his death sparked anti-government protests. Omar Hazek was initially charged with beating a policeman, destroying a police vehicle and carrying weapons, among other things, though these charges were subsequently dropped. PEN International is unaware of any other information suggesting that Omar Hazek used or advocated violence. **Details of release:** On 23 September 2015 Hazek was pardoned by President Sisi and freed. **Current place of detention:** Held in Hadra prison in Alexandria until 21 February 2014 when he was moved to Burj al-Arab prison also in Alexandria. **Details of trial:** In January 2014, Omar Hazek and three other activists were sentenced by the lower court to two years' imprisonment and a 50,000 EGP (equivalent to US\$7000) fine for violating a new law for the regulation of demonstrations which prohibits demonstrations without written permission from the Ministry of Interior. On 16 February 2014 the Alexandria Appeal Court upheld their sentences. The only remaining course of legal redress is to bring a case in the Court of Cassation challenging the constitutionality of the protest law. **Background:** Since the overthrow of President Mubarak in February 2011, Omar Hazek has been outspoken in his allegations of corruption in the Library of Alexandria, whose official head of the board of trustees was former first lady, Suzanne Mubarak. Her close associate, Dr. Ismail Serageldin remains the Director of the Library despite multiple calls for his resignation over alleged abuse of funds and power, and an ongoing investigation into allegations of misappropriation of state funds. During 2011, Omar produced some 15 articles alleging corruption at the Library, but in spite of an investigation by the District Attorney's office which recommended that Serageldin should be prosecuted, no action was taken and Serageldin remains in post. **Honorary Member:** Austrian PEN and Danish PEN. **PEN Actions:** RAN 07/14 19 March 2014; [featured writer](#) May 2014.

**Peter GRESTE**, Australian national

**Mohammed FAHMY**, Canadian national

**Baher MOHAMMED**, Egyptian national

**Profession:** Correspondent and producers respectively for the Qatar-based TV channel Al Jazeera.

**Sentence:** Three years in prison (after a retrial) **Date of arrest:** 29 December 2013 **Date of release:** 1 February 2015 (Greste); 12 February 2015 (Fahmy and Mohammed) **Details of arrest:** Al Jazeera correspondent Peter Greste, Mohammed Fahmy, and Baher Mohamed were arrested on 29 December 2013 following Interior Ministry accusations of illegally broadcasting from a hotel suite. Peter Greste, who has worked for the BBC, was charged with collaborating with "terrorists" by talking to Muslim Brotherhood members. AlJazeera Cairo bureau chief Mohammed Fahmy and producer Baher Mohamed were charged with the more serious offence of membership of the Brotherhood. AlJazeera has said the men were merely reporting the situation in Egypt. Since 25 December 2013 the Egyptian authorities have labelled the Muslim Brotherhood - the political group that the AlJazeera journalists are accused of supporting - as a terrorist group. **Details of release:** On 1 February 2015 Peter Greste was released and immediately deported to Australia, in accordance with Presidential Decree No. 104, which allows foreign detainees to be deported for retrial in their own countries. On 3 February Mohammad Fahmy renounced his Egyptian citizenship so that he can be included in the same Decree and be deported to Canada, where he is also a citizen. On 12 February 2015, both Mohammad Fahmy and Baher Mohammad were granted bail of \$33,000 and

released a day later. However, in April 2015 the Canadian authorities refused to issue Fahmy with a passport. On 23 September 2015, Mohammed Fahmy and Baher Mohamed were granted presidential pardon which did not include Peter Greste. Mohamed Fahmy left the country and returned to Canada. **Details of trial:** Sentenced on 23 June 2014 to seven, seven and ten years respectively, on charges of having links to a “terrorist organisation” and “spreading false news”. According to diplomats and rights campaigners who observed the trial, no credible evidence was put forward to support the verdict. The Court of Cassation ordered a re-trial following an appeal hearing on 1 January 2015 but denied the three men bail. On 12 February 2015, both Mohammad Fahmy and Baher Mohammad were granted bail of \$33,000 and released a day later. On 29 August 2015, Egyptian court sentenced the three journalists (Peter Greste *in absentia*) to three years in prison. **Update:** In late December 2015, news reports suggested that Mohammed Fahmy requested the Egyptian authorities to have his Egyptian nationality restored. No further news as 31 December 2015. **PEN Actions:** statement [13 February 2014](#), [23 June 2014](#), joint appeal [27 June 2014](#), letter to Canadian Prime Minister [10 February 2015](#), statement [29 August 2015](#), [24 September 2015](#).

**Yara SALLAM (f):**

**Profession:** Blogger and human rights activist **Sentence:** Two years in prison and two years of police probation **Date of arrest:** 21 June 2014 **Date of release:** 23 September 2015 **Details of arrest:** Sallam was arrested, with many other individuals, on the date when a peaceful protest against the Protest and Public Assembly Law, in Cairo, was taking place. The police responded to the protest with violence and tear gas and other to stop them. At the time of her arrest, Sallam is said to have been buying water from a kiosk, and [not even participating in the protest](#). **Details of release:** On 23 September 2015 Sallam was pardoned and freed by President el-Sisi. **Details of the trial:** Soon after their arrest, the 22 protesters were charged with “use of force and violence to terrorise an intimidate citizens”, “intentional destruction of property”, and “taking part in a gathering of more than five people with the aim of threatening “public peace” and committing crimes”, prohibited under the restrictive 2013 Protest law. Human rights organisations have pointed to a lack of clear evidence and inconsistencies in police reports of the protest. On 26 October 2014 Sallam and 22 other protesters were sentenced to three years in prison and three years of probation by the court of first instance. This was reduced on appeal by the Heliopolis Appeal Misdemeanour Court to two years in prison and two years of probation. **Current place of detention:** Sallam is held at Qanater prison, in Cairo. **Other information:** Sallam is an internationally recognized activist, who worked in her home country and The Gambia. She works for a human rights organization The Egyptian Initiative for Personal Rights. **Awards:** In 2013 Sallam was awarded the North Africa Shield, a human rights defender prize, for her work in Egypt. **PEN action:** Joint statement: [9 October 2014](#).

## IRAN

### Imprisoned - main case

#### **Abolfazl ABEDINI-NASR:**

**Profession:** Freelance journalist and human rights activist; former Public Relations Head of the Human Rights Association of Iran (HRA), an unregistered human rights group. **Sentence:** 12 years in prison **Expires:** 2022 **Date of arrest:** 3 March 2010 **Details of arrest:** Arrested in Ahvaz on 3 March 2010 amid a wave of arrests of HRA activists and transferred to Evin Prison in Tehran. **Place of detention:** Reportedly transferred from Evin prison to Karoon prison in Ahvaz on 28 July 2013. **Details of trial:** In April 2011 an Ahvaz court reportedly sentenced Abedini-Nasr to 11 years in prison after conviction of “membership of an illegal organization [HRA]”, “spreading propaganda against the system” for talking to foreign media and “contacts with enemy states” which may relate to the authorities’ contention that HRA was set up by the CIA as part of alleged attempts to orchestrate a “soft revolution” in Iran. Abedini-Nasr was not represented by a lawyer at trial. When Abedini-Nasr appealed, a Khuzestan provincial appellate court would not allow his defence lawyer to present arguments. The appeals court upheld the verdict. On 4 May 2011, a Revolutionary Court judge sentenced Abedini-Nasr to an additional year in prison on the charge of “spreading propaganda against the system” for media interviews he had given in relation to his role in the HRA. The sentence was upheld on appeal in November 2011. **Conditions in detention:** In September 2010, it was reported that Abedini had been beaten at Ahvaz Prison. He was transferred to Tehran’s Evin Prison later that same month. Started a hunger strike on 28 July 2013 in protest at his transfer back to Karoon prison in reprisal for his having testified in court about the torture marks he saw on the body of blogger Sahar Beheshti who died in custody in 2012. He was granted two short periods of temporary release in March and May 2014. **Health concerns:** He suffers from a heart condition **Other information:** Reporter for the provincial weekly *Bahar Ahvaz*. Known for his articles about labour issues. No further information as of 31 December 2015.

#### **\*Mostafa AZIZI:**

**Profession:** Filmmaker and author **Sentence:** Eight years in prison **Date of arrest:** 1 February 2015 **Details of arrest:** Azizi, a permanent resident of Canada, was detained when he returned to Iran to take care of his ailing father. **Current place of detention:** Evin prison. Azizi was initially held in Section 2A of Evin Prison, before being transferred some 33 days later to Section 8 of the same prison. **Details of trial:** His trial began on 1 June 2015 at Branch 15 of the Revolutionary Court in Tehran. One week later, on 8 June 2015, Azizi was sentenced to a total of eight years in prison: five years for “gathering and colluding against national security”; two years in prison for “insulting the Supreme Leader”; and one year in prison for “acting against national security by spreading propaganda against the system in cyberspace.” On 5 December 2015 he was denied release on bail and an appeal hearing against his conviction and sentence had not taken place by the end of the year. **Health concerns:** Azizi suffers from several pre-existing health conditions including asthma, diabetes, rheumatism, which are believed to be being exacerbated by the prison conditions. **Background:** Azizi is the author of a book of short stories entitled, [My Name is Raymond Carver](#), and is a well-known screen-writer and television producer, who has lived in Canada for the last four years. He is the former chair of the Iranian chapter of the International Animated Film Festival. The Committee to Protect Journalists believes that these charges may come from posts that Azizi made on social media, although it is not clear which particular posts or actions lead to its detention. A prominent figure in the Iranian community within Canada, Azizi has over 1,000 followers on social media. Azizi had left Iran after the 2009 election protests. **PEN Action:** [RAN 09/15](#)

#### **\*Atena DAEMI (f):**

**Profession:** Civil activist and social media user **Sentence:** 14 years in prison **Date of arrest:** 21 October 2014 **Details of arrest:** Daemi was reportedly arrested by the Islamic Revolutionary Guard and has been held in Evin Prison ever since. She reportedly spent 58 days in solitary confinement without access to a lawyer. **Current place of detention:** Evin prison **Details of trial:** Her trial was held on 7 March 2015. She was informed of her sentence on 12 May 2015. Daemi has not accepted any of the charges and has appealed the ruling. She was reportedly convicted for “gathering and colluding against national security”, “spreading propaganda against the state”, “insulting the Supreme Leader and the holy sanctities” and “concealing crime evidence” by a Tehran Revolutionary Court. News reports claim that the charges are based on Facebook posts, information stored on her cellular phone and her participation in gatherings against the death penalty and in support of the children of Kobane (Syria). Daemi has reportedly repeatedly apologised for some jokes and some protest songs found in her cell phone that have been used to accuse her of insulting the Supreme Leader. As of 30 December 2015, her appeal hearing had not been scheduled.



Reportedly, Iranian authorities are postponing it and Daemi has not been granted release on bail as it is feared that she could flee the country. **Health concerns:** Human Rights Activists News Agency (HRANA) stated on 21 September 2015 that she had been sent to the hospital as there was fear she suffered from multiple sclerosis disease but tests showed that her health problems are due to stress and psychological pressure. The International Campaign for Human Rights has reported that Daemi's health is deteriorating. She is having severe headaches and weakening vision, but has not received specialised treatment.

#### **Arzhang DAVOODI:**

**Profession:** Writer and poet; Director of the Parto-e Hekmat Cultural Education Centre in Tehran **Sentence:** Death  
**Date of arrest:** October 2003 **Details of arrest:** Arzhang Davoodi was arrested for participating in a documentary *Forbidden Iran* in which he spoke out about human rights violations in Iran. **Current place of detention:** On 13 August 2014, Arzhang Davoodi was transferred from the central prison of Bandar Abbas to section 12 ward 4 in Gohardasht prison where political prisoners are held. **Details of trial:** He was sentenced, in March 2005, to 25 years' imprisonment, reduced to 10 years on appeal, on charges of "spreading propaganda against the system" and "establishing and directing an organization opposed to the government." Following a trial in 2005 he was sentenced to 15 years' imprisonment and 75 lashes by Branch 26 of the Revolutionary Court on charges of "spreading propaganda against the system", "establishing and directing an organization [the Parto-e Hekmat Cultural Education Centre] opposed to the government"; as well as for participating in the making of the documentary; and because of his writings on a secular system of governance in Iran. In 2012, a fresh charge of "enmity against God" was brought against Arzhang Davoodi. Branch 15 of the Revolutionary Court in Tehran ruled in November 2012 that the case fell outside the court's jurisdiction, apparently due to lack of credible evidence. However, it is understood that the Ministry of Intelligence later arranged for the case to be sent to Branch One of the Revolutionary Court in Karaj, which in turn delegated the conduct of Arzhang Davoodi's trial to Branch three of the Revolutionary Court in Bandar Abbas. Following a court session held on 3 June 2014, the Revolutionary Court in Bandar Abbas relayed Arzhang Davoodi's defence statement to Branch One of the Revolutionary Court in Karaj. Arzhang Davoodi was not allowed to tell his lawyer to attend this session in Bandar Abbas until a few days before its scheduled date, and met his lawyer in person for the first time only at the courtroom, leaving only an hour to prepare a defence. The Revolutionary Court in Karaj eventually sentenced him to death without him or his lawyer being present. Davoodi learned from his lawyer on 20 July 2014 that he had been sentenced to death for his alleged membership and support of banned group People's Mojahedin Organization of Iran (PMOI). Arzhang Davoodi was also sentenced, on 14 May 2014 to a further two years' imprisonment, on a charge of "insulting the Supreme Leader", by a Revolutionary Court in Tehran. The charge was imposed, apparently in relation to a phrase he wrote on the walls of the prison's bathroom, implying that rampant injustice and inequality prevails in Iran under the rule of Supreme Leader Ayatollah Ali Khamenei. He has appealed against the sentence. Amnesty International considers him to be a prisoner of conscience, with no links with the PMOI or any armed groups. He is believed to have been accused of having ties with the PMOI merely because in prison he insisted on calling PMOI by its official name, Mojahedin, rather than by the term used by the Iranian authorities, Monafeghin (hypocrites). **Conditions of detention:** Following his arrest, he was held in solitary confinement for prolonged periods during which he said he was tortured and otherwise ill-treated and denied access to a lawyer and his family. During his subsequent years of imprisonment, Arzhang Davoodi has frequently been subjected to torture and other ill-treatment. He has been repeatedly shuffled between numerous prisons in Tehran and the Central Prison of Bandar Abbas, which is far from his family, and subjected to prolonged periods of solitary confinement. According to news reports, he began a hunger strike on 8 December 2015 which was ongoing at the end of the year. **Health concerns:** Arzhang Davoodi has broken teeth, injuries to his eye, eardrum, shoulder and knee resulting from his torture, and suffers from renal failure. **Background:** The TV documentary *Forbidden Iran* was filmed secretly. It was widely broadcast in northern Europe in December 2003 and in North America in January 2004. Arzhang Davoodi had assisted in the making of the documentary and was interviewed in the film. During his interview he spoke about political prisoners and the death in custody of Canadian-Iranian photojournalist Zahra Kazemi.

#### **\*Saeed RAZAVI FAGHI**

**Profession:** Professor of International Relations and PhD student at Tarbiat-Modarres University in Tehran. Member of the steering committee of Iran's main student union, the Office for the Consolidation of Unity. Previously worked as journalist for *Sobheh Emrouz*, *Bahar*, *Doraneh Emrouz*, *Bonyan*, *Nowruz*, *Yaseh No*, *Roozonline* and *Vagahyeh Etefaqhiyeh* **Sentence:** Three and a half years in prison **Date of arrest:** 5 Mar 2014 **Details of trial:** Sentenced to three and a half years in prison 1 September 2015 for "insulting the Leader and the Assembly of Experts" and



“spreading propaganda against the system” for several speeches he gave and articles he wrote that were critical of government policy. The charges were brought after he completed a previous one-year prison sentence for “spreading propaganda against the system” in connection with the 2009 Green Movement. **Conditions in detention:** Razavi Faghih was knifed by other prisoners in November 2015 when trying to mediate in a dispute. He went on hunger strike to protest the lack of action of the prison authorities. **Health concerns:** Razavi Faghih is in poor health, exacerbated by poor prison conditions. He underwent heart by-pass surgery in January 2015.

**\*Atena FARGHADANI (f):**

**Profession:** Painter and women’s rights activist **Sentence:** 12 years and nine months in prison **Date of arrest:** 10 January 2015 **Details of arrest:** On 10 January 2015 she was reportedly summoned to a Revolutionary Court where she was arrested. Her parents told reporters that she had been subjected to beating in the courtroom before going to Gharchak prison. **Current place of detention:** Evin prison **Details of trial:** She has been convicted for “gathering and colluding against national security”, “insulting members of parliament through paintings”, “spreading propaganda against the system”, “insulting the President and insulting the Supreme Leader”, among other charges. According to Amnesty International, the trial lasted half a day and the ‘evidence’ against her was based on Farghadani’s answers to the long interrogations. In addition, she is being charged for “illegitimate sexual relationship short of adultery” and “indecent conduct”. Farghadani and her lawyer were accused due to a handshake after her trial. Her lawyer, Mohammad Moghimi was arrested on 13 June 2015 and released on bail (US\$60,000) three days later. Her case has been referred to Branch 54 of the appeals court but not date for the trial has been set. **Health concerns:** On 26 February 2015, Farghadani suffered a heart attack and briefly lost consciousness and was transferred to a hospital. She had gone on a three weeks hunger strike to protest for the extremely poor conditions she was held in. **Update:** On 13 August 2015, the International Campaign for Human Rights on Iran stated that Farghadani had developed signs of lymphatic disease and she was waiting to be seen in the prison’s infirmary or be sent to a specialist. **Background:** Atena Farghadani was first detained in August 2014 and was held in solitary confinement for two weeks without access to her lawyer or family. She was released on bail after two months. She later published a [video on Youtube](#) where she exposed how she had been mistreated physically in Evin prison. In the video she explained how she was beaten and interrogated for nine hours every six days. She also posted an open letter to Iran’s Supreme Leader Ayatollah Khamenei in Facebook. Farghadani had also been in contact with some families of Iranians that had been killed during the unrest after 2009 elections, reportedly she was asked for these meeting during the interrogations. In addition, she was charged for an illustration where she was critical with parliament members that sought to criminalise voluntary sterilisation, as well as an art exhibition named “Parandegan-e Khak” (“Birds of Earth”) where she referred to the killed during 2009 unrest and was attended by relatives of political prisoners and members of the Baha’i community. **PEN Action:** Mentioned in [resolution on Iran](#) adopted at 81<sup>st</sup> Congress in Quebec; mentioned in [statement](#) on anniversary of attack on Charlie Hebdo

**Adnan HASSANPOUR:**

**Profession:** Iranian Kurdish journalist, writer and human rights activist **Sentence:** 15 years in prison **Date of arrest:** 25 January 2007 **Details of arrest:** Reportedly detained on 25 January 2007 in Marivan, a small city in the north-western province of Kordestan. 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. **Current place of detention:** Transferred from Sanandaj Central Prison to Zahedan prison, Sistan and Baluchestan province, on 13 March 2014 **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* ('waging war against God'). The sentence was confirmed on 22 October 2007, but was overturned by the Supreme Court in Tehran in August 2008 on procedural grounds. The case was returned to Sanandaj for a re-trial and heard on 7 September 2008 and 31 January 2009. He was sentenced to 15 years in prison on 1 July 2009. **Conditions in detention:** Reported to have been threatened by Intelligence Agency members with the withdrawal of his visiting rights and the right to temporary leave from prison for writing a letter to Hassan Rouhani in October 2013 calling for Kurdish and minority rights. **Background:** Adnan Hassanpour is a former member of the editorial board of the Kurdish-Persian weekly journal, *Aso* (Horizon), which was closed by the Iranian authorities in August 2005, following widespread unrest in Kurdish areas. He had previously been tried in connection with articles published in the journal. **Other information:** He is a member of the

Kurdish Writer's Association. **Honorary member of:** Swedish, American and Basque PEN. **PEN Actions:** RAN 11/07 and updates. No further news as of 31 December 2015.

**Ali Asghar HONARMAND:**

**Profession:** Blogger and activist. Founder of the technology website *Narenji*, which specialises in gadget news

**Sentence:** 11 years in prison **Date of arrest:** December 2013 **Details of arrest:** Among at least 16 people to be arrested in the southern province of Kerman as part of a crackdown by the intelligence forces of the Revolutionary Guards. Others detained include the following *Narenji* staff members: Abbas Vahedi, Hossein Nozari, Reza Nozari, Amir Sadeghpour, Mehdi Faryabi, Ehsan Paknejad and Malihe Nakhaei. Half of those arrested have since been released on bail, although the rest, including *Narenji*'s staff, are thought to remain in detention. The head of Kerman's justice department, Ali Tavakoli, alleged that those arrested had participated in projects run by the BBC and received funds deriving from London. **Current place of detention:** Unknown **Details of trial:** Sentenced along with 10 others (five received suspended sentences) in June 2014 in connection with "designing sites, websites, and creating content for media hostile to the system" apparently under the Cyber-Crimes Law. He is believed to have appealed against his conviction and sentence but the appeal was not known to have taken place by the end of 2014. **Update:** According to news reports in August 2015 his lawyer stated that his case was currently under appeal. No further information as of 31 December 2015.

**Arash HONARVAR SHOJAEI:**

**Profession:** Blogger, writer and cleric and author of the book, *Madar-e-Shari'at*, about the dissident cleric, Ayatollah Mohammad Kazem Shariatmadari, who had opposed the principle of *velayat-e faqih*, or 'the rule of the learned cleric', which is the basis of the political system in Iran. **Sentence:** Five years and three months in prison, 50 lashes, a fine, and a ban on wearing the clothes of a cleric **Expires:** 2015 **Date of arrest:** 28 October 2010 **Current place of detention:** Special Clerics ward of Evin Prison (Section 325). **Details of trial:** On 2 October 2011 the Special Court for the Clergy convicted him on multiple charges of "acting against national security", "espionage" and "cooperation with foreign Embassies" and sentenced him to four years in prison, 50 lashes and a ban on wearing the clothes of a cleric. He reported in October 2013 during a prison furlough that he had been further charged with "insulting Imam Khomeini" after he expressed his personal opinions in an interview and sentenced to a further year in prison, as well as three months in prison for wearing the clothes of a cleric during a furlough. According to the Committee of Human Rights Reporters on 12 June 2013, Honarvar Shojaei was sentenced to 15 additional months in prison – one year for "insulting the Imam" and 91 days for wearing the clothes of the clergy in violation of the ban on him doing so. No further news as of 31 December 2015. **Conditions in detention:** Reportedly held for several months in solitary confinement, and tortured. **Health concerns:** Reportedly suffering from a number of ailments including epilepsy. Granted medical leave in November 2011, but returned to prison on 9 January 2012 before being able to complete his medical treatment. Released for further treatment in July 2012, and returned to prison in January 2013. Hospitalised briefly in February 2013. He has been granted several furloughs.

**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, reduced to 10 years on appeal. He is also serving a six-month sentence from another case dating back to 2005. **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. **Current place of detention:** Intelligence Ministry's Section 209 of Evin Prison. **Details of trial:** Kabudvand's trial began on 25 May 2008, and he was sentenced at a closed court on 22 June 2008 to 11 years in prison by the Tehran Revolutionary Court, 10 years for establishing the Kurdistan Human Rights Organisation and one year for propaganda against the regime. The sentence was upheld on 23 October 2008 by the Tehran Appeal Court, and reduced to 10 years. **Conditions in detention:** Held incommunicado and said to be ill-treated. **Health concerns:** Suffers from high blood pressure, skin and kidney conditions and to have lost considerable weight since his arrest. On 19 May 2008 Kabudvand reportedly suffered a stroke in Evin prison and was 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 needed. In June 2011 Mohammad Sadiq Kabudvand was seen by an independent doctor who reportedly stated that he needed to undergo two operations for hardening of the heart arteries and an enlarged prostate. In May 2012 he started a hunger strike in protest at being denied permission to visit his sick son, who suffers from a rare blood condition. On 27 July 2012 he ended his hunger strike

after 59 days when he was granted leave to visit his son. **Background:** 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. **Other information:** 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”. Although the ban was subsequently lifted by the Supreme Court, the paper has not appeared again. 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. The UN Working Group on Arbitrary Detention found his detention to be arbitrary in [opinion 48/2012](#) and called for him to be released and afforded an enforceable right to compensation **Awards:** Recipient of the 2009 Hellmann/Hammett prize and the 2009 International Journalists award. **Honorary member:** Austrian PEN and Swedish PEN. **PEN Action:** RAN 30/07 – 18 July 2007; Update #2 – 4 June 2008; Update #3 – 2 July 2008; Update #4 – 4 November 2008).

#### **Saeed MADANI:**

**Profession:** Sociologist and former editorial board member of the banned magazine *Iran-e Farda* and former editor-in-chief of the quarterly *Refah-e Ejtemae (Journal of Social Welfare)* **Date of Birth:** 1960 **Sentence:** Six years in prison **Date of arrest:** 7 January 2012 **Current place of detention:** Initially held in Section 209 of Tehran’s Evin prison, where he spent two-and-a-half months in solitary confinement. Transferred to Section 350 on 15 December 2012. Moved to solitary confinement in April 2013 after taking part in a protest in prison. **Details of trial:** Tried in January 2013 and sentenced to six years’ imprisonment to be spent in exile in prison in Bandar Abbas, and 10 years of enforced residency in Bandar Abbas city after a conviction of “spreading propaganda against the system” and “gathering and colluding with intent to harm national security.” These accusations are believed to relate to his activities in the National Religious Alliance and in the opposition Green Movement. **Update:** According to the International Campaign for Human Rights in Iran, he was denied a retrial in October 2015 which he had requested on the basis of changes to the Penal Code. **Conditions of detention:** According to Reporters Without Borders, on 28 November 2015 Madani was injured in prison by other non-political inmates. Madani and Faghih, another political prisoner, were wounded in the face by a knife. Reportedly, they started a hunger strike in the aftermath of the attack in order to protest of the lack of protection from the prison guards. No further news as of 31 December 2015. **Other information:** He is a well-known researcher and sociologist and member of the National Religious Alliance (Melli-Mazhabi). On the occasion of World Human Rights Day he and four other prisoners issued a statement from prison about the situation of human rights in Iran.

#### **\*Keyvan MEHREGAN**

**Profession:** Journalist for reformist media and former political editor of newspaper *Shargh* **Sentence:** One year in prison and a five-year ban on working as a journalist or engaging in political activities **Date of arrest:** 26 August 2015 **Details of arrest:** Mehregan was arrested at the Passport Office where he had gone to renew his passport. He was there transferred to Evin Prison to serve a one-year sentence. Reportedly, this sentence is related to a case dating back to 2010, when he was working in *Shargh* and was arrested along with three other journalists of the newspaper. **Details of trial:** On 10 March 2012, Branch 15 of the Revolutionary Court in Tehran sentenced him to one year in prison and a five year ban on working as a journalist for “spreading propaganda against the system”. **Background:** He was first arrested on 28 December 2009 and released on bail in March 2010, much of the time spent in solitary confinement. He was later sentenced to three years in prison, suspended for four years. He was rearrested on 7 December 2010 and released on 17 January 2011 on bail of 10 million toman (around \$7,500). He was again rearrested on 28 January 2013 and released a month later. His third arrest was on 13 June 2011 after he attended the funeral of Hoda Saber, a journalist and political activist who died due to medical neglect whilst on hunger strike in prison. He was released about two months later. He was arrested a fourth time on 27 January 2013 and released on 23 February 2013. No further news as of 31 December 2015.

#### **\*Saeed POURHEYDAR:**

**Profession:** Journalist for numerous reformist media outlets including *Hambastegi*, *Mardomsalari*, *Sobh-e Emrooz* and blogger **Date of Birth:** 1981 **Sentence:** Five years imprisonment and a 10 year ban on working as a journalist **Date of arrest:** 4 January 2015 **Details of arrest:** Pourheydar had been living in Turkey and America since 2009. After

his return to Iran he was detained. **Current place of detention:** Raja'i Shahr prison **Details of trial:** He was charged with "spreading propaganda against the state", "insulting the president", "spreading lies through cyberspace" and "questioning Islamic principles". **Update:** On 3 August 2015, he was sentenced to five years in prison and a ban on working as a journalist. He has appealed his conviction and sentence. No further news as of 31 December 2015.

**Health concerns:** According to Human Rights Activists News Agency (HRANA) he was transferred to Imam Khomeini hospital on 2 May 2015, suffering from general weakness and physical problems after a hunger strike. **Background:** He was detained twice after the disputed presidential election of 2009. On 6 February 2010 he spent one month inside Ward 240 of Evin prison and on 10 October 2012 he spent 52 days in prison. He was accused of various 'offences' including "spreading propaganda against the system, insulting the Supreme Leader, and publishing falsehoods on the Internet" but was eventually sentenced to five years in prison for "gathering and colluding against national security" for participating in protests, suspended for five years. On appeal, his sentence was reduced to four years in prison, plus another three years' suspended sentence. Pourheydar left the country in 2011 when he received a summons to begin serving his sentence. While abroad, he testified to human rights organisations, including [Iran Human Rights Documentation Centre](#), about prison abuse and torture.

**\*Hossein RAFIEE:**

**Profession:** Retired Tehran University chemistry professor and writer **Sentence:** Six-year prison sentence, two-year ban on political and journalistic activities and a fine **Date of arrest:** 16 June 2015 **Details of arrest:** Rafiee was reportedly arrested on 16 June 2015 by the Intelligence Ministry without an arrest warrant and taken to the Evin prosecution centre. **Current place of detention:** Section 8 of Evin prison **Details of trial:** On 25 May 2015, the Branch 15 of the Revolutionary Court in Tehran sentenced him to five years in prison for "membership of an illegal and anti-national security group" (Melli Mazhabi), one year for "spreading propaganda against the system" by giving interviews to media "who are against the state" and for "issuing statements against the state's security" and fined for possession of a TV satellite dish and receiver. In addition, he was also sentenced to a two-year ban on political and journalist activities. **Condition of detention:** His family stated that cells are very crowded as he shares 20 square metre cell with 27 others and sleeps on the floor as there are only six three bunk beds in the cell. Evin prison is also known for being poorly ventilated, with filthy cells infested with insects and lacking proper sanitation facilities. According to Rafiee, there are only five toilets and showers for at least 200 prisoners. **Update:** According to International Campaign for Human Rights in Iran, his daughter is deeply concerned regarding the prison conditions in which Rafiee is being held. Reportedly, some of the inmates in Section 8 of Evin Prison suffer from Hepatitis B and C and are HIV positive. Yet, they are not receiving specialised treatment and the authorities do not take necessary measures to prevent others being infected. In addition, Rafiee is being held with drug traffickers and financial criminals, whilst Iranian law establishes that inmates should be separated according to nature of their crimes. Plus, she claims that his father is not given dairy products and fruits and that the prison cells are not disinfected regularly. No further news as 31 December 2015. **Health concerns:** According to his son, Rafiee is over 70 years old and suffers a heart condition, high blood pressure, thyroid and severe allergies. In addition, until 20 June 2015 he was on hunger strike and refused to take medication. His family is also concerned due to the lack of medical equipment in the prison as Rafiee is not allowed to monitor his blood pressure regularly. **Background:** According to Amnesty International, one month after his arrest he was told that the reason for his arrest was a previous four-year sentence. In 2004 a Revolutionary Court convicted him of being member of an "illegal group" Melli Mezhabi (National Religious Alliance). He had been arrested in February 2001 with other members of the banned political party Melli Mazhabi that advocates for social and political reform. He spent six months in solitary confinement and was then released on bail. **Other information:** Rafiee is a vocal supporter of the nuclear talks between Iran and the P5+1 (China, France, Russia, the United Kingdom, and the United States plus Germany) which resulted in the lifting of sanctions against Iran. He is also a member of National Peace Council, founded in 2008 by Nobel Peace Laureate Shirin Ebadi. Rafiee believed that an agreement could reduce threat of war and the easing of economic sanctions and with that purpose he wrote a 120-page analysis of the nuclear situation (*The Geneva Agreement*). He sent the report to Iranian authorities and published it on his website; a few independent media also published a summary. He also stated that the release of political prisoners, free and fair elections and improvement of human rights in Iran were required for a sustainable future for Iran. According to his son, right after the analysis was published, the Intelligence Ministry threatened Rafiee and started limiting his activities. In June 2014 his residences in Tehran and Damavand were raided and archives, papers and laptops confiscated. Rafiee was then arrested and released on bail and banned from leaving the country. It is believed that the Intelligence Ministry pressured the judiciary to re-open his case.

**Jason REZAIAN (US-Iranian national):**

**Profession:** Correspondent with the *Washington Post* **Sentence:** Prison term of unknown length **Date of arrest:** 22 July 2014 **Details of arrest:** Arrested after Iranian security forces raided his home in Tehran in July 2014 along with his wife, **Yeganeh Salehi** (see under Brief detention below). Rezaian spent about five months in solitary confinement. **Current place of detention:** Evin Prison, Tehran **Details of trial:** Rezaian was charged in December 2014, most likely with national security offences; however, the charges against him have not been made public. His trial is due to be heard by Branch 15 of the Iranian Revolutionary Court, which deals with national security crimes and has in the past tried many cases of foreign nationals and Iranians with connections outside the country accused of national security offences, including espionage. An MP has suggested that Rezaian is facing espionage charges. The Iranian authorities did not allow the first defence lawyer hired by the Rezaian family to represent him. Iran does not recognize dual nationality and so Rezaian has not been granted any consular assistance. On 1 March 2015 a second lawyer, Leila Ahsan, was approved to represent him and is believed to have met him for the first time on 20 April 2015. Afterwards she said that he was facing four charges including espionage, “collaborating with hostile governments” and “spreading propaganda against the system”. Ahsan said that the case file presented no evidence to justify the accusations against Rezaian and that the charges are related to his journalistic pursuit of stories about Iran. **Update:** On 10 August 2015, the trial against Rezaian ended. On 30 August 2015, his lawyer declared that verdict had been issued; but that it had not yet been made public. News reports published in October 2015 also outlined that the verdict was not public and thus that the sentence and the charges were unclear. His lawyer confirmed that the conviction implied prison sentence, although it was not clear for how long. The charges brought against him have also remained secret, yet his family suggests that one of them is espionage. In November 2015, a judiciary spokesman confirmed Rezaian had been sentenced to a prison term but did not specify the length. His lawyer was unable to appeal as she had not been given the verdict. **Health concerns:** His health has reportedly deteriorated as a result of over five months’ detention in solitary confinement. **Other information:** The family set up an [online petition](#), where further updates to Jason Rezaian’s case can be read and the petition signed. **PEN Action:** Press statement [30 July 2014](#), RAN 06/2015. [**Stop Press:** Released in a prisoner exchange in January 2016 and returned to the USA.]

**Mahvash SABET (f):**

**Profession:** Teacher and poet **Date of birth:** 1953 **Date of arrest:** 5 March 2008 **Sentence:** 20 years in prison **Details of arrest:** One of seven Baha’i leaders known as the ‘Yaran-i-Iran’ – or ‘Friends in Iran’ – the now-disbanded group which worked to support the spiritual and social needs of Iran’s 300,000-member Baha’i community. The other six are Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naeimi, Saeid Rezaie, Behrouz Tavakkoli, and Vahid Tizfahm. The Baha’i faith has been the focus of a systematic, state-sponsored persecution in Iran since the 1979 revolution, when all Baha’i elected and appointed institutions were banned. The ‘Friends in Iran’ was then formed with the full knowledge of the government and served as an informal council for the Baha’i in Iran until its entire membership was arrested in 2008. Mahvash Sabet was arrested on 5 March 2008 while on a trip to Mashhad. The other six were arrested on 14 May 2008 at their homes in Tehran. All were imprisoned without charge for 20 months, during which they were held incommunicado for weeks and were not allowed access to legal counsel. All suffered appalling treatment and deprivations during pre-trial detention. **Current place of detention:** Evin prison, Tehran. **Details of trial:** Their trial began on 12 January 2010. The charges against the seven were as follows: espionage, propaganda against the Islamic republic, the establishment of an illegal administration, cooperation with Israel, sending secret documents outside the country, acting against the security of the country, and corruption on earth. Some of the charges, including the last one which carries a death sentence, were later dropped. All the defendants categorically denied the charges against them. The trial ended on 14 June 2010 after six brief sessions, characterized by their lack of due legal process. Each of the defendants was initially sentenced to 20 years imprisonment. One month later, the appeal court revoked three of the charges and reduced their sentences to 10-year jail terms. In March 2011, the prisoners were informed that their original 20-year sentences were reinstated. In spite of repeated requests, neither the prisoners nor their attorneys have ever received official copies of the original verdict or the ruling on appeal. **Other information:** Mahvash Sabet began her professional career as a teacher and also worked as a principal at several schools. In her professional role, she also collaborated with the National Literacy Committee of Iran. After the Islamic revolution, like thousands of other Iranian Baha’i educators, she was fired from her job and blocked from working in public education. Before her arrest, she served for 15 years as director of the Baha’i Institute for Higher Education, which provides alternative higher education for Baha’i youth. She is married and has two grown children. Mahvash began writing poetry in prison and a collection of her [prison poems](#) was published in English translation on 1 April 2013. In 2008, the UN Working Group on Arbitrary Detention, in opinion [34/2008](#) found the imprisonment of



the seven Baha'i leaders to be arbitrary and requested their immediate and unconditional release. **Honorary member of:** Austrian PEN and Danish PEN. **PEN Action:** [Day of the Imprisoned Writer case 2015](#), [Open letter from Alberto Manguel](#)

Detained - main case:

**\*Yaghma FAKHSHAMI:**

**Profession:** Journalist with the newspaper *Rouzan* **Date of arrest:** 25 December 2014 **Details of arrest:** After two days of his arrest he was transferred to Evin prison without any charges laid against him. **Current place of detention:** Evin prison **Background:** Two days before Fakhshami's arrest, the Tehran prosecutor's office ordered *Rouzan* to be shut down. No reasons were provided although it is believed that was due to the publishing of an especial edition on 20 December 2014 on the fifth anniversary of the death of Grand Ayatollah Hussein Ali Montazeri, who had been put under house arrest due to disagreements with Supreme Leader Khomeini and Supreme Leader Khamenei. No further news as of 31 December 2015.

**\*Narges MOHAMMADI (f):**

**Profession:** Former vice-president and spokesperson of the Defenders of Human Rights Centre and independent journalist **Date of arrest:** 5 May 2015 **Current place of detention:** Evin prison **Details of trial:** According to International Campaign for Human Rights in Iran, Mohammadi has been charged with "spreading propaganda against the state," "gathering and colluding against national security," and "establishing an organisation aiming to harm national security - the 'Step by Step to Stop Death Penalty' group." According to news reports, she suggests she has been charged for her civil society activities over the past two years, as well as for giving media interviews, her meeting with EU High Representative for Foreign Affairs and Security Policy in March 2014 or other human rights activists such as Nobel Peace Prize Laureate Shirin Ebadi. The trial was scheduled for 3 May 2015 but was postponed. **Update:** Her trial has been postponed twice more, on 6 July and 7 October 2015. **Health concerns:** Mohammadi suffers a neurological disorder which causes muscular paralysis accompanied by seizure and temporary loss of vision. On 2 August 2015, Mohammadi was transferred to hospital after an attack. According to news report, she was taken back to prison within few hours against specialists' advice. His husband states that the Judiciary is prohibiting her hospitalisation although it has been demanded by the prison's infirmary. She was again hospitalised on 11 October after suffering another seizure. On 20 October 2015, the International Campaign for Human Rights in Iran suggested that Mohammadi was still in hospital, chained to a bed and that she was denied adequate treatment for her neurological condition. **Background:** Since 2009 she has been banned from travelling abroad. In 2010 she was briefly detained and in April 2012 she was convicted for "gathering and colluding against national security", "membership of the Defenders of Human Rights Centre" and "spreading propaganda against the system". She spent some months in prison, but was later released on bail due to medical reasons. **Other information:** Mohammadi, former vice-president of the Defenders of Human Rights Centre, advocated for human rights reform and represented political prisoners and prisoners of conscience in legal proceedings pro bono. In addition, she is the founder of Step by Step to Stop Death Penalty, an organization that campaigned against the death penalty in Iran. See [2012 Case List](#).

**Honorary Member:** Danish PEN

**Zahra RAHNAVAR (f):**

**Profession:** Academic, writer and politician **Date of arrest:** February 2011 **Details of arrest:** Has been held under unofficial house arrest in Tehran for her and her husband's political activism. Zahra Rahnavard and opposition leaders, Mir Hossein Mousavi and Mehdi Karroubi, have been held under house arrest since February of 2011 after they called for popular demonstrations on social media in support of the people of Tunisia and Egypt. There have not been any official legal proceedings against them. Both men had alleged vote fraud in the [disputed 2009 presidential election](#), which was followed by a widespread crackdown on protests against the result. In the wake of the protests, and Karroubi and Mousavi's criticism both of the election and of alleged human rights violations by state agents, the authorities tightly monitored and controlled their and their wives' movements, and suspended the presidential candidates' newspapers *Etemad-e Melli* and *Kalame-ye Sabz*. **Other information:** Dr Rahnavard is a leading Iranian academic, writer, artist and politician. She served as the Chancellor of Alzahra University from 1998–2006, becoming the first female chancellor of a university since the Islamic Revolution in 1979. During this time she also served as political advisor to President Khatami. She is a member of the reformist opposition group, the Green Path of Hope headed by her husband, Mir-Hossein Mousavi. Dr Rahnavard is also the author of 15 books. Born in 1945, and a mother of three daughters, Zahra Rahnavard is a committed women's rights activist. She broke convention by campaigning on her husband Mir-Hossein Mousavi's 2009 presidential campaign, becoming the first woman to do so

in Iran. Her mantra on the campaign trail – that ‘getting rid of discrimination and demanding equal rights with men is the number one priority for women in Tehran’ – is credited with galvanising young women to vote. She is also a devout Muslim and [vocal supporter](#) of the hijab, arguing that it liberates women, though she has said it should be a woman's choice to wear it. On 30 March 2012, in its opinion [30/2012](#) the UN Working Group on Arbitrary Detention found the house arrest of the three to be arbitrary and requested that they be released and afforded an enforceable right to compensation **PEN actions:** Day of the Imprisoned Writer case 2013

**\*Afarine CHITSAZ, (f) Profession:** Journalist of daily *Iran*

**\*Ehsan MAZANDARANI, Profession:** Publisher of *Farhikhtegan*

**\*Saman SAFARZAI, Profession:** Journalist of monthly *Andisher Poya*

**Date of arrest:** 2 November 2015 **Details of arrest:** According to Reporters Without Borders, they were arrested on 2 November 2015 along with Isa Saharkhiz (see below) and another journalist who has not been named. Reportedly, media outlets of the Revolutionary Guard as *Tasnim*, *Fars News* and national radio and TV broadcast information about their detention even before their families were aware of their arrest. The Intelligence Unit of the Revolutionary Guards has accused the five arrested journalists of being members of an “infiltration network” cooperating with hostile foreign governments. **Other information:** On 11 November 2015, the UN issued a [statement](#) denouncing the harassment and persecution against journalists in Iran ahead of parliamentary elections. It referred to their cases, along **Issa Saharkhiz** (See below), who were all detained on 2 November 2015.

**\*Issa SAHARKHIZ**

**Profession:** Journalist and political activist **Date of arrest:** 2 November 2015 **Details of arrest:** He was detained by the Islamic Revolutionary Guard Corps (IRGC) which alleged he had “insulted the Supreme Leader” and “spread propaganda against the state”. According to his son, his home was raided and Saharkhiz electronic devices were taken. He was one of five journalists arrested at the same time (see **Afarine CHITSAZ, Ehsan MAZANDARANI, Saman SAFARZAI** above). Reportedly, media outlets of the Revolutionary Guard as *Tasnim*, *Fars News* and national radio and TV broadcast information about their detention even before their families were aware of their arrest. The Intelligence Unit of the Revolutionary Guards has accused the five arrested journalists of being members of an “infiltration network” cooperating with hostile foreign governments. **Details of trial:** No charges were known to have been brought against him by the end of the year. The Intelligence Unit of the Revolutionary Guards has accused the five arrested journalists of being members of an “infiltration network” cooperating with hostile foreign governments. No further news as of 31 December 2015. **Health concerns:** Saharkhiz suffers from heart disease for which he was hospitalised during his previous conviction. Reportedly, when he was arrested he told his family that he would go on a wet hunger strike to protest for his arrest and if he was not release in two weeks he would go on a dry hunger strike. He ended the hunger strike on 19 December 2015 after 48 days at the request of family and friends who were concerned about his health. **Background:** He had been deputy minister of culture in Iran and after the events of 2009 elections he served a four-year sentence in Evin prison for “insulting the Supreme Leader” and “propaganda against the State”. On expiry of his sentence, he spoke publicly about prison conditions, referring to his frequent spell in solitary confinement and beatings by the guards. **Other information:** On 11 November 2015, the UN issued a [statement](#) denouncing the harassment and persecution against journalists in Iran ahead of parliamentary elections. The statement referred to the case of all four journalists detained on 2 November 2015. **[Stop Press:** Saharkhiz resumed his hunger strike on or around 7 January 2016 in protest at the failure to bring any charges against him and when he was not released on bail as scheduled on 2 January 2016.]

**\*Arash ZAD**

**Profession:** Blogger of [Weblogina](#) and *Arashzad* and information technology expert **Date of detention:** He was arrested on 31 July 2015 in Tehran airport when he was travelling to Turkey where he had been living for the past two years. According to Reporters Without Borders, his whereabouts are unknown and if charges against him have been brought. No further news as of 31 December 2015. **Background:** According to International Campaign for Human Rights in Iran, he received a UN World Summit Youth Award in 2014 for *Ladybug* which attempted to increase the participation of Iran women in the information technology sector. The website is currently unavailable. Reportedly, he often published his views on Iran governmental policies in the Internet.

Detained: Investigation



**\*Shayan AKBARPOUR and Mahmoud MOUSAVIFAR:**

**Profession:** Internet activists and bloggers **Date of arrest:** 31 May 2015 **Details of arrest:** Plainclothes men believed to be from the Revolutionary Guards Corp arrested them at their Tehran home on 31 May 2015. Their families reported them missing because they still do not know why they were arrested or where they were taken. No further information on their place of detention as of 31 December 2015. **Background:** Shayan and Mahmud were the administrators of the Facebook page *Rahian* and ran a blog called *Rahi*, which cannot currently be accessed.

**\*Rouzbeh GILASIAN**

**\*Elaheh SOROUSHNIA (f)**

**Profession:** Writer **Date of arrest:** 14 December 2015 **Current place of detention:** Gilasian was reportedly arrested along with **Elaheh Soroushnia** on 14 December 2015 and held at an intelligence service detention centre in Gorgan before being transferred to Amir Abad prison. **Details of arrest:** Gilasian and Soroushnia were reportedly arrested at their home in Gorgan. No information has been released regarding the charges laid against them. **Other information:** Gilasian's work includes the book *Philosophy on Street and Human of Bahman month*. Most of his books like *Human of Bahman month*, which gives an overview over the educational policies in Iran after the revolution, were not approved by the ministry of culture. PEN is seeking to establish whether Soroushnia is also a writer. **[Stop press:** According to news reports dated 2 January 2016, Gilasian and Soroushnia were released on bail from Amir Abad prison in Gorgan.]

**\*Mohsen SADEGHINIA**

**Profession:** Blogger of *Openeyes* **Date of arrest:** 5 September 2015 **Details of arrest:** According to Reporters Without Borders information, he was arrested after his blog was shut down by Iran authorities. Reportedly, Sadeghinia published articles about human rights violations in Iran and was particularly critical with the increase of public executions in the country during the past years. No further information as of 31 December 2015.

On trial

**Mashallah SHAMSOLVAEZIN:**

**Profession:** Prominent journalist. Former editor, and in some cases founder, of four reformist dailies: *Kayhan*, *Jame'eh* (later *Tous*), *Neshat* and *Asr-e Azadegan*, which were all successively shut down by Iran's authorities. **Date of arrest:** 28 June 2014 **Details of arrest:** On 21 June, received a summons on to report for interrogation at Evin Prison which he complied with on 28 June. **Date of release:** 28 June 2014 **Details of release:** He said he was released on bail of 2 billion riyals (approximately US\$80,000). **Details of trial:** On 28 June 2014, he wrote on his [Facebook page](#) that he had been charged with "spreading propaganda against the system" related to his interviews with media and speeches he gave at two regional and international journalism conferences including the IPI World Congress in South Africa in April 2014 where he was given an award. In his speech he had called for the release of journalists imprisoned in Iran. A trial hearing took place on 30 November 2014. No further news as 31 December 2015. **Background:** Shamsolvaezin has been jailed three times since 1998 on vaguely worded national security charges for his criticism of government policies. The longest period being the 17 months he spent in Iran's notorious Evin Prison in 2000 to 2001 in connection with an article criticising capital punishment that was deemed insulting to Islamic principles. He was most recently released in 2010. **Awards:** 2000 CPJ International Press Freedom Award, International Press Institute 2014 World Press Freedom Award

Brief detention

**\*Yaghma GOLROUEE:**

**Profession:** Poet and songwriter **Date of arrest:** 30 November 2015 **Date of release:** 9 December 2015 **Details of arrest:** According to Iranian PEN centre, Golrouee was arrested at his house by agents of the Ministry of Information and Security. **Details of release:** According to news [reports](#), he has been released on bail. It is unclear if there are pending charges against him and the reasons of his arrest. No further news as of 31 December 2015. **Background:** Information of Iranian PEN centre suggested that for some time the Iranian's regime press and media were spreading false accusations against Golrouee. His official website remains inaccessible. A video clip of his song 'At the end of the story we are free' can be found [here](#).

**\*Mohammad Reza HAJ ROSTAM BEGLOO**

**Profession:** Poet **Date of birth:** c. 1974 **Date of arrest:** 16 December 2015 **Date of release:** 20 December 2015 **Details of arrest:** According to his mother, Maryam Soltani, Haj Rostam Begloo was arrested at his house in Karaj by

six security officers from the Revolutionary Guards. His house was searched and personal belongings including his national ID card, mobile phone and tablet were confiscated. According to reports, the security officers then took Haj Rostam Begloo to his mother's house and also searched the house showing a search warrant. Haj Rostam Begloo was charged with insulting the sacred and publishing falsehoods on social media and in his books. He was detained at Karaj's central prison. **Details of release:** Haj Rostam Begloo was released on bail of 700,000 Rials (approx. US\$ 23,240). **Other information:** Haj Rostam Begloo's work includes the books *The Last Tango Under the Moonlight* and *Now Mona Lisa*. According to news reports, he is also a teacher of poetry, philosophy and language. Since he was prohibited from teaching by state authorities Haj Rostam Begloo gives private tuitions at home or in cafes.

### Harassed

#### **\*Sepideh JODEYRI (f):**

**Profession:** Poet **Date of threat:** February 2015 **Details of threat:** According to Jodeyri who lives in Prague, she has been declared *persona non grata* in Iran after an event organised in Tehran for her poetry collection *And Etc* was cancelled, the organiser was sacked from his job, her publisher was threatened with having his license suspended and interviews were withdrawn. No further news as of 31 December 2015. **Background:** The attempt to discredit Jodeyri is thought to be because of the translation that she made of Julie Maroh's 2010 graphic novel *Blue is the warmest colour*. This novel was about a lesbian romance between two young women in France. Jodeyri's first book, *Dream of the Amphibious girl*, a collection of poems, was published in 2000, followed by *Logical*, a collection of short stories, in 2001. In 2005 she published *The Raven*, a selection of Edgar Allan Poe's poems translated into Persian. Jodeyri's second collection of poems, *Some pink inclined to my blood*, was published in 2007. Her poetry has been translated into English, Swedish and Dutch. She has been working under escalating censorship throughout her literary career. Her second and fourth books were heavily censored, and her fifth book, a collection of poems, was banned from publication altogether.

### Judicial Harassment

#### **\*Mahmoud DOAEI**

**Profession:** Editor of daily newspaper *Ettelaat* **Date of harassment:** 8 December 2015 **Details of harassment:** According to Reporters Without Borders, on 8 December 2015 the prosecutor's office of culture and media initiated the judicial proceeding against Doaei and the daily *Ettelaat*. Reportedly, the charges are brought for the publication of an interview and photo of former President Mohammad Khatami. Allegedly, an unknown judicial source suggested that it is prohibited to publish any news of the former reformist President. No further news as of 31 December 2015.

#### **\*Reza Khandan MAHABADI**

**Profession:** Writer, literary critic and member of the Board of Directors of the Iranian Writers' Association **Date of harassment:** 29 April 2015 **Details of harassment:** According to the International Campaign for Human Rights in Iran, on 29 April 2015 his house was searched and he was notified that he had been charged with "spreading propaganda against the state" and "publishing an illegal publication". Reportedly, his cell phone, computer hard disk and some of his book, notes and archives were seized. Since then he had to appear three times at the Intelligence Ministry for interrogations. Reportedly, he was mainly questioned by some Facebook posts and statements published by the Board of Directors of the Iranian Writers' Association, which are regarded as propaganda against the state. He is currently waiting for his court summons. No further news as of 31 December 2015.

#### **\*Baktash ABTIN**

**Profession:** Poet, filmmaker and member of the Board of Directors of the Iranian Writers' Association **Date of harassment:** April and May 2015 **Details of harassment:** According to an [interview](#) published by the International Campaign for Human Rights in Iran, Abtin was summoned and interrogated over the course of three consecutive days from 26 April 2015. Reportedly, he was asked about his films, his work at the Board of Directors of the Iranian Writers' and his participation in street protests in 2009. He was later summoned again on 3 May 2015, where the Intelligence Ministry's expert in poetry questioned him. Reportedly, he is now waiting for his trial date and summons to the Evin Prison Courts. Abtin said that he was told he was facing charges of "spreading propaganda against the state" and "publishing an illegal publication", relating to statements released by the Board of Directors of the Iranian Writers. No further news as of 31 December 2015. **Background:** Abtin has published several poetry books, as well as

several documentary films. Reportedly, during the interrogations he was particularly asked about his films which have been censored in Iran but which have been screened at international film festivals. Abtin suggested that that he was repeatedly demanded to stop making such films which portrayed a negative image of Iran. One of his films *Ensoor* is about censorship in Iran.

### Sentenced

#### **Fatemeh EKHTESARI (f) and Mehdi MOOSAVI:**

**Profession:** Poets and activists **Date of arrest:** 6 December 2013 **Date of release:** 14 January 2014 **Details of arrest:** Poets and activists Fatemeh Ekhtesari and Mehdi Moosavi were due to travel to Turkey for a literary workshop. At the airport they were both informed that they had been placed under travel bans and were summoned for interrogation. They chose not to appear at the interrogation. Within a few hours they had disappeared. There was no further news of them until 24 December 2014, when it was confirmed that they were being held in Section 2A of Evin prison, which is under the administration of the Intelligence Division of the Islamic Revolution Guards Corps and where torture and other ill-treatment of detainees is common. The reason for their detention is not known, although some reports suggest that they could have been held because of their lyrics, which have been performed by the Iranian singer in exile, [Shahin Najafi](#). The two had previously made statements critical of the government and in support of pro-democracy movements, and were under escalating pressure in Iran at the time of their arrest. **Details of release:** Released on bail **Details of trial:** Ekhtesari's lawyer was not granted access to her case file. She was also prevented from attending an appointment with her lawyer after she received a telephone call from her interrogators warning her that she would be killed if she went to Tehran for the appointment. The first session of Ekhtesari and Moosavi's trial took place at Branch 28 of the Tehran Revolutionary Court on 17 May 2014. The pair faced charges of cooperation with foreign media and artists and harming national security. During the hearing, in which the judge made Ekhtesari the focus after throwing Moosavi out of court, neither the defendant nor their counsel were allowed to speak. The court heard testimony, which Ekhtesari contends was falsified, from her interrogation sessions while she was detained in Evin Prison. At the end of the hearing, the judge reportedly ruled that a second hearing would need to take place owing to the seriousness of the case. Two additional charges of "insulting the Supreme Leader" and "preparation to carry out terrorism" have been laid against Ekhtesari and Moosavi. A court hearing reportedly took place in December 2014 but the trial had not concluded at the end of the year. **Other information:** Even after their release, Ekhtesari reports suffering continued harassment at the hands of the security forces. Pressure from the authorities led to Ekhtesari being fired from her job as a midwife in a local clinic. She reports receiving regular harassing telephone calls from her interrogators, while news agencies allied with the authorities publish articles about her. Ekhtesari's computer was returned to her with the hard drive wiped, effectively destroying her entire catalogue of works. They were reportedly briefly detained on 3 July 2014 in the city of Khoy, in northern Iran, but were released the following day. On 8 May 2015, the 28<sup>th</sup> Tehran International Book Fair took place and Ekhtesari selected poems was banned from the fair. **PEN Action:** [RAN 01/14](#) and updates [# 1](#) and [#2](#) and [#3](#), [Statement 14 October 2015 Update:](#) On 12 October 2015, Ekhtesari and Moosavi were sentenced to 11.5 and nine years in prison, respectively, for crimes including "insulting the holy sanctities". They were also sentenced to 99 lashes each for "illicit relations". An appeal against their sentence was heard on 23 December 2015. The pair have left Iran.

#### **\*Solmaz IKDER (f)**

**Profession:** Journalist at newspaper *Farhikhtegan* and other reformist media **Date of sentence:** 9 November 2015 **Sentence:** Three years in prison **Details of sentence:** According to Reporters Without Borders she was arrested on 16 June 2015 in Tehran airport. Reportedly, she was later released on bail of 200 million toman (around \$150,000). Later on 9 November 2015, she received the three-year jail sentence on charges of "insulting the Supreme leader" and "anti-government publicity". It is unclear if she has been detained. No further information as 31 December 2015. **Background:** Ikder had already been convicted in 2008 for covering the demonstration in memory of political prisoners executed in 1998. According to International Campaign for Human Rights in Iran, she was given a six-month suspended prison sentence and she was expelled from university. Reportedly, she was also convicted in 2011 for attending the burial of Hoda Saber, a journalist who had died after going on hunger strike and ill-treatment by authorities in Evin prison.

#### **\*Keywan KARIMI:**

**Profession:** Filmmaker and member of Iran's Kurdish minority **Date of sentence:** 13 October 2015 **Sentence:** Six years in prison and 223 lashes **Details of trial:** He was accused of "spreading propaganda against the system" in connection with his 2012 film *Neveshtan Rooy-e Shahr* (Writing on the City) which has never been shown in public,

apart from a trailer on YouTube. Karimi describes the film as containing ‘graffiti and wall painting that date back to 100 years ago in Tehran. It is story of a wall and how it reflects what happened in society.’ On 13 October 2015, after six trial sessions, he was sentenced by the Branch 28 of Tehran Revolutionary Court for “insulting the holy sanctities”, “spreading propaganda against the system” and “illegitimate relations”. Human rights organisations fear that he has been prosecuted because of some of the graffiti shown were connected to the unrest in the aftermath of the disputed 2009 presidential election. The charge of “illegitimate relations” was brought because he shook hands with a woman to whom he was not related. Karimi’s lawyer, Amir Raeisian, highlighted irregularities in the trial, pointing out that at the final session, the judge was reading from a verdict, even though the verdict should have been issued after the trial. This was corroborated by the date on the verdict when he received it, 22 June 2015, which pre-dated the final trial session on 22 September 2015. Raeisian has also pointed out that according to article 134 of Iran’s Islamic Penal Code, an individual who faces multiple charges should not be sentenced to the heaviest penalty in more than one of the charges, whereas Karimi has been given the maximum sentence for both charges. An appeal against his conviction and sentence was heard on 23 December 2015 but the verdict had not been announced by the end of the year. **Background:** Karimi was arrested on 14 December 2013 and released on bail after 12 days in solitary confinement during which he was accused of insulting the regime after a music clip and documentary were found on his hard drive, even though they had never been screened or shared online. The music clip, which had never been finalised or shown, was made for exiled Iranian singer Shahin Najafi and Karimi believes this video, which the authorities had learned about from other sources, led to his arrest. Neveshtan Rooy-e Shahr was produced by Tehran University and provides an illustration of wall writing and graffiti in the city of Tehran. Human rights organizations fear that his detention is because of some of the writings are connected to the unrest in the aftermath of 2009 elections. Karimi had already been arrested and released on bail after the release of the film. There is also concern that Karimi’s situation may be endangered because of his Kurdish and Sunni background who suffer severe discriminations in Iran. **Other information:** Karimi is a prominent documentary and fiction films maker. His documentary *The Broken Border* was awarded as best short documentary in Beirut International Film Festival in 2013. This documentary portrayed the poor conditions of Kurdish population near Iranian borders. *The Adventure of a Married Couple* is one of his film which was presented at San Sebastian, Freiburg and Zurich Film Festivals. The film tackles the challenges of a working-class couple and was later adapted to a book by prominent writer Italo Calvino. In December 2015, more than 135 Iranian filmmakers released a letter demanding the judiciary to acquit Karimi of his sentence. **PEN Action:** [RAN 14/15](#); [joint letter](#) to Head of Judiciary

**\*Yousef EMADI:**

**\*Hossein RAJABIAN :**

**\*Mehdi RAJABIAN:**

**Profession:** Musicians, founder of BargMusic and filmmaker and photographer respectively **Date of sentence:**

December 2015 **Sentence:** six years’ imprisonment and 200 million Rials fine (approx. US\$6,650) **Details of sentence:** The trial started in May 2015 at Brach 28 of the Revolutionary Court in Tehran. Reportedly, they were sentenced for “insulting the sacred” and “spreading propaganda against the state”. They are now waiting for an appeal, which reportedly will be heard in January 2016 at Brach 53 of the Revolutionary Court in Tehran. No further news as of 31 December 2015. **Background:** The three of them work in BargMusic which is an online music distributor in Iran. Allegedly, they were accused of promoting underground music which promoted indifference towards religion. For this reason, they had already been arrested in October 2013 by the Revolutionary Guards Intelligence Organization. Reportedly, their trial lasted 15 minutes and the charges were based on the confessions released under high pressure. They were after held in Evin Prison in solitary confinement for two months. **PEN Action:** Joint statement of [15 January 2016](#)

**Reyhaneh TABATABAEI (f):**

**Profession:** Journalist for *Shargh* and *Bahar* **Sentence:** One year in prison and a two-year ban on membership in political parties, groups, political associations and on activities in the media and cyberspace **Date of arrest:** 21 June 2014 **Date of release:** 11 November 2014 **Details of arrest:** She was arrested on after she responded to a summons by the Office of the Prosecutor in Evin Prison to be informed of new charges stemming from a separate case against her. She was reportedly released on bail after being informed of the new charges, but was then arrested the same day to serve her prison sentence in relation to her December 2010 arrest. **Details of release:** (1) Released on bail (2) Released on bail (3) Released on expiry of sentence **Details of trial:** On 30 November 2014 the Tehran Revolutionary Court sentenced Tabatabaei; this ruling was made public on 28 December 2014; just a week later Tabatabaei completed her six-month prison sentence imposed in an earlier case. She was sentenced to one year in prison and a

two-year ban on membership in political parties, groups, political associations and on activities in the media and cyberspace for “spreading propaganda against the system”. This conviction reportedly relates to a number of her Facebook posts and her participation in the Reformists Youth Conference in the city of Shahr-e Kord, central Iran. This sentence was believed to be under appeal at the end of the year. **Update:** On 17 November 2015, the Tehran appeal court upheld the sentence of one-year imprisonment and two-year ban of journalistic and political activity issued on 30 November 2014. Reportedly, the charges were brought due to an interview to a prominent Sunni leader in Iran. **Background:** Tabatabaei had previously been arrested in December 2010 for reporting on the arrest of political prisoners after the 2009 presidential election when she spent 36 days in solitary confinement before her release and on 31 January 2013, where she spent another month in prison as part of a widespread clampdown on journalists. A Tehran Revolutionary Court sentenced her to a one-year prison term on 2 April 2012 for alleged “propaganda against the system”. The opposition Kalame news site said it related to her ‘campaigning for free elections through [promoting] the elimination of the Council of the Guardians’ vetting powers, [advocating for] reforms in the Council of the Guardians, free press, free political parties’ and ‘publishing the news of political prisoners’. Her sentence was later reduced on appeal to six months’ actual and six months’ suspended imprisonment which she served in 2014. [**Stop Press:** Tabatabaei began serving her two-year prison sentence in January 2016.]

### Conditional release

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

**Profession:** Freelance journalistic blogger who wrote under the penname Siamak Mehr. **Date of Birth:** 1960  
**Sentence:** One year in prison and two years in enforced exile **Date of arrest:** 30 September 2014 **Date of release into exile:** October 2015 **Details of arrest:** According to his daughter, shortly after his release from a previous four year prison term, he was arrested on 30 September 2014 near the border with Turkey. He spent 14 days in solitary confinement in the Intelligence Ministry detention facility in Orumiyeh. He was later transferred to Ward 8 of Rajai Shahr prison where he was reportedly interrogated and suffered psychological pressure and death threats. **Details of release:** Remained detained in Karaj for a month after his one-year prison term expired on 23 September 2015, apparently because the authorities had not yet decided on his place of exile. A [Twitter](#) comment posted by his daughter on 31 October 2015, suggested that he had been released and transferred to Yazd to serve his two-year in exile sentence. **Current place of detention:** Central prison Karaj **Conditions of detention:** In September 2015, he wrote a letter exposing the psychological pressure, the torture and hard conditions suffered in prison which have worsened his health. **Details of trial:** He was sentenced on 11 March 2014 to one year in prison and two years of enforced exile after conviction of “spreading propaganda against the state” and “acting against national security”. **Health concerns:** He has heart problems, having suffered two heart attacks in during his previous prison term. According to International Campaign for Human Rights in Iran, on 12 October 2015 her daughter was informed that Pourshajari is being held beyond expiry of sentence as authorities are deciding his exile destination. Reportedly, he should have been freed on 23 September 2015 but her daughter fears that authorities are postponing the date in order to bring further charges against him. **Background:** Pourshajari was previously arrested on 12 September 2010 at his home in Karaj, outside Tehran, in connection with articles he published on his blog *Gozarash be Khaak-e-Iran (Reports to the Soil of Iran)*, which were critical of Iran’s theological state. Intelligence agents reportedly confiscated a computer hard drive, satellite receiver, and numerous documents. Taken to Rajaieshahr Prison, he was held in solitary confinement for eight months. He claims that interrogators tortured him including by subjecting him to a mock execution. He was not allowed visitors, phone calls, or access to a lawyer. In December 2010, Pourshajari was sentenced to three years in prison on charges of “spreading propaganda against the system” and “insulting the Supreme Leader”. On 21 December 2011 he was tried on an additional count of “insulting the holy sanctities,” and was sentenced to an additional year in prison. The basis for the new charge was not disclosed. During his imprisonment, the Iranian authorities denied him medical leave to receive the medical treatment he needed, including treatment for blockage in his arteries, against the advice of prison doctors. Also he was reportedly denied medication for high blood sugar. He was released on expiry of his sentence on 23 August 2014. **Other information:** His daughter Mitra, now residing abroad, wrote an [open letter](#) to Iran’s Foreign Minister Javad Zarif in May 2015, detailing the torture her father had suffered and how she had been threatened with imprisonment and torture for publicising his case. **Awards:** 2014 Hellman Hammett award

#### **Shiva NAZAR-AHARI (f):**

**Profession:** Reporter for the Committee of Human Rights Reporters **Date of Birth:** 1985 **Sentence:** Four years in prison **Date of arrest:** 8 September 2012 **Date of release:** Released temporarily on bail in September 2013; could be



returned to prison at any time. **Details of arrest:** Arrested on 14 June 2009 in her office following the disputed presidential election. Charged with “moharebeh” (“waging war against God”), “spreading propaganda against the system” and “gathering and colluding against national security” for her alleged participation in political gatherings in 2009. She was released on 13 October 2009 on bail equivalent to US\$200,000 but was re-arrested on 19 December 2009 on her way to Qom to attend the funeral of Grand Ayatollah Montazeri. According to her mother, in April 2010, Shiva Nazar-Ahari was charged with "causing unease in the public mind through writing on the CHRR's website and other sites" and "acting against national security by participating in [anti-government] demonstrations on 4 November 2009 and 7 December 2009." Shiva Nazar-Ahari denied attending the demonstrations, saying that she had been at work on those days. Released on bail on 12 September 2010. No further news as of 31 December 2015.

**Details of trial:** In a lower court hearing on 4 September 2010, she was sentenced to six years in prison, exile to township of Izeh, and 74 lashes. In January 2011, it was reported that Branch 36 of the Tehran Appeals Courts had acquitted Shiva Nazar-Ahari of the charges of “gathering and colluding against national security,” reducing her sentence to four years in prison and also changed her exile location from the township of Izeh to one of the prisons in Karaj. Remained free on bail until she was summoned to serve her four-year sentence on 8 September 2012. Temporarily released on a three-day furlough on 12 March 2013 and in September 2013 and remains free on bail.

**Awards:** 2011 Theodor Haecker prize **PEN Action:** International Womens Day action 2014

### **Hossein RONAGHI-MALEKI:**

**Profession:** Blogger. **Date of Birth:** 1985 **Date of arrest:** 13 December 2009 **Date of release:** 28 June 2015 **Sentence:** 15 years in prison **Details of arrest:** Arrested for discussing politics in a series of critical blogs which were blocked by the government. Founder of an anti-censorship group known as ‘Iran Proxy’, launched in 2003. Held in pre-trial detention in solitary confinement for 10 months after his arrest. **Details of release:** Released on medical furlough; summoned back to prison in July 2015 but remained free at the end of the year, though in December he was summoned to report back to prison by 20 January 2016. **Details of trial:** Convicted of “membership of the Internet group ‘Iran Proxy’ and spreading propaganda against the system”, “insulting the Supreme Leader” and “insulting the President” and sentenced to 15 years in prison. An appeals court upheld his sentence. Tried separately in two other cases in 2013. Sentenced to two years for giving aid to earthquake victims and five months for disobeying the orders of police. The two year sentence was overturned on appeal in September 2013. **Conditions of detention:** Has been released for short medical furloughs on several occasions. Most recently, he was released on 3 September 2014, returned to prison on 28 February 2015 and was released again in June 2015. **Health concerns:** Has developed kidney disease whilst in prison, possibly as a result of torture, and has been suffering from related complications since April 2010. He was hospitalised in March 2011 and underwent a kidney transplant in May 2011. Said to have been transferred again to hospital in June 2012, and was given leave in July 2012. Reportedly arrested again while on leave for participation in helping earthquake victims near his home town in East-Azerbaijan province in Sept 2012; given leave in November 2012 for medical treatment. Was recalled to prison before the presidential election of 2013. Started a hunger strike on 9 August 2013 in protest at being denied medical leave. He ended the hunger strike on 5 September 2013 after becoming critically ill. Released temporarily for medical treatment on 3 September 2014. He undertook a week long hunger strike between 1 and 7 March 2015. **Pen Action:** RAN 10/15

### **Alireza ROSHAN:**

**Profession:** Poet, writer and head of the book section of the *Shargh* newspaper. Also an administrator for the Gonabadi Dervish website *Majzooban-e Noor* **Date of arrest:** 17 November 2012 **Sentence:** One year actual imprisonment, plus four further years suspended. **Date of release:** 16 October 2013 **Details of arrest:** Reportedly arrested at his home on 4 September 2011 after security forces raided the office of *Majzooban Noor* website. One of 11 *Majzooban Noor* website administrators to be detained in early September 2011 following a violent incident on 2 September in the city of Kavar in which security forces allegedly opened fire on dervishes, injuring many. He was released on bail on 3 October 2011. No further news as of 31 December 2015. **Details of release:** Released on expiry of his one year sentence. **Details of trial:** Sentenced to five years in prison, four of which were suspended by Branch 26 of Revolutionary Court on charges of “gathering and colluding with intent to harm national security”. The ruling was upheld by an appeal court on 16 October 2012. **Place of detention:** Evin prison, Tehran. **Other information:** Roshan is a poet who has published a collection of poems entitled *There is no Book* and his poetry has been translated into French **Awards:** He received the [Prix André Verdet du Poète Résistant](#) in June 2013

Released

**Mostafa ABDI and Reza ENTESSARI:**

**Profession:** Journalists and managing editors respectively of the website *Majzooban-e-Noor* **Sentence:** Entessari was given eight years and six months and Abdi was given three years in prison. The journalists were also banned for five years from "membership in groups, parties, sects, and activities in publications, media, and virtual space." **Date of arrest:** 5 September 2011 **Date of release:** Entessari was released on 14 August 2015 and Abdi on 17 December 2015. **Details of arrest:** Reportedly amongst at least 30 members of the religious minority Gonabadi dervishes arrested following a confrontation with plainclothes agents in the town of Kavar in Fars province. The journalists are all affiliated with *Majzooban-e-Noor*, a website that reports news about the Gonabadi dervish community. The journalists are also lawyers who have represented Gonabadi dervishes in recent years. **Details of release:** According to news reports, both were released on expiry of their prison sentence. **Current place of detention:** Evin Prison, Tehran **Details of trial:** They were charged with "publishing falsehoods," "creating public anxiety," "propaganda against the state," and "acting against national security." *Majzooban-e-Noor* said agents had targeted the journalists in an effort to silence news coverage about the group. On 15 January 2013, the journalists refused to attend their trial, saying the Revolutionary Court was not qualified to hear their case. In July 2013, the Tehran Revolutionary Court sentenced the journalists to between three and 10 years each in prison on charges of "forming the illegal *Majzooban-e-Noor* group with the intent to disrupt national security," "propaganda against the system," "insulting the Supreme Leader," and "participation in disrupting public order". The journalists had refused to appear in court in protest against what they said was the court's bias. **Update:** According to news reports on 15 July 2015 Reza Entessari suffered a heart attack and was transferred to prison's infirmary but did not receive medical treatment. **Hamid-Reza Moradi**, who was charged in the same case as **Abdi** and **Entessari** was released on 17 August 2015. (See below).

**Massoud BASTANI:**

**Profession:** Journalist for the reformist newspaper *Farhikhtegan* and *Jomhouriyat*, a news website affiliated with the unsuccessful presidential candidate Mir-Hossein Mousavi **Date of arrest:** 5 July 2009 **Date of release:** 19 July 2015 **Sentence:** Six years in prison and a fine **Expires:** 2015 **Details of arrest:** Arrested when he went to a Tehran court seeking information about his wife, journalist Mahsa Amrabadi, who had been arrested on 15 June 2009. (She was released on 25 August 2009 and served a one-year sentence in Evin Prison from 8 May 2012). **Details of release:** According to Human Rights Activists News Agency, he was released on bail due to his inability to pay the fine of his original sentence. **Details of trial:** Bastani was among 140 opposition figures and journalists who faced a mass, televised trial on 1 August 2009 on vague national security charges (see Kian Tajbakhsh below). Sentenced on 20 October 2009 to six years in prison for "spreading propaganda against the system" and "gathering and colluding with intent to harm state security" for his alleged role in the post-election unrest. **Conditions in detention:** He was detained in Rajaieshahr Prison, near Karaj city. Said to have been hospitalised after being severely beaten by a prison guard on 2 June 2011. Reported to have been transferred to a prison hospital on several occasions in late 2011 due to severe headaches, and to be in urgent need of tests and CT scans not available in prison. Granted occasional temporary furloughs. **Update:** Bastani was reportedly hospitalised in February 2015 after suffering a heart attack. No further news as of 31 December 2015, PEN is seeking an update as to whether he has paid the fine. **Other information:** Bastani had been editor-in-chief of the now-banned *Neda-ye Eslahat* (Voice of Reform) weekly.

**Mostafa DANESHJOO, Omid BEHROOZI, Amir ESLAMI, Afshin KARAMPOUR, Farshid YADOLLAHI**

**Profession:** Managing editors and journalists respectively of the website *Majzooban-e-Noor* **Sentence:** Seven and a half years in prison and the journalists were also banned for five years from "membership in groups, parties, sects, and activities in publications, media, and virtual space". **Date of arrest:** 5 September 2011 **Date of release:** Daneshjoo on 19 May 2015, Behroozi, Eslami, Karampour and Yadollahi on 2 March 2015. **Details of release:** According to news reports, on 19 May 2015 Daneshjoo was released. He was informed in the hospital where he was being treated for asthma and pulmonary problems. According to news reports, in April 2015 he was admitted to the hospital CCU ward and was released on 19 May 2015 when he was in the hospital. According to Reporters Without Borders, Omid Behroozi, Amir Eslami, Afshin Karampour and Farshid Yadollahi were released as a result of a court decision to halve their jail sentences following changes to the Penal Code. No further news as of 31 December 2015. **Details of trial:** They were charged with "publishing falsehoods", "creating public anxiety," "propaganda against the state", and "acting against national security". *Majzooban-e-Noor* said agents had targeted the journalists in an effort to silence news coverage about the group. On 15 January 2013, the journalists refused to attend their trial, saying the Revolutionary Court was not qualified to hear their case. In July 2013, the Tehran Revolutionary Court sentenced the journalists to between three and 10 years each in prison on charges of "forming the illegal *Majzooban-e-Noor*



group with the intent to disrupt national security”, “propaganda against the system”, “insulting the Supreme Leader” and “participation in disrupting public order”. The journalists had refused to appear in court in protest against what they said was the court's bias. **Background:** They were on trial with Moradi Sarvestani, Entessari and Abdi (see above and below) who faced the same charges and have also been released.

#### **Said MATINPOUR:**

**Profession:** Journalist with the Azeri-language weekly *Yarpagh* **Date of arrest:** 28 May 2007 **Sentence:** Eight years in prison **Expires:** September 2016 **Date of release:** 26 August 2015 **Details of arrest:** Arrested on 28 May 2007 at his home in the northwestern city of Zanjan. 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 rearrested on 11 July 2009 to serve the remainder of his sentence. **Details of release:** On 26 August 2015 Matinpour was freed after completing two-thirds of his sentence. According to Reports Without Borders, he was released “under article 134 of the new Penal Code (amended in 2013), which says that anyone convicted of several crimes or offences serves only the sentence for the most important one”. **Details of trial:** Convicted by a Tehran Revolutionary Court branch behind closed doors on 11 June 2008 on charges of “espionage” and “spreading propaganda against the system”. Believed to be held for his activities on behalf of the rights of the Azerbaijani community in Iran. His lawyer was not present at the hearing. His sentence was upheld on appeal in June 2008. **Current place of detention:** Moved from Evin Prison to Zanjan Central Prison in September 2014 **Health concerns:** Said to suffer from digestive and back problems as a result of ill-treatment in prison. Calls for him to be granted temporary leave to seek medical care have been denied. Reportedly granted a three-day furlough from prison on 28 July 2014.

#### **Hamid Reza MORADI SARVESTANI**

**Profession:** Managing Editor of the website *Majzooban-e-Noor* **Sentence:** Moradi was given 10 years and six months in prison and a five-year ban from "membership in groups, parties, sects, and activities in publications, media, and virtual space." **Date of arrest:** 5 September 2011 **Date of release:** 17 August 2015 **Details of arrest:** Reportedly amongst at least 30 members of the religious minority Gonabadi dervishes arrested following a confrontation with plainclothes agents in the town of Kavar in Fars province. He was sentenced alongside **Reza Entessari and Mostafa Abdi** (See above). The journalists are all affiliated with *Majzooban-e-Noor*, a website that reports news about the Gonabadi dervish community. The journalists are also lawyers who have represented Gonabadi dervishes in recent years. **Details of trial:** They were charged with "publishing falsehoods," "creating public anxiety," "propaganda against the state," and "acting against national security." *Majzooban-e-Noor* said agents had targeted the journalists in an effort to silence news coverage about the group. On 15 January 2013, the journalists refused to attend their trial, saying the Revolutionary Court was not qualified to hear their case. In July 2013, the Tehran Revolutionary Court sentenced the journalists to between three and 10 years each in prison on charges of "forming the illegal *Majzooban-e-Noor* group with the intent to disrupt national security," "propaganda against the system", "insulting the Supreme Leader", and "participation in disrupting public order". The journalists had refused to appear in court in protest against what they said was the court's bias. **Health concerns:** Hamid-Reza Moradi was reportedly transferred to hospital on 6 November 2013. Hamid-Reza Moradi has heart problems and is suffering from blocked arteries which could lead to his legs being amputated.

#### **Marzieh RASOULI (f):**

**Profession:** Journalist for *Shargh*, where she edited the newspaper's music pages, *Etemaad* and *Roozegar* and blogger who blogs at *3rouzpush* (Three Days Ago) **Sentence:** Two years in prison **Date of arrest:** 8 July 2014 **Date of release:** 19 October 2014 **Details of arrest:** Reported to prison on 8 July 2014 to serve out her sentence. **Details of release:** She was released after a change in the Penal Code led to a reduction of her prison sentence. **Details of trial:** In February 2014 Marzieh Rasouli and Parastoo Dokouhaki were both tried and convicted of "spreading propaganda against the system" and "disruption of public order," as a result of their participation in peaceful assemblies and protests. Dokouhaki reportedly received a suspended sentence, and Rasouli was sentenced to 50 lashes and two years in prison. She remained free on bail pending appeal, and the Court of Appeal upheld the sentence on 2 July 2014. **Background:** Journalist and blogger Marzieh Rasouli was first arrested in January 2012 along with two other prominent women journalists - Parastoo Dokouhaki and Sahamoldin Borghani - and held for six weeks in solitary confinement on national security charges. They were thought to have been accused of collaborating with the BBC's Persian service, broadcast by satellite, which is banned in the country. All three were released on bail in late February 2012. The day before their release, a statement posted on the Gerdab website, run by the Revolutionary Guards' Cyber-Crimes unit accused them of “collaborating with the BBC, British intelligence and the foreign-based

opposition.” The Revolutionary Guards had announced that an operation code-named “Eye of the Fox” had led to the breakup of an information-gathering network that produced content for the BBC in Iran. On 5 March, 2012, ‘confessions’ of those arrested – for the most part excerpts from their interrogations – were broadcast on national TV channels and relayed by Press TV, the Islamic Republic’s English-language station. Rasouli was also briefly detained in January 2013, together with 18 other journalists working for reformist media outlets. **Other information:** In May 2014 Marzieh Rasouli contributed an article to a special Issue of [The Dissident Blog](#), published by Swedish PEN devoted to digital freedom. **Honorary member:** Austrian PEN **PEN Actions:** RAN 11/14 and updates; press statement [30 July 2014](#) (1) January 2012 (2) January 2013 (3)

#### **Keyvan SAMIMI-BEHBAHANI:**

**Profession:** Editor of the banned Nameh magazine and human rights defender **Date of Birth:** 1945 **Date of arrest:** 14 June 2009 **Sentence:** Six years’ imprisonment and 15 years’ ban on all political, social and cultural activities **Date of Release:** 16 May 2015 **Details of arrest:** Reportedly arrested at his home in the unrest following the disputed presidential election of 2009. **Details of release:** released on expiry of his sentence. **Details of trial:** Sentenced to six years’ imprisonment and 15 years of ban on participation in political activities on 2 February 2010 after conviction of “spreading propaganda against the system”, and “gathering and colluding with intent to harm national security”. **Conditions in detention:** Said to have been tortured or otherwise ill-treated in detention. **Health concerns:** Said to be suffering from a liver ailment and has been denied access at times to adequate medical treatment. **Other information:** He is a member of the National Council for Peace and the Committee for the Defence of Freedom of the Press, member of the Committee for Investigation of Arbitrary Detentions and member of the Committee for the Defence of the Right to Education. **Awards:** Recipient of the 2012 Hellman/Hammett award

#### **Mehrdad SARJOU:**

**Profession:** International news reporter for the English-language daily Iran News and Tehran Times **Sentence:** Three years in prison, plus seven years’ suspended sentence **Date of arrest:** July 2011 **Date of release:** 13 January 2015 **Details of arrest:** Reportedly arrested at his home in July 2011 and transferred to the Intelligence Ministry’s Section 209 at Evin Prison. Sarjoui had previously worked in the international relations department of the government’s Strategic Research Centre, according to the U.S. government-funded Radio Free Europe/Radio Liberty. Staff members for the research agency have access to politically sensitive material, which has placed them under intense scrutiny by government security agents. **Details of release:** Sarjoui was released after completing his sentence. No further news as of 31 December 2015. **Details of trial:** Initially faced charges of espionage. Released on bail in April 2012. Sentenced to 10 years in prison on charge of “cooperation with hostile states by publishing articles, interviews and analyses in favour of hostile states”. Conviction confirmed on appeal but his sentence was reduced to three years’ actual and seven years’ suspended imprisonment; he started serving his sentence on 28 November 2012.

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

**Profession:** Journalist who wrote for many newspapers and later a weekly column for *Rooz Online*, a Farsi- and English-language reformist news website **Date of Birth:** 1967 **Sentence:** Six years in prison **Expires:** 2015 **Date of arrest:** 21 June 2009 **Details of arrest:** Reportedly arrested in Tehran during the crackdown on protests following the disputed June 2009 presidential elections. **Current place of detention:** Rajaie Shahr prison **Details of trial:** Zaid-Abadi was 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 ban on participation in social and political activities. Sentence upheld on appeal in early January 2010. **Conditions in detention:** His wife reports that he is being held in harsh conditions, alongside common criminals. **Health concerns:** His wife reported in July 2011 that he had lost a lot of weight and that she was seriously concerned for his health. On leave from prison between January and May 2013. **Awards:** Golden Pen of Freedom Award 2010 and UNESCO/Guillermo Cano World Press Freedom Prize 2011 **Update:** On 21 May 2015 he was freed at the end of his sentence. He immediately was transferred to Gonabad to serve the five years of his sentence of forced exile. No further news as 31 December 2015.

Case closed

#### **Maryam BAHREMAN (f):**

**Profession:** Womens’ rights activist and blogger. Member of the Campaign for ‘One Million Signatures’ calling for greater respect for women’s rights in Iran **Sentence:** Eight months in prison, suspended for three years **Date of arrest:** 11 May 2011 **Details of arrest:** Arrested on at her home in Shiraz on suspicion of vaguely worded “national

security” offences, some weeks after she had attended the 55th session of the UN Commission on the Status of Women. Her home was searched and her computer, mobile phone, books and documents seized. **Date of release:** On 15 September 2011 Maryam Bahreman was released on bail. **Details of trial:** Reported on 7 December 2012 to have been handed down an eight-month prison sentence suspended for three years, after conviction of “spreading propaganda against the system”. Case closed as assumed the suspension has now expired. No further news as 31 December 2015.

#### **Hossein EBLIS:**

**Profession:** Rapper **Date of arrest:** 15 December 2014 **Details of arrest:** Arrested in Mashhad, north-east Iran six days after the Ministry of Culture and Islamic Guidance issued a ban on rap concerts. According to *Khorasan* newspaper, security forces and the Morality Police of Khorasan-e-Razavi province had kept the rapper under surveillance for some time and, after discovering that he had set up a fully equipped studio in Mashhad, conducted a joint raid. Eblis was arrested on the basis of an arrest warrant from Branch 904 of Mashhad's Revolutionary Court. Several musical instruments and sound equipment were reportedly found and confiscated. Eblis’ lyrics are said to have frequently mocked the authorities and to have contained obscenities. Believed to have been released; case closed.

#### **Ahmad GHOLAMI:**

**Profession:** Writer, translator, and Editor-in-Chief of the daily newspaper *Shargh* **Sentence:** One year in prison, suspended for five years **Date of arrest:** 7 December 2010 **Details of arrest:** Arrested with several other journalists from the newspaper in connection with reports on the crackdown in the aftermath of the 2009 disputed presidential elections. **Date of release:** Released on bail on 29 December 2010. **Details of trial:** His trial started on 8 March 2012 and he was sentenced to one year in prison, suspended for five years. No further information as 31 December 2015. Case closed as suspended sentence assumed to have expired.

#### **Davood KHODAKARAMI:**

**Profession:** Journalist for the Azeri-language newspaper *Bayram Monthly* **Sentence:** Four months in prison, suspended for four years **Date of arrest:** 18 November 2011. **Date of release:** 5 Dec 2011 **Details of arrest:** Reportedly detained in the northwestern province of Zanjan. He had gone to a Zanjan bus terminal to ship copies of his publication to the city of Tabriz. *Bayram Monthly* is the only publication in the city of Zanjan that covers cultural and social issues. Security forces had reportedly gone to Khodakarami's home several times since August 2011, threatening his family and searching the premises and confiscating his computer and personal items. Held in Rajaieshahr Prison **Details of release:** Released on bail. **Details of trial:** Reported on 7 September 2012 to have received a suspended sentence after conviction of “spreading propaganda against the system” by the Revolutionary Court in Tabriz. His sentence was upheld on appeal the same month. Case closed as suspension would have expired in 2015.

#### **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 **Sentence:** Six years in prison **Expires:** July 2015 **Date of arrest:** (1) early July 2009 (2) 25 February 2010 **Date of release:** (1) 1 November 2009 (2) June 2011 **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 national security offences, including “spreading propaganda against the system”. **Details of release:** (1) Released on bail (2) Released for medical treatment **Details of trial:** In November 2009, a Revolutionary Court sentenced her to six years and three months in prison. On appeal, on 24 February 2010, the sentence was reduced to six years’ imprisonment and a fine of 500,000 rials (approx. 46,000 US\$). Shahidi was taken into custody the next day. **Place of detention:** Evin prison, Tehran. **Health concerns:** In May 2010 Shahidi reportedly spent several days at Evin Prison’s infirmary after a fellow prisoner beat her as prison authorities stood by. Shahidi was briefly released on bail so she could have medical care, but she was taken back into custody in mid-November 2010 before her treatment was completed. Has reportedly been on leave from prison since June 2011 for further medical treatment. Case closed as sentence has now expired.

#### **IRAQ**

*Since mid-2014 the armed group calling itself Islamic State (IS) has taken control of large areas of northern Iraq. Journalists, writers and human rights activists are amongst those to be targeted by IS, and the media landscape in areas of IS control is now desolate. Information is suppressed or inaccessible in the cities that Islamic State has seized or is besieging, and all independent media outlets have been closed down. Journalists are now forced to cover events from a distance and indirectly in order to protect themselves. There is a climate of censorship and terror in which journalists cannot function normally. Islamic State has held and killed journalists. In October 2014 it was reported that the group has also issued a list of names of 50 journalists and media workers who are personally threatened. An estimated 70% of journalists in Mosul have fled the city, and most of those who remain are in hiding and unable to work. Many journalists are reported missing or killed, though reports are difficult to verify.*

#### Killed

##### **\*Thaer ALALI:**

**Profession:** Editor-in-chief of the local independent newspaper *Rai' al Nas*. **Date of birth:** 1959 **Date of death:** 26 April 2015 **Details of death:** Alali was reportedly murdered by Islamic State in the northern city of Mosul days after being abducted while making phone calls in the city's al-Dawasa district. The militants reportedly confiscated his phone and, upon finding contacts for Iraqi government officials, accused him of being an informant for the Iraqi government and the media. Several human rights organisations have requested that the Iraqi authorities start an investigation of Alali's death. As of 31 December 2015 it is not clear if any investigation has been carried out; PEN is seeking an update. **Background:** Alali had criticised the Islamic State group on his Facebook profile. On 9 June 2014, he wrote a post that called on Mosul residents to unite against Islamic State forces. The militant group completely overran the city the next day. He was also the vice president for the Iraqi nongovernmental organisation Iraqi Family, which advocates on behalf of Iraqi children and women.

##### **\*Raed AL-JOUBOURI:**

**Profession:** Journalist for the newspaper *Azzaman* and host of business program on Al Rasheed TV. **Date of death:** 5 May 2015 **Details of death:** Al-Joubouri was reportedly found dead in his home in the Qadissiyah district of east Baghdad. He had been shot several times. Several human rights organisations have requested that the Iraqi authorities start an investigation of al-Joubouri's death. As of 31 December 2015 it is not clear if any investigation has been carried on; PEN is seeking an update. **Background:** Al-Joubouri was critic of Iraqi politics and feared for his life, to the point that he had given those close to him a list of contacts to be alerted if anything happened to him, according to the Journalistic Freedoms Observatory.

##### **\*Suahaa Ahmed RADHI (f):**

**Profession:** Newspaper editor in Nineveh **Date of death:** early July **Details of death:** According to the Iraqi Journalists Syndicate she was kidnapped from her home and killed by Islamic State extremists. As of 31 December 2015 it is not clear if any investigation has been carried on; PEN is seeking an update.

#### Killed: impunity

##### **Mohanad AL-AQIDI:**

**Profession:** The Sada news agency's Mosul correspondent and a former presenter on now closed Aa-Mowseliya TV **Details of killing:** Kidnapped in July 2014 on his way to Dohuk province, he was shot several times. According to Reporters Without Borders, sources close to his family suggest that al-Aqidi had been detained in Badush prison, used by Islamic State. His body was brought to a forensic medical centre in Mosul where signs of torture and gunshot injuries in his head were reportedly discovered. **Details of investigation:** There is no information about any investigation being opened.

##### **Samira Saleh AL-NAIMI (f):**

**Profession:** Lawyer and human rights advocate **Details of killing:** Reportedly executed by armed men linked to the group known as Islamic State (IS) on 22 August 2014, in a plaza in the city of Mosul. Al-Naimi had been abducted from her home a week earlier, after she had written about the damages inflicted to the city of Mosul's landmarks describing them as barbaric. Several human rights organisations have requested that the Iraqi authorities start an investigation of al-Joubouri's death. As of 31 December 2015 it is not clear if this investigation has been carried on; PEN is seeking an update. **Other information:** Al-Naimi was one of Iraq's most prominent activists, particularly in defending detainees and supporting deprived families in Mosul.

## Harassed

**\*Ned PARKER** (US national):

**Profession:** Reuters bureau chief in Baghdad **Date of harassment:** 5 April 2015 **Details of harassment:** On 3 April 2015 Reuters issued a report exposing human rights abuses and looting by Iraqi police and Shia militias in Tikrit, which was co-authored by Parker. After the publication, a Facebook group named 'The Hammer', which is believed to be linked to Shia militias, publicly threatened Parker's life and demanded his expulsion from Iraq. Three days later, in a news show of al-Ahd TV, Parker was again threatened and viewers were urged to demand his expulsion. According to Reuters, Aa-Ahd TV is owned by Asaib Ahl al-Haq, an Iranian-backed armed group. After these attacks, Parker left Iraq.

## ISRAEL

### Judicial concern

**Amin ABU WARDEH:**

**Profession:** Director of the privately owned news website *Asdaa Press* **Date of arrest:** 15 April 2015 **Details of arrest:** Was arrested in an early morning raid on his home in the West Bank city of Nablus by Israeli security forces, according to news reports and his employer. Abu Wardeh's wife, Um Omar, told local press freedom group the Palestinian Center for Development and Media Freedom (MADA) that Israeli security forces interrogated her husband for an hour at their home before taking him to an unknown location. Soldiers searched their home and confiscated three laptops and her husband's phone. **Details of trial:** Abu Wardeh was placed under administrative detention, a form of detention without trial, for six months (renewable). An Israeli military court reduced Abu Wardeh's administrative detention from six months to three in May 2015. The order was renewed for a further six months on expiry on 13 July 2015. On 2 July 2015 the Israeli military officials claimed that intelligence indicated he was a senior Hamas activist who posed a "danger to the regional security." Colleagues have pointed to his ongoing documentation of human rights violations by Israeli forces as a possible reason for his detention. **Update:** According to news [reports](#), on 15 October 2015 his family was not allowed to visit him in prison. Reportedly, his wife was told that it was because he and other inmates were punished. He remained held at the end of the year. **PEN Position:** PEN International opposes the widespread use of administrative detention to imprison journalists and other writers and is calling for Amin Abu Wardeh to be released if he is not to be charged with a recognizably criminal offence.

## JORDAN

### Imprisoned – main case

**\*Jamal AYOUB:**

**Profession:** Freelance columnist **Sentence:** Four months in prison **Date of arrest:** 22 April 2015 **Date of release:** **Details of arrest:** Ayoub was arrested on 22 April 2015 accused of "disturbing Jordan's relation with a foreign state" under the terrorism law. The case was brought before State Security Court due to an article he published. **Details of trial:** According to the [Jordan Times](#), on 25 October 2015 Ayoub was sentenced to four months in prison by a military tribunal. Reportedly, as they had already been in custody, the sentence was replaced by fines. The owner, **Hassan Sufeirah**, and Editor-in-chief, **Osama Al Ramini** (See below) of *Al Balad* news website that published Ayoub's article were to three months jail term, which also has been served and replaced by fines. In addition, the news website was fined with JD 200 (around US\$ 282) under Electronic Criminal Law. No further news as of 31 December 2015. **Other information:** Other Jordan journalists have been charged with the offence of "disturbing relations with a foreign state" which prohibits journalists criticising other governments. According to Human Rights Watch, in early 2014 this charge was removed from the jurisdiction of the State Security Court. However, this reform was reversed in April 2014 when the provision was added to anti-terror legislation, with penalties from three to 20 years in prison. **Background:** The article that Ayoub published was very critical of Saudi Arabia's role in the war in Yemen.

**\*Jihad AL-MUHAISEN**

**Profession:** Director for Al Mashreq Center for Studies and Qualitative Research, author and journalist **Sentence:** Three months in prison, one month of which was converted to a fine **Date of arrest:** 12 July 2015 **Details of arrest:** Arrested at Amman's international airport after he returned from a trip to Lebanon. Al-Muhaisen's brother told

Amman News website on 12 July 12 that he had been detained on order of the State Security Court. **Details of release:** Believed to have been released after he was sentenced. **Current place of detention:** Rumaymoun prison **Details of trial:** reported to be facing charges of “insulting the king” as well as “subverting the political system”. According to [25 October 2015 reports](#), he was acquitted of “subverting the political system” but was sentenced to three months in prison for “insulting the king”. As he had spent two months in prison, the third month was converted into a fine and he was released. **Conditions in detention:** In August 2015 he reportedly [told his wife](#) that he had been beaten on his hands and feet in detention, prior to his transfer from Balqa’ Prison **Background:** Jihad al-Muhaisen has a PhD in ethnic and religious history in Jordan. He has written many books including *The Tribe and State in East Jordan*, *Future of Democracy in Jordan*, and *The UAE from Bedouin to Modern State*. He is a member of Jordanian Journalists’ Syndicate and the Jordanian Writers’ Association, and is heavily involved in promoting human rights, public freedoms and citizenship. He said he had been fired in June 2015 as a columnist for the independent daily *al-Ghad* after he wrote on Facebook that he had converted to Shi’a Islam and wanted to resist ‘the Zionist enemy’ in southern Jordan.

#### Imprisoned - Investigation

##### **Zaki Bani IRSHAID:**

**Profession:** Senior leader for the Muslim Brotherhood **Sentence:** 18 months in prison **Date of arrest:** 20 November 2014 **Details of the arrest:** Irshaid is said to have been arrested in relation to a comment he posted on Facebook and other social media, critical of the United Arab Emirates. He was at a meeting at his party’s headquarters in Amman at the time of his arrest. **Current place of detention:** Marka prison, east Amman. Irshaid requested release on bail on 24 November 2014, but it was denied. **Details of the trial:** It has been reported that in a comment Irshaid accused the UAE of allegedly sponsoring terrorism, as well as questioning the legitimacy of its leaders. He was charged on 8 December 2014 with committing acts not sanctioned by the government and harming relations with a friendly country. Irshaid’s defence team issued a public statement defending his comments as exercising his freedom of expression. **Update:** On 15 February 2015, it was reported that Bani Irshaid was sentenced to 18 months in prison (reduced from three years) by the State Security Court. His lawyer claimed that it is against the Jordanian constitution to be judged in a military court as a civilian; on 15 March 2015 he appealed the sentence. The sentence was upheld by the Court of Cassation on 15 April 2015. According to news reports, on 24 December 2015 a spokesperson of Islamic Action Front suggested that Irshaid will be released on 4 January 2015 on expiry of his sentence.

#### Detained – investigation

##### **\*Ahmed AL-TALAWI**

**Profession:** poet **Date of arrest:** 5 December 2015 **Details of arrest:** Local news reports suggest that he was arrested in the city of Irbid on 5 December 2015. The reasons behind his arrest are unknown. No further news as of 31 December 2015.

#### On trial

**\*Hashem AL-KHALIDI, Profession:** Owner of news website *Saraya News*

**\*Seif OBEIDAT, Profession:** Editor in-chief news website *Saraya News*

**Date of arrest:** 28 January 2015 **Date of release:** 8 March 2015 **Details of arrest:** Both were detained in relation to an article published in *Saraya News* **Details of release:** After being held in Marka prison they were released on bail on 8 March 2015. **Details of trial:** Accused of “spreading false news” and “aiding terrorism” which could carry a sentence of up to 15 years in prison. They were awaiting trial before the State Security Court at the end of the year. **Background:** The article that was published reportedly claimed incorrectly that the Jordan government was in negotiations with the Islamic State (ISIS) group and that they had exchanged a woman involved in the 2005 Amman hotel bombings for a Japanese journalist held by ISIS rather than for al-Kasasbeh, the Jordan pilot abducted by ISIS. A few days later, the Jordan authorities executed the woman, proving that the news was incorrect.

## Brief Detention

### **\*Ghazi MRAYAT (or AL-MARAYAT):**

**Profession:** Journalist for state-owned newspaper *Al-Rai* **Date of arrest:** 9 July 2015 **Date of release:** 13 July 2015

**Details of arrest:** He was accused of breaking a ban which prevented coverage over a terror plot. Mrayat published an article on 6 July 2015 about the charge sheet against a Norwegian-Jordanian man relating to a foiled terror plot allegedly backed by Iran. News reports suggest that Mrayat and other workers of *Al-Rai* were not aware of this ban.

**Details of release:** Mrayat was released on bail after 5 days in prison but could still face charges. No further news as of 31 December 2015.

### **\*Tareq ABU AL-RAGHEB**

**Profession:** TV anchor of satellite channel *Al-Haqiqah International* **Date of arrest:** 3 November 2015 **Date of release:** 10 November 2015 **Details of arrest:** Remanded in pre-trial detention for one week in connection with some Facebook posts that were considered insulting by authorities. **Details of trial:** The journalist has been accused of defamation under Jordan cybercrime law, which bans abusive and provocative remarks that are made against a religion or which promote hatred and threaten coexistence in the kingdom. Reportedly, if he is found guilty he faces a maximum fine of 2,000 dinars (US\$2,800) and a minimum of three months in prison. No further news as of 31 December 2015. **Other information:** According to news reports, it is unclear which posts are used as evidence against Abu Al-Ragheb but he has written posts critical of other Arab countries, especially with regards to the failure of aiding Palestinians. He also posted a [video](#) in his Facebook account, reportedly criticising governments in the region.

## Sentenced

### **\*Osama AL-RAMINI**

**Profession:** Editor-in-chief of *Al Balad* news website

**Sentence:** Sentenced to three months in prison, converted to a fine. **Details of trial:** According to the *Jordan Times*, on 25 October 2015, the State Security Court sentenced al-Ramini and **Hassan SUFEIRAH**, the owner of *Al Balad*, to three-month prison terms on charges of contempt of a “brotherly state”. A reporter for the website, **Jamal Ayoub** (see above) was sentenced to four months in prison and was released as he had served the time in pre-trial detention. The three defendants were standing trial over an article that was published on the website that criticised the war on Yemen by the coalition. Originally, all three were accused of “disturbing relations with a foreign state” which carried a heavier sentence. The court also ordered the news website to pay JD200 in fines for violating the Electronic Crime Law.

## KUWAIT

*According to the Arabic Network for Human Rights Information (ANHRI), Kuwait is at the forefront of the countries that prosecutes Twitter users. During 2013-2014, the number of cases reached almost 280 cases. It also has one of the highest number of “insulting the Emir” cases, totalling some 160 cases over the last three years. According to a study conducted by ANHRI entitled #Turn\_Around\_and\_Go\_Back, most cases relate to tweets, whereas others relate to speeches and articles. A number of [books were also banned](#) from the 40<sup>th</sup> Kuwait International Book Fair held in 2015. A new law on cybercrimes was passed in 2015 which will come into effect in 2016, placing further restrictions on online freedom of expression.*

## Imprisoned - main case

### **\*Abd al-Rahman AL-AJMI:**

**Profession:** Blogger **Sentence:** Four years in prison, overturned on appeal **Date of arrest:** March 2015 **Date of release:** Believed to have been released on acquittal in November 2015 **Details of arrest:** Arrested in March on charges related to state security that included inciting to topple the regime, attacking the Emir, engaging in antagonistic acts against Saudi Arabia and disseminating false information. **Details of trial:** In August 2015 Kuwait’s Criminal Court sentenced al-Ajmi to four years in jail in a case filed by the Saudi embassy in Kuwait. According to the Arabic Network for Human Rights Information, on 11 November 2015, al-Ajmi was acquitted of his sentence by the Court of Appeal. Believed to have been released.



**\*Abd al-Aziz AL-MUTAIRI:**

**Profession:** Social media user **Date of arrest:** 26 January 2015 **Date of release:** 15 March 2015 **Details of arrest:** According to ANHRI, al-Mutairi was arrested for posting a tweet about the death of Saudi King Abdullah bin Abdulaziz on a Twitter parody account called "Carlos". The Kuwaiti authorities saw the tweet posing a danger to Kuwait concerning severing ties with a brotherly country (Saudi Arabia). **Details of release:** Released on 15 March 2015 on bail of 3000 Dinars. **Details of trial:** The public prosecution accused him of harming the national interests of the country and insulting the late king Abdullah. Abdulaziz denied he was the owner of the account. **Conditions of detention:** Al-Mutairi was subjected to torture during his detention at the state security service's building, according to his lawyer's statements to the media. [**Stop press:** On 18 January 2015 al-MUTAIRI was sentenced to five years in prison.]

**Hamad AL-NAQI:**

**Profession:** Blogger **Sentence:** 10 years in prison **Date of arrest:** 27 March 2012 **Expires:** 26 March 2022 **Details of arrest:** Arrested on 27 March 2012 on charges of insulting the Prophet Muhammad, his wives and companions, and harming the interests of the country by allegedly mocking the rulers of two countries of the Gulf Cooperation Council (GCC) and "publishing false news abroad" through his mobile phone via Twitter. Al-Naqi denied all charges and stated that his twitter account had been hacked. His mobile records were searched and it was confirmed that he did not use Twitter from the mobile. However, security forces claimed that he has another mobile in his possession which he had used to access a Twitter account. **Current Place of Detention:** Believed to be held in Kuwait Central Prison **Details of trial:** A criminal court in the capital, Kuwait City, sentenced Hamad al-Naqi to 10 years in prison on 4 June 2012. He was convicted for tweets criticising the neighbouring rulers on the basis of article 15 of the National Security Law, which sets a minimum three-year sentence for "intentionally broadcasting news, statements, or false or malicious rumours...that harm the national interests of the state." The court also convicted al-Naqi for a tweet allegedly insulting the Prophet Mohammed and his wife Aisha under article 111 of the Penal Code, which prohibits mocking religion and carries a maximum one-year sentence. On 28 October 2013 the Kuwaiti Court of Appeals upheld his conviction and confirmed his sentence. On 21 July 2014, the Court of Cassation upheld his conviction and sentence. No further news as of 31 December 2015. **Conditions in detention:** On 18 April 2012, al-Naqi was stabbed in his neck by another prisoner who had apparently objected to what al-Naqi had written. According to al-Naqi's lawyer, the incident took place after the prison's administration spread the news that al-Naqi had insulted the Prophet. **PEN Action:** RAN 31/12 – 26 June 2012

On trial

**Mohammed AL-AJMI (pen name: Abo Asam):**

**Profession:** Blogger, human rights activist and member of the National Committee for Monitoring Violations **Date of arrest:** 28 January 2015 **Date of release:** 1 February 2015 **Details of arrest:** According to the Gulf Centre for Human Rights (GCHR) al-Ajmi was arrested by unidentified men. His family received a call from the State Security Apparatus demanding al-Ajmi's medication. On 29 January 2015 was transferred to the Public Prosecution for Investigation without having access to a lawyer. He was later sent to the State Security Apparatus where he was detained until 1 February 2015. **Details of trial:** It is believed that his arrest is related to some tweets that al-Ajmi published alleged to have insulted the late King of Saudi Arabia, King Abdullah. He has been charged with offending the Saudi royal family and harming the image of human rights in Saudi Arabia. If he is convicted he could face a sentence of three years of prison. No further news as of 31 December 2015. **Background:** Abo Asam is a well-known activist with over 115,000 followers in his Twitter account. In April 2014, he was briefly arrested for tweets which reportedly made fun of the Emir Sheikh Sabah al-Sabah and the royal family. On 27 August 2014, al-Ajmi was summoned by the Department of Criminal Investigation, and was arrested again on his arrival. His second arrest was linked to a comment posted on his Twitter account regarding the group Jamiya, from the Islam Salafi sect. This comment was seen as offensive by the authorities. On 31 August 2014, some of his followers and fellow activists demonstrated outside the National Assembly demanding al-Ajmi's release. Al-Ajmi was charged with "blasphemy", and was released on bail on 4 September 2014, pending trial.

**\*Saleh AL-MULLA**

**Profession:** Former member of parliament and social media user **Date of arrest:** 6 January 2015 **Date of release:** 11 January 2015 **Details of arrest:** Held in connection with a series of tweets criticising the relationship between Kuwait and Egypt. **Details of release:** Released on bail **Details of trial:** Charged with "insulting the Amir", "insulting Egypt's president" and "endangering bilateral relations" based on tweets that he sent during the official visit by Egyptian

President el-Sisi that ended on 6 January 2015. His trial was due to begin in February but was postponed till 26 April 2015. No further information; PEN is seeking an update.

#### Judicial harassment

##### **\*Sarah AL-IDRISS (f) (also spelt al-Driss)**

**Profession:** Political activist and social media user **Date of harassment:** 19 November 2015 **Details of harassment:** On 19 November 2015, the Public Prosecutor issued an arrest warrant in connection with a tweet alleged to have “insulted the Prophet Mohammed”. Al-Driss has deleted the tweet and apologized for any offence caused.

**Background:** Al-Driss spent several months in prison in 2013 for “insulting the Amir” before she received a pardon (see 2013 case list).

#### Sentenced

##### **Sagar AL-HASHASH:**

**Profession:** Online activist **Sentence:** 20 months in prison **Date of arrest:** March 2013 **Date of release:** 30 September 2013 **Details of arrest:** Al-Hashash was arrested for posting comments in his [blog](#) and via his Twitter account, in October 2012, which supposedly insulted Sheikh Jaber al-Ahmad al-Jaber al-Sabah, the country’s emir, as well as calling for a coup in Kuwait. **Details of the trial:** On 7 March 2013, a criminal court sentenced him to two years in prison. On 30 September 2013, he was acquitted by a first instance court and released. In late 2014, Kuwait’s Supreme Court was due to take a final decision. **Update:** On 5 January 2015, al-Hashash was reportedly sentenced by the Supreme Court to 20 months in prison. PEN is seeking information as to whether he has started serving his sentence.

##### **\*Saleh AL-SAEED:**

**Profession:** Blogger **Sentence:** Six years in prison **Details of trial:** Hani Hussain, al-Saeed's lawyer, said that Kuwaiti authorities charged al-Saeed after the Saudi embassy in Kuwait City complained to the Foreign Affairs Ministry and demanded his prosecution. On 30 December 2014, a court of first instance convicted al-Saeed under article 4 of the country's 1970 National Security Law, which makes it a criminal offence to commit a hostile act against a foreign country that disrupts Kuwait's political relations with that country or exposes Kuwait to a risk of war. The court sentenced al-Saeed to four years in prison and released him on bail pending an appeal. On 18 February 2015, an appellate court increased al-Saeed's sentence to six years and ordered his detention until a hearing before the Court of Cassation on 21 May. Al-Saeed appealed his sentence but Kuwait's Court of Cassation upheld the six-year sentence on 12 June 2015. He went into hiding after the rejection of his appeal. No further information on his whereabouts as of 31 December 2015. **Background:** A friend of al-Saeed told Human Rights Watch that he posted 16 tweets in October 2014 that accused Saudi Arabia of carrying out land grabs in the neutral zone between it and Kuwait to exploit the area's oil reserves, and criticised the Kuwaiti authorities for failing to speak out.

## **LIBYA**

#### Sentenced

##### **Amara Hassan AL-KHITABI (also al-KHATTABI):**

**Profession:** Editor of the newspaper *Al-Umma*. **Sentence:** Five years in prison **Date of arrest:** 19 December 2012 **Details of arrest:** Reportedly arrested in connection with an article he published on 21 November 2012 alleging corruption within the judiciary. Held incommunicado in Hudba prison, Tripoli, until his release. **Date of release:** Released on bail on 23 April 2013. **Details of trial:** His trial on charges of “insulting the judiciary” under article 195 of the criminal code began on 18 February 2013. The charge carries a penalty of three to 15 years in jail. On 17 August 2014, the Court of Appeals in Tripoli sentenced al-Khitabi to five years in prison in absentia along with a five-year suspension of his civil rights and a five-year ban on practising as a journalist. He was charged with Articles 195, 245 and 251- that respectively criminalise insults to judicial, legislative and executive bodies; insults to public officials and members of the judiciary; and exercising a profession without the required permission. The five-year prison sentence was notified to al-Khitabi on 17 November 2014. He announced he would appeal. Believed to remain free as of 31 December 2015. **Health concerns:** He suffers from hypertension, diabetes and a prostate condition and his health deteriorated sharply in prison. His lawyer requested that a travel ban imposed on al-Khitabi be lifted to allow him to

travel abroad for medical treatment. On 21 August 2013, the travel ban was lifted by a judge at the Tripoli Appeals Court, who ordered the return of his passports. He was then able to travel to Jordan for medical treatment, but later returned to Libya.

## MOROCCO

### Imprisoned – main case

#### **Mustafa EL-HASNAOUI (also EL-HESNAWI):**

**Profession:** Journalist for the Moroccan newspaper *Al Sabeel*, blogger, and a member of Al Karama Forum for Human Rights. He has been a vocal opponent of the anti-terrorism legislation and its use against individuals not involved in terrorist activities. **Sentence:** Three years in prison **Date of arrest:** 16 May 2013 **Details of arrest:** Summoned to appear for interrogation by the National Brigade of the Judicial Police and arrested. **Current place of detention:** Kenitra Prison **Details of trial:** Convicted on 11 July 2013 and sentenced to four years in prison for “creating a terrorist organisation that threatens national security and stability”. The sentence was reduced to three years’ imprisonment on appeal on 28 October 2013. PEN International fears that his imprisonment may be related to his human rights activities defending the rights of Islamist detainees and the public positions he took on the matter. During the trial, he was questioned repeatedly about ‘the nature of his relationship’ with leaders of Islamist groups. Among the specific activities on which the sentencing was based are meetings with detainees. Still held as of 31 December 2015. Conditions in detention: In July 2015, he was placed in an isolation cell for 18 days, where he nearly suffocated due to a gas leak in the prison. **Health Concerns:** In July 2014, he was hospitalised two weeks after beginning a hunger strike in protest against his continued imprisonment. **Background:** He is known for defending the rights of detainees from the Islamic movement. Shortly before his arrest he published an article about veiled female students who had been banned from school because of the length of their veil. **Other information:** The UN Working Group on Arbitrary Detention, in its opinion [No 53/2013](#), found his imprisonment to be arbitrary and called for his immediate and unconditional release and for him to receive compensation. WGAD considered that the accusations against el-Hasnaoui make no mention of any violent, let alone terrorist, activity; that he was not charged with any act of terrorism; that his activities as a human rights defender, an intellectual and a journalist appear to be entirely legitimate and that neither the examining magistrate nor the trial court found that any act that could be construed as a criminal offence had been committed. **[Stop Press:** Reports indicated in early January 2016 that he had been placed in the isolation unit of the prison.]

#### **\*Hicham MANSOURI:**

**Profession:** Project manager for the Moroccan Association for Investigative Journalism (AMJI), a group formed in 2011 to support journalists reporting on a variety of issues in the country, some of which are politically sensitive **Date of birth** c. 1980 **Sentence:** 10 months in prison **Date of arrest:** 17 March 2015 **Details of arrest:** According to Alkarama, Mansouri was arrested on 17 March 2015 by vice squad police officers, who forced open the front door of his residence. Having informed him he was under arrest for “complicity in adultery”, without showing an arrest warrant, the policemen stripped him naked to take pictures of him before taking him to the police station, where he was beaten and insulted. During his detention, Mansouri was denied any contact with his lawyer and was questioned on subjects unrelated to the motives of his arrest, particularly on his relations with media personalities, members of the 20 February Movement, or on his activities within the Moroccan Association for Investigative Journalism (AMJI) established in February 2011, working for the protection of journalists. **Details of trial:** On 30 March 2015, Mansouri was sentenced by the Rabat Court of First Instance to 10 months in prison and a fine of 40,000 dirhams for “complicity in adultery”. There are fair trial irregularities: during the trial, the witnesses summoned to testify were not heard by the Court and the alleged physical evidence seized by the police was never presented to the Court. Mansouri appealed the judgment, but on 27 May 2015, the Appeals Chamber of the Rabat Court of First Instance upheld the criminal conviction. **Other information:** Mansouri is facing another trial along with six other Moroccan civil society activists, all members of the Moroccan Association of Investigative Journalism (AMJI). They have been charged with several offences, including “threatening internal state security”, for their work promoting journalism (see below under ‘On trial’). **Background:** Before his arrest, he had been working on a report about alleged Internet surveillance of activists and journalists by the Moroccan authorities. **[Stop Press:** Mansouri was released on 17 January 2016 after serving his 10-month sentence.]

### On trial

**Ali ANOUZLA:**

**Profession:** Editor of the Arabic-language version of the news website *Lakome.info* **Date of arrest:** 17 September 2013 **Details of arrest:** Arrested on for posting an article that contained a link to a video posted by Al-Qaeda in the Islamic Maghreb (AQIM). Access to both Arabic and French-language versions of the website have been blocked in Morocco since 17 October. **Date of release:** Released on bail on 25 October 2013 **Details of trial:** Charged with advocating terrorism and aiding terrorists. Facing charges of providing ‘material assistance’ to a terrorist group, “defending terrorism” and “inciting the execution of terrorist acts.” The charges carry a possible sentence of 10 to 30 years in prison. At a trial hearing on 30 October 2013, the case was adjourned till 23 December 2013, at which it was further postponed till 20 May 2014. On 21 May 2014, the judge further delayed the hearing indefinitely. **Update:** As of 30 June 2015 he remained free but the case against him remains open. On 10 August 2015 Ali Anzoula decided to reopen the news site under the name *Lakome 2*. On 26 November 2015 he was summoned before the judge in relation to the case against him. No further news as of 31 December 2015. **Awards:** On 13 November 2015 he received the Raif Badawi award for journalists who defend freedom of expression. **PEN Actions:** PEN International joined some 60 NGOs in September 2013 in a [joint statement](#) calling for his release

**\*Samad AYACH,**

**\*Mohamed ESSABEUR**

**\*Hicham KHREIBCHI,**

**\*Hicham EL-MANSOURI**

**\*Maati MONJIB,**

**\*Maria MOUKRIM (f)**

**\*Rachid TARIK**

**Profession:** Journalists and writers who are all members of the Moroccan Association of Investigative Journalism (AMJI) **Date of trial:** 19 November 2015 **Details of trial:** According to Reporters Without Borders, Hicjam el-Mansouri, Maati Monjib, Mohammad Essabeur, Hisham Khreibchi and Abdessamad lach have been charged with threatening the internal security of the State. Maria Moukrim and Rachid Tarik have been charged with “receiving foreign funding without notifying the General Secretariat of the government”. Their trial is due in late January 2016. **Other information:** Hicham el-Mansouri is already serving a prison sentence for other reasons (see main case above). Kreibchi is the former director of the Digital Rights Association and Essabeur is the Director of the Moroccan Education and Youth Association.

### Harassed

**Mouad BELGHOUAT (“El-Haqed”):**

**Profession:** Rapper **Date of harassment:** 19 June 2015 **Details of harassment:** On 19 June 2015 the government shut down his concert in Casablanca. In addition, Mouad Belghouat has been banned from performing in public and many recording studios do not want to publish his work due to fear of government surveillance. **Background:** Belghouat was arrested in September 2011 and charged with assaulting a pro-government protester. Many supporters claimed that the case was politically motivated and he had been targeted for his music. The defence team contended that there were many inconsistencies in the account provided by Belghouat’s alleged victim. In January 2012 he was convicted and sentenced to four months’ imprisonment and he was released. Three months later he was rearrested in connection with a YouTube video of one of his rap songs about the police, “Kilab ed-Dowla” (Dogs of the State). He was sentenced to one year in prison, after he was convicted of insulting the police. He was released on 29 March 2013. On 18 May 2014 he was arrested and sentenced to four months in prison and a fine of 500 dirhams (\$60) as well as compensation of 10,000 Moroccan dirhams (US\$1,200) and 5,000 dirhams (\$600) respectively to two alleged victims. On expiry of his sentence he was released on 18 September 2014. According to PEN’s information, Belghouat was charged before a lower Casablanca court with public drunkenness and the assault of a police officer. However, supporters claim that these are trumped up charges and point to lyrics critical of the regime in his latest album ‘Walou’ as the real reason for his arrest (see 2014 Case List). **Awards:** 2015 Index on Censorship Freedom of Expression Award for Arts

**\*Samad AYACH**

**Profession:** Journalist and human rights activist **Date of harassment:** August 2015 **Details of harassment:** He was informed of a travel ban on 25 August 2015 when he was not allowed to travel to Tunisia and was questioned by authorities. Reportedly, he faces charges for “promoting foreign agendas” and “promoting social unrest”. It is unclear upon which proves these charges have been brought. Reporters Without Borders suggest that the travel ban

on 19 November 2015 as he was going to a workshop on citizen journalism abroad. **Other information:** Ayach is also a member of the Moroccan Association for Investigative Journalism and writes for the online newspaper *Lakome 2*. The editor of this news website, Ali Anouzla, is also on trial because of his work (see Case List above). Ayach is on trial with six others (see above under on trial).

**\*Maati MONJIB:**

**Profession:** Journalist, academic and historian **Date of harassment:** 10 August 2015 **Details of harassment:**

According to news reports, he was informed of a travel ban on 7 October 2015 when he was not allowed to travel to Norway. Since then he started a hunger strike that lasted until 29 October 2015 when authorities lifted the travel ban. Allegedly, he is accused of “financial violations” that took place when he was director of Ibn Rushd Institute.

**Update:** The trial was scheduled for 19 November 2015 but, reportedly, it has been adjourned to January 2016.

**Other information:** Maati Monjib is the president of Freedom Now, an association that works to defend freedom of expression and journalism in Morocco. He is also on trial with six other human rights defenders and journalists (See On Trial above).

**\*Karima Nadir (f), Profession:** Vice-President of the Association of Digital Rights (ADN)

**\*Hisham ALMIRAAT, Profession:** President of the Association of Digital Rights (AND)

**Date of harassment:** 8 September 2015 **Details of harassment:** They were summoned by the National Brigade for the Judicial Police in Casablanca and subjected to a lengthy interrogation. They were accused of spreading false news and working to undermine Morocco's image; it is not clear if official charges have been brought against them.

Reportedly, a travel ban was imposed on them. **Background:** The accusations are believed to be linked to their participation in a report issued by human rights group Privacy International, [Their Eyes On Me](#), which documented the authorities' surveillance of journalists and rights activists.

Sentenced

**\*Taoufik BOUACHRINE**

**Profession:** Publications Director of newspaper *Akhbar al-Youm* **Sentence:** Two month suspended prison sentence and fine of 1.6 million dirhams (around US\$ 161,130) **Details of trial:** He has been accused of defamation by US journalist Richard Minter and Ahmed Charai, Editor of al-Ahdath al-maghribiya radio. Reportedly, the accusations emerge from an article where Bouachrine suggested that the budget director and other politicians had ‘deceived’ the prime minister. On 23 November 2015, he was sentenced to two months suspended sentence and a fine of 1.6 million dirhams (around US\$ 161,130) by the Casablanca first-instance tribunal. Bouachrine said he intended to appeal and was surprised at his conviction, pointing out that a journalist in Spain had been acquitted in a case involving the same story. **Background:** In 2009 he had already received a 4-year suspended prison sentence for the publication of a cartoon that was regarded ‘offending for a member of the royal family’ and ‘disrespectful of the national flag’. In 2010 he 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. See previous Case Lists [2011](#) and [2012](#).

**\*Hamid EL-MEHDAOUI:**

**Profession:** Editor of independent news website *Badil* **Sentence:** Four-month suspended prison sentence and 100,000 Moroccan dirhams (around US\$1,000) fine. **Details of trial:** El-Mehdaoui was convicted of criminal defamation by Morocco's general directorate of national security. The accusations were based on an article published on *Badil* in which suggested that the human right activist Karim Lachaqr had been tortured to death by police officers. On 29 June 2015 he received a four-month suspended prison sentence and ordered to pay damages for criminal defamation. He and the witness of the events narrated in the article were ordered to pay 100,000 Moroccan dirhams (around US\$1,000) to the head of the general directorate of national security. **Background:** Reportedly, el-Mehdaoui is also facing three other trials and investigations due to his work as a journalist.

Released

**Abdul Mou'men AL-Shuaibi**

**Profession:** Rapper **Sentence:** Eight months in prison **Date of arrest:** 27 October 2014 **Date of release:** 27 February 2015 **Details of arrest:** According to press reports quoting al-Shuaibi's mother, al-Shuaibi was arrested at his parents' house in El Araich when a group of police officers conducted a violent arrest and searched the house without a

warrant, destroying furniture, according to. The police report stated that an individual arrested for suspected drug use informed the investigator that al-Shuaibi provided him with drugs. No drugs were found during the search.

**Details of release:** He was released after six months in prison. **Details of trial:** In November 2014 he was sentenced to eight months in prison for selling drugs. The Association Marocaine des Droits Humains (AMDH), who provided pro-bono legal support, said they believe the drug charges were orchestrated by the authorities and that al-Shuaibi was targeted for his song criticising the police. They said no actual proof of drug trading was presented in court and the judge did not take into account the police's violations of search and arrest procedures. **Update:** According to [news reports](#), he was cleared of all charges on 9 December 2015. **Background:** In 2013, al-Shuaibi had released a rap song, entitled 'zan9a lkahla 2013 Chorta Fe Lara' which criticised alleged violent police treatment of local citizens, as well as the lack of transparency and corruption in the police force. The song had received increased attention in 2014 after local media and human rights organisations referred to the song at events about the police's behaviour, according to [topresse.com](#), a local news website.

## OMAN

### Imprisoned – main case

#### **\*Saeed JADDAD:**

**Profession:** Blogger and human rights defender **Sentence:** (1) Three years in prison and a fine of 1,700 rials (US\$ 4,415), and (2) one year in prison and a fine of 1,000 rials (US\$ 2,600) **Date of arrest:** 25 November 2015 **Details of arrest:** arrested on 25 November 2015 by state security forces. Reportedly, he was transferred after to Arzat prison in the city of Salalah to begin serving his one-year sentence. **Details of trial:** Jaddad has faced charges in two cases; (1) "undermining the prestige of the state", "inciting protests", and "using social media to circulate information liable to cause public disturbances" in his first trial. He was sentenced on 8 March 2015, by a court in Muscat three years in prison and a fine. (2) in his second trial he was convicted on 31 March 2015 by a court in Salalah in connection with an October 2014 blog [post](#) in which he compared the 2011 protests in Dhofar to the 2014 protests in Hong Kong. He has appealed in both cases. According to the Gulf Center of Human Rights, the second conviction and sentence was upheld by the Court of Appeal on 18 November 2015. **Background:** According to Reporters Without Borders, Jaddad had been in the government's sights for years and had often been arrested and then released on bail. In October 2014, he was prevented from travelling to Istanbul under a travel ban imposed in July 2014 without his knowledge. In December 2014 he was arrested and held incommunicado for 12 days for interrogation. Jaddad was very active during the 2011 protests and was banned from being published in the Omani media. He was arrested on 21 January 2015 and released on 7 April 2015 on bail of 500 Omani Rials (US\$1,300). On 21 June 2015, he was placed under house arrest.

### Detained – Main case

#### **\*Talib AL-SAEDI:**

**Profession:** Online activist **Date of arrest:** (1) 23 March 2015 (2) 3 August 2015 **Date of release:** (1) 13 April 2015 (2) 24 August 2015 **Details of arrest:** (1) Al-Saedi reportedly disappeared after he was summoned by the Omani Internal Security Service to appear for investigation before the Special Division of the Omani Police in Muscat. It is believed that he was arrested in relation to his activities on social media networks, which include persistent calls for freedom and reform in Oman. It is believed that he was detained incommunicado at the Special Division with no access to his family or lawyer. (2) Held by the Special Division of the Internal Security Service in incommunicado detention in the Al-Qurum area of Muscat for 21 days. An amendment enacted in 2011 permits pre-trial detention by security forces of up to 30 days without charge. **Details of release:** Released without charge on 24 August 2015 **Background:** Al-Saedi is a well-known Omani activist who has been monitoring and documenting cases of detained activists by the Internal Security Service. On 13 July 2014, he was arrested and interrogated after he called for a peaceful march in solidarity with the Palestinian people on social media.

#### **\*Hassan AL-BASHAM**

**Profession:** Online human rights activist **Date of arrest:** 25 September 2015 **Details of arrest:** According to the Gulf Centre for Human Rights, al-Basham was first detained on 17 September by the Internal Security Service in Oman. On 18 September 2015 he was transferred to the Public Prosecution Office in Sohar where he was accused of "insulting the Sultan" and "undermining the prestige of the state", among other charges. On 23 September 2015 he



was released only to be rearrested two days later, on 25 September 2015. Since then, he has been held in custody in the Special Division of the Omani police in Sohar. Reportedly, the first hearing of his trial was scheduled for 30 October 2015. In addition, the Gulf Centre for Human Rights has reported that al-Basham has been denied access to a lawyer and family visits. No further news as of 31 December 2015. **Background:** Al-Basham has published several online articles defending the rights of prisoners of conscience and is involved in other humanitarian and social activities.

#### Brief detention

#### **Mohammed AL-FAZARI:**

**Profession:** Human rights defender and blogger, founder and editor of the online magazine *Citizen* **Date of arrest:** (1) 30 August 2014 (2) 22 December 2014 **Date of release:** (1) 4 September 2014 (2) 22 December 2014. **Details of arrest:** (1) On 30 August 2014 al-Fazari was reportedly summoned by the General Directorate of Inquiries of the Oman Police and detained incommunicado until 4 September when he was released without charge. (2) According to PEN's information al-Fazari was reportedly stopped at Muscat international airport by security authorities who informed him that a travel ban had been issued against him. He was informed that he must appear immediately before the Special Division of the Omani Police. He was arrested when he complied without being informed of any charges laid against him. He was held incommunicado during detention. **Background:** *Citizen* has been known to publish articles on corruption in government departments, including the Public Prosecution Offices. **Update:** Despite the travel ban issued in December 2014, Mohammed al-Fazari reportedly fled the country and arrived in London on 17 July 2015. Consequently, his family has suffered pressure and threats. On 22 July 2015, his brother, Mohmoud al-Fazari, was reportedly detained. He was summoned by the Special Division of the Omani Police General Command in Muscat for questioning about his brother. No further news as of 31 December 2015.

#### **QATAR**

#### Imprisoned - Main case

#### **Mohammed Ibn AL-DHEEB AL-AJAMI:**

**Profession:** Poet **Date of Birth:** 1975 **Sentence:** 15 years' imprisonment, reduced from life imprisonment on appeal. **Date of arrest:** 16 November 2011 **Details of arrest:** Al-Ajami was summoned on 16 November 2011 to the Qatari state security to be interrogated about a poem entitled 'Tunisian Jasmine', which he wrote in January 2011 and in which he criticised governments across the Gulf, stating that 'We are all Tunisia in the face of the repressive elite'. He previously recited a poem that criticised Qatar's Emir, which was posted online in August 2010. Held incommunicado for four months before being allowed family visits. **Current place of detention:** Doha's Central Prison **Details of trial:** Sentenced to life imprisonment on 29 November 2012 on charges of "inciting the overthrow of the ruling regime" and "criticising the ruler". According to his lawyer, he was subjected to an unfair trial, held behind closed doors in the capital Doha. Al-Ajami was not himself allowed in court and the defence was barred from making oral arguments. The sentence was reduced on 25 February 2013 to 15 years' imprisonment, and upheld on appeal on 21 October 2013. **Honorary member:** Austrian PEN, German PEN and PEN American Center **PEN Actions:** RAN 72/12 and Update #1. Delegates from PEN International and PEN American Center attempted to visit him in October 2013, but were denied access. [International Poetry Day](#) case 2014 and [2015](#)

#### **SAUDI ARABIA**

#### Imprisoned - Main case

#### **Raif BADAWI:**

**Profession:** Editor of the website *Free Saudi Liberals* **Date of Birth:** 1987 **Sentence:** 10 years in prison, 1,000 lashes and a fine of 1 million Saudi riyals (approx. US\$266,631) **Date of arrest:** 17 June 2012 **Details of trial:** Raif Badawi was arrested on 17 June 2012 in Jeddah after organising a conference to mark a 'day of liberalism'. The conference, which was to have taken place in Jeddah on 7 May, was banned by the authorities. On 29 July 2013, a court in Jeddah sentenced Badawi to seven years and three months in prison and 600 lashes after he was convicted under the information technology law of "founding a liberal website," "adopting liberal thought" and for insulting Islam. The online forum, Liberal Saudi Network - created to foster political and social debate in Saudi Arabia - was ordered closed by the judge. According to reports, the appeal, submitted by Badawi's lawyer, Walid Abu al-Khair, cited procedural and evidential reasons why the conviction should be overturned and Badawi should be freed. In



December 2013, it was reported that the Court of Appeal had reversed the ruling of the District Court in Jeddah, dropped a charge of apostasy, and ordered that Badawi's case be sent for review by another court. However, on 25 December 2013 the newly-appointed judge reportedly remanded Badawi to the General Court on charges of "apostasy", stating that the lower court was not qualified to deal with the case. On 7 May 2014, Jeddah's Criminal Court sentenced Badawi to 10 years in prison, 1,000 lashes and a fine of 1 million Saudi riyals (approx. US\$266,631) on charges of "insulting Islam" and "founding a liberal website". According to PEN's information, when Badawi appeared in court to collect a written account of the verdict on 28 May 2014 he discovered the insertion of two additional penalties: a 10-year travel ban and 10-year ban from participating in visual, electronic and written media, both to be applied following his release. According to the Centre For Inquiry (CFI), in a [post dated 17 September 2014](#), the Saudi appeals court in Mecca confirmed the sentence against Badawi, and states that the lashes will be administered 50 at the time, in public, every week after Friday Prayers. **Update:** On 9 January 2015, the Saudi authorities administered the first 50 lashes in a public flogging in Jeddeh. The flogging reportedly lasted around 15 minutes, during which Badawi's hands and feet were bound. Further rounds of flogging were postponed for medical reasons, as his wounds had not healed sufficiently for more lashes to be given without jeopardising his health. New reports emerged on 1 March that he might undergo a re-trial for apostasy, which could lead to the imposition of the death penalty. In the beginning of June 2015 Saudi Arabia's Supreme Court upheld a sentence of 10 years in prison and 1,000 lashes for insulting Islam. He has no further recourse to appeal. According to news reports, the Swiss Secretary of Foreign Affairs suggested that on 28 November 2015 Badawi had been granted a pardon by King Salman bin Abdulaziz Al Saud of Saudi Arabia. However, he was not released. His wife was informed that he was transferred to an isolated detention facility in Shabbat Central prison. In protest, on 8 December 2015 Badawi started a hunger strike. According to news reports, Badawi's wife informed that he was in bad health after more than 20 days of the hunger strike. On 27 December 2015, she tweeted that he was 'losing conscious and passing out late night and this morning'. **Health concerns:** Badawi, who suffers from diabetes, is reported to be in poor health. **Other information:** His lawyer Waleed Abu al-Khair was sentenced to 15 years in prison on 6 July 2014 (see 'main case' below). **Awards:** Reporters Without Borders -TV5Monde Prize for Press Freedom 2014, PEN Canada 2014 One Humanity Award, 2015 Brussels University Alliance (VUB and ULB) Honorary Title for Freedom of Expression, Deutsche Welle Freedom of Speech Award 2015, Geneva Summit for Human Rights and Democracy Courage Award 2015, Scottish Secular Society Aikenhead Award 2015; Franco-German Prize for Journalism 2015; Sakharov Prize for Freedom of Thought from the European Parliament 2015 **Honorary Member:** PEN Canada, Danish PEN, German PEN **PEN Action:** RAN 02/13 and 8 updates; Empty Chair 81<sup>st</sup> PEN Congress Quebec. [Interview](#) with his wife Ensaf Haidar [here](#). Press release [17 June 2015 Day of Imprisoned Writer case 2015](#)

#### **Waleed ABU AL-KHAIR**

**Profession:** Lawyer, human rights activist and founding member of the Monitor of Human Rights in Saudi Arabia (MHRSA) who has also written over 300 newspaper articles **Sentence:** (1) Three months in prison (2) 15 years in prison **Date of arrest:** 15 April 2014 **Details of arrest:** According to PEN's information, Abu al-Khair was arrested at the Specialised Criminal Court in Riyadh to serve a three month sentence while he attended a trial hearing on other charges **Current place of detention:** Initially held in Al Hair prison, where there were concerns that he may have been subjected to ill-treatment, Abu al-Khair was transferred on 27 May 2014 to Briman prison in Jeddah. On 11 August 2014 he was moved again to al-Malaz prison in Riyadh, over 960 kilometers from his family in Jeddah. On 4 February 2015, he was moved again from al-Malaz prison to al-Ha'ir rehabilitation prison in Riyadh. **Details of trial:** On 4 February 2014, the Court of Appeal confirmed a three-month sentence against Abu al-Khair imposed after he had been convicted of contempt of the judiciary. According to PEN's information, Abu al-Khair was arrested to serve this sentence at the Specialised Criminal Court in Riyadh while he attended the fifth session of his trial for [other charges](#) made against him in 2013, which include: "breaking allegiance to and disobeying the ruler and disrespecting the authorities", "offending the judiciary", "inciting international organisations against the Kingdom" and "founding an unlicensed organization" (Monitor of Human Rights in Saudi Arabia), and supervising it and contributing to the establishment of another (the Saudi Civil and Political Rights Association - ACPRA); and "preparing, storing and sending material harmful to public order". On 6 July 2014, the Specialized Criminal Court, Saudi Arabia's terrorism tribunal, [sentenced](#) him to 15 years in prison, a 15-year ban on travel abroad, and a fine of 200,000 Saudi Riyals (equivalent to approximately US\$53,000) on a number of broad and vaguely worded charges that are believed to stem solely from his peaceful activism, including comments to news outlets and on Twitter criticizing Saudi human rights violations. According to MHRSA, Abu al-Khair refused to recognize the legitimacy of the court or defend himself against the charges. He also refused to sign a copy of the trial judgment or to appeal the conviction or his sentence. MHRSA [stated](#) on 12 August 2014 that it believes his prison transfers are a punitive measure for Abu al-

Khair's refusal to recognise the court. **Update:** The Public Prosecutor appealed the sentence at the Court of Appeal in Riyadh, which on 15 January 2015 ruled that he should serve the entire 15-year sentence in prison, on the grounds that he had not shown any contrition for his "offence". On 15 February 2015, the Specialised Criminal Court of Appeal in Riyadh once again confirmed the sentence. In April 2015, Abu al-Khair was reportedly attacked by other inmates who were encouraged by the prison administration. According to Amnesty International, after receiving medical treatment he reported the attack to the prison authorities. The following day, three guards reportedly raided his prison cell and went through all his belonging leaving them on the floor. They were supposedly looking for forbidden items, although nothing was found. Following this inspection Abu al-Khair denounced the poor prison conditions, the scarce access to adequate food and basic services, as well as the corruption in prison. No further news as of 31 December 2015. **Other information:** On 3 December 2014, Abu al-Khair's wife was prevented from leaving the country to advocate for his release abroad and was told by officials at the King Abdulaziz International Airport in Jeddah that the ministry of interior had issued a travel ban. She was on her way to attend the European Union (EU) NGOs Forum on Human Rights. She has divorced her husband, apparently under pressure from the authorities. **Awards:** Abu Al-Khair is the recipient of the [2012 Olof Palme Prize](#); [Ludovic-Trarieux Human Rights Prize 2015](#).

#### **Fadel AL-MANASEF**

**Profession:** Human rights defender, blogger and founding member of Al Adalah Center for Human Rights. **Sentence:** 14 years in prison and a fine of SAR100,000 (approx. €19,300) **Date of arrest:** 2 October 2011 **Details of trial:** Fadel al-Manasef was originally sentenced on 17 April 2014 by the Specialized Criminal Court in Riyadh to 15 years in prison, a 15 year travel ban to commence on his release and a fine of SAR100,000 (approx. €19,300). The charges against him relate to incitement and participation in protests, writing articles against state security and publishing them online, signing an anti-government petition and contacting foreign media outlets without authorization and taking reporters to protests and giving them harmful information on the Kingdom. He has been in detention since his arrest on 2 October 2011. On 9 September 2014, the Specialized Criminal Court in Riyadh reduced the prison sentence and travel ban by one year following reconsideration of the sentence by the Specialized Criminal Court of Appeal. The prison term and travel ban have now both been reduced to 14 years but the fine remains the same. The reduction in sentence was based on two main observations received from the Specialized Criminal Court of Appeal. Firstly, that there was no evidence for the accusation that the human rights defender was involved in the establishment of a prohibited human rights organisation. The Judge agreed with this observation and dismissed the accusation. Secondly, it was argued that the sentence was too harsh. As a result the judge decided to reduce the sentence. The sentence is therefore now based on four charges, namely attempting to compromise the authority of the King and working against national security and stability; producing, storing and disseminating information prejudicial to public order and mores in contravention of the Anti-Cyber Crime Law; communicating with foreign media in an attempt to exaggerate news of abuse by the government and to disrupt the citizens of Saudi Arabia; and signing a memorandum containing falsities directed at the government. In an appeal hearing on 22 December 2014, the Specialized Criminal Court of Appeal in Riyadh upheld the sentence. He remained in prison as of 31 December 2015.

#### **\*Ashraf FAYADH (Palestinian national)**

**Profession:** Poet and artist **Date of arrest:** 1 January 2014 **Sentence:** Four years in prison and 800 lashes, converted to a death sentence following a re-trial **Details of arrest:** Initial reports suggested he was accused of "blasphemy" due to the atheist content of his work and of "having long hair". Court documents later showed that he was first arrested in summer 2013 because of a complaint that a citizen submitted to the Saudi Committee for the Prohibition of Vice and Promotion of Virtue. Allegedly, he was accused of "misguided and misleading thoughts". He was later released on bail and rearrested on 1 January 2014 on charges of "insulting the divine self" and "having long hair". **Current place of detention:** He has been held in a prison in the city of Abha ever since his arrest **Details of trial:** During his trial held over six hearings between February and May 2014, Fayadh stood accused of numerous blasphemy-related charges, including insulting the "divine self" and the prophet Mohammed, spreading atheism, refuting the Quran, and insulting the King and the Kingdom, among other charges. Evidence compiled against him included at least 10 pages from his collection of poetry *Instructions Within*, published by the Beirut-based Dar al-Farabi in 2008 and later banned from distribution in Saudi Arabia. Also used as evidence against him were Twitter posts, and conversations he had had in a coffee shop in the city of Abha, where he lived. Fayadh was also accused of having illicit relations with foreign women for having images on his mobile telephone. Witness testimony reportedly claimed that the complaint submitted to the Saudi Committee for the Promotion of Virtue was the result of a

personal dispute. During the last session, Fayadh expressed repentance for anything in the book that religious authorities may have deemed insulting, stating, according to trial documents, 'I am repentant to God most high and I am innocent of what appeared in my book mentioned in this case'. According to court documents, on 30 April 2014, the General Court of Abha found proof of Fayadh having committed apostasy (ridda) and his repentance for it. The court therefore ruled to lift the penalty for apostasy, however, it sentenced him to four years in prison and 800 lashes – to be administered 50 at a time every 10 days – for storing images on his mobile telephone, and the confiscation of his telephone. On 17 June 2015, the General Court of Abha sentenced Fayadh to death for the crime of being an infidel (kufr) following a re-trial. The court argued that Fayadh's repentance for the crime of apostasy was a matter of the heart and should have no bearing in determining whether or not the crime had been committed. On 14 December 2015, news reports suggested that he was appealing his conviction. Reportedly, the appeal states that the accusations of public blasphemy and promotion of atheism are uncorroborated. Firstly, the religious police officers detained Fayadh following the testimony of a man who had personal disputes with the poet and without corroborating evidence. In second place, his lawyer suggests that he also converted several people to Islam and finally, that the judge did not regard Fayadh's mental illness. **Conditions in detention:** According to PEN's information, he has been ill-treated in prison, he has been denied family visits and phone calls. **Background:** Fayadh is a member of the Shattah group which illustrate the new generation of artists in Saudi Arabia and has been engaged in well-known exhibitions of contemporary art. He also curated London's [Edge of Arabia](#) exhibition and co-authored [Rhizoma](#) a book where that exposes the transformation of arts scene in Saudi Arabia. English translations of the poetry used in evidence against him are available here. Other poetry by Fayadh, is available here and here. The work upon which authorities are charging him is a collection of poems he published in 2008, entitled *Instructions Within*. Mona Karen, a Bedouin human rights activist from Kuwait who has been advocating for Fayadh's release, suggested that he may be imprisoned due to the publication of a video of Abha's religious police lashing a young man in public. **Other information:** On 11 February 2014, one hundred intellectuals of Arabian countries issues a [petition](#) demanding Fayadh's release. In addition, there has been a significant support and campaigning through social media. Mona Karen, has been engaged in a translation movement for Fayadh's work. She translated a poem entitled, '[Frida Kahlo's Mustache](#)' and the poem '[Asylum](#)'. On 3 December 2015, the UN Office of the High Commissioner of Human Rights released a [statement](#) urging his release. **Honorary member:** German PEN **PEN Action:** RAN 13/15 press statement [27 November 2015](#), [joint letter](#) by writers worldwide, participation in global poetry reading of Fayadh's work on [14 January 2016](#) [**Stop press:** On 2 February 2016, a Saudi Arabian court commuted Fayadh's death sentence to an eight year prison term.]

#### \*Zuhair KUTBI

**Profession:** Prominent writer, commentator and critic **Sentence:** Four years in prison (with two suspended, a five-year travel ban, a fine and a 15-year ban on writing and giving interviews **Date of arrest:** 15 July 2015 **Details of arrest:** According to Amnesty International, Kutbi was arrested at his home in Mecca on 15 July 2015 by members of security forces. It is believed that he was detained due to his appearance at *Fi al-Samim* (To the Point) on 25 June 2015, where he criticised political and religious repression and called for reforms, such as the change to a constitutional monarchy in Saudi Arabia. **Current place of detention:** Mecca Prison **Details of trial:** According to Amnesty International, on 21 December 2015 the Specialized Criminal Court (SCC) in Riyadh sentenced Kutbi to four years in prison by, followed by a five-year ban on overseas travel, a fine of 100,000 Saudi Arabian riyals (about US\$26,600) and a 15-year ban on writing and giving interviews to the media. The court also ordered him to erase his social media accounts. It suspended two years of his four-year sentence because of his health, but indicated it would re-impose them if he 'offended' again. **Conditions of detention:** Reportedly, he was beaten and ill-treated during interrogation. **Health concerns:** He requires medical attention as he is recovering from cancer operation. He also has diabetes and high blood pressure. **Background:** Since the 1990's, Kutbi has been harassed, detained, fined and sentenced up to six times. The major reasons behind these attacks are his peaceful activism and his repeated demands for governmental reform and being critical to prison conditions in Saudi Arabia. Reportedly, he had already been asked to sign a pledge to not discuss about public issues in social, written and broadcast media.

#### Detained – investigation

#### \*Walid Eldoud ELMAKKI ELHUSSEIN (Sudanese national):

**Profession:** Journalist and editor of website *Al Rakoba* **Date of arrest:** 23 July 2015 **Details of arrest:** According to Reporters Without Borders, he was arrested by six men in plainclothes and a police officer at his house. The reasons behind his arrest are unclear and reportedly, no charges against him have been brought. He has not been able to contact with his lawyer, despite his family has been able to visit him. Reportedly, his family suggests that he is being

well treated. No further information as of 31 December 2015. **Background:** Originally from Sudan, he has been living in Saudi Arabia since 2000. In 2005 he launched *Al Rakoba*, where news contents and articles about Sudan and its regional development were often posted. Reportedly, authorities had already banned this website several times. According to Reporters Without Borders, an officer informed el-Hussein that he could be deported to Sudan where he fears to suffer torture. **Honorary member:** Austrian PEN [**Stop press:** According to reports dated the 15<sup>th</sup>, 16<sup>th</sup>, and 24<sup>th</sup> March 2016, the Saudi authorities released Elhussein unconditionally on 13th March.]

#### Sentenced

**Dr. Abdulrahman AL-SUBAIHI, profession:** Lawyer

**Bander AL-NOGAITHAN, profession:** Lawyer

**Abdulrahman AL-RUMIAH, profession:** Lawyer

**Sentence:** Eight years in prison followed by a 10-year travel ban (Subaihi), five years in prison followed by a seven-year travel ban (Nogaithan and Rumiah) **Details of Trial:** The three lawyers were sentenced by the Specialised Criminal Court in Riyadh on 27 October 2014 after they were found guilty of violating Article 6 of the cyber-crime law by “impinging on public order” in their tweets. They were reportedly convicted on a list of offences including, “criticising the ruler’s decisions,” “criticising the judiciary and describing some judicial decisions as unjust,” “accusing a court in Riyadh of losing files,” “blaming the Ministry of Justice for lying and violating the law,” “interfering in the independence of the judiciary by criticising a trial and accusing the Minister of Justice of being behind it,” and “accusing the Supreme Judicial Council of prosecuting upright judges and exonerating corrupted ones.” Prior to their convictions, on 1 June 2014, they were reportedly fined a combined total of 1,250,000 riyals (approx. US\$333,000) and banned from using social media. Their licences to practice have also been revoked, according to reports. According to Amnesty International, the tweets for which Nogaithan was sentenced included: “Lawyers are monitoring the catastrophic performance of the Ministry of Justice, wrapped in lies and fraudulent media reports unique in the history of Saudi Arabian ministries.” They were reported to be planning to appeal **Update:** Believed to remain free as of 31 December 2015.

#### **Mukhlif AL-SHAMMARI**

**Profession:** Well-known writer and activist **Sentence:** (1) Five years in prison (2) two years in prison and 200 lashes **Details of trial:** Charged for articles he has written and, in particular, for a video he posted on YouTube in which two girls described being mistreated. (1) He was sentenced on 17 June 2013 by a Jeddah court that specializes in national security and terrorism cases. His sentence was upheld by a Riyadh criminal court on 4 March 2014. Al-Shammari stands convicted of trying to discredit the reputation of kingdom in the eyes of domestic and international public opinion, insulting the clergy and inciting divisions within the people. As well as five years in prison, the sentence includes a ban on writing for newspapers or websites or appearing in the media, and a ten-year ban on travelling abroad. (2) Al-Shammari was reportedly sentenced by a special criminal court in Al-Khobar to two years in prison and 200 lashes on 3 November 2014. Al-Shammari was convicted and sentenced two weeks after being ordered to close his twitter account in connection with a separate complaint. He was reportedly convicted of organising an unauthorised dinner with dissidents following his release from prison in 2012, associating with Shiite clerics, agitating public opinion and reminding the public of the importance of coexistence between Sunnis and Shiites. In a letter to Saudi Arabia’s human rights commission, he confirmed having sent a tweet calling for coexistence between Sunnis and Shiites. According to Amnesty International, al-Shammari was informed on 22 November 2015 that this sentence had been upheld by the court of appeal on 2 November 2015. Believed to remain free at the end of theyear, but at risk of arrest and flogging. **Background:** Al-Shammari has been the target of previous prosecutions and was arrested on 15 June 2010 for articles posted on the Saudiyoon and Rasid news websites criticizing political and religious leaders.

#### Released

#### **Wajeha AL-HUWAIDER (f):**

**Profession:** Leading journalist, novelist and women’s rights activist **Sentence:** 10 months in prison and two-year travel ban **Details of arrest:** The case dates back to 6 June 2011, when the pair were contacted by a Canadian woman, Nathalie Morin, who had been locked in her home in the city of Dammam with her three young children by her Saudi husband without sufficient provisions. Wajeha al-Huwaider and fellow activist Fawzia al-Oyouni arrived with food and water to help her, and were immediately arrested. They were initially charged with kidnapping because Morin’s husband alleged they intended to take Morin and the children to the Canadian Embassy in Riyadh. Al-Huwaider and al-Oyouni were released on 7 June 2011, and believed the charges had been dropped. However,

**Details of trial:** Over a year later, in July 2012, they were called in for questioning about the Women2Drive campaign, a campaign for Saudi women to be allowed to drive which both al-Huwaider and al-Oyouni have pioneered. Following their summons they were informed that charges against them in the Morin case would be referred to court. The trial began in December 2012, and on 15 June 2013 they were found not guilty of kidnapping, but convicted of ‘takhbib’ – inciting a woman against her husband. Al-Huwaider and al-Oyouni submitted an appeal on 12 July 2013 and on 24 September; the Court of Appeal in Dammam upheld the sentence. They remained free at the beginning of 2015. **Update:** According to an [article](#) published on 4 September 2015 in *The Guardian*, al-Huwaider and other activists were informed in June that they were able to travel freely again and that they would not have to serve their sentence in prison. **Background:** Leading writer and journalist Wajeha a-Huwaider has been subjected to harassment since May 2003, when she was first banned from publishing. She continues to publish on-line and overseas, and also writes poetry and short stories. **Awards:** 2004 PEN/Oxfam Novib Free Expression award. **Honorary Member:** English PEN and Melbourne PEN. **PEN Actions:** 2004 [International Women’s Day case](#), RAN 25/13 and updates.

#### **Suad AL-SHAMMARI (f):**

**Profession:** Lawyer and co-founder of Liberal Saudi Network with Raif Badawi (see above) **Date of arrest:** 28 October 2014 **Date of release:** 1 February 2015 **Details of arrest:** Al-Shammari was reportedly arrested after being questioned in relation to some of her tweets, which were deemed to have insulted Islam and endangered public order. The tweets in question reportedly include one from 2013 in which she criticised the tenet that Muslim men should grow beards to distinguish themselves from infidels and another that combined a photograph of a man kissing a cleric’s hand and criticism of clerical arrogance and pride. No further news as of 31 December 2015.

#### **SYRIA**

*The country continues to be embroiled in an internal armed conflict which developed after widespread protests which erupted in February 2011, calling for an end to the regime of President Bashar al-Assad, were brutally repressed. The human rights situation in Syria remains appalling with widespread violations including war crimes being committed by all sides, some amounting to crimes against humanity. Tens of thousands of individuals in Syria have been arrested, often arbitrarily, in conditions amounting to enforced disappearance. They include writers and journalists. Some have been referred to the Anti-Terrorism Court in Damascus, which began work in September 2012. Torture and other ill-treatment in prison are believed to have caused or contributed to the deaths of thousands individuals reported to have died in custody since March 2011. Armed groups, including the group calling itself Islamic State, have taken control of parts of the country and are also carrying out unlawful killings, arbitrary detentions as well as torture and other ill-treatment. The conflict took an international dimension in 2015, with Russia, the United States, Bahrain, Jordan, Qatar, Saudi Arabia, and the United Arab Emirate undertaking airstrikes in the country.*

*At the beginning of the uprising, the Syrian authorities imposed a media blackout in an effort to hinder the reporting of impartial news from the ground. This blackout paved the way for the emergence of a citizen journalism movement, as an alternative media, with individuals reporting what is actually happening on a daily basis. This new media is being operated mainly by young men and women. Syrian citizen journalists have been particularly targeted for attack by the government’s forces. Since March 2011, hundreds of citizen journalists have been killed either by snipers from the security forces or under torture. Hundreds who have done nothing more than to witness, report, film, and photograph acts of violence have been arrested and many have been subjected to enforced disappearance. Writers and journalists are also amongst those at risk of political and sectarian violence from government forces, pro-government militias and armed opposition groups, both in Syria and neighbouring countries. Many of those seeking refuge in Europe in 2015 in the global refugee crisis are from Syria.*

#### Killed

**\*Kenji Goto JOGO:** (Japanese national)

**Profession:** Author and freelance journalist **Date of birth:** 22 September 1967 **Date of death:** 30 January 2015

**Details of killing:** Reportedly abducted by the group calling itself the Islamic State (IS) on 24 October 2015. Following failed attempts at a ransom and prisoner exchange, he was executed by IS near the city of Raqqa on 30 January 2015.

**\*Al-Moutaz Bellah IBRAHIM**



**Profession:** Correspondent for the independent *Shaam News Network* and a freelance reporter **Date of death:** 4 May 2014 **Details of death:** Killed in Tel Abyad, a Syrian town north of the city of Raqqa, according to Shaam and the Beirut-based Skeyes Center for Media and Cultural Freedom. Ibrahim was kidnapped by the Islamic State armed group (then called Islamic State in Iraq and Sham) in March, two months before his death, according to news reports and local press groups. His family received his body on May 7, 2014.

**\*Ahmad Mohamed AL-MOUSA:**

**Profession:** Journalist member of Raqqa is Being Slaughtered Silently (RBSS) **Date of killing:** December 2015 **Details of killing:** He was reportedly killed by a group of masked men in Idlib. The information was forwarded by the Raqqa is Being Slaughtered Silently twitter account and no further details were provided. Reportedly, he is the third journalist of the organization to be killed. According to the Committee to Protect Journalists, no one has claimed responsibility for his murder. Yet, they suggest Islamic State as responsible as the group has already killed other members of Raqqa is Being Slaughtered Silently. Reportedly, Al-Nusra Front, the Al-Qaeda affiliate which controls Idlib, announced that they were going to investigate his killing.

**\*Ruqia HASSAN (f):**

**Profession:** Journalist member of Raqqa is Being Slaughtered Silently (RBSS) **Date of killing:** July 2015 **Details of killing:** According to news reports, a Syrian journalist organization informed that she was the first female citizen journalist to be killed by the Islamic State. The exact date of her death is unknown, although her reporting through social media abruptly stopped on 21 July 2015. Reportedly, the founder of RBSS suggested that Hassan's last words were: "*I'm in Raqqa and I received death threats, and when Isis [arrests] me and kills me it's ok because they will cut my head and I have dignity its better than I live in humiliation with Isis [sic]*"

Abduction

**\*Jumpei YASUDA** (Japanese national)

**Profession:** Freelance journalist **Date of abduction:** July 2015 **Details of abduction:** According to Reporters Without Borders, he was kidnapped in an area near the Syrian border which is controlled by Jabhat al-Nusra. Reportedly, Yasuda went to Syrian in order to report about the death of another Japanese journalist, Kenji Goto, who was killed in early January 2015 in Syria (see Case List above).

Enforced disappearance

**Zaki CORDILLO:**

**Profession:** Cordillo is a playwright and a leading figure of Puppet Theatre (known in Arabic as Masrah Azil) **Date of arrest:** 13 August 2012 **Details of arrest:** Reportedly arrested in Damascus on 13 August 2012 along with his son Mihyar, an actor. He is believed to be targeted for his writings about the current events taking place in Syria. **Other information:** Cordillo has written more than eight plays including *Shade and Light*, *Captain Caracoz* and *Alma'ar* and has directed and acted in his works. He has also written dramas for children such as *Watery Dreams*, *The Active Girl* and *The Kingdom of Ants*. Cordillo remains detained incommunicado at an unknown location as of December 2014, and is considered to be at serious risk of torture and other ill-treatment. No further news as of 31 December 2015. **PEN Actions:** RAN 03/13

**Hussein ESSOU:**

**Profession:** Well-known writer from al-Hasakah, north-eastern Syria and member of the Kurdish minority **Date of arrest:** 3 September 2011 **Details of disappearance:** Reportedly arrested from his home by Air Force Intelligence agents. Thought to be detained for actively participating in anti-government protests and advocating reform in his writings. Previously detained prior to the 2011 uprising for his dissident activities. Reports from released detainees who had been held with him suggest he may have been transferred to an Air Force Intelligence branch in Damascus. They say his health condition is very poor. His family has not been allowed access to him, and has not been informed of his whereabouts or the reason for his arrest. Still believed to be detained incommunicado as of 31 December 2015.

**Khalil MA'TOUQ:**

**Profession:** 54-year-old director of the Syrian Centre for Legal Studies and Research **Date of disappearance:** 2 October 2012 **Details of disappearance:** Reportedly arrested along with his friend and assistant, 48-year-old

Mohammed Thatha, at a government security checkpoint on their way to work in the capital Damascus. Despite repeated requests from family and lawyers, the Syrian authorities continue to deny they are in custody. Such conditions increase the risk of their being subjected to torture or other ill-treatment, which is rife in Syrian prisons. In May 2013 people close to the two men received a tip-off suggesting that Khalil Ma'touq was indeed in detention and that he was in extremely bad health. According to news reports, torture and other ill-treatment is rife in detention centres operated by the Syrian security forces and detainees are routinely subjected to appalling conditions. Former detainees at Branch 235, where Ma'touq was reported to have been seen, said that they were held in poor conditions in crowded cells with inadequate access to food, water and hygienic facilities. **Health concern:** His health is seriously at risk, as he suffers from advanced lung disease and has severe breathing difficulties. He takes regular medication and must be under constant medical supervision. Because of his human rights work as Executive Director of the Syrian Centre for Legal Studies, Khalil Ma'touq was banned from travelling between 2005 and 2011. He wrote and published articles and legal studies in several newspapers and websites such as *Al-Hiwar Al-Mutamiden*. This included a research paper in which he analysed the connections between the International Criminal Court constitution and Syria's Penal Codes. Family members and colleagues of Khalil Ma'touq and Mohammed Thatha have suggested that their current detention may be related to this human rights work. Shortly before his arrest, Khalil Ma'touq had returned from a trip to France to obtain medical treatment, which may also have raised the authorities' suspicions about him. In February 2013, in response to a request for information from a group of lawyers, a public prosecutor in Damascus denied that Khalil Ma'touq was being detained. However, detainees released at that time from the State Security branch 285 in Kafr Soussa in Damascus reported seeing him held there during that month. In April, Khalil Ma'touq's lawyer reported that a State Security officer had informed him of his client's transfer to an Air Force Intelligence branch in late March. **Update:** Still detained incommunicado as of 30 June 2015. UN Security Council Resolution 2139 of February 2014 demanded the release of all those arbitrarily detained, a call reiterated by a UN Security Council Presidential Statement issued on 17 August 2015. On 2 October 2015, in the third anniversary of his disappearance, Human Rights Watch and Amnesty International published articles suggesting that he was still held incommunicado and demanding his immediate release. **Background:** Khalil Ma'touq, a prominent human rights lawyer has provided legal assistance to many victims of human rights abuses in Syria for many years. He has defended hundreds of political prisoners, journalists, and prisoners of conscience, including those tried by the Supreme State Security Court which fell far short of international standards of fair trial and was abolished in 2011. In 2012, he was involved in the trial of human rights defender Mazen Darwish and his colleagues (see above) after they were arrested during a raid on the Syrian Centre for Media and Freedom of Expression (SCM) in February of that year. The last reported sighting of Khalil was September 2013 and that there were signs he had been tortured. **Awards:** In 2015, he ended in second place on the shortlist for the Lawyers for Lawyers Award for lawyers "who work to promote the rule of law and human rights in an exceptional way and are threatened because of their work." **PEN actions:** joint statement [4 June 2013](#), [6 May 2014](#), [6 October 2015](#)

#### **Muheeb AL-NAWATHY:**

**Profession:** Palestinian journalist, used to work as a correspondent to *Al-Arabiya.net*, a Dubai-based news website  
**Date of arrest:** 5 January 2011 **Details of arrest:** Arrested in Syria 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). Thought to remain detained incommunicado as of 31 December 2015, his whereabouts are unknown.

#### **Abd al-Akram AL-SAKKA:**

**Profession:** Islamic scholar **Date of arrest:** 15 July 2011 **Details of arrest:** On 15 July 2011, Air Force Intelligence arrested Abd al-Akram al-Sakka from his home without a warrant. His family has received no information about his fate or whereabouts, and official sources have never confirmed his detention. The only indication regarding his possible place of detention was received through a released detainee, who said he had seen Abd al-Akram al-Sakka at a military court in September 2012. This could indicate that he may be held at Saydnaya Prison, where detainees in military court cases are often held. No further information as of 31 December 2015. **Background:** Abd al-Akram al-Sakka, an imam from Daraya, a town on the outskirts of Damascus, has published several books and essays on a variety of topics, including feminism. He has a history of participating in awareness raising campaigns and community work framed by a group called Shabab Daraya (Youth of Daraya). As a result, security forces arrested him several times even before anti-government protests began in March 2011.



### **Ali AL-SHIHABI**

**Profession:** Syrian Palestinian political analyst and blogger **Date of arrest:** 17 December 2012 **Details of arrest:** Reportedly arrested on 17 December 2012 by the Palestine Branch of the Syrian Military Intelligence at a checkpoint between Al-Zahra district and Al-Yarmouk Refugee Camp. He is said to be among dozens of writers, poets and playwrights to have been arrested since the start of the conflict for peacefully expressing their views about the current events taking place in Syria. Remains detained in an unknown location as of 30 June 2015; there are unconfirmed reports that he may have been killed under torture. On 17 December 2015, several human rights organizations launched a campaign for his release or clarification of his situation as it was the third anniversary of his disappearance. No further news as of 31 December 2015. **Other information:** Al-Shihabi is a leading writer and has published several books including *The World New Structure* and *Syria, Where to?*. He previously spent nine years in prison for his peaceful opposition activities. On 15 March 2013 AlKarama submitted his case to the UN Working Group on Enforced and Involuntary Disappearances (WGEID) and other UN Special Procedures and asked for their urgent intervention. In December 2013, the Syrian authorities responded to the inquiry by WGEID, stating 'he was arrested on the base of suspicions about his activities, and he still under investigation by the competent judicial authorities.' No further information about his fate or whereabouts has been revealed since then.

#### Reported missing

### **Razan ZAITOUNEH (f):**

**Profession:** Human rights defender and writer **Date and details of abduction:** Razan Zaitouneh, along with her husband, **Wa'el Hamada**, and two colleagues, **Nazem Hamadi** and **Samira Khalil**, were abducted by unknown individuals on 9 December 2013 from a joint office for the Violations Documentation Center (VDC) and the Local Development and Small Projects Support (LDSPS) in the Damascus suburb of Douma, part of Eastern Ghouta, an area under the control of a number of armed opposition groups that is being besieged by government forces. Zaitouneh was forced into hiding in 2011 after receiving threats from the Syrian authorities. In the last few months before her abduction, she received threats from at least one armed opposition group in the Eastern Ghouta area. No further information as of 31 December 2015. **Awards:** Zeitouneh has received the 2013 International Women of Courage Award. She also has received the Anna Politkovskaya Prize and, in 2011, the European Parliament's Sakhorov Prize for Freedom of Thought **PEN action:** In December 2013 PEN International signed a [joint statement](#) calling for her release

#### Detained - main case

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

**Profession:** Student, poet and blogger **Date of Birth:** 1991 **Date of arrest:** 27 December 2009 **Details of arrest:** Al-Mallouhi was detained on 27 December 2009 after being summoned for questioning. **Current place of detention:** Branch 258 of the State Security Department, Damascus. **Details of trial:** On 5 October 2010 it was reported that al-Mallouhi had been charged with spying for a foreign country. Appeared before the State Security Court on 10 November 2010. Al-Mallouhi was sentenced to five years in prison by the State Security Court in Damascus on 14 February 2011 after conviction of "revealing information to a foreign country". The verdict is final and there is no possibility for appeal. The court session was closed, and al-Mallouhi's family were banned from attending. The judge reportedly did not provide any evidence against her. On 19 October 2013 her name was included in a prisoner exchange agreement between the government and armed groups, and it was reported that she had been released. However she was taken from Douma prison to the State Security Department in Damascus, where she is still believed to be held incommunicado as of December 2014. Despite the expiry of her sentence, she has not been released. No further news as of 31 December 2015. **Other information:** For the first nine months of her arrest, Al-Mallouhi's family sought her release through diplomatic negotiations and therefore did not want any publicity on the case. However on 2 September 2010 her mother published an open letter to the Syrian president seeking information about her daughter's welfare and calling for her release. Al-Mallouhi has no known political affiliations, and sources close to the family are baffled by the charges. In its opinion [No 38/2011](#), the UN Working Group on Arbitrary Detention found that al-Mallouhi was arbitrarily held and called for her immediate release and adequate reparation. **Honorary member:** PEN Canada and Danish PEN

### **Adnan ZARRA'AI:**

**Profession:** Playwright and a script-writer **Date of arrest:** 26 February 2012 **Details of arrest:** Reportedly arrested on 26 February 2012 and detained incommunicado in the State Security detention centre in Damascus. He has

reportedly suffered a broken rib as a result of torture during his detention. Remains detained incommunicado without charge or trial as of 31 December 2014, and reports suggest he may have been moved to Saydnaya prison. No further information as of 31 December 2015. **Background:** On 19 April 2013, it was reported that Zarra'ai's wife was arrested by security forces from in Damascus and later released on 14 May 2013.

#### Detained - Investigation

##### **Jihad JAMAL (AKA Milan):**

**Profession:** A freelance journalist and blogger **Date of arrest:** 7 March 2012 **Details of arrest:** Reportedly arrested whilst having dinner at a restaurant in the Bab Sharqi district of Damascus with Sean McAllister, a reporter for Channel 4, a UK TV station, who was released six days later after being tortured and otherwise ill-treated in detention. Unconfirmed reports suggest that Jamal may have been transferred for interrogation at the Ministry Intelligence's Branch 248 before being brought before a military court in mid-May 2012, despite being a civilian and without access to legal counsel. This is his fourth arrest since the Syrian protests started in March 2011. Previously detained without charge from 14 October-30 December 2011, and on 4 August 2011 when he spent 60 days in detention. He was also arrested in March 2011 and held for one month in a solitary confinement at the Military Intelligence security centre in Damascus. Jamal has actively engaged in online dissent and helped foreign journalists to gather information about the conflict in Syria, which is believed to have led to his numerous arrests since March 2011. He was transferred to Saydnaya prison on 21 December 2012 to await trial before a Field Court - a military court which can impose the death penalty. Sentences imposed by the court are final and not subject to appeal or review. Still believed detained as of 31 December 2015, PEN International is seeking further information.

#### On trial

##### **Dia'a AL-ABDULLAH:**

**Profession:** Poet and blogger **Date of arrest:** 13 February 2012 **Details of arrest:** He was arrested from his home in Asswaida by the Air Forces Intelligence after writing an open letter entitled *As A Syrian Citizen I Announce* in which he demanded that the Syrian President step down in order to prevent further bloodshed. He was released on 19 April 2012 but faces charges. Dia'a is waiting to appear before a Military Court after being charged with "insulting the President". The date of the trial has not been set yet. According to Dia'a, he was subjected to torture in detention and all his front teeth were broken. **Background:** Al-Abdullah was previously detained for his writing on 29 June 2011, and held incommunicado until his release on 13 January 2012. Dia'a reportedly went into hiding in 2014 as he was sought for arrest by the authorities. No further news as of 31 December 2015.

#### Released

##### **Mazen DARWISH, Hussein GHREER, and Hani ZETANI**

**Profession:** Mazen Darwish is a journalist and the head of the Damascus Centre for Freedom of Expression (SCM); the other men are bloggers and members of the SCM **Date of arrest:** 16 February 2012. **Date of release:** 2 September 2015 **Details of arrest:** Arrested on 16 February 2012 after the office of SCM was raided by Air Force Intelligence. The detainees are facing trial before the Anti-Terrorism Court for "propagating terrorists acts" for his human rights and media activities in response to the ongoing conflict in Syria. Despite several hearings, none of the detainees have been brought before the court and there has been no explanation by the Air Force secret services which is holding them. There are mounting concerns for their welfare. The detainees were moved in November 2012 to Adra prison outside of Damascus. Darwish, who has been held incommunicado without access to visits until recently, has now seen lawyers and his wife. He is reported to have lost a lot of weight. Two others arrested and charged in the case, **Abdelrahman Hamada** and **Mansour al-Omri**, were reportedly released on 5 February 2013; Mansour al-Omri has since left the country. **Details of release:** In mid-July 2015 a provisional release was granted for Hani al-Zitani and Hussein Ghreer and on 10 August 2015 for Mazen Darwish. In June 2015 a general political amnesty was approved that covered the charge on which Darwish and his SCM colleagues were held. All three were released by 2 September 2015. **Details of trial:** The trial started in February 2013 and has been repeatedly postponed. It ended with the general political amnesty which led to the men's release. PEN International has joined several joint statements with other NGOs campaigning for their release. **Awards (Darwish):** The winner of the 2014 PEN Pinter Prize Sir Salman Rushdie chose to share the prize with imprisoned Syrian journalist and human rights defender Mazen Darwish; 2015 [IPI World Press Freedom Hero Award](#) recipient; 2015 UNESCO/Guillermo Cano World

Press Freedom Prize winner. **PEN Action:** Joint statements [17 May 2013](#), [17 March 2014](#), [5 September 2014](#), [10 April 2015](#), [23 July 2015](#), [10 August 2015](#), [15 August 2015](#), [2 September 2015](#)

**Yara BADR (f), Razan GHAZZAWI (f), Mayada KHALIL(f), Thannaa AL-ZITANI (f), Jwan SAID Ahmad (aka Jwan Farso), Bassam Ahmed AL-AHMAD:**

**Profession:** Bloggers and members of the Damascus Centre for Freedom of Expression (SCM) **Date of arrest:** 16 February 2012 **Details of arrest:** Arrested after the office of SCM was raided by the Air Force Intelligence. Charged by a Military Court with “processing recorded materials” which call for protests. Released on bail after one week but remained on trial. Five others were arrested and charged in the case (see **Mazen Darwish, Hussein Ghreer, and Hani Zetani**, ‘main case’ above). Bassam al-Ahmad, Yara Badr and Razan Ghazzawi are reported to have left the country. In June 2015 a general political amnesty was approved that covered the charge on which the group were held.

## TUNISIA

### Death threat

#### **\*Soufiane BEN FARHAT**

**Profession:** Journalist for *La Presse* **Date of threat:** Unknown **Details of threats:** According to the Committee to Protect Journalists, he has been threatened to death by individuals he believes are affiliated to radical Islamic groups at his home, through call phones and messages online. Reportedly, Ben Farhat has suggested that these individuals are related to radical Islamist groups. He has denounced these threats, however authorities have not been cooperative and he has not been informed if an investigation is being carried out. No further information as 31 December 2015. **Background:** Ben Farhat writes about politics in *La Presse*.

### Harassed

#### **\*Walid Mejri**

**Profession:** Editor of online newspaper *Inkyfada* **Date of harassment:** 11 December 2015 **Details of harassment:** On 10 December 2015, he was summoned by the gendarmerie anti-crime unit that questioned him on 11 December. He was questioned about the possession of security information and was informed that a he is facing a criminal defamation suit with regards to this article published in 2013. Allegedly, this article published in *Nawaat* website exposed the existence of a parallel security police unit based at Tunis airport. No further news as of 31 December 2015.

### Released

#### **Yassine AYARI:**

**Profession:** Blogger **Sentence:** Three years in prison **Date of arrest:** 24 December 2014 **Date of release:** 16 April 2015 **Details of arrest:** Ayari was reportedly arrested upon arrival at Tunisia-Carthage airport and immediately incarcerated. **Details of trial:** According to PEN’s information, reputation and morale of the army. The charges are said to relate to posts he made on social media in August and September 2014 in which he accused senior military officers of financial and administrative abuse, and criticised the defence minister for having left military posts unfilled. International law applicable in Tunisia prohibits the trial of civilians before military courts. Ayari’s lawyer, Malek Ben Ammar, requested a retrial, which the court scheduled for January 6, 2015. **Details of release:** According to 22 January 2015 reports, Ayari was interrogated on 12 January 2015 and sentenced to one year in prison on 20 January, reduced to six months by the Military Appeal Court. He was released on 16 April 2015 after serving more than half his sentence with good behaviour. **Place of detention:** Mornaguia Prison

## UNITED ARAB EMIRATES

### Enforced disappearance

**\*Dr Alyziah Khalifa al-Suwaidi, profession:** Blogger

**\*Asma Khalifa al-Suwaidi, profession:** Student

**\*Mariam Khalifa al-Suwaidi, profession:** Social media worker

**Date of arrest:** 15 February 2015 **Date of release:** 15 May 2015 **Details of arrest:** The three sisters were reportedly summoned to an Abu Dhabi police station and held in secret detention amounting to enforced disappearance by the UAE authorities after campaigning online for the release of their imprisoned brother Dr Issa al-Suwaidi by posting tweets. **Details of release:** It is unclear whether their release carries any conditions or if they were charged with any offence. No further news as 31 December 2015.

#### Imprisoned – main case

##### **Mohammed Salem AL-ZUMER:**

**Profession:** Blogger **Sentence:** Three years in prison and a fine of 500,000 Emirati Dirham (equivalent to US\$136,000) **Date of arrest:** 5 December 2012 **Details of arrest:** At approximately 9pm Mohammed Salim al-Zumer and a friend were arrested on the street by plain-clothes security officials who took their personal belongings including mobile phones and iPads. He was taken to an undisclosed location. **Details of trial:** On 25 December 2013, the Federal Court in Abu Dhabi convicted him of insulting both the head of state and the Crown Prince of Abu Dhabi in critical comments published online regarding their relationship with the private security firm Blackwater. His allegations of torture and ill-treatment during his detention were never investigated by the court. No further information as 31 December 2015. PEN is seeking an update as to whether he was released on expiry of his sentence.

##### **Osama AL-NAJJAR:**

**Profession:** Online human rights activist **Date of arrest:** 17 March 2014 **Sentence:** Three years in prison and 500,000 dirhams fine (approx. US\$ 136,000) **Details of arrest:** Najjar was reportedly arrested at his home by 10 state security officers. No reason was given for his arrest. **Details of trial:** Najjar was reportedly convicted on charges stemming from his defence of his father on Twitter. He first allowed access to his lawyer at the first hearing of his case on 23 September 2014. He was reportedly convicted on 25 November 2014 on charges of insulting the state, inciting hatred and violence, spreading false information and being a member of Al-Islah (a party affiliated with the Muslim Brotherhood). He does not have the right to appeal. No further information as of 31 December 2015. **Background:** Najjar's father, Hussain Ali al-Najjar al-Hammadi, was one of those convicted in the "UAE 94" trial, a mass trial of 94 government critics and advocates of reform charged with endangering national security in 2013.

##### **Mohammed AL-ROKEN:**

**Profession:** Lawyer who has written a number of books and journal articles on human rights, freedom of expression, and counterterrorism laws **Date of birth:** 26 September 1962 **Sentence:** Ten years in prison followed by three years of probation **Date of arrest:** 17 July 2012 **Current place of detention:** Al-Razin prison **Details of trial:** Tried as part of the "UAE 94" trial. Ninety-four defendants, including eight tried in absentia were charged with (a) Creating a secret organizational structure "whose initial aim was to turn public opinion against the Government and the leadership of the State"; (b) Communicating with "individuals and international and foreign entities and establishments based outside the State in order to distort the image of the State"; (c) Communicating with the international Muslim Brotherhood organization and other similar organizations based outside the State, and seeking from such organizations "help, expertise and financial support to serve [the group's] undeclared goal of seizing power"; (d) Investing "the funds raised from ... subscriptions, alms money, Zakat and contributions in the establishment of commercial and real estate companies, the selling and buying of residential and industrial property and agricultural land and shares registered in [the] names [of group members], with the aim of hiding the same from the authorities of the State". The trial before the State Security Chamber of the Federal Supreme Court began on 4 March 2013. Mohamed al-Roken was convicted on 2 July 2013 and sentenced to ten years in prison. The trial failed to meet international fair trial standards, including the acceptance of evidence alleged to have been extracted as a result of torture and was widely condemned by human rights organisations. There is no right of appeal. No further news as of 31 December 2015. **Background:** Mohamed Abdullah al-Roken is a well-known human rights lawyer. He was the lawyer for some members of the "UAE 5", five individuals sentenced to two to three years' imprisonment in 2012 for having expressed criticism of government policies. He also represented the "UAE 7", a group of seven individuals whose United Arab Emirates citizenship the authorities attempted to revoke in 2011, owing to their membership in the Reform and Social Guidance Association (Al-Islah). **Other information:** The UN Working Group on Arbitrary Detention found al-Roken's detention and that of 60 other of the UAE 94 to be arbitrary of 61 of the UAE 94, in its opinion 60/2013.

##### **Khalifa Hilal Khalifa AL-NUAIMI:**

**Profession:** Student and blogger **Sentence:** Ten years in prison followed by three years of probation **date of arrest:**

July 2012 **Current place of detention:** Al-Razin Prison **Details of trial:** Convicted as part of the “UAE 94” trial on 2 July 2013 (see Mohamed al-Roken above for details). **Conditions of detention:** According to the Gulf Centre for Human Rights, Khalifa al-Nuaimi was subjected to torture or other ill-treatment when first detained. According to The International Centre for Justice and Human Rights (ICJHR), al-Nuaimi was placed in solitary confinement on 23 August 2015. It is believed that the punishment is due to his appearance before the general attorney and his demands related to his rights as prisoner of conscience. No further information as 31 December 2015. **Background:** Before his arrest, he had kept an active blog which he used to express criticism of the human rights situation in the UAE and the heavy-handed approach of the State Security apparatus. A few days before his arrest in July 2012, al-Nuaimi had written about the wave of mass arrests by the UAE’s State Security apparatus: ‘You do not have the right to take a son from his father...a father from his son...a teacher from his students...a preacher from his audience...and imprison them unlawfully.’ **Other information:** The UN Working Group on Arbitrary Detention found al-Nuaimi’s detention and that of 60 other of the “UAE 94” to be arbitrary of 61 of the UAE 94, in its opinion 60/2013.

#### Detained - main case

**\*Muawiyah AL-RAWAHI** (Oman national):

**Profession:** Blogger **Date of arrest:** 24 February 2015 **Details of arrest:** Al-Rawahi was reportedly detained after driving up to a checkpoint between Oman and UAE. He was not allowed to enter the UAE and his travel documents were seized, according to news reports. He was missing until 31 May 2015 when the Emirates State Security Apparatus transferred him to Al Wathba prison. Since February he had been held incommunicado in solitary confinement. The UAE has not provided reasons of his arrest nor charges against him. The independent organization Monitor of Human Rights in Oman fears that the arrest is linked to several tweets that al-Rawahi posted in mid-2013 criticising the UAE ruling family. **Update:** According to Gulf Center for Human Rights, on 9 November 2015, al-Rawahi appeared before the Federal Supreme Court of UAE, which decided to refer him to Sheikh Khalifa Medical City hospital in order to be examined. Reportedly, the same day he published on social media that he was tortured in prison and that he had been placed in solitary confinement for four months. He also suggested that he would either start a hunger strike or even commit suicide in protest at the ill-treatment that he had suffered. No further news as of 31 December 2015. **Current place of detention:** Al Wathba prison. **Health concerns:** On 20 June 2015, his mother sent an appeal to the competent authorities in the UAE and Oman to ensure that al-Rawahi is provided with his medication. He has reportedly been suffering mental health problems for which he has to be treated. **Background:** Al-Rawahi had already reportedly been arrested in Oman in connection with a post criticising the Omani authorities for detaining several teachers and activists entitled, "Ahmed al-Bahri/Strike's Scapegoat," on his blog "Bo2 Bo2 Was3" on 12 July 2014. Al-Rawahi was reportedly summoned to appear before Omani intelligence officials for questioning about the post, and did not return home. According to the Committee to Protect Journalists, he spent four days in an Internal Security Service prison before being transferred to Al-Masarra psychiatric hospital. Then, a week later, he was reportedly transferred to the psychiatric department of Sultan Qaboos University Hospital. He was released on 11 August 2014 (see [2014 Case List](#)).

#### Released

**Waleed AL-SHEHHI:**

**Profession:** Netizen who had been active before his arrest in publicising information on Twitter about the trial of the “UAE 94” - the trial of 94 individuals in the UAE who were on trial charged with endangering national security. **Sentence:** Two years in prison and a fine equivalent to US\$137,000 **Date of arrest:** 11 May 2013 **Date of release:** 14 May 2015 **Details of arrest:** Al-Shehhi was held for 10 days at an unknown location, believed to be the state security detention centre in Abu Dhabi, before being transferred to Al-Wathba central prison. **Details of release:** released on expiry of his sentence **Details of trial:** He was accused of using Twitter to instigate incitement of the public against state security and was convicted on 18 November 2013 under Articles 28 and 29 of the Cybercrime law No. 5/2012. No further news as of 31 December 2015.

## YEMEN

#### Killed

**\*Abdul Karim Mohammed AL-KHAIWANI:**

**Profession:** Journalist, politician, former editor of *Al-Shoura* news website **Date of killing:** 18 March 2015 **Details of killing:** Two unidentified gunmen on a motorcycle reportedly shot dead al-Khaiwani in front of his home. No group has claimed responsibility for the attacks as of 31 December 2015. **Background:** Al-Khaiwani was known for criticising the policies of former President Ali Abdullah Saleh and became increasingly aligned with the Houthi movement after the uprising that ousted the Saleh. **Other information:** Al-Khaiwani was sentenced to six years in prison on the basis of interviews he conducted and articles he wrote that authorities said showed he had conspired with a Houthi rebel leader. He served only four months before being pardoned. He was also imprisoned in 2004. In 2007 gunmen abducted, beat, and threatened him in connection with an article that criticised former President Saleh. [See Case List 2004](#) and [2007](#) **Awards:** Amnesty International's Special Award for Human Rights Journalism Under Threat (2008)

#### Abducted

**\*Casey COOMBS** (US national):

**Profession:** Freelance journalist **Date of abduction:** mid-May 2015 **Date of release:** 1 June 2015 **Details of release:** Coombs who had been based in Sana'a since 2012 was reportedly abducted by Houthi militiamen in mid-May. After two weeks in captivity he was released and arrived in Oman to receive medical care. Details of his case were not made available during his abduction at the request of his family.

#### Brief detention

**\*Raymond LIDAL** (Norwegian national):

**Profession:** Freelance journalist **Date of arrest:** 28 March 2015 **Date of release:** 16 April 2015 **Details of arrest:** Lidal was reportedly detained by security forces controlled by the Houthi movement under espionage charges while he was filming the Saudi-led coalition airstrikes in Sana'a. He reportedly did not have adequate press credentials at the time, and was on a student visa. No further news as 31 December 2015. **Details of release:** After being released, Lidal was evacuated from Yemen along with other foreign citizens.

#### Harassed

**\*Nabil AL-SHARABI**

**Profession:** Editor at *Akhbar al-Yom* newspaper **Date of harassment:** 5 March 2015 **Details of harassment:** Five men carrying assault rifles reportedly broke into the building housing the newspaper's staff. They reportedly took al-Sharabi and four colleagues to the newspaper's office in the building next door where they forced him at gunpoint to sign a pledge not to 'engage in any acts that opposed them.' They released him four hours later. The assailants were reportedly bearing Ansar Allah stickers; one wore a Special Security Forces uniform while others were in civilian clothing. **Background:** Ansar Allah is a Zaidi Shia militia also known as Houthis. According to Human Rights Watch, at the beginning of 2015 the group was responsible for several attacks against Yemeni media.

#### Case closed

**Majed KAROUT:**

**Profession:** Journalist for the news website *Masdar Online* **Sentence:** One year in prison, suspended **Details of trial:** he was convicted by a court in Al-Bayda on 4 June 2012 of "posting lies in Facebook". The lawsuit was filed by the financial director of the official communication agency in Al-Bayda, after a photo and a letter were published on the internet. The letter, signed by employees of the agency denouncing alleged corruption at their workplace, was posted on Facebook by another person in February 2011. Karout was tagged in the accompanying photo, despite not being its author. The journalist was not notified by the court about the charges against him or the hearings in this trial. An appeal was filed against the imprisonment sentence, the third session of which was heard in February 2013. There are fears that the reason for this trial and conviction is an attempt to stop Karout from continuing investigating and reporting on issues of local corruption. On 10 March 2014 an appeals court in Al-Baydha upheld his one-year suspended jail sentence and 100,000 rial (\$465). No further information as 31 December 2015, case closed.

## List of Centres with Honorary Members

### PEN American Centre

Azerbaijan	Khadija ISMAYILOVA
Cameroon	Dieudonné Enoh MEYOMESSE
China	LIU Xia HADA LIU Xiaobo SHI Tao YANG Tongyan
China/Tibet	WOESER Dolma KYAB
China/XUAR	Nurmuhemmet YASIN Ilham TOHTI
Ethiopia	Eskinder NEGA
Eritrea	Emanuel ASRAT Temesken GHEBREYESUS Mattewos HABTEAB Dawit HABTEMICHAEL Dawit ISAAC
	Seyoum TSEHAYE
Iran	Nasrin SOTOUDEH
Myanmar/Burma	AUNG Than ZEYA Aung
Qatar	Mohammed al-AJAMI
Turkey	Ayşe BERKTAY Ragıp ZARAKOLU
Uzbekistan	Mohammed BEKJANOV Mamadali MAHMUDOV
Vietnam	NGUYEN Xuan Nghia

### Austrian PEN

Cameroon	Dieudonné Enoh MEYOMESSE
Saudi Arabia	Waleed al-HUSSEIN

### Basque PEN

Iran	Adnan HASSANPOUR
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### Belgian PEN

Egypt	Fatima NAOOT
Iran	Narges MOHAMMADI Mahvash SABET

### PEN Canada

Azerbaijan	Khadija ISMAYILOVA
China	Khadija ISMAYILOVA HADA LIU Xiaobo YANG Tongyan (aka Yang Tianshui)
Eritrea	Emanuel ASRAT Yusuf Mohamed Ali



		Said Abdelkader
		Temesken GHEBREYESUS
		Mattewos HABTEAB
		Dawit HABTEMICHAEL
		Dawit ISAAC
		Seyoum TSEHAYE
		Fesshaye Yohannes
	Ethiopia	Reeyot ALEMU
		Eskinder NEGA
	Mexico	José Armando Rodríguez Carreón
		Marco Antonio López Ortiz
	Russia	Anna POLITKOVSKAYA
	Saudi Arabia	Raef BADAWI
	Syria	Tal Al-MALLOUHI
	Turkey	Ayşe BERKTAY
	Uzbekistan	Muhammad BEKZHON (BEKJANOV)
		Dilmurod SAIDOV (pen-name: SAYYID)
<b>Catalan PEN</b>		
	China/Tibet	Kunchok Tsephel Gopey Tsang
	Honduras	Dina Meza
	Iran	Mohammad Sadiq Kabudvand
	Syria	Dia'a Al-Abdullah
<b>Czech PEN</b>		
	China	LIU Xiaobo
		GAO Yu
	Cuba	Jorge Olivera
<b>Danish PEN</b>		
	China/XUAR	Ilham TOHTI
	China	LIU Xia
		GAO Yu
		YAO Wentian
	Egypt	Omar HAZEK
	Iran	Narges MOHAMMADI
		Mahvash SABET
	Saudi Arabia	Raif BADAWI
	Syria	Tal Al-MALLOUHI
	Turkey	Muharrem ERBEY
		Nedim ŞENER
		Ahmet ŞIK
		Deniz ZARAKOLU
<b>English PEN</b>		
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	Cameroon	Enoh Meyomesse
	Egypt	Omar Hazek
	Iran	Mahvash Sabet
	Qatar	Mohammed al-Ajami
	Saudi Arabia	Waleed Abu Al-Khair
	Turkey	Can Dundar

	Uzbekistan	Mamadali Makhmudov
<b>PEN Eritrea</b>	Eritrea	Emanuel ASRAT Yusuf Mohamed Ali Said Abdelkader Temesken GHEBREYESUS Mattewos HABTEAB Dawit HABTEMICHAEL Dawit ISAAK Seyoum TSEHAYE Fesshaye Yohannes Irdriş Aba'are Sahle Tsezagab Medhanie Haile Miriam Hagos Irdriş Mohamed Ali Ahmed "CNN" Saleh Irdriş "Jeze'iri"
<b>Finnish PEN</b>	Kazakhstan Eritrea	Aron Atabek Dawit ISAAK
<b>French PEN</b>	Vietnam	DANG Phuc Tue (religious name: Thich Quang Do)
<b>German PEN</b>	China China/Tibet Qatar Saudi Arabia Turkey Turkey Turkey Vietnam USA	LI Bifeng LIU Xiaobo SHI Tao Dolma KYAB Mohammed Ibn al-DHEEB al-AJAMI Raif Badawi Ashraf Fayadh Deniz ZARAKOLU Ragıp ZARAKOLU Pinar SELEK Can Dünder Erdem Gül DANG Phuc Tue (religious name: THICH Quang Do) Mumia Abu Jamal
<b>Guatemalan PEN</b>	China	GUO Quan
<b>Iceland PEN</b>	China	LIU Xiaobo

**Independent Chinese PEN Centre (ICPC)**

Bahrain	Abduljalil al-SINGACE
China	CHEN Shuqing CHEN Wei CHEN XI CHEN Yongzhou GUO Quan GUO Yushan GUO Zhongxiao HADA HE Zhengjun HUANG Kaiping HUANG Zerong LI Bifeng LI Tie Liu Haitao LIU Xianbin LIU Xia LIU Xiaobo (Honorary President) LU Jianhua PU Zhiqiang QI Chonghuai WANG Jiamin XU Zhiyong YANG Maodong YAO Wentian ZHANG Miao
China/Tibet	BHUDHA (pen-name: Buddha the Destitute) DHONKHO Jangtse (aka Rongke, pen-name: Nyen) GANGKYE Drubpa Kyab Gartse JIGME DROKRU Tsultrim KHELSANG (KALSANG) Jinpa (pen-name: Garmi)
China/XUAR	Hailaite NIYAZI (aka Hairat or Gheyret Niyaz) Ilham TOHTI Nurmuhemmet YASIN

**Italian PEN**

China	YANG Tongyan (aka Yang Tianshui)
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**Japan PEN**

China (XUAR)	Ilham TOHTI
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**Melbourne PEN**

Belarus	Irina KHALIP Natalya Radina
Papua New Guinea	Behrouz BOOCHANI
Saudi Arabia	Wajeha AL-HUWAIDER

	Turkey	Ragıp ZARAKOLU Professor Büşra ERSANLI
	The Gambia	Seedy Bojang
<b>Netherlands PEN</b>		
	Turkey	Ragıp ZARAKOLU
<b>New Zealand PEN</b>		
	Belarus	Irina KHALIP
<b>Norwegian PEN</b>		
	Azerbaijan	Khadija Ismayilova
	Turkey	Hrant DINK
<b>Palestinian PEN</b>		
	Palestine	Mohammad al-Qiq
	Saudi Arabia	Ashraf Fayyad
<b>Portuguese PEN</b>		
	China	LIU Xiaobo
<b>Quebec PEN</b>		
	Saudi Arabia	Raif Badawi
<b>San Miguel de Allende PEN</b>		
	Turkey	Ragıp ZARAKOLU
	China	LIU Xiaobo
<b>Swedish PEN</b>		
	Afghanistan:	Samay Hamed
	Bangladesh:	Taslima Nasrin
	Bangladesh	Anisur Rahman
	Bangladesh	Tasneem Khalil
	Belarus	Svetlana Aleksijevitj
	China	GAO Yu Liu Di Xu Xiao
	Cuba	Omar Moisés Ruiz Hernandez
	Eritrea	Dawit ISAAC
	Iran	Adnan HASSANPOUR Mohammad Sadiq KABUDVAND Jafar Panahi Nasrin Sotoudeh Nasser Zarafshan
	Iran	Parvin Ardalan
	Mexico	Lydia Cacho
	Russia	Marija Aljochina Jekaterina Samutsevitj Nadezjda Tolokonnikova

Saudi Arabia	Raef BADAWI Ashraf FAYADH
Syria	Faraj Bayrakdar
Turkey	Can DÜNDAR Muharrem Erbey Esber Yagmurdereli Ragip Zarakolu, Turkey (ICORN guest writer) Asiye Zeybek, Turkey
Vietnam	Bùi Chát

#### Swiss German PEN

Turkey	Erol ÖZKORAY Pinar SELEK
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#### Swiss Italian PEN

China	LIU Xiaobo LIU Xia
Turkey	Muharrem ERBEY Deniz ZARAKOLU

#### Suisse Romand PEN Centre

China/Tibet	BHUDHA (pen-name: Buddha the Destitute) DHONKHO Jangtse (aka Rongke, pen-name: Nyen) KHELSANG (KALSANG) Jinpa (pen-name: Garmi)
Vietnam	LU Van Bay NGUYEN Tien Trung

#### Sydney PEN

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China/Tibet	Ngawang Oeser Jampel Changchup Ven Ngawang Phulchung Ngawang Gyalsten
Cuba	Blas Giraldo Reyes Rodriguez Léster Luis González Pentón Miguel Galván Gutiérrez
Iran	Mohammad Sadiq Kabudvand
Myanmar/Burma	Zargana Aung Myint
Vietnam	NGUYEN Van Ly Nguyen Vu Binh Pham Hong Son Thích Huyền Quang

#### Turkish PEN

Turkey	Mustafa BALBAY
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Ayşe BERKTAY  
 Muharrem ERBEY  
 Professor Büşra ERSANLI  
 Nedim ŞENER  
 Ahmet ŞIK  
 Ragıp ZARAKOLU

**Uyghur PEN**

China GUO Quan

**PEN USA**

Bangladesh Salah Uddin Shoaib CHOUDHURY  
 Ethiopia Eskinder Nega  
 Ukraine Muhammad BEKZHON (BEKJANOV)  
 Uzbekistan Mohammed BEKJANOV  
 Angola Rafael Marques de Morais  
 Hrant DINK

<b>Worldwide Case list Statistics January -December 2015</b>				<b>Note: Some writers are included in more than one category (eg are both a poet and a journalist, so total number of writers is less than total of each category)</b>						
	<b>Total</b>	<b>Writer</b>	<b>Poet</b>	<b>Journalist</b>	<b>Publisher</b>	<b>Blogger</b>	<b>LGBT</b>	<b>Defamation*</b>	<b>Religious defamation **</b>	<b>Digital</b>
Killed	34	6	1	22	1	4	0	0	18	7
Killed: motive unknown	23	0	0	18	2	4	0	0	0	10
Killed: impunity	80	3	3	72	2	4	2	0	0	17
Executed	0	0	0	0	0	0	0	0	0	0
Death in custody	1	0	0	0	0	0	0	0	0	0
Enforced disappearance	14	2	0	6	0	2	0	0	0	4

Enforced disappearance: impunity (ongoing)	0	0	0	0	0	0	0	0	0	0
Abduction	3	0	0	3	0	0	0	0	0	0
Abduction: impunity (ongoing)	0	0	0	0	0	0	0	0	0	0
Reported missing	9	2	0	6	2	1	0	0	0	1
Reported missing: impunity (ongoing)	0	0	0	0	0	0	0	0	0	0
Imprisoned: main case	127	24	8	55	2	32	0	17	6	55
Imprisoned: investigation	34	10	8	36	1	3	0	1	1	4
Detained: main case	85	12	6	53	2	7	0	1	1	19
Detained: investigation	26	6	2	11	0	11	0	0	0	15
On trial	234	36	9	288	7	13	1	33	8	34
Judicial concern	16	13	0	8	0	0	0	1	0	1
Brief detention	47	3	0	50	1	4	1	12	0	13
Death threat	29	2	1	13	1	12	0	0	14	14
Attacked/ill treated	55	6	0	49	2	10	0	0	0	11
Threatened	27	1	2	21	0	5	0	0	7	11
Harassed	98	13	1	74	1	3	0	4	2	32
Judicial harassment	41	4	1	32	5	3	0	19	5	10
Sentenced	43	5	3	20	3	6	1	16	3	15
Conditional release	28	10	1	16	2	8	0	5	0	9
<b>Total</b>	<b>1054</b>	<b>158</b>	<b>46</b>	<b>853</b>	<b>34</b>	<b>132</b>	<b>5</b>	<b>109</b>	<b>65</b>	<b>282</b>
Released	70	10	2	40	0	18	0	7	1	29
*includes: criminal/civil defamation, criminal/civil libel, seditious libel, lese majeste, insult, slander										
**includes: religious defamation, religious insult, blasphemy, hurting religious sentiment										

### Female Full Year Case List 2015

	Total
Killed	3
Killed: motive unknown	1
Killed: impunity	9
Executed	0
Death in custody	1
Enforced disappearance	0
Enforced disappearance: impunity (ongoing)	0
Abduction	0
Abduction: impunity (ongoing)	0



Reported Missing	1
Reported missing: impunity (ongoing)	0
Imprisoned: main case	8
Imprisoned: investigation	7
Detained: main case	9
Detained: investigation	5
On trial	67
Judicial concern	0
Brief detention	5
Death threat	5
Attacked/ill treated	6
Threatened	6
Harassed	23
Judicial harassment	12
Sentenced	5
Conditional release	4
<b>Total</b>	<b>177</b>
Released	12