

DIGITAL TRANSNATIONAL REPRESSION

PEN CANADA

2022/23 ANNUAL REPORT



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This is not your conventional repression.

Digital transnational repression – or DTR – is the theme of this year's PEN Canada Annual Report.

DTR refers to how regimes have mobilized sophisticated cyber armies to spread lies and innuendo, disinformation and threats, to harass, discredit, undermine and, ultimately, silence their former citizens – writers, journalists and activists now living abroad and who face the prospect of imprisonment, and worse, should they return. The barrage of attacks is relentless. It can go on for years. Every digital channel is co-opted. The defence of freedom of expression that we uphold, and the technological means to foster open societies, are turned against them. And authorities in their adopted lands seem helpless to offer any protection.

In this report, you'll read an insightful analysis of DTR and what steps the Canadian government should take to counter it by The Citizen Lab's legal advisor Siena Anstis and researcher Noura Aljizawi. You'll also read searing accounts from three women writers/activists now living in Canada who live this every day. Sheng Xue, Maryam Shafipour and Arzu Yildiz tell of how regimes, reaching across borders, have augmented conventional repression tactics with device and account hacking, faked photos and videos targeting their gender, and slanderous posts – and the very real danger that puts them in, and the toll that takes.

I want to thank Siena and Noura, for so generously offering us their expertise; Xue, Maryam and Arzu, for their relentless courage and candor in sharing their stories; and Grace and Brendan, for entrusting me with this edition.

Diana Kuprel

President's Message

Grace Westcott

The world is a complicated place. As the late, great Ursula K. Le Guin wrote: “I never knew anybody...who found life simple. I think a life or a time looks simple when you leave out the details.” At PEN Canada, we do not leave out the details, and find ourselves facing complex issues. Here are some of the major issues and events we engaged with over the past year.

DIGITAL TRANSNATIONAL REPRESSION

Let me start with the theme of the Annual Report this year: digital transnational repression or DTR. It's our theme for a very good reason. Authoritarian states, such as China, Iran, Russia, Rwanda, Saudi Arabia and Turkey, increasingly target nationals who reside outside their borders. They harass, threaten, surveil and intimidate exiled dissidents in order to silence them. A March 2022 study by The Citizen Lab, at the University of Toronto, found that the repression of activists and critics by such regimes is increasingly done via digital technologies, and through threats to family members still in their home country. For immigrants to Canada, this malign foreign outreach undermines the security, rights and freedoms they came here to find. Alarming, members of our own PEN writers-in-exile community are vulnerable to this coercion.

While the Canadian government is focusing on threats of foreign interference in our elections, the need to protect refugees and immigrants targeted by repressive foreign governments must not be overlooked. Read more, *infra*, in the article by The Citizen Lab's researchers Siena Anstis and Noura Aljizawi.

GRAEME GIBSON TALK: ONLINE DISINFORMATION AND THE DECAY OF OUR DEMOCRACIES

PEN's highly successful second annual Graeme Gibson talk was held in September 2022 at the Toronto International Festival of Authors (TIFA). Introduced by Louise Dennys, the talk featured internationally renowned expert on cyber espionage and human rights, Ron Deibert, founder of The Citizen Lab, whose report I mention above. He spoke with Nobel Peace Prize Laureate and author of *How to Stand up to a Dictator* (2021), Maria Ressa, on the subject of online disinformation and the decay of our democracies. Despite harassment and multiple lawsuits brought against her on spurious grounds by the government of the Philippines where she lives, Ressa maintains a vigorous international speaking schedule and continues to publish investigative journalism in her online newspaper, *Rappler*.

UBC GLOBAL REPORTING CENTRE

On a similar theme, PEN Canada has continued to sponsor a global survey and study by the UBC Global Reporting Centre called *Shooting the Messenger: Credibility Attacks Against Journalists*. The study examines how journalists in different countries experience and respond to threats to their credibility, such as through false or insulting claims about their conduct, gender or ethnicity. PEN Canada and the Committee to Protect Journalists continue to work with the team at the Global Reporting Centre to investigate this problem and the responses to it.

INTERNATIONAL WOMEN'S DAY AT RIDEAU HALL

In the meantime, even the Governor General of Canada is a target. On International Women's Day, I was invited to Rideau Hall by Her Excellency, Governor-General Mary Simon, to participate in a round-table conversation of women leaders concerned about the vicious abuse that women face online, and to consider how to fight it. At the same time, she made public some of the misogynistic and racist comments she has received on social media as a result of her high profile.

As the conversation made clear, online abuse aims to silence targeted women, especially BIPOC and LGBTQIA+ women, to drive them out of public life. Participants urged us to demand better from the platforms and from law enforcement. Allowing online abusers free rein in the name of free speech means effectively denying freedom of expression to those who are their targets.

In that connection, PEN Canada continues to follow the development of Canadian legislation on online harms/online safety. See the Canadian Issues and Legal Affairs Report, *infra*, for more.

ATTACK ON SALMAN RUSHDIE

The world and the PEN community were appalled in August 2022, when a lone attacker viciously stabbed Salman Rushdie while he was onstage for a conversation at the Chautauqua Institution in upstate New York. The attack very nearly killed him. Coming decades after the 1989 fatwa by the Ayatollah Khomeini calling for his death, the murder attempt was shocking: our worst fear become fact, so close to home, and while Rushdie was peacefully carrying on an ordinary life despite the target on his back. It has shaken our sense of security in our freedoms. But it is also clarifying, because it demonstrates, at its most fundamental, what we are fighting against when we fight for freedom of expression.

Thirty years ago, in 1992, early in the fatwa, PEN Canada held a remarkable benefit in Toronto in support of Rushdie. This past fall, together with Penguin Random House, the Toronto International Festival of Authors and the Writers' Trust, PEN held another event bringing famous writers to the stage for readings from Rushdie's work, to stand publicly in support of Rushdie after the attack. Many of them were his friends: Margaret Atwood, The Rt. Hon. Adrienne Clarkson, John Irving, Ian McEwan, Rohinton Mistry, Deepa Mehta, John Ralston Saul, Louise Dennys and Shyam Selvadurai.

PEN also participated in a screening by the Ageless Film Festival of a 2017 documentary, *Codename Sally*, produced by acclaimed filmmaker Sturla Gunnarsson, assisted by past PEN vice-president Suzanne DePoe and myself, and directed by Sturla's son, Ari. The film is about that famous 1992 PEN Benefit, when a handful of PEN Canada members in great secrecy brought Salman Rushdie out of hiding during the darkest days of the fatwa, to Toronto and the stage of the Winter Garden Theatre.

After the attack, PEN Canada urged the Canadian government to designate the 15 Khordad Foundation, an Iranian organization that for 30 years since the fatwa has offered a large bounty for the murder of Salman Rushdie, as a terrorist organization.

WAR, CONFLICT AND UPRISING

2022 also saw the beginning of the war in Ukraine, and the extraordinary efforts of PEN Ukraine and its president, Andrey Kurkov, to tell the world what was going on. Though most staff of PEN Ukraine had to flee their homes, they continued to operate in a dispersed fashion and through a makeshift office in Lviv, producing “Dialogues of War,” a series of English-language conversations between Ukrainian and international writers, one of them Margaret Atwood. In the spring, through the generosity of PEN patrons Lyndsay Green and Hank Intven, PEN Canada held an event in Victoria featuring PEN member Dr. Serhy Yekelchuk, professor of Ukrainian and Russian history at the University of Victoria. Born and raised in Kyiv, Dr. Yekelchuk laid out the basis of Putin’s animosity towards an independent Ukraine: “An independent Ukraine undermined the Russian imperial project, a separate Ukrainian identity undermined the project of the greater Russian ethnic nation, and the two democratic revolutions in Ukraine threatened Russian authoritarianism.”

Fall 2022 also marked 21 years of detention of Eritrean journalist Dawit Isaak and his colleagues, making them the longest detained journalists in the world today. Further, almost a year after Palestinian-American journalist Shireen Abu Akleh was shot and killed while she was reporting during an Israeli military raid in the West Bank city of Jenin, wearing a blue vest with “PRESS” written on it, there has been little accountability for her death, though there is little doubt the shot that killed her came from the IDF. Shortly after the news, PEN Canada signed a comprehensive IFEX statement drafted by the International Press Institute (IPI) calling for a full investigation.

2022 also saw the courageous uprising of women of Iran in the “Woman, Life, Freedom” movement following the death in custody of Mahsa Amini, arrested in September for wearing her hijab askew. Their astonishing bravery continues to inspire us.

RECOGNIZING AN EXTRAORDINARY BENEFACTOR

PEN Canada received an extraordinary gift from a private trust established by Leslie Mary Coull, sister of the late Gary Coull, whose generosity was the basis of the trust. Gary Coull was founder and chairman of a prominent brokerage house specializing in Asia-Pacific stock markets who began his career as a business journalist. Honouring both Gary and his sister’s long-term commitment to journalism, and recognizing the importance of PEN Canada’s mission for freedom of expression and writers oppressed for exercising that right, their trustee directed a transformational gift to PEN Canada, with the intention to provide financial stability for PEN’s future work. We are immensely grateful.

A SHOUT-OUT, OR THREE

PEN is fortunate in its active board and volunteers, but I want to give special mention to PEN board member Karen Walton, who has gone way above and beyond her board role to take on the task of building a vibrant, timely and responsive PEN 24/7 presence on social media. Through her transformative work, we have supported PEN International and PEN centres around the world, and greatly enhanced PEN Canada's voice and visibility. Much gratitude goes to her for this critical work.

And to Peter Showler, chair, Writers in Peril, a profound thank you for his extraordinary skill and dedication on behalf of PEN in working tirelessly to bring an at-risk Iranian feminist blogger to the safety of Canada, and for his expert interfacing with Ottawa on PEN's participation in the Human Rights Defender Immigration Stream.

The senior volunteers of the writers-in-exile community are among PEN Canada's most dedicated. Under the leadership of Gezahegn M. Demissie, their programs of writer support, including the Voices of Freedom reading series and a soon-to-be-published story collection, are a testament to that dedication. Again, much gratitude.

A WELCOME

We welcomed four new honorary patrons in 2022: filmmaker Sturla Gunnarsson, who gifted his film *Codename Sally* to PEN Canada; comedian, TV personality, political satirist and author Rick Mercer, for volunteering his time and talent to the Atwood Gibson Gala in 2019; and designers Jim Ryce and Gary Beelik, for their extraordinary gift of over 20 years of pro bono design work for PEN, helping PEN present itself to the world with style.

IN MEMORIAM

Finally, PEN Canada lost two of its giants this year, Clayton Ruby and Reza Baraheni.

Clayton Ruby was for many years PEN's chair of legal affairs, where he oversaw seminal interventions made by PEN Canada and advised then-president Louise Dennys how to bring Salman Rushdie to Canada for the 1992 PEN Benefit and thereafter to Ottawa to pressure the government into embracing his cause and taking it to the United Nations.

Reza Baraheni, Iranian dissident, prolific author and defiant human rights activist, was president of PEN from 2001 to 2003 and a tireless fighter for the rights of imperiled writers.

We honour their memories.



“If you don’t have facts, you can’t have truth, without truth, you can’t have trust. Without these three you have no shared reality, we can’t solve any problems, we have no democracy. That’s what social media has done. It has come in, and used free speech to stifle free speech.”

Maria Ressa

Executive Director's Message

Brendan de Caires

Last year, a friend of mine returned to a town in Chile where he had been jailed and tortured. Many of his comrades had died after similar mistreatment during the Pinochet era. He was making a documentary about the ordeal, decades later, hoping to “resignify” its memory. Awed by his courage, I remembered Milan Kundera’s aphorism that, ultimately, political resistance is “the struggle of memory against forgetting.” In this case, truth prevailed. Nearly everywhere else, it seems to be conceding.

In September 2022, we hosted Nobel laureate Maria Ressa and The Citizen Lab’s Ron Deibert at the Toronto International Festival of Authors for a discussion entitled “Dictators, Disinformation & Democracy.” Ressa has compared the civic consequences of social media to “a nuclear bomb exploding in every single mind.” In *How to Stand Up to a Dictator*, she writes: “The very platforms that deliver the news we need are biased against facts...Without facts, you can’t have truth. Without truth, you can’t have trust. Without all three, we have no shared reality, and democracy as we know it – and all meaningful human endeavors – are dead.”

The defense of a shared reality could have been the theme of PEN’s centenary congress in Uppsala that same week. At one of the opening ceremonies, Swedish writer Ola Larsmo recalled that PEN had supported writers “during the Spanish Civil war, Nazi dictatorship, communist oppression, the fatwas of the mullahs – and so on.” Mindful that he was speaking next to a local monument to Martin Luther King, he added: “We are still here. There is war in Europe, journalists [being] killed in Mexico, dictatorship in Myanmar, religious oppression in Afghanistan ... but we have been here before. The moral arc of the universe bends towards justice – if we hang on to it and bend it down with our weight.” One example of what a collective effort could achieve was the successful relocation of PEN’s entire local Afghan staff, with their families – 120 people – after the US withdrew from the country.

During the congress, there seemed to be general agreement that boycotts of Russian literature ran counter to the spirit of the PEN Charter, but there was also wariness of Moscow’s bad faith. A *Foreign Affairs* essay published just a fortnight earlier contrasted the warring parties with a brilliant metaphor. “The defense of Putin’s regime,” wrote historian Timothy Snyder, “has been offered by people operating as literary critics, ever disassembling and dissembling. Ukrainian resistance, embodied by President Volodymyr Zelensky, has been more like literature: careful attention to art, no doubt, but for the purpose of articulating values. If all one has is literary criticism, one accepts that everything melts into air and concedes the values that make democratic politics possible. But *when one has literature, one experiences a certain solidity, a sense that embodying values is more interesting and more courageous than dismissing or mocking them.*” [Emphasis mine.]

Effective digital censorship rarely seeks “denial of access, which is difficult to achieve,” but aims instead at “denial of attention, focus, and credibility.”

Almost everywhere facts are under siege. As a British intelligence official has quipped: Russia may be the weather, but China is the climate. Freedom of expression's global climate crisis was on full view at the Chinese Communist Party's 20th National Congress last October. Xi Jinping hymned the Party's praises, for two straight hours, extolling the CCP's “strategy of national rejuvenation” and its “swift and steady” reforms. Without a trace of irony, he spoke of “solid progress in developing whole-process people's democracy, and advanced law-based governance.” There was complete silence about Mao's land reforms, his famine-inducing Great Leap Forward and the innumerable horrors of the Cultural Revolution.

Strategic silence — “officially decreed amnesia” in the telling phrase of Professor Torbjörn Lodén, head of the Stockholm China Center — has become a mainstay of CCP rhetoric. Just as the Gang of Four were airbrushed out of official photographs, so too has the People's Republic found it prudent to overlook the repression of Uyghurs in Xinjiang, the erosion of democracy in Hong Kong or the disastrous economic fallout of Xi's Zero-COVID policy. If power tends to forget, one might say that absolute power forgets absolutely.

But Maoist attitudes have also surged within democracies. *Soi-disant* American conservatives, hell-bent on making the country “great again,” keep trying to purge the culture of books that dwell on the legacy of slavery — the dreaded “critical race theory” — but also of writing by queer or trans authors, or indeed anything that offends their impoverished notions of Christianity. In some cases, individual complainants have forced city librarians to “review” thousands of books for problematic content, paralyzing an entire library system and all but ensuring the disappearance of other points of view. Predictably, some of this intemperance has crept north.

There now seems to be a broad cultural undertow towards censoriousness. When I joined my PEN America colleagues for their “Stand with Salman” readings last August, on the steps of the New York Public Library, every writer who spoke with the press afterwards commented on the breadth and intensity of intolerance, across the political spectrum, in the months before the attack on Rushdie. As Ressa suggests, much of the blame should fall on the technology that has overwhelmed our daily lives.

In *Twitter and Tear Gas*, sociologist Zeynep Tüfekçi writes that effective digital censorship rarely seeks “denial of access, which is difficult to achieve,” but aims instead at “denial of attention, focus, and credibility.” Enforced silence and secrecy become unnecessary if you can “produce resignation, cynicism, and a sense of disempowerment among the people.” The transnational repression that this report focuses on is part of that tendency to impose silence through weaponized disinformation and noise. PEN’s role in resisting these disempowering narratives, and resignifying our lived experience, has never been more important.

At the end of a busy year, I am more grateful than ever for the support of Theresa Johnson, whose good humour and inexhaustible optimism make her an invaluable friend and colleague. Her panoptical scrutiny of our back-office minutiae has lowered PEN’s collective blood pressure considerably. Thanks, too, to Karen Walton, who has transformed our social media presence and is always willing to help with any PEN work, large or small. Finally, I would like to acknowledge the extraordinary work done by the outgoing chair of our Writers in Prison Committee, Peter Showler, and the unfailing energy, patience and commitment of our president, Grace Westcott.

ARTICLE

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UNIVERSAL
DECLARATION
OF HUMAN
RIGHTS



Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

SILENCING DISSENT:

The Rise of Digital Transnational Repression in Canada

Siena Anstis and Noura Aljizawi

Farah* is an Iranian-Canadian human rights defender who became a human rights activist when she was a university student in Iran. Before coming to Canada, she was arrested and prosecuted by the Iranian authorities for her efforts to promote human rights. Now, despite leaving Iran and seeking exile abroad, Farah has found little protection against the regime's repression.

*not her real name

Farah's family back in Iran has been subjected to threats and intimidation. The Iranian authorities have shown them pictures of Farah's apartment in Canada and other details about her life and ordered them to deliver threatening messages to her and to tell her to stop her activism. She has faced an onslaught of online threats that have intensified over time, including death and rape threats. She has been the target of smear campaigns on social media, including false allegations about her sexual life along with the circulation of fabricated videos and photos intended to defame and harm her reputation. Reporting social media posts and accounts to the relevant platform has been a draining and fruitless process.

Attempts to hack her devices and accounts have left Farah worried for the fate of the female activists she works with in Iran. A successful infiltration of her devices could result in the disclosure of the identities of undercover activists she works with, putting them at serious risk of detention and prosecution in Iran. As a result, Farah lives in a state of terror, socially isolated, both online and offline. She is afraid for her own safety, of causing harm to others, and of the potential exposure of sensitive information about other activists to the Iranian authorities.

Farah's situation highlights an ongoing struggle for activists, dissidents and other members of civil society who face intimidation and harassment, both in their home countries and abroad. In Canada, Farah unsuccessfully turned to government bodies for help. The police said her concerns were related to a matter of "freedom of speech" and that there was nothing they could do to help her. The response of the Canadian Security Intelligence Service (CSIS), Canada's national intelligence body, was simply to gather information from Farah without following up or offering support.

Farah is experiencing what is called *digital transnational repression*. Digital transnational repression arises when states use digital technologies as a means to silence or stifle dissent originating from abroad. The term captures the extension of practices of domestic digital authoritarianism into transnational spaces and into other countries where expressions of dissent are often protected, such as in Canada. Indeed, the Iranian regime is notorious for its tactics of transnational repression, which run the spectrum, from digital forms of transnational repression, such as those experienced by Farah, to outright killings.

Digital technologies and the spread of the Internet have been game-changers for social and political movements. Such technologies have facilitated borderless communication allowing people from around the globe to join in advocating for social and political change. They have provided a mechanism to organize at a mass scale and, for a time, helped those living in authoritarian countries evade systems of state control and censorship that would have prevented such powerful exercises of free expression.

Social media platforms – where so much of digital transnational repression takes place – fail at protecting vulnerable users online and lack effective reporting mechanisms.

However, once governments better understood these technologies, they also became critical tools in silencing and stifling dissent. Social media platforms are abused to undertake widespread, insidious and quiet forms of censorship. The deployment and coordination of trolls and bots on platforms like Twitter, Instagram and Facebook drown out voices of social and political dissent. Such campaigns of persistent online harassment and hate speech cause such intense psychological and emotional distress that some dissidents go silent. Others engage in self-censorship. One target described what they experienced as a form of “psychological and emotional war” leaving them caught in a cycle of “endless fear and anxiety.”

Even more intrusive tools are available: spyware, for example, can be remotely installed on a dissident’s phone to covertly gain access to all their communications, including the people they communicate with, their location and their daily thoughts and habits. Such confidential information can then be used to identify an activist’s social network or to track and kill a dissident. Friends and family members of Jamal Khashoggi, the Saudi journalist who was brutally assassinated in Turkey in October 2018, were targeted with the highly intrusive Pegasus spyware.

Many targeted individuals reside in democratic countries that have ratified the *International Covenant on Civil and Political Rights* and other human rights instruments and whose domestic laws protect human rights. Yet, they are often unable to access resources to address transnational repression, including its digital forms. For example, Chinese-Canadian human rights activists report being ignored by the Canadian government. Law enforcement and intelligence agencies in Canada have provided little support. Social media platforms – where so much of digital transnational repression takes place – fail at protecting vulnerable users online and lack effective reporting mechanisms.

While the Canadian government has developed policy around “foreign interference,” this work has primarily focused on threats from abroad to Canadian research, democratic institutions and processes, and critical infrastructure. More attention needs to be paid to the silencing of Canadian activists and dissidents, like Farah.

A starting point for the Canadian government is to adopt the language of transnational repression and publicly recognize the unique experiences of activist and dissident communities and the need to protect against such threats. Such statements need to underline that transnational repression is a violation of domestic and international law and the government needs to take concrete steps to address it, such as through domestic criminal prosecutions, targeted sanctions, the education of government officials, the development of a national reporting system to track incidents of transnational repression, and coordination with community organizations to better understand what support is necessary.

In the absence of a comprehensive response in policy and law, the so-called long-arm of authoritarianism is set to take hold in Canada, as well as in other countries that claim to protect and uphold the rights to privacy and freedom of expression.

The outcome?

Human rights defenders, journalists and other members of civil society living in exile will be silenced. And liberal democracies like Canada will have facilitated the global reach of authoritarianism.

FOR ADDITIONAL READING

Iran: Transnational Repression Origin Country Case Study, Special Report 2021, freedomhouse.org.

Noura Al-Jizawi, Siena Anstis, Sophie Barnett, Sharly Chan, Niamh Leonard, Adam Senft and Ron Deibert. "Psychological and Emotional War: Digital Transnational Repression in Canada," *Citizen Lab Research Report No. 151*, University of Toronto, March 2022.

Joanna Chiu. "Chinese Interference in Canada? Chinese Canadians say they reported it for years – and were ignored," *Toronto Star*, March 6, 2023.

ABOUT THE AUTHORS

Siena Anstis is a senior legal adviser with The Citizen Lab at the University of Toronto's Munk School of Global Affairs and Public Policy. Previously, she was a litigation associate at Morrison & Foerster in New York City, and clerked for the Hon. Mr. Justice Cromwell at the Supreme Court of Canada and the Court of Appeal for Ontario. She was called to the bar in Ontario in 2015 and in New York in 2014. Her scholarly work has been published in *McGill Law Journal*, *Canadian Bar Review* and *Oxford Journal of Human Rights Practice*.

Noura Aljizawi is a senior researcher at The Citizen Lab where she studies the intersection of technology, human rights and global security. She also serves on the board of the Center for Victims of Torture, and is a member of Humanitarian Dialogue's expert group as well as Just Tech and Migration Community's steering committee. Her work on Security Planner, a platform that provides peer-reviewed recommendations for staying safe online, was recognized with an Excellence in Innovation Award by the University of Toronto.

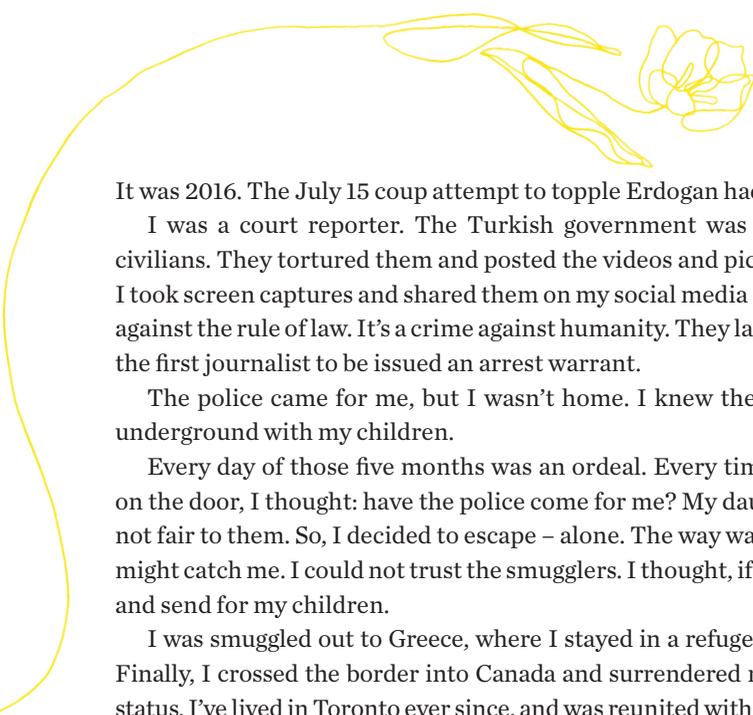
ARZU YILDIZ

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TURKEY



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“THE TURKISH GOVERNMENT FIRST TARGETED ME FOR REPORTING ON ILLEGAL ARMS EXPORTS TO SYRIAN REBEL GROUPS AND ON HIGH-PROFILE CORRUPTION CASES. THEY CLAIMED I WAS EXPOSING GOVERNMENT STATE SECRETS. IN 2015, THEY STRIPPED ME OF MY LEGAL RIGHTS TO MY CHILDREN. THAT WAS JUST THE START.”



It was 2016. The July 15 coup attempt to topple Erdogan had failed.

I was a court reporter. The Turkish government was hunting down and unlawfully detaining civilians. They tortured them and posted the videos and pictures to frighten and pacify the populace. I took screen captures and shared them on my social media account, with the comment that torture is against the rule of law. It's a crime against humanity. They labelled my post terrorist propaganda. I was the first journalist to be issued an arrest warrant.

The police came for me, but I wasn't home. I knew the persecution wouldn't stop there. I went underground with my children.

Every day of those five months was an ordeal. Every time the doorbell rang or there was a knock on the door, I thought: have the police come for me? My daughters didn't see anyone. I knew this was not fair to them. So, I decided to escape – alone. The way was too dangerous to bring them. The police might catch me. I could not trust the smugglers. I thought, if I reached freedom, I could start a new life, and send for my children.

I was smuggled out to Greece, where I stayed in a refugee camp for 16 days. Then Paris. New York. Finally, I crossed the border into Canada and surrendered myself to the authorities, claiming refugee status. I've lived in Toronto ever since, and was reunited with my daughters after three-and-a-half years.

In July 2021, my name appeared on a hit list of Turkish dissidents in exile, published by a pro-government social media account called Jitemkurt – the only woman journalist on that list.

Then, on December 30, 2022, I saw my name on a terrorist 'gray list.' That's a databased published by the Turkish Interior Ministry that identifies alleged terrorists and offers rewards for their capture. My name and photo also appear on their webpage.

But there is no terrorism case against me. And no legal justification to call me a terrorist.

The Turkish government claims I'm a member of the Gülen movement, which is a faith-based community persecuted by the state for standing up against corruption and injustice. But my family has never been involved in any religious group. And while I respect people's beliefs, I don't want to be labelled someone I'm not. The state cannot decide who I am.

They labelled me a supporter of the PKK, the Kurdish freedom fighters, because of the stories I had written about the murder of Kurdish businessmen. Yes, I support the Kurdish people's rights, because there is no equality for the Kurds in Turkey.

And when I stood up for women's rights on my social media accounts, I received threatening direct messages from Iran that read, "We will find you and kill you."

When I fled Turkey, I lost everything. My profession. My livelihood. My daughters. My parents, who had taken them in when I fled. I lost myself.

People shared my photo online, without my permission – some to support me, others to target me and destroy my family. The latter are complicit with the government in the crime of slander.

I am so glad to be in Canada. I want to live a quiet life – but the Turkish regime will not let me.

When I fled Turkey, I lost everything. My profession. My livelihood. My daughters. My parents, who had taken them in when I fled. I lost myself.

But losing everything made me stronger than before. Now, when they call me to harass me, I tell them, don't bother, because I've already passed that kind of exam. Nothing can scare me now.

One thing, though, I didn't lose – and that's my passion for justice. I will never receive justice in Turkey. So I want to be judged in a Canadian court, to clear my name.

After all, if you don't believe in justice, how can you survive?

Arzu Yildiz is a Turkish-born investigative journalist, editor, senior reporter and author of four books. She worked at the liberal, democratic daily *Taraf*, where she reported on human rights issues, corruption and arms trafficking. She has lived in Toronto since 2016. She was the recipient of the 2021 PEN Canada-Humber College Writers-in-Exile scholarship.



*“One thing, though,
that I didn’t lose
— and that’s my
passion for justice.
... After all, if you
don’t believe in
justice, how can
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SHENG XUE

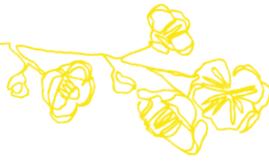
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“THE CHINESE GOVERNMENT
WANTS TO #CLEANSESNOWGLOBALLY.
SNOW HAS BEEN MY PEN NAME
SINCE 1985. I WON’T GIVE (IT) UP.”



I left China almost 34 years ago, in 1989, on a student visa, intending to study at Carleton University. It was a couple of months after the Tiananmen Massacre. Twenty days after landing in Toronto, I went to the CCP consulate to protest.

Ever since, I have been leading overseas human rights and democracy movements in China – and supporting the Tibetans, Uyghurs, Hong Kongers, Taiwanese, underground church people and Falun Gong practitioners. Because I want to make political change in China.

And ever since, the threats and attacks by the government have never let up – all kinds, from all sides, through every channel.

It started in 1990. I received a letter with pornographic pictures in it, threatening me with death should I betray my motherland. My phone number was written on the wall of a men's public washroom in Chinatown, with the offer of sex services. In China, the police are tools of the communist regime to crack down on human rights, so I was hesitant to report the incidents to the authorities.

In September 1996, on the day of the Mid-Autumn Festival, I landed at Beijing Capital Airport. I was arrested immediately and asked to sign a false confession. I refused. After being interrogated for a day and a night, I was deported back to Canada because I held a Canadian passport.

In 2001, I investigated the case of Lai Changxing, who was in a Vancouver prison, accused by the Chinese government of being the biggest smuggler since 1949. When my book, *Unveiling the Yuanhua Case*, was about to be published, I began to receive threats. My computer was damaged by multiple attacks. Someone called me to buy the copyright “for the book never to be published,” offering me one million US dollars. I said, “I wrote it to be published.” The man swore at me and slammed the phone down. The book has been banned in China, along with all my other books.

Since then, at the dinner table, I choose to sit with my back to the wall, not the back door. When I'm out with my husband and we walk back from the garage, I ask him to walk behind me. If I'm out alone, I let him know when I'm coming home so he can unlock the door and I don't have to fumble for keys.

Then, the digital repression started to heat up. In 2008, because of my boycott of the Beijing Olympics, hundreds of insults and threats were posted on a Chinese website in Canada. Someone wrote: “Don't go to public places. You will be battered to death with bricks.”

In October 2013, I was organizing a conference to which I had invited politicians, scholars and human rights activists from Canada and around the world. After I stepped down from the podium, people came up to me, telling me they received my nude photo; some were laughing. My face had been photoshopped on someone else's nude body.

From 2013 to 2017, the attacks, slander, humiliations and threats against me had reached an overwhelming level.

Tens of thousands of emails. My husband, brother, sister and uncle were all on these attack email lists and cannot unsubscribe.

Tens of thousands of posts in the comments sections of websites.

Three e-books.

Groups on WeChat, the most widely used software by Chinese at home and abroad, distributing attack content.

My Twitter, Facebook and Telegram accounts hacked; my YouTube channel permanently closed and many videos lost.

In May 2014, during an online conference marking the 25th anniversary of Tiananmen massacre, I started receiving phone calls – from Toronto, Vancouver, Chicago, San Francisco – asking, hey, how much money do you want for sex? I found online ads that claimed I was looking for a boyfriend and offering sex services and listing my landline, web phone and cell phone numbers.

I reported the incident to the police in Mississauga. The officer suggested I change my phone number. I said, “They’ll still find out my new one.” They said, “We can’t do anything.”

Later that month, I hosted a symposium commemorating the Tiananmen Massacre in the Paltalk meeting room. Paltalk’s server in the US was attacked, and the seminar had to be cancelled.

After my mother died, in Canada, they made up stories that she had loose morals when she was young, and that I am like her.

Every morning, I turn on my phone, my heart thumping about the barrage of emailed threats that are waiting.

When I thought I couldn’t take it anymore, I went to an old family friend who was a therapist here. His father had been my grandfather’s student in China. He took one look at the file I shared with him, and said, “It’s politics. I can’t help you. If you go to court, I can’t be your witness.” I drove to a McDonald’s parking lot and burst into tears.

For five months, from November 19, 2015 to April 7, 2016, a man named Zhang Xiangyang demonstrated in front of Parliament, showing my photo and labelling me a “China spy.” I went to the Ottawa police to ask if they could do something about it. They said, “Freedom of expression. Yes, he’s flirting with the edge, but he’s not threatening you, so we can’t do anything about it.”

Michael Craig, from Amnesty International Toronto, and with whom I have worked for over 20 years, helped me call the police, RCMP, CSIS – but none of them seemed to know what to do.

On April 11, 2016, Zhang Xiangyang came to a theatre show, at the end of which I was speaking about the Tiananmen Massacre. He served me legal papers, accusing me of murder and other baseless crimes. He sent the indictment to more than 600 Canadian politicians, the RCMP and government departments. I hired a lawyer and went to court to clear my name. The court officer said they couldn’t find him. Then I received notification that the judge had dismissed the case, stating Zhang was abusing the judicial system.

On July 1, 2016, Macleans Magazine published a special issue on the 150th anniversary of the founding of Canada. I was chosen as one of the 110 Canadians featured in “Canada’s Stories.” Two weeks later, pornographic pictures of me began to circulate on the Internet and in WeChat groups.

Several of my tenants admitted that the CCP coerced them into spying on me.

In April 2019, I presented on the CCP’s concentration camps on Uyghurs at the International PEN Conference in Slovenia. The chairman of PEN Turkey helped me hold the microphone while I showed pictures. I posted a photo of us on Twitter. Someone photoshopped my face on a nude body, and retweeted the photo.

In September 2022, I was interviewed about the Chinese police stations in Canada. Hundreds of people sent fake photos of me on Twitter, under my handle, and retweeted them with dirty words and threats. One person commented the police station was for people like me.

I went to the police in Mississauga again. An officer interviewed me and told me that they’ve opened a special file and service action for me.

I know that I’m not the first person who is subject to this kind of transnational repression. I won’t be the last person. But I’m in Canada. I’m lucky.

I have many friends who have been disappeared, in China, in Southeast Asia. My publisher, Gui Minhai, a Swedish citizen, was kidnapped in Thailand and taken back to China in 2015, where he was detained in a black site for five years, tortured and, in 2020, resentenced to 10 years.

So I won’t give up. It’s in my blood. I come from a family that struggled for freedom and democracy. I know the government’s logic.

I understand that when people surrender to persecution and pressure – that only adds to the power of the regime to crack down and persecute others.

When you give up, you don’t just give up one thing; you give up everything because they will come after you again, and always.

Sheng Xue is a Chinese-Canadian journalist, writer and human rights activist, and a key leader in the overseas Chinese pro-democracy movement. She is the editor-in-chief of *China Spring* magazine. She received the Canadian Association for Journalists Award and a National Magazine Award for *The Smuggler’s Slaves*, on the lives of Chinese boat refugees. In 2001, she investigated China’s most prominent smuggling case and published a book which soon became a bestseller and sent shockwaves. It was banned. She is a member of the Diversity & Inclusion Advisory Committee of Metroland Media Group, and past vice-president of the Writers for Peace Committee of PEN International. She was awarded the Queen Elizabeth II Diamond Jubilee Medal in 2012.

MARYAM SHAFIPOUR

M



IRAN

S

“THE IRANIAN REGIME HAS MOBILIZED A LARGE AND SOPHISTICATED CYBER ARMY THAT IS REACHING ACROSS THE OCEAN AND USING SOCIAL MEDIA TO DISSEMINATE LIES ABOUT ACTIVISTS AND JOURNALISTS. BECAUSE IRAN IS A PATRIARCHAL SOCIETY, SPREADING SEXUAL RUMOURS IS ONE OF THEIR MOST EFFECTIVE WEAPONS AGAINST WOMEN ACTIVISTS.”



I spent two years in Tehran's Evin Prison, on charges of "propaganda against the regime" and "assembly and collusion against national security." The Iranian regime tried to break me. For more than two months, I was in solitary confinement. While I was locked up, they told me my mother, with whom I was very close, had died. It was a lie.

I was released in July 2015. In August 2015, the "Noble Women's Initiative" invited me to Canada to take part in a mentorship program as a young woman human rights defender. I have been living in exile in Toronto ever since.

Now the regime is trying a different tack to break me: a constant barrage of online abuse and innuendo. On Instagram, Telegram, Twitter and WhatsApp, there are dozens of posts with videos that tell lies about my sexual, financial and political activities.

The cyber army pretends to be regular people; sometimes they write mild criticisms against the regime, but their duty is to fight against activists and saturate cyberspace with disinformation campaigns. They know your weaknesses and use them against you.

Meanwhile, in Iran, they harass my family. They interrogated my sister and pressured her to ask me to come back to Iran, or travel to a neighbouring country for a visit. She is on a contract at the university. They suspended her for a year.

After I testified in front of the Canadian Parliament, in a campaign to declare the IRGC (Iranian Revolutionary Guard Corps) a terrorist entity, they intensified attacks against all the dissidents. The attacks continued until November of 2019, when there was a huge uprising in Iran.

I've struggled with post-traumatic stress disorder, since my time in Evin Prison. A few weeks after the uprising, in December, my mother died. They knew that I was in a bad state and they used it against me. The online libel grew worse. Many short videos and memos circulated, calling me a spy for the regime.

During that period, they rejected my sister's application for a visa to Canada, so I spent those dark days alone.

The regime's aim is to isolate me from my family, from my community. Attacks go on for years.

And there is nowhere to turn, no one to get advice from. When I went to the police, they laughed at me. They told me, "People are exercising their freedom of speech about you." They don't have the slightest idea how to help you. And there should be education for the police. There should be an organization where you as a journalist or activist can turn to for advice and support. But there isn't.

So you break off your relationships with family because you don't want to put them in danger. And you can't trust people. While I was never hacked, still someone got hold of personal photos and information. This shows the regime uses the people around you to get information and put pressure on you. And over time, you grow isolated, even from your own community, because they accept rumours against you and you have no defence against them.

I don't know how, but somehow, I survived those dark days.

Maryam Shafipour is a human rights activist from Iran. In 2010, she was suspended and later expelled from her university for political activities including blogging, reporting for local newspapers and involvement in student movements. In 2013, she was imprisoned in Tehran's notorious Evin Prison. After her release in 2015, she launched "In Support of Imprisoned Mothers," with Nobel Peace Prize Laureate Shirin Ebadi. She has lived in Canada since 2016, where she launched the #FreeNarges social media campaign.

Writers in Exile Committee Report

Gezahegn Mekonnen Demissie

Many people have appreciated the Writers in Exile readings at the Hirut Café in Toronto. Our latest one, on March 26, was particularly successful. Nevertheless, I often ask myself, how useful has our platform been beyond showcasing the writers? The question deserves consideration. At a moment when democracy and freedom are threatened and autocracy is resurgent, many writers and journalists who have sought protection in Western democracies face a different threat when they get here: irrelevance.

At our latest reading, the courageous Mexican journalist, Luis Horacio Nájera, described the obstacles that immigrant writers face when trying to pursue their livelihoods in Canada. He detailed the precarious economic conditions under which he has operated for most of the last decade, despite writing an acclaimed book and completing two graduate degrees. Last year, the only full-time job he was offered was a janitorial one. Only when a despairing tweet from him went viral did Toronto Metropolitan University's school of journalism offer him a seasonal teaching assistant position.

Our group is grateful for the strong community at our readings and it is heartening to see a house full of writers, journalists and litterateurs discussing freedom of expression, democracy and human rights on a Sunday afternoon. Our most recent meeting hosted the Afghan writer Bilal Sarwary, the Iranian Kurd Ava Homa, Luis Nájera and the Rohingya writer John Jonaid. Each offered an imaginative glimpse of their homelands, and a clear-eyed view of its sufferings and traumas. Several also drew attention to the challenge of adjusting to their new homes.

While writing this report, I have been reading William Burrill's account of the time Ernest Hemingway spent in Toronto (1920-24). Although he had been a cub reporter at the *Kansas City Star*, often filing reports without a byline, Hemingway was allowed to hone his craft in Toronto. He got to write journalism that often was closer to literary fiction than to traditional news reportage. Nearly a century later, Canada has received hundreds if not thousands of qualified journalists and writers from all corners of the world. Why, then, have so few become journalists in the mainstream media?

Today's world is more globalized and integrated than during Hemingway's time. As Canada's cultural DNA adapts to this new world, our media need correspondingly diverse reporting. Sadly, this is not a reality on the ground. Highly qualified journalists like Bilal, John and Luis could easily help fill the gap in the mainstream media by bringing stories that reflect the burgeoning immigrant communities across this country – *but only if they are given the opportunity to do so*.

In my own homeland of Ethiopia, up to a million people have died in a civil war during the last two years. Many have been slaughtered because of their ethnic identity. Millions more have been displaced and face further violence in armed conflict. Last year, two journalists were killed in connection with the war in Tigray, and journalists have been arrested en masse. There has been no accountability. Law and justice are unknown. Situations like this place an enormous moral burden on journalists and writers. That is why our community will not stop writing against these injustices, and fighting for democracy and freedom of expression to prevail. This is why we believe that the voice of immigrant writers is important, and it is why PEN Canada works to support their voices and to give them profile.

Writers in Exile would like to thank our senior volunteers and mentors for their unreserved support and hard work, work that makes these reading events so successful: Mary Jo Leddy and Romero House, Hannah Fisher, Anneli Andre-Barrett, Margo Kelly, Paola Gomez, Joan Leishman and, for making beautiful posters and promotional materials, Amir Yazdanbod. Thanks are also due to Hirut Café, Tibebe Woldemichael and Hirut Dagnachew; our emcee and editor, Keith Ross Leckie; and Grace Westcott, Brendan de Caires and Theresa Johnson at the PEN office. I also would like thank the Toronto Arts Council for the funding which has made our readings possible. Thank you, all.

HONORARY MEMBERS

ERITREA

YUSUF MOHAMED ALI
SEYOUM TSEHAYE
MATTEWOS HABTEAB
DAWIT HABTEMICHAEL
MEDHANIE HAILE
EMANUEL ASRAT
TEMESKEN GHEBREYESUS
DAWIT ISAAK
FESSHAYE YOHANNES
SAID ABDELKADER

MEXICO

JOSÉ ARMANDO RODRIGUEZ CARREÓN

EGYPT

ALAA ABD EL-FATTAH

IRAN

NARGES MOHAMMADI

ERITREA

In September 2001, 13 journalists were arrested after President Afeworki forced Eritrea's independent newspapers to close. Those who remain alive, 22 years later, are now the longest-detained journalists in the world. The following are honorary members of PEN Canada: **Yusuf Mohamed Ali** (editor-in-chief of *Tsigenay*), **Mattewos Habteab** (editor-in-chief of *Meqaleh*), **Dawit Habtemichael** (reporter for *Meqaleh*), **Medhanie Haile** (editor-in-chief of *Keste Debena*), **Emanuel Asrat** (editor of *Zemen*), **Temesken Ghebreyesus** (reporter for *Keste Debena*), **Dawit Isaak** (writer and co-owner of *Setit*), **Fesshaye Yohannes "Joshua"** (playwright, poet and publisher of *Setit*), **Said Abdelkader** (writer, editor of *Admas*) and **Seyoum Tsehaye** (TV and radio journalist who wrote a weekly column for *Setit*). In 2007, reports indicated that Abdelkader, Haile, Ali and Yohannes had died in custody due to harsh conditions and a lack of medical attention. Yohannes was reportedly tortured prior to his death. In 2022, PEN International and the Raoul Wallenberg Centre for Human Rights were part of an international coalition of human rights groups that called for Magnitsky sanctions against the Eritrean officials responsible for the journalists' imprisonment. The issue of targeted sanctions has also been raised in the Swedish and Canadian parliaments.

MEXICO

José Armando Rodríguez Carreón was a veteran crime reporter for *El Diario*, a daily newspaper based in Ciudad Juárez, Chihuahua state. He was shot at least eight times by an unidentified person on the morning of November 13, 2008, as he was about to drive his daughter to school. José had covered drug-related violence and organized crime in Ciudad Juárez and, after receiving death threats, had briefly left Mexico to live in El Paso, Texas. On his return, he refused to stop covering crime stories despite receiving further death threats. Shortly before his death, Rodríguez told the Committee to Protect Journalists (CPJ): "The risks here are high and rising, and journalists are easy targets. But I can't live in my house like a prisoner. I refuse to live in fear." In the weeks after his murder, several other *El Diario* received death threats, as did other media in Ciudad Juárez and Chihuahua. Two prosecutors in charge of investigating the case have reportedly been assassinated. On May 26, 2011, the Inter American Press Association sent a letter to President Calderón, signed by hundreds of newspaper readers throughout the Americas, calling on him to intervene in order to ensure that the stalled investigation into José's murder moves forward and those responsible are brought to justice. There has been no progress on the case since then.

EGYPT

Alaa Abd el-Fattah is an Egyptian activist, software developer and blogger who rose to prominence during the Arab Spring. He and his wife, Manal Hassan, created the online blog aggregators *Manalaa* and *Omraneya*, the first Arab blog aggregators to not exclude writing based on its content. Abd el-Fattah has been prosecuted under every Egyptian head of state during his lifetime. He was first arrested on May 7, 2006 during a peaceful protest, and spent 45 days in jail before being released on June 20, 2006. In 2011, he took part in the Tahrir Square protests and was arrested for inciting violence. On December 13, the court dropped two of the charges against him, but detained him for 15 days on the remaining charges. Abd el-Fattah was arrested in 2013 and detained for 115 days without trial. In November 2013, he was arrested and charged for organizing a political protest without a permit. He was released on bail in March 2014, but three months later sentenced, in absentia, to 15 years in jail for violating Egypt's Protest Law.

In February 2015, Abd el-Fattah received a reduced five-year sentence, which he served until March 2019. On September 29, 2019, he was re-arrested by the Egyptian authorities during a crackdown on ongoing political demonstrations even though he had not personally taken part in the protests and had recently been released from prison and placed on probation.

On January 17, 2020, the Cairo Institute for Human Rights released a statement calling for a Red Cross investigation into the condition of the prison in which Abd el-Fattah was being held. On April 16, 2020, Abd el-Fattah went on a hunger strike to protest the ban on family visits to Tora prison, where he was being held during the COVID-19 pandemic. The protest provoked an international backlash. A collection of Abd el-Fattah's translated writings entitled *You Have Not Yet Been Defeated* was published by Fitzcarraldo Editions in October 2021. On December 20, 2021, Abd el-Fattah was sentenced to an additional five years in prison on spurious charges of "broadcasting false news" related to a social media post. On April 2, Abd el-Fattah began an open hunger strike in protest against prison conditions and to demand recourse for mistreatment and abuse. His family successfully appealed to the British government to grant Abd el-Fattah UK citizenship on April 12, and he began to ask the Egyptian government for consular visits from British officials. On May 18, Abd el-Fattah was transferred to Wadi El-Natrun prison from Tora prison, where he was allegedly tortured and beaten by prison officials.

IRAN

Narges Mohammadi is a prominent independent journalist and human rights defender who has been repeatedly targeted by Iranian authorities since 2009. Mohammadi is the deputy director of the Defenders of Human Rights Center (DHRC), which advocates for human rights reform and represents political prisoners and prisoners of conscience in legal proceedings. She is also involved in campaigning against the death penalty in Iran, and is the author of *White Torture*, a two-volume book series investigating the inhumane treatment of prisoners in Iran.

In September 2008, Mohammadi was elected as president of the Executive Committee of the National Council for Peace in Iran, a broad coalition against war and for the promotion of human rights. She is the recipient of both the Alexander Langer Award (2009) and the Per Anger Prize (2011) for her human rights work, and was one of awardees of the 2013 PEN/Oxfam Novib Free Expression Award. Mohammadi has been banned from travelling abroad since 2009 and was arrested in 2010 for her work with the Defenders of Human Rights Center. She was convicted in 2011 and sentenced to 11 years in prison, later reduced to six years. She was released on bail in 2012. She faced further charges in 2014 after a widely publicized speech criticizing the mistreatment of inmates at Evin Prison. In May 2015, Mohammadi was arrested and sentenced to 16 years in prison for spreading propaganda against the system, gathering and colluding to commit crimes against national security, and membership in an illegal organization whose aim is to harm national security.

Under legislation adopted in 2015, a person sentenced to several jail terms is required to serve that with the most severe penalty – in this case, 10 years, added to her previous six-year sentence. Evidence used against her included media interviews, connections to human rights defenders and activities against the death penalty. On September 19, 2016, she attended Branch 36 of Tehran’s Appeal’s Court to appeal her sentence, but was informed that the court had already reached its verdict to uphold the sentence. Mohammadi suffers from a neurological disorder that can result in seizures, temporary partial paralysis and pulmonary embolism, a blood clot in the lung. Serious concerns for Mohammadi’s health persist following reports that she suffered several seizures in August and October 2015.

Mohammadi is the mother of twin boys, and the wife of journalist and activist Taghi Rahmani, who has spent a total of 17 years in prison. In June 2022, Mohammadi was hospitalized for arrhythmia and shortness of breath. In August 2022, Mohammadi’s lawyer reported that she was given new charges. In an interview with BBC Persian, Mohammadi’s husband said he believes the new charge was motivated by her writing in open letters.

Iran is among the world’s most restrictive countries for freedom of expression. It holds the fourth-highest number of writers and intellectuals in prison globally, according to PEN America’s 2021 Freedom to Write Index. Despite promises of expanded freedoms, Hassan Rouhani’s presidency has been marked by intensified repression and arbitrary political restrictions, preventing Iranians from having a voice in how they are governed.

**ASHRAF FAYADH
RELEASED
AUGUST 2022
AFTER SERVING
EIGHT YEARS AND
EIGHT MONTHS
AND RECEIVING
800 LASHES FOR
BLASPHEMY-
RELATED
CHARGES.**

Ashraf Fayadh was freed from a Saudi prison in August 2022 after serving eight years and eight months and receiving 800 lashes for blasphemy-related charges, including “insulting the divine self and the prophet Mohammed,” “spreading atheism,” “refuting the Qur’an” 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. On November 17, 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 determining whether or not the crime had been committed. Fayadh appealed the sentence. In February 2016, a Saudi Arabian court replaced the death sentence with an eight-year prison term and 800 lashes. Fayadh received PEN Canada’s One Humanity award in 2017.

Canadian Issues/ Legal Affairs Committee Report

Grace Westcott

BUILDING THE COMMITTEE

In May 2022, the board approved a policy guideline developed by the chair, Michael Bookman, and the committee, on how to study cases that are making their way through the courts, and how to bring them to the board for discussion. The first part of this policy lays out the kind of issues PEN Canada should be studying. The second part describes the process by which the issue may be presented to the board, and how the board would come to a decision, intervene and retain outside counsel to assist and bring the matter forward. PEN Canada did not intervene in any court cases this year.

The committee continues to build a sustainable advisory group that will help us scan the landscape for issues, help the board develop positions on freedom of expression issues and advise the board on interventions and submissions before courts and legislative bodies.

ONLINE HARMS/ONLINE SAFETY

PEN continues to monitor the government's efforts to introduce legislation to address misinformation and online harms. The freedom of expression issues in regulating online communications are obvious, but cut both ways. We see how bullying behaviour silences voices in the digital commons, to the detriment of free expression, but also recognize the danger of government regulation of online speech. It's a circle not easy to square.

The Canadian government is grappling with how to deal with online harms in its long-awaited Online Safety Bill. In July 2021, the government released a *Consultation Paper on Online Harms*, which laid out a framework on how it might approach the issue. The framework met with strong criticism, and, if the time that has passed since is any indication, it is being reconsidered. Addressing online harms is complicated, and governments in the EU, UK, Australia and elsewhere have draft legislation or proposals under consideration. Several of them are building legislation around the concept of a platform's "duty of care." UNESCO also has published draft *Guidelines for Regulating Digital Platforms*.

For over a year, PEN Canada has been a member of the Toronto Metropolitan University's Centre for Free Expression-led Online Harms Network, a group collaborating to track and discuss developments in the federal government's legislative program to address online harms and safety. The group is diverse and there is no expectation that it will form a common position.

In August, PEN Canada co-signed an open letter calling on the government to protect journalists from the chilling effects of online abuse, and to urgently improve the policing of such threats. PEN believes that action is needed to address online harms which are doing so much damage to our democracy. But we believe we should move with caution, transparency and sensitivity to the public's right to freedom of expression, to avoid threatening that which we are trying to protect.

PEN has also supported discussion of the topic in sponsored settings, notably the 2023 Digital Media at the Crossroads DM@X conference. Other sessions focused on proposed legislation regulating streaming services by the CRTC (Bill C-11) and requiring Google and Meta to support Canadian news media (Bill C-18).

BOOK BANNING/ BOOK CHALLENGES: DEFENDING INTELLECTUAL FREEDOM

PEN has been tracking the rise in book banning in the US and its effect in Canada. There is a sense that it is coming for us, with extremist attitudes 'bleeding north' over the last few years. Some of these effects are stealthy and not readily visible. As Bear Bergman put it in an article written for PEN for International Transgender Day of Visibility, "Editors looking for new books to acquire, even within Canadian publishing, will obviously have to think twice about acquiring books that can't be sold to any institution in wide swathes of the US." Quite apart from banning or challenging books, how many books will not be published in the first place? When censors target midlist or emerging writers who lack the resources to fend off challenges, this is, perhaps, a more insidious and pervasive form of censorship than the high-profile challenges that make headlines.

The recent spate of book banning in the US has reached the work of iconic Canadian author Margaret Atwood. During the last year, *The Handmaid's Tale* has been banned by district school boards in a growing number of states, including Florida, Georgia, Idaho, Kansas, Missouri, Oregon and Texas, all of whom join Russia in making her *persona non grata*. This is a particularly ironic development given the ban on reading (by women) depicted in that dystopian novel. Atwood commented: "I had thought America was against totalitarianisms. If so, surely it is important for young people to be able to recognize the signs of them. One of those signs is book banning. Need I say more?"

We celebrate the librarians who are on the front line of defending intellectual freedom, safeguarding the freedom to read and write by processing complaints dispassionately and professionally, reaching decisions on principle, through transparent and well-defined complaints protocols, rather than reflexively succumbing to pressure.

We see there is much work to be done to address freedom of expression issues facing Canadians in the year ahead. There are plans afoot to tackle them.

Writers in Peril Committee Report

Grace Westcott and Brendan de Caires

In 2015, appalled by news that 71 refugees from Afghanistan, Iraq and Syria and had been found dead, from suffocation, in the back of a lorry on an Austrian motorway, the Icelandic author, folklorist and academic Bryndís Björgvinsdóttir published an open letter to her government. “Refugees are our future spouses,” she wrote, “our best friends, our next soul mate, the drummer in our children’s band, our next colleague, Miss Iceland 2022, the carpenter who finally fixes our bathroom, the chef in the cafeteria, the fireman, the hacker and the television host – People [to whom] we’ll never be able to say: ‘Your life is worth less than mine.’” The message drew support from thousands of Icelanders and persuaded the government to increase its refugee quota.

In 2019, Canada’s Ministry of Immigration, Refugees and Citizenship (IRCC) announced the creation of an expedited refugee stream for journalists, human rights advocates and humanitarian workers. The new arrangement would resettle up to 250 people each year. In September 2020, PEN Canada referred the case of an Iranian blogger to the IRCC. Eight months later, because the process had not yet been fully implemented, she was granted, for humanitarian reasons, permanent residence in Canada. Twenty-four months later, in March 2023, she reached the final stages of formally ratifying her resettlement in this country.

The time, effort and funding needed to support a single claim showed us how difficult relocations can be, even for a highly motivated NGO like PEN. While our centre has a proud history of helping exiled writers to establish new lives in Canada, we are not an immigration agency. The exertions of the last three years have underscored the value of government support for an immigration stream focused on human rights defenders. Since its inception, the stream has successfully processed hundreds of worthy cases. It is vital that the Canadian government build on this success and that it works to support local partners who have made referrals to the program.

It is easy to forget the humans entangled in these processes. They are often lonely and disoriented, struggling to adapt to new languages and cultures. Our Writers in Exile group has many stories from those who have faced, and continue to face, such challenges. In *The Burden of Exile*, a memoir by our late colleague, Aaron Berhane, Berhane recalls the moment when the UN offered him asylum in Australia, Canada, Britain or the United States. America would have been his first choice – he had many cousins and friends there – but Canada was likelier to process his application faster. Fearful that a delay might allow the Eritrean agents trailing him to catch up, he chose Canada.

Within 15 years of his arrival in Regina, Aaron learned English, moved to Toronto, started a newspaper, reunited his family and, following a successful residency at George Brown College, earned a full-time teaching position there. His trajectory could not have been better scripted by Ms Björgvinsdóttir, nor could that of PEN's most recent writer-in-resident at George Brown, Shams Erfan. After fleeing Afghanistan at age 15, Erfan taught English to his companions at refugee camps in Indonesia and became a volunteer interpreter for a UN relief program. After eight years in this no-man's-land, he was sponsored by a Canadian family who had read his blog about the harsh conditions in the refugee camps. Less than two years after his arrival in Canada, he had won a residency. These remarkable people will be tomorrow's Canadians, if we do our best to welcome them.

None of PEN's work in this area would have been possible without the expertise and unstinting labour of our outgoing chair of the Writers in Peril Committee, Peter Showler. We are all deeply grateful for his commitment to the cause.

Public Events & Prizes

LITERARY

**Second Graeme Gibson Lecture:
Disinformation, Dictators & Democracy |
Maria Ressa in conversation
with Ron Deibert**

September 27

Marquee event at the Toronto International Festival of Authors (TIFA).

Nobel Peace Prize Laureate Maria Ressa and The Citizen Lab founder Ronald Deibert discussed how to defend freedom of expression and human rights during a time of widespread mis- and disinformation. Conversation moderated by CBC's Nahlah Ayed.

**The Freedom to Write and to Read:
Standing with Salman Rushdie**

September 27

It was standing room only at TIFA in a show of solidarity with Salman Rushdie following a brutal attack on him in Chautauqua, New York. Margaret Atwood, The Rt. Hon. Adrienne Clarkson, John Irving, Ian McEwan, Rohinton Mistry, Deepa Mehta, John Ralston Saul, Shyam Selvadurai and PEN Canada president Grace Westcott read from Rushdie's work. Hosted by Matt Galloway from CBC Radio's *The Current*.

Calgary Wordfest: Superfan Showcase

October 5

A conversation between Booker and Giller Prize winners Yann Martel and André Alexis, presented in partnership with PEN Canada.

**PANELS, SCREENINGS
AND PUBLIC CONVERSATIONS**

**Afghanistan: The War
Against Journalists***

April 6

Putin's War on Journalists*

May 5

**19th Annual Human Rights
Watch Toronto Film Festival**

**Free screening of *Mujer
de Soldado* | Bloor Hot**

Docs Cinema

May 28

**Toronto Jewish Film
Festival**

June 9-26

**Press Freedom in Canada:
What about student
journalists?***

June 10

**CFE Series: Threats to
Academic Freedom – Part 1:
The Study of India***

September 28

**CFE Series: Ethnic/
Religious Nationalism &
Academic Freedom – The
Study of India***

November 30

**Screening of *Leyla Gencer:
La Diva Turca** | Toronto
Metropolitan University's
Centre for Free Expression**

December 11

**Canada's War on
Whistleblowers***

January 19

**Digital Media at the
Crossroads Conference**

January 20-21

**Censorship Is No Friend
of Social Justice***

January 25

**Salman Rushdie's *Victory
City*: Online Launch**

February 9

**Em Dial's Virtual Poetry
Exhibition THE BALL:
Online Launch**

February 13

**CFE Online: Muslims
and the Media***

March 2

**Events co-sponsored by PEN Canada.*

AWARDS

2022 RBC/PEN Canada New Voices Award

Winner: Fareh Malik, a spoken word poet from Hamilton

The jury cited Malik's submission as an intense "portrait of what it's like to feel othered and alienated by daily doses of hate," and noted the poems' "tenderness and throat-grabbing use of imagery." The jury also praised Malik's "wide range of voices and tones to convey a nuanced spectrum of emotions and a laser-sharp critique of Canada's blatant and covert systemic racism." As part of the prize, Malik received mentorship from Sabrina Benaim, winner of the 2014 Toronto Poetry Slam, and a popular spoken word artist. There were 280 entries.

Inaugural Marie-Ange Garrigue Prize

Winner: Mariam Al Zier

The prize, created through the generosity of past president Philip Slayton and Cynthia Wine, recognizes a Canadian citizen or permanent resident who has provided significant help to a writer or journalist abroad. In its citation, the jury noted: "During the last two years, Mariam Al Zier dedicated hundreds of hours of her time to helping an exiled Iranian journalist navigate the complexities of the Canadian immigration system. She translated, interpreted, supported and encouraged, all while balancing her own family and work responsibilities. That she did so without expectation of reward or recognition seemed to us all the more reason why she should be recognized for her valuable work."

2022 Ken Filkow Prize for Freedom of Expression in Canada

Winner: Amber Bracken, photojournalist

Amber Bracken received the prize for advancing freedom of expression through work that combines an interest in photography, journalism and public service with an emphasis on North American Indigenous communities. In its citation, the jury stated, "Amber Bracken's ordeal demonstrates that freedom of expression, including freedom of the press, is not as sacrosanct in our country as Canadians might assume. Her courageous work as a photojournalist for *The Narwhal* magazine, covering the Coastal Gaslink protests in Wet'suwet'en territory, is [a timely reminder] of the need to protect these fundamental freedoms even in Canada." Our thanks again to Philip and Cynthia for their ongoing generosity in supporting this prize.

SUPPORT FOR WRITERS IN EXILE

George Brown College Writer-in-Residence

Recipient: Shams Erfan, Hazara refugee from Afghanistan

Born and raised in the Jaghori district of Ghazni province, Erfan worked as an English teacher at a local school before fleeing Afghanistan in late 2014 following direct threats from the Taliban. During his eight years in refugee camps in Indonesia, he taught English to fellow refugees and worked as a volunteer interpreter for the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM).

Writers in Exile Public Readings and Publications

Readings were held on June 1, November 20 and March 26 at the Hirut Café on the Danforth. The group also hosted a book launch on November 6 for *The Burden of Exile: A Banned Journalist's Flight from Dictatorship*, the posthumous memoir of Aaron Berhane, the group's former leader. Berhane was a beloved member of the community and a valued member of our Board of Directors who passed away due to COVID-19 in May 2021. The WriEx network will also soon publish an anthology, *The Uncaged Voice*, compiled by Keith Leckie with the help of writing coaches and editors. The group hosts weekly meetings and writing workshops online and is planning for more public readings in 2023.

Humber School for Writers

Writer-in-Residence

Recipient: Luis Horacio Nájera, journalist and crime analyst

PEN Canada maintained a full scholarship for a member of the WriEx network in the Humber School for Writers' graduate certificate program in creative writing. 2022 recipient Luis Horacio Nájera built his reputation writing for the Ciudad Juárez, Mexico-based Grupo Reforma and has lived in exile in Canada since 2008. With Peter Edwards, he is author of *The Wolfpack: The Millennial Mobsters Who Brought Chaos and the Cartels to the Canadian Underworld*. Nájera is also an alumnus of Massey College, and a former fellow at The Citizen Lab/Canada Centre for Global Security Studies. He holds master's degrees in global affairs and in disaster and emergency management from the University of Toronto and York University, respectively.

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“In the absence of a comprehensive response in policy and law, the so-called long-arm of authoritarianism is set to take hold in Canada, as well as in other countries that claim to protect and uphold the rights to privacy and freedom of expression.”

Siena Anstis
and Noura Aljizawi



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