

INTERNATIONAL PEN
Writers in Prison Committee

HALF-YEARLY CASELIST

To 31 December 2007

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

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

INTERNATIONAL PEN Writers in Prison Committee

International PEN is the leading voice of literature worldwide, bringing together poets, novelists, essayists, historians, critics, translators, editors, journalists and screenwriters. Its members are united in a common concern for the craft and art of writing and a commitment to freedom of expression through the written word. Through its Centres, PEN operates on all five continents with 138 centres in 101 countries.

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

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

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

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

INTERNATIONAL PEN CHARTER

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

PEN affirms that:

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

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

INFORMATION SOURCES

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

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

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

Explanation of Terms Used

Important: Please Read

Main Cases

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

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

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

Judicial concern

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

Investigation case

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

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

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

*' by a name indicates that the case is new to the Committee's list since the last Writers in Prison Committee report. The last report was dated June 2007.

AFRICA

ANGOLA

Sentenced – provisionally released

***Felisberto DE GRÂÇA CAMPOS**: director of the private weekly *Semanário Angolense*, was convicted of ‘insult, slander, calumny and infringement of rights’ and handed an eight-month custodial sentence on 25 September 2007. The newspaper was also fined 18.7 million kwanza (US\$250,000) for criminal libel. The charges were filed by a former minister of justice who had complained about articles published by the newspaper in 2001 and 2004 alleging trafficking of influence. Grâça Campos had missed the previous hearings because he was reportedly not notified of their dates and was out of the country at the time and therefore did not have the chance to submit his defence. An appeal was lodged with the Supreme Court requesting the sentence to be suspended and a retrial. The judge allowed the right to appeal, but sent Grâça Campos to prison to serve his sentence pending the hearing. On 9 October Grâça Campos was rushed to the infirmary attached to São Paulo prison in of Luanda, the Angolan capital, where he required immediate medical treatment for his diabetes. On 3 November he was provisionally released pending the outcome of his appeal [RAN 43/07 – 26 October 2007; Update #1 to RAN 43/07 – 23 November 2007].

Case closed

Raul DANDA: journalist and member of the banned human rights organization Mpalabanda – Associação Cívica de Cabinda (Mpalabanda - Civic Association of Cabinda), was arrested on 29 September 2006 on arrival at the airport in the Cabinda province of Angola. He was charged on 3 October and released on 27 October pending trial proceedings. Danda is charged with “instigating, inciting and condoning crimes against the security of the state”. The charges apparently stem from several opinion pieces that Danda had written for a variety of newspapers in Angola, in which he allegedly called for the secession of Cabinda (a province which, geographically, is completely separate from Angola). His trial had not started by the end of 2006. The charges were reportedly dropped in January 2007. Case closed.

BURKINA FASO

Brief detention/facing charges

Thierry NABYOURE: journalist for *San Finna* newspaper, was detained on 26 March 2007 for 48 hours for allegedly defaming the chief of staff of the National Gendarmerie. The charges are related to an article in which Nabyoure reported that the officer had refused to undergo military training in France. Nabyoure was reportedly forced to disclose the source of this information and explain his motives for writing the article. He was released on 27 March pending trial, which was due to open on 4 June. He reportedly faced a possible two-week prison sentence if found guilty. PEN is seeking details of the trial hearing.

CAMEROON

Sentenced in absentia

***Wirkwa Eric TAYU**: journalist for the local weekly newspaper *The Nso Voice*, based in Kumbo in the region of Bui. On 13 August 2007 Tayu was sentenced to a year in prison and 850,000 CFA franc (US\$1,800) fine on a number of press offences, including criminal defamation. The charges were related to a series of stories on alleged corruption in the local government, particularly a 23 April article based on a central government audit report accusing Kumbo’s mayor of involvement in embezzlement. Neither Tayu nor a defense lawyer was present when the sentence was passed: Tayu had gone into hiding a week before the trial and his lawyer claimed that he had not received a hearing notice. Other charges against Tayu included publishing a supplement without authorisation and not depositing copies of the paper at the offices of the local prosecutor prior to sale and distribution, requirements which are widely disregarded and rarely enforced. *The Nso Voice* has been previously targeted by the authorities because of its critical coverage of local government, and Tayu himself was jailed in 2004 for eight months for allegedly defaming the Kumbo’s mayor. An appeal was lodged; PEN is seeking an update.

Attacked

***Roland TSAPI**: journalist with independent daily *Le Messenger*, was assaulted by riot police while he was covering a peaceful demonstration in the Cameroonian economic capital, Douba, on 23 July 2007. The attack reportedly took place in the yard of the district authority for basic education, where members of the country’s opposition parties and motorcycle taxi drivers were protesting about fraud that had allegedly taken place during legislative and municipal elections held the previous day. According to news reports, some police officers with whom Tsapi was speaking suddenly pushed him towards members of the riot police, who kicked him and beat him with truncheons and rifle butts. The journalist required hospital treatment for bruising to the head.

On trial

***Gwendline MOM (f)**: reporter and political editor for the local newspaper *Cameroon Trumpet*, is facing charges of defaming government officials and inciting public rebellion and five to 10 years in prison due to her reporting on alleged election fraud. Mom (26) was arrested at her home on the night of 31 July 2007. When she asked why she was under arrest, six policemen reportedly dragged her from her house and threw her into a van. Mom was detained at the Buea central police station for a week, during which time she was allegedly tortured. On her release on 9 August, she was hospitalised for almost two weeks for injuries sustained during her detention, including a fracture in her right hand. It is believed that the government is unhappy with an 18 July investigative article by Mom in which she exposed its alleged plans to rig the 22 July municipal and parliamentary elections, which cited an anonymous source in the ruling CPDM party. It is understood that later reports revealed that there had in fact been large-scale electoral fraud in Fako division. Mom has since been threatened with further arrest and a law suit has been filed against her, accusing her of defaming government officials and inciting public rebellion. If found guilty, she faces five to 10 years in prison. She was due to appear in court on 20 September but is understood to have gone into hiding.

CHAD

On Trial

***Nadjikimo BENOUDJITA**: news editor of the private weekly *Notre Temps*, was arrested on 14 December 2007 and held at the headquarters of the intelligence service, despite his family having been told that he was being taken to the central police station. His arrest came about as a result of a complaint made against him by the High Council of Communication (HCC). The next day judicial police searched his home, which also serves as the newspaper's editorial office. After initially being charged with "defamation" and "insulting the head of State", Benoudjita was eventually charged with "inciting tribal and religious hatred" on 17 December. He was then released pending his next court summons. The police told the *Notre Temps* editor-in-chief that the information and public security minister intended to close the newspaper down.

Evariste NGARALBAYE: journalist for the N'djamena-based weekly *Notre Temps*, was detained for four days, from 27 to 31 October 2006, at the national department of Judiciary investigations (Section nationale de recherches judiciaires, SNRJ) of the N'djamena police headquarters. He was held in the wake of an article in the 30 October issue of *Notre temps* entitled "The Eastern Conflict: a useless war", in which he alleged that the Chadian army had recruited children to fight against the Union of forces for Democracy and Development (Union des forces pour la Démocratie et le Développement, UFDD). Ngaralbaye was provisionally released on 31 October. The National Gendarmerie was reportedly suing him for "defamation" and "damage to the reputation and morale of the troops". He was due to make his first appearance in court on 2 November 2006. PEN is seeking an update

DEMOCRATIC REPUBLIC OF CONGO

Sentenced in absentia

Pold KALOMBO: reporter with the Kinshasa-based weekly *Le Soft International*, was sentenced in his absence to six months in prison and a 20,000 Congolese franc (US\$40) fine on defamation charges on 18 May 2007. Kalombo and the newspaper were also ordered to US\$150,000 in damages. The journalist claims he was not notified of the lawsuit until 5 July, when the indictment and court ruling were given to him by the paper's security guard. The defamation charges stem from a 3 April report by Kalombo which criticised a partnership established in 2005 between petroleum refinery SOCIR (Société congolaise des industries de raffinage) and X-OIL. According to Kalombo, one of the source materials for his article was a 2005 book by SOCIR's head of economic research which was also critical of the deal. As of 19 July Kalombo remained free and his lawyers were reportedly opposing the ruling on the grounds that it abused the journalist's rights to an open and fair trial. No further news as of 31 December.

Brief detention

***Paul HARERA SEBIKALI** and **Robert ISAUR**: Ugandan journalists for the independent weekly *The Monitor*, based in Kampala, the capital of Uganda, were taken into custody on 3 October 2007, in Mugunga, DRC. The reporters were on their way to the Masisi territory, where there is strong support for the National Congress of the People (Congrès national du peuple - CNDP), a politico-militar movement led by the

dissident general Laurent Nkunda. Initially suspected of attempting to deliver weapons to Nkanda, the journalists were then officially accused of wanting to make contact with enemies of the DRC, and to hold interviews in a war zone without the national army's authorisation. However, on their release, in 9 October 2007, no charges were held against them.

Threatened/ Harassed

***Donat M'Baya TSHIMANGA** and **Tshivis TSHIVUADI**: President and Secretary General respectively of Journalist en Danger (JED), a Kinshasa-based free press non-governmental organization, have been threatened and harassed on a regular basis since 2005. In June 2007, Tshivuadi reportedly received a threatening phone call after criticising the handling of the official investigation into the murder of a news radio editor. On 10 July Tshimanga reported that they had been informed that their lives could be in grave danger due to the work of their organisation. According to Tshimanga, he was warned by a reliable source that JED's reporting on the same case was upsetting some powerful people in the government and that he and Tshivuadi should take care. The source advised them to keep quiet and preferably leave the country for a time. As a result the men took a number of precautions, including not sleeping at home, sending their families away from the capital and temporarily going abroad. On 31 July, the press and information minister threatened JED during a radio interview, calling it "an anti-patriotic organisation", suggesting he would withdraw its legal status and urging JED to "take great care." However, the harassment has continued, including an anonymous fax on 20 August ordering the men to stop reporting on the case of murdered journalist Franck Ngyke and his wife Héléne Mpaka (see above), and a threatening e-mail on 2 September. Similar threats received in 2005 and 2006 were reported to the General Prosecutor's office but no action was taken.

Released

Bosange MBAKA ("Che Guevara"): reporter with the magazine *Mambenga*, was arrested on 21 November 2006 following a fire at the Supreme Court during clashes between police and supporters of presidential candidate Jean-Pierre Bemba. Mbaka was charged by a military court with "theft of military property" for retrieving a mobile phone that was left in the courtroom when the fire broke out, despite the fact that he reportedly handed it over to a guard outside the court of his own accord the same day. Mbaka was detained in secret for 36 days in a cell at the Special Services Unit of Kinshasa police headquarters, during which time he was only questioned once. On 27 December 2006 he was transferred to Kinshasa's Central Penitentiary (CPRK), where he remains in custody. According to JED, in mid March 2007 Mbaka had been held under special confinement measures for more than a week, meaning that he could no longer receive visitors, including his lawyer. **New information**: On 7 September 2007, Mbaka was released and acquitted for lack of evidence, after ten months in pre-trial detention.

Case closed

Franck Ngyke KANGUNDU: political columnist for the Kinshasa-based daily newspaper *La Référence Plus* and his wife Héléne Mpaka (f) were shot and killed on 3 November 2005. According to reports, Kangundu and his wife were fired on by three masked men in civilian clothes who forced their way into the couple's house shortly after they returned home in the early hours of 3 November 2005. Héléne Mpaka was reportedly killed as she tried to escape. Kangundu then pleaded for his life, offering his assailants his money and his car. The killers had

reportedly told Kangundu that they had orders to kill him. As the head of the political section of *La Référence Plus*, Kangunda covered a variety of economic and political issues, including relations between political parties in the power-sharing government. On 10 March 2006, it was reported that second lieutenants Joël Mungande Kimbao and Didier Awatimbine and warrant officer Munongo Muyika had been detained as suspects and that Col. Mputu Mpende, a member of the Kinshasa-Matete military inspectorate, had said that in the course of their initial enquiries the police discovered that these three soldiers had used the victims' mobile phones during the 12 hours following the double-murder. **Trial of suspects:** The first public hearing in the trial of the three suspects took place on 12 July 2006, amidst calls from human rights organisations, notably Journaliste en Danger (JED), that an independent investigation take place. The military tribunal conducting the trial has been unable to guarantee its independence, particularly in light of an investigative report published by JED in February 2006, which implicated leading members of President Kabila's ruling party in the deaths. The police had been acting on the theory that the double murder was a common-law crime, despite evidence suggesting that the motives may have been political. In early 2007 JED noted that out of 20 scheduled hearings due to take place since the trial began in July 2006, only eight had actually occurred, five of which focussed on procedural matters. **Verdict:** Joël Mungande Kimbao, the main defendant, and Munongo Muyika, were both sentenced to death on 13 April 2007 by the military court of the Kinshasa/Matete garrison. The third defendant, Didier Awatimbine, was sentenced to life imprisonment. All three were found guilty of murder, attempted murder, extortion and violation of prison regulations. The court also condemned a fourth man, Serges Kabungu Obez, in absentia, to five years in prison for having purchased a phone belonging to the victim. Paulin Kusungila, the uncle of Joel Mungande Kimbao, was acquitted. There have been widespread concerns that major procedural failings and governmental obstruction have undermined the trial and prevented the true motives of the crime from being revealed. **New information:** In December 2007, an appeal confirmed the original verdict, and the case was closed. No additional investigation was carried out.

Bapuwa MWAMBA: freelance print journalist for several Kinshasa-based newspapers, was shot dead by unidentified gunmen who stormed his home on 8 July 2006. An investigation into the possible motives for his murder was opened. In late August 2006, police revealed that they were holding a former soldier and two civilians whom they believed killed Mwamba in a botched robbery attempt. On 1 June 2007 the trial of the presumed assassins began at the Kinshasa/Matete Military Tribunal. Four people were facing charges of "murder, illegal possession of firearms, criminal conspiracy and armed robbery". **New information:** On 24 August the court pronounced its verdict. Vungu Mbembo, Nkunku Makwala and Mangwele Lowayi were found guilty of "criminal conspiracy, armed robbery, illegal possession of firearms and war munitions and non-premeditated murder" and were sentenced to death. The fourth defendant, Suami Sumbu, was sentenced to 20 years in prison for "illegal possession of firearms and war munitions." The court ordered the defendants to pay a CF150,000 (US\$300) fine and, jointly with the Congolese state, US\$3.5 million in damages to Bapuwa's family.

Popol Ntula VITA: local correspondent for the Kinshasa private weekly newspaper *La Cité Africaine*, was sentenced to three months in prison and a fine on charges of defamation on 26 February 2007. The ruling followed the public prosecutor's request for a 12-month prison sentence. Vita was convicted for an article published on 6 January 2007 in which he accused the head of the local tax office and three other treasury officials of corrup-

tion. The article in question stated that the four had overcharged for motor vehicle licence plates and had taken the extra money for their own use, reportedly a common embezzlement practice in the Congolese civil service. Vita was sentenced in his absence and is understood later to have gone into hiding. No further news as of 31 December – case closed.

ERITREA

Reportedly died in custody

Said ABDELKADER (writer, chief editor of *Admas* and owner of a press that printed a number of independent newspapers in Eritrea – *born c. 1969*), **Medhanie HAILE** (assistant editor-in-chief of *Keste Debena* – '*Rainbow*' – *born c. 1970*), **Yusuf MOHAMED ALI** (editor-in-chief of *Tsigenay* – *born c. 1958*), **Fesshaye YOHANNES "Joshua"** (co-owner of *Setit*, playwright and poet – *born c. 1957*). **Date of arrest:** in the days following 23 September 2001. Detained along with a number of other journalists and former members of parliament as a part of a large scale crackdown on government critics calling for democratic reforms. On 18 September 2001, known as "Black Tuesday", the government closed down all independent media outlets indefinitely (see *Main cases* entry below for more details). **Sentence:** None of the men are believed to have been brought to trial. **Reports of deaths in custody:** In November 2006 Reporters San Frontières (RSF) asserted the credibility of reports of the deaths of Said Abdulkader (March 2005), Medhanie Haile (February 2006) and Yusuf Mohamed Ali (13 June 2006), which had been circulating for some time (e.g. www.aigaforum.com, www.awate.com and www.asmarino.com). The men's deaths were attributed to harsh conditions and lack of medical attention in Eirairo, a secret prison in the northern Red Sea desert province and accessible only by foot. In February 2007, a number of reports strongly suggested that Fesshaye Yohannes "Joshua" had also died in Eirairo on 11 January 2007. Yohannes had "disappeared" after taking part in a hunger strike in April 2002. He is thought to have been detained in an underground prison in Dongolo, to the north of Asmara, before being transferred to Eirairo. Yohannes was paralysed in one hand and had been walking with difficulty for many years. He is thought to have died as a result of severe ill treatment and denial of medical care. Some sources indicate that that he had suffered torture prior to his death, including having his fingernails ripped out. Media censorship and the fact that Eritrea is closed to human rights investigators means that these reports remain unconfirmed. No further news as of December 2007. PEN is continuing to monitor these cases. **Honorary Members:** American PEN, PEN Canada, Ghanaian PEN (Medhanie Haile).

Main cases

Emanuel ASRAT (editor-in-chief of *Zemen* – '*Time*'), **Temesken GHEBREYESUS** (sports reporter of *Keste Debena* - '*Rainbow*' - *born c. 1967*), **Mattewos HABTEAB** (chief editor of *Meqaleh* - '*Echo*' - *born c. 1973*), **Dawit HABTEMICHAEL** (assistant chief editor of *Meqaleh* - *born c. 1973*), **Dawit ISAAC** (co-owner of *Setit*, writer – *born 1964*), **Date of arrest:** in the days following 23 September 2001. **Sentence:** not yet sentenced. **Details of arrest and charges:** According to news reports, presidential adviser Yemane Gebremeskel stated that these journalists (and the four listed in the entry above) may have been arrested for avoiding national service. The detentions came in the wake of the closing down of all eight independent newspapers by the authorities on 18 September 2001 (these include the weeklies *Meqaleh*, *Setit*, *Tsigenay*, *Zemen*, *Wintana*, and *Admas*). Since then, only the state newspaper,

Hadas Eritrea, has been published. The authorities have either denied that a clampdown has taken place, claiming instead that the journalists have merely been sent to carry out their national service; or that the closures and mass arrests were necessary for the sake of national unity, or were effected because of the failure of the newspapers 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 its prosecution of the war against Ethiopia. All those detained have had their bank accounts frozen and assets confiscated. In April 2003, Eritrean 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." **Health concerns/prison conditions:** It was reported in April 2004 that the journalists were being held in secret security sections of the 2nd and 6th police stations in the capital Asmara. In 2006 CPJ noted that a recent anonymous report which first appeared on www.aigaforum.com paints a picture of the brutal prison conditions in which the jailed journalists live. It claims that jailed opposition leaders and journalists were moved to the remote Eiraeiro prison in 2003. In 2002, the journalists had reportedly gone on hunger strike against their detention. CPJ's sources said they believed that the description of the place was credible but some of the report's details were inaccurate. The report has also been posted on <http://www.awate.com> and <http://www.asmarino.com>. There are ongoing concerns about severe ill treatment, poor health and lack of access to medical care, as highlighted by the four reported deaths above. No further news as of December 2007. PEN is continuing to monitor these cases. **Honorary Members:** American PEN, PEN Canada.

Mahmud AHMED SHERIFFO, Haile WOLDETESNAE, Petros SOLOMON, Saleh Idris KEKIA, General Ogbe ABRAHA, Astier FESHATION, Berhane GHEBRE EGHZABIHER, Hamid HIMID, Estifanos SEYOUM, Germano NATI and Beraki GHEBRE SELASSIE: former Minister of Local Government, former Minister of Trade and Industry, former Minister of Fisheries, former Minister of Transportation and Communication, and former Chief of Staff of the Defence Force and Minister of Trade and Industry respectively (the final six were also former members of government), have been detained since 18 or 19 September 2001 after the publication in May 2001 of an open letter critical of the government addressed to members of the ruling People's Front for Democracy and Justice (PFDJ) party. All eleven were members of the so-called G-15, a group of fifteen PFDJ senior officials who signed the letter. They were arrested in Asmara on 18 and 19 September 2001 and accused of crimes against national security and sovereignty. A twelfth G15 member was also arrested but was released when he recanted. The three remaining members were abroad at the time of the arrests and have not returned to Eritrea. In February 2002, in the first parliamentary session since 2000, President Issayas Afewerki declared that the G-15 members had "committed treason by abandoning the very values and principles the Eritrean people fought for". The National Assembly therefore "strongly condemned them for the crimes they committed against the people and their country". After such statements it seems highly improbable that the eleven currently held will receive a fair trial. The eleven are held incommunicado and it is not known whether they have been formally charged. All believed still detained as of 31 December 2007; PEN monitoring.

Disappeared/possibly imprisoned or conscripted

Akhader AHMEDIN (Tsigenay), Omer "ABU AKLA" (Tsigenay), Amanuel GHEBREMASKEL (Mana), GHEBREMEDHIN (Millennium), Yebio GHEBREMEDHIN (Mekalih), Daniel HABTE (Eri-Tempo), Muluberhan HABTEGEBRIEL (Setit), Zemenfes HAILE (Tsigenay), Meles NIGUSSE (Tsigenay), Paolos ZAID (Eritrean Profile): all journalists with Eritrean publications (as indicated), are missing presumed imprisoned or forcibly conscripted into the army and sent to the front line in the conflict with Ethiopia (a cease-fire declared in December 2000 is still in force). Zaid was arrested at his home in late April 2001. His current whereabouts are unknown, as is the reason for his arrest. Haile was reportedly captured by security agents early in 1999. He is said to have been tortured before being transferred to Zara hard labour detention centre. Towards the end of 2000 Haile was reportedly transferred to an unknown location, before being released from prison in 2002. He is believed to have been sent into the army immediately and is apparently still carrying out his national service even though he reportedly fulfilled his duties in this regard in 1994. On 15 June 2001, Eritrean Justice Minister Foazia Hashim wrote that five of the fifteen journalists initially reported as missing were employed with non-governmental organisations or local publications and that "the remaining journalists are performing their obligations in the National Service Program". No further news as of 31 December 2007; all are still missing presumed imprisoned or forcibly conscripted. **Honorary Members:** Ghanaian PEN

ETHIOPIA

Sentenced in absentia

Abey GIZAW: editor-in-chief of the weekly *Netsanet*, was sentenced in absentia to life imprisonment for 'treason' on 16 July 2007. The charges related to his publication of articles critical of the government's conduct around the May 2005 parliamentary elections (see entry *On trial – charges dropped* below for more details). Neither Gizaw nor **Zelalem GUEBRE**, editor of *Menelik*, was included in the pardons issued in July and August 2007. Prior to his conviction, Gizaw had been arrested on 6 July 2005 on charges of "defamation of the Ministry of Defence", but was released the same day on bail. [Update #5 to RAN 49/05 – 27 July 2007, Update #6 to RAN 49/05 – 9 August 2007, Update #7 to RAN 49/05 - 23 August 2007]

Sentenced - free pending appeal

Getachew SIMIE: former reporter for the independent weekly *Addis Admass* and editor-in-chief of the now defunct Amharic weekly *Enat Agerie*, was sentenced to three months in prison on defamation charges in December 2005; two years later he is still waiting for the outcome of his appeal. Simie was arrested and jailed on the basis of an article he had written six years previously. Prior to his arrest, he had received threatening telephone calls from the authorities, which he believes were intended to deter him from continuing his reporting. On 1 December 2005, Simie was arrested and beaten, and on 7 December 2005, was sentenced to three months' imprisonment for defamation for an August 1999 *Enat Agerie* piece alleging corrupt practices at a government-owned textile factory. His conviction came in the wake of a generalised clampdown of the independent press. Simie was held for a week in Kality and then Zway prison some 165km from the capital, before being released on bail following an appeal to the Supreme Court lodged by his family. As of December 2007, his appeal was still pending.

On trial – charges dropped

Sisay AGENA (managing editor of *Ethiop* and head of the Ethiopian Free Press Journalists Association); **Serkalem FASIL (f)** (editor of *Menelik* – wife of Eskinder Nega - gave birth in prison in June 2006); **Dereje HABTEWOLDE** (deputy editor of *Netsanet*); **Nardos MEAZA** (editor-in-chief of the weekly *Satanaw*); **Eskinder NEGA** (owner of Serkalem Publishing Enterprise - publisher of *Asqual*, *Menelik* and *Satanaw* – husband of Serkalem Fasil); **Zekarias TEFAYE** (publisher of the weekly *Netsanet*); **Feleke TIBEBU** (deputy editor of *Hadar*); **Fasil YENEALEM** (publisher of the weekly *Addis Zena*). Among at least 18 journalists and two academics arrested en masse, along with opposition party leaders and human rights defenders, in November 2005. The arrests came in the aftermath of clashes between security forces and demonstrators protesting against supposed irregularities in the May 2005 parliamentary elections. The journalists and academics were charged with “outrages against the constitution or constitutional order,” “impairment of the defensive power of the state” and “attempted genocide” following the publication of editorials critical of the government’s conduct around the May 2005 parliamentary elections. These crimes carry the death penalty or life imprisonment. This political trial lasted almost two years (November 2005 to August 2007), during which time the writers were held in often dire conditions. The eight editors named above were acquitted and released in April 2007 after spending 17 months in prison (see previous case list for more details). However, on 11 June three publishing houses were convicted on similar charges: Serkalem (which owns *Asqual*, *Menelik* and *Satanaw*); Sisay (*Ethiop*); and Fasil (*Addis Zena*). The companies, owned by Nega, Agena and Yenealum respectively, were ordered to pay heavy fines and be dissolved. The Ethiopian government then sought to revive the genocide charges, which carry the death penalty, against the eight editors. They were due to appear before Ethiopia’s Supreme Court in November 2007. A number of them had already fled the country following their release. **New information:** The genocide charges were dropped after the majority of other journalists involved in the same political trial were pardoned in July and August 2007. However, official harassment continues in more subtle forms. On 1 January 2008, Agena, Fasil and Nega were informed that their application for a licence to launch a new publication, which they had applied for in September 2007, had been denied. **Honorary Members of USA PEN:** Eskinder Nega and Sisay Agena. [Update #5 to RAN 49/05 – 27 July 2007; Update #6 to RAN 49/05 – 9 August 2007; Update #7 to RAN 49/05 – 23 August 2007]

Released

PEN learned in September 2007 that the following four journalists had been released from prison, exact date and circumstances unknown:

Leykun ENGIDA: former editor-in-chief of the now defunct weekly newspaper *Dagim Wonchif*, appeared at the Second Criminal Bench of the Federal High court on 1 July 2004 to face charges of “violating article 10/1-20/1/ of Press Proclamation no. 34/1985” by “disseminating false information through the newspaper”. The charges stem from a *Dagim Wonchif* article published on 15 June 2000 entitled, “Ato Siyom Mesfin appeals for resignation.” Engida was released on bail of 5000 birr (US\$600). On 9 December 2005, Engida was given a 15-month sentence for “fabricating news that could have negative psychological effects and cause disturbances in the minds of the people”. He was sent to prison to serve his sentence on 27 December 2006. **New information:** PEN

learned in September 2007 that Engida had been released after serving his sentence, exact date and circumstances not known.

Abraham GEBREKIDAN: editor of the now-defunct Amharic weekly *Politika*, was sentenced on 8 March 2006 to 12 months’ imprisonment for publishing “false news”. The charge stemmed from a 2002 report that alleged that the Ethiopian authorities were training rebels in Eritrea. **New information:** PEN learned in September 2007 that Gebrekidan had been released, exact date and circumstances not known.

Tesehalene MENGESHA: a former editor of the defunct weekly *Mebruk*, was reported on 12 May 2006 to have been sentenced to 18 months’ imprisonment. The exact date of the trial at which Mengesha was found guilty is unclear. The “criminal defamation” charge for which he was tried stemmed from an article published during the 1998-2000 border conflict between Ethiopia and Eritrea. The piece – not believed to be penned by Mengesha himself – named a person believed to be working as a double agent. The individual denied the allegation and filed the charge against Mengesha on the grounds that Ethiopian law holds editors responsible for the content of their newspapers. **New information:** PEN learned in September 2007 that Mengesha had been released, exact date and circumstances not known.

Abraham RETA: journalist with the independent weekly *Addis Admas*, was reported to have been handed down a one-year prison sentence for libel on 24 April 2006. The charge is believed to have stemmed from a 2002 article published in the defunct weekly *Ruh* in which he reportedly linked three senior officials to a corruption case. He was conditionally released after serving three months in prison pending the outcome of his appeal. On 26 January 2007 his appeal was rejected by the Ethiopian Supreme Court and he was returned to jail to complete the remaining nine months of his sentence. **New information:** PEN learned in September that Reta had been released from prison, exact date and circumstances not known.

The following eight journalists and two academics had all been imprisoned since November 2005 on charges related to their publication of editorials critical of the government’s conduct around the May 2005 parliamentary elections (for more details, see entry On trial – charges dropped above):

Solomon AREGAWI: owner of the weekly newspaper *Hadar*, is understood to have been released in the first half of 2007; circumstances unclear.

Andualem AYELE (editor of the weekly newspaper *Ethiop*), **Dawit FASSIL** (deputy editor of *Satanaw*), **Dr Berhanu NEGA** (economist and vice chairman of the opposition Coalition for Unity and Democracy - CUD - and elected mayor of Addis Ababa), **Mesfin TEFAYE** (editor of *Aday*), **Professor Mesfin WOLDE MARIAM** (75, author and former chair of the Ethiopian Human Rights Council), **Wonaksegged ZELEKE** (editor of *Asqual*). The four editors and two academics were freed following a conditional pardon on 20 July 2007, four days after they had received lengthy prison sentences. On 16 July Ayele and Tesfaye escaped the death penalty but were sentenced to life imprisonment, as were Professor Wolde Mariam and Dr Nega. Zeleke and Fasil received sentences of three years and 18 months respectively. The six were then released from Kaliti prison along with 32 opposition leaders and activists following an apparent deal struck with the authorities in June. All 38 are understood to have signed a statement acknowledging their “mistakes” committed in relation to deadly protests following the 2005 elections and asking for clemency. A number of the journalists have fled

the country since their release. **Honorary Member of Scottish PEN:** Professor Mesfin Wolde Mariam [Update #5 to RAN 49/05 – 27 July 2007]

Wesenseged GEBREKIDAN (former editor of the weekly *Addis Zena* and current editor of the weekly *Addis Zena*), **Dawit KEBEDE** (editor-in-chief of *Hadar*) and **Goshu MOGES** (publisher and contributor to *Lisane Hezeb* – a weekly newspaper and monthly magazine). Released on 18 August 2007, along with some 30 opposition members, following a conditional pardon issued by Prime Minister Meles Zenawi. All three had been given lengthy prison sentences just a few weeks earlier. On 30 July Gebrekidan and Kebede were sentenced to four years' imprisonment for "conspiracy to subvert the government" (Gebrekidan had previously been handed two prison sentences - eight months and 16 months - on charges of criminal defamation; see previous case list for details). On 27 July Moges and a freelance columnist, **Tadios Tantu** (who had been jailed since February 2006 on similar charges) were given 10- and 15-year sentences respectively for "belonging to an illegal political organisation". It is understood that the journalists had waived their defence and pleaded guilty in anticipation of the pardon. The government has denied allegations that they were forced to make a confession. [Update #6 to RAN 49/05 – 9 August 2007; Update #7 to RAN 49/05 - 23 August 2007].

GABON

Suspended sentence

***Guy-Christian MAVIOGA:** director of the independent newspaper *L'Espoir*, was sentenced in absentia on 1 August 2007 to one month in prison, a five-month suspended prison sentence and two fines for offending the head of state. He was reportedly unable to appear in court as he had been hospitalised due to poor conditions during his detention since 28 June. He was taken to hospital on 30 July to be treated for respiratory problems and back pain which had begun while in detention. Mavioga's arrest stemmed from a 14 June editorial critical of President Omar Bongo, who has been in power since 1967. *L'Espoir* has also indefinitely suspended by Gabon's Media regulation body, CNC. As he had already spent more than a month in jail prior to his conviction, Mavioga was released on 5 August 2007. *L'Espoir* remained suspended.

GAMBIA

Disappearance

“**Chief**” **Ebrimah MANNEH:** journalist with the pro-government *Daily Observer*, was reportedly arrested on 11 July 2006 and has been held in incommunicado detention at the National Intelligence Agency (NIA) headquarters ever since, seemingly without having been charged with any offence. The NIA has repeatedly denied that they have the journalist in their custody. It is believed that the reason for the arrest of Manneh – known as “Chief” Ebrimah B. Manneh – 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 PEN's sources, Manneh has been moved around the country throughout his detention and although the local media has reported seeing him on several occasions, the government has remained silent on the subject. On 20 June 2007, the Media Foundation for West Africa (MFWA) reported that the Community Court of Justice of the Economic Community of West

African States (ECOWAS) in Nigeria had issued a hearing notice for a suit filed against the Republic of Gambia by MFWA on Manneh's behalf with the aim of forcing the authorities into releasing and compensating Manneh. **New information:** Manneh was reportedly sighted 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) (allegedly 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. The government failed to send a representative to the ECOWAS Court hearings scheduled for 16 July and 26 September. The Community Court is expected to deliver its verdict on the case on 31 January 2008.

Sentenced – appeal lodged

Lamin FATTY: reporter for the Banjul-based bi-weekly newspaper *The Independent*, was arrested on 10 April 2006 in the wake of an article on the arrest of a number of alleged coup plotters which erroneously implicated a former government minister.

On 24 March 2006, *The Independent* had run a piece that included a list of 23 well known figures supposedly arrested in connection with an abortive coup plot three days earlier. Samba Bah, former interior minister and former head of the National Intelligence Agency, was mistakenly named. The 27 March 2006 issue carried an article in which Bah refuted the assertion that he had been arrested and an apology by the newspaper. The editor and managing director of *The Independent* were arrested on 28 March and were released without charge on 20 April 2006. Several other members of staff were also detained during the armed raid but released later the same day, also without charge. *The Independent* was forcibly closed by security services on 28 March 2006 and remains banned. Fatty was held incommunicado for two months, eventually being released on bail on 12 June 2006. During his time in custody it is understood that he was denied access to a lawyer. He faced charges under section 181 of the Gambian criminal code for publishing “false news”. His trial was extremely protracted due to its frequent adjournment, sometimes for apparently trivial reasons. On 5 June 2007 the Kanifing Magistrates' Court found Fatty guilty as charged and sentenced him to a D50,000 (US\$1,850) fine or by default one year in prison. Fatty was jailed immediately but was released soon after when the Gambia Press Union (GPU), the country's largest journalists' union, paid the fine. It is understood that Fatty has filed an appeal. **New information:** As of 31 December, Fatty was in hiding. PEN monitoring.

Brief detention/ Possible death threats

***Yaya DAMPHA:** reporter for *Foroyaa* bi-weekly newspaper, was arrested on 6 October 2007, together with two staff members of Amnesty International, for allegedly spying. All three were released without charge 48 hours later. Dampha has since undergone further harassment. On Sunday 14 October 2007, plain clothes officers came to Dampha's home in Latrikinda Sabiji, some 20 kilometres from Banjul, and questioned his wife about his whereabouts; she told them that he had gone to work at the *Foroyaa* offices. Reports suggest that the police have since returned to Dampha's home several times, but that the reporter is now missing; he is believed to have gone into hiding. Sources of the Media Foundation for West Africa (MFWA) reported that the reporter went into hiding after receiving death threats.

Not really a case – anyone attempting to enter a presidential residence without formal invite/credentials should expect this!

Threatened/ Harassed

***Momodou Lamin JAITEH:** a correspondent for the Senegal-based Pan African News Agency, has gone into hiding after being harassed by suspected NIA agents in relation to his alleged links to the Media Foundation of West Africa (MFWA), a regional press freedom organisation based in Ghana. On 29 June 2007 the journalist received a phone call from the managing editor of the pro-government newspaper *Daily Observer*, allegedly a close ally of President Yahya Jammeh, who interrogated Jaiteh about his professional background and alleged links to MFWA. Jaiteh reportedly denied any links with MFWA. Jaiteh then received repeated anonymous phone calls and a visit from men suspected to be security agents. The president of the Gambia Press Union has also reported receiving a call from the *Daily Observer* managing director inquiring about Jaiteh. Jaiteh went into hiding shortly afterwards.

On Trial

Fatou Jaw MANNEH (f): Gambian freelance journalist (contributor to the US-based opposition website AllGambian.net, former reporter for the private *Daily Observer*), and pro-democracy activist, living in exile in the United States since gaining political asylum in 1994 following the coup that brought President Yahya Jammeh to power. **Arrest:** Manneh, who is understood to have returned to Gambia to pay tribute to her late father, was arrested by National Intelligence Agency (NIA) officers on her arrival from the USA at the international airport in the capital Banjul on 28 March 2007. She was detained for a week, during which time she was denied access to a lawyer or her family. **Charges:** On 4 April 2007 Manneh finally appeared before a court in Kanifing, 12 km outside the capital. She was charged on three counts of sedition under Gambia's criminal code: "intention to commit sedition", "publication of seditious words" and "publication of false news intended to cause public fear and alarm to the Gambian public". Each count carries a maximum prison term of two years or a fine or both. Manneh pleaded not guilty and was released on bail. Her travel documents were reportedly confiscated. A fourth charge, "uttering seditious words", was added on 20 June. Manneh is being prosecuted for articles critical of President Jammeh, particularly an interview with her in which she accused President Yahya Jammeh of "tearing our beloved country to shreds" and calling him a "bundle of terror". The interview was first published in the now defunct bi-weekly *The Independent* in June 2004 and later published on several websites, including AllGambian.net in October 2005. **Trial/ New information:** The trial is being dragged out, with counsels reportedly often failing to turn up in court and endless wrangling over which court should hear the case. Ironically, given the overruling of the defence lawyer's original argument that the Kanifing court did not have jurisdiction to hear the case as the alleged offences took place when Manneh was outside Gambia, the case has since been batted from court to court on jurisdictional grounds. In July 2007 the Kanifing Magistrates Court transferred the case to Banjul, arguing that it was in that city that the offending articles were reportedly downloaded from the Internet. A month later the Banjul Magistrates Court in turn ruled that since the offending articles had been published on the internet the case was a "global issue" but then, with little apparent logic, referred the case to Brikama on the grounds that Manneh was arrested at Banjul airport, which falls within the jurisdiction of the Brikama administrative region. In September 2007 it was reported that the Brikama Magistrates Court had refused to hear the case and had

referred it back to Banjul. On 7 December, Banjul High Court ruled that the case would be moved back to Kanifing Magistrates Court, where it had originally started, and where that a number of witnesses had already testified. These delays have prompted speculation that the state lacks evidence for the prosecution and is trying to buy time. PEN is continuing to monitor the case.

GUINEA (CONAKRY)

Suspended sentence

***Abdoul Azziz CAMARA** and **Thiernodjo DIALLO:** directors of newspapers *Libération* and *La Vérité*, were each given six-month suspended prison sentences and a 50 million Guinean franc (US\$12,781) fine on criminal defamation charges on 13 August 2007. They were also ordered to pay one million francs (US\$256) in costs and to publish the verdict. The charges were filed by a former public works and transport minister who was accused of embezzlement in articles published by the two newspapers in March and April. An appeal was lodged on 14 August 2007.

GUINEA-BISSAU

On trial – in hiding

***Albert DABO:** correspondent for news agency Reuters, was charged on 27 August 2007 with libel, violating state secrets, libellous denunciation, abusing press freedom and colluding with foreign journalists. This followed a complaint lodged against him by the chief of the national navy, who claimed that Dabo had falsely attributed to him the allegation that soldiers are implicated in drug trafficking during an interview for ITN News, a British television station for which Dabo had acted as an interpreter. According to Dabo, none of the media outlets where he works carried this interview. Dabo and another journalist, Agence France Presse correspondent **Allen Yero Emballo**, had briefly gone into hiding on 26 July 2007 after receiving threats linked to their reports implicating high-ranking civilians and military officials in drug trafficking in Guinea-Bissau. The articles followed the publication of the UN 2007 World Drug Report, which named the country as a major transit and trafficking point for cocaine. Military officials demanded that Dabo and Emballo retract their reports on national radio and, when the journalists failed to do so, ordered them and two other broadcast journalists to report to the nearest police station. As there are no prison facilities in the country, if captured the journalists would have been held in military installations where it was feared they would be at risk of torture. All four went into hiding shortly afterwards. As of 31 December 2007, the trial was still pending and the death threats against Dabo continued. PEN monitoring.

IVORY COAST

Disappeared – presumed killed

Guy-André KIEFFER: writer and independent reporter who holds joint French and Canadian nationality, disappeared on 16 April 2004. Kieffer was last seen at a shopping centre in Abidjan and has made no contact with anyone since that time. According to RSF, he was "abducted from the car park of an Abidjan supermarket, at around 1pm on 16 April 2004 after falling into a trap set for him by a member of President Laurent Gbagbo's entourage". **Background:** The journalist and writer, who had lived with his family in the Ivory Coast for several years, was the Abidjan correspondent for the French publication *La Lettre du Continent*, had written for French business publication *La Tribune* and contributed occa-

sionally to several magazines. He also reportedly wrote for the Ivorian press under a pseudonym and was collaborating on a book with Louis-André Dacoury-Tabley, foreign affairs coordinator for the Patriotic Movement of the Cote d'Ivoire (*Mouvement patriotique de Cote d'Ivoire* – MPCI). In addition to his work as a journalist and writer, Kieffer has also worked as a cocoa and coffee trade expert for a firm of consultants and has conducted numerous investigations into the coffee and cocoa sectors, some of which have exposed corruption. **Investigation:** Following Kieffer's disappearance, rumours circulated in the Ivory Coast that the body of a white man had been found in a suburb of Abidjan. Michel Legré, the brother-in-law of President Gbagbo's wife, Simone Gbagbo, was reportedly the last person to have seen Kieffer before his disappearance. Legré named eight suspects whom he claimed had kidnapped Kieffer on behalf of the head of presidential security. However, the examining magistrate complained to the public prosecutor that he found that he was blocked in his attempts to interview them. Legré was subsequently charged with 'accessory to kidnapping', 'unlawful confinement' and murder. He was also charged with defamation. Non-governmental organizations such as Reporters without Borders (RSF) are accusing the judicial authorities in the Ivory Coast of making a scapegoat out of an accomplice 'to avoid going after those who are really responsible'. On 13 December 2004, the French investigating judge Patrick Ramael requested that the main suspect in the case, Michel Legré, be transferred to France for two months of questioning as an attempt to counter the lack of progress. **Arrest of new suspect:** On 11 January 2006, Jean-Tony Oulaï, an Ivorian army captain who claims to have belonged to the Ivorian special services, was arrested outside Paris and the French judicial authorities announced that he is to be formally investigated on suspicion of kidnapping and illegally detaining Kieffer. According to reports, Oulaï has contradicted himself many times in his statements and evidence suggests he could have been the head of a commando group that kidnapped and eliminated Kieffer. In a joint statement issued in February 2006 by the two judges in charge of the French investigation, Patrick Ramaël and Emmanuelle Ducos called upon the Ivorian government to agree to Michel Legré's transfer to France as soon as possible, claiming that Legré is a key witness whose transfer has been awaiting Ivorian approval for more than a year. Legré was held in an Abidjan detention centre for a year and half before being granted a provisional release in October 2005. **New information:** On 22 August 2007 the French President, Nicolas Sarkozy, pledged to give the French judges the resources they need to solve the case, in particular to interview all witnesses and suspects. Oulaï was reportedly rearrested on 16 October 2007 for violating his bail conditions and failing to respond to summons. In December it was reported that judge Patrick Ramaël had again been unable to question witnesses on an eighth mission to the Ivory Coast, allegedly due to obstruction by the Ivorian authorities. PEN is continuing to monitor this case.

On trial

Edouard GONTO and Coulibaly SEYDOU: political reporter and managing editor respectively of the privately-owned daily *Le Jour Plus*, were arrested on 12 September 2006 and subsequently charged with "offences against the head of state" before their release the following day. The charges relate to an article published in *Le Jour Plus* on 11 September 2007 written by Gonto that claimed that President Laurent Gbagbo's wife Simone was partly responsible for the offloading of toxic waste in various parts of Abidjan. The article, entitled "Toxic waste: Mme Gbagbo at the heart of the scandal" linked the President's wife and

the director general of Abidjan Port, Marcel Gossio to the scandal which had led to the deaths of at least 10 people. **Convictions:** On 15 September 2006, Gonto, Seydou and colleague **Frédéric Koffy**, who was in charge of the editorial team on the day the article was published, appeared before an Abidjan court and were fined 500 million CFA francs (approx. US\$1 million in damages). **New charges:** On 13 March 2007, it was reported that Gonto, Seydou and Koffy would again be put on trial on 16 March on new charges of criminal defamation this time brought by Marcel Gossio, director general of the Abidjan Port. The State Prosecutor had first rejected Gossio's new complaint on 2 February, saying it contradicted a provision of the Criminal Code, which no longer allows for libel complaints. However, on 16 February 2007 the State Prosecutor reversed his decision. *L'Inter* newspaper editor-in-chief **Charles d'Almeida** and journalist **Hippolyte Oulaï** were also questioned in February 2007 for having reported on the same story.

Alexis NOUME (journalist for the *Le Jour Plus*), **Paul Arnaud DIGBEU**, **Laure GOZO** and **Assouan N'GUEETA** (reporters for *Le Rebond*): were summoned by the Police Criminal Investigation Department (CID) on 11 September 2007. The reason given was their publication of stories that allegedly damaged the reputation of the Ivorian president. They were also questioned the following day. *Le Jour Plus* had published corruption allegations against President Gbagbo and other functionaries on 8 September, while *Le Rebond* had published a list of 38 ruling party officials, including the president, alleging that they were millionaires, on 3 September. The five journalists reportedly reappeared before the Plateau (Abidjan) Magistrates' Court on 26 September 2007, all charged with libelling the president. PEN is seeking further information.

KENYA

Brief detention

***Dan Ouma ODERA and Okoiti OMTATAH:** writers and journalists, were arrested on 31 July 2007 alongside a number of other individuals taking part in a demonstration protesting about the salaries of Kenyan members of parliament. The three men were then injured when the police car they were travelling in was involved in a traffic accident, and were taken to hospital. They were released the next day after appearing in court. Their case was dismissed as the police had failed to charge the men within the required 24-hour period.

On trial

***Philo IKONYA (f) and Fwamba N C FWANBA:** Ikonya, author and member of Kenyan PEN, and Fwamba, a regular contributor to various print media, are on trial for taking part in an illegal demonstration. They and nine others were arrested on 7 August 2007 while singing a peace song in a small group outside the headquarters of the Criminal Investigation Department (CID), and in the view of the media, to protest against arbitrary arrests of members of civil society. Ikonya had previously been threatened with arrest on 31 July, when she had paid a hospital visit to two fellow writers and three other activists who had been arrested after taking part in a demonstration and were subsequently injured when the police car they were travelling in was involved in a traffic accident (see entry below). She was attempting to ensure that the arrested were not removed from the hospital while still in need of treatment. Following her arrest, Ikonya was detained overnight and released on bail the following day. The hearing date was set for 3 December and she was ordered to report to the police on a regular basis. However, the hearing was postponed to 7 February 2008 as the police had failed to

serve Ikonya's lawyer with the required file of charges and evidence. PEN monitoring.

Released

Mburu MUCHOKI: editor of the private tabloid weekly *The Independent*, was sentenced by a court in Nairobi on 6 March 2007 to one year's imprisonment for libelling the Kenyan Justice and Constitutional Affairs Minister, Martha Karua. The conviction related to a 2004 story entitled 'Karua's father in abortion scandal' that also alleged an affair between Karua and a Catholic priest. Muchoki was fined 500,000 shillings (5,500 Euros) - 25 times the maximum allowable fine for libel - or one year in prison. He was unable to pay the fine and was held in a prison in an industrial zone in Nairobi. Muchoki's lawyer claimed that the outcome of the trial was influenced by the fact that the presiding judge is a close friend of the justice minister and says he intended to appeal. Karua has reportedly never denied the allegations made against her by *The Independent*. It is understood that she won an earlier ruling against Muchoki for the same story, but the judgment of 25 million shillings (US\$361,000) in civil damages was later invalidated because the prosecution did not follow proper procedure. **Update:** Muchoki was released in June 2007 on a presidential pardon. His appeal was never heard.

LIBERIA

Attacked

***Jonathan PAYLELAY and Alphonso TOWAH:** correspondents for the BBC and Reuters respectively, were assaulted by the bodyguards of President Ellen Johnson-Sirleaf on 21 September 2007, and removed from the interview area for alleged 'breach of protocol'. The journalists, together with other local and international reporters, had gathered at Roberts International Airport in Monrovia to cover a visit by the Sierra Leonean president. Later that day, the Presidential Press Secretary met with the journalists and apologised for the behaviour of the State Security personnel.

***J. Rufus PAUL:** journalist for the *Daily Observer*, based in Monrovia, was beaten and briefly arrested by the National Police and the Drug Enforcement Agency on 31 August 2007, while he was attempting to follow a police operation without authorisation. The police was carrying out a raid on a building in central Monrovia, which was believed to be a centre of drug-related activities. Paul, who is a resident of that area, tried to cover the story after neighbours told him about the raid. He was confronted by an officer, and despite identifying himself as a reporter, his camera was taken away, and he was handcuffed and taken to the police headquarters, along with the people arrested during the raid. On his arrival, Paul was taken to the Deputy Police Commissioner for Crime Services, who apologised for the actions of the police officers.

MALAWI

On trial

Robert JAMIESON, Dickson KASHOTI and Arnold MLELEMBWA: owner, editor and reporter respectively for the newspaper *Chronicle*, were reportedly arrested in Lilongwe on 8 May 2006. The detention stemmed from a *Chronicle* article that claimed that Attorney-General Ralph Kasambara and Charles Simango, Director for the Media Institute of Southern Africa (MISA) in Malawi, had taken part in a deal involving a stolen computer. The three were granted bail on 9 May and ordered to

stand trial on criminal charges for the defamation of Kasambara. PEN is seeking further information.

MALI

Suspended sentence – Appealing

Diaby Makoro CAMARA and Oumar BOUARÉ: director and editor respectively of the private monthly *Kabako*, were handed criminal defamation convictions on 5 March 2007 by a court in the capital, Bamako, as a result of a December 2006 story that criticised a government minister. They were sentenced to four-month suspended terms, fined 50,000 CFA francs (US\$100) and ordered to publish the court decision. The charges stemmed from a defamation suit brought by Planning and Land Development Minister Mariamantia Diarra on 19 February 2007 over a story headlined "Consumed by jealousy: Marimantia Diarra raids his ex-fiancée with the police," which described Diarra's alleged attempts to stop the wedding of his former fiancée, to another man by sending policemen to surround her house with the intention of assaulting her. It has been reported that the ruling was politically motivated due to the influence of Diarra, secretary-general of the former ruling party ADEMA and an ally of President Amadou Toumani Touré. Camara and Bouaré reportedly planned to appeal. As of 31 December 2007, a hearing date had yet to be set.

Hameye CISSE, Seydina Oumar DIARRA, Ibrahima FALL, Alexis KALAMBRY and Sambi TOURE: editor for *Le Scorpion*, journalist for *Info-Matin*, editor for *Le Republicain*, editor for *Les Echos* and editor for *Info-Matin* respectively. On 14 June 2007 Diarra was arrested along with a teacher on charges of 'offence against the head of state'. The charges followed the publication of an article by Diarra published in *Info-Matin* on 1 June and entitled 'Lycée Nanaïssa Santara: the President's Mistress', on an essay topic set relating to a hypothetical presidential sex scandal. Following the detention of Diarra and the teacher, other newspapers reprinted the story and on 20 June, Cissé, Fall, Kalambry and Toure were summoned to the state prosecutor and immediately arrested on charges of 'complicity in an insult against the president'. The five journalists and the teacher appeared at a closed trial on 26 June where they were given suspended prison sentences and fines (Diarra 13 days - equivalent to the time he had spent in detention; Touré eight months and a fine; Cissé, Fall and Kalambry three months and a fine). The journalists planned to appeal against their sentences. As of 6 December 2007, the appeal was still pending.

MAURITANIA

Sentenced – On Appeal

Abdel Fettah Ould ABEIDNA: Managing editor of the daily Arabic-language newspaper *Al-Aqsa*, was sentenced to one year in prison for defaming a local businessman on 7 November 2007. In a 16 May article, Abeidna had linked businessman Mohamed Ould Bouammatou to a recently uncovered large-scale cocaine racket in which a number of politicians had been implicated. According to RSF, the article did not present very firm evidence. The editor was detained in Nouakchott for four days from 24 May on defamation charges brought against him by Bouammatou and was granted bail on 28 May. On 7 November 2007, Abeidna was sentenced to one year's imprisonment and a fine for making false allegations against Bouammatou with the intention of harming his reputation. He was also ordered to publish the sentence in the four newspapers in the area. The editor, who was out of the country when the judg-

ment was ruled, is reportedly appealing against his conviction. PEN is seeking an update.

Attacked

***Elvaka OULD CHEIBANY:** correspondent in the Northern city of Noudhibou for the privately owned daily *Nouakchott Info*, was physically attacked by two bodyguards of the President's wife, Khatou Mint El Boukhari, on 28 August 2007. The journalist was confronted by the guards while at a car rental agency, told to step outside and beaten up without any explanation. Chiebani reportedly believes that the attack could be linked to a story on the growing power of the first lady and her disagreements with the press.

On trial

***Sidi Mohamed OULD EBBE:** editor of the privately owned daily *El Bedil Athalith*, was charged with 'libelling the first lady' on 18 August 2007, and faces a prison sentence. The lawsuit reportedly stems from two articles in which it was alleged that the wife of President Sidi Ould Cheik Abdallah, Khatou Mint El Boukhari, had used her position to secure funding for a charity she heads. The newspaper subsequently apologised to Boukhari, as they realised their information was inaccurate, but the charges were not dropped. After being questioned by the State Prosecutor, the editor was due to appear before the Nouakchott criminal court on 22 August 2007. On 28 August, it was reported that the court had postponed proceedings in this case indefinitely.

NIGER

Investigation

***Ibrahim MANZO DIALLO:** publisher of the weekly privately-owned newspaper *Air Info* (previously *Infos de l'Air*), is on trial for alleged links with an armed rebel group. Manzo was arrested at an airport on 9 October 2007, when he was about to travel to France. He was held by the General Directorate for External Security (the Nigerforeign intelligence agency), and interrogated by the police, on suspicion of links with Radio France Internationale (RFI). RFI was temporarily suspended from broadcasting in Niger in July 2007 due to its reporting on the country's Tuareg rebellion. On 29 October, Manzo was charged with criminal association, for alleged links with the Niger People's Movement for Justice (MNJ), a rebel group which operates in the northern area of Niger, and was placed in pre-trial detention in Agadez prison. No date was set for his trial. A few months before, on 12 July 2007, Manzo had been questioned and briefly detained at the headquarters of the National Gendarmerie. Security agents questioned him for an hour, and released him once they had verified registration papers to re-launch his newspaper, which had been suspended. Still detained as of 28 December 2007 PEN is seeking further information.

Brief detention

***Ibrahim SOULEY** and **Soumana Idrissa MAIGA:** managing editor and founder respectively, of the bi-monthly publication *L'Enquêteur*, were arrested and detained for several days by the Niamey Criminal Investigation Department on 4 and 5 December 2007 respectively, after the Minister of Economy and Finance filed a libel complaint against the newspaper. On 7 November, both appeared before the Office of the State Prosecutor at the Niamey Special Magistrates Court, and were released on bail. The case is thought to be linked to 19 November 2007 articles reporting alleged mismanagement by the Ministry.

***Daouda YACOUBA:** correspondent for *Air Info*, was arrested, at home in Ingall on 25 October 2007 and taken to Agadez. Yacouba was placed in a police cell with Ibrahim Manzo Diallo, the editor of *Air Info*, who had been detained since 9 October (see above). Yacouba helps Manzo run the newspaper, and in the latter's absence had been in charge of publishing the previous day's issue of *Air Info*, on 24 October. Yacouba said that he was questioned by the authorities about his reporting on the rebel group Mouvement des Nigériens pour la Justice (MNJ). Yacouba was held for six days before being released without charge on 31 October 2007.

Threatened

***Hamadou BOULAMA ("Tcherno"),** editor-in-chief of the bi-monthly independent newspaper *Alternative*, was reportedly threatened with unspecified harm on 26 October 2007. An anonymous caller told Boulama's secretary that the editor had been writing about him and that he would not settle his grievance in court but via an attack. The reason for the threat was not clear, but could be related to articles on the 2009 presidential elections.

On trial

***L'Evènement, Canard Déchaîné** and **L'Action:** three Niamey-based independent weekly newspapers, have been charged with publishing false information which could affect the honour of the Libyan President Colonel Mouammar Gaddafi. The charges were brought by Gaddafi himself. The editors of these newspapers could face imprisonment for up to three years, as well as damages. The newspapers reportedly referred to alleged financial and logistical support on the part of the Libyan president for the rebel group Mouvement des Nigériens pour la Justice (MNJ). Hearings were scheduled for September 2007. PEN is seeking further information.

NIGERIA

Brief detention

***James GARUBA** and **Michael OLABODE:** reporters for the newspapers *Tribune* and *This day* respectively, were harassed by the governor of the northern state of Borno in mid October 2007. The journalists were arrested by the State Security Service twice in one week during raids on a series of newspapers. The harassment followed the publication of articles criticising alleged extravagant spending by the governor, who had reportedly bought lavish gifts for his supporters at Ramadan. During the second arrest, Garuba and Olabode were held for several hours, before being released on the condition that they report to the security service headquarters on a daily basis.

Attacked

***Tope ABIOLA:** deputy editor of the privately owned daily newspaper *Nigeria Tribune*, was beaten by prison guards on 11 September 2007, while trying to cover the repercussions of a riot at Agadi prison in Ibadan, Oyo state, south-western Nigeria. Some 40 prison inmates had been killed the previous day when prison guards suppressed a riot. Abiola was attempting to count the bodies and take photographs of the police removing them from the prison when prison guards and police officers attacked him, beating him until he lost consciousness. It was reported that he was later hospitalised, but his life was not in danger.

On trial

***Jerome IMEIME**: editor of the privately-owned weekly *Events*, based in Uyo in south-eastern Nigeria, was arrested by the State Security Service on 10 October 2007. His arrest is thought to have been linked to Imeime's critical reporting on a local state governor, specifically the alleged potential for him to use treasury resources for the electoral campaign, as well as alleged corruption in the awarding of contracts for road construction. Imeime was held for over two weeks and charged with sedition on 16 October. After numerous adjournments, the hearing has been set for 5 February 2008. PEN monitoring.

RWANDA

Disappeared

Bonaventure BIZUMUREMYI: editor of the independent weekly *Umucó*, reportedly disappeared following a police summons and official criticism of articles printed in his newspaper in August 2006. It was reported that Bizumuremyi went into hiding 24 hours after police appeared at his newspaper to arrest him on 4 August 2006. On the previous day, Bizumuremyi had appeared before the High Council of the Press on charges of publishing "sensationalist" articles "violating the privacy of certain political leaders"; the council reportedly ruled that several articles were "unethical" and needed correcting. It appears that the articles in question were highly critical of President Kagame and of Rwanda's judicial system, referring particularly to the trial of Colonel Patrick Karegeya, a former spy chief now in prison. Following a police summons to which Bizumuremyi reportedly didn't respond, and the appearance of the police at the *Umucó* offices, it is believed that the journalist tried without success to find a lawyer to defend him. He disappeared on 5 August and friends and family have been unable to contact him. Bizumuremyi had reportedly received a warning in January 2006 to stop writing articles criticising the government and subsequently went into hiding for a period of time. **New information**: On April 5 2007, *Afrique Libération* was indefinitely suspended by the Ministry of Information until the lawsuit against Bizumuremyi is completed. No news as of 31 December 2007; PEN is seeking an update.

Investigation

***Gerald MANZI**: editor of the privately-owned weekly *Umuseso*, was arrested at a bus station in Kigali on 22 August 2007, along with an unidentified young girl, and was charged with her rape the following day. The police alleged that Manzi had spent the day with the girl, whom they said is a member of his family. Manzi denied the charges. He said that he had spent the afternoon covering a football match, and had seen the girl for the first time that night, when he found her alone at the bus station moments before his arrest. The girl had by then been released and police claimed they had no way of contacting her. Manzi was held for a week before being provisionally released on probation on 29 August, after his lawyer submitted signed statements by witnesses supporting his alibi. As of November 2007, Manzi was still reporting to the prosecution on a weekly basis. Some press freedom groups suspect the charges were trumped-up. *Umuseso* is one of the few independent publications in Rwanda and is known for being outspoken. The newspaper's publisher, the Rwanda Independent Media Group, has been subject to repeated harassment by the authorities in the form of threats and lawsuits (see entry below), and some of its journalists have reportedly been forced into exile.

Harassment

***Rwanda Independent Media Group**: publishers of *Newsline*, *Umuseso* and *Rwanda Champions*, announced that it would suspend its publications for at least two weeks, starting on 23 October 2007, in protest at government harassment. The managing director of the group said that the decision was taken in response to accusations made by the Rwandan Minister of Internal Security and the Minister of Finance on state TV and radio on 9 September. The ministers reportedly accused the media group or working with negative forces. A similar accusation had been made by the President on 15 October, yet neither the ministers nor the President have substantiated their accusations. The group has also suffered other forms of harassment, notably via lawsuits. The group's deputy director, **Furaha Mugisha**, was due to appear in court on 7 November 2007 on various charges, including not being a Rwandan national; managing director **Charles Kabonero** and *Newsline* editor **Didas Gasana** were due to answer libel charges on 13 November; while *Umuseso* editor **Gerald Manzi** has been accused of rape, which are thought to be trumped-up (see above). PEN is seeking an update.

Released

Agnès NKUSI-UWIMANA (f): director of the Ligali-based bi-monthly journal *Unurabyo*, was sentenced on 20 April 2007 to one year in prison on charges connected to her publication of a letter which criticised the government. Nkusi-Uwimana was convicted of divisionism, sectarianism and libel after publishing an unsigned letter in January 2007 comparing ethnic killings during President Paul Kagame's Tutsi-dominated administration to those of the previous Hutu regime. She had been imprisoned on these charges since 12 January. She was also ordered to pay 400,000 Rwandan francs (US\$760) in damages. Nkusi-Uwimana, who reportedly pleaded guilty in exchange for a reduction of her sentence from five years to one, reportedly intended to appeal the decision. She was released on 19 January 2008 on completion of her sentence.

SENEGAL

Brief detention

***El Malick SECK**: editor and publisher of the news website *Rewmi.com*, El Malick Seck, was arrested on 7 November 2007, and detained for 24 hours on criminal defamation and insult charges. The reason for his arrest was not clear, but one source suggested it may have been related to comments posted by *Rewmi.com* users in reaction to a reprint of a *L'Observateur* article reporting the arrival of President Abdoulaye Wade's new limousine during a time of alleged economic crisis in Senegal. Seck was released the same day.

Threatened

***Jean Meïssa DIOP and Pape Sambaré NDOUR**: director and reporter respectively of the private daily *Walf Grand-Place*, received a telephone call from the Senegalese Transport Minister, Farba Senghor on 7 August 2007, in which Ndor was insulted and Diop threatened with violence. The call was taken on speakerphone. Newspaper staff recorded the exchange and later published a transcript. The threats are thought to have been linked to an article of Ndour's which alleged that Senghor had lied about having obtained a diploma from a management school in Italy. The next day *Walf Grand-Place* published a letter to the editor by Senghor. The newspaper *Walf Grand-Place* reportedly intended to charge Senghor with making violent threats via the Senegalese press union. Earlier in the

year, on 8 March, Diop and another reporter, **Faydy Dramé** were given six-month suspended prison sentences and a US\$21,000 fine for allegedly defaming a local Hyundai car dealership. They reportedly intended to appeal the sentence.

***Babou Birame FAYE**: reporter with the private weekly magazine *Weekend*, received a threatening note from the Senegalese hydraulics Minister, Adama Sall, on 7 August 2007. The note, which was handwritten and sealed in an official envelope with the logo of the Transport Ministry, was delivered to the *Weekend* offices in Dakar. It was addressed to journalist **Madiambal Diagne**, president of the media group Avenir, which publishes *Weekend*, but threatened Faye with unspecified harm. The threat reportedly came in response to a recent story describing the alleged disappearance of 42.5 million CFA francs (US\$95,000) of equipment at the Ministry of Hydraulics. The article quoted a government audit report and conflicting interviews with several ministry officials, including Sall, and concluded that he and his top aide were under suspicion. The Minister, who reportedly denies any knowledge of the allegations, has reportedly been linked to a number of financial scandals in the recent past.

On trial

***Abdou Latif COULIBALY**: author and journalist, is on trial for defamation following the publication of his book revealing the embezzlement of funds in the state-owned national lottery. The lottery and some employees are now suing him for defamation and public slander. The trial started on 11 September 2007 but proceedings were postponed until 25 January 2008. Coulibaly has previously got into trouble over other books, including death threats and publications blocked at customs, and the restricted circulation of his books within Senegal. PEN is seeking further information.

***Pape Amadou GAYE**: publisher of the privately-owned newspaper *Le courrier du jour*, based in Dakar, was arrested by plain clothes police officers on 1 November 2007 and taken to the headquarters of the Criminal Investigation Division (DIC). On 6 November, he was charged with 'insulting the president, action liable to threaten State security and action liable to result in disobedience by the army'. The charges are reportedly linked to an editorial on the rise of prices and social tension in rural areas of Senegal, which raised questions about the role of the army in the crisis. Gaye was then placed in pre-trial detention. He was reportedly released on 8 November and is awaiting trial. It is understood that Gaye faces five to 10 years in jail if convicted. As of 31 December 2007, the charges had not officially been dropped.

***Moussa GUEYE and Pape Moussa DOUCAR (or Doukar)**: editor and political reporter respectively of the daily privately-owned *L'Exclusif*, based in Rufisque, were arrested and questioned for a front-page story on the Senegalese President's alleged nocturnal sorties. Guèye was arrested by police officers from the Division of Criminal Investigation (DIC) on 8 October 2007. A week later, he was charged with 'disseminating false news' and 'insulting the president' under articles 254, 255 and 270 of the Criminal Code, entailing a maximum sentence of five years in prison. Guèye was detained in Rebeuss prison in Dakar. Doucar, who wrote the offending article, was arrested and questioned on 9 October. Both men were released on 9 November 2007, but the charges against them had reportedly not been dropped. [RAN 45/07 – 22 November 2007; Update #1 to RAN 45/07 – 23 November 2007]

Case closed

Ndiogou WACK SECK: director of the pro-government tabloid daily *Il*

Est Midi, was sentenced on 18 April 2007 to six months in prison and a US\$41,000 fine on charges on criminal defamation. He was convicted as a result of a November 2006 article accusing two close relatives of President Abdoulaye Seck of accepting bribes from the former Prime Minister Idrissa Seck, then imprisoned on embezzlement charges, to negotiate for his release, which occurred suddenly and without explanation. Wack Seck was also barred from working as a journalist for three months and his paper banned from publication for the same period. He was sentenced in absentia and an arrest warrant has been issued against him. According to CPJ, at least two other journalists had been harassed, prosecuted or jailed in connection with reporting on the ex-prime minister scandal. Case closed..

SIERRA LEONE

Killed – official investigation under way

Harry YANSANEH: acting editor of the daily *For Di People*, died of kidney problems in hospital on 27 July 2005. His death was apparently a direct result of an assault he suffered on 10 May 2005. In a letter that Yansaneh (34) sent before his death to the Sierra Leone Association of Journalists (SLAJ), he explicitly accused Member of Parliament Dr Fatmata Hassan of ordering the 10 May attack. According to Yansaneh, one of Hassan's sons threatened him and vandalised the *For Di People* office – of which Hassan is reportedly the landlady – in the early evening of 10 May 2005. When the editor was on his way to the police station to make an official complaint about the incident, he claimed he was set upon by a group including Hassan's two sons. Yansaneh also accused Hassan herself of being present during the attack. The motives for the assault appear to be Hassan's apparent desire to evict *For Di People* from their offices, coupled with the Member of Parliament's dislike of the newspaper's criticism of the government. Yansaneh took over the editorship of *For Di People* in October 2004, when former editor Paul Kamara was imprisoned for "seditious libel". After the attack, Hassan's sons are alleged to have returned to London, UK, where they are apparently resident. A coroner's inquest into the killing of Harry Yansaneh announced its findings on 26 August 2005, concluding that the killing amounted to "involuntary manslaughter". The coroner issued arrest warrants the same day against suspects Fatmata Hassan, three of her children and two others. In August 2006, the director of public prosecution requested the extradition of Hassan's three children from the UK following a flurry of media attention centring on Yansaneh on the anniversary of his death. It has been confirmed that an investigation into the case is still underway. On 18 January 2007, Sierra Leone's Ministry of Foreign Affairs was reportedly instructed to officially request the British Government to extradite Hassan's children, Ahmed Komeh, Bai Bureh Komeh and Aminata Komeh, who are still residing in the UK. As of 20 April 2007, no action had been taken.

Released

Philip NEVILLE: Publisher and editor of privately owned *Standard Times*. Arrested on 28 June 2007 and detained at the Criminal Investigations Department (CID) Headquarters in Freetown for allegedly publishing subversive materials. His detention appeared to be linked to a 27 June *Standard* article which claimed that the Sierra Leonean government had received gifts from the president of Libya about which it had not informed the public. **New information**: On 3 July 2007, Neville was released on bail of 200 million Leones (approx. 50,000 Euros). The day before, he had been charged with 'libel', 'malicious propaganda' and

'publishing false news', crimes punishable by a 12-month imprisonment and fine. However, on 21 August it was reported that the Attorney General and Justice Minister had discontinued the criminal proceedings on the basis that the newspaper had complied with the conditions stated by the prosecutors. The *Standard Times* published a retraction in five editions, and Neville read the retraction in court.

SOMALIA

Brief detention

- ***Abdiqani Hassan FARAH** and **Mohamed SHAKALE**: contributor to the newspaper *Jamhuuriya* and online freelance journalist respectively, were arrested separately in Las-Anod, Sool region, on 26 November 2007, and held for three days. They were released on 29 November. Some reports attribute their arrest to their coverage on the armed conflicts between Puntland and Somaliland in the northeast of Somalia. The official reason for their arrest remains unknown.
- ***Abshir Nur FARAH (Ba'adle)**: poet, was arrested on 19 October 2007, when police officers raided his home in the southern area of Mogadishu. He was held for nine days at the detention facility of the Somali police's Criminal Investigation Department. The Mogadishu Mayor's official spokesman stated that the arrest was part of a security operation, linked to the poet's alleged support of the Union of Islamic Courts (UIC). Farah was released on 28 October 2007.
- ***Abdirahman Mohammed HABANE**: of the daily newspaper *Jamhuuriya*, based in Hargeisa, was detained for five days due to a controversial 5 July 2007 article about the swearing-in of a traditional leader. Arrested by criminal investigation police in Borame in Awdal region on 12 July, Habane was held at a police station and then a detention centre before being released on 19 July. His release came following the intervention of the Somaliland Journalists Association (SOLJA), the management of the newspaper and local human rights activists, who went to talk with the elder concerned. *Jamhuuriya* and its staff, the editor in particular, have undergone frequent harassment at the hands of the Somaliland government in recent years.
- ***Mohamed Hussein JIMALE (Jimaale)**: correspondent for the news website *Puntlandpost.com* (<http://www.puntlandpost.com>) was detained for four days in September 2007. He was arrested at Mogadishu's Bakaaraha market on 12 September 2007, as the police were rounding up hundreds of people suspected of committing acts of insurgency around. The market had become the centre of clashes between government troops and militias and it is understood that Jimale was reporting on the operation. Most of the other detainees were released after being interrogated. However, once police discovered that Jimale was a journalist, he was transferred from the Hawlwadag police station to a prison. He was eventually released on 16 September. He had undergone long hours of interrogation but had otherwise been well treated. No explanation was given for his detention. [RAN 35/07 – 20 September 2007]

Brief detention – harassment

- ***Abdullahi Mohamed HASSAN ('Black')**: editor in chief of the newspaper *Ayamaaha Daily*, based in Mogadishu, was detained by armed members of the National Security Agency at the newspaper's office on 20 October 2007. He was released after 12 hours in poor prison conditions. The reason for his arrest remains unknown. Following his release, Hassan continued with his work away from the newspaper offices for a few days. When he returned to the office on 24 October, he feared plain clothes policemen were chasing him, and temporarily went into hiding.

Prior to his detention, Hassan had been contacted by a security officer of the Transitional Federal Government, called several times by the police, and had received anonymous phone calls with complaints about the news published in the newspaper. Hassan is a member of Somali-Speaking PEN Centre (Mogadishu branch).

Death threat/ Attacked

- ***Abdi Farah NUR**: editor of the independent newspaper *Shacab*, based in the semi-autonomous region of Puntland, was reportedly threatened by two armed security agents at the paper's office in Garowe on 28 June 2007. The agents said Nur would be 'gone' if he were behind the arrest of an individual suspected to have been responsible for a bomb attack on the newspaper's headquarters the previous day. The suspect, a former *Shacab* reporter, had been arrested after being identified by eye witnesses, but was then forcibly removed from prison by agents believed to be working for the region's government. *Shacab* is known for its critical reporting and has been a target of official harassment in the past. **New information:** *Shacab* has reportedly closed as a result of the threats and attacks.

Attacked

- ***Abdulasis Saleban AHMED**: freelance journalist working for a number of online Somali news publications, was assaulted and seriously injured by unidentified assailants in Las-Anod, Sool region, on 4 September 2007. Ahmed was beaten around the head with heavy sticks until he fell unconscious and later required medical treatment. The motive of the attack was not known but according to local sources, the journalist was targeted due to his investigative and critical reporting on Sool region, which is controlled by Puntland but is subject to territorial dispute by the self-declared independent state of Somaliland.

On trial

- ***Ahmed Aadan DHERE (Dheere)**: correspondent for the privately owned daily newspaper *Haatuf*, based in Hargeisa, capital of the break-away state of Somaliland, was arrested in Barbera on the evening of 27 September 2007. Six police men arrived at Dhere's home in a pick-up truck and, without a warrant, took him by force to their headquarters. The reasons for his arrest are not clear. Some sources suggest that it was linked to a 24 September article critical of the Vice President and the central government's handling of the local authority in Barbera; however, the article was not written by Dhere but by a local councillor. According to the BBC Somali Service, the journalist was arrested together with a secondary school teacher, as the alleged key organisers of an anti-government demonstration that had taken place in Barbera some days before. On 30 September, Dhere was charged with 'disseminating reports liable to disturb public order' and 'publicly inciting civil disobedience' and released on bail. He reportedly faces up to five years in prison.

SOUTH AFRICA

Attacked

- ***Abel MUTSAKANI**: editor of the South African-based Zimbabwean news website *ZimOnline* (<http://www.zimonline.co.za/>), was shot by three unidentified men near his home in Johannesburg on 23 July 2007, in an apparent assassination attempt. He required hospitalisation for serious wounds to his lungs and chest. It is believed that the attack is likely to have been linked to his critical reporting on the Zimbabwean government rather than an attempted robbery, as none of the editor's

belongings were taken by his attackers. Mutsakani is a Zimbabwean journalist in exile, formerly the managing editor of the Zimbabwean newspapers *The Daily News* and *The Financial Gazette*. He moved to South Africa in 2004, in order to be able to report freely on his home country. The police were said to be investigating the shooting. Mutsakani's name was included in a purported government "blacklist" apparently leaked to the independent Zimbabwean press at the end of September. The document, dated June 2007, listed some 15 journalists accused of "working hand in hand with hostile anti-Zimbabwean forces" and intended to be subject to strict surveillance and other unspecified measures in the run-up to Zimbabwe's presidential and parliamentary elections next year. The Zimbabwean government denied the authenticity of the document.

SUDAN

Killed: investigation ongoing

Mohamed Taha Mohamed AHMED: editor-in-chief of the daily *Al-Wifaq*, was charged with "insulting the prophet Mohamed" following an article in *Al-Wifaq* about a 15th Century Islamic manuscript which posits the theory that the prophet Mohamed's father was not Abdallah but a man named Abdel Lat. Ahmed's trial opened on 4 May 2005 and prompted demonstrations from thousands of people in Khartoum calling for him to be put to death under Sudanese law. The charges against Ahmed were later quietly dropped, although his paper was closed for three months and he was fined 8 million Sudanese pounds (US\$3,200). **Killing:** On 6 September 2006, Ahmed was abducted from his home by an unknown group of armed men and killed. An investigation into his death has been launched but although suspicion has fallen on Sudan's hardline Islamist groups, nobody has yet claimed responsibility for the killing. Since Ahmed's death, a number of suspects have reportedly been arrested but the government has banned all reporting of the case. A number of journalists were questioned in the course of the investigation, with one reporter for *Al-Rai al-Aam* being held for two weeks at the end of October 2006 and another for *Al-Sahafa* held for 12 days in December 2006. A daily newspaper, *Al Sudani*, which violated the ban on publication of the case, was indefinitely suspended in February 2007 and the paper's publisher and editor briefly imprisoned in May. **New information:** On 11 November 2007 it was reported that 10 people had been convicted of the assassination and sentenced to death. They were mostly from the war-torn region of Darfur. The court had originally detained nine others but released them for lack of evidence. The defence lawyer reportedly called the ruling "weak and hasty", saying that it had relied on confessions extracted under torture, mistreatment and use of violence and had failed to take into account statements made by the accused. He said he would appeal the ruling. PEN monitoring.

Detained

***Nayef Mohammed HAMED:** journalist, was arrested on 28 August 2007, together with other seven individuals who are members of a group opposing the construction of the Kajbar Dam. He was arrested in Dongola, capital of the northern state of Sudan. Hamed, who suffers from diabetes, reportedly collapsed on 30 August and again on 10 September, due to lack of access to required medication. On both occasions he was taken to the local hospital in Dongola. PEN is seeking further information.

Threatened/ Harassed

***Sabah Mohamed ADAM, Faisal EL-BAGIR and Lemiaa EL-JAILY:** El-Bagir and El-Jaily work as journalists for the Khartoum Centre for Human Rights and Environmental Development, a partner of the international free expression organisation Article 19. El-Bagir is also a reporter for the private weekly *Al-Midan* and the Sudan correspondent for Reporters Sans Frontières. Adam is a journalist for the daily newspaper *Al-Ayyam*. The three journalists were summoned and questioned by the National Security Services on 4 November 2007, and were summoned again on 5 and 7 November. El-Bagir had published an editorial critical of alleged abuses of freedom of expression by the Sudanese government on an Article 19 blog. On 4 December, El-Bagir and four journalists employed by the private daily *Al-Sahafa* - **Abdel Moneim Suleiman, Al-Haj Warraq, Al-Tahir Satti and Rabbah Al-Sadiq Al-Mahdi** - were the target of death threats. According to Suleiman, was telephoned by an anonymous caller who claimed that he had been offered US\$220,000 to kill the five journalists because of their opposition to the Sudanese government and their support for the deployment of an international force in Darfur. PEN monitoring.

On trial - released

Noureddin MADANI and Zuhayr AL-SARRAJ: respectively deputy editor-in-chief and columnist for the Arabic language daily *Al-Sudani* and former editor and columnist of the private daily *Al-Sahafa*. Convicted on 26 December 2006 of slander and inaccurate editing in connection with a column written by al-Sarraj for *Al-Sahafa* two years before. The column, entitled "Dividing the Spoils", criticised the perks that parliament and President Omar Bashir approved for high-level government officials. Al-Sarraj was ordered to pay a fine of 5 million Sudanese pounds (US \$2,500) or spend one year in prison and Madani was fined 2 million Sudanese pounds (US \$950) or faced six months in prison. Both journalists reportedly intend to appeal the conviction. Al-Sarraj also faces trial over another column, published in *Al-Sahafa* in January 2006, which criticised Bashir for failing to address the many problems facing the people of Sudan. Following his 60 hour detention in a Khartoum jail, he was charged with "insulting the president". If convicted, he risks losing his license to practise journalism in Sudan. PEN is seeking an update.

Mahjoub OURWA: chairman of the daily *Al-Sudani*, and **Noureddin MADANI** (see entry above): were arrested on 18 November 2007, and taken to Karthoum's Obdurman prison, for refusing to pay a fine for alleged libel. The Khartoum Court sentenced Madani and Ourwa to pay around 3,300 Euros each, or spend two months in prison. This court fine was ordered the day before their arrest as a result of a criminal libel case brought by the National Intelligence Service following a 20 July report by Madani on the arrests of four other journalists, one of them a staff member at *Al-Sudani*. The defence presented an appeal and requested that the sentence be suspended pending appeal. Madani and Ourwa were released on 29 November, having spent 11 days in prison. The appeal had reduced the fine to approximately 2,500 Euros in total, which the journalists agreed to pay.

Released

Raafat Hassan ABBAS: freelance journalist, was held incommunicado for 10 days in June 2007. He was arrested on 13 June along with a number of other journalists and media workers who were on their way to cover a protest against the construction of the Kajbar dam, where four

people had been killed and at least 10 others wounded during police violence. Most of the detainees were released on the same day or a few days later, but Abbas was held incommunicado for 10 days and not released until 23 June.

SWAZILAND

On trial

***Bheki MAKHUBU**: editor of the privately-owned magazine *Nation*, was sued by Member of Parliament Marwick Khumalo for defamation of character on 9 July 2007. The charges are based on an article by Makhuby published in the magazine in June 2007, which accused Khumalo and his business associates of trying to win a pharmaceutical tender through corrupt means. PEN is seeking an update.

Under investigation – cleared

***Mbongeni Mbingo**: editor of the privately-owned *Sunday Times*, was investigated by a Select Committee of the House of Assembly for allegedly breaching the limits of freedom of expression and insulting the Speaker of the House. He had reportedly criticised the Speaker for not allowing MPs to question an alleged attempt to make changes to the Constitution without public knowledge in his weekly column. Some Assembly members considered that Mbingo had acted in contempt, and ordered the editor and newspaper to be investigated. Mbingo faced a maximum two years' imprisonment and a fine but was cleared of the charges against him on 10 October. The Committee found that he was legitimately expressing his journalistic opinion.

UGANDA

On trial

***Bernard TABAIRE, Henry OCHIENG and Chris OBORE**: managing editor, Sunday editor and journalist respectively, for the privately-owned newspaper *Monitor*, were charged with sedition on 30 September 2007. The charges stemmed from a story entitled 'Soldiers train to take police jobs', in which it was alleged that soldiers were secretly trained as policemen, in order to have the police force under military control. The three were summoned to the police on 1 October and released on bail the same day. PEN is seeking further information.

Case closed

James TUMUSIIME and Semujju Ibrahim NGANDA: editor and reporter respectively for the independent *Weekly Observer*, have been charged with "promoting sectarianism" following an article which criticised government persecution of the opposition leader Kizza Besigye published on 1 December 2005. The article, which preceded a presidential election in February won by President Yoweri Museveni, claimed that the president and a small group of army generals from his Bahima ethnic group organised "an operation to keep Besigye in jail". At the time of the article's publication, Besigye was imprisoned facing charges of treason, terrorism and rape. Although a ruling by a civilian court had granted him bail, he remained in prison as a result of a warrant issued by the military, later declared illegal. Besigye was released in early January 2006. The date for Tumusiime and Nganda's trial to begin was given as 15 June 2006 and the journalists reportedly intended to plead not guilty. If convicted, they face up to five years in jail. The charge brought against them falls under article 41 of Uganda's penal code, criminalising any statement likely to promote "feelings of hostility among or against" any

group on ethnic, regional or tribal lines. The Committee to Protect Journalists (CPJ) protested the decision to prosecute the journalists, claiming that it "smacks of political retribution" and calling for the criminal charges to be "dropped immediately". In January 2007 it was reported that petitions challenging the "promoting sectarianism" provision of Uganda's penal code were pending before the Constitutional Court. No further information as of 31 December 2007; case closed.

ZIMBABWE

On trial

***Bright CHIBVURI**: editor of the Zimbabwe Congress of Trade Unions (ZCTU) magazine *The Worker*, is on trial for practicing journalism without accreditation. He was arrested on 3 March 2007 and spent two nights in police custody. He was released on 5 March after being charged with contravening Section 83 (1) of the Access to Information and Protection of Privacy Act (AIPPA), which deals with practising journalism without accreditation. Chibvuri pleaded not guilty. He had reportedly already applied for accreditation at the time of his arrest, but had not received a response. He has since received accreditation. The trial began in the south-western border town of Plumtree on 26 September but was adjourned to 5 November 2007. It was then postponed indefinitely as a result of a magistrates' strike over poor salaries and working conditions. PEN is seeking further information.

Acquitted

Gift PHIRI: Harare correspondent of the independent exile newspaper *The Zimbabwean*, on trial since April 2007 for working as a journalist without official accreditation and "publishing false news", was finally acquitted on 30 August. Phiri was arrested on 1 April 2007 and detained for four days during which time he was allegedly tortured and access by lawyers and doctors was restricted. He was initially accused of a number of offences, including involvement in bombings and "publishing falsehoods" in connection with his reporting on government activities. On 5 April he was charged with working as a journalist without official accreditation and publishing false news under sections 79 (1) and 80 (1) (b) of the Access to Information and Protection of Privacy Act (AIPPA). On his release on bail, Phiri was hospitalised for five days to receive treatment for injuries sustained from beatings received in police custody. It was alleged that he had been tortured and forced to sign a confession. The charge of publishing false news was dropped in July, the trial proceeding only on the basis that Phiri practised journalism without official accreditation. The latter charge was then dropped on 30 August. If convicted the journalist could have faced a jail sentence of up to two years. The investigation into the torture allegations was apparently not carried out. Concerns continue for Phiri's safety. His name and those of a number of other print journalists in Zimbabwe were included in a purported government "blacklist" apparently leaked to the independent Zimbabwean press at the end of September. The document, dated June 2007, listed some 15 journalists accused of "working hand in hand with hostile anti-Zimbabwean forces" who were to be subject to strict surveillance and other unspecified measures in the run-up to Zimbabwe's presidential and parliamentary elections in 2008. In addition to Phiri, the list reportedly included the UK-based editor of *The Zimbabwean*, **Wilf Mbanga**. The Zimbabwean government has denied the authenticity of the document. However, Phiri and two of the journalists listed were attacked following the alleged leak. This threat mirrored made another against Phiri in March, a few days before his arrest and detention. A list

of 29 individuals allegedly targeted for execution by the Zimbabwe Intelligence Corps and the “Zanu PF Security hit squad” was sent to *The Zimbabwean’s* London office. The list included Phiri and Mbanga’s names, which were circled. [Update #1 to RAN 21/07 – 30 October 2007]

Case closed

Iden WETHERELL, Vincent KAHIYA and Dumisani MULEYA: managing editor, news editor and chief reporter respectively for the newspaper *Zimbabwe Independent*, were arrested on 10 January 2004 on charges of “criminal defamation” under Section 80 of the Access to Information and Protection of Privacy Act (AIPPA). The three were released on bail of Z\$20,000 (c. US\$25) each on 12 January 2004. **Charges:** The charges stem from a 9 January 2004 *Independent* article in which it was alleged that President Robert Mugabe had commandeered an *Air Zimbabwe* Boeing 767 in order to take his family and some aides for a holiday in Asia. Passengers booked on the plane, which was apparently intended for a scheduled flight to London, were temporarily stranded at Harare airport. Wetherell (56), Kahiya and Muleya faced two years’ imprisonment if convicted. The *Air Zimbabwe* managing director, Rumba Change, declared that the article was accurate. **Trial:** On 10 January 2005, Wetherell, Kahiya, Muleya and Dzamara were all removed from remand, although the magistrate said that the state could still proceed by way of summons. As of March 2007 a trial date had still not been set. Case closed due to lack of information.

AMERICAS

ARGENTINA

Attacked

***Tomás ELIASCHEV:** editor-in-chief of the news website *perfil.com*, has reported suffering assault in Buenos Aires on 13 September 2007. On that day Eliashev went to the offices of the Buenos Aires Press workers Union (Unión de Trabajadores de la Prensa de Buenos Aires-UTPBA) to request an explanation for not their not having shown their support of a strike related to the dismissal of another reporter. Members of the union beaten him repeatedly, and left him on the street with head injuries. The reporter later received medical attention.

***Dario ILLANES:** journalist for the daily *El Tribuno*, based in Salta, north-western Argentina, was beaten by police officers while visiting a juvenile detention centre on 1 August 2007. The previous day riots were reported in the centre, and so Illanes and other journalists went to the centre to talk to the minors about the reason of their protest. At that time, allegedly, three plainclothes police officers arrived, took Illanes to a cell and beat him out of the view of his colleagues. An hour and a half later, the journalist was released with various injuries. He filed a complaint for the attack. According to a police chief, three policemen were suspended and the case is under investigation.

Harassment

***Claudia ACUÑA** (f): independent journalist and founder of the online agency *La Vaca* (<http://lavaca.org/>) and *MU* newspaper. On 19 July 2007, it was reported that Acuña had been undergoing police harassment since

11 July, when she had revealed the existence of a prostitution ring in Buenos Aires. Since then she had noticed that police officers were checking the identity of each person who visits her home, apparently under an order from the office of the local prosecutor (Fiscalía Contravencional Numero 3). In June 2007 Acuña published a book entitled *Ninguna mujer nace para puta* (*No woman is born to be a whore*), where she reveals women’s sexual exploitation and the harassment they suffer by the police, judicial authorities and politicians. Therefore, this could be another reason for the surveillance. Acuña is reportedly also being sued over her allegations, and has already paid a fine as a consequence of her work as an activist on behalf of prostitutes.

BRAZIL

Attacked

***Amaury RIBEIRO JUNIOR:** crime reporter for the national daily *Correio Braziliense*, was shot in the stomach in Cidade Occidental in Brasilia, central Brazil, on 19 September 2007. The journalist had published articles on drug traffickers and increased violence in Brasilia, and was investigating a story related to youths linked with gangs when the attack occurred. It has been reported that Ribeiro had received previously threats, and so was using a car without the logo of *Correio Braziliense* for his own safety. Reports indicate that four people, including two minors, are suspects of this attack, and were arrested on 27 September 2007.

Case closed

Fausto BRITES: editor of the *Correio do Estado* newspaper, was sentenced on 31 October 2006 to 10 months in prison and a fine of US \$875 for publishing an allegedly defamatory article. The sentence came in the wake of a lawsuit filed by André Puccinelli, former mayor of Campo Grande and governor-elect of the Mato Grosso do Sul state, where the trial was held. The *Correio do Estado* newspaper published a report on money laundering in March 2005, which it linked to an accusation it had published in 1999 about alleged corruption in rubbish collecting companies in Campo Grande, in which Puccinelli was reportedly involved. It is assumed that Brito has been released after serving his term.

COLOMBIA

Killed: Investigation

***Javier Darío ARROYAVE:** contributor to the national daily *El Tiempo* and radio journalist, was stabbed to death at his home in Cartago in the south-western department of Valle del Cauca on 4/5 September 2007. Police said that although Arroyave’s laptop was missing there was no sign of a forced entry and later ruled out any possibility that the murder had been related to his journalistic work. Arroyave (41) had been the target of harassment in the past for his reporting on local corruption, particularly by a former mayor of Cartago, but had not reported any recent threats. The north of Valle del Cauca is known for drugs-trade related crime.

Death threats

***Diro César GONZÁLEZ:** director of the weekly *La Tarde*, based in Barrancabermeja, Santander department in the northeast of Colombia, received a death threat on 22 November 2007, when a condolence letter arrived at his home, expressing sympathy for González’s death. The note

was received by **Tatiana Sánchez**, González's wife, who also works for the same weekly. González has reported the threat to the authorities and has been provided with protection.

***Gonzalo GUILLÉN**: author and journalist, currently Colombian correspondent of the Miami-based daily Spanish language newspaper *El Nuevo Herald*. Guillén (born 1952) has been receiving repeated death threats since mid-2007. This campaign of intimidation apparently stems from his investigation of links between the Uribe administration, paramilitarism and drugs trafficking. The most prominent of the threats has come from President Uribe himself. On 2 October, the President called two national radio stations to refute allegations of close links to the deceased drugs baron Pablo Escobar made in a recent memoir by Virginia Vallejo, formerly a TV presenter and Escobar's mistress. Uribe claimed that Guillén had collaborated in writing Vallejo's *Amando a Pablo, Odiando a Escobar* (Loving Pablo, Hating Escobar), published in September, as well as in other books by foreign journalists on the links between paramilitarism and drug trafficking. On air, the President accused Guillén of being "a professional slanderer" who had "dedicated his journalistic career to infamy and lies" and was systematically trying to damage Uribe's reputation. Guillén denies having anything to do with Vallejo's book. Yet in the three days following these statements he received 24 death threats, and temporarily left the country for his own safety. The journalist had already been the target of death threats for several months, and had been given a security guard and an armoured car under the Colombian government's journalist protection programme. However, according to Guillén, the guard was withdrawn following Uribe's on-air comments. The threats and the President's accusations would appear to be linked in particular to a book Guillén published in May 2007 entitled *Los confidentes de Pablo Escobar* (The confidants of Pablo Escobar) which contains allegations about the President's past which are similar to those made in Vallejo's book. Guillén returned to Colombia in the third week of October, and filed slander and defamation charges against President Uribe. He reportedly received further death threats by telephone on 3, 14 and 17 December, the last two presumed to stem from 13 and 15 December articles of his on the motives behind the resignation of the governmental anti-corruption authority. Guillén has reported these latest death threats to the Prosecutor's Office.

Threatened

Daniel CORONELL: columnist for the magazine *Semana*, based in Bogota, was publicly insulted by Colombian president in a radio interview on 11 October 2007. The president publicly referred to Daniel Coronell as a coward, liar, swine, and professional slanderer. This was a consequence of Coronell's latest column in *Semana* regarding alleged ties with the deceased drug trafficker Pablo Escobar. The allegation came from the book 'Loving Pablo, Hating Escobar' ('Amando a Pablo, odiando a Escobar'), written by a former lover of Escobar's, Virginia Vallejo. **Background**: On 2 January 2006, Coronell and two other journalists from the same magazine, **María Jimena DUZÁN (f)** and **María Isabel RUEDA (f)**, were informed that they faced charges of "injury" and "calumny" brought by former senator Carlos Nade, who was named in a piece written by Coronell. In the article Coronell claimed that he received e-mail death threats sent from Nader's computer. Duzán and Rueda wrote opinion pieces in support of their colleague. Coronell went into exile in the United States having received threats, apparently from other sources. In October 2006, it was reported that Luis Fernando Uribe Botero had been sentenced to 16 months in prison for threatening Daniel Coronell and his family.

***Samit LINERO**: journalist with the newspaper *Al Día*, has reportedly been subject to telephone threats and other forms of harassment, seemingly stemming from a report he published on alleged local corruption on 18 September 2007. Linero and family members reported receiving threatening phone calls on 18 and 20 September. On 20 September the journalist was also reportedly verbally harassed by strangers in a public place. Linero attributes the harassment to supporters of council members who were implicated in his report and are campaigning for re-election. The document in question shows that goods intended for the needy were instead given to council members from the ruling majority in 2005. The police has reportedly expressed concern for Linero's safety, however, to date it is not known what action has been taken.

Attacked

***María Paulina MARTÍNEZ (f)**: journalist for the tabloid *Ajá y Qué*, was attacked while covering a demonstration in which over 100 motorcycle-taxi drivers participated on 22 November 2007. The demonstration went against a decree issued by the local authority of Santa Marta, in northern Colombia. The journalist, and the photographer from the same newspaper, were surrounded and hit by protesters, who also took their camera, and returned it after deleting the pictures of the demonstration.

Marcos PERALES: director of the weekly Barrancabermeja-based *Portada*, was beaten and verbally attacked and threatened while covering a story in a sports-field in Barrancabermeja, Santander, northern Colombia, on 7 October 2007. His assailant was Amilcar Coronado, who reportedly works as an advisor for the mayor of Barrancabermeja. The attack ended when some neighbours and police officers who were in the area intervened. On 9 October, Perales presented charges to the General Prosecutor's Office against his attacker. In the complaint, Perales linked the attack with Portada's investigation into alleged corruption cases against the Municipality of Barrancabermeja. Prior to the attack, Perales had been subject to threats, including death threats, in relation to his work. From March to July 2006, he had reportedly received email death threats, and had been given a bullet-proof vest and a two-way police radio for his protection. However, the threats were reportedly not being investigated. At the end of April 2007, copies of *Portada* were confiscated and burnt following its publication of a report on alleged corruption by the Barrancabermeja mayor and his alleged links to paramilitary groups. On 1 May 2007, Perales was threatened by an armed individual who warned him to stop reporting on the mayor. Shortly afterwards he reported that his home in Bucaramanga was being watched.

***Abel ZABALA VARGAS**: editor of the newspaper *El Ariarense*, was reportedly assaulted by the bodyguard of the mayor of Ariarena, in Meta, central Colombia, on 22 October 2007. The attack occurred when the editor tried to videotape the mayor with the mayoral candidate. The journalist took refuge in a commercial store, while the bodyguard continued insulting him from the outside. Moments later the police arrived, but instead of apprehending the attacker, they tried to take the camera from Zabala. The editor refused to be taken to the police station and to hand in his camera.

Harassed

***Pedro Antonio CÁRDENAS**: director of *La Verdad* magazine, based in Honda, Tolima province, was reportedly subject to telephone death threats in September and October 2007. On one occasion, on 11 September, Cárdenas received an anonymous call to his mobile phone telling him to 'expect a little gift'. The day after, another phone message was left at his home telling him that he was banned from publishing his

magazine, and an hour later a bouquet of flowers was left at his home with a card offering 'condolences' for the Cárdenas family. On 24 October, Cárdenas' daughter narrowly escaped being abducted by two unidentified men while she was on her way to work in Bogotá. She managed to escape when a neighbour intervened. These threats and the attempted abduction occurred while Cárdenas was investigating gangs of traffickers of stolen mobile phones.

***Pastor VIVIESCAS GÓMEZ:** editor-in-chief of the newspaper *Periodico 15*, international editor for *El Espectador*, based in Bogotá, and collaborator of the newspaper *Al Día*, based in San José, Costa Rica. On 18 October 2007, Viviescas was prevented from taking photographs by Luis Alberto Gil Castillo, ex senator and current member of the Convergencia Ciudadana party. The former senator also insulted Viviescas while he was covering a march in support of the regional governor.

CUBA

Main cases

April 2003 Crackdown Trials *The following 24 writers, journalists and librarians were among 35 sentenced during one-day trials held on 3/4 April 2003 under laws governing the protection of the Cuban state. They were arrested as part of a crackdown on alleged dissidents that began on 18 March 2003 and in which 75 people in total were detained and tried. The one-day court hearings were held behind closed doors and there was insufficient time for the accused to put together a cogent defence. The accusations focused on the alleged conspiratorial dealings between the defendants and James Cason, the chief of the US Special Interests Section in Havana. Shortly before the crackdown Cason had considerably stepped up his contacts with Cubans who had voiced opposition to Fidel Castro.* **Charges** All the detained were tried under Article 91 of the Penal Code and Law 88. Article 91 deals with charges of acting against "the independence of the territorial integrity of the state", the maximum penalty for which is death. Law 88 is a catch-all piece of legislation that has been used in the past as a means for sending writers and journalists to prison. It allows for prison sentences of up to twenty years for those found guilty of committing "acts that, in line with imperialist interests, are aimed at subverting the internal order of the Nation and destroying its political, economic, and social system." **Appeals** All those sentenced lodged appeals with the Tribunal Supremo Popular (Supreme Popular Tribunal) in April 2003 but none were successful. However, since April 2004, 10 of those sentenced have been conditionally released, seemingly for health reasons. **Background** An official statement on the Cuban government website (www.cubagov.cu) explicitly condemns the alleged actions of James Cason and, by definition, those with whom he has allegedly conspired. The fact that the statement goes on to mention the so-called Five Heroes – Cuban nationals who infiltrated Miami-based anti-Castro organisations – suggests that the arrests may also have been made as a reprisal, and possibly as a bargaining chip to obtain their release. The Five Heroes have been detained in the US for the last four years. The name in brackets after the length of sentence denotes the prison in which each writer or journalist is being held. The Working Group on Arbitrary Detention of the United Nations Commission on Human Rights has formally declared that all those sentenced in the March 2003 clampdown are being detained arbitrarily (Category II). **Health concerns:** the majority of the writers, journalists and librarians are suffering from health complaints caused or exacerbated by the harsh

conditions and treatment they are exposed to in prison. Despite their deteriorating health status, access to adequate medical treatment is often limited. (See below for individual updates).

Pedro ARGÜELLES MORÁN: director of the Cooperative of Independent Avileña Journalists (Cooperativa Avileña de Periodistas Independientes – CAPI) **Sentence** 20 years. **Prison** Canaleta, Ciego de Ávila. **Year of birth** c.1948. Transferred in May 2003 from Santa Clara Provincial Prison, Villa Clara to Combinado del Este, Havana) – sentenced under Law 88. Argüelles reported that he was suffering from cataracts and had lost a lot of weight. Transferred in August 2004 from Combinado del Este, Havana to El Tiburón prison in the province of Sancti Spiritus, which is much nearer his home. Reported to have been freed on 29 November 2004, but it was later discovered that he had merely been transferred to the Combinado del Este prison. Reported in March 2005 to be suffering from inflammation of the liver. In July 2005, was reported to be suffering from cataracts in both eyes which had rendered him practically blind. Transferred to Canaleta prison in Ciego de Ávila in November 2005. Hospitalised in April 2007 because of cataracts in both eyes; later diagnosed with severe arthritis and a benign prostate tumour. Reportedly went on hunger strike on 16 June 2007 to gain access to the medicines brought by his family. **Honorary Member:** English PEN.

Víctor Rolando ARROYO CARMONA: author, journalist (Independent Union of Independent Cuban Journalists and Writers - Unión de Periodistas y Escritores de Cuba Independiente – UPECI - and Cubanet) & librarian (Reyes Magos Library). **Sentence** 26 years. **Prison** Holguín. **Year of Birth** 1951. **Charge** Article 91. **Prison conditions /health concerns** Arroyo has staged a number of protests against prison conditions and as a result has been held in "punishment cells" on at least four occasions since his imprisonment. Several reports received in 2005 that he had suffered threats in prison and inadequate medical care. Arroyo suffers from pulmonary emphysema. In June 2007, it was reported that Arroyo have had various skin growths surgically removed in the last year; also reportedly suffering from dental and high blood pressure problems which the prison authorities have refused to treat. **Honorary member:** Finnish PEN

Mijaíl BÁRZAGA LUGO: journalist (Agencia Noticiosa de Cuba) **Sentence** 15 years. **Prison** Santa Clara Provincial Prison, Villa Clara. **Charge** Law 88. Reported to have suffered from conjunctivitis after a month in a punishment cell in September/October 2003. Bárzaga (35) is the brother of well known human rights activist Belkis Bárzaga Lugo. **Honorary Member:** Netherlands PEN

Juan Adolfo FERNÁNDEZ SAÍNZ: journalist (Agencia Patria). **Sentence** 15 years. **Prison** Canaleta, Ciego de Ávila. **Year of Birth** 1947. **Charge** Law 88. **Health concerns** Went on hunger strike on at least three occasions in 2003 in protest of prison conditions. In September 2004 it was announced that Fernández had developed an as yet undiagnosed lump on his torso that is feared could be malignant. Reported in February 2005 to be suffering from emphysema, a cyst in one of his kidneys, a hernia, prostatic hypertrophy (Grade 1), generalised arthritis and high blood pressure. On 6 January 2006 Fernández' wife and daughter visited him in prison. They reported that he was suffering from high blood pressure and circulation problems and had lost weight. On 24 August 2007 it was reported that Fernández' health was in further decline. He was said to be suffering from chronic hypertension, emphysema, prostatic hyperplasia and a kidney cyst. **Honorary Member:** English PEN

Miguel GALVÁN GUTIÉRREZ: journalist (Havana Press agency) and coordinator of the Varela Project. **Sentence** 26 years. **Prison** Guanajay, Havana. **Year of Birth** 1965. **Charge** Article 91 and Law 88. Sentence confirmed on 3 June 2003 by the Supreme Popular Tribunal. On or around 3 August 2003, Galván, was reportedly threatened by the Agüica prison governor with a transfer to Guantánamo prison, over 500 miles away from his family, if he continued passing news to the outside about prison conditions. Transferred in May 2004 to Block 10 of Agüica prison which houses prisoners considered highly dangerous, including those serving life sentences for murder. Reported to have a physical disability due to a road accident.

On 21 May 2006 it was reported that Galván had been kept incommunicado since October 2005, and had been deprived of numerous rights, including family visits, sunlight, letters and religious observance. On 15 June 2007 Galván was reportedly transferred from Agüica prison in Matanzas to Guanajay prison in Havana. He is reported to have suffered numerous illnesses in prison. **Honorary Member:** Sydney PEN

Julio César GÁLVEZ RODRÍGUEZ: freelance journalist **Sentence** 15 years **Prison** Combinado del Este, Havana. **Charge** Law 88. **Prison** Combinado del Este prison, Havana. He is said to suffer from high blood pressure and arthrosis – a degenerative disease of the joints – and high blood pressure. Received surgery for the removal of kidney stones in early 2004. Reported in June 2005 to be suffering from severe pains due to his arthrosis and various other ailments. On 14 September 2007 González was transferred to the military hospital at Combinado del Este prison, where he is being held. He is said to have developed serious respiratory problems while in prison. **Honorary Member:** English PEN

José Luis GARCÍA PANEQUE: journalist (Agencia Libertad press agency) & librarian (Carlos J Finlay Library) **Sentence** 24 years **Year of Birth** c. 1965 **Charge** Law 88 and Article 91. Reported to have suffered from mental illness during his imprisonment. **Health concerns:** reported to have suffered mental illness, and held for one year in a prison psychiatric unit from November 2004 to November 2005. He also suffers from acute intestinal illness which has led to malnutrition, diarrhoea and excessive weight loss. In late 2007 it was further reported that he had contracted pneumonia and that he may have a duodenal ulcer. The medical care in prison is believed to be inadequate and there are acute concerns that his life is at risk. **Current place of detention:** Las Mangas prison, Granma. **Honorary Member:** English PEN

Ricardo Severino GONZÁLEZ ALFONSO: president, Manuel Márquez Sterling Journalists Society, director of *De Cuba* magazine, and librarian (Jorge Mañach Library) **Sentence** 20 years. **Prison** Combinado del Este prison hospital, Havana. **Year of Birth** 1950. **Charge** Article 91. **Health concerns:** Reported to suffer from a number of ailments, including gallstones, abscesses, heart problems, and bronchitis, all exacerbated by his detention and lack of adequate medical attention. He is also said to have spent some time in a prison psychiatric ward in 2005. Most recent reports in August 2007, suggest that González' health problems have worsened. On 14 September he was transferred to the military hospital attached to prison where he is being held (Combinado del Este). He was receiving medical treatment and some medication, but was being kept in uncomfortably hot conditions. **Honorary member:** Finnish PEN and German PEN.

Léster Luis GONZÁLEZ PENTÓN: independent journalist (Movimiento Democracia) and member of human rights movement ALFA-3 **Sentence** 20 years. **Prison** Prisión de Jóvenes – formerly known as Pretensado – Santa Clara. **Year of Birth** 1977 (February). **Charge** Article 91. He is the youngest of the 75 opposition members

arrested in March 2003. **Health:** Reported to have received treatment in August 2004 to rectify spinal problems. Later that year also diagnosed with chronic gastritis and also operated for sinusitis. Again hospitalised, this time for severe haemorrhoids, in October 2005. **Hunger protests:** González has undertaken a number of hunger strikes in 2004, 2005 and 2006 against poor prison conditions. González's mother, Mireya de la Caridad Pentón Orozco, has reported that on 13 November 2007, González had a surgical procedure for a umbilical hernia, at the Arnaldo Milán hospital, in Santa Clara. Despite these problems, González has the intention to publish a book with his journal and other testimonies, describing his life in prison. **Honorary Member:** Sydney PEN and American PEN Centre.

Alejandro GONZÁLEZ RAGA: freelance journalist **Sentence** 14 years. **Prison** Kilo 7, Camagüey. **Charge** Article 91. On 15 February 2006 González published an impassioned open letter appealing for international solidarity for political prisoners in Cuba (see <http://www.cubonet.org/CNews/y06/feb06/16a2.htm>). On 14 January 2007 CubaNET reported that he was writing poetry in prison.

Iván HERNÁNDEZ CARRILLO: journalist (Agencia Patria) and librarian (Juan Gualberto Gómez Library) **Sentence** 25 years. **Prison** Guamajal Hombres **Date of Birth** 24 May 1971. **Charge** Law 88. Said to be accused in particular of possessing a computer from the USA. Reported to have started a 13-day hunger strike on 15 August 2003 with Adolfo Fernández Saíenz and Mario Enrique Mayo to demand decent food and medicine for seriously ill prisoners. Reported to have been transferred from Holguín to Villa Clara Youth Prison on 9 January 2006. Reportedly began another hunger strike on 25 June 2007 in protest at mistreatment by the guards in Guamajal Hombres prison. **Honorary Member:** Catalán PEN, Scottish PEN.

Normando HERNÁNDEZ GONZÁLEZ: director of the Camagüey College of Independent Journalists (Colegio de Periodistas Independientes de Camagüey), journalist (Cubonet) **Sentence** 25 years. **Prison** Carlos J. Finlay military hospital in Havana **Year of Birth** 1970. **Charge** Article 91 and other provisions of the Criminal Code. Reportedly for criticising the government on Radio Martí. **Prison concerns/health conditions:** Hernández has suffered numerous medical complaints since his imprisonment, including high blood pressure, heart and abdominal problems. It is also reported that he has suffered abuse in prison including assaults by staff, being held with prisoners with acute psychiatric disorders, some of whom are extremely dangerous. **New information:** In July 2007, it was reported that Hernández had been threatened by the head of the prison for refusing to shout a revolutionary slogan. The official told him to watch his step or he could have an 'accident'. In September 2007, Hernández' health reportedly remained critical. On 14 September, he was transferred from the maximum security Kilo 7 prison in Camagüey to Carlos J. Finlay military hospital in Havana. According to his wife, Hernández was in pain but was being well treated and was receiving medical care. The move prompted hopes that he would soon be released. According to a diary that Hernández wrote in prison and published on Cubanet.com (see <http://www.cubonet.org/revista/diariornormando.pdf>), he had a colonoscopy on 23 October, the results of which he was told were negative. Two biopsies were taken to rule out the possibility of some other colon problem; at the time of writing he did not know the results of these. He reported that he was still in ill health, with gastric and intestinal pains, and had again lost the few kilos he had put on since being transferred to the hospital. **Honorary Member:** English & American PEN. Recipient of the 2007 American PEN/Barbara Goldsmith Freedom to Write Award.

Juan Carlos HERRERA ACOSTA: journalist (Eastern Free Press Agency - Agencia de Prensa Libre Oriental or APLO) **Sentence:** 20 years. **Prison:** Kilo 8, Camagüey, and Holguin. **Charge** Law 88. Kilo 7 prison, Camagüey. Reported in May 2005 to have been transferred to the prison ward of the Amalia Simone Hospital in Camagüey. **Prison conditions/health concerns:** Has staged a number of protests since his arrest, including hunger strikes and on two occasions reportedly sewing up his mouth to protest against the miserable conditions in which he is held, the poor medical care and the physical and verbal mistreatment to which he claims he and his fellow prisoners are being submitted. Also reported that he has suffered regular beatings from guards. He suffers health problems including cardio-vascular ailments and vitiligo, a disfiguring skin condition. **Recent reports:** On 5 October 2007, it was reported that Herrera was still on hunger strike, and was determined to carry on despite being very weak. He complained about the medical conditions of the prison. Herrera was reportedly physically mistreated on 20 December at the provincial prison of Holguin for demanding his rights. It has been reported that Herrera was transferred to the Holguin prison, in late November or early December 2007. **Honorary Member:** German PEN.

José Ubaldo IZQUIERDO HERNÁNDEZ: independent journalist (Grupo de Trabajo Decoro & CubaNet) and bookseller. **Sentence** 16 years. **Prison** Guanajay, Havana. **Charge** Article 91. **Sentence** confirmed on 3 June 2003 by the Supreme Popular Tribunal. **Health:** Reported to be suffering from pulmonary emphysema. On 9 February 2006 doctors confirmed that over the past months his health had seriously deteriorated after detecting a stomach inflammation and gastro-intestinal bleeding. Reported to be in very poor health in early 2007. Hospitalised for two weeks in February 2007 for circulation problems that caused severe cramping. The prison authorities have refused to provide the special diet recommended by doctors. **New information:** It was reported that Izquierdo was transferred to the Carlos J. Finlay Militar Hospital on 11 December 2007, as a consequence of gastro-duodenal problems. Izquierdo had started a hunger strike on 29 November in protest at the lack of medical attention at Guanajay prison.

José Miguel MARTÍNEZ HERNÁNDEZ: librarian (General Juan Bruno Zayas Library), area representative for the unofficial political group *Movimiento 24 de Febrero*, and involved in *Proyecto Varela* **Sentence** 13 years. **Prison** El Aguacate high security prison, Quivicán, Habana province **Charge** Law 88. **New information:** On 6 October 2007, Martínez was transferred from Guanajay prison in Havana to El Aguacate high security prison. On arrival, Martínez managed to phone his wife to let her know about his transfer, as he himself had found out about it only that day.

Héctor Fernando MASEDA GUTIÉRREZ: independent journalist (Grupo de Trabajo Decoro & CubaNet) and president of the Cuban Liberal Party (Partido Liberal Cubano). **Sentence** 20 years. **Prison** La Pre, Villa Clara. **Year of Birth** 1943. **Charge** Law 88 and Article 91. Maseda reported in January 2005 that he had been transferred without explanation to the Régimen Penitenciario Especial Incrementado (Special Heightened Prison Regime - REI) section of the La Pre prison. Maseda is the only prisoner in this section who is not a violent criminal. Maseda reported on 26 May 2005 that he had been transferred on 18 May to a cell where conditions were harder than his previous cell – it being smaller, virtually without light, and liable to flooding when washing facilities were being used. Said to be sharing the cell with a highly dangerous prisoner. On 7 March 2007, Maseda's wife made a complaint to the Interior Ministry about the inhumane way in which he had been transferred from his prison to a hospital where he was due to be undergo

surgery. Despite being extremely weak, Maseda had allegedly been left in a punishment cell for three hours before being shackled for the transfer. In June it was reported that Maseda was reported had had numerous skin growths surgically removed over the past year. **Honorary Member:** Italian PEN

Pablo PACHECO ÁVILA: freelance journalist (Agencia Patria) **Sentence** 20 years. **Prison** Morón, Ciego de Ávila. **Charge** Law 88. Pacheco complained on 30 October 2004 that he was not receiving the necessary medication for his high blood pressure. Reported to have been freed on 29 November 2004, but it was later discovered that he had merely been transferred from Agüica Prison, Matanzas, to Morón prison in Ciego de Ávila, his home province. **Health concerns:** Reported in February 2005 to have been diagnosed with synovitis in the knees and high blood pressure. After eight months in the Antonio Luaces Iraola hospital, Pacheco was returned to a cell in the Morón prison on 17 June 2005. Hospitalised for 52 days in 2006; returned to prison. Underwent surgery on his right knee in April 2007 and was still in hospital at the end of June. He was also reported to be suffering from pre-existing kidney problems and high blood pressure.

Omar PERNET HERNÁNDEZ: librarian (20 de Mayo Library, Villa Clara) and leader of the unofficial *Movimiento Nacional por los Derechos Humanos "Mario Manuel de la Peña"* (National Movement for Human Rights) and involved in the *Proyecto Varela* **Sentence** 25 years. **Prison** Villa Clara Youth Prison **Year of Birth** 1945. **Charge** Article 91. **Health concerns** Reported to be suffering from a kidney infection, an inflamed bladder and high blood pressure. On 10 October 2004, Pernet was transferred to the Carlos J. Finlay Military Hospital in Havana for medical tests. Underwent a hunger strike in October 2005 to demand treatment for a fractured leg, an injury incurred when his ambulance was involved in an accident as he was being transferred from a civilian hospital to the Military Hospital a year earlier and during which two prison officials died. Reported to be in poor health in January 2007. Transferred from Carlos J. Finlay Military Hospital to Villa Clara Youth Prison on 8 June 2007. Since then he has reportedly been kept in an isolation cell in the prison infirmary and denied all visits. He believes he is being punished for the death of two prison officials during the transit accident in 2004 (see above).

Fabio PRIETO LLORENTE: freelance journalist and member of the Asamblea para la Sociedad Civil (Civil Society Assembly) **Sentence** 20 years. **Prison** El Guayabo. **Year of Birth** 1964. **Charge** Article 91. **Prison conditions/health concerns** Prieto has reportedly been held in appalling conditions since his imprisonment and has undertaken hunger strikes in protest. Conditions include being held with dangerous prisoners, overcrowding and denial of daylight. He suffers poor health including high blood pressure, chronic emphysema, haemorrhoids and coughs blood. Transferred on 18 January 2006 from Kilo 8, Camagüey to El Guayabo Prison. **Recent reports:** according to his family, Prieto was hospitalised in May 2007 due to acute chest and back pains and low blood pressure, but was returned to prison before completing all the necessary medical tests. In addition, the prison authorities have reportedly been refusing to give Prieto the treatment he requires for serious pulmonary complications since 10 June. In a public letter, Prieto's sister, Clara Lourdes Prieto Llorente, claimed that her brother had been suffering from ear pain since 11 September 2007. Three days later, with face swollen, Prieto was finally checked by a doctor, who prescribed him medication containing antibiotics which he is allergic to, and so refused to take. On 11 December, Prieto's cell was searched and his writings and poems taken away from him. **Honorary Member:** English PEN.

Alfredo Manuel PULIDO LÓPEZ: human rights activist and freelance journalist (Agencia El Mayor). **Sentence** 14 years. **Prison** Kilo 7, Camagüey. **Charge** Article 91. Transferred in August 2004 Combinado del Este prison in Havana to Kilo 7 prison in Camagüey. **Health concerns:** on 23 May 2007 it was reported that Pulido had recently been diagnosed with tuberculosis but was being denied medical treatment. The president of the Cuban Council of Human Rights Rapporteurs (Consejo de Relatores de Derechos Humanos de Cuba) is reported to have expressed great concern for Pulido's health.

José Gabriel RAMÓN CASTILLO: journalist (Instituto Cultura y Democracia (Culture and Democracy Institute) & *CubaNet*) **Sentence** 20 years. **Prison** Prisión de Jóvenes de Villa Clara. **Charge** Law 88. **Health concerns/ treatment:** Said to have spent a spell in a punishment cell in November 2004, and to have undergone a hunger strike later that month in protest at conditions. Ramón also received medical treatment at the Carlos J Finlay Military Hospital for a heart disorder, high blood pressure, malfunctioning liver, and problems with his circulatory and nervous systems. In June 2007 Ramón was reported to be suffering from diabetes, cirrhosis, hypertension, stomach ulcers, circulation and other ailments that have seriously weakened him. **New information:** On 9 July 2007, it was reported that Ramón's health had deteriorated, his liver dysfunction and diabetes in particular. He had also suffered hair loss. According to his wife, these health complaints are due to the 15 months he has spent in solitary confinement. On 3 September, his wife reported that for the previous two weeks Ramón had been refusing to go to the prison hospital for the insulin injections he requires because when he is taken there he is handcuffed so tightly that it causes him pain and cuts off his circulation. She also said that Ramón was not receiving the diet he has been prescribed, which is also causing his diabetes to worsen.

Blas Giraldo REYES RODRÍGUEZ: librarian (20 de Mayo Library, Sancti Spiritus) and member of *Proyecto Varela* steering committee in Sancti Spiritus (*Proyecto Varela* is a petition calling for a referendum on legal reform with the goal of greater personal, political and economic freedoms and an amnesty for political prisoners) **Sentence** 25 years. **Prison** Nieves Morejón, Sancti Spiritus. **Charge** Law 88. In October 2006 denounced flooding in Nieves Morejón prison, which was causing sanitary problems. Reportedly underwent surgery for intestinal ailments in a Sancti Spiritus hospital in July 2007. On 17 October 2007, Reyes's wife reported that her husband had been threatened with attack by one of the prison inmates for refusing to hang communist symbols in his prison cell. She feared for his health and safety. **Honorary Member:** Sydney PEN

Omar RODRÍGUEZ SALUDES: director of the independent press agency Nueva Prensa Cubana **Sentence** 27 years. **Prison** Toledo, Havana. **Charge** Article 91. In February 2007 reported to have been transferred from Agüica prison in Matanzas to Toledo prison in Havana. According to his wife, Rodríguez remains optimistic. **Honorary member:** Finnish PEN

Omar Moisés RUIZ HERNÁNDEZ: freelance journalist (Grupo de Trabajo Decoro & CubaNet) **Sentence** 18 years. **Prison** Nieves Morejón, Guayos, Sancti Spiritus. **Charge** Article 91. **Prison conditions/health concerns** Reyes has reportedly suffered abuse in prison including solitary confinements, being held in punishment cell and harassment. He suffers poor health including high blood pressure, prostate and kidney problems, an enlarged aorta and an eye complaint. In June 2007 it was reported that Ruiz was suffering from high blood pressure and circulation problems exacerbated by the severe heat and lack of ventilation in the prison. He had also been diagnosed with a detached retina but was not

receiving any treatment. **New information:** On 10 August 2007, it was reported that Rioz was had concerns for his mental health because of noise made by the other (non political) prisoners in his cell. He had asked the authorities to be taken to an isolation cell, but his request was denied. He was taking medication for insomnia. **Honorary Member:** Swedish PEN

Other Main Cases

Jesús ALVAREZ CASTILLO: a *Cuba Press* journalist, faces a prison sentence of between six to twelve months for his refusal to testify in the trial of the six activists who protested at the hospital on 4 March 2002. Alvarez refuses to sign a document that states that he witnessed the alleged illegal activities of the group. He claims he was only semi-conscious due to the beating he received from police and was therefore unaware of what was happening around him. He also faces a second sentence of between three and eight years for having the reported on the events that resulted in his arrest. Castillo continues to be held in prison, awaiting trial.

Jose Antonio MOLA PORRO: director of the Independent Library Pedro Luis Boitel, was rearrested on 17 November 2006, after being released conditionally on 28 February that year. In May 2005 he had been condemned to two years' imprisonment as a "pre-criminal danger to society" (peligrosidad social predelictiva). On the day of his re-arrest Mola was at home when ten police officers broke in and seized around hundred books and magazines, and various other belongings. The officer in charge has allegedly said they had received several reports of robbery of domestic goods in the community, and that Mola was a suspect. Mola is the President of the Cuban Foundation of Human Rights and member of the Assembly for the Promotion of Civil Society in Camagüey. It has been reported that instead of being released in May 2007 at the end of his two-year sentence he was informally ordered to serve another year. On 17 June 2007, around 70 people protested in a pacific march in front of the Office of the Provincial Attorney General in Camagüey, requesting Mola's release. As of 30 June 2007, still being detained at Cerámica Roja prison in Camagüey. PEN is seeking an update.

Raymundo PERDIGÓN BRITO: founder of independent news agency *Yayabo Press*, sentenced to a four-year prison sentence by a municipal court in the central town of Sancti Spiritus, on 5 December 2006. He was reportedly arrested on 29 November 2006 by the State Security, on charges on being a "pre-criminal danger to society", after denying a State Security order to cease his journalistic activities. On the day of the announcement of the sentence, around one hundred demonstrators allegedly attacked the journalist's relatives. Since his arrest Perdigón Brito's sister has taken over as the editor of *Yayabo Press*. Perdigón reported that he had suffered food poisoning in Sancti Spiritus prison on 23 April 2007 caused by negligence on the part of prison staff. He also reported that inmates were concerned about a sudden increase in kidney and cardiovascular complaints.

Oscar SÁNCHEZ MADAN: Matanzas correspondent for the Miami-based Cubanet website. **Year of birth:** c. 1964 **Sentence:** four years **Prison:** Combinado del Sur, a maximum security prison outside Matanzas. **Charge:** Article 72 ("social dangerousness"). **Details of arrest and trial:** arrested by the State Security at his home in Unión de Reyes, Matanzas province, on the morning of 13 April. The same day Sánchez was tried on "social dangerousness" charges by the Unión de Reyes municipal court. Family members were not allowed to attend the trial and Sánchez had no access to legal counsel. **Other details:** Sánchez had covered a local corruption scandal in March 2007, along with social

problems in Matanzas. Prior to his imprisonment he had been detained twice since 2006, in September 2006 and March 2007 (see previous case lists), and had been repeatedly warned by local authorities to stop working as a journalist. According to Bitacoracubana.com, Sánchez' sentence was reduced from four years to three, as a result of an appeal presented by his mother.

Léster TÉLLEZ CASTRO: director of the *Agencia de Prensa Libre Avileña* (Avileña Free Press Agency), was handed down a prison sentence on 27 April 2004, along with **Juan Carlos González Leiva** and **Carlos Brizuela Yera** both since released. At the one-day trial, Téllez Castro was sentenced to three years six months' imprisonment. The three were charged with insulting President Fidel Castro and disorderly and disrespectful behaviour under Articles 144 and 200-1 of the Cuban Penal Code. At the trial, it was apparently revealed that Téllez Castro was a state security operative but that he renounced his work for the state, stating that his experiences in prison had converted him into a genuine dissident. Téllez Castro had been detained since 4 March 2002 when he formed part of a group of human rights activists who staged a peaceful protest at a hospital in support of a reporter, **Jesús Alvarez Castillo** (above), who had earlier been assaulted by police. The Working Group on Arbitrary Detention of the United Nations Commission on Human Rights has formally adopted the case. PEN is seeking confirmation that Téllez has been released after serving his sentence, which should have expired on 27 October 2007.

Alberto Gil TRIAY CASALES: correspondent for the Miami based website *Cubanet*, was arrested on 9 November 2005, and held at the Department for Technical Investigation for twenty days under charges for subversive propaganda. After several heart attacks he was hospitalised, and then, in December 2005, transferred to the Valle Grande prison, in west Havana. On 22 June 2006 his trial took place although, no verdict has yet been announced. On 13 September 2006, the journalist was said to have started a hunger strike in protesting at the seven-year prison sentence he faces. On 1 February 2007, Reporters sans Frontières reported that Triay had been given a seven-year prison sentence in November 2005 for "subversive propaganda". PEN is seeking confirmation of his conviction.

Ramón VELÁZQUEZ TORANSO: journalist for the independent news agency *Libertad*, was sentenced to three years of supervised parole on 23 January 2007, on charges of being a "pre-criminal danger" to society. He was arrested together with his wife and daughter at the bus station in Ciego de Avila. Both women were freed later that day. The family had staged a human rights protest on 10 December 2006. The journalist was sentenced by the Tribunal in La Tunas, eastern Cuba, then transferred to El Típico provincial prison. On 30 January 2007 he started a hunger strike and on 3 March was reportedly transferred to a forced-labour camp in Las Tunas province, allegedly "on the orders of State Security."

Sentenced - free pending appeal

***Alberto Santiago DU BOUCHET HERNÁNDEZ:** freelance journalist, was sentenced to two years in prison and an additional two years' work in a prison environment and two years under judicial control on 15 August 2007 following a summary trial. Du Bouchet was accused of stealing a handkerchief signed by Fidel Castro from an elderly woman and former Castro activist. The journalist holds that the woman gave him the handkerchief and was later pressurised by the police to testify against him. Du Bouchet previously served a one-year sentence for "civil disobedience" and "resisting the authorities", also following a summary trial,

and was released in 2006. He has appealed against the conviction and remains free pending the appeal outcome.

Harassed

***Ludis RODRÍGUEZ DÍAZ (f):** director of *El Martiano Libre* magazine, was reportedly summoned to a police station by a State Security official on 23 August 2007 and ordered to stop publishing her magazine, or she could be sent to prison. On 22 December, it was reported that members of the *Policia Nacional Revolucionaria* (National Revolutionary Police) had attempted to knock Rodríguez's 15 year-old daughter down with a police car. Rodríguez had also received threats from the political authorities from Manzanillo, where she lives, who told her that her family could be evicted from their home because of her reporting on the human rights situation in Cuba.

Temporary Release

Mario Enrique MAYO HERNÁNDEZ: lawyer, journalist (chief of *Agencia Félix Varela*) serving a 20-year sentence in Kilo 7 prison. Provisionally released for 12 months on 1 December 2005 on health grounds. Mayo had to report to state security officials in Camagüey once a month and was told to report back to prison at the end of November 2006 when he would be told whether he will remain free or have to recommence his term. Mayo (41), was sentenced in April 2003. During his time in prison he conducted at least three hunger strikes, the most recent in July and August 2005. The journalist was reportedly suffering from a wide range of physical ailments, including three undiagnosed lumps on his head, glaucoma, emphysema and high blood pressure. He began a hunger strike on 21 July 2005 which he vowed to continue "until free or dead". However, it was reported on 19 October that he had tried to commit suicide twice, once with a sheet and once with a piece of cord. He has also apparently etched the first letters of the words 'Inocente' (Innocent) and 'Libertad' (Freedom) into his skin with a nail. Reportedly still free as of 16 March 2007; PEN is seeking confirmation that Mayo has not been sent back to jail. **Honorary Member:** Catalán PEN

Released

Armando BETANCOURT REINA: journalist with the *Nueva Prensa Cubana* website and founder of the underground magazine *El Camagüeyano*, was released on 20 August 2007 after being held for 15 months. Betancourt was reportedly arrested by the National Revolutionary Police (PNR) on 23 May 2006 while covering a demonstration against the eviction of a family squatting at a dump in Camagüey. He was eventually convicted of "public disorder" but not until over a year later. On 3 July 2007, he was given a 15-month sentence and returned to Cerámica Roja Prison, but was subsequently released on 20 August as he had already been held without charge for 13 months prior to his conviction. [RAN 31-07 – 27 July 2007; Update #1 to RAN 31-07 – 23 August 2007]

ECUADOR

On trial

Celio Rosario CHAMBA: journalist for *El Correo de Machalá* daily newspaper, faces a prison sentence if found guilty on charges of "insult and calumny" brought by two Cuban veterinarians as a result of a 20 August 2005 article by Chamba alleging that they had plagiarised a Cuban book in a thesis they wrote. The vets brought a lawsuit against Chamba which they lost on 27 November 2006; they then appealed to the

Quito Supreme Court, which was expected to issue its verdict in the second half of May 2007. The vets have acknowledged that they did in fact copy much of the book. Trial ongoing as of 30 June 2007; PEN is seeking an update.

Francisco VIVANCO RIOFRÍO: managing editor of the daily newspaper *La Hora*. On 10 May 2007 President Rafael Correa filed a libel suit against Vivanco over an editorial entitled 'Official Vandalism', which accused the President of ruling through "riots, sticks and stones" and described his behaviour as "shameful". The editorial was published on 9 March in connection with violence around presidential attempts to schedule a referendum on redrafting the Constitution. The President is said to have demanded a retraction, which Vivanco refused to do. If convicted, Vivanco faces between six months and two years in prison and a fine, under article 230 of the criminal code. Trial ongoing as of 30 June; PEN is seeking an update.

On trial/ Suspended sentence

Nelson FUELTALA: journalist for the daily newspaper *La Gaceta*, received a 60-day prison sentence and was ordered to pay US\$70 in damages for defamation by the High Court of Justice (Corte Superior de Justicia) of Cotopaxi province on 6 March 2007. The case stems from the newspaper's publication on 2 June 2006 of comments allegedly made by a former municipal commissioner, criticising Pujilí mayor Marcelo Arroyo, who then sued Fuentala for defamation. Fuentala was initially acquitted by the local court but the decision was overturned by the High Court of Justice. The sentence has been suspended while the journalist's appeal is considered by the Supreme Court in Quito. **New information:** As of 31 December the appeal was still pending at the Supreme Court in Quito, which is expected to announce its verdict in early 2008.

GUATEMALA

Death threats

***Enrique CASTAÑEDA and Hilda MÉRIDA (f):** journalists for *El Periódico*, based in Guatemala city. On 31 October 2007, it was reported that Castañeda and Mérida had been receiving death threats since 24 October, which they believed were linked to their investigation into members of the Partido Patriota (PP) political party who were allegedly involved in illegal activities including embezzlement of government funds. The director of *El Periódico* decided not to publish their findings, but asked them for a draft of the report. The journalists were concerned because the newspaper's editing vice-president, Mario Fuentes Destarac, reportedly stood to be appointed to a high-ranking government post if the PP won the November 2007 elections. After handing over the draft, the journalists began to be followed and to receive death threats urging them not to publish their investigation. They have filed a complaint with the General Prosecutor for Human Rights.

Case closed

Ana Carolina ALPÍREZ (f) and José Ruben ZAMORA: editor-in-chief and director respectively, of the morning newspaper *el Periódico* in Guatemala City, have been taken to court for revealing the identities of two police advisors. On 8 March 2007 an *el Periódico* editorial published the names of brothers Henry Danilo and José Luis Benítez Barrios, as former unpaid police advisors. The editorial referred to an occasion on which the brothers had allegedly entered Pavón prison, wearing police uniforms and heavily armed. According to the Benítez Barrios brothers, that night (8 March) they were victims to an armed attack while they

were travelling by car, which they believe to have been provoked by the editorial. On 16 March they took legal action against Zamora and Alpírez for attempted murder. The Human Rights Procurator (Procurador de los Derechos Humanos) has reportedly stated that said that the 8 March editorial had not constituted an invitation to murder, but had "simply made known information which was later confirmed by government authorities." **New information:** On 20 April 2007, the case was dropped due to lack of evidence. Case closed.

HAITI

Death threats/ harassment

***Joseph GUYLER C. DELVA:** journalist for the New York-based *Haitian Times*, Port-au-Prince correspondent for the BBC, Reuters, the Caribbean Media Corporation and host of a radio news show, reportedly received death threats on 25 October 2007. The threats were made to his mobile phone from blocked numbers, and the callers told him to be careful, that they knew who he was and that they would 'get him'. The journalist is also the president of the local press freedom group SOS Journalists, and of the Independent Commission for Supporting Investigations into Murders of Journalists (CIAPEAJ), a body which reviews the process of state investigation of the murders of journalists in Haiti. He notified the authorities of the threats. On 9 November, after reportedly being chased by a gang of unidentified men in Port-au-Prince, Delva temporarily left the country, returning a few weeks later, on 25 November. He was greeted on arrival by the public prosecutor in Port-au-Prince, who reportedly obtained a formal promise from President René Préalval to safeguard Delva's safety. At a press conference on 26 November, Delva said he believed Senator Rudolph Boulos was behind the threats made against him.

HONDURAS

Threats

***Martín RAMÍREZ:** journalist for the daily *La Tribuna*, based in Tegucigalpa, reportedly received threats on 7 September 2007, after writing about violent organised gangs, and their alleged possible connection with the police. The article, published that day, did not carry Ramirez' name; however, the police revealed that he was the author and he and his family began receiving telephone threats.

Case closed

***Mauricio Flores and Nelson Fernandez:** editor of the daily *El Heraldo*, and managing editor of the daily *La Prensa* respectively, were sued on 28 September 2007 by the chief of the communications company Hondutel, Marcelo Chimirri, for damaging his reputation. Both newspapers had published an article, which originally appeared in the Mexican daily *El Universal*, which alleged that Hondutel employees were embezzling part of the proceeds from international calls, resulting in losses for the Honduran treasury. On 5 October, it was reported that judges had ruled that there were insufficient legal reasons for bringing a case to be brought against the journalists.

MEXICO

Killed: investigation

***Gerardo Israel GARCIA PIMENTEL:** journalist for the daily newspaper *La Opinión*, based in Michoacán, western Mexico, was shot dead

while driving his motorcycle in Uruapan, Michoacán state, on 8 December 2007. Realising that he was being followed, García pulled up at the Ruan Hotel, where he was living with his family. When he arrived at the parking area, unidentified men wearing hoods shot him approximately 20 times. By the time paramedics arrived, García had already died. The journalist had covered stories relating to agriculture for several years. The General Prosecutor's Office is in charge of the investigation of the case.

Disappeared/presumed killed

Alfredo JIMÉNEZ MOTA: crime reporter for the Hermosillo daily *El Imparcial* in the north-western state of Sonora, has not been seen since 2 April 2005. That evening he was due to meet a contact whom he had earlier described to a colleague as “very nervous”. Jiménez (26) had recently published articles in *El Imparcial* regarding local drug traffickers. The police are working on the premise that his disappearance is linked with his work as an investigative journalist. The Subprocuraduría de Investigación Especializada en Delincuencia Organizada (Subprocurator's Office Investigation Unit Specialising in Organised Crime) opened an investigation into the disappearance on 25 April 2005. However, Jiménez Mota was still missing as of 31 December 2005 and the results, if any, from the investigation have yet to be made public. In April 2006 it was reported that the two lines of investigation followed by the Organized Crime Special Investigation Unit (SIEDO) involve the reporting Jiménez Mota was doing on the families running the drug trade in Sonora, and possible unlawful activities of government officials. He is now presumed to have been killed. In January 2007 it was reported that Lt. Jesús Francisco Ayala Valenzuela, a municipal police officer of Navojoa in the north-western state of Sonora, had given statements to the Comisión Nacional de Derechos Humanos (National Commission for Human Rights), and the Procuraduría General de la República (Prosecutor General's Office) implicating local authorities in Jiménez' disappearance. Ayala named a former Navojoa Police Chief, two criminal investigation police officers, two local prosecutors and a brother of the governor of Sonora. He then reportedly went into hiding after receiving repeated threats. In April 2007, two years after Jiménez' disappearance, it was reported that none of the suspects named by Ayala had been questioned in connection with the case. PEN is monitoring the case.

Disappeared

José Antonio GARCÍA APAC: editor of the newspaper *Ecos de la Costa*, from Lázaro Cárdenas, Michoacán state, last seen on 20 November 2006 on his way from Tepalcatepec to Morelia, when he was reportedly intercepted by three people in a pick up truck, at 7.30 p.m., who took him with them. His car has not yet been found. His family claims that García had reported being followed earlier in the year. He was reporting on cases related to drug trafficking in Michoacán. In March 2007 it was reported that García was still missing and that the state attorney general's office had made no progress in its investigation into his disappearance. PEN is seeking an update. On 20 November, García's wife, **Rosa Isela Caballero**, who has taken over the editorship of *Ecos de la Costa*, reported that she had sent a letter to the General Prosecutor's Office in July, enquiring about the results of the investigation into her husband's disappearance, but was yet to receive a clear response. According to Caballero, three representatives of the prosecutor's office had been called to the investigation, and the federal justice ministry had also intervened, but without results to date.

Rodolfo RINCÓN TARACENA: journalist for the regional daily *Tabasco Hoy*, disappeared on the night of 20 January 2007, in Villahermosa, Tabasco State, southeastern Mexico. The journalist's family reported the case to the Office of the General Prosecutor of the state of Tabasco (Procuraduría General de la Justicia del Estado de Tabasco) on 23 January. Rincón had recently published articles on drug trafficking and at the time of his disappearance was carrying out an investigation on places where drugs were sold, apparently naming some of the dealers. The night he disappeared he was completing an article on a gang of bank robbers. Reports in March 2007 indicated that Rincón's disappearance had not been properly investigated. PEN is seeking further information.

Brief detention/ attacked

***Luis Fernando NÁJERA:** reporter for the daily *El Debate de Culiacan* and the weekly *Ríodoce*, was attacked and threatened with death when covering a raid in Mochis, Sinaloa state, northern Mexico, on 29 June 2007. The attack occurred after Nájera took a photograph of someone who was being beaten during a police raid. He was reportedly chased by the police, abducted and tortured, and threatened with death because of the photographs. He claims his camera equipment was confiscated by the police, but the latter deny this. The reporter was arrested and held incommunicado for two days, before being released on bail. Nájera has reportedly filed a complaint with the Special Prosecutor for crimes against Journalists (Fiscalía Especializada en Delitos contra Periodistas).

On trial – acquitted – remain threatened

***Sinhué Adolfo SAMANIEGO OSORIO and Manolo ACOSTA VILLARREAL** (journalists for the newspaper *Zocalo*) and **Jesús GONZÁLES MEZA** (journalist for the daily *La Voz*), based in Monclova, Coahuila state, in northern Mexico. The journalists were arrested by the Special Investigative Unit (Subprocuraduría de Investigación Especializada contra la Delincuencia Organizada – SIEDO) on 4 August 2007 while the journalists were trying to cover a narcotics operation. They were reportedly bundled into a car, and blindfolded and mistreated while being driven around for some 16 hours. The men were later accused of possessing a firearm and drugs, charges which they denied. They were released on bail on 10 August and subsequently acquitted; however, on 21 September, it was reported that the Coahuila Office of the Prosecutor (Procuraduría General de Justicia de Coahuila) had appealed the decision.

Lydia CACHO RIBEIRO (f): author, journalist and social activist. On trial for criminal defamation throughout 2006; acquitted in January 2007. However, continues to receive constant death and other threats and is under 24-hour protection. **Details of arrest and trial:** detained on 16 December 2005 and subsequently charged with criminal defamation and “calumny”. The charges were brought against her by textile businessman José Camel Nacif Borge who is cited in her book *Los Demonios del Edén: el poder detrás de la pornografía* (*The Demons of Eden: the power behind pornography*) as having connections with Jean Succar Kuri, currently detained in the United States and accused of heading up a child pornography and prostitution network. Released on bail shortly after. She faced between six months and four years in prison if convicted. **Threats:** Since the publication of her book, Cacho has received the protection of bodyguards provided by the General Procurator's Office on account of the repeated death threats she has reportedly received. **Professional details:** Aside from being an author and novelist, Lydia Cacho runs a centre for women who have been the victims of violence,

writes a political column for the newspaper *La Voz del Caribe*, contributes to the Mexico City-based magazines *Día Siete* and *Tentaciones*, is the editorial director of the magazine *Esta boca es mía* (*This mouth is mine*) and presents a television programme of the same name. She is also a specialist on issues of violence and gender for the United Nations Development Fund for Women (UNIFEM) and has co-founded a network of journalists in Mexico, Central America and the Caribbean. **Trial outcome:** In October 2006 Cacho's lawyers succeeded in transferring her case from Puebla to the Federal District of Mexico City, where defamation had been repealed as a criminal offence in April 2006. As a result, the court dismissed the charges against Cacho on 2 January 2007 and the trial was discontinued. Cacho in turn successfully sought an official investigation into the violation of her constitutional rights and into those allegedly involved in her kidnapping. In mid June 2007 this investigation was before Mexican Supreme Court and it seemed likely that a number of officials allegedly involved in her kidnapping, including Puebla governor Mario Marín, would be put on trial. **New threats:** Cacho continues to receive death and other threats on a regular basis. She is under the 24-hour protection of bodyguards and travels in an armoured car. Despite these precautions, on 7 May 2007, a car in which she was travelling (reportedly the property of the Federal Attorney General's Office - PGR) narrowly avoided crashing after some wheel bolts had apparently been intentionally loosened, indicating sabotage. Cacho and her lawyer lodged an official complaint the following day. **New information:** On 29 November 2007, the Mexican Supreme Court of Justice ruled that there had been no serious violation of Cacho's rights under Article 97 of the Constitution when she was arrested and transferred from Quintana Roo to Puebla in December 2005. Cacho said she would take her case to an international court.

Death threats

***Ernesto DE LA CUEVA BELLO:** journalist and editor for the cultural section of the daily newspaper *Milenio*, has reported fearing for his life. On 19 October 2007, De La Cueva sent a public letter to the media stating that he had received reliable information to the effect that the mayor of Metepec, Mexico state, had ordered his murder. The journalist believes that the threats are related to his reporting on irregularities at the city hall allegedly involving the mayor.

***Gonzalo DOMÍNGUEZ MONROY, Felipe RAMOS CRUZ and Carlos DOMÍNGUEZ MONROY:** regional director and journalists respectively, of the Oaxaca-based daily *El Imparcial del Istmo*, reportedly received death threats in late 2007. On 8 October, three of the newspaper vendors were shot dead while driving the company van. There are fears that the attack could be related to the paper's coverage of the criminal activities of a drug trafficking gang in Oaxaca state. According to a 11 October joint report by CENCOS, Article 19-Mexico and IPYS-Mexico, there had been the newspaper staff had resigned en masse due to fear and insecurity. Domínguez and Ramos had also resigned in fear for their lives and those of their families. A complaint was filed with the Oaxaca Prosecutor's Office (Procuraduría de Justicia del Estado de Oaxaca). [RAN 42/07 - 19 October 2007]

***Alberto FERNÁNDEZ PORTILLA:** director of the weekly *Semanario del Istmo*, political columnist of the daily *El Sol del Istmo*, both based in Salina Cruz, and the Juchitan daily *El Sur*, as well as the producer of a radio news programme, was shot five times when returning to his home in Salina Cruz, Oaxaca state in the early hours of 5 August 2007. The gunman shouted 'So that you don't forget my leader' (pa que no te olvides de mi lider) before shooting, and then shot Fernandez in the

abdomen, right arm and left leg. It has been reported that the journalist believes the attack was related to coverage of cases on corruption in the oil company Petróleos Mexicanos (Pemex). Following this attack, Fernández's colleagues **Daniel PEREZ ESPINOZA** and **Edwin MENESES SANTIAGO** reportedly started to receive telephone death threats, which they also believe to be related to their reporting. The case is being investigated by the Special Prosecutor for crimes against Journalists (Fiscalía Especial para la atención de Crímenes contra los Periodistas) in Oaxaca.

Mario Renato MENÉNDEZ RODRÍGUEZ: director and owner of *Por Esto* newspaper based in Mérida, Yucatán state, in southern Mexico. Menéndez reports being harassed and receiving death threats in Mérida on 30 June 2007. He attributes the threats to federal and Yucatán state government officials who are unhappy with his publication of articles critical of their alleged connections to drugs and people trafficking. Menéndez believes that a price has been put on his head by the head of a local criminal group. He also reports that he has previously suffered harassment, including being detained four times by members of the Attorney General's Office (Procuraduría General de la República (PGR)). In 2006, the newspaper suffered two grenade attacks, one against its Cancún branch on 23 August and another against its Mérida headquarters on 1 September, which left three journalists injured. **New information:** On 9 July 2007, it was reported that federal congressman José Luis Blanco had documented and condemned the threats made against Menéndez. The head of the Judiciary and the governor of Yucatan have adopted a similar position. PEN monitoring.

***Martín SERRANO HERRERA:** editor of the newspaper *Tribuna*, based in Veracruz state, reported receiving a death threat on 28 August 2007, when five bullets were left by his front door. The bullets were wrapped in a page of the newspaper containing an article on a series of aggressions against the press by the governor of Veracruz state, Serrano filed a complaint with the authorities, and asked for protection for himself and his family.

Threatened

***Fredy Martín PÉREZ LÓPEZ and Jorge BECERRA:** journalist for the newspaper *El Universal* and reporter for the daily *Diario Meridiano* respectively, were reportedly harassed and verbally attacked by members of the Municipal Police's Federal Investigation Agency (Agencia Federal de Investigación de la Policía Municipal y Vialidad Municipal) in the early hours of 7 October 2007. The intimidation occurred when the journalists were returning from covering an indigenous and *campesino* protest in Venustiano Carranza, Chiapas state, south-east Mexico. They were following some police cars when they were stopped by a truck. Several armed men got out of the truck and pointed their guns at the journalists. Pérez recognised one of the armed men as the co-ordinator of public security, José Ever Espinoza Chirino, and referred to him by name to ensure he knew that the journalists were aware of his identity. After a discussion, the incident ended. Pérez and Becerra said they would file a complaint with the authorities.

Attacked

***Oscar LÓPEZ and Ariel RAMÍREZ ARRIETA:** of the cultural publication *El perro azul*, were ill treated by police officers of the State Preventive Police in Cuernavaca, Morelos state, from 27 and 28 October 2007. On 29 October, the newspaper *La Jornada de Morelos* reported that López had been beaten and had sustained injuries to his arms, legs, back, hands and ribs. Three other people were also injured. López was

taken away by the police after the assault. Ramírez was attacked by two police officers as he was entering his workplace. The journalists have filed a complaint with the Cuernavaca Office of the Public Ministry (Ministerio Público)

Harassed

***Francisco ANDRADE MADRIGAL**: general manager of the news site *Informativo Chiapas*, has reported harassment and interference by the media co-ordination office of Chiapas state (Coordinación de Comunicación Social - Cocosó). On 25 September 2007, Andrade sent a public letter to the Mexican President, Felipe Calderón, and the Chiapas state governor, claiming that employees of Cocosó were interfering with his work because they believed his position during the August 2006 election had been biased against the governor. Andrade reported that he was facing restrictions and was being watched while working. He has allegedly been vetoed by five online media outlets and seen attempts to sabotage the content of his site.

***Eolo PACHECO**: director of the newspaper *El Regional del Sur*, and host of a radio programme, in Morelos state, central Mexico, was attacked when leaving the radio station on 15 August 2007. He was reportedly stopped by various individuals who pushed him into a car, tied him up and drove him to a place where he was badly beaten and threatened with murder. Pacheco filed a complaint with the authorities.

***Juan Gabriel REYES ROBLEDO**: reporter and photographer for the newspaper *Sinco*, based in Reynosa, in the eastern state of Tamaulipas. In December 2007, Reyes reported that he had been subject to harassment by Manuel Montemayor, a former judge from the municipality of Río Bravo, where Reyes is the newspaper's correspondent since May. The harassment began when Reyes was about to take photographs of a car crash he was covering for the newspaper, when Montemayor, who was the driver, and then still a judge, insulted and attacked him. On 19 November, Reyes' car was set alight, apparently with a Molotov cocktail. After Reyes filed a complaint with the authorities, Montemayor reportedly reimbursed Reyes for the damages to his car, and promised to stop bothering him. However, on 25 November, a similar incident occurred, this time with Reyes's wife's car. According to Reyes reported, Montemayor had also been making telephone threats to him between the attacks. The reporter filed a complaint with the authorities.

Case closed

Jesús LEMUS BARAJAS: journalist for the newspaper *La Jornada* in Michoacán, south western Mexico. Reported in late 2006 to be facing criminal charges for defamation presented by parliamentarians of the local legislature from the ruling party Partido Revolucionario Institucional. The charges followed a publication of accusations made by politicians of the opposition. Case closed due to lack of information.

PARAGUAY

Facing charges

***Mauricio ACOSTA**: journalist with the Pilar-based newspaper *Ultima Hora*. Reportedly facing legal action after he published articles that quoted social activists criticising the judiciary during a public meeting organised by the Citizens in Action alliance of popular organisations. A member of the Appeals Court of Pila reportedly issued the threats of legal action against Acosta on 26 June 2007. PEN is seeking an update.

Threatened

***Carlos Mariano GODOY and Aldo BENÍTEZ**: journalist and correspondent for the newspaper *ABC Color*, reportedly received threats in October 2007 for publishing a series of profiles of electoral candidates with allegedly bad reputations. Godoy received a phone call from a candidate for the governorship of Caaguazú province, Francisco Alvarenga, who threatened his life. Benítez was threatened by the mayor of Piribebuy, Cayo González, allegedly for the same reason.

PERU

Death threats

***Gudelia GÁLVEZ TAFUR (f)**: director of the *Huaraz Noticias* website-news and host of a news radio programme, based in Huaraz, Ancash region, north-western Peru, reportedly received death threats on 17 September 2007. Three unidentified men came to the journalist's front door and threatened to kill her and her family if she continued with her reporting and criticism against the regional president of Ancash. She reported the threats to the authorities.

Marilú GAMBINI LOSTANAU(f): journalist for the weekly paper *Investigando*, published in Chimbote, north-western Peru, reported on 14 December 2006 that she had been receiving death threats on her mobile phone. She has been in hiding since April 2006 because of death threats against her and her family. Gambini has also been assaulted on several occasions since early 2005, when she was investigating drug trafficking in Chimbote for a TV programme. The journalist has continued publishing her investigations in *Investigando*. Gambini alleges that the latest threats could be related to an order issued by the Transitory Criminal Courtroom of the Supreme Court on 27 November 2006, to reopen a case against the owners of a private fishing company, which she accused of drug trafficking. The authorities have not yet found those responsible for the threats. **New information**: It was reported that on 1 January 2007 Gambini's house was broken into by unidentified persons who rifled through materials and destroyed papers. Gambini's security guard, who was outside the house at the time of the incident, tried to report the burglary to the police station in Chimbote, but was told that only the owner of the property could make a formal complaint. During the early hours of 2 January, two men broke into the house again and beat the security guard, threatening him with a knife and demanding information on Gambini's whereabouts. As of June 2007, Gambini remained in hiding. PEN is seeking an update.

Death threats/ Attacked

***Henry BARRETO PALMA**: journalist for the magazine *Eco de Ancash*, was intimidated by an unidentified individual in a car, who tried to run Barreto over near his home on 3 August 2007. The person shouted out a death threat at Barreto. The journalist believes the attack could be linked to his reporting on an official from the National Fund for Development Cooperation, who has allegedly been receiving two salaries, which is prohibited for state employees. On 4 August, Barreto and a radio journalist who was interviewing him received a death threat by telephone; they were told to stop commenting on the case. On 5 August, Barreto received another telephone death threat. Barreto has reportedly asked the local government for protection.

Threatened

***Víctor BALCÁZAR PORRAS**: journalist for *Destape* magazine and

director of the Destape website (<http://www.destape.net>), reportedly received email threats on 7 and 10 November 2007 after reporting on a domestic violence case in which a police officer was allegedly involved, in Chiclayo, Lambque region, north-western Peru. There was no doubt that the threats were connected to Balcázar's story, as one of the emails urged him to delete the photographs of the police officer and his wife from the website, or risk being tortured or murdered

***José Luis MÁRQUEZ**: journalist for the weekly newspaper *El Búho*, was reportedly threatened by two unidentified women at the newspaper's headquarters in Arequipa, south-western Peru, on 4 July 2007. The journalist had investigated allegations of falsification of academic marks at the National Academy of Magistrates (Academia Nacional de Magistrados), a body of the judiciary in charge of training and accreditation for judges and members of the Prosecutor's Office. The journalist has asked the authorities for protection.

Attacked

***Fidel CHAIÑA and Paty CONDORI (f)**: journalists with the daily *Los Andes* and with a news website respectively, were assaulted by police officers on 4 July 2007. The attack occurred when the journalists were covering a teachers' union strike in Juliaca city, capital of Puno, south-eastern Peru. Chaiña was detained by the police for half an hour, and Condori had her camera taken away from her. The camera was returned to her after a number of other journalists intervened.

***Jose RAMÍREZ**: contributor to newspaper *La Primera*, was ambushed by the mayor and a group of officials from the municipal council of Wari, in Ancash region, north-western Peru, on 11 November 2007. He was returning from a commission hearing when the car he was travelling in was intercepted by two council vans. Ramírez and his three companions were forced out of their car; the journalist managed to escape but the others were injured. Later, at a press conference, Ramírez reported the incident and said that he had heard the mayor ordering his bodyguards to look for him, kill him and throw his body in the river. The authorities are reportedly investigating the case. Ramírez has previously been critical of the current local administration and has accused the mayor of corruption.

On trial

***Jaime VÁSQUEZ VALCÁRCEL**: editor of the newspaper *Pro&Contra*, was accused of defamation by police officers of the Criminal Investigations Division on 30 October 2007. The officers claimed that the journalist had accused them of being involved in a robbery in Loreto, north-eastern Peru, in September that year. On 20 October, a television programme had reported on the robbery, and a source revealed that the weapons used on the theft allegedly belonged to the officers. Vasquez subsequently published an account of the event.

***Lenia ZEBALLOS PASCAL and Héctor MAYHUIRE RODRÍGUEZ**: political affairs editor and general director of the newspaper *Correo* respectively, have been sued by the Mayor of Huanuco, central Peru, on charges of criminal defamation. The complaint was admitted by the First Branch of Huanuco's Superior Court on 6 August 2007. On 25 July, the newspaper had published an article describing, in a colloquial way, the excessive mayor's self-promotion in local activities. The mayor also accused Zeballos of usurping functions, as she is not a member of the journalists' association, even though this is not a requirement by law to practice journalism in Peru.

***Yrma ZELA VERA (f)**: journalist for the newspaper *Correo*, based in Cusco, Southern Peru, was sued on defamation charges on 20 August 2007. On 13 April, the journalist had reported on a threat made by lawyer

Tica Luizar Obregon at the police station in San Sebastian, Cusco, on 11 August. The lawyer's son had been detained because his car was not insured, and the lawyer, who is the sister of Congressman Oswaldo Luizar Obregon, allegedly threatened to use her brother's influence to have the police officers sanctioned. The case is being heard at the Second Criminal Court in Cusco. PEN is seeking further information.

Suspended sentence

Julio LARA LADRÓN DE GUEVARA and Carolina ZAMALLOA (f): editor and journalist of the newspaper *El Comercio del Cusco* respectively, received a one-year suspended sentence on 10 November 2006. Judge Aníbal Paredes of Cusco's Sixth Tribunal also imposed a fine of approximately US\$620 as civil reparation for defamation. This followed a publication in September 2005 on sexual harassment at the Fine Arts School following allegations by students. The newspaper later published a letter from the person accused in the article responding to the allegations. The sentence was reviewed and confirmed by the Third Tribunal of Cusco's Superior Court.

Rocío VÁSQUEZ GOICOHEA (f): editor of the weekly newspaper *Investigando*, in Chombote, north western Peru, was convicted of "aggravated slander" on 22 May 2007. Vásquez received a one-year suspended sentence and was ordered to pay US\$900 in damages to businessman Samuel Dyer Ampudi, who sued her in March 2005 after she implicated him in alleged corruption in Chimbote's fishing business. Vásquez lodged an appeal with the Supreme Court of Justice, which confirmed the sentence.

VENEZUELA

Death threats

***Hernán LUGO GALICIA**: journalist for the newspaper *El Nacional*, based in Caracas, has reportedly received email death threats since 5 December 2007. The threats came after Lugo was accused by the Venezuelan President of being part of an international conspiracy against him, by receiving payments from the United States of America. This accusation followed an article of Lugo's on the broadcasting of the results of the referendum held in Venezuela on 2 December.

On trial

Julio BALZA: columnist for the daily *El Nuevo País*, was sued by Ramón Carrizales, then the Minister of Infrastructure, for defamation and slander in March 2006. Having made critical remarks about Carrizales' performance after the collapse of a bridge in his column "Arroz con Mango", Balza was accused of having damaged the Minister's reputation and infringing upon his "right to live with honour". On 15 December 2006, the two-year-11-month sentence against Balza, passed by the Tribunal Noveno de Juicio (Ninth Court of Justice), was confirmed by the Sala Sexta de la Corte de Apelaciones (Sixth Bench of the Appeals Court). The ruling also ordered civil reparations of nearly US\$12,500. Balza's defence announced that they will be appealing the sentence. The journalist reportedly could not be imprisoned until the sentence is evaluated and confirmed by another court. **New information:** On 12 April 2007, the Venezuelan Supreme Court declared Balza's appeal inadmissible. However, recent reports claim that there is a further appeal pending in this case, which should be resolved in early 2008.

Miguel SALAZAR: editor and columnist for the political weekly newspaper *Las Verdades de Miguel*. On 19 April 2007 it was reported that Salazar could face a prison sentence of two to four years and a

US\$320,000 fine on “aggravated defamation” charges under the criminal code, which was amended in 2005 to significantly increase penalties for press offences. The charges stem from a 2005 law suit brought against Salazar and one of his journalists, Henry Crespo, by a local governor and two other politicians over a 2003 report on alleged corruption and human rights violations in Guárico state. Crespo received an 18-month suspended sentence in May 2006 and did not appeal. However Salazar challenged the court’s impartiality before the Caracas Supreme Court, which ordered Salazar to be temporarily detained for not having appeared for new preliminary hearings. The first hearing for the “aggravated defamation” suit was due to begin in Caracas on 18 April 2007. PEN is seeking an update.

Roger SANTODOMINGO: former director of the interactive news website Noticiero Digital (<http://www.noticierodigital.com>). On 22 and 23 May 2007, Santodomingo was among a group of anti-Chávez journalists accused by state owned media of receiving money from the American government/ the CIA in order to destabilise the State. The other journalists were from TV stations Globovisión and Radio Caracas Televisión. They are said to have received money in 2003 under the guise of professional courses and cultural exchanges financed by US cooperation agencies, which they have denied. Santodomingo has reportedly stated that he was a correspondent and producer for the BBC in the USA from 2003 to 2005 but did not participate in any workshops. He was expected to appear at the Prosecutor’s office (Fiscalía de la Nación) on 14 June 2007. On 28 May, the Minister of Communication and Information filed a suit with the Prosecutor General accusing Santodomingo of attempting to instigate the assassination of President Hugo Chávez and of receiving funding from the US State Department to destabilise the government. The lawsuit comes in the wake of Santodomingo’s publication of an opinion poll where assassinating the President was offered as a possible response to the question “What is the way out of this crisis?” and received 30 percent of readers’ votes. **New information:** In late June 2007, Santodomingo reportedly received letters threatening his family, which led him to resign from his position as director of [noticierodigital.com](http://www.noticierodigital.com). Three days later, his parked car was set on fire. On 1 August 2007, Luis Tascón, a member of the Media Commission of the Venezuelan Parliament, requested that Santodomingo, together with other two television and radio journalists be summoned to parliament on accusations of receiving funds from the government of the United States of America through cultural exchange programmes. However, shortly after, the First Vice-President of the Parliament stated that she would request that the journalists not be questioned by Parliament. As of 8 August, Santodomingo had not received any notification. PEN is seeking further information.

Charges dropped

Teodoro PETKOFF: publisher of *Tal Cual* newspaper, was threatened with legal action on 23 April 2007 by former finance minister Tobías Nóbrega over a 12 April editorial alleging Nóbrega’s involvement in corruption along with other public officials. The editorial, which was based on a document written by staff at the Banco Central de Venezuela (Central Bank of Venezuela), claimed that Nóbrega was representing the current finance minister, Rodrigo Cabezas, in negotiations to print banknotes in anticipation of the change in national currency planned for 2008. Nóbrega asked the Prosecutor General (Fiscalía) to take legal action against Petkoff for having “damaged the honour” of the individuals and institutions mentioned in the editorial. In another incident, on 9 February 2007 *Tal Cual* was ordered by the Court for the Defence of

Children and Adolescents (Tribunal de Protección del Niño, Niña y Adolescente) to pay an exorbitantly high fine for a November 2005 opinion piece that made humorous reference to the daughter of President Hugo Chávez. The piece had, it was ruled, damaged the girl’s “honour, reputation, image, privacy and private life”. **New information:** According to PEN’s information, the legal action threatened by the former finance minister did not proceed. However, *Tal Cual* was obliged to pay US\$50,000 in court fines in relation to the second incident. Petkoff reports that the newspaper managed to gather the money via a public collection.

ASIA and Pacific

AFGHANISTAN

Investigation

***SAYED Parwez Kambakhsh:** Journalism student and reporter for the local daily *Jahan-e-Naw*. Brother of prominent journalist Sayed Yaqub Ibrahim. Reportedly arrested on 27 October 2007 for downloading and distributing allegedly anti-Islamic literature. Facing trial in an Islamic court on the charge of blasphemy, which carries the death penalty. It is feared he may be targeted by association with his brother, who has been under escalating pressure for his critical reporting on local officials and warlords. WiPC seeking further information.

Brief Detention

***Kamran Mir HAZAR:** Chief editor of the *Kabul Press* website and poet. Reportedly arrested on 4 July 2007 after articles were posted on his website accusing senior officials of being spies. He was released on 8 July 2007. Armed security officials also reportedly detained Mir Hazar on 9 August 2007 outside his office. He was released on 1 September 2007 and claimed after his release that he was repeatedly told not to write anything critical of the government. Since his release, he has been under close surveillance and the *Kabul Press* website has closed down.

***Mohammad Asif NANG:** Editor of the government magazine *Peace Jirga* and Parliamentary Affairs Ministry spokesman. Reportedly arrested on 1 July 2007 after he published an extract from a Canadian essay critical of President Karzai, entitled “Wars and Globalization: Who Did 9/11 Benefit?” Released on 14 July 2007.

AUSTRALIA

Case closed

Jess MOORE (f): Editor of the student magazine *Tertangala* in the coastal town of Wollongon, in south-eastern Australia. Investigated under a federal anti-terror law after being denounced on an ‘anti-terrorist hotline’. She was accused of attending a meeting in support of the Islamist movement ‘Hamas’ on 18 October 2006. Moore was reportedly attending a meeting with other students about homophobia and not Hamas. While the authorities have acknowledged there may be irregularities, they have informed Moore that the investigation against her is continuing. Case closed for lack of further information.

BANGLADESH

Facing charges

***Jahangir Alam AKASH:** Reporter for the daily *Dainik Sangbad*. Reportedly taken from his home on 23 October 2007 in the northwestern City of Rajshahi, by members a government task force and arrested under the Emergency Power Rules of 2007. He was jailed on extortion charges but it is thought that his arrest could be linked to his writings. Akash has been harassed on many occasions because of his investigative reporting. He was reportedly transferred to a prison hospital a few days after his arrest because of injuries he sustained from being beaten in custody. He was released on bail in late November 2007, but he still faces charges and has been told that his case will be transferred to a special court operating under the emergency declaration for reasons that remain unclear. He is said to still require medical treatment for his injuries and there are serious concerns about his health. WiPC seeking further details.

Attacked

***Kamrul Hassan KHAN, Kazi Saifuddin AVI, Rashed ALI, Nesar AHMED, Sabbir MAHMUD:** Correspondent for the *Daily Star* newspaper, reporter for *Bhorer Kagoj*, reporter for *Bhorer Kagoj*, reporter for *Amar Desh* and reporter for the daily *Korotoa* respectively. Reportedly assaulted by security forces on 23 August 2007 while the men were trying to cover events surrounding a curfew imposed in the capital Dhaka and five other cities in response to growing unrest across the country. Many other journalists were also beaten by the police.

On trial, free on bail

Salah Uddin Shoaib CHOUDHURY: Editor of the tabloid weekly *Blitz*. Arrested on 29 November 2003 by security personnel at Zia International Airport in Dhaka. He was reportedly on his way to Israel to participate in a conference with the Hebrew Writers Association when he was arrested. Choudhury is believed to have been going to address a writers' symposium in Tel Aviv entitled *Bridges Through Culture*, and was scheduled to speak about the role of the media in establishing peace. Choudhury is known for his attempts to improve relations between Muslim countries and Israel, and has written articles against anti-Israeli attitudes in Muslim countries and about the rise of al-Qaeda in Bangladesh, which had reportedly sparked debate in the Bangladeshi press and government prior to his arrest. Choudhury was accused of spying for Israel, and was repeatedly denied a bail hearing. He was released on bail on 2 May 2005 following appeals by PEN USA. His trial started on 5 April 2006, and is ongoing as of 31 December 2007. Choudhury continues as editor of *Blitz* and remains under pressure from the government and extremist groups for his critical writings. **Honorary member of:** USA PEN and English PEN. (Update #4 to RAN 23/04, 26 March 07).

Case closed

Tasneem KHALIL: Investigative journalist for the Dhaka-based *Daily Star* and Human Rights Watch consultant. Reportedly detained by security forces on 11 May 2007 on unknown charges. Case closed, presumed freed.

Atiqullah Khan MASUD: Publisher and editor of the daily *Janakantha*. Reportedly arrested at his home on 7 March 2007 by the army in Dhaka. Reportedly accused of 'corruption', 'criminal activities' and 'tarnishing the country's image abroad'. Detained under a one-month detention

order under the Special Powers Act of 1974, and denied an application for bail. Case closed, presumed freed.

CAMBODIA

Attacked

***Phon PHAT:** Reporter with Khmer-language newspaper *Chbas Ka*. His home was reportedly targeted in two arson attacks on 10 August 2007 and 17 August 2007. Prior to the attacks, Phat reportedly received anonymous phone calls warning him that he would get some 'presents'. The attacks are thought to be linked to Phat's reports on illegal logging, which implicated a local businessman.

Case closed

Teang NARITH: Lecturer in Law and Politics at the Sihanouk Raj Buddhist University in Phnom Penh. Teang Narith was dismissed from his post of lecturer on 22 August 2006 and was reportedly arrested on 4 September 2006. He was charged under the UNTAC Penal code the next day with the criminal offence of disinformation. The charges appear to have been based on Teang Narith's unpublished critical writings on Cambodia's current leadership. Thought to have been since released, case closed.

CHINA

Main cases

CHEN Shuqing

D.o.b.: 26 September 1964. **Profession:** Dissident writer and leading member of Zhejiang Branch of the banned Chinese Democratic Party (CDP). **Date of arrest:** 14 September 2006. **Sentence:** 4 years in prison. **Expires:** 13 September 2010. **Details of arrest:** He went voluntarily to the Dagan Police Station, Hangzhou City, Zhejiang Province, after being summoned the previous day. On 17 October 2006 he was formally charged with inciting subversion for his critical articles published on various overseas Chinese websites such as Boxun, Minzhu Luntan, Dajiyuan, Yi Bao, GuanCha, and Xin Shiji. **Details of trial:** Sentenced to four years in prison on charges of 'inciting subversion of state power' on 14 August 2007 by the Intermediate People's Court of Hangzhou City. The conviction is reportedly based on sentences quoted from various articles published and posted on the banned magazine of the Chinese Democratic Party, and overseas Chinese websites including *Boxun*, *Epoch Times*, *China Affairs Forum*, *China E Weekly* and *Duowei News*. His appeal was rejected by the Zhejiang High People's Court on 29 October 2007. **Place of detention:** Detention Center of Hangzhou City, Zhejiang Province. **Previous political imprisonment/problems:** Previously detained in 1999 for 4 months for his role in the setting up the banned Chinese Democratic Party. After his release, he trained to become a lawyer, but in 2005, after passing his exams, he was refused a lawyer's licence by the Justice Bureau of Zhejiang Province, who alleged his articles published online had violated China's Constitution. Chen challenged this ruling in court, but lost the case in both the lower and the appeal courts. He has since been subject to police harassment.

CHING Cheong

D.O.B.: 3 December 1949 **Profession:** Hong Kong-based correspondent for Singapore's *The Straits Times*. **Date of arrest:** 22 April 2005. **Sentence:** 5 years imprisonment. **Expires:** 4 August 2010. **Details of arrest:** Reportedly detained in Guangzhou, southern China, then trans-

ferred to Beijing where he was held under a form of detention known as 'residence under surveillance' until his formal arrest on charges of espionage on 5 August 2005. Sources familiar with the case claim that Ching Cheong had been sent to Guangzhou to obtain a manuscript of secret interviews with the late Zhao Ziyang, former Premier and Secretary-General of the Communist Party, who opposed the government clamp-down on the Tianmen Square protestors in 1989, which led to his downfall. It has been reported that the publication of the interviews would be extremely damaging to the Communist regime in China. Ching was formally charged on 5 August 2005 for allegedly selling economic, political and military information to Taiwanese agents between 2000 and 2005. **Place of detention:** Reported to have been held incommunicado in Beijing since his detention. **Details of trial:** Convicted of espionage and sentenced to five years' imprisonment and one-year's deprivation of his political rights on 31 August 2006. His sentence was upheld on appeal on 24 November 2006. **Honorary member:** Independent Chinese PEN.

GUO Qizhen

D.O.B: 10 May 1958. **Profession:** Cyber-dissident. **Date of arrest:** 12 May 2006 **Sentence:** 4 years in prison **Expires:** 11 May 2010 **Details of arrest:** Reportedly arrested at his home on 12 May 2006 and charged with 'inciting subversion of state power' on 6 June 2006. His arrest appears to be linked to his participation in a rotating hunger strike, which has been held by pro-democracy activists since 4 February 2006 to protest against human rights violations in China. The charges are based on his 34 articles attacking at the leadership of the Chinese Communist Party and government that were published on overseas websites. **Details of trial:** Sentenced to 4 years imprisonment, and three years' deprivation of political rights, for 'inciting subversion' on 17 October 2006. **Place of detention:** No.4 Prison in Shijiazhuang, the capital City of Hebei Province, Northern China. **Treatment in prison:** Denied full access to family visits, and feared to be ill-treated. **Health concerns:** There are reports that he has suffered a broken leg and is in a fragile psychological state. His health has reportedly deteriorated in prison due to the lack of adequate health care. On 17 April 2007, he was transferred to No.4 Prison in Shijiazhuang, where he was denied family visits until 18 June 2007, when his wife was able to see him. At this visit, his wife reported that he had sustained serious bruising, allegedly as a result of beatings by fellow inmates that were orchestrated by prison guards. **Honorary member:** Independent Chinese PEN

HADA

D.O.B: 13 February 1955 **Profession:** Owner of the Mongolian Academic bookstore and founder and editor-in-chief of *The Voice of Southern Mongolia* **Date of Arrest:** 10 December 1995 **Sentence:** 15 years in prison **Expires:** 9 December 2010 **Details of Arrest:** Arrested for founding the Southern Mongolian Democracy Alliance and publishing the underground journal, *The Voice of Southern Mongolia*. **Details of trial:** Sentenced to 15 years in prison and 4 years deprivation of political rights on charges of "inciting separatism and espionage" on 6 December 1996. **Place of Detention:** No.4 Prison, Chi Feng City, Inner Mongolia. **Treatment in Prison:** Reportedly subject to ill treatment in detention. **Health Concerns:** Said to be suffering from a stomach ulcer and coronary heart disease, and his health is said to have deteriorated significantly in prison. **Honorary member:** PEN Canada, Independent Chinese PEN.

***HU Jia**

Profession: Leading activist and dissident writer **Date of arrest:** 27 December 2007. **Details of arrest:** Leading Beijing-based human rights activist and freelance reporter Hu Jia was arrested from his home by the Beijing Municipal Public Security Bureau on 27 December 2007 on "suspicion of incitement to subvert state power". Although no official reason has been given for his arrest, it is thought he may be charged for his online reporting on human rights issues. **Place of detention:** Held incommunicado at the Beijing Municipal Detention Centre. **Health concerns:** Hu Jia suffers from long-term health problems including cirrhosis of the liver, and there are fears that his condition could seriously deteriorate in prison. **Other information:** Hu Jia's family have also been subjected to harassment and severe restrictions of movement since his arrest, and there are serious concerns for his wife **Zeng Jingyan**, who had a one-month-old baby at the time of Hu's arrest and is herself under effective house arrest. **Previous political imprisonment/problems:** Hu and his wife Zeng Jingyan were placed under residential surveillance on 18 May 2007, as they were about to set off on a tour of Europe to promote their documentary film "Prisoners of Freedom City". Hu is known for his activities on environmental and AIDS issues, and had been briefly detained in February 2006.

HE Depu

D.o.b: 28 October 1956 **Profession:** Dissident activist/writer. **Date of arrest:** 4 November 2002 **Sentence:** Eight years in prison. **Expires:** 24 January 2011 **Details of arrest:** Taken from his home by the police for questioning and held incommunicado in a form of 'residence under surveillance' until formally detained on 27 January 2003. He was a signatory of the open letter of 20 November 2002 calling for political reform (see **JIANG Lijun**, and **ZHAO Changqing** below). **Details of trial:** Tried on 14 October 2003 in a two-hour trial on charges of "inciting subversion" for collaborating with the banned Chinese Democratic Party (CDP) and publishing essays on the Internet. Sentenced on 6 November 2003 to eight years in prison and two-year deprivation of political rights. On 20 December 2003 Beijing's Court No.1 dismissed He Depu's application for an appeal. **Health concerns:** Said to be in very poor health, to have lost a great deal of weight, a number of teeth, and to be suffering from a liver complaint. In need of vitamins and medication. **Treatment in prison:** Ill-treated in prison and denied access to family visits. Reportedly beaten by a fellow prisoner in April 2007, possibly orchestrated by the prison guards. **Professional details:** Took part in the Democracy Wall Movement in 1979 and founded the magazine *Beijing Youth* which was subsequently banned. Helped launch the now-banned China Democracy Party (CDP). **Previous political imprisonment/problems:** Lost his job with the Social Sciences Academy after standing as a candidate in the local election in 1990. Briefly detained several times for his political activities. **Honorary member of:** Suisse Romande, Independent Chinese PEN.

HU Shigen

D.O.B: November 1954. **Profession:** University lecturer, political activist and dissident writer. **Date of arrest:** 27 September 1992. **Sentence:** 20 years in prison and a subsequent five-year deprivation of political rights. Hu Shigen's sentence was reduced by two years in August 2007. **Expires:** 26 October 2009. **Details of arrest:** Reportedly detained in Beijing on 27 May 1992 and formally charged on 27 September 1992 with 'counter-revolutionary crimes'. He was amongst dozens of China Freedom and Democracy Party (CFDP) and China Free

Trade Union (CFTU) members to be detained in April and May 1992 for planning 4 June memorial activities in many of China's major cities. As a founding member of both the CFDP and CFTU, Hu Shigen drafted a number of key documents for both parties and was active in calling for government accountability for the violent suppression of the Democracy Movement in June 1989. **Details of trial:** He was convicted on 16 December 1994 by the Beijing Intermediate People's Court of 'leading a counterrevolutionary organisation' and 'counterrevolutionary propaganda'. As a senior member of the CFDP, Hu received the heaviest sentence of 20 years in prison and five years' subsequent deprivation of political rights. His sentence was upheld on appeal by the Supreme Court on 15 June 1995. He reportedly received a seven-month reduction to his sentence on 16 December 2005, after being interviewed by the UN Special Rapporteur on Torture. **Place of detention:** Beijing No.2 Prison. **Treatment in prison:** The conditions of Hu Shigen's detention are reportedly very harsh, and his health is said to have deteriorated greatly since his incarceration. He is denied medical care and suffers from a number of medical conditions, including a back condition which it is feared could lead to paralysis if left untreated. His refusal to show remorse for his political activities has reportedly contributed to his poor treatment in prison. He is currently held under Class Two Close Supervision and is constantly monitored by fellow prisoners, who record his activities and prevent him from talking to anyone. He has very limited contact with his family, and an inadequate diet. **Health concerns:** Hu Shigen reportedly suffers from intestinal and heart problems, malnutrition and chronic migraines. He is said to require a hearing aid and to be extremely weak. He also has back problems caused by the dislocation of several vertebrae, which remain untreated. Requests for medical parole by his family have been ignored by the authorities. **Professional details:** Hu Shigen graduated with a degree in Chinese from Beijing University. He subsequently became a lecturer at the Beijing Language and Culture Institute. In January 1991 Hu Shigen co-founded the China Freedom and Democracy Party (CFDP). He also participated in the Chinese Progressive Alliance, established by former PEN main case Kang Yuchun, and in December 1991 joined other political activists, including former PEN main case Liu Jingsheng, to establish the China Free Trade Union (CFTU) Preparatory Committee. **Honorary member of:** English PEN, Independent Chinese PEN, PEN Canada.

HUANG Jinqiu (aka Qing Shuijun)

D.o.b.: 3 September 1974 **Profession:** Internet essayist, writer and journalist. **Date of arrest:** 13 September 2003 **Sentence:** 12 years in prison, reduced by one year and ten months in November 2007. **Expires:** 12 November 2013 **Details of arrest:** Arrested on 13 September 2003 after returning to China in August 2003 following three years overseas on a scholarship studying journalism at the Central Academy of Art in Malaysia. Well known in the overseas Chinese internet community for his essays published on the Chinese-language news website 'Boxun.com' under the pen-name Qing Shuijun (Mr Clear Water). In early September 2003, Huang Jinqiu visited his parents in Shandong Province; his last article was published on 10 September 2003, entitled 'Me and My Public Security Friends'. **Details of trial:** Huang's trial began on 22 June 2004 at the Changzhou Intermediate People's Court. It is reported that the court was unable to reach a verdict initially because of lack of evidence, but after the case was referred back to the prosecution further evidence was submitted and he was convicted on 27 September 2004 of 'organising, planning and performing subversion of state power by publishing a large number of reactionary articles on the Internet in his

capacity as member of the preparatory committee of the China Patriotic Democratic Party'. He was sentenced to a twelve-year in prison and four-year deprivation of political rights. His sentence was upheld on appeal on 9 December 2004. **Professional details:** Huang Jinqiu trained at the Lu Xun Literature Institute, a leading writing school. His writings have been well-recognised from an early age, and at the age of twenty he published his first book. He has worked as a journalist and editor of several newspapers and magazines since the age of eighteen, including the Guanzhou daily *Yangcheng Wanbao*. His essays have been collected into two publications, one that is non-political and published under his real name, and one collection of political commentaries published for security reasons under his pen-name Qing Shuijun. According to his articles, which he continued to post on Boxun.com throughout his journey across China, he began to be followed by the secret police on 15 August 2003, first in Yunan Province, then in Sichuan and through to Shanghai. **Place of detention:** Pukou Prison, Nanjing City, Jiangsu Province. **Previous political imprisonment/problems:** In early 2001, whilst he was overseas, his articles began to attract the attention of the Chinese authorities, which reportedly visited his parents and warned them of their concerns about him. He attracted further attention in January 2003 by announcing on Boxun.com his intention to found a political party, the China Patriot Democracy Party (CPDP). Although his announcement is said to have attracted a lot of interest, it is not thought that the CPDP was ever organised in practice. **Honorary member of:** German, American, English and Independent Chinese PEN. (RAN 46/04, 6 October 2004).

KONG Youping and Ning Xianhua

D.o.b.: 1952 (Kong Youping) **Profession:** Internet writers and factory workers. **Date of arrest:** 13 December 2003 **Sentence:** 10 and 8 years in prison respectively. **Expires:** 12 December 2013 and 13 December 2011 respectively. **Details of arrest:** Kong Youping was reportedly arrested after posting five articles and seven poems on an overseas website challenging the official version of the "Beijing Spring" and alleging official corruption. The pair was also accused of posting online essays supporting the establishment of trade unions and the China Democratic Party (CDP). It is thought that the heavy sentences against the pair are related to growing workers' unrest in Northeast China where many factory workers for failing state enterprises are being laid off and an organised labour movement is struggling to emerge. **Details of trial:** On 16 September 2004 the Shenyang Intermediate People's Court, Liaoning province, north-eastern China, sentenced both on charges of 'subverting state power' to 15 and 12 years in prison respectively. On appeal, their sentences are reduced to 10 and 8 years, respectively **Place of detention:** Kong Youping is held at Lingyuan City prison, west Liaoning Province. Ning Xianhua is held at Shenyang prison, the capital city of Liaoning Province. **Health concerns:** Kong Youping is said to be suffering from high blood pressure and deteriorating eyesight. **Other information:** Kong Youping is said to be detained far from his home, and his wife is unable to afford to visit him. **Honorary member:** Independent Chinese PEN

LI Changqing

D.o.b.: 1965 **Profession:** Deputy news director of the *Fuzhou Daily*. **Date of arrest:** 16 December 2004 **Sentence:** Three years in prison. **Expires:** 2 February 2008 **Details of arrest:** Reportedly detained in connection with the investigation of Huang Jingao, a Communist Party official in Fujian province who wrote an open letter to the *People's Daily* newspaper in December 2004 alleging corruption among local officials.

On 3 February 2005 Li was initially charged with inciting subversion for helping Huang write the letter and supporting him in articles published in his newspaper and on-line, but this charge was later dropped for lack of evidence. The authorities then filed a new charge for an article Li published on 13 October 2004 on the banned Chinese-language Web site Boxun News exposing an outbreak of dengue fever in Fujian province before the authorities officially announced it. **Details of trial:** Sentenced to three years in prison on 24 January 2006 by the Gulou district court in southern China's Fuzhou city for "spreading false and alarmist information" and his sentence was upheld on appeal on 31 March 2006. **Place of detention:** Yong-an Prison, Yong-an City, Fujian Province. **Health concerns:** Suffering from stomach inflammation. **Other information:** Recipient of the World Association of Newspaper (WAN)'s 2008 Golden PEN of Freedom award. **Honorary member:** Independent Chinese PEN

LI Zhi

D.o.b.: 14 November 1970. Profession: Internet writer and financial official in the Dazhou municipal government, Sichuan Province. **Date of arrest:** 11 August 2003 **Sentence:** 8 years in prison **Expires:** 10 August 2011 **Details of arrest:** Reportedly arrested by Sichuan Province State Security Police for posting essays on an overseas website accusing Sichuan officials of corruption and joining the Chinese Democracy Party (CDP) through the Internet. Officially charged with 'subverting state power' on 3 September 2003. **Details of trial:** Sentenced to eight years in prison and four-year deprivation of political rights on 10 December 2003 by the Dazhou Intermediate People's Court. The court verdict confirms that both Yahoo! Hong Kong Ltd and Sina Beijing supplied evidence to the prosecution. His sentence was upheld on appeal on 26 February 2004. **Place of detention:** Sichuan No.3 Prison, Postbox 101, Dazhu County, Sichuan Province **Honorary Member:** Canadian and Independent Chinese PEN Centre.

*LU Gensong

Profession: Writer and human rights activist. **Date of arrest:** 24 August 2007 **Details of arrest:** Reportedly arrested in Hangzhou City, Zhejiang Province, on 24 August 2007, following the on-line publication of articles critical of the authorities. His home was searched and his computer and personal files were reportedly confiscated. Lu Gensong was formally charged on 29 September 2007 with 'inciting subversion of state power', a charge which is often used to silence dissidents. The initial charge of 'illegal possession of state secrets' has been dropped. **Place of detention:** Lu is held at the Xihu (West Lake) Detention Centre in Hangzhou City. **Treatment in prison:** Reportedly held incommunicado, although his wife has been permitted to visit him. **Professional details:** Lu Gensong, a history graduate from Zhejiang University, taught at the Zhejiang Higher Professional School of Public Security before being expelled in 1993 because of his pro-democracy activities. He went on to become a freelance writer, and has published several books on political reform, including *A History of Chinese Community Party Corrupt Officials* in 2000. Lu is known for his reporting on human rights violations and his political commentaries published on the Internet. He is also an active member of the banned China Democracy Party (CDP).

LU Jianhua

D.o.b.: 03/07/1960. **Profession:** Research Professor at the Chinese Academy of Social Sciences, Deputy Director of Public Policy Research and Executive Director of the China Development Strategy. **Date of**

arrest: April 2005. **Sentence:** 20 years in prison. **Expires:** April 2025. **Details of trial:** First arrested in April 2005 on charges of 'leaking state secrets'. Convicted on 18 December 2006 to 20 years in prison for leaking state secrets to a Hong Kong reporter (Ching Cheong, see above) who was sentenced to five years for spying. Human rights groups have questioned the evidence in the reporter's case, but Lu's trial was held in secret and reportedly only lasted for 90 minutes. **Place of detention:** Beijing City jail. **Treatment in prison:** Reportedly held incommunicado. His wife is not allowed access to him. **Honorary member:** Independent Chinese PEN Centre (ICPC).

LU Zengqi and YAN Qiuyan

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

Abdulghani MEMETEMIN

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

*QI Chonghuai

Profession: Journalist. **Date of arrest:** 25 June 2007 **Details of arrest:** Reportedly arrested from his home in Jinan, the capital province of Shandong, eastern China, on 25 June 2007 following the publication of an article alleging corruption in the Tengzhou Communist Party, which was published in June 2007 on the *Xinhuanet* website. Freelance photographer Ma Shiping was arrested on 16 June 2007 in connection with photos published in the article, and after Qi Chonghuai's public support of Ma, the authorities reportedly sought to discredit Qi. He was initially accused of 'deception' for allegedly misrepresenting himself as a journalist, before being formally charged with 'blackmail' on 2 August 2007. He was held incommunicado until his formal arrest. No evidence has been brought forward to support the charge, and he remains detained without charge as of 31 December 2007, in violation of Chinese law. An

application for bail was refused. **Place of detention:** Held at the Detention Center of Tengzhou City pending further investigation. **Professional details:** From 2004-6, journalist Qi Chonghuai worked for various publications, including the *Shangdong Zhoukan* (*Shandong Weekly*), the *Renmin Gong'an Bao* (*People's Public Security News*), and the *Zhongguo Anquan Shengchan Bao*. In June 2006, he started work as director of the newspaper *Fazhi Zaobao* (*Legal System Morning News*), which ceased publishing in December 2006 and was reformed with its existing staff as the *Fazhi Ribao* (*Weekend edition of the Legal System Daily*). He has also worked as special correspondent with the *Fazhi Zhoubao* (*Legality Weekly*) and the *Jizhe Guancha* (*Journalist Observer*), and is known for his reporting on corruption and social injustice in Shangdong province.

SHI Tao

D.o.b.: 25 July 1968 **Profession:** Journalist and poet. Member of Independent Chinese PEN Centre (ICPC). **Date of Arrest:** 24 November 2004. **Sentence:** 10 years' imprisonment. **Expires:** 25 November 2014 **Details of Arrest:** Arrested at his home in Taiyuan, Shanxi Province, northwest China, by police from Changsha National Security Bureau, southern China. They also confiscated his writings, computer and other personal belongings. According to Xinhua, the government run news agency, he had been found guilty of posting online his notes based on a government document that was read out at an editorial meeting of *Dangdai Shang Bao* (*Contemporary Trade News*) in April 2004. **Details of Trial:** Shi Tao was sentenced on 30 April 2005 to ten years' imprisonment and two-year deprivation of political rights for "revealing state secrets". Information supplied by the Internet Service Provider Yahoo! Inc. was used to convict him. The sentence was upheld on appeal on 2 June 2005. He was not allowed to attend the appeal hearing, and his mother has applied for a review of the appeal on procedural grounds. **Professional Details:** Shi Tao has worked as a freelance journalist for several newspapers including the Changsha-based daily *Dangdai Shang Bao* (*Contemporary Trade News*), which he left in May 2004 in order to return to his home city of Taiyuan. He has also written a number of articles, including political commentaries, for online forums, in particular the overseas Chinese web site *Min Zhu Lun Tan* (*Democracy Forum*). He has published several books of poetry. Recipient of the Committee to Protect Journalists (CPJ) International Press Freedom Award 2005. **Place of Detention:** Deshan Prison, Postbox: 56-4, 415001 Changde City, Hunan Province. **Health concerns:** Since his transfer to Deshan Prison in June 2007, his living conditions and health have reportedly improved, and he is no longer required to do hard physical labour. **Other information:** recipient of CPJ's 2005 International Press Freedom Award, PEN America's 2006 Freedom to Write Award, WAN's 2007 Golden Pen of Freedom. **Honorary member of:** Sidney, German, Canada, New Zealand, Swiss Italian, American and USA PEN.

TAO Haidong

D.o.b.: 2 May 1957 **Profession:** Internet writer and editor. **Date of arrest:** 9 July 2002. **Sentence:** Seven years' imprisonment. **Expires:** 8 July 2009. **Details of arrest:** Arrested from his home in Urumqi, Xinjiang while in the process of posting articles on the Internet. **Details of trial:** His trial began on 8 January 2003, and was conducted in secret at the Urumqi People's Court. He was found guilty of having posted material on the Internet allegedly on a charge of "inciting subversion of state power", and was sentenced to seven years' imprisonment and three-year deprivation of political rights. The Official People's Court Daily

disclosed his sentencing on 16 February 2003, but the date of the court's decision is unknown. According to articles in the Urumqi local press Tao Haidong was arrested on suspicion of espionage after having posted articles on both Chinese and overseas websites predicting the collapse of China's economy and criticising China's leaders. **Place of detention:** Changji Prison, Changji City, Xinjiang Uighur Autonomous Region. **Previous political imprisonment/problems:** Tao Haidong previously completed three years of 'Reform through Labour' for editing a book entitled '*Imagings of a New Human Race*.' He was released in January 2001 and subsequently became active on the Internet, often without using a pseudonym. **Honorary member:** Independent Chinese PEN Centre (ICPC).

Tohti TUNYAZ (pen-name MUZART)

D.o.b.: 1 October 1959 **Profession:** Ethnic Uighur historian and writer. **Date of arrest:** 1 April 1998 **Sentence:** 11 years imprisonment and two years' deprivation of political rights. **Expires:** 31 March 2009 **Details of arrest:** Reportedly first arrested on 6 February 1998 in Urumchi, Xinjiang Uighur Autonomous Region, whilst on a research trip. He was charged on 10 November 1998 with "inciting national disunity" and "stealing state secrets for foreign persons" (later amended by the Supreme Court to "illegally acquiring state secrets"). Tohti Tunyaz was studying for a Ph.D. in Uighur history and ethnic relations at Tokyo University, Japan, at the time of his arrest, and the charges against him are believed to be linked to his research, and specifically a book allegedly published by Tohti in Japan in 1998 entitled *The Inside Story of the Silk Road*, which according to the Chinese government advocates ethnic separation. No such book appears to exist. **Details of trial:** He was convicted on 10 March 1999 by the Urumqi Intermediate People's Court and, following an appeal, sentenced by the Supreme Court on 15 February 2000 to five years' imprisonment for 'stealing state secrets' and seven years' imprisonment for 'inciting national disunity', combined as eleven years' imprisonment and two years' deprivation of political rights. **Place of detention:** Xinjiang Uighur Autonomous Region Prison No.3, Urumqi. **Professional details:** Tohti graduated from the history department of the Central Institute of Nationalities, Beijing, in 1984 and was assigned to work for the China National Standing Committee. During this time he reportedly formed a close relationship with former Xinjiang governors Seyfudin Eziz and Ismail Emet, and was involved in the translation of Eziz's works. He started studying for his Ph.D. at Tokyo University in 1995, specialising in the history of Chinese policy toward minority peoples in the 19th and 20th centuries. He was still completing his studies at the time of his arrest. He has reportedly published several papers on Uighur history in Japan, and has published a book on Uighur history in 1995 in Beijing. **Other information:** Has a wife and children in Japan. Tohti Tunyaz is from Bay County, Aksu prefecture, Xinjiang Province, North West China. He adopted the name of the biggest river 'Muzart' in Bay County as his pen name. Recipient of 2002 PEN America/Barbara Goldsmith Freedom to Write Award. UN Working Group on Arbitrary Detention declared his detention as arbitrary on 17 May 2001. **Honorary member of:** English, Catalan, Japan, American, Canadian and Independent Chinese PEN.

WANG Xiaoning

D.o.b.: 7 January 1950 **Profession:** Internet writer and dissident. **Date of arrest:** 1 September 2002 **Sentence:** 10 years in prison. **Expires:** 31 August 2012 **Details of arrest:** Arrested on 1 September 2002 and charged on 30 September 2002 with subversion for articles published on-

line between 2000 and 2002. **Details of trial:** Sentenced to ten years in prison and two-year deprivation of political rights on 25 July 2003 by the Beijing Municipal First Intermediary People's Court. Thought to be specifically charged for articles published in the on-line journals *Democratic Reform Free Forum* and *Current Political Commentary* between 2000 and 2002. The journals reportedly included articles written by Wang under his real name and pen name advocating democratic reform and criticising the authorities. The journals were reportedly distributed by email through Yahoo! groups that Wang established anonymously in mainland China and Hong Kong. Wang published his articles on a number of web sites in China and overseas. Wang was also accused of advocating the establishment of the 'China Third Road Party' and communicating by email with the leader of the China Social Democratic Party, which is banned in China. **Place of detention:** Beijing No 2 Prison, Chaoyang District, Beijing City **Treatment in prison:** Reportedly tortured.

WU Yilong

D.o.b.: 1 May 1964 **Profession:** Internet writer and China Democratic Party (CDP) activist. **Date of arrest:** June 1999 **Sentence:** 11 years' imprisonment. **Expires:** 14 September 2010 respectively. **Details of arrest:** Arrested with fellow activists Mao Qingxiang, Xu Guang and Zhu Yufu (released on 14 September 2007, 14 September 2004 and 14 September 2006 on expiry of sentence, respectively) for circulating pro-democracy articles on the Internet and for their work with the magazine *Zai Yedang (Opposition Party)*. The CDP, founded in 1998, is an underground opposition party. **Details of trial:** Sentenced by the Hangzhou Intermediate Court in Zhejiang Province, eastern China, on charges of subversion on 9 November 1999. His sentence was upheld on appeal on 13 December 2006. **Place of detention:** Zhejiang No. 1 Prison and No. 4 Prison, Hangzhou City, Zhejiang Province, respectively. **Honorary member:** Independent Chinese PEN Centre (ICPC).

XU Wei, JIN Haike, Yang Zili, and ZHANG Honghai

Profession: Reporter for *Xiaofei Ribao (Consumer Daily)*, geologist and writer, writer and computer engineer, and freelance writer respectively. **Date of arrest:** 13 March 2001 **Sentence:** Xu Wei and Jin Haike were sentenced to ten years in prison, and Yang Zili and Zhang Honghai to eight years. **Expires:** 12 March 2011 (Xu Wei and Jin Haike) and 12 March 2009 (Yang Zili and Zhang Honghai) respectively. **Details of arrest:** Arrested on 13 March 2001 and charged with 'subversion' as a result of their participation in the 'Xin Qingnian Xuehui' (New Youth Study Group), an informal gathering of individuals concerned with political and economic inequalities who used the internet to circulate relevant articles. **Details of trial:** On 28 September 2001, the Beijing Intermediate Court initiated legal proceedings against the four focusing on two essays circulated on the internet entitled 'Be a new citizen, reform China' and 'What's to be done', which allegedly demonstrated the groups' intention to "overthrow the Chinese Communist Party's leadership and the socialist system and subvert the regime of the people's democratic dictatorship". No verdict was announced at the time, and proceedings against the four writers re-commenced on 21 April 2003. Lawyers for the four men argue that the failure to issue a verdict in the case violates China's Criminal Procedure Law, which stipulates that a court must pronounce judgement within six weeks of accepting a case. On 28 May 2003 Xu Wei and Jin Haike were sentenced to ten years in prison, and Yang Zili and Zhang Honghai to eight years. Their appeal was reportedly heard on 3 November 2003, but no verdict has been

announced. **Health concerns:** All four men are reported to be in ill health. JIN Haike reportedly had abdominal surgery on 20 November 2007, but is reported to be still suffering abdominal pain and so has been returned to hospital for further examination. YANG Zhili has been reportedly in ill health since May 2007 but has not yet received any medical care. ZHANG Honghai and XU Wei are also reported to be in ill health and to be ill treated in prison. **Other information:** Xu Wei has been awarded one of the 2003 Canadian Journalists for Free Expression (CJFE) International Press Freedom Awards. **Honorary member of:** Ghanaian and Independent Chinese PEN.

XU Zerong

D.o.b.: 14 January 1954 **Profession:** Research professor at Zhongshan University, Guangzhou. **Date of arrest:** 24 June 2000 **Sentence:** 13 years' imprisonment. **Expires:** 23 June 2013 **Details of arrest:** Arrested in the city of Guangzhou, south China, and formally charged on 29 July 2000 in connection with "the illegal publication of books and periodicals...since 1993". According to official sources, Xu had confessed to his crimes. **Details of trial:** Sentenced on 20 December 2001 by Shenzhen Intermediate Court to ten years' imprisonment for leaking state secrets and five years' imprisonment for illegal business activities, combined as 13 years in prison. It appears that the first set of charges relate to his use of documents concerning Chinese military operations in the Korean War (1950-53), gathered in the course of his research; the second set of charges are thought to relate to the allegedly illegal publication of books and periodicals and the sale of book authorisation numbers since 1993. The Guangdong Province Higher People's Court upheld Xu's conviction on appeal in late December 2002. **Place of detention:** Moved to Xichun Prison, Guangzhou City, Guangdong Province. Said to be held in the section of the prison reserved for elderly and sick prisoners. **Treatment in prison:** International attention is said to have resulted in better treatment by prison authorities, including the transfer to a prison with more modern facilities. **Health concerns:** Believed to suffer from high blood pressure and other serious health conditions although no further details have been disclosed. **Professional details:** Xu's research specialised in Chinese Communist Party history, military history and China's relations with Southeast Asia. He received his doctorate from St. Anthony's College, Oxford University, in 1999. His doctoral thesis covered Chinese military intervention into the Korean War. In the 1980's, Xu moved to Hong Kong where he gained permanent residency. Whilst there he reportedly set up a publishing house and was active in publishing the journal *Chinese Social Sciences Quarterly*. He was also reportedly an assistant researcher for the official Xinhua News Agency. At the time of his arrest, Xu held the positions of Associate Research Professor at the Institute of Southeast Asian Studies (Zhongshan University, Guangzhou) and Affiliated Professor of the Provincial Guangzhou Academy of Social Sciences. **Honorary member of:** Ghanaian and Independent Chinese PEN Centre (ICPC).

YAN Zhengxue

D.o.b.: 1944 **Profession:** Dissident writer and painter. **Date of arrest:** 18 October 2006 **Details of arrest:** According to PEN's information, writer and painter Yan Zhengxue was arrested on 18 October 2006 after police raided his home in Jiaojiang, Zhejiang Province. They also reportedly raided his wife's home in Beijing, and took away computer equipment from both residences. Officially charged on 15 November 2006 with subversion in connection with his writings and dissident activities. **Details of trial:** Convicted of 'inciting subversion of state power' on 13

April 2007 for his critical writings published on-line on overseas websites. **Treatment in detention:** He is held incommunicado without family visits. **Professional details:** Yan Zhengxue is a well known artist and author of several books. His paintings have been exhibited both in China and abroad. **Previous political imprisonment/problems:** He has been briefly detained on numerous occasions for his dissident activities, and was administratively sentenced to two years 're-education through labour' in April 1994. He is also known for bringing a lawsuit against the authorities after claiming torture in custody on 2 July 1993 by three policemen at the Haidian district police station in Beijing.

YANG Maodong (aka Guo Feixiong)

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

YANG Tongyan (aka Yang Tianshui)

D.o.b.: 12 April 1961 **Profession:** Dissident writer and member of Independent Chinese PEN Centre (ICPC). **Date of arrest:** 23 December 2005 **Sentence:** 12 years in prison **Expires:** 22 December 2017 **Details of arrest:** Reportedly detained without a warrant on 23 December 2005 in Nanjing. Yang was held incommunicado at Dantu Detention Centre in Zhenjiang, Jiangsu Province, without access to his family until his trial. **Details of trial:** Convicted of subversion for posting anti-government articles on the Internet, organizing branches of the (outlawed) China Democracy Party and accepting illegal funds from overseas. Sentenced by the Zhenjiang intermediate court in eastern China's Jiangsu province at a three-hour trial on 16 May 2006. Yang Tongyan is known for his critical writings published on dissident news websites such as Boxun.com and Epoch Times. **Health concerns:** Diabetes, reportedly worsening in prison. **Place of detention:** Nanjing Prison, Ningshuang Road 9, Box 1215-12, Nanjing City, Jiangsu Province. **Previous political imprisonment/problems:** He spent a decade in prison from 1990 to 2000 on "counter-revolution" charges for his involvement in the 1989 pro-democracy protests. He was also previously held incommunicado from 24 December 2004 - 25

January 2005. **Other information:** Recipient of Independent Chinese PEN Centre's 2006 Writer in Prison Award. **Honorary Member of:** PEN Canada, Independent Chinese PEN Centre (ICPC).

Nurehamet YASIN and Korash HUSEYIN

D.o.b.: 6 March 1974 and 1970 respectively. **Profession:** Freelance Uighur writer and editor of the Uighur-language Kashgar Literary Journal respectively. **Date of arrest:** Yasin - 29 November 2004, Huseyin - not known. **Sentence:** 10 years and 3 years in prison respectively. **Expires:** 30 November 2014 and 2008 respectively. **Details of arrest:** Nurmehamet Yasin was arrested in Kashgar on 29 November 2004 for the publication of his short story *Wild Pigeon (Yawa Kepter)*, which was first published in the bi-monthly Uighur-language Kashgar Literature Journal, issue No. 5, November 2004. Authorities also confiscated Yasin's personal computer containing an estimated 1,600 poems, commentaries, stories, and one unfinished novel. PEN first learned of this case in September 2005. Yasin's story was widely circulated and recommended for one of the biggest Uighur literary websites in the Uighur Autonomous Region for outstanding literary award. It also attracted the attention of the Chinese authorities, who apparently consider the fable to be a tacit criticism of their government in the Xinjiang Uighur Autonomous Region. There are no details about Huseyin's arrest. **Details of trial:** After a closed trial in February 2005 at which he was not permitted a lawyer, Yasin was sentenced by the Maralbesh Country court to 10 years in prison for "inciting Uighur separatism" in his book *Wild Pigeon (Yawa Kepter)*. The Kashgar Intermediate Court upheld his sentence on appeal, and Yasin was transferred on 19 May 2005 to Urumchi No. 1 Jail, where he remains detained. PEN learned in November 2005 that Huseyin had been sentenced by a Kashgar court to three years for publishing the story, WiPC seeking further details of his trial and charges. **Place of detention:** Yasin - Urumchi No.1 Jail. It is not known where Huseyin is held. **Treatment in prison:** Yasin has been permitted no visitors since his arrest. **Professional details:** Nurmuhemmet Yasin is an award-winning and prolific freelance Uighur writer. He has published many highly acclaimed literary works and prose poems in recent years, including the poetry collections *First Love, Crying from the Heart, and Come on Children*. He is said to be a mature writer with an established literary credential among Uighur readers. He is married with two young sons. Korash Huseyin is married with three children. *Wild Pigeon* was translated from the Uighur into English and Chinese. **Honorary member of:** American, English and Independent Chinese PEN Centre (ICPC).

YU Huafeng

Profession: Deputy-editor-in-chief and general manager of the Guangzhou-based daily *Nanfang Dushi Bao (Southern Metropolis News)*. **Date of arrest:** 14 January 2004 **Sentence:** 12 years in prison, reduced on appeal to eight years. His sentence has reportedly been twice commuted by a total of 2 years and 8 months. **Expires:** 8 May 2009 **Details of arrest:** Arrested for alleged financial irregularities. Accused of embezzling 580,000 yuan (US\$97,000) and distributing it to members of the newspaper's editorial committee. He maintains that the money in question was acquired legally as staff bonuses. It is said that the evidence presented in court did not support the charges, and it is widely believed that his imprisonment is part of a targeted campaign to silence the newspaper, which is known for its aggressive reporting on social issues and official corruption. WiPC has re-opened this case in the light of the sentence reductions.

ZHANG Jianhong (aka Li Hong)

D.o.b.: 2 June 1958. **Profession:** Prominent writer. **Date of arrest:** 6 September 2006. **Sentence:** 6 years in prison. **Expires:** 5 September 2012 **Details of arrest:** According to his wife, more than 20 police officers raided his home in Ningbo City, Zhejiang Province, Eastern China. His computers were seized and his wife interrogated. On 12 October 2006 Zhang was formally charged with ‘incitement to subversion of state power’ for his critical articles published online on overseas websites. **Details of trial:** Sentenced on 19 March 2007 to six years in prison for writing articles criticising the government. The High People’s Court of Zhejiang Province upheld the sentence on 21 May 2007. **Place of detention:** Transferred on 20 September 2007 to Qiaosi prison, in the eastern province of Zhejiang. **Health concerns:** Zhang was diagnosed in May 2007 with a form of muscular dystrophy, but did not receive any treatment until 20 October 2007, when he was transferred from Qiaosi Prison to the Zhejiang Prison General Hospital. His condition is said to have worsened considerably as a result of prolonged lack of medical care. Repeated applications for medical parole have not been considered. **Previous political imprisonment/ problems:** He was imprisoned from 1989-1991 for his pro-democracy activities. In August 2005 he founded the literary website [Aiqinhai.org](http://www.aiqinhai.org) (<http://www.aiqinhai.org/>), of which he was editor-in-chief, which was banned by the authorities in March 2006. **Professional details:** Zhang Jianhong is a leading writer in the region and is known for his dissident activities and prolific writings. He is also a regular contributor to the overseas Chinese sites Boxun (<http://www.boxun.com>) and The Epoch Times (<http://www.dajiyuan.com>).

ZHANG Lin

D.o.b.: 2 June 1963. **Profession:** Dissident writer, pro-democracy advocate and member of Independent Chinese PEN Centre (ICPC). **Date of arrest:** 27 January 2005 **Sentence:** 5 years in prison **Expires:** 12 February 2010 **Details of arrest:** Arrested on 27 January 2005 at Bangbu City railway station in Anhui Province. On 13 February 2005, shortly before he was due to be released, he was charged with “suspicion of endangering national security”. According to the official indictment issued by the Bengbu authorities on 23 May 2005, Zhang Lin was arrested because of a number of ‘subversive’ articles he had written and subsequently posted on the Internet between August 2003 and January 2005. The lyrics of a punk rock song by the popular Chinese group Pangu, which he quoted in an essay entitled ‘Pangu – The Hysterical Ravings of the Chinese People’, are said to form part of the evidence against him. The stanzas, which he reportedly quoted, are translated as follows: ‘The Yellow River Should run dry, this society should collapse, this system should be destroyed, this race should become extinct, this country should perish’. **Details of trial:** Zhang Lin was convicted of ‘incitement to subversion’ by the Anhui Intermediate People’s Court on 28 July 2005 and sentenced to five years in prison and four-year deprivation of political rights. The verdict was not formally announced, even to his lawyer, until 2 August 2005, significantly reducing Zhang Lin’s opportunity to appeal his conviction. His appeal was rejected on 13 September 2005 without a hearing. **Place of detention:** Nanjiao Prison, Hefei City, Anhui Province. **Treatment in detention:** Since his imprisonment Zhang Lin has reportedly suffered harsh treatment, including long hours of forced labour, restricted access to correspondence with his wife, and denial of access to news and writing materials. **Health concerns:** Said to be very weak. Reported in May 2006 to require urgent hospital treatment for a slipped cervical disc that is affecting his central

nervous system. Prison medical facilities are said to be inadequate to treat his condition. **Previous political imprisonment/problems:** Previously detained from 1989-91, when he was sentenced to two years in prison for his involvement in the pro-democracy protests, and again from 1994-97 when he received a three-year sentence for campaigning for workers’ rights. After his release in 1997 he settled in the U.S. but was re-arrested in 1998 when he re-entered China illegally, and was sentenced to three years’ RTL. Since his release in 2001 he has been subject to constant surveillance and harassment, and has reportedly had to rely on publishing articles overseas to support himself and his family.

ZHENG Yichun

D.o.b.: 27 January 1959 **Profession:** Poet, professor and freelance journalist **Date of arrest:** 3 December 2004 **Sentence:** 7 years in prison **Expires:** 19 December 2011 **Details of arrest:** Zheng Yichun was detained on 3 December 2004 and on 20 December 2004 arrested on a charge in connection with sixty-three articles he had written for foreign-based publications and websites. **Details of trial:** The Yingkou Intermediate People’s Court, Liaonin Province, northeast China convicted Zheng Yichun, on 21 July 2005 of ‘incitement to subversion of state power’ for his critical writings, many of which were posted on-line on overseas web-sites. He was sentenced on 20 September 2005 to 7 years imprisonment and 3 years deprivation of political rights, and his appeal was rejected on 22 December 2005. **Place of detention:** Jinzhou Prison, Jinzhou City, Liaoning Province. **Health concerns:** Zheng Yichun is a diabetic. **Professional details:** A member of the Korean minority. Has published eight collections of poetry and nearly 200 essays and political articles. Publications to have recently carried his articles include *Da Ji Yuan* (*Epoch Times*) and websites such as *Boxun* and *Min Zhu Lun Tan* (*Democracy Forum*), all of them based abroad. Before his arrest, Zheng was also an English professor at the University of Liaoning. **Honorary member of:** PEN Canada, PEN Flanders and Independent Chinese PEN.

Sentenced, suspended

GAO Zhisheng

D.o.b.: 20 April 1964 **Profession:** Human rights lawyer and civil activist. **Date of arrest:** 15 August 2006 **Sentence:** 3 years in prison, suspended for five years. **Expires:** 14 August 2011. **Details of arrest:** Reportedly detained by Beijing police on 15 August 2006 when visiting his sister in Dongying city, Shandong province. On 21 September 2006 he was formally charged with ‘suspicion of inciting subversion of state power’. Held in Beijing until his release on 22 December 2006. His arrest was connected to his critical writings posted online. **Details of trial:** Gao Zhisheng was sentenced on 22 December 2006 to 3 years in prison, suspended for five years, and 1 years’ deprivation of political rights. According to an official statement, Gao was accused of posting 9 “seditious articles” and conducting 10 interviews with overseas media, which defamed China’s central government and amounted to agitation aimed at overthrow. The statement said the court had showed leniency in the form of a five-year reprieve as Gao “voluntarily reported other people’s offences and provided important clues to crack other cases.” **Previous political problems/imprisonment:** In late 2005, the operations of his law firm, the Shengzhi Law Office, were suspended and his licence to practice law was revoked after he published an open letter calling for religious freedom and an end to the ‘barbaric’ persecution of the banned spiritual organisation Falun Gong.

Investigation

Ablikim ABDIRIYIM: Political activist. Sentenced to nine years in prison on 17 April 2007, on charges of 'posting secessionist articles online'. Abdiriyim is the son of a renowned activist and belongs to the ethnic minority group, the Uighur. He was reportedly charged with trying to post two articles online, that he had downloaded on the Internet. According to the verdict, 'these articles distorted China' human rights and ethnic policies'. He was arrested in June 2006 and he is being held incommunicado. WiPC seeking further info.

***HE Weihua:** Internet writer. Reportedly detained since early August 2007 in a psychiatric hospital in the central province of Hunan. The Public Security Bureau reportedly summoned him in July 2007 after he published an article critical of price increases for meat and of the Communist Party's internal alleged corruption. His home was also raided and his computer seized in June by security officials who reportedly warned him not to write on human rights. WiPC seeking further info.

***OUYANG Xiaorong:** Poet and writer from Tengchong in Yunnan province, southwest China. Reportedly arrested from his home without a warrant on 27 September 2007. It is thought he may have been detained for articles he had written and posted on-line. WiPC seeking an update.

Facing charges

***WANG Dejia (aka Jing Chu):** Dissident writer. According to PEN's information, Guangxi-based dissident writer Wang Dejia was arrested from his home in Guilin, in China's southern Guangxi Province, on 13 December 2007 and taken to the Quanzhou Chengbei police Station, where he was detained on suspicion of 'inciting subversion of state power'. His family believe his detention is directly related to his articles published on-line on the Minzhu Luntan website (Democracy Forum, <http://asiademmo.org>), including 'Illegal Possession of State Secrets – an important Chinese Communist Party Invention that Persecutes Prisoners of Conscience', 'Handcuffed Olympics Will Bring Only Disasters to the People', and 'Yi Yuanlong Jailed for Two Years for Four Articles; How Many Will I be Jailed For?' His wife also reports that in October 2007 he met with U.S. Embassy officials to discuss human rights in China, which may have been a cause for his arrest. Wang Dejia was freed on bail on 12 January 2008, but still faces charges for up to a year. His release is said to be conditional on him not writing anything critical of the authorities or 'subversive'.

Brief Detention

***LI Jianhong (f) and Liao Yiwu:** Shanghai-based writer and activist, and Chengdu-based poet respectively. Both members of Independent Chinese PEN Centre (ICPC). Reportedly placed under house arrest on 14 December 2007 and 21 December respectively prior to an awards dinner hosted by ICPC in Beijing at which they were to be honoured. Both were released on 23 December 2007 after the event was cancelled.

***LIU Di, LIU Junning, JIANG Qisheng and CHEN Ziming:** Leading dissident writers. Reportedly placed under house arrest on 2 November 2007 on the eve of a memorial service for pro-democracy activist Bao Zhunxin. All were released by 4 November 2007.

Released

CAI Zhuohua: Independent publisher, manager of *Maizi Culture & Art Company* and pastor of a house church. Arrested on 20 October 2004 and sentenced to 3 years in prison on charges of 'illegal business practices' for printing bibles and other Christian books. Released on expiry of sentence.

LI Yuanlong: Journalist with the daily *Bijie Ribao*. Arrested on 9 September 2005 and sentenced to two years in prison on charges of 'inciting subversion of state authority' for articles he posted online. Released on 14 September 2007 on completion of his sentence.

MAO Qingxiang: Internet writer and China Democratic Party (CDP) activist. Arrested in June 1999 with fellow activist Wu Yilong (see 'main case' above) and sentenced to 8 years in prison on charges of subversion on 9 November 1999 for circulating pro-democracy articles on the Internet and for their work with the magazine *Zai Yedang (Opposition Party)*. Released on 14 September 2007 on expiry of sentence.

ZHAO Yan: Journalist at the Beijing bureau of the *New York Times* and former reporter for *China Reform* magazine. Arrested on 17 September 2004 and sentenced to three years in prison for 'providing state secrets to foreigners'. He was charged for an article published in the *New York Times* on 7 September 2004 revealing Jiang Zemin's retirement from the position of Chairman of the Central Military Commission and the transfer of leadership to President Hu Jintao. Although the charges against Zhao were dropped in March 2006, they were reinstated in May 2006 when he was convicted of defrauding an official. He was released on 15 September 2007, after completing his three-year sentence.

ZHAO Changqing: Leading Xi'an-based dissident. Arrested on 7 November 2002 and sentenced to 5 years in prison for inciting subversion of state power for his pro-democracy activities and dissident writings. Released on 27 November 2007 on expiry of sentence.

Case closed

SUN Lin (pen name Jie Mu): Reporter for *Boxun News*. Reportedly arrested on 30 May 2007 along with his wife, on charges of 'illegally possessing weapons and heading a criminal gang'. Some sources suggest that his arrest is linked to his professional activities. Sun has in the past documented police harassment. Case closed for lack of further information.

ZHU Wanxiang, WU Zhengyou and WANG Xianyong (aka Pan Chunlei): Editors and journalist respectively with the magazine *Zhonghua Xin Qingnian (New China Youth)*. Arrested on 20 August 2005 and sentenced on 17 January 2006 to ten, six and one year in prison respectively for "illegal commercial activity, fraud and extortion". The charges are said to relate their reporting on clashes in Lishui in May 2005 involving peasants who were protesting against the confiscation of their land. The peasants reportedly gave the newspaper 30,000 yuan (3,000 euros) in thanks for writing about their demands. The prosecutor alleges that the magazine had extorted the money. The journalists are appealing their sentences. Case closed for lack of further information.

TIBET AUTONOMOUS REGION

Main cases

Tashi GYALTSEN and Jampel GYATSO:

D.o.b.: 1964 and 1979 respectively. **Profession:** Monks from the Drakar Trezong monastery in Qinghai province, northwestern China. **Date of arrest:** 16 January 2005 **Sentence:** Tashi Gyaltzen and Jampel Gyatso were reportedly administratively sentenced to three years 're-education through labour' (RTL). **Expires:** 15 January 2008. **Details of arrest:** Arrested in their rooms at the Drakar Trezong monastery in Qinghai province, northwestern China. They were allegedly detained for publishing a journal called 'The Charm of Sun and Moon' which contained poems and writings of a political nature. The magazine was published in mid to late 2004. **Place of detention:** Said to be held in

Topa Re-education Through Labour Camp at Huangzhong Dzong, near Xining in Qinghai province, northwestern China. **Professional details:** Tashi Gyaltzen is said to have edited this and other magazines at the monastery, and to have written 'The Past and Present History of Tredzong Monastery' and other articles. Jampel Gyatso co-edited the magazine. Lobsang Dhargay, Tsultrim Phelgay, and Toesam Zangden all vice-edited the magazine. **Honorary Members:** English PEN

Dawa GYALTSEN

D.o.b.: 1969. **Profession:** Buddhist monk. **Date of arrest:** November 1995 **Sentence:** 18 years imprisonment. **Expires:** November 2013 **Details of arrest:** Arrested for writing pro-independence pamphlets which were posted in April 1995 as part of a widespread protest against the Chinese authorities. The pamphlets reportedly contained a brief history of Tibet as an independent nation and pro-independence slogans. **Details of trial:** In May 1996, Nagchu Prefecture Intermediate People's Court sentenced Gyalsten to eighteen years' imprisonment on charges of carrying out "counter-revolutionary propaganda". His brother Nyima Gyaltzen was sentenced to thirteen years' imprisonment for leading the protest. Three other monks co-accused with the Gyaltzen brothers were sentenced to lesser terms ranging from two-six years for their participation in the protest, and have now been freed on expiry of their sentences. The case was not known to PEN until July 2004. **Place of detention:** Tibet Autonomous Region Prison (formerly Drapchi Prison), Lhasa. **Treatment in prison:** Said to have been severely tortured whilst under interrogation.

Dolma KYAB

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

In Hiding

Ven.Richen SANGPO:

D.o.b.: 1974. **Profession:** Tibetan monk and writer. **Details of harassment:** Reportedly subject to harassment and ill treatment by the authorities since August 2006, when he was released from one month's detention without charge. He was first arrested on or around 19 July 2006 and held without charge for a month, apparently for his critical writings. Although no charges have been brought against Ven.Rinchen Sangpo, it is thought he is targeted for his critical writings, most recently two unpublished works entitled *The Story of Blood* and *The Story of Lhasa*. He has since been subject to movement restrictions and repeated harassment by the authorities. He was reportedly arrested again on 4 April

2007 in Amdo Golak while on his way to a religious festival, and held for five days in various police stations and beaten by officers. He also claims to have been tortured whilst in police custody. He has since been living in hiding in rural Tibet. **Professional details:** Ven.Richen Sangpo has been known to the Chinese authorities since 2004, when his work *No Retreating Path* was recalled shortly after publication by the Chinese Authorities as it was deemed to be political. Ven.Rinchen Sangpo is editor of the periodical 'Tune of Shachi River', and is known for his poetry, short stories and articles published in various literary magazines and newspapers in Tibet. One of his most recent manuscripts is said to have been turned down for publication by Sambhoda publishing house. **Honorary Member of:** German and Ghanaian PEN.

Brief detention

***Kalsang Gyam TSO:** Editor of the magazine *Tinkyi Methok (Flower of Cloud)*. Reportedly arrested on 6 November 2007 in Xiahe. Thought to have been detained for his involvement in a pro-independence rally which took place in Xiahe on 8 August 2007, and for his publication. Reportedly freed, date not known.

Released

Ven NGAWANG Phulchung: Senior monk from Drepung monastery near Lhasa. Arrested on 16 April 1989 and sentenced to 19 years in prison plus nine years' deprivation of political rights, reduced by six months on 22 September 2005. Sentenced for producing political leaflets which 'venomously slandered the people's democratic dictatorship' and for 'spying for the enemy'. Singled out as the leader of a group of monks who were secretly producing literature critical of the Chinese government. Released on expiry of sentence on 21 October 2007. Said to have returned home to his family and to be in a frail physical condition.

INDIA

Main case/death threats

***Taslima Nasrin (f)**

Profession: Bangladeshi feminist writer **Details of threat:** Controversial Bangladeshi feminist writer Taslima Nasrin is currently in a government safe house in Delhi after violent protests broke out by Muslim extremists in Kolkata, West Bengal, on 21 November 2007, where Ms Nasrin is now living in exile. Ms Nasrin had flown from Calcutta to the western Indian city of Jaipur on 22 November, but she has now been transported to the Indian capital, Delhi, for her safety. According to reports, police in Kolkata used tear gas and baton charges to control crowds calling for her Indian visa to be cancelled. Rioters blocked roads and set cars alight, and at least 43 people were hurt. More than 100 arrests were made. The protests are believed to have been organised by the predominantly Muslim All-India Minority Forum, who say that Taslima Nasrin has "seriously hurt Muslim sentiments" in her writings and are calling for her Indian visa to be revoked. In August this year, she was attacked in the southern city of Hyderabad during a lecture by Muslims upset by her remarks on the Prophet Muhammad and the Koran. **Previous political imprisonment/problems:** Novelist, poet and journalist Taslima Nasrin was publicly condemned to death in Bangladesh for 'blasphemy' and a reward given for her execution on 16 September 1993 by members of an armed militant Muslim group, due to her novel *Lajja (Shame)*. Instead of condemning the calls for Nasrin's murder, the Bangladesh authorities charged Nasrin, on 4 June 1994, with 'deliberate and malicious intention of hurting the religious sentiments'

for an interview given to an Indian newspaper. Nasrin fled to Europe on 10 August 1994 and has since lived abroad. Her trial started in Dhaka on 10 December 1994 in absentia, and has remained pending hearing for several years. Her latest novels continue to be banned by the Bangladeshi authorities on the strength of their allegedly 'anti-Islamic' content. More than ten years since she fled Bangladesh, Nasrin still cannot return without fear for her security, and for the past three years she has lived in Kolkata, West Bengal, and has applied for Indian citizenship. Her current visa reportedly expires in March 2008. **Honorary member of:** Canadian, USA, American, French, Swedish, Swiss German, English, Austrian and Turkish PEN.

Sentenced: free on bail

***S.K AKHTAR, Irfaan KHAN, Vitusha OBEROI and M.K TAYAL:** Publisher, cartoonist and editors respectively of the *Midday* newspaper. Sentenced to four months in prison on 21 September 2007 on charges of 'contempt of court'. The sentence comes after the newspaper for which all four men work published a series of investigative reports and a cartoon criticising the rulings of a former Supreme Court judge which benefited his sons. The sentence was appealed and a final decision will be made in January 2008. WiPC seeking an update.

Case closed

Abdul ROUF: Editor of the *Srinagar News*. Abdul Rouf was reportedly arrested with his wife Zeenat on 21 November 2006 for allegedly sheltering armed separatists. On 9 December 2006, a judge ordered the release on bail of Zeenat Rouf but police have refused to release her. It is believed that the authorities are holding them under a weapons law. The couple's family denies the accusations. The authorities are refusing to give any information about the reasons for their detention. Case closed for lack of further information.

INDONESIA

Investigation

***Risang Bima WIJAYA:** Former general manager of the daily *Radar Yogya*. Arrested without a warrant on 9 December 2007, apparently in connection with a previous conviction. He was convicted of defamation on 22 December 2004 and sentenced to nine months in prison, reduced to six months on appeal. He had been in hiding since his appeals to the Yogyakarta High Court and the Supreme Court were rejected. He was sentenced for an article published in May 2002 in which he alleged that an executive director of another Yogyakarta daily had sexually harassed a female employee. His report was said to be based on a police report and a press conference by the victim. WiPC seeking further details and checking whether still detained.

Facing charges

***Bersihar LUBIS:** Journalist for the daily *Koran Tempo*. A case against him opened on 19 September 2007 for allegedly insulting the Attorney General's Office (AGO). He is being tried under articles 207 and 316 of the Criminal Code with crimes against the authorities for an article published on 17 March 2007 entitled 'The Story of a Dumb Interrogator' critical of book banning decisions made by the AGO. If convicted he faces a maximum penalty of one year and a half in prison for the first charge and one year and four months for the second. He remains free. His trial was due to end on 12 December 2007, WiPC seeking an update.

Case closed

Risang Bima WIJAYA: Former general manager and editor-in-chief of *Radar Yoga* newspaper. Sentenced to six months in prison on 11 May 2007 for violating Article 310 of the Indonesian Criminal Code by libelling the executive director of another newspaper. The Supreme Court upheld the verdict against Wijaya handed down by the District Court of Sleman on 22 December 2004, but reduced the prison term by three months. Wijaya is seeking a retrial and now works for the *Jawa Pos* newspaper. He remains free but the authorities are reportedly seeking his arrest. Case closed for lack of further information.

MALAYSIA

Facing charges

Steven GAN: Editor-in-Chief of the web-based daily *malaysiakini.com*. Reportedly facing libel charges in a case brought by a high-ranking minister against him, his news site and two other news sites in April 2007. Gan's website *Malaysiakini.com* reportedly published a series of articles between 6 and 14 April 2007, that alleged corruption on the part of the government minister. WiPC is seeking an update.

Brief detention

***Raja Petra KAMARUDIN:** Writer for the *Malaysia Today* news website. Reportedly detained at the Dang Wangi Stadium police station on the morning of 25 July 2007 in response to a police complaint filed by the ruling political party. Kamarudin was released the same day. It is not clear if charges have been brought against him.

***Nathaniel TAN:** Internet writer. Reportedly arrested at his office on 13 July 2007 following some of his comments posted on his web log that pointed to a corrupt internal security system in the country. Tan was released on 17 July 2007. He is reportedly still facing charges of 'possessing official secrets' under Section 8 of the Official Secrets Act and if found guilty, Tan could face up to seven years' imprisonment.

Case closed

Irene FERNANDEZ (f): Director of *Tenaganita*, a women's rights organization. Arrested on 18 March 1996 and charged with "false reporting" under Section 8a of the 1984 Printing Presses and Publications Act for a report she issued in July 1995 entitled "Abuse, Torture and Dehumanised Treatment of Migrant Workers at Detention Camps". On 16 October 2003 Fernandez was convicted of 'maliciously publishing false news' and sentenced to 12 months in prison by Kuala Lumpur magistrate's court. Her trial is the longest trial in Malaysian legal history, and she remains free on bail pending appeal. Case closed, thought unlikely to be detained.

MALDIVES

Free on medical leave

Abdullah SAEED (aka Fahala)

D.o.b.: 1964 **Profession:** Reporter with the opposition *Minivan Daily* newspaper. **Date of arrest:** 27 March 2006 **Sentence:** Life imprisonment. **Details of arrest:** Arrested and sentenced on 26 March 2006 to two months in jail for 'disobedience to order' for refusing to submit to a urine test in the first of three drugs charges against him which are widely believed to be unfounded and politically motivated. The charges stem from Saeed's arrest in October 2005, when he was summoned to the

police station and police claimed to find large quantities of drugs on his person. Saeed claims police planted the drugs on him. He is known for his critical writings, and it is feared that his arrest is an attempt to silence him. **Details of trial:** Convicted on 19 April 2006 on charges of drug possession and trafficking, and sentenced to life imprisonment. **Health concerns:** Fahala was granted a special leave from Maafushi prison to visit his family in Male on 30 July 2006. His health had deteriorated and he is said to be in a debilitating mental and physical condition. There are calls to stop him from being sent back to prison on compassionate grounds. **Previous political imprisonment/problems:** He was convicted on a drugs charge in 2000 and pardoned in 2003.

Case closed

Aminath NAJEEB (f): Editor of *Minivan Daily*. Facing a charge of 'disobedience' following an article published in August 2005 quoting an opposition activist which the authorities claimed contained incitement to violence against the police. Najeeb previously faced criminal charges of 'disobedience of an order' along with *Minivan Daily's* deputy editor Nazim Sattar. The charges against Sattar were dropped, and the charge against Najeeb reduced to 'disobedience' on 3 May 2007. Case closed for lack of further information.

MYANMAR (BURMA)

Main cases

AUNG SAN SUU KYI (f)

Profession: Leader of the National League for Democracy (NLD) and writer. **Date of arrest:** 30 May 2003 **Details of arrest:** Taken into 'protective custody' following violent clashes between opposition and pro-government supporters on 30 May 2003. The military government reported that four people were killed in the clashes, though eyewitnesses estimate the numbers killed to be over sixty. Many were also injured, including Aung San Suu Kyi. Her house arrest order was extended for a year on 30 May 2006. The military authorities announced on 27 May 2007 that her detention order was being renewed for another year and that she was to remain under house arrest. **Place of detention:** Held in 'protective custody' at her home in Yangon. **Previous political imprisonment/problems:** Daw Aung San Suu Kyi was held under de facto house arrest for six years from July 1989-July 1995, and again from September 2000 until May 2002, when she was released as part of UN-brokered confidential talks between the State Peace and Development Council (SPDC) and the NLD which began in October 2000. **Professional details:** Daw Aung San Suu Kyi was awarded the Nobel Peace Prize in October 1991. She is the author of many books, including *Freedom From Fear* (1991), *Letters from Burma* (1997), *The Voice of Hope* (1997). **Honorary member of:** Canadian and English PEN.

AUNG THAN, ZEYA AUNG, MAUNG MAUNG OO and SEIN HLIANG

Profession: Student activist and NLD member, student, publisher and distributor respectively. **Date of arrest:** 29 March 2006 **Sentence:** 19 years in prison (Aung Than and Zeya Aung), 14 years in prison (Maung Maung Oo) and seven years in prison (Sein Hliang). **Expires:** 28 March 2025 (Aung Than and Zeya Aung), 28 March 2020 (Maung Maung Oo) and 28 March 2013 (Sein Hliang). **Details of arrest:** Reportedly arrested with 6 others near the Thai-Burmese border town of Myawaddy for publishing an 'anti-government' book of poems entitled *Dawn Mann (The Fighting Spirit of the Peacock)*. The peacock is the symbol of the pro-democracy movement in Myanmar. Six others also detained in connection with the publishing of the book were freed after a brief detention. Also

charged with associating with outlawed organisations and illegally crossing an international boundary. **Details of trial:** Convicted by a criminal court in Pegu, north of Rangoon, on 9 June 2006 under the Printers and Publishers Registration Act. The appeals filed by Aung Than and Zeya Aung against their 19 year prison sentences were rejected by the Rangoon high court the same day it was presented, in late November 2006. **Place of detention:** All transferred to Insein jail, Rangoon except Sein Hliang, who is still held in Pegu jail. **Honorary member of:** American PEN.

KO AUNG TUN

D.o.b.: 1967. **Profession:** Student activist and writer. **Date of arrest:** February 1998 **Sentence:** 13 years in prison. **Expires:** February 2011 **Details of arrest:** At a 1 March 1998 press conference the SPDC claimed Ko Aung Tun had been arrested for 'collaborating with terrorist groups'. Opposition sources, however, state the real reason for his arrest as being a book he had written on the history of the student movement in Myanmar. **Details of trial:** According to an official statement, Ko Aung Tun was sentenced to 3 years' imprisonment under the 1962 Printers and Publishers Registration Act, 7 years under the Unlawful Association Act, and 7 years under the Emergency Provisions Act. Sentence thought to be combined as 13 years. **Place of detention:** Insein Prison. **Treatment in prison:** Reportedly held incommunicado in solitary confinement and has reportedly been ill-treated, including threats and severe beatings. **Health concerns:** Said to be in very poor health as a result of ill treatment in prison. Ko Aung Tun is reportedly vomiting blood as a result of his beatings, and is also said to be suffering from severe asthma and tuberculosis. There is serious concern for his safety. **Previous political imprisonment/problems:** Ko Aung Tun was active in the student-led 1988 pro-democracy movement, and was reportedly previously imprisoned from 1990-94. **Other information:** Aung Tun is a recipient of the 1999 Hellman/Hammett Award. **Honorary members of:** Norwegian, Canberra and Canadian PEN Centres.

WIN TIN

D.o.b.: 12 March 1930 **Profession:** Former editor of the daily *Hanthawati*, secretary of the executive council of the National League for Democracy, and vice-president of the Burmese Writers' Association. **Date of Arrest:** 4 July 1989 **Sentences:** Total of 20 years' in prison with hard labour **Expires:** 3 July 2009 **Details of Arrest:** Accused of 'harbouring an offender for whom a warrant had been issued', allegedly for sheltering a girl who had had an illegal abortion, but the true reason is thought to be his opposition activities. Also accused of incitement to violence, contact with insurgent organisations, obtaining financial assistance from a foreign embassy and obtaining weapons. **Details of Trial:** Sentenced in October 1989 to 3 years with hard labour. In June 1992 sentenced to an additional 11 years under the 1950 Emergency Provisions Act. Unclear what this is for, but it is thought to be linked to his opposition activities. Sentence said to have been reduced to 10 years in January 1993 amnesty. On 28 March 1996 he was among 21 prisoners to be tried inside Insein Prison and given additional sentences under Section 5J of the Emergency Provisions Act for circulating the petition, distributing a clandestine magazine and possessing radio sets. He was given an additional 7-year sentence (NB: the UN stated 5 years, but the transcript of the trial states 7 years). His cumulative sentences will thus not expire until July 2009. **Professional Details:** Was active in pro-democracy demonstrations of 1988 and said to be key adviser to Aung San Suu Kyi and to have been one of those who encouraged her to enter politics. Authorities alleged he was linked to Communist Party of Burma.

During 1988's events was vicechairman of the 'Sarpay Thamagga' ('Writers' Association'). Recipient of the World Association of Newspapers (WAN) 2001 Golden Pen of Freedom award, and the 2001 United Nations Educational, Scientific and Cultural Organisation (UNESCO)/Guillermo Cano World Press Freedom Prize. **Place of detention:** Insein prison. **Health Concerns:** Reported in March 2006 to require treatment for high blood pressure and inflammation of the prostate. Also suffers from spondylitis, an inflammation of the vertebrae, and diabetes, and suffered two heart attacks during his 16-year imprisonment. Has lost several teeth and requires dental treatment. Said to be checked twice a month by a prison doctor but not provided with any required medication. Is dependent on his family for medicine and meat. **Treatment in Prison:** Reported that in November 1995 Win Tin was among a number of prisoners ill treated after they smuggled letters out to the UN protesting at prison conditions. He is entitled to a twice-monthly visit from a relative for 20-25 minutes. Since the start of 2006 he has not been able to receive visits from the International Committee of the Red Cross (ICRC). **Honorary Member of:** Hong Kong (English), New Zealand and Japan PEN centres.

U AYE KYU (aka 'Monywa' Aung Shin)

Profession: Former newspaper editor and poet. Senior official of the National League for Democracy (NLD). **Date of arrest:** September 2000. **Sentence:** 21 years in prison. **Expires:** September 2021 **Details of arrest:** Among five senior NLD officials (including former PEN main case Aung Myint, released under amnesty in January 2005) to be arrested in September 2000. They were detained for writing a statement that was to be sent to the authorities protesting the September 2000 house arrest of Aung San Suu Kyi (see above) and calling for the release of other NLD members and the re-opening of NLD party offices. All five men were detained two days after the statement was broadcast on a US-based radio station. PEN first learned of this case in early 2005. **Details of trial:** Sentenced on 14 September 2000 to 14 years under the press law and 7 years under security legislation. **Place of detention:** Insein Prison **Health concerns:** U Aye Kyu is said to suffer acute asthma. **Professional details:** Aye Kyu started to publish poetry in 1962 and was banned from publication in 1988. Also former editor of a banned literary journal. **Previous political imprisonment/problems:** Aye Kyu was previously detained from 1967-1970, and served four months in 1990 for his opposition activities.

Investigation

***Ko Kyaw Thu Moe MYINT:** Poet. Reportedly arrested on 26 March 2007 for writing and distributing a booklet of Valentines Day poems in February 2007. Two of the poems referred to independence hero general Aung San. Ko Kyaw Thu Moe Nyint was first summoned by the Kyaukse township chairman and was reportedly forced to sign a statement saying he would never publish and distribute his own work. He is currently detained at the Sinkhaing detention centre. WiPC seeking an update.

Brief Detention

A major crackdown in Burma has been underway since early September 2007, following demonstrations led by monks and pro-democracy activists which began on 19 August 2007. Writers and journalists were among the scores of people to be detained, details of the major cases known to PEN are given below. All of those arrested in the crackdown are now thought to have been freed, but many remain under heavy restriction.

***MAUNG THURA (aka 'Zargana')**

D.o.b.: **Profession:** Leading comedian, poet and opposition activist. **Date of arrest:** 25 September 2007 **Details of arrest:** Arrested for his support to the monks demonstrating in the capital, Rangoon. His release was reported on 18 October, although he remains under heavy surveillance and restriction, as he has been for many years. **Previous political problems/imprisonment:** Maung Thura, more commonly known by his nick-name 'Zargana', is Burma's leading comedian, popular for his political satires. Zargana spent several years in prison in the early 1990s for his opposition activities. During that time he was taken up as a main case by the Writers in Prison Committee of International PEN. Zargana, whose pseudonym means 'tweezers' and refers to his years spent training as a dentist, was first arrested in October 1988 after making fun of the government, but freed six months later. However, on 19 May 1990, he impersonated General Saw Maung, former head of the military government, to a crowd of thousands at the Yankin Teacher's Training College Stadium in Rangoon. He was arrested shortly afterwards, and sentenced to five years in prison. He was held in solitary confinement in a tiny cell in Rangoon's Insein Prison, where he began writing poetry. One of his prison poems was published in the International PEN anthology *This Prison Where I Live*. After his release from prison in March 1994, Zargana was banned from performing in public, but continued to make tapes and videos which were strictly censored by the authorities. In May 1996, after speaking out against censorship to a foreign journalist, he was banned from performing his work altogether, and stripped of his freedom to write and publish. **Honorary member of:** English PEN.

Released

KYAW Sein Oo: Assistant to the head of the information department of the National League for Democracy (NLD). Arrested on 14 September 2000 and sentenced to seven years' imprisonment under the Printers and Publishers Registration Act for distributing information regarding the repression of the NLD to international press agencies and to Western diplomats based in Rangoon. Presumed freed on expiry of sentence.

NEPAL

Killed

***Birendra SHAH:** Freelance journalist who worked for the publication *Dristri Weekly* as well as the privately owned *Nepal FM Radio* and *Avenues TV*. His body was found on 8 November 2007 after being kidnapped by Maoist cadres on 5 October 2007. Maoist authorities issued a statement on 5 November confirming that members of their party were responsible for Shah's death, and that he had been murdered on the day of his abduction. The CPN-Maoist statement named a senior cadre, Lal Bahadur Chaudhary, and two associates, who are said to be personally responsible for Shah's abduction and murder. Shah had gone with another journalist to investigate a report on timber smuggling when he was abducted, and had recently published critical reports about local Maoists. He is said to have been targeted because of 'personal disputes' with Chaudhary, who has reportedly fled to India to avoid arrest. The CPN-Maoist has distanced itself from the murder, and states that the three cadres have been expelled from the party and will now face disciplinary action. The government of Nepal has not yet responded to the CPN-Maoist statement.

Killing: investigation

***Shankar PANTHI:** Correspondent for the local pro-Maoist daily *Naya*

Satta Daily. Reportedly found dead on 14 September 2007. He was returning from covering a news story at the time of his death. Police claim he died in an accident, although some fear he may have been murdered in connection with his work.

Kidnapped

Hridayaraj GAUTAM: Editor of the *Kulamanch Weekly*. Reportedly abducted from his home on 20 June 2007 by unknown individuals in Bara, central Nepal. The motive of the abduction is not clear. WiPC seeking further information.

***Prakkash Singh Thakuri:** Editor and publisher of the royalist newspaper *Aajako Samachar*. Reportedly abducted by Maoist Young Communist League cadres on 5 July 2007. Said to have been abducted for 'initiating anti-Maoist activities.' It is feared that he may have been killed. No further news of 31 December 2007.

Threatened

***Pradip Kumar MANDAL:** Reporter for the *Janapriya Weekly*. Reportedly threatened with death by maoist cadres on 20 November 2007 as he was covering the district 'bandh', a protest stoppage of traffic and business activity called by Maoists.

***Prem Prasad PAUDEL and Prakash Chandra BHATTARAI:** Editor and assistant editor respectively of the *Lokbarni Weekly*. Reportedly threatened in December 2007 by local leaders of the Communist Party of Nepal-Unified Marxist Leninist student union. The threats are believed to be in response to articles published in local newspapers alleging fraud by a local student union member.

PAKISTAN

Killed

***Zubair Ahmed MUJAHID**

Correspondent of the national daily *Jang*. Reportedly shot dead in Mirpur Khas, in the southern Sindh province, on 23 November 2007. Thought to have been targeted for his critical articles; Mujahid wrote weekly column for *Jang* entitled 'Crime and Punishment' in which he highlighted the issue of poverty and criticised local landowners and police. Two of his recent reports had led to the arrests of policemen and a landlord.

Disappeared

Abdur Rahim MUSLIM DOST. Afghan national, poet and magazine editor. Dost spent almost three years in US detention at Guantanamo Bay after being arrested with his younger brother in November 2001 by the Peshawar authorities then handed over to the US in February 2002. He was eventually released without charge on 20 April 2005 and returned to Pakistan. On 29 September 2006 he was again reportedly arrested in Peshawar by officers of the police Crime Investigation Department and an intelligence agency. Dost filed a habeas corpus petition on 5 October 2006 in the Peshawar High Court and the court subsequently requested information on his whereabouts from the federal and provincial authorities. He has reportedly still not been charged with a criminal offence and has not been brought before a magistrate. As of 31 December 2007 his whereabouts remain unknown and he has had no contact with a lawyer or his family. It is thought his arrest may be linked to a book he had written about his experiences as a detainee in Guantanamo Bay.

Kidnapped: investigation

Latif KHOSA: Reporter with the daily *Jang*. Reportedly abducted on 17 June 2007 near Jafferabad, Baluchistan. The reason behind his disappearance is not known but Khosa's family believes that intelligence officials are behind his kidnap. No further information as of 31 December 2007.

Din MUHAMMED: Reporter for Urdu-language *Inkshaf*. Feared to be kidnapped with three other family members following a meeting with local tribal leaders in the town of Wana on 25 March 2007. Din Muhammed was reportedly covering a fresh conflict between local Waziri tribesmen and Uzbek militants in the region. No further information as of 31 December 2007.

Investigation

***Javed LEHRI:** Reporter for the daily *Azadi* based in Quetta. Also a member of a Baloch student opposition party. Reportedly went missing in the Khuzdar region of Balochistan province on 29 November 2007. His family and colleagues believe the intelligence services are responsible for his disappearance. The *Azadi* is known for its critical reporting of the military's operations in Balochistan. The police have denied any involvement, but it is said that the security services are holding hundreds of opposition members in Balochistan. No further information as of 31 December 2007.

Judicial concern

Rehmat Shah AFRIDI

Profession: Editor-in-chief of the Peshawar-based English language daily *The Frontier Post* and its Urdu sister-paper *Maidan*. **Date of arrest:** 2 April 1999 **Sentence:** Death, commuted to life imprisonment. **Details of arrest:** Reportedly arrested on drugs charges, after Anti-Narcotics Force (ANF) officers allegedly found 21 kilograms of hashish in his car. He denies the charges and his colleagues believe his arrest to be politically motivated. Shortly before his arrest, Afridi had reportedly published two articles accusing officers of involvement in drug smuggling. Afridi claims he is the victim of an ANF set-up. **Details of trial:** On 27 June 2001 Special Judge Syed Kazim Shamsi of the Anti Narcotics Court ruled in favour of a death sentence and a 1,000,000 Rs fine against him. The prosecution reportedly failed to produce any compelling evidence against him. On 3 June 2004 the death sentence was commuted on appeal by the Lahore High Court and Afridi was instead sentenced to life imprisonment. His sentence was upheld by the Supreme Court on 6 April 2006. **Place of detention:** Kot Lakhpat Prison, Lahore. **Treatment in prison:** Claimed to be mistreated in prison in August 1999. Said to be denied proper medical treatment for a heart condition, and to be denied a mattress in spite of having back problems. **Other information:** Father of Mahmood Afridi, managing editor of *The Frontier Post* charged in January 2001 with blasphemy.

Death Threats

***Sailab MEHSUD:** Journalist with the newspaper *The News* and editor of the regional news website *Karwan-e-Qabial*. Reportedly threatened with death on 30 September 2007 after he reported on a clash the day before between the Army and the Taliban in South Waziristan. Mehsud received a phone call from a security official that reportedly insulted him before threatening him.

Case closed

Saeed SARBAZI. Journalist for the privately owned, English-language *Business Recorder*, Karachi's only business daily. Mr Sarbazi, 65, has not been seen since he left home on the morning of 20 September 2006 in Karachi. It is not known whether his disappearance is related to his work. Case closed for lack of further information.

PHILIPPINES

Case closed

Gemma BAGAYAUA (f): Online editor of *Newsbreak*. Reportedly arrested on 7 March 2007 in the paper's office in the Manila suburb of Pasig. She is one of five *Newsbreak* journalists who are charged for libel. Bagayaua was released the next morning and all five posted bail on the same day. Case closed for lack of further information.

Ninez CACHO-OLIVAREZ (f), Ike SENERES and Herman TIU-LAUREL: Editor-publisher and columnists respectively for the opposition newspaper *Daily Tribune*. Reportedly charged on 3 March 2006 with inciting sedition in articles published in their newspaper. The police raided the *Daily Tribune's* offices on 25 February 2006 under state of emergency laws. Case closed for lack of further information.

Dante FABIAN: Senior reporter for *Sun Star Pampanga*. Reportedly arrested on 19 December 2006 for libel in a case brought by a local politician. Fabian was released on bail and was due to be tried on 25 January 2007. Case closed for lack of further information.

Letty Jimenez MAGSANOC and Isagani YAMBOT: Editor-in-chief and publisher respectively of the *Philippine Daily Inquirer*. Arrested along with eight other members of the editorial staff on 20 March 2007 in Manila. Released on bail the same day. Case closed for lack of further information.

Maritess Danguilan VITUG, Glenda GLORIA (f), Jose DALISAY, Ricky CARANDANG and Booma CRUZ: Journalists and editors for *Newsbreak* magazine. All were reportedly arrested on the charge that they 'meant and intended to convey false and malicious insinuations' against Jose Miguel Arroyo, the husband of the current Philippines President on 14 December 2006. The journalists were charged with defamation in connection with an article about Arroyo's allegedly undeclared properties in the United States. Arroyo initiated legal proceedings against the journalists on the basis that the article written was defamatory. Each defendant paid a US\$200 bail. No date for a trial has been set. Case closed for lack of further information.

SOUTH KOREA

Judicial concern

SONG Du-Yol

D.o.b.: 1944. **Profession:** Scholar. Professor of Philosophy at Muenster University, Germany. Has published several academic books. **Date of arrest:** 22 October 2003 **Sentence:** Seven years' imprisonment. **Expires:** 21 October 2010. **Details of arrest:** Reportedly detained under the National Security Law (NSL) for alleged pro-north Korean activities. Asked to report to the National Intelligence Service on arrival at Seoul airport on 22 September 2003 after returning to the Republic of Korea after 37 years living in exile in Germany. The Korea Democracy Foundation had reportedly invited him to South Korea. Subject to extensive interrogation until 22 October 2003, when he was taken into custody. Charged on 19 November 2003 under Articles 3,5, and 8 of the

NSL in connection with membership of the North Korean Workers Party. Prosecutors reportedly took a harsh stance towards him because he refused to make a formal pledge of loyalty to the Republic of Korea. He reportedly admits joining the North Korea Worker's Party, but denies being a Politburo member. He gained German citizenship in 1993. **Details of trial:** Reportedly sentenced on 30 April 2004 to 7 years in prison under the National Security Law by Seoul District Court. His academic articles and books allegedly 'praising North Korea' were reportedly raised in court by the prosecution as evidence against him. **Treatment in detention:** Said to have been ill-treated during extensive interrogation sessions at which his lawyer was not allowed to be present.

SRI LANKA

Case closed

Subramaniam RAMACHANDRAN: Correspondent for *Yarl Thinakkural* and *Valampuri*. Reportedly went missing on 15 February 2007. It is feared that he may have been kidnapped by pro-government militia after receiving several death threats. Case closed for lack of further information.

Nihal SERASINGHE, Lalith SENEVIRATNE and Sisira PRIYANKARA: Reporters for the trade union monthly *Akuna (Thunder)*. All three were reportedly arrested on 5 February 2007. They are facing charges of planning terrorist acts and are also accused of 'collusion with the Tamil Tigers'. They are being held by the Criminal Investigation Department while an investigation into the alleged crimes is conducted. It is feared that confessions may have been extracted under pressure. Case closed for lack of further information.

TONGA

Case closed

Tavake FUSIMALOHI and Falisi TUPOU: Editor and senior journalist respectively of *Kele'a* newspaper. Fusimalohi was charged with sedition and defamation following his arrest on 22 March 2007. He was released because of ill health and appeared in court on 26 March 2007. Tupou was arrested on 5 April 2007 on sedition charges. Case closed for lack of further information.

VIETNAM

Main cases

LE Dinh Nhan (religious name: Thich HUYEN Quang)

D.o.b.: 1917 **Profession:** Patriarch of the Institute For The Propagation Of The Dharma, Unified Buddhist Church of Vietnam (UBCV), An Quang Pagoda (Saigon). **Date of arrest:** 29 December 1994. **Details of arrest:** Arrested for publishing an open letter criticising government policy on freedom of speech and religious expression. **Place of detention:** Held under "temple arrest" until around mid-1995 when moved to an isolated area in Quang Ngai. Moved again in 2003 to Nguyen Thieu Monastery, Binh Dinh Province. He is said to be held incommunicado with security police permanently stationed outside the monastery gates. **Professional details:** Author of renowned books on Buddhism and Oriental philosophy for the last thirty years. Said to be one of the most respected religious leaders of the Vietnamese Buddhists and people. **Health concerns:** Sources indicate that his life has been in great danger due to poor health and lack of medical treatment. Reportedly hospitalised in September 2006 and transferred to a private clinic in Ho Chi Minh

City to receive treatment for heart disease and a lung infection. **Previous political imprisonment/problems:** Had been detained under house arrest since 1982 for alleged “anti-government activities”. Thought to relate to his public appeals for religious freedom and official recognition of the UBCV. **Other information:** Adopted by the UN Working Group on Arbitrary Detention in May 2005. Awarded the Homo Homini Award by People in Need-Czech TV Foundation on 9 April 2003. **Honorary Member of:** English, French, Danish, and Sydney PEN.

LE Thi Cong Nhan (f) and NGUYEN Van Dai:

Profession: Lawyer and cyber dissident, and journalist respectively. **Date of arrest:** 6 March 2007. **Sentence:** 4 years and five years in prison respectively. **Expires:** March 2011 and March 2012 respectively. **Details of arrest:** Nguyen Van Dai and Le Thi Cong Nhan (f) were arrested at their homes on the morning of the 6 March 2007. They were accused of ‘hostile propaganda against the Socialist Republic of Vietnam’ for their dissident activities with the pro-democracy movement ‘Bloc 8406’, including the recent signing of a petition under their real names. **Details of trial:** Le Thi Cong Nhan and Nguyen Van Dai were sentenced to four years and five years in prison respectively by the Hanoi People’s Court on 11 May 2007. Their convictions were upheld on appeal on 27 November 2007. **Place of detention:** Cau Dien detention camp, in Tu Liem district, 13 km from Hanoi. **Background to arrest and previous political problems:** Nguyen Van Dai is one of the leaders of the democracy movement ‘Bloc 8406’ and regularly posts pro-democracy essays on foreign websites. He started a web-log on the Reporters Sans Frontiers web-log platform shortly before his arrest (<http://nguyenvandai.rsfblog.org>). He and fellow lawyer Le Thi Cong Nhan (f) have been under heavy surveillance for some time for their dissident activities, and were briefly detained on 3 February 2007 and held for 48 hours. Nguyen Van Dai was reportedly subjected to criticism by a ‘popular court’ on 8 February 2007, in which 200 residents from a district of Hanoi were mobilised by the authorities to insult and denounce him for being a ‘traitor’. **Other information:** Both were reportedly immediately struck off the Hanoi bar list following their arrests. (RAN 12/07, Update #1 – 7 March 2007, Update #2- 15 May 2007). **Honorary member of:** Suisse-Romande PEN.

NGUYEN Van Ly:

D.o.b: 1946. **Profession:** Priest, scholar, essayist and co-editor of the underground online magazine *Tu do Ngôn luận (Free Speech)*. **Date of arrest:** 19 February 2007. **Sentence:** eight years in prison and five years of probationary detention. **Expires:** February 2015. **Details of arrest:** Reportedly arrested on 19 February 2007 during an “administrative check” at the archdiocesan building where he lives in the city of Hue. Two other editors of *Tu do Ngôn luận*, Father Chan Tin and Father Phan Van Loi, were reportedly also placed under house arrest. **Details of trial:** On 30 March 2007 a People’s Court in Hue (Central Vietnam) sentenced Father Nguyen Van Ly to eight years in prison and five years of probationary detention for ‘conducting propaganda against the Socialist Republic of Vietnam’ (Article 88). A video footage of his sentencing is available on the Internet: <http://www.youtube.com/watch?v=bUSJeAakoXI>. **Place of detention:** Trai Giam Detention Camp, K1 Ba Sao, Kim Bang District, Municipality of Phu Ly, Ha Nam Province, Viet Nam. **Previous political imprisonment/problems:** Ly is a leading member of the pro-democracy movement “Bloc 8406”. He was previously detained from 1977-1978, and again from 1983-1992 for his activism in support of freedom of expres-

sion and religion. He was sentenced again in October 2001 to 15 years in prison for his online publication of an essay on human rights violations in Vietnam, and was a main case of International PEN. The sentence was commuted several times and he was released under amnesty in February 2005. **Honorary member of:** Sydney PEN. (RAN 12/07 – 28 February 2007; update #1 - 7 March 2007; updates #2 – 3 April 2007).

TRAN Khai Thanh Thuy (aka Tran Thi Thuy Trang) (f)

Profession: Award-winning writer and journalist. **Date of arrest:** 21 April 2007. **Details of arrest:** Tran Khai Thanh Thuy was arrested at her home in Hanoi on 21 April 2007, where she had reportedly been held under strict house arrest since November 2006. She is believed to be charged with violating Article 88 of the Criminal Code for the dissemination of information deemed by the authorities to be harmful to the state. The charges reportedly follow the publication on the Internet of a number of essays by Thuy calling for democracy. She is also reported to be accused of membership of the underground pro-democracy group Bloc 8406, of supporting a dissident human rights organisation, and of illegally organising a trade union. The charges carry a maximum sentence of twelve years in prison. **Professional details:** Tran Khai Thanh Thuy is an established novelist, poet, essayist and editor of the underground dissident magazine *To Quoc (Fatherland)*. **Previous political problems:** She has been under heavy surveillance and harassment since September 2006 for her critical writings published online. She has been repeatedly denounced and humiliated in public meetings organized by the authorities, including a “People’s Court” in October 2006, where police gathered 300 people in a public stadium to insult her. Mobs have entered her home calling her a traitor and a prostitute and threatening to beat her, and she was denied police protection. In September and October 2006, she was continuously interrogated and detained by authorities, and in November she was dismissed from her job. She was held under strict house arrest during the November 2006 APEC meetings. **Other information:** She is one of 2007’s Hellman Hammet Awards Winners (http://hrw.org/english/docs/2007/02/06/vietna15277_txt.htm). **Health concerns:** Tran Khai Thanh Thuy suffers from diabetes and advanced tuberculosis, for which she has been receiving hospital treatment, and there are grave concerns that she is not receiving the medical care she urgently requires in detention. (RAN 24/07 – 30 April 2007). **Place of detention:** Detention Camp B14, Thanh Liet village, Thanh Tri District, Ha Noi, Viet Nam. **Honorary member of:** English PEN.

TRAN Quoc Hien

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

defending farmers whose land has been confiscated by local authorities. He had reportedly been under close surveillance for some time prior to his arrest. (RAN 26/07 – 24 May 2007).

Under house arrest

DANG Phuc Tue (religious name: Thich Quang Do)

D.o.b.: 1928 **Profession:** Buddhist monk, writer, scholar. Secretary General of the outlawed Institute for the Propagation of the Dharma, United Buddhist Church of Vietnam (UBCV). **Date of arrest:** 9 October 2003 **Details of arrest:** Part of a delegation of nine UBCV leaders who were all arrested on 9 October 2003 (see Thich Huyen Quang above). The delegation had left Binh Dinh at 5.00 a.m. on 8 October 2003 en route for Ho Chi Minh City (Saigon) 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 and Thich Huyen Quang were placed under house arrest under which they remain as of June 2007. Thich Quang Do was briefly detained on 16 February 2006 whilst attempting to visit UBCV Patriarch Thich Huyen Quang. **Place of detention:** Thanh Minh Zen Monastery in Ho Chi Minh City. **Previous political imprisonment/problems:** On 27 June 2003 he was released from a twenty-seven month detention order. Has spent most of the last twenty years in detention or under residential surveillance because of his campaign for religious freedom and free expression. **Other information:** The UN Working Group on Arbitrary Detention declared his imprisonment as 'arbitrary' in May 2005.

Released

BUI Kim Thanh (f): Lawyer and cyber dissident. Reportedly taken by police to a psychiatric hospital on 2 November 2006, but following a medical examination the doctors concluded that she did not suffer any mental illness. On the 4 November 2006, the police allegedly took her again to a psychiatric hospital, Bien Hoa, north of Saigon, where she was held in psychiatric detention until 16 July 2007. She continues to be under strict surveillance.

Case closed

DO Nam Hai: Essayist. Reportedly arrested on 15 October 2006 and charged with 'espionage' and 'anti-Socialist propaganda' for drafting the Manifesto of the Alliance for Democracy and Human Rights in Vietnam. Case closed for lack of further information.

EUROPE and CENTRAL ASIA

ARMENIA

Investigation

Murad BODJOLYAN: d.o.b. c. 1947. Former diplomat and journalist. Arrested January 2002. **Trial details:** Trial started on 24 October 2002 under Article 59 of the Criminal Code (treason). Subsequently convicted to ten years in prison on 16 December 2002. Accused of passing on military and economic information to the Turkish military intelligence, as well as details of Kurdish Workers' Party exiles in Armenia. Lawyers argue there is little evidence and suggest that his writings are the basis of the charges. The conviction was upheld in early 2003 and is now final. Bodjolyan has brought his case to the European Court of Human Rights. **Background:** Bodjolyan is a freelance journalist for the Turkish NTV television network. Until 1998 worked in the Armenian foreign ministry and acted as interpreter for former president Ter-Petrosian. Suggestions that the conviction may be linked to February 2003 presidential elections and is aimed at undermining Ter-Petrosian who is standing for re-election. Married with children. In December 2006, PEN learned that Bodjolyan's case has been taken to the European Court of Human Rights **Arman BABADZHANIAN:** journalist and editor for the newspaper *Zhamanak-Yerevan* (Yerevan Times). D.o.b. c. 1947. Sentenced to four years in prison on 9 September 2006, subsequently reduced to 3.5 years, on charges of avoiding military service. Babadzhanian was detained on 26 June and charged with allegedly forging documents four years before to allow him exemption from military service. Supporters claim that the underlying cause of the case is Babadzhanian's work on *Zhamanak-Yerevan*. Shortly before his arrest, the newspaper had published an article that had questioned the independence of the Prosecutor General's office. The sentence is unusually severe, as such cases usually lead to sentences of one to three years. CPJ reports that Babadzhanian pleaded guilty to draft evasion but added that the action was aimed at silencing "an independent and incorruptible media outlet". He added that the court had not taken into account medical documents that referred to health problems that should have excluded him from service. **Appeal:** an appeal against the sentence was rejected on 11 March 2007 **Background:** Babadzhanian had been living in California, USA until he moved to Armenia in early 2006.

Attacked/briefly detained

***Shoger MATEVOSYAN, Goar VEZIRYAN, Nikol PASHINYAN:** journalists for the newspaper *Chetvertaya Vlast* and editor-in-chief of *Aikakan Zhamanak* respectively (Pahinyan is also an opposition leader). Set upon by police on 23 October 2007 as they came to the aid of demonstrators who were being beaten by officers at an opposition rally. Matvevosyan and Pahinyan were held in police custody for 4 hours accused of obstructing police.

AZERBAIJAN

Main Cases

Eynulla FATULLAYEV: editor of *Gündelike Azerbaijan* and the Russian language *Realny Azerbaijan*. **(Case 1)** Convicted c. 20 April 2007 to 30 months in prison on charges of libel and insult to Azerbaijanis in an article that Fatullayev says he did not write and had been manufactured as a way of silencing him. He was sentenced under Article 147.2 of the Azeri Penal Code by the Yasamal District court to two and a half years imprisonment. Upheld on appeal on 22 August 2007.

Background: The charges arose from a civil case raised in February 2007 by Tatyana Chaladze, head of the Azeri Centre for Protection of Refugees and Displaced Persons. She referred to a remark attributed to Fatullayev in which he is said to have reported that Azeris were responsible for the massacre of residents in Khodzjali, in Nagorno Karabakh in 1992. This resulted in a fine levied on 6 April 2007 of 10,000 manats (US\$ 11,600). **Case (2)** Sentenced to eight and a half years imprisonment on 30 October 2007 by the Grave Crime Court in Baku on charges of terrorism and inciting ethnic hatred. These additional charges were levied against Fatullayev under Article 214 of the Penal Code on 22 May 2007 and confirmed on 4 July. Said to be related to a commentary in *Realni Azerbaijan* published in early 2007 that focussed on Azeri foreign policy with Iran. The article was written by another reporter. The court also ruled that everything in Fatullayev's two newspaper's offices would be confiscated and a fine of 250,000 manat (US 58,000) be imposed.

Background: Fatullayev's reporting on the dispute has led him to come under attack by Azerbaijani nationalists in early 2005. **Case (3)** On 4 September 2007, tax evasion charges levied by the Ministry of National Security following a search of his newspapers office and questioning of its staff. If convicted he faces six months imprisonment or a term in a labour colony. **Prison conditions:** it was reported in May 2007 that Fatullayev has been denied reading or writing materials in prison. On 30 May 2007 he was transferred to the national security ministry's detention centre. In September 2007 it was reported that Fatullayev's lawyer Aidyn Nazarli was not allowed to meet with his client. On 3 November 2007 it was reported that he was still being held in the pre-trial isolation despite the verdict already being handed out. Although he and his mother addressed an appeal to President Ilham Aliyev, Fatullayev was not amongst the five journalists pardoned on 28 December 2007.

Previous arrest: Fatullayev had previously been served a two-year suspended sentence in September 2006 for defamation and insult against the interior minister, Ramil Usubov. He accused the minister of having links with Haji Mamedov, a former official on trial for his alleged involvement in the murder of journalist Elmar Huseynov. **Other:** On 20 May 2007, Fatullayev's home and newspaper offices were searched by police who seized all 21 of the papers' computers, and took other documents. The buildings were sealed. *Gündelike Azerbaijan* editor Uzeyov Jafarov – see below – has stated that the newspaper will continue to publish despite the detention of Fatullayev.

[**RAN 27/07** Update #1- 17 July 2007, Update #2 – 13 September 2007]

Investigation

***Mushfig HUSEYNOV:** correspondent for *Bizim Yol* newspaper. He was sentenced July 2007 to three months of pre-trial detention. On October 19 at Nasimi Court, Baku, the pre-trial detention was extended until 24 January 2008 in a hearing which took place without the presence of Huseynov or his lawyer. Huseynov was arrested 24 July 2007 for

allegedly requesting a 3,500 USD bribe from Ministry of Labour and Social Defence Administration Director Rizvan Aliyev in exchange for not printing an article. This is refuted by free media observers who point out that the material was already printed.

Elman MALYEV: journalist for *Express* newspaper. Reported by his colleagues to have gone missing on 15 April 2007 after visiting the 39th police department in Baku Sabail district where he had learned that the Interior Ministry of the Nakhichevan Autonomous Republic had filed a libel suit against him. His colleagues contacted the Interior Ministry and were told that Malyev had been taken to Kakhichevan to stand trial. PEN is seeking an update.

***Ganimat ZAKHIDOV:** editor-in-chief of newspaper *Azadlyg*. He was sentenced to two months pre trial detention on 11 November 2007 which will expire on 10 January 2008. Zahid was called to the Yasamal Police Department and arrested on 10 November on charges on two counts: inflicting bodily harm (Article 127) and hooliganism (Article 221). A man and a woman filed a complaint against Zahidov claiming that he had tried to attack the woman. It is reported by local press that the two attacked Zahidov outside his offices in Baku on 7 November. The pre trial hearing took place on 11 November 2007. **Previous lawsuits:** In September 2007 Minister of Economic Development Geider Babayev filed a defamation lawsuit against Zahidov for an article he wrote in *Azadlyg* and, the trial began October 7. Also in October, the state traffic police deputy filed a similar complaint. **Detention:** sent to Baku pre-trial detention centre on 10 November the same day of his arrest. **Other:** the Azeri press council and some members of parliament have issued protests at his arrest.

Sakit Mirza ZAKHIDOV: journalist and satirist for the newspaper *Azadlyg*, as well as a poet. Sentenced on 4 October 2006 to three years in prison on drugs charges that are widely considered to be trumped up. Zakhidov was arrested on 24 June 2006. The police claim Zakhidov was found in possession of 10 grams of heroin but Zahidov's brother, Ganimat Zakhidov, the editor of *Azadlyg* argues that it was planted on him. **Trial details:** heard before the Nasimi District Court in Baku. A request that Zakhidov be freed pending trial was turned down. On 24 August, two months after Zakhidov's arrest, prosecution materials were finally provided to the lawyers who reportedly claim that there is no evidence of drug dealing and that evidence had been forged. His trial opened on 29 August. On 26 September the Public Prosecutor told the court that there was no evidence that Zakhidov was selling drugs and asked that the charges be changed from drug dealing to drug use (Article 234.1). He was convicted to the maximum sentence of three years under this charge on 4 October 2006. **Appeal:** Sentence believed to have been upheld in early May 2007. **Dissident Writings:** Sakit Zakhidov writes satirical columns in which he regularly criticizes the government. Zakhidov is also known for his satirical poems that are said to be laced with obscenities, following a traditional format from the region of Azerbaijan where Zhakidov was born. One of his poems "What if we didn't have him?" focussed on the personality cult that surrounded the late Azeri president Heidar Aliyev and contained comment that some analysts see as slanderous. **Place of Detention:** Transferred from Bailovsk Prison, Baku to Penitentiary No 14 in Gobustan District where conditions are reportedly harsh. In early January 2007 it was reported that Zakhidov had been subject to a 15 day "quarantine" during which he was required to labour in an open air quarry in cold, snowy conditions, despite his poor health. His wife claims that she was only allowed to visit Zakhidov after paying a bribe. **Health concerns:** According to his lawyer, Zakhidov has been suffering from heart disease for 19 years and

needs regular medical care. He staged a hunger strike against his sentence in July 2006, and again in November 2006. In late March 2007, his wife reported following a prison visit that his health had deteriorated further. It is believed he staged another hunger strike in October 2007 in protest against his transfer back to Penitentiary No 14. On 2 January 2008 Rana Zahidova, Sakit's wife reported that he had lost a lot of weight and was extremely concerned for his well being. **Prison:** Held in Bailovsk Prison Baku where and then transferred again to Penitentiary 14 on 20 October 2007 where it is reported conditions are poor.

Other: Although five journalists were pardoned on 28 December 2007 Sakit Zakhidov was not included. His wife Rana Zahidova believes the reason he was not included was because they know he will continue his opposition after his release.

On Trial

Shakhin AGABEYLI: editor of the opposition newspaper *Milli Yol*. He was arrested in Baku on 9 August 2006, after ignoring repeated summons to appear before the Nasimi district court to face three charges of defamation. Hearings were held the following day, 10 August. He was charged on four counts 1) resisting arrest – for which he received a caution 2) writing an article that suggested corruption within the Khatai district council – for which he was ordered to pay the council 600 in damages. 3) insulting a former parliamentary spokesman in an article accusing him of rigging local parliament election results and bribing voters in a district where Agabeyli was also running. The article had been published nine months earlier and it is reported that Agabeyli was not editor of the newspaper at the time, nor had he written the offending article. He was sentenced to six months in prison for “blackmail” and a further six months for “insult”. 4) Charges were levied against Agabeyli by Minister of Interior Ramil Usubov for having suggested that the minister had connections with Haji Mammadov, a former ministry of internal affairs official who is on trial for kidnap and murder (see Huseynov above and Fatullayev below.). The court ordered that a trial be opened into these charges on 14 August 2006 for having “insulted the dignity and the honour” Minister Usubov. He was subsequently sentenced to one year in prison. Amnesty International warned that Agabeyli was in danger of being subjected to torture while in detention. He has appealed the sentence. PEN is seeking an update.

Fikret FARAMAZOGLU: editor in chief of *24 Saat*. Charged with defamation by the Interior Minister Ramil Usubov. Trial opened on 18 August 2006. Relates to two articles by Faramazoglu published in July entitled “The Minister Needs 10,000 Manat” and “Ramil Usubov’s Lawsuit”. The article accuses Usubov of having knowledge of and not reporting crimes committed by one of his staff. Member of Parliament Dzhavid Gurbanov is reportedly also planning to issue a suit against Faramazoglu for articles suggesting that he had inappropriate relations with former Health Minister Ali Insanov arrested in October 2005 for allegedly plotting a coup. He was sentenced on 25 August 2006 to one year in prison, suspended. He plans to appeal. PEN is seeking an update. [RAN 06/07 – 8 February 2007]

Avez ZEINALLY: Editor-in-chief of the newspaper *Khural*. Charges of incitement of religious, national and/or ethnic hatred under Article 283.1 of Azerbaijan’s Criminal Code. Journalist had translated the book *Mein Kampf* by Adolf Hitler into Azeri. Case was opened on 9 December 2004, closed on 28 February 2005 and reopened on 7 May 2007. In October the journalist was forbidden from leaving Baku by Azerbaijani National Security Ministry. On 7 November a preliminary hearing was held Narimanov District Court in Baku.

Facing Charges

***Rasat PIRISOYU:** Writer. Lawsuit filed against him for the poem ‘Fedka’, which was published in *Senet* under the pseudonym, Petka. A preliminary hearing took place 8 November 2007 in Baku. PEN is monitoring this case

Death threats

***Hakimeldostu MEHDIYEV:** Nakhchivan correspondent for the Baku-based *Yeni Musavat*. Arrested on Saturday 22 September 2007 following the publication of his article on gas and electric shortages in the Nakhchivan republic. He had also written on corruption and human rights abuses in the locality, and had spoken about this in an interview with Radio Free Europe/Radio Liberty some days before his arrest. He is said to have been bundled by members of the National Security Service into a car, where he suffered beatings, then released a few hours later after being warned not to report on the incident. However he went to his editor-in-chief to tell of the event, and booked an appointment with a doctor for treatment for his injuries for the following Monday. On 23 September 2007 he was arrested on charges of disobeying law enforcement officers and summarily sentenced to 15 days in prison. He spent four days in prison before being freed unexpectedly. During that time he was denied visits from his family. Mehdiyev was released on 27 September following the intervention of several international organisations. Since the five day detention Mehdiyev and his family have reportedly received death threats. On 16 October a National Security Minister warned Mehdiyev against making further public comments about his arrest.

Brief Detention

***Nazim GULIYEV:** Editor-in-chief of a pro-government daily paper *Ideal*. He was sentenced to two and a half years imprisonment on charges of libel and defamation on 6 November 2007. The charges were filed against Guliyev by Ramiz Zeynalov, head of Azerbaijan’s interior Ministry Traffic Police Department after *Ideal* published two articles on widespread corruption within the department in May and August. The Azeri press freedom organisation, IRFS states that *Ideal* has published material that has on occasion fallen foul of journalistic ethical standards. However International PEN believes that imprisonment is an inappropriate penalty in such cases and is monitoring the case. The trial opened at Baku’s Nasimi District Court on 29 October. Guliyev did not have a lawyer, it is not clear to PEN whether this was by choice. Nazim Guliyev was released on 26 December 2007 three days after an appeals court cleared ordered his release.

Suspended sentence

***Ilgar NASIBOV:** Correspondent for Radio Free Europe/ Radio Liberty was given a one-year suspended sentence on 10 December 2007 on charges of defaming a university official in an article published in *Azadlyg* newspaper. Nasibov denies writing the article and states that he has no connection with the newspaper. These charges were made on the day he was released after being held for four days on a separate defamation charge involving the Nakhchivan Deputy Police Chief. Nasibov reported that the judge had told him ‘this year is a probation period for you, and during this time you can’t distribute false information or be involved in any illegal or inflammatory activity. So you should work in a constructive and objective way. If you do that you shouldn’t have any problems’. Ilgar Nasibov and his wife Malahat Nasibova both regularly

report on the human-rights situation in Nakhchivan a landlocked exclave of Azerbaijan, which has borders with Armenia, Turkey and Iran and which is considered one of Azerbaijan's most repressive regions.

Released

Faramaz ALLAHVERDIEV (NOVRUZOGLU), Sardar ALIBEILI: journalist and editor in chief respectively of the weekly independent *Nota Bene*. Novruzoglu was sentenced to two years imprisonment (says CPJ. IRFS say 2.5 years) and Alibeili to 18 months "corrective labour" on charges of defamation under Articles 147 and 148 of the criminal code by the Narimanovsky Court in Baku on 30 January 2007, according to a CPJ report. The convictions follow a complaint by the Minister of the Interior, Ramil Usubov following articles published in December that criticised him and other government officials, accusing them of corruption. Usubov has apparently levied six similar complaints against other independent journalists. CPJ reports that Azeri groups claim that the Interior Ministry is attempting to stifle commentary on a former ministry official's trial on charges of kidnap and murder. **Allahverdiev:** was imprisoned in Baku on conclusion of the trial. **Alibeili** was assigned a job by the state and will be required to give a percentage of his salary to the state. An appeal court upheld the sentences on 13 April 2007. As the trial was held earlier than expected the defence lawyers were not present. On 13 April 2007 the two sentences were upheld by the Appellate Court and on 13 November 2007 finalised by the Supreme Court. The case will now be sent to the European Court of Human Rights. **Allahverdiev was subsequently freed** under a Presidential pardon on 28 December 2007. In July 2007 he was reported to have undergone a hunger strike, sewing up his mouth while he did so. He is said to have suffered ill treatment and medical neglect despite a serious stomach ailment.

Rovshan KABIRLI, Yashar AGAZADE: editor and reporter for the opposition daily *Mukhalifat*. Each sentenced to two and a half years in prison on 16 May 2007 by the Yasamal District Court in Baku. Charged with defamation for an article published 24 February 2007 on the business activities of Jalal Aliyev, an uncle of Azeri President Ilham Aliyev. The article accused Aliyev of corruption and mishandling agri-business. Liyev issued the complaint on grounds that the article was "insulting to his dignity". The journalists' supporters believe that the charges are politically motivated. Held in Baku Prison. Their lawyer reported on 24 July 2007 that they are living in cramped conditions with 28 other inmates, with only 24 beds in the cell, requiring that they take turns to sleep. **Release:** Both Kabirli and Agazade were amongst the five journalists pardoned by the Azerbaijani President on 28 December 2007.

Samir SADAGATOGLU, Rafiq TAGI (Taghizad): editor for *Sanat* and writer respectively. Arrested in November 2006 for an article in *Sanat* entitled "Europe and Us" which suggested that Islam had hindered progress in the development of Muslim states such as Azerbaijan. On 15 November, the Nasimi District Court in the Azerbaijan capital, Baku, charged the two men under Article 283 of the Criminal Code with inciting national, racial and religious enmity and ordered to continue to be held. **Conviction:** On 4 May 2007, Samir Sadagatoglu was sentenced by the Sabail District Court in Baku to four years in prison and Rafiq Tagi to three years. On 3 July 2007, their sentences were upheld on appeal and 4 September 2007 they were upheld by the Appellate Court. Both were also subjected to death threats made by conservative Muslims made more acute by the issuing of a fatwa by Grand Ayatollah Fazel Lankarani, based in Iran, ordering that the two men be executed. There have been counter protests by Muslim groups in Azerbaijan stating Sadagatoglu and Tagi have the right to express their views and voicing

concern about what they consider to be undue influence of the more conservative members of the religious community over the country's affairs. The government also publicly protested the threats and provided protection to their families. Both were amongst five journalists to be pardoned on 28 December 2007 by the Azerbaijani President.

Rafiq Tagi – Honorary Member: English PEN Centre [Update #2 to RAN 43/06 – 13 September 2007]

BELARUS

Investigation

***Andrei KLIMAU:** writer and activist for the United Civil Party. Arrested on 3 April 2007 for "inciting the regime's overthrow" in an article posted on the internet under Article 361 of the Criminal Code. On 1 August 2007 he was sentenced to two years in prison. The article for which he was convicted contains views which can be considered extreme. He reportedly has refused to comment on whether or not he was the author of the piece. PEN is seeking clarification. Klimau has spent spells in prison in the past on political charges during which time he was considered a prisoner of conscience by Amnesty International. The most recent was for 18 months in 2005-2006. He is currently said to be held in a high security prison.

Brief Detention

***Igor BANTSYR:** journalist for the Polish language *Magazyn Polski na Uchodzistwie*. Administratively sentenced on 10 October 2007 to three days in prison. He was among a number of people arrested prior to an anti government protest march. This is his second short term arrest this year. In March 2007 he was given a 10 day term in prison on charges of "uncensored swearing" in public. In this instance it is believed that the arrest was to prevent Bantsyr from reporting on an incident he had witnessed the previous evening where police had allegedly ill treated members of the public.

CROATIA

Brief Detention

***Zeljko PERATOVIC:** investigative journalist and blogger. Held for 20 hours on 17 October 2007 in a police station in Zagreb. He says he was interrogated about alleged state secrets published on his blog. Computers and other material was seized from his home which, by early November, had still not been returned.

CYPRUS, NORTH

Threatened

***Ibrahim AZIZ:** columnist for the newspaper *Afrika*. A Turkish Cypriot, Aziz lives in southern Cyprus. He reported in November 2007 that, after publishing an article on the death in detention in a prison in Northern Cyprus of a businessman held on criminal charges, he was threatened by Turkish Cypriot nationalists who wrote that if he returned to North Cyprus, he would have "his legs and hands broken".

***Neshe YASIN (f):** journalist and author. Reportedly threatened by ultra-nationalists following publication of her novel that depicts a love affair between a Greek Cypriot man and a Turkish Cypriot woman. She spoke of these threats during a television interview in mid November 2007.

On Trial

Dogan HARMAN: editor in chief of *Kibrisli* newspaper on trial in January 2007 on charges of criminal defamation of a local businessman for which he could have received a sentence and heavy fine. The charges followed a series of articles investigating the activities of a businessman whom Harman claims carried out activities that resulted in financial losses for local companies and public institutions. Harman criticised the attorney general for apparent lack of action in this case and called for an investigation. A defamation case against him was subsequently filed a case of defamation under Criminal Code Cap. 154 which has since been repealed, and the law applied retroactively, clearing him of charges and legal liability retroactively. However an appeal against the dismissal of charges has been brought by the former attorney general to the Supreme Court which as of December 2007 was still reviewing the case.

FRANCE

Brief detention: possible trial

***Guillaume DASQUIE:** Journalist who specialises in defence and intelligence issues and co-founder and editor of the political news website *Géopolitique.com* faces five-year sentence and a fine under Article 413-11 of France's penal code for publishing state secrets. Dasqué was taken into police custody on 5 December 2007 and held for 48 hours (the maximum time a suspect can be kept in police custody in France) during which time strong pressure was put on him to reveal his sources of information for an article published in *Le Monde*. The article, entitled 'September 11: the French had long known' stated that French intelligence services, the General Directorate of External Security (DGSE), had warned their U.S counterparts of a possible attack some eight months before the events on 11 September 2001. The article contained excerpts from DGSE files.

GEORGIA

Case closed

Zaza DAVITAYA: publisher and editor of *Aisa*. Reported that he is among a number of supporters of the former state security minister Igor Geogadze in Tbilisi on 2 September 2006 and now detained on charges of high treason and attempted coup. Some in Georgia believe that Davitaya is in fact held for his publications. Case closed due to lack of further details..

KAZAKHSTAN

Killing: investigation

***Saken TAUZHANOV:** age 37. Journalist for the internet newspaper *kub.kz*. Died when run over by a truck in Almaty on 2 August 2007. Colleagues suggest that this may not have been an ordinary road accident, citing other suspicious deaths in traffic accidents of Kazakh dissidents. Tauzhanov had published articles that had been critical of government official, including President Nazarbaev.

Disappearance

Oralgaiasha ZHABAKTAIKYZY (Omarshanova) (f): age 39, reporter for *Zakon I Pravosudia (Law and Justice)* of which she headed the anti-corruption unit. Last seen 30 March 2007. Had received threats following a 26 March report of her article "Bloody chaos, or who backs the

brothers Makhonovsty" in which she analyses the events that led to a violent dispute between members of the Chechen and Kazakh residents in the Kaztkom and Malovodhoye villages in southern Kazakhstan in mid-March and which claimed 5 lives. In the article she named those who initiated the conflict, linking them with leading government and business figures. Others say that she has been receiving threats since some time before following a February 2007 article on dangerous working conditions in mines in Zhezkazgan, central Kazakhstan. A police investigation has been initiated. Omarshanova works under the pen-name Zhabatkaikyzy. Radio Free Europe/Radio Liberty reported her still missing as of August 2007.

Suspended Sentence

Kaziz TOGUZBAYEV: journalist. Charged on 28 August 2006 with "insulting the honour and dignity of President Nursultan Nazarbayev" under article 318 of the Criminal Code. The charges relate to an article published on the internet site *www.kub.kz* on 2 April 2006 entitled "Roman Catholic Pope and Astana Pope – Feel the difference". He was previously similarly charged with "insult" to the President in June 2006 for an article entitled "Mafia Regime Shadows the Murders of Altunbek Sarsenbayev". On 26 October 2006, the Almaty prosecutor's office ordered that Toguzbayev give a written undertaking not to leave the city pending the trial, and to desist from writing further "criminal articles". Trial opened on 23 November 2006 before the Bostandyk District Court in Almaty. On 22 January 2007, the Bostandyk District Court in the capital Almaty, sentenced Toguzbayev to a two year suspended prison term. If he were to repeat the offence, he could be required to serve the sentence. He plans to appeal and meanwhile continues to practice as a journalist.

KYRGYZSTAN

Killed

***Alisher SAIPOV:** journalist, aged 26, of Uzbek ethnicity. Shot dead by three bullets at close range by an unknown gunman in front of several passers by on 24 October 2007 in the city centre of Osh, southern Kyrgyzstan close to the Uzbek border. Saipov was the editor of the independent, Uzbek language newspaper, *Siyosat (Politics)*. He had also worked for a number of publications including *www.fergana.ru*, Voice of America and Radio Free Europe/Radio Liberty. He also reported for the London based Institute for War and Peace Reporting. **Background:** Saipov was a well known journalist who had been outspoken in his criticism of the Uzbek authorities, particular the country's dire human rights record. Among others, he covered the mass killings of citizens by Uzbek soldiers in Andijon in May 2005. **Investigation:** Early on Kyrgyz police said that Uzbek agents may have been involved in his murder. However a statement on 31 October by a Kyrgyz Ministry of the Interior official indicated that there was no evidence of this. Osh is known to have been infiltrated by Uzbek security agents and there are reports that the Uzbek exile community there have suffered threats and intimidation. Kyrgyz officers sealed his office, and seized computers and mobiles, it is said in an attempt to investigate Saipov's contacts. However colleagues fear that sensitive information could be passed on to the Uzbek authorities, enabling them to identify Saipov's sources. Furthermore, on 1 November 2007, the CPJ expressed alarm that the Kyrgyz authorities had publicly stated that Saipov had links with the banned Uzbek Islamic groups, Hizb ut-Tahrir and the Islamic Movement of Uzbekistan, citing material allegedly found on his hard drive. His colleagues condemn this prelimi-

nary statement as unprofessional and biased, pointing out that Saipov would have been in touch with these groups in his professional capacity as a reporter. **Death threats:** In the months prior to his death, Saipov reported receiving death threats and to being followed by unknowns. A local state television station in Uzbekistan had also recently aired a program in which Saipov was described as deliberately attempting to destabilise Uzbekistan through his reporting, and he had for some months been subject to an internet smear campaign from Uzbekistan. The Kyrgyz President Bakiyev has taken on direct responsibility for resolving the murder. **Family:** Saipov was married. His first child was born just three months before his death.

Facing Charges

Abdumalik SHARIPOV: journalist. Charged alongside two members of the local human rights organisation Justice, Valentina Tritsenko and Mahamadzhana Abdushaparova, and Nargiza Turdiyeva, a private citizen. Accused under Article 127 and 128 of the Criminal Code for an article published in January 2006 entitled “Women are being beaten, even those who are pregnant” published in *Pravo dlya vshe*. This follows a complaint by a senior investigator of the interior department, Zhalabat region, who had been referred to in the article which reported on a statement made in January 2006 by Turdiyeva to the human rights organisation in which she claimed to have been beaten by the investigator who knew that she was pregnant at that time, and that specific threats had been made against her. The hearings opened in June 2006 but were postponed for health reasons. It was due to restart on 22 May 2007. PEN is seeking an update on the trial.

Brief detention

Aizada KUTUYEVA, Tolkun NAMATBAYEVA: Journalists with agency 24.kg and Agence France Press respectively were arrested in the capital Bishkek while covering a demonstration against the outcome of the parliamentary elections, despite showing their press IDs. They were taken to the city’s Interior Department but later released.

MONGOLIA

Sentenced: non custodial

***N. DEMBEREL:** sentenced to four months in prison, converted to a fine, on 31 August 2007 on charges of “defamation”. He had published an article critical of Mongolia’s president Enkhbayar and another member of parliament, repeating his comments on a television programme. Demberel is a former chief of the Mongolian Cabinet media and public relations office.

On trial

B. TSOGNEMEKH: reporter for *Zuuni Medee* newspaper. Reported in May 2007 to have been charged under Article 110.1 of the Mongolian Criminal Code of insult carrying a maximum 3-month sentence, and Article 111.2 of libel with a maximum 6-month sentence. Relates to articles published in September 2006 and February and March 2007 in which Tsognemekh writes about allegations of corruption against a member of parliament. The article refers to the MP as being “shameless”, a phrase deemed to be insult. PEN is seeking further information.

MONTENEGRO

Attacked

***Zeljko IVANOVIC:** founder and director of the daily *Vijesti*. Reportedly set upon on 2 September 2007 in Podgorica and beaten by unknowns on his way home in the early morning from a celebration marking the 10th anniversary of his newspaper. It is said that the attack may be linked to newspaper’s critical reporting. An investigation into the attack has been launched.

POLAND

Suspended sentence

***Jacek BRZUSZKIEWICZ:** journalist for *Gazeta Wyborcza*. Sentence to six months imprisonment suspected on charges of criminal defamation by a court in Lublin, eastern Poland on 12 July 2007. Linked to an article in which he allegedly libelled a judge in accusing him of corruption.

RUSSIA

Killed: judicial investigation under way

Anna Politkovskaya (f): leading journalist and author. Shot dead in the elevator in her apartment on 7 October 2006. A journalist who covered the war in Chechnya, Politkovskaya had been receiving threats since 1999 after she wrote articles claiming that the Russian armed forces had committed human rights abuses in Chechnya. Despite these threats she continued to write and in 2003 published *A Dirty War: A Russian Reporter in Chechnya*. She was also a co-contributor to *A Small Corner of Hell: Dispatches from Chechnya*, published in 2003. Her most recent book, published in 2006, was *Putin’s War: Life in A Failing Democracy*. In 2002 Politkovskaya was one of the few outsiders allowed into the Moscow theatre in an attempt to negotiate with Chechen rebels the release of hundreds of hostages. In 2004, she fell seriously ill as she attempted to fly to Beslan to cover the hostage crisis there, leading to speculation that she had been deliberately poisoned to stop her from reporting on the crisis. Politkovskaya was the winner of numerous international awards for her courage, including the 2004 Olaf Palme Award that was set up by the family of the murdered Swedish prime minister. The prize was given to Politkovskaya to honour her work for the “long battle for human rights in Russia”. **Investigation into murder:** On 27 August 2007, the prosecutor general announced that ten suspects had been arrested in connection with the murder including Chechen criminals, former and serving members of the Russian Federal Security Services and police forces. A statement that the killing had been masterminded by Russians living overseas, was greeted with some scepticism. Questions surround the timing of the announcement (almost a year from Politkovskaya’s death), reports that suspects had been beaten to confess and other irregularities. International monitors have voiced concerns about lack of transparency in the proceedings and conflicting statements that could undermine the investigation. **Awards:** 2007 UNESCO World Press Freedom Award.

Killed: Trial of suspects underway.

Paul KLEBNIKOV: age 41, editor of the Russian edition of the *US Forbes Magazine*, and author. American journalist of Russian descent. Shot dead in the evening of 12 July 2004 as he was leaving his office in Moscow. In May 2004, *Forbes* had published a controversial list of

Russia's most wealthy people, notably the high number of billionaires. It is said that many billionaires prefer to remain anonymous, fearing that they may become targets of President Putin's campaign to increase the government's role in the economy. Klebnikov is also the author of *Godfather of the Kremlin: Boris Berezovsky and the Looting of Russia*, published in 2001. In 2003 he published a critical book in which the Chechen separatist leader Khozh Akhmed Nukhayevev is the subject. **Investigation:** On 2 December 2004, four suspects were arrested in Minsk, Belarus. All are said members of the Chechen underworld. Two of the four were extradited to Russia on 22 February 2005. On 20 June 2005, the Russian Prosecutor General stated that the killing had been ordered by Chechen separatist leader Khozh Akhmed Nukhayevev who had featured in Klebnikov's 2003 book *Conversation with a Barbarian: Interviews with Chechen Field Commander on Banditry and Islam*. Sources suggest that Klebnikov's murder could be linked to his investigation into the embezzlement of millions of dollars intended for Chechen reconstruction, the findings of which would have damaged the reputations of officials at Chechen and federal level. Other sources remain sceptical. The suspects, Kazbek Dukuzov, Musa Vakhayevev and the accused gang leader Fail Sadretidinov were also charged with other crimes including contract killings, extortion, robbery and of being members of a criminal gang. **Trial:** opened on 10 January 2006 and was conducted in a closed session at Moscow City Court, encouraging fears about the credibility of the verdict. Aleksandr Goreyev, deputy editor of the Russian edition of *Newsweek* reportedly spoke to Klebnikov after he had been shot and said the mortally wounded editor told him twice that the gunman appeared to be an ethnic Russian, putting a question mark over the allegations that he was killed by Chechens. Dukuzov and Vakhayevev were acquitted on 5 May 2006 on grounds of insufficient evidence. **Re-trial:** Klebnikov's family filed a complaint on 11 July 2006, with the Supreme Court protesting the case's handling in lower courts. The family claims that a trial judge in the Moscow City Court had failed to release records of the closed trial on 5 May 2006. The Prosecutor-General's Office has yet to come forward with evidence in the role of the Chechen separatist leader Khozh Akhmed Nukhayevev of Klebnikov's murder. He is allegedly the mastermind behind the killing. On 9 November 2006, the Russian Supreme Court overturned the acquittal of Dukuzov and Vakhayevev and ordered a retrial. The grounds for this decision are not yet clear. In mid-march 2007, the start of the second trial against the two men accused of Klebnikov's murder was postponed after one of them, Dukuzov, went missing. Vakhayevev, who was present at the court, remains free on condition he does not leave Moscow. Officials announced on 14 December 2007 that the re-trial would start on 17 December. The court spokesperson also said that the public and press would not be able to attend the "top secret" trial. It is not clear whether Dukuzov is still missing or now under arrest.

Main Case

***Nikolai ANDRUSHCHENKO:** co founder of the weekly *Novy Peterburg*. Sentenced 24 November 2007 to two months pre trial detention following his arrest the previous day on charges of obstructing police and defamation. The reason for his detention is his reporting on a murder investigation and trial in 2006 in which police officials were allegedly criticized. He faces up to six years in prison. His colleagues believe that the real reason for Andrushchenko's arrest is his critical coverage of local authorities and his newspaper's support for the opposition in the run up to the December 2007 parliamentary elections. On 24 November, police raided his home on further defamation charges appar-

ently linked to other articles. A few days earlier he had suffered an attack by unknown assailants on his way home. On 15 November the newspaper distributors refused to allow any copies of that edition onto the newsstands, it is thought because the paper carried a number of articles critical of the police and in support of opposition demonstrations. Another printing house refused to carry an edition with an article by opposition leader Gary Kasparov. His colleagues see this as a campaign of harassment against Andrushchenko and his newspaper.

Main Case: suspended sentence

Stanislav DMITRIEVSKI: editor-in-chief of *Pravo-zashchita (Rights Defence)*, a monthly newspaper of the Russian-Chechen Friendship Society (published in Nizhny Novgorod). **Charges:** Criminal investigations were initiated in January 2005 by the Federal Security Bureau on charges of attempting to overthrow the government for reports carried in the newspaper in March and April 2004 quoting Chechen rebel leaders, including the late Aslan Maskhadov, based in the UK and France, calling for peace talks. Moscow prosecutors see the statements as calling for the overthrow of the government. On 2 September 2005 he was charged under Article 282 of the Russian Criminal Code for "actions aimed at inciting hatred or hostility and at disparagement of either an individual or a group of people according to their gender, race nationality, background religious beliefs as well as belonging to any social group that are committed publicly or through mass media outlets". **Sentence:** On 3 February 2006 Dmitrievski was found guilty at the Soviet District Court in Nizhny Novgorod of "inciting interethnic hatred by using the mass media". He received a two-year suspended sentence and a four-year probation period. During this four-year period, Dmitrievski will have to inform the authorities as to any change of residence or travel plans and will have to report regularly to the local authorities. Any violation of these conditions or a further criminal conviction could result in him being imprisoned for two years. His lawyers are appealing against the sentence. On 17 August 2007 the sentence was increased by the Nizhny Novgorod District Court to make it that if at any time during his four years probationary period Dmitrievski commits two administrative offences in any one year, his suspended sentence will be replaced by two years in prison. **Developments:** The Nizhny Novgorod court ordered that the Society be closed because of Dmitrievski's conviction in February 2007. Under new legislation, no person who has a conviction can head an NGO. On 28 April 2007, Dmitrievsky was briefly detained alongside Ilya Shamanov of the Dront ecological organisation following a rally in Nizhny Novgorod. **Honorary Member:** American PEN

Investigation

Anatoly SARDAYEV: editor in chief of the weekly *Mordoviya Segodnya (Mordoviya Today)* based in the city of Sransk, the capital of the Central Russian Republic of Mordoviya. Sentenced on 29 June 2007 of embezzlement and misuse of funds when he was head of the Mordoviya postal service in 2004. Given a 5½ year sentence, and a fine of around US\$ 4,000. However colleagues and press freedom monitors are concerned that the sentence may be a means of punishing his newspaper for critical reports on the local authorities. They point to a number of instances since early 2004 when Sardayev and others working for his paper have been harassed and charged on what they claim to be spurious grounds. PEN is seeking clarification of this case.

On trial

Vladimir CHUGUNOV: journalist for *Novaya Gazeta*. Chugunov also

produces *Chugunka*, a publication from his home in Solnechnogorsk, 40 miles north of Moscow, where he lives. Arrested on 21 January 2007. It is reported that he was initially held as a witness to a robbery and that he was charged under Article 30 of the Criminal Code (planning/attempted criminal activity) and Article 158 (theft). These charges are now said to have been changed to “threat to murder or cause serious damage to health”. Chugunov was subsequently sent to a psychiatric institution in a nearby village. He was freed on 27 May 2007 with no explanation. He told CPJ that he had been administered unknown medication and had undergone a 10-day hungerstrike against his imprisonment. The charges against him are still pending. **Other details:** It is reported that manuscripts and copies of *Chugunka* were seized during a search of his home adding to concerns that he is being held for his reporting. Chugunov has suffered attacks for his writings in the past, including in 2002 when attackers broke his right hand saying “Here you go now, writer, write if you can!”. In January 2005, the municipal printing house refused to continue to print *Chugunka* and since then had produced the paper from his home. He is the winner of the 2002 Sakharov Prize for Freedom of Thought. PEN RAN 20/07.

Viktor SHMAKOV: editor in chief of the opposition newspaper *Provintsalnye Vesti (Provincial News)* in Ufa, capital of the eastern state of Bashkortostan. Trial started on 21 March 2007 on charges of extremism for which he could be sentenced to 5 years in prison. The charges relate to two articles published in April 2006 criticising corruption and human rights abuses in the region, calling for the resignation of the state president Murtaza Rakhimov. The author of the articles is a local opposition leader, Airat Dilmkhameytov, also charged. Shmakov was also arrested in April 2006 and given a two month sentence, also on charges of extremism. PEN is seeking an update to Shmakov’s trial.

Brief detention – psychiatric

***Laris ARAP (F):** journalist and member of the opposition United Civil Front. Forcibly held in psychiatric detention centre in Murmansk from 5 July to 20 August 2007. This followed the publication of an article by Arap criticising the city’s psychiatric hospitals, including reporting on violence by staff against patients, rape and child abuse. Reportedly arrested when she went to one of the hospitals to interview staff, and it is thought that the arrest may be linked to an article which had been particularly critical of that hospital. This view is reinforced by the reaction of a duty doctor when Arap’s husband and daughter came to the hospital. The family was denied information on the reasons for Arap’s incarceration, even though they have the right to be informed. According to reports, Arap has spent time in psychiatric care in the past, but that this arrest was unwarranted. The hospital administration denied that Arap was held for political reasons.

Sentenced: non custodial/attacked

Mikhail AFANSSIEV (Afanasyev): journalist for the website ‘Noviy Focus’ based in the city of Abakan in the autonomous region Khakassia. In September 2007 was threatened with imprisonment ostensibly on charges of traffic violations after being fined on three separate counts for similar offences. Local civil rights organisations point out that he has been similarly prosecuted on minor offences earlier in 2007 and believe that this is a campaign of harassment in retaliation for Afanssiev’s reporting on disputes between the government, police and judiciary in the Khakasiya region. **Previous concerns:** On 11 November 2006, Afanssiev was charged with defamation for an article on his web site published in September 2006 suggesting that an officer of the public

prosecutor’s office in Khakassia had injured a child in a traffic accident but had avoided liability. Afanssiev later acknowledged that the person responsible for the accident had hidden his identity and claimed to be a Public Prosecutor’s Office employee. Afanssiev says that he had issued a personal apology to the person concerned that was also published in the paper and thought that the case had been resolved. On 21 June 2007 he was convicted as charged and ordered to pay a fine and publish a retraction. **Attacked:** Reportedly set upon on 16 June 2007 by unknown men who claimed to be police officers. He was reportedly beaten unconscious and robbed of his mobile and identity papers. He has complained that police refuse to investigate the incident. **Other cases** Arrested on 9 December 2004 as he attempted to travel to Moscow to pick up the Glastnost Defence Foundation’s Sakharov Prize. Afanssiev is known for his investigative reporting which have already brought ten defamation charges against him since 2005.

Gleb IVANOV: editor of the Astrakhan opposition weekly *Fakt I Kompromat*. Has three charges pending against him which colleagues believe form a pattern of harassment aimed at stopping reporting on illegality within the Astrakhan law enforcement agencies. **1)** a case of fraud closed in 2000 due to lack of evidence has reportedly been re-opened. **2)** charges relating to a brawl in which colleagues say Ivanov was framed and which was closed in 2006, has also been re-opened. **3)** libel action taken on 17 March 2007 brought by a local government official against Ivanov’s article on allegations made by one of her employees of sexual harassment. The man had sent a statement to the newspaper with his complaint. The statement was published and also sent by the paper, on the author’s request, to the prosecutor’s office. The author was subsequently accused of slander, but the case against him was closed. However the case against the newspaper continues. A hearing due on 19 March 2007 was postponed as Ivanov had broken his leg a day earlier. PEN is seeking an update.

Non custodial sentence

***Georgy PIROGOV:** former chairman of the Republic of Mariy El (on the Finno-Russian border) Journalists’ Union. Sentenced to six months in prison suspended for defamation of the Mariy El President Leonid Markelov. Relates to a speech made at a rally in August 2006 in which he criticised the then head of the regional administration. He was accused of “damaging ghte honour and the dignity of the President”. The sentence was upheld on 9 August 2007.

Judicial Concern

Boris STOMAKHIN: contributor to *Radikalnaya Politika* and the Chechen rebel-run website Kav-Kaz Centre. Sentenced to five years in prison on charges of inciting ethnic hatred and supporting terrorism on 20 November 2006. Prosecuting authorities state that his articles called for “destroying of the Russian people as a nation”. He has been imprisoned since his arrest on 22 March 2006 when he fell from a Moscow window in an attempt to escape police. It is thought he suffered a fractured spine and damage to his knee. He was first held in a prison in Moscow, then transferred on 25 June 2007 to another in Nizhny Novgorod, some 400 km from the capital. The charges relate to an article published in 2003 following a complaint that the newspaper was published by “Chechen radicals”. Stomakhin fled Moscow but returned after an unsuccessful appeal for asylum in Ukraine. **PEN Position:** PEN understands that many of the articles do call for violence and justify terrorist acts such as the seizure of the theatre in Moscow in late 2003. Stomakhin, in his defence, states that his comments were simply opin-

ions and not calls for action. PEN notes that while Stomakhin's views are clearly in breach of the organisation's commitments to non-violence, there are concerns that the sentence is overly heavy and inappropriate to the crime.

Released – psychiatric detention

Andrei NOVIKOV: journalist and on-line reporter for Chechenpress was released on 6 December 2007 after having been held against his will in a psychiatric hospital since February 2007. Novikov was arrested on 5 December 2006 and charged with 'publicly inciting constitutional change by means of force' (article 280 of the criminal code). The charge was based on two emails he sent to local newspapers. After being held for a few months and then released Novikov was admitted into Rybinsk psychiatric hospital in February 2007 after being examined by a psychiatric commission. An independent commission met in November 2007 and concluded that there were no grounds for keeping him in psychiatric detention. This decision was confirmed by the court in December 2007. Novikov is a vocal against the Chechen war and has also previously written statements condemning the arrest of the journalist Boris Stomakhin (see above).

Case closed

Elina ERSENOYEVA (f): Grozny correspondent for the independent weekly *Chechenskoye Obshchestvo (Chechen Society)* produced in Ingushetia that borders Chechnya. CPJ reported that on 20 August 2006, she was seized by man wearing camouflage along with her aunt who was released a few hours later. She was allowed by her captors to telephone her mother later that evening but since then no more has been heard from her and her mobile phone has been switched off. According to CPJ, two days before she was seized, Ersenoyeva had sent a letter to the International Helsinki Foundation and the Russian human rights organization Demos saying that since March 2006, she and her family had been suffering harassment from members of the Kadyrovtsy, members of a security force led by the Chechen Prime Minister Ramzan Kadyrov. The editor of *Chechenskoye Obshchestvo (Chechen Society)* said he had no indication of the reason for her abduction, and that she had reported on social issues, refugees and, most recently, on the state of prisons in Grozny. Later reports state that Ersenoyeva had been secretly married to Shamil Basayev, the Chechen separatist leader killed by Russian forces in July 2006. Radio Free Europe questions whether her reporting was behind her abduction which may be linked to her marriage. Government response: In response to a question from the United Nations Special Rapporteur on Freedom of Expression, in October 2006, the Russian authorities confirm that Ersenoyeva has written "about 12 articles about social issues such as the disabled and refugees while working for *Chechen Society* and her published work contained nothing controversial or critical". It added that criminal proceedings are under way under Article 126 of the Criminal Code by the Zavod district prosecutor in Grozny. A second letter dated 24 November 2006 added that an investigation into reports that Ersenoyeva had been threatened by security forces before her abduction because of her marriage to Basayev and had appealed to the authorities for protection. The letter stated that Ersenoyeva's mother said they had not had threats since the marriage, and although the FSB had visited Ersenoyeva for questioning, that they had no complaints. The letter adds that Ersenoyeva's aunt, who was also interviewed, reportedly said that she had not told of any threats. Case closed due to lack of further details

SPAIN

On 19 December 2007 the sentences were announced against over 60 people accused on charges of terrorism for their alleged support and activities for the Euskadi Ta Askatasuna (ETA) a Basque terrorist group, which concluded with 47 convictions of between two and twenty years in prison. Among them are a number of journalists and writers, including those working for the Basque newspaper 'Egin'. The trial itself took place between November 2005 and March 2007 and are based on an 8-year inquiry carried out by Baltasar Garzon, a leading member of Spain's anti-terrorism group. The convictions relate to a number of different cases that were brought together for trial in one court. (The Egunkaria case, see below, was originally among this group, but subsequently tried separately). Garzon concluded that ETA was formed not only of armed cells, but also through a network of political, financial and media groups. Some of the defendants were detained following the sentencing, and others freed pending appeal. There are concerns that some of those convictions may be in breach of international standards safeguarding the right to freedom of expression and association. Amnesty International has stated that it believes that there may be prisoners of conscience among this group, and as of December 2007, was still researching the legal documentation that led to the decision. The cases listed below are those that have been brought to International PEN's attention as possibly being among those wrongly convicted. It is seeking clarification of the charges to enable it to hold an informed opinion on these concerns

Investigation: detained

***Teresa TODA (f):** journalist and sub-editor for *Egin* that was forcibly closed in 1998 by a court order, which was subsequently lifted in 1999. *Egin* was accused of printing coded messages for ETA and thus supporting "terrorism". Salutregi was charted alongside Teresa Toda and 15 admin staff of the newspaper. Toda was arrested on 19 September 1998 and freed on bail of 6000 that day. She received a **ten year sentence** on 19 December 2007 and was imprisoned on conviction of co-operating with an armed organisation. She remained detained as of 31 December 2007. Teresa Toda is a Board Member of the Basque PEN Centre.

Free on bail

***Sabino ORMAZÁBAL:** writer, journalist, ecologist and campaigner. **Arrest and charges:** Arrested in October 2000 under Article 576.1 of the Penal Code for "collaboration with a criminal organisation". Ormazábal is a member of the Joxemi Zumalabe Foundation, which supports various Basque social and cultural movements. The Foundation was accused of collaborating with Euskadi Ta Askatasuna (ETA), a charge they consistently deny. Ormazabal was detained for seven months and released May 2001. **Trial:** On 30 November 2007 Ormazabal was arrested a second time. He was released on bail and sentenced to nine-year's imprisonment in December 2007. In an interview with *Publico* on 26 December 2007 Ormazábal said that he intends to appeal before the Supreme Court and the Constitutional Court. He added that while on bail he would continue in his work towards non-violent dialogue and co-operation to reach peace and social justice. **Background:** Ormazábal was editor of the environmental supplement, *Ingurugiroa*, of the newspaper *Egin*. He is also author of *Mapa (inacabado) del sufrimiento*, which charts the violence, and freedom of expression restrictions in the

Basque Country since 1968. He regularly campaigns for peace and an end to violence. Amnesty International refers to a statement by Ormabázar in which he clearly states that he had never collaborated with ETA and abhors the organisation for its violence. In his interview with *Publico* he says his arrest and imprisonment was "Kafkaesque" because not only is he against ETA but also, he is against violence.

***Javier SALUTREGI:** sub-editor for *Egin*, that was forcibly closed in 1998 by a court order, which was subsequently lifted in 1999. *Egin* was accused of printing coded messages for ETA and thus supporting "terrorism". Salutregi was charted alongside Teresa Toda and 15 admin staff of the newspaper. Salutregi was Arrested on 22 July 1998 and freed on 150,000 bail on 20 November 1998, reduced to 6000 in December 1999. He received a 12- year sentence on 19 December 2007 on charges of membership of an armed organisation. PEN seeking confirmation as to whether he is free pending appeal. 2007.

On Trial

Xabier ALEGRIA, Txema AUZMENDI, Martxelo OTAMENDI, Juan Mari TORREALDAI Iñaki URIA, and Pello ZUBIRIA: in February 2003, a number of journalists and others associated with the Basque language newspaper 'Euskaldunon Egunkaria' were arrested in February 2003 under anti-terror legislation and subsequently freed to face trial under accusation of being financed and directed by Euskadi Ta Askatasuna (ETA) a Basque terrorist group, and used by the organisation for money laundering. There was widespread condemnation of the charges as being without foundation. A number of those arrested claimed to have been ill-treated while in custody. " The trials against seven of the detainees opened on 13 February 2006 yet on 14 December 2006 the Public Prosecutor's Office requested the First Section of the Criminal Division of the Spanish National Court to drop the case against Euskaldunon Egunkaria, arguing that the indictment was "very weak" and "insufficient" to prove a link between the newspaper and ETA. The Attorney General has also now retracted the original view that Euskaldunon Egunkaria formed "part of a violent organisation", and now asserts that "there is no indication that the newspaper [nor] the accused have either complemented or lent their political support to the actions" of ETA. The Public Prosecutor's case against the newspaper was closed. However a private prosecution still stands, with a hearing set for February 2008. There has not been any instruction to reverse the order that the newspaper be closed. **All are Honorary Members of the English PEN Centre**

TAJIKISTAN

Case closed

Mukhtor BOKIZODA: editor-in-chief of the weekly *Nerui Sukihan* (Power of the Word) – now closed. Also chairman of the Foundation for the Memory and Protection of Journalists, a press freedom organisation. He is accused of theft of electricity for the Foundation's printing house. He was sentenced on 25 August 2005 to two years corrective labour, a fine of 1,500 Tajik somoni (US\$500) and to forfeit 20% of his salary. The Committee to Protect Journalists report that supporters believe that the case has been fabricated as a means of penalising him for his work for *Nerui Sihan* which has been shut down four times since its founding in 2003 ostensibly for fiscal reasons, most recently in early July 2005. The newspaper had regularly reported on allegations of corruption. There is also a belief that the newspaper was forced to close to stop it reporting on presidential elections planned in 2006. On 27 November 2005 the

Dunshanbe Court upheld the 25 August ruling by the Firdavsi District Court against Bokizoda following an appeal filed by the editor of *Nerui Sukihan*. Case closed. Presumed no longer detained.

TURKEY

Killed

Hrant DINK: editor of the Armenian language *Agos* magazine. Killed outside his office in Istanbul by an assassin on 19 January 2007. His murder sparked mass marches with protestors carrying banners saying "We are all Armenians", "We are all Hrant Dink" and "301 Murderer". Dink was one of the few persons to be convicted under Article 301 of the Penal Code, accused of "insulting Turkishness" for his writings on the Armenian issue. In October 2005 he was given a six month suspended sentence for a 2004 article entitled "The Armenian Identity". Two other "301" cases were levied and, as of February 2006, were still ongoing against him and his co-defendants – see below. Dink's murder has sparked debate on revision or repeal of Article 301, which many believe marked Dink out as a target for ultra nationalists. **Threats:** Following Dink's murder it has been revealed that he had informed and warned the authorities about the plans to kill him but was not taken seriously. *Agos* writer Aydin Engin revealed that Hrant Dink was warned by someone he had not met before in 2004 in the office of deputy governor of Istanbul, about what might happen to him if he continued to write in the same way. Dink's trial were attended by ultra nationalist groups. Dink wrote in his last article in *Agos* on 19 January that "he was psychologically tortured": "Fascists attack me in the corridors of the justice halls, throwing racist insults ... They insult me with placards. Phone calls and threat letters have piled up over months. " Following the murder, a number of other writers and journalists were allegedly put on extremist "death lists" and placed under police protection. **Investigation:** Ogun Samast, was arrested on accusation of manslaughter, affiliation to an armed group and illegal firearms. In March 2007 it was reported that 30 people had been interrogated in connection with Dink's murder, 11 of whom were subsequently arrested. An investigation was also initiated into accusations of negligence following claims that police had been warned several times that Dink was in danger. Also under investigation is the broadcast of images shortly after Dink's death of police standing alongside Samast, posing in a congratulatory manner. **Trial:** Trial against the alleged killers will opened on 2 July 2007. At this hearing a 31-page indictment was read that concluded that police and army officers who had praised the crime had not been involved in the murder and thus would not stand trial. Dink's lawyers protested their exclusion, and that those who had praised the murder would be tried separately for disciplinary offences. The indictment called for a life sentence Erhan Tuncel for ordering the murder as well as being a member of an armed organisation, including the bombing of a MacDonald's restaurant in 2004. Also accused is Yasin Hayal, for whom a life sentence is also being demanded. Ogun Samast faces a sentence of 18-24 years as he is under 18 years old. Two others, Halis Egemen and Yasar Cihan, members of a nationalist party, face 10 year sentences. Five others face life sentences, and a further eight on charges of terrorist activities with sentences ranging from 6 months to ten years. **Second hearing:** Held 1 October 2007 – adjourned to 11 February 2008.

Main Case

Mehmet BAKIR: journalist and editor in chief of *Güney* magazine. Sentenced to two and a half years in prison on 12 February 2007 under

Article 7 of the Anti Terror Law. (Plus a fine of 1.666 Turkish Lira, and deprivation of public rights and ban on travelling abroad) He was sentenced along with seven others, all members of the Bolshevik Party (North Kurdistan/Turkey). Amnesty International, which considers them to be prisoners of conscience, describes the group as a "small, non-violent opposition party". Arrested 9-10 July 2002, the men are accused of "membership of an illegal organisation". Concern surrounds the based on statements said to have been extracted under torture. A case against four police officers accused of torturing one of the defendants is still under way. The trial has been controversial, with two retrials being held, and two previous decisions by the court of appeal to quash the verdicts of the lower courts. This case has been subject to widespread controversy in Turkey. Bakir was finally detained on 18 December 2007 and held in Tekirdag Prison.

Main case – free on bail

Leyla Zana (f):

Profession: politician, Kurdish rights activist and former journalist. DoB: 1961 **Imprisoned:** 8 December 1994 **Sentence:** 15-years for pro-Kurdish rights activism. Additional two years for an article written in prison. **Free pending re-trial.**

Trial Details: 1) At her inauguration as an MP in 1991, Zana identified herself as a Kurd by wearing a headband with the traditional Kurdish colours of yellow, green and red. These actions, and many of her public statements and actions of solidarity with the Kurds might well have led to charges being pressed against her, but she was for a time protected by her parliamentary immunity. However, in 1994, after she and three other Kurdish MPs joined the newly formed Democracy Party, which was banned by the authorities, her immunity was lifted, the four politicians were arrested. They were accused of treason and promptly jailed. Originally charged with treason, the charge was soon dropped, but she was instead charged with membership of the illegal armed Kurdistan Workers' Party (PKK). Prosecutors at her trial relied on testimonies from witnesses who were themselves facing prosecution, and who later retracted their statements, claiming that they had been extracted under torture. Zana was found guilty and sentenced to a 15-year term. 2) Sentenced in 1998 to an additional 2 years for an article published in prison. The article, which does not advocate violence or racial hatred, was about Nevruz, a Kurdish holiday. **Appeal Process:** Appeal process opened in late 2003 and several hearings held until 21 April 2004 when the sentences were confirmed. However, on 9 June 2004, all four defendants were freed on bail. The retrial opened in December 2004 and there have been numerous hearings since. The re-trial hearings continue..

Journalism and writing: worked in the 1990s for the now defunct *Yeni Ülke* (New Country) at its Diyarbakir office, and specialising in feminism, democracy and Kurdish issues. During her time in prison, her writings have been collected and published in English by Blue Crane Books, Massachusetts, USA, under the title *Writings from Prison*. **Other details:** first Kurdish woman elected to the Turkish parliament. In 1995, Zana won the Sakharov Prize for Freedom of Thought. In July 2001 the European Court of Human Rights ruled that her trial had been unfair. Further charges levied against her in November 2007 for a speech made at a rally said to incite hatred (Article 216) in which Zana called for a Kurdish province to be set up, and for a generally amnesty. Amnesty International Prisoner of Conscience. **Honorary Member:** PEN USA, San Miguel De Allende, Scottish, Writers in Exile and English PEN Centres.

Investigation cases

The following cases have been brought to the attention of International PEN as being possible violations of the right to freedom of expression. Most are thought to be detained. PEN is seeking further information into the charges against them to enable it to come to an informed opinion on whether their detentions comply with international human rights standards. It has further concerns about the trial process, notably that defendants can be held for months, in some cases over a year, without being informed of the reasons for their arrest. It should be noted that PEN is experiencing some difficulty in confirming the detention of some of those listed below, as indicated.

Baris ACIKEL: license owner and the responsible editor of a periodical *Devrim Yolunda İşçi, Köylü* (Worker and Peasant on the Way of Revolution). Found guilty for 12 crimes under the former Penal Code article 159, the new penal code article 301, article 216 (inciting hatred and hostility among the people) and Anti-Terror Law articles 5; 6/1; 7/2 and 8/2. Held in an F-type prison in Kandira in December 2007. PEN is seeking further information.

Ibrahim ÇİÇEK, Bayram NAMAZ, Hasan COSAR, Sedat SENOGLU, Ziya ULUSOY: editor in chief, journalist, journalist, journalist, deputy editor and journalist respectively for the newspaper *Atilim*: Arrested under Article 6 of the Anti Terror Law on 10 September 2006. Trial proceedings against them opened on 13 April 2007. Accused of being members of the Marxist Leninist Communist Party (MKLP) deemed to be a terrorist organisation. Concerns centre on the non-disclosure by the authorities of the reasons for their arrest. The first trial itself was marked by clashes between supporters and police, during which tear gas was used. Also among those detained is **Fusun Erdogan** (f) a radio journalist. 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 until at least the next trial hearing scheduled for 28 February 2008, which would mean that they will have been held for 18 months without trial. Their lawyers also complained that they had not received the evidence against their clients, as the information on them had been classified as secret. **Ozge KELEKCI**, arrested in this case, no longer referred to on lists of detainees by end of 2007. Presumed no longer in prison.

Mustafa GÖK: journalist for *Ekmek ve Adelet* magazine. Arrested 15 February 2006 and detained under Anti Terror legislation as of May 2007 on the charge of "membership of an illegal terrorist organisation". Gök is charged under Anti Terror Law Article 7 and is still in Sincan F Type Prison.

***Erdal GÜLER:** ex-editor of Revolutionary Democracy Newspaper (*Devrimci Demokrasi Gazetesi*) Arrested on 25 December 2007. Güler is said to have had an arrest warrant against him and to have been taken to Bayrampasa prison. Güler is charged with "propaganda for an illegal organisation".

Mehmet KARAASLAN, ALI BULUS: journalists for *Gündem* (Agenda) newspaper arrested during a raid on their Mersin offices on 19 April 2007. Detained in E-type Prison in Mersin E in December 2007. Ali Bulus and Mehmet Karaaslan are charged with 'membership to an illegal organisation' and 'making propaganda for the organisation' (ATL articles 6 and 7). The indictment was prepared seven months after their arrest. Two reporters will appear on their first hearing on 14 January 2008 in Adana High Criminal Court Num. 7.

Hatice DUMAN: all referred to as journalists working for *Atilim* as being detained as of May 2007 under Anti-Terror Laws. Arrested with a

number of others, since released, on the charge of "being members of the Marxist Leninist Communist Party (MLKP)". Hatice Duman is still in Gebze Special Type Prison. Hearing set before the Istanbul High Criminal Court with special powers Num.9, on 3 April 2008.

Behdin TUNÇ, Ali BULUS, Faysal TUNÇ: journalists for the DIHA newsagency arrested between February and April 2007 and detained under Anti Terror legislation. Faysal and Behdin Tunç are charged with "voluntarily and knowingly helping an illegal organisation". An employee of Firat Distribution Sabri Adanır is charged with 'helping the organisation' (ATL) and was asked to be imprisoned for 10 years. rial opened on 10 September 2006 at the Van Heavy Penal Court. Evidence is said to be based on files downloaded from the internet and books seized from their homes..They remain detained in Diyarbakır D Type prison as of December 2007.

***Lütfü ÜRPER:** owner and managing editor of *Gündem*. Reportedly sentenced to one year in prison on 26 October 2007 by the Istanbul Heavy Penal Court No 11 on charges under Article 6/2 – Law on Terrorism for an article published 25 August 2007 quoting Abdullah Öcalan, detained PKK leader. Gündem's lawyer Özcan Kılıç appealed the sentence. The case is before the appeal court. There have been 7 other cases against Lütfü Ürper over newsreports he published in *Gündem*. under Anti-Terror Law (ATL) articles 6 and 7, and Penal Code articles 215 and 216.

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

Death Threats

***Türker ALKAN:** journalist for *Radikal* wrote in an article in August 2007 that since the July general elections, he has started to receive threatening emails purportedly from a police officer calling him a traitor and threatening to shoot him.

***Prof Taner AKCAM:** Professor of History at Minnesota University in the USA. Not resident in Turkey. Reported in August 2007 fearing for his life after receiving numerous emails threatening that he would be killed. He links the threats to his articles and recently published book that explicitly refers to the Armenian genocide. (See on trial below)

Etyan MAHÇUPYAN, Orhan PAMUK, Ahmet HAKAN, Elif SHAFAK (f), Ismet BERKAN, Soli ÖZEL, Murat BELGE, and Fehmi KORU: among a number of writers and journalists placed under police protection following death threats issued in the wake of the murder of Hrant Dink (see above). **Mahçupyan**, formerly with the *Zaman* newspaper, succeeded Dink as editor of *Agos*. Nobel Prize Laureate, **Pamuk**, whose case under Article 301, was formally closed in July 2007, has since left to take up a post in the USA. **Hakan** is the editor of *Hürriyet* newspaper. **Shafak** is a novelist acquitted of charges under Article 301 in September 2006. **Özel** is a Professor of International Relations and contributor to various publications. **Berkan** is editor of

Radikal. **Belge** is a renowned academic, intellectual, literary critic and civil rights activist. **Koru** is editor of *Yeni Safak*. Belge and Berkan were tried and then acquitted of charges under article 301 in early 2006. They were accused for their criticism of a court decision to ban a conference on Armenia in 2005.

On Trial/Charged (not detained)

Harun AKSOY, Nuri AYKON: editor in chief and owner respectively of the daily *Vakit*. Trial opened on 13 June 2006 on charges of making members of the Highest Court of Administration as targets of attacks by illegal organisations, insulting the judiciary, judges and prosecutors. The newspaper had published on 13 February 2006 a photograph of members of the court who had signed a petition supporting the ban against headscarves under the title "These are those members". The article has apparently been linked to the subsequent 17 May 2006 murder of a judge and wounding of four others. On 28 September 2006 the Bagcilar Penal Court of First Instance ordered that the case be transferred to a specialised high court set up to try cases under the anti-terror legislation. However it ordered that other offences relating to insult to the judiciary would remain under its remit. Hearing held on 31 May 2007 postponed to a later date.

Arif ASLAN, Mustafa SEVEN: editor *Batman Cagdas* and editor *Batman Postasi* respectively. Arrested along with *Batman Cagdas* owner **Nedim Arslan** and *Batman Postasi* owner **Kemal Celik** on 1 November 2006. Under investigation for possible charges under Article 288 of the Penal Code for "influencing the course of justice" and Article 301/2 "insult to the military and police" for articles on an incident in which an 11-year old girl died when security services fired on a car in which two members of the banned Kurdistan Workers Party (PKK) were believed to be travelling. The articles questioned the investigation into the death and reported on concerns about police conduct and the way the investigation had been carried out based on reports from the girl's family and human rights groups. PEN is seeking an update.

Lube AYAR (f): former journalist for *Milliyet* and now on the Kanal 1 TV newsdesk. Trial hearing held on 21 September 2006 for articles published in November 2005 and January 2006 on the release of defendants accused of the murder of public prosecutor Ünal Canpolat. Accused under Article 19 of the Press Law (influencing an ongoing trial). Last hearing held on 19 December 2006 adjourned to a later date. Various courts decided on non-jurisdiction, and the case is before the High Court which will decide how to proceed.

Emin BAL: journalist for the local newspaper *Sirmak* and the national Dogan newsagency, 1) went on trial on 22 February 2007 on charges of "deprecation" of a police officer whom he accuses of having beaten him after he refused to act as an informer. Bal claims that he was set upon by police in November 2006, resulting in injuries leading to a medical disability report of 6 days. Police claim that he himself set upon three officers, causing them injuries leading them to be laid off work for 7 seven days. The next hearing is set for 6 March 2008 before Beytüssebap Criminal Court of First Instance. 2) In November 2007 he was further charged under Article 278 of the Penal Code for not reporting a crime when he did not inform the authorities of "criminal slogans" shouted by participants in a funeral of a PKK guerrilla that he was filing. He was acquitted of this charge in January 2008. 3) Bal was prosecuted for failing to inform the authorities about the chanting of illegal slogans at a funeral of a PKK member, which Bal followed as a reporter. Bal told the court he had not heard the slogans. Prosecution service wrote another indictment charging him with perjury. (TPC 272) Bal to appear before the Beytüssebap Criminal Court on 29 January 2008.

Neval BARLAS, Enis Mazhar TAYMAN: editor-in-chief and correspondent for the weekly journal *Tempo* had a hearing before the Bagcilar Court of First Instance on 8 June 2006 on charges of insult to Turkishness (Article 301), and provoking people to violate the law by means of the media (Article 217 and 218 of the Penal Code) for an interview published in their newspaper on 2 December 2005 entitled "I would have torn that identity" with **Ibrahim Guclu**, former chairman of the Freedoms Party and KURD-DER spokesman. In it Guclu refers to Turkey having occupied "Northern Kurdistan" in the south east of Turkey and speaks of destroying his Turkish identity card. The trial was launched in March 2006. The two men face up to six years in prison. As of December 2007, the case was before the High Court for a decision on which court would handle the trial.

***Prof. Oran BASKIN, Prof Ibrahim KABOGLU:** both professors at Istanbul's Bosphorous University respectively committee member and former head of the Human Rights Advisory Board of the Prime Minister's office. On trial since 2006 on charges under Articles 301 (insult) and 216 (inciting hatred and hostility) for the publication written by Baskin *Minority Rights Report* which fell foul of the law by referring to "people from Turkey" rather than "Turks". Amnesty International quotes Baskin as saying of the case "The report I authored was nothing more than an academic contribution to the fight to improve human rights as part of my role at [HRAB]. The charges against me are ludicrous. My freedom of expression is being ambushed for strategic reasons." They are being tried by the Ankara Court of First Instance. **Trial details:** Acquitted by the Ankara 28th Penal Code on 10 May 2007 of crimes under Article 216 which had been used when the Ministry of Justice had ruled that Article 301 could not be applied. The Public Prosecutor then appealed the acquittal in July 2007 on grounds that they should not have been tried under Article 216 but under Article 312. As of December 2007 the case was before the General Assembly of the Penal Departments of the High Court. Kurul, the highest authority. Their decision is waited for. Baskin stood as an independent candidate at the July 2007 parliamentary elections.

Sahin BAYAR: editor in chief of *Evrensel*. Trial opened on 24 January 2007 under Article 301 of the Penal Code for "insult" to the military. Charged for an article that suggested links with an underground organisation that connects mafia figures within the military) had been called to Diyarbakir shortly before a bomb attack that killed 7 people. The case is before the Sisli Court in Diyarbakir. Previously tried under several articles, including Article 301 in 2006, that ended in acquittal in December 2006. PEN is seeking an update

Sait BAYRAM, Firat AVCI: editor in chief and journalist of the Diyarbakir newspaper *Söz*. Charged with defamation under Article 125 of the Turkish Penal Code with "insulting a public servant" for an article suggesting bribery. Both were arrested on 18 June 2007 and released on 20 July to stand trial. Next hearing at the Diyarbakir Penal Court of First Instance due on 28 February 2008.

Haci BOGATEKIN: The editor of local *Gerger Fırat* newspaper. Charges made against him under Article 301 for an article entitled 'Turkey Has Made a Mistake' that held the Turkish government responsible for the "deaths of millions of Armenians and Syriac Christians in the East and South East..." as well as the Alevi and Greek Orthodox minorities in the last century. First hearing held 26 September 2007 with next due 27 February 2008. In December 2006 a case against him also under Article 301 was dismissed. Tried then for insult to local authorities for an article criticising hygiene standards in an article 'Flea, Pig and Agha' on a local flea epidemic. There have been 89 cases against him including the "separatism" against journalist Haci Bogatekin.

Faruk ÇAKIR: editor in chief of *Yeni Asya*. 1) Case opened in October 2007 under Article 11 of the Press Code and Article 285/1-3 of the Penal Code for two articles – a) "Council of State to Expand Case" and b) "Investigation of Council fo State is Being Expanded". Articles suggest a link between a May 2006 shooting at the Council of State in Ankara where a judge was killed and others wounded, to an arms cache found in a home in Istanbul. The articles are said to breach secrecy required around the case. The date of hearing in Criminal Court of First Instance Num. 2 due on 6 December 2007 was changed due to the closure of Bagcilar Justice Hall. Bakirköy Justice Hall will handle the trial. The date of hearing is not known.

Abdurrahman DILIPAK: editor and rights activist. (1) On 15 June 2004, continued at the Military Court in Istanbul. Charges had been instigated by three retired military officers for an article entitled "If the Generals do not listen to advice" published on 29 August 2003, under Article 95/4 of the Military Penal Code. Dilipak did not attend the hearing, stating that the trial was in contravention of the European Convention on Human Rights. The military court concluded that it was not appropriate for it to be trying the case and referred it to the Bakirköy Penal Court. The case was subsequently returned to the Istanbul military court and a series of hearings were held through 2005 and 2006. Hasdal Military Court transferred the matter to Bakirkoy Penal Court on the basis of non-jurisdiction. PEN is seeking an update. (2) On 11 October 2005, hearing held at the Bagcilar Penal Court of First Instance No 2 regarding an article "My Land Is Different", published in *Akit* on 27 April 2001. The hearing was adjourned to 18 April 2006. Originally charged under Article 312 of the old penal code, the case had been returned to the court of first instance under article 216 of the new Penal Code (incitement to enmity). 3) For numerous finalised cases please see: <http://www.antenna-tr.org/ctl/index.asp?lgg=en>

Omer DILSOZ (DEMİR): poet. On trial under Article 7/2 of the Anti Terror Law for having read his poem at the Hakkari City Stadium on 3 September 2003 entitled "All our Hearts are Missing Öcalan" (Öcalan is the detained leader of the banned Kurdish Workers Party (PKK). The poem, in Kurdish, was read to around 3,000 people. The indictment reads that the poems were propaganda for the PKK. Van High Criminal Court with Special Powers condemned Dilsoz to 25 days prison sentence, on 23 July 2007. The case is in the appeal court.

Birol DURU: journalist for the Dicle News Agency. Arrested on 14 August 2005 and charged the following day with "aiding an illegal organisation". Duru is said to have gone to the village of Dibarbey in the Bingöl district to get information on allegations that a local police commander was cultivating cannabis. However police say that a videotape was found in Duru's bag containing PKK propaganda. Duru claims that the tape was erased and replaced with the propaganda by police and that he is victim of a conspiracy to "frame" him for having complained in the past that the police chief had threatened him. Others arrested with Duru and subsequently freed claims also to have been threatened by the police chief. His request to be freed pending trial was initially rejected and he was detained in Diyarbakir prison for over four months, until he was released on bail on 29 December 2005. He was sentenced to six years and three months in prison on 28 September 2006 as was co defendant Daimi Açık, a member of the Human Rights Association on charges of "collaboration with the PKK" under Articles 220 paragraph 7 (membership of an armed organisation) and 314 paragraph 3 (membership of a criminal organisation) of Turkish criminal law. He was held in Diyarbakir jail. A third defendant was acquitted. Neither defendant was at the court hearing during which their lawyer stated that they would

appeal. He is currently free on appeal

***Hikmet ERDEN:** reporter for the Dicle newsagency. Reported on 10 September 2007 to be charged with "slander" of the military. Connected to an article in which he accused local police in Diyarbakir of intimidating locals against voting for a particular candidate. The trial will begin on 2 February 2008, in Diyarbakir Criminal Court of First Instance Num.2. He is charged with "defamation through press". He faces up to 4 years in prison.)

***Muzaffer ERDOĞDU, Ahmet GÜNER, Taner AKÇAM:** publisher – Pencere Publishers, translator and historian respectively. Trial opened at the Ankara 6th Court of First Instance on 8 November 2007 for Akçam's book, *Treatment of the Armenians in the Ottoman Empire*. The case was brought by CHP MP and retired ambassador M. Sükrü Elekdag who demanded 20 thousand lira compensation from publisher Muzaffer Erdogdu, translator Ahmet Güner and writer Taner Akçam over the book. They will appear in Ankara Legal Court of First Instance Num 6 on 14 February 2008. An investigation was launched against Akçam over his article published in "Agos" weekly on 6 October 2006 "Hrant Dink, 301 and a crime". Akçam wrote "I believe there was a genocide during 1915-1917". The proceedings was dropped.

Yalçın ERGÜNDOĞAN: journalist for the daily *Birgün*. Trial opened before the Istanbul Beyoğlu Penal Court of First Instance on 21 June 2006 under article 480/1 of the Penal Code for an article entitled "Followers of Haydar Have Risen Against him", published on 26 April 2005. The trial was launched following a complaint by Haydar Bas, chair of the Independent Turkey Party described as "religious-nationalist". Last hearing on this case held on 23 May, postponed to 26 September 2007 when it is believed he was sentenced to a fine, which he is appealing against. However the case is now to be tried under new Penal Code article 125 to be opened on 26 December 2007. The court found Ergündogan guilty of "insult" and ordered him pay 5 thousand lira compensation. The case is in the appeal court next hearing to be on. 14 May 2008.

Mehmet Sevket EYGI: (1) on 15 March 2005, an appeal court confirmed 18 months prison sentences served against him and another journalist for *Milli Gazete*. The sentences were passed in October 2004 for an article published in November 2000 entitled "Din Düşmanlığı Terörü – The Terror of the Enemies of Religion" under article 312 of the Turkish Penal Code. Çalıskan was sentenced to a fine. The appeal court reconstituted the 18 months sentence against him and upheld that against Eygi. Eygi was acquitted on 3 October 2007.(2) On 11 May 2006, Eygi was sentenced to one year in prison for an article published in March 2005 that was deemed to have "incited enmity and hatred" on religious grounds. Entitled "No Effort or Patriotism Left". The judge ruled that the sentence could not be suspended as he was not convinced that Eygi would not commit a similar offence again. Eygi is free on appeal. The case is before the appeal court.

Ismail Gökhan GENÇAY, İbrahim ÇESMECIOĞLU: editor and editor-in-chief respectively of the Sunday magazine of *Birgün* newspaper. Trial opened before Beyoğlu Penal Court of First Instance on 21 June 2006 on charges relating to an interview with a conscientious objector under Article 318 of the Penal Code. He faces 2.5 years in prison, with an additional year for carrying out the offence in the press. The case was sent to Istanbul High Criminal Court with special powers, set up to replace the former State Security Court. The date of hearing not decided as of December 2007.

***Alper GORMUS:** editor of the now closed *Nokta* magazine. Learned in June 2007 that a trial opened on 19 September 2007 for publishing

extracts of the diary of a retired navy vice admiral in which he refers to Turkey escaping two military coups in 2004. Charged with insult and defamation through the press, Penal Code Article 125/1. He faces up to six years in prison.

Umur HOZATLI, Nurettin AKALP: The case is over Hozatlı's article in *Ülkede Özgür Gündem* newspaper 'Good Father is at Work'. The indictment quoted as evidence: "...good timing; 12 September is a good date to kill children in Diyarbakir (meaning Fevzi Abik). The "good boy" who was among the good boys of a good father 26 years ago has become the father, and this good father was at work on 12 September 2006.... His boys are organised under different names. Some call themselves "TIT" (Turkish Revenge Squads), some call it "JIT" (Gendarme Intelligence), some "JITEM" (Military Intelligence), and some call it "IT" (dog)...". Date of hearing : 22 May 2008, Beyoğlu Criminal Court of First Instance Num.2.

Cengiz KAPMAZ: journalist for the now closed *Özgür Gündem*. Cases launched in December 2006 1) for an article published 15 February 2006 '2,555 days have passed' under Article 215 of the Penal Code (praising crime and criminal acts) and Article 218 for carrying out the offence in the press. The date of hearing is 8 February 2008 2) for an interview with former DEP politician Orhan Dogan under Article 7/2 of the Anti Terror law for "making propaganda for an illegal organisation. Both to be heard before the Istanbul Heavy Penal Court on 16 February 2007. This case will be heard in April 2008.

Sinan KARA: journalist for *Ülkede Özgür Gündem* newspaper. Trial proceedings opened in two cases against him in December 2006 1) Tried under Article 301/2 for insult to the military in a 26 September 2006 article criticising the military. He was acquitted c. 26 September 2007. 2) Article 301/2 insult to the military for a November 2006 Article entitled "Justice has become Militarism's Jester" published in *Social Democracy*. In it Kara suggests that military chief of staff hd given a good character reference for soldiers accused of bombing a bookshop. The case opened in January 2007 and next hearing is due on 6 February 2008. 3) Another case is under way under Article 301 for Kara's article "Full Time Killers" in which he criticised the state and army in relation to a bombing in Diyarbakir, south eastern Turkey, in which 10 people died. The case opens on 26 October 2007. Next hearing: 20 February 2008) 4) Kara is due to appear before a court on 7 September 2007 for an article on isolation cells entitled "Isolation Knows No Limits" published 14 November 2006 in *Ülkede Özgür Gündem*. Accused under Article 216/1 – "incitement to enmity". Next hearing due 30 January 2008. **Previous arrests:** Kara has previously been on trial for his writings. See previous PEN caselists. In July 2007 he was sentenced to 5 months in prison for a January 2005 article in which he accused a the Datca District Administrator with illegal smuggling of artefacts. Released in August 2007 on serving his sentence.

***Emin KARACA:** journalist. Originally sentenced to five months in prison, converted to a fine, under Article 301 of the Penal Code for an article published in April 2002 in the magazine *Yazın* marking the anniversary of the execution of three leftist militants in the 1960s. Accused of insulting the armed forces. However, because of a procedural error, the trial is to be reopened. Hearing on 27 November 2007 led to a fine of 900 TL which Karaca is appealing against.

Sebatî KARAKURT, Hasan KILIÇ, Necdet TATLICAN: reporter and editor-in-chiefs of the newspaper *Hürriyet* detained c. 19 October 2004 after Karakurt returned from interviewing Kurdish militants for an article "Women's Awareness Exceeds Kurdish Identity in Kandil" on changes within the life styles of Kurdish militants in the Kandil headquarters of

Kongra-Gel, formerly the PKK, suggesting an improvement of relationships between the genders. Police reportedly demanded that Karakurt hand over photographs of those he had interviewed, who included one of the militant leaders of the PKK. The defendants are being tried under Articles 6/2 of the Anti Terror Law. Trial hearings opened before the Istanbul Heavy Penal Court on 5 May 2005 and several more have been held. The trial was protested by the Turkish Press Council and Turkish Journalist's Association. At a hearing on 10 February 2006, the prosecutor formally asked the court to exempt Kılıç and Tatlıcan. At this hearing, Karakurt made reference to previous similar research he had carried out in Algeria in 1994 with PKK leaders. He had also written a report on the presence of PKK militants in Romania that had been submitted to the Romanian Prime Minister at the time by the then Turkish Prime Minister, Tansu Çiller. He referred to a former woman guerrilla who had escaped from PKK ranks who told him that his article on Kandil had helped her to explain to others why she had fled. Far from advocating the PKK, his articles were in fact a critique. He had also received an award from the Journalists Association of Turkey for the same article. After hearing the appeal, the Prosecutor re-iterated that all three defendants were guilty of propaganda under Article 6/2 and 7/2 of the Anti-Terror Law. The court was adjourned to 21 September 2006 when it was decided that the Bağcılar Court of First Instance could not preside a case under anti terror legislation and ordered that the case be transferred to specialised high courts set up to deal with such cases. **New information:** in September 2007, the three defendants were ordered to pay fines ranging from \$350 to \$3,500, while their trials continued. In November 2007 Istanbul High Criminal Court Num10 decided lack of jurisdiction over the case and referred it to Bağcılar Primary Criminal Court. Bağcılar Court decided for non-jurisdiction and sent the case back. The hearing is on 26 February 2008.

***Eren KESKIN (f):** journalist for the daily *Birgün*, lawyer and former head of the Istanbul branch of the Human Rights Association. Trial opened on 31 May 2007 on charges under Article 301 for an article on the murder of Hrant Dink entitled "The Special Organisation at Work" published in January 2007. Deemed to be "insult to the armed forces". Hearings postponed to February 2008 pending proposed changes to Article 301. Keskin was sentenced to one year in prison reduced to a fine for a speech she made in 2005 for saying "Turkey has a dirty history".

Rojda KIZGIN (f): journalist for the Dicle News agency. Court case launched by Bingöl Public Prosecutor c. 22 January 2007, along with Ridvan Kızgın, Chairman of the Bingöl Branch of the Human Rights Association, and Dogan Adibelli. Charged under Article 301 of the Penal Code for "insult" to the security services for an article that accused a village guard of stunning fish with army explosives. Bingöl Criminal Court of Peace decided nonjurisdiction on 22 November 2007, and referred the case to Bingöl Criminal Court First Instance. Hearing date is not set yet.

Suat KOLCA, Yasar DUMAN, Selahaddin SUMELI, Mahmut BOZDAG, : journalists for *Özgür Halk* (Free People) and *Geç Bakış* (YoYouth View) arrested following a raid on their Istanbul-based newspapers on 15 September 2006 under Article 7/2 of the Anti Terror Law (propaganda for an illegal organisation) for "Publishing the statements of PKK/KONGRA-GEL" and "attending illegal meetings and demonstrations". It is reported that they suffered beatings as they were being transferred from Bayrampasa Closed Prison to Edirne F-type Prison. Reported as still detained in May 2007. However since released to face trial at Istanbul Criminal Court no. 11.

Ersen KORKMAZ: owner of *Demokrat Iskenderun* remains on trial for

over 4.5 years on charges under Article 159 of the Penal Code, although this article has now been replaced by Article 301. Accused of "insult" to the armed forces for an article on a debate organised by the Turkish Communist Party on guerrilla leader Ocalan in September 2002. The article was entitled "They Caught the Leader of the Kurds and gave him to the Fascists." He is on trial with Necmettin Salaz, who organised the panel. At the most recent hearing on 14 November, proceedings were postponed to 14 March 2008 to allow for further scrutiny of evidence.

***Mustafa KOYUNCU:** editor in chief for *Emeridag*. Arrested following a 12 March 2007 publication of an article "Should we enter the EU like that? They Misuse Their Authority". Apprehended while in his car at a random traffic control check, he was held for a week in prison and subsequently charged with insulting a police officer. 44 police officers are said to have issued complaints against him. Trial to continue 30 January 2008.

***Ahmet Zeki OKÇUOĞLU, Vahdettin INCE:** owner of the Doz publishing house and translator respectively. Trial held before Istanbul High Criminal Court Number 11 postponed to 28 March 2008. Case opened in April 2006 for a book published in February 2003 entitled *Barzani and the Kurdish National Movement*. An initial court case was dismissed but relaunched after a second print was issued in May 2005. The two volume book focuses on Mulla Moustafa Barzani, the founder of the Kurdistan Democrat Party (KDP) who died in 1979. He is father of the current KDP leader, Masoud Barzani. Excerpts from the book that led to charges refer to Ataturk ordering suppression of the Kurds, and to have reneged on promises made to the Kurdish community in return for their assistance in the creation of the present Turkish state. The book is also said to touch upon the sensitive topic of the repression of the Armenian community at the turn of the 20th century. The next trial hearing set for 28 November 2007. (See also Vural below) **Details:** Ahmet Zeki Okcuoglu, translator Vahdettin Ince and the owner of Can Printshop Bedri Vatanserver were charged under ATL 8/1-3 "separatist propaganda" and former TPC article 312/2 on 5 October 2005 since the book's publishing date is February 2003. The laws have been amended in the meanwhile but the case continues under the old law. The suspects were accused over phrases used in the book "Kurdistan", "Hakkari, a Kurdish town", "Turkish Kurdistan" while Vural's case is over the excerpt "Kurds organised uprisings one after the other, they rebelled against imperialists and the local states that seized their rights. All uprisings were brutally crushed. Mustafa Kemal in Turkey crushed Kurds heavily".

Ahmet ÖNAL: owner of the Peri Publishing House. 1) On trial in June 2001 for publishing a collection of interviews with people in exile compiled by human rights activist Ms **Evin Aydar Çiçek** entitled *Tutkular ve Tutsaklar* (The Passions and the Prisoners). Seen as "insult to Ataturk". Sentenced to 15 months in prison in December 2003 and appealed. Around 1 June 2006, he was found guilty by the Beyoğlu appeals court in Istanbul and sentenced to 15 months in prison. At his original trial, Önal had been sentenced to one year in prison. However the appeal court increased this by six months for committing the offence in print, and then reduced it to 13 months, refusing to defer imprisonment citing that the court did not believe that he would not commit such an offence again. He is appealing the sentence. 2) On trial in August 2002 for book by **M. Erol Coskun, Acunun Dili Kadın** (Women: Voice of the Pain) under article 312 of the Penal Code. Önal heavily fined and Coskun sentenced to 15 months in prison in August 2003. They appealed against both convictions. There are two cases against Ahmet Önal over the same book. The case under TPC article 312 "inciting hatred and hostility among the people on the grounds of race" was merged with the case under TPC article 159 "insulting the military forces of the state through

publishing". Both cases will be held on the same folder number 2005/149. Date of hearing 14 February 2008 3) On trial for book by **Hejare Samil**, *Diaspora Kürtleri* (The Kurds in Diaspora) under article 220/8 ("making propaganda for an illegal organisation"). The case, which reconvened on 24 March 2006, at the Istanbul Criminal Court No.11, reportedly decided not to prosecute on the grounds that they considered that Önal should instead be prosecuted according to Article 7 of the Law to Fight on Terrorism (aiding and making propaganda of terrorist organisations). Date of hearing: 13 February 2008 4) On trial together with writer **Hüseyin Beysülen**, for Beysülen's book, *Dersim'de Alevilik* (Alewis in Dersim) and they are charged for "insulting the memory of Atatürk". Case dropped February 2007 due to statute of limitations. Many cases had been launched against the books published by Peri Publishing House and many of them are banned.

***Yakup ÖNAL**: journalist for *Sarköy ün Sesi* (The voice of Sarköy). On trial under Articles 125 and 126 of the Penal Code for defamation of the local mayor and members of the municipal council in an article 'Fairy tales for adults – Pinocchio and the nine dwarves' published in July 2005. Önal has been brought to prosecution in other cases relating to his criticism of the local authorities. The trial opened in November 2006. Next hearing due 20 February 2008. The case for "insulting AKP mayor Can Gürsoy and two members of the council" continues. Court decided to ask the opinion of an expert to determine if Onal's article "Fairy Tales for Grown Ups" is in violation of the law or not.

Ergüder ÖNER, Emrah ÖNER: owner and editor in chief respectively of the monthly *Climate in Dersim*. Case opened against him on 1 June 2007 on charges under Article 215 of the Penal Code (praising crime and criminals) which carries a maximum 2 years in prison. The charges relate to an article in which it was suggested that the PKK leader Abdullah Öcalan, detained since 1999, was being poisoned. The newspaper is produced in Tunceli, an area mainly populated by the Alevi people, called *dersim* before 1938. The paper issues a quarterly cultural section in Turkish, Zaza and Kirmanc dialects. No further information as of December 2007.

Hacı ORMAN: Chief editor of *Sant ve Hayat* (Art and Life) magazine and head of the Executive Board of BEKSAV (Science Education Aesthetic Culture Art Research Foundation), described as a socialist, alternative centre which has come under attack by the authorities. Went on trial before the Besiktas Court in Istanbul on 29 May 2007. Arrested on 31 January 2007 by members of JITEM (Gendarmerie Intelligence and Anti-Terror Organisation). He claims to have been threatened, and insulted due to his Armenian descent, and reference made to the murder of Hrant Dink two weeks earlier, suggesting a similar fate. He was held until 2 February 2007 and a formal arrest warrant issued the next day. Orman is charged with "membership to an illegal organisation". The continues in Istanbul High Criminal Court Num 9.

Birgül ÖZBARIS (f): journalist for the pro-Kurdish *Ulkede Özgür Gündem*. Had a number of charges against her since 2006 for discouraging military service under Article 318/2 of the penal code. Current cases as of June 2007 are: 1) For an article entitled "Anti War Meeting" published 24 September 2005. Case referred to the High Court. Date for hearing not yet set. 2) Article published 19 October 2005 headed "A Message to Europe from Objectors". Under article 318 acts inciting persons against military service carry up to 2 years in prison, with up to an additional year if committed through the press. The cases against Özbaris have been referred to High Criminal Court with Special Powers set up in the place of former State Security Court. Özbaris had to leave Turkey because of the cases and repression. Özbaris lives in Belgium.

Other cases: Seven cases were filed against Birgül Özbaris, reporter of *Gündem* daily over her series of articles in 2005 and 2006 'Neither Conscription nor War', an article 'Turkey's Role', a newsreport 'Anti-war gathering', an interview 'Message from Conscientious Objectors', a newsreport 'Conscientious Objectors Want Conscript army to be discussed in EU Talks', and newsreports 'Do Not Point a Gun' and 'Conscientious Objector Savda: Don't Join the Army'. She was charged under TPC article 318. Prosecution asked the court to imprison her for 21 years in total.

Songül ÖZKAN (f): Publisher of Evrensel publishing house. She was put on trial under Article 312 (inciting hatred and hostility among the people on the grounds of race and regional difference) after she had published Kurdish journalist and writer Ahmet Kahraman's book *Kürt İsyanlari* (Kurdish Rebellions). Hearings opened in October 2006 at the Beyoglu Penal Court of First Instance No. 2. Court decided lack of jurisdiction and sent the case to High Court. The new court had not been decided as of December 2007.

Sirri ÖZTÜRK, Osman TİFTİKÇİ: Owner of Sorun Publishing House and writer respectively. On trial in connection with Tiftokçi's book *Osmanli dan Günümüze Ordunun Evrimi* (The Evolution of the Army from the Ottomans to Today) under Article 301 of the new Penal Code. The book is seen to be "publicly degrading to the army". Legal proceedings started in early March 2006 and first hearing held before the Istanbul 2nd Court of First Instance on 20 June 2006. Ozturk told the courts that Osman Tiftokçi is a former army officer who served during the 12 March 1971 coup. His book refers to his first hand experiences, was well researched and had been subject to legal scrutiny before publication. He lives abroad. Next hearing is set for 31 January 2008.

Cem SAHİN: editor in chief of *Özgür Halk* and *Cenç Bakis*. Arrested on charges of "making propaganda for an illegal organisation" c. 22 January 2007. Related to articles published in December 2006. Reportedly detained as of 19 January 2007 to 2 March 2007 when he was released pending trial which continues as of December 2007. There have been over 10 cases against Cem Sahin over published articles. Sahin was convicted in 6 of them, receiving 85 months prison sentence in total. He appealed against them.

Ahmet SİK: journalist. Trial opened on 22 May 2007 under Article 301 before the Bakirköy Court in Istanbul for insulting the armed forces in an article published in the weekly *Nokta* that was itself closed down in April 2007. Sik has been accused by the general command of the police of "decreasing the respect for the army among the people" and "denigrating the state's armed forces". Related to an article in which he interviews **Lale Sariibrahimoglu (f)**, a security expert, and a follow up report published on 8 February. Lale Sariibrahimoglu the newspaper of her disquiet at the broadcast on YouTube of a video showing the killer of editor Hrant Dink (see above) celebrating the murder alongside police officers which she says indicates the levels of corruption and involvement by the police and army. Sariibrahimoglu is being tried alongside Sik. The next hearing is on 3 April 2008.

***Mehdi TANRIKULU**: publisher, owner of Tevn Publishing. 1) Case launched under Articles 7/2 and 6/2 of the Anti Terror Law "publishing the documents of a terrorist organisation" for publication of a book by Ergün Sönmez entitled *The Kurdish Independence Movement in the Age of Capitalist Imperialism*. Opened on 30 March 2007 before the Istanbul Heavy Penal Court. The next hearing is on 8 February 2008. 2) At the trial above, Tanrikulu gave his written and verbal court statements and other applications in Kurdish. Istanbul Public Prosecutor Nazmi Okumus filed a complaint against Mehdi Tanrikulu over an application letter in

Kurdish he sent to Judges and Prosecutors Higher Board. The case was filed under TPC 222 "violating the law on Turkish letters". Tanrikulu stands trial in Istanbul Criminal Court of Peace Num. 1. Date of hearing: 6 February 2008 3) Writer of the book *Demotion from Lieutenant to regular Soldier Kasım Çakan* and Mehdi Tanrikulu are charged under Anti Terror Law article 7 "making propaganda for terrorist organisations". Tanrikulu and Çakan will be in Istanbul High Criminal Court Num 14 on 6 February 2008 for the first hearing.

Fatih TAS: publisher. Aram Publishing House. 1) Sentenced to six months in prison under Article 301 for book *They Say You Are Missing*. Overturned by court of appeal and to be reviewed by an appeal court on 31 October 2007. 2) Sentenced to a \$240 fine under Article 7/2 of the Anti Terror Law for *Moving Forward to Tomorrow – Guerrilla Memories No. 3*. Appealing against sentence. 3) Sentenced to 347 fine under Article 7/2 of the Anti Terror Law for *Pathway – Guerrilla Memories No 4*. Appealing the sentence. 4) Sentenced to 10 months in prison under Article 7/2 of the Anti Terror Law for *Hill of Lions – Rebel 4*, published in Kurdish. Free on appeal. 5) Sentenced to \$1,664 fine under article 7/2 of the Anti Terror Law for *Roses of Freedom*. Court of appeal upheld the sentence. 6) Sentenced to c. \$900 under Article 7/2 of the Anti Terror Law for collection of poems *Guerrilla Poems 1*. Appealing the decision. 7) Sentenced to c. \$6,485 under Article 7/2 of the Anti Terror Law for collection of essay *Signs of Amma*. Appealing the decision.

***Enis Mazhar TAYMAN:** journalist for *Tempo*. On trial for an interview with former mayor of Diyarbakir Mehdi Zana in which the term "Kurdistan" was referred to and that there was "Turk-Kurd" distinction in the interview. Tayman and Zana are charged under TPC 215 "praising crime and criminal" and appeared in court on 16 October 2007. The court decided nonjurisdiction and sent the case to Bakırköy Criminal Court of First Instance Num 2. Date of hearing is not set.

Ferhat TUNÇ, Mehmet ÇOLAK: singer and editor-in-chief of *Özgür Gündem* respectively. Trial started on 2 December 2004 at the Beyoğlu Criminal Court on charges under article 159 of the Penal Code for insulting the judiciary in an article Tunç wrote for the daily *Gündem* on 19 January 2004 entitled "A Revolutionary Leyla and a Song". They face 1-3 years in prison if convicted. Hearings continued through 2005, 2006 and 2007. Tunç also reports receiving death threats following a case opened against him for participating in a human rights commission to rescue Private Copkun Kirandi who had been rescued by the PKK. Next hearing is due on 28 May 2008.

Yıldırım TÜRKER journalist for *Radikal*. Under investigation on charges under Article 301 of the Penal Code for an article published in his newspaper's supplement *Radikal 2* entitled 'Invisible Attack' that claimed that the authorities and media had ignored racism against Armenians in the period that led to the murder of Hrant Dink and made direct link between nationalists and the state. Case filed in March 2007, over an article he wrote in *Radikal* daily on 29 January 2007, 'Conscientious Objection Conference'. Yıldırım Türker is charged with "alienating the people from military service by the means of press" (TPC 318). High Court will determine which court sees the trial.

***Atilla TUYGUN:** translator of Dora Sakayan's *An Armenian Doctor in Turkey*. Faces trial under article 301 of the Penal Code of "insult" to the state and of "insult to the memory of Ataturk" following the 3 May 2007 acquittal of these charges of the book's publisher Ragıp Zarakolu (see below) The book is said to claim that leading government figures close to Ataturk had been responsible for the mass deportation of Armenians in 1915. As of December 2007 the decision whether to proceed pending amendment of Article 301.

Irfan UÇAR, Hasan BAYAR: journalist and chief editor of *Özgür Gündem* respectively. Trial opened on 13 March 2007 on charges under Article 301/1 and 301/2 before the Beyoğlu 2nd Criminal District Court of First Instance in Istanbul. Accused of "insulting the Turkish National Assembly, the judiciary and state security services" for an article published in the newspaper on 13 December 2005. Next hearing set for 22 May 2008. The case was filed on the complaint of Justice Ministry. The Chief office of the Army had asked the Ministry to act. The article in question criticised the decision to prosecute publisher Fatih Tas for having published a book on the disappearance of a journalist. The relevant quote is "(...) A journalist disappears in Turkey. 11 years pass. A publisher brings out a book on the incident and gets convicted under Article 301. The security forces and judges of this country don't feel responsible for what has happened to the disappeared journalist Nazim Babaoglu. Those who "lose" Nazim walk free, but those who write about it get prosecuted (...)"

Mehmet Ali VARIS: publisher/owner of Tohum Publishing House. Indicted in August 2003 for the book by A. Dursun Yıldız *Özgürleşmeye Pedagojik Bakış* (A Pedagogical Approach to Liberation). Under Article 312 of the Turkish Penal Code. He is still on trial along with two new cases under Article 312 for publishing the books "Anatolia from Multiculturalism to Monoculturalism" and "Koçgiri" and one new case under Article 5816 (Insult to Atatürk) for publishing the book "Kemalism: The Sitting Man". The cases are reportedly consolidated and hearings opened in March 2006 at Beyoğlu Penal Court of First Instance No. 2, which on 5 February 2007 sentenced him to 18 months in prison. Pending appeal in December 2007.

Ali Rıza VURAL: publisher, Doz Publishing House. Case opened in April 2006 for a book published in February 2003 entitled *Barzani and the Kurdish National Movement*. Charged with insult to the Turkish state, Article 301/2 of the Penal Code. An initial court case was dismissed but relaunched after a second print was issued in May 2005. The two volume book focusses on Mulla Moustafa Barzani, the founder of the Kurdistan Democrat Party (KDP) who died in 1979. He is father of the current KDP leader, Masoud Barzani. Excerpts from the book that led to charges refer to Ataturk ordering suppression of the Kurds, and to have reneged on promises made to the Kurdish community in return for their assistance in the creation of the present Turkish state. The book is also said to touch upon the sensitive topic of the repression of the Armenian community at the turn of the 20th century. The next trial set for 28 March 2008

***Ramadan YAVUZ, Ramazan IMRAG:** journalists for the Dogan Newsagency. Reported in August 2007 to be charged under the Anti Terror Law for articles carrying slogans seen to promote terrorism. DN reporters are charged with ATL article 6, they are accused of "showing Cizre Public Prosecutor as a target" (prison sentence between 1 and 3 years). They appeared in the first hearing on 29 August 2007. The case continues.

***Yasin YETİSGEN:** owner of *Coban Atesi* (Shepherd's Fire), based in Gaziantep, south eastern Turkey. 1) Arrested on 13 August 2007 under Article 302 of the Penal Code for "damaging the unity and integrity of the state" for using the term "North Kurdistan" in an article. Unclear under what legislation. An arrest warrant has also been issued against Coban Atesi reporter **Hürsüt Kasıkkırmaz** for an article published on 2 August 2007. 2) Gaziantep Public Prosecution service prepared an indictment against Yasin Yetisgen for an article written by Berkant Coskun and published in *Çoban Atesi* on 8 November 2007. The article is entitled 'Don't Send me to the Army Mum'. Yasin Yetisgen is charged with "alienating the people from military service and insulting the

memory of Atatürk". Yetisgen is charged for a quote from the article "If the present Kurdish movement is called a terrorist movement, it means that the movement launched by Mustafa Kemal can not avoid that definition. The only difference is that Mustafa Kemal was not arrested". Yetisgen will appear in Gaziantep Criminal Court of First Instance on 9 May 2007

Hamdullah YILMAZ: editor in chief of the Kurdish newspaper *Azadiya Welat*. On trial for publishing a statement entitled "I accept Abdullah Öcalan as my political representative" signed by the "Democratic People's Initiative" published in August 2005. Trial concluded before the Diyarbakir Heavy Penal Court on 21 June 2006 when Yilmaz was sentenced to 2½ years in prison for making propaganda for an illegal organisation under article 220/8 of the Penal Code and Article 6 of the Anti-Terror Law.. On 28 November 2006 it was reported that he was sentenced to a total of 4 years and 3 months in prison on two charges and that his newspaper has had many cases taken against it since it was set up. Welat is quoted as saying that the newspaper aims to develop Kurdish press and publishing and is wrongly accused of attempting promote violence. Appeal court concluded that it was not within its jurisdiction and referred the case to Beyoglu Criminal Court of First Instance Num 2 court. But that court too decided non-jurisdiction referring the case back to High Criminal Court. Date for hearing not set.

Ragıp ZARAKOLU: publisher, Belge Publishing House. Zarakolu is a recipient of the NOVIB/PEN Free Expression Award 2003. 1) Legal proceedings were initiated in December 2004 against Zarakolu for the publication of **George Jerjian's** book *History Will Set us Free /Turkish-Armenian Conciliation* under Article 301 of the Turkish Penal Code (formerly Article 159 of the old Penal Code) for "insulting the State and the memory of Kemal Atatürk". The book is said to claim that leading government figures close to Atatürk had been responsible for the mass deportation of Armenians in 1915. First trial held before the Light Crimes Court at Istanbul on 16 March 2005 and there have since been numerous hearings with the next due on 31 January 2008. 2) On 1 August 2005, another case was opened, this time for the publication of Professor Dora Sakayan's *An Armenian Doctor in Turkey*: Garabed Hatcherian: *My Smyrna Ordeal of 1922* to be charged under Article 301 of the Penal Code (formerly Article 159 of the old Penal Code). Case opened on 21 September 2005 and there have since been numerous hearings. Acquitted on 3 May 2007. **Background:** Zarakolu has been subject to many years of harassment, trials and periods of imprisonment since the 1970s for publishing books on such issues including minority and human rights. His publishing house was bombed by right wing extremists in 1995, forcing his publishing house underground for a couple of years. Many of the hearings against Zarakolu have been observed by PEN members. **Honorary Member:** American, English, Quebec, Kurdish, Canadian, Scottish, Netherlands and Swedish PEN

Possible prosecution

***Hasan ÇAKALKURT:** editor-in-chief of *Radikal* has had charges under Article 301 made against him on 29 August 2007 for publishing a translation of the British journalist, Robert Fisk's, *The Forgotten Holocaust* which is said to suggest that the Turkish government in 1915 committed a genocide against the Armenians. Also faces charges under the same law for publishing a translation of the US journalist's article on a similar issue entitled 'How sincere is the slogan – never again?' published in the *Boston Globe*.

***Perihan MAGDEN, Yıldırım TÜRKER(f):** author and contributor to *Radikal* and journalist for the newspaper respectively. Reported in

August 2007 to be under investigation under Article 301 of the penal code for an article seen to deter people from military service. The article criticised a press embargo on the reporting of the discovery of an illegal arms cache in a house in Istanbul An earlier investigation against her for the same article under another legislation was overturned.

Seferi YILMAZ: publisher and owner of the Umut bookstore. Among five people under investigation on charges of staging an illegal demonstration (Law 2911) for a meeting in March 2006 to mark the re-opening of the Umut bookstore in Semdinli, based in Hakkari in eastern Turkey. The bookstore had been bombed in November 2005. Three people were arrested for the crime: two police and an alleged PKK informer. The others under investigation are all local politicians.

Sentenced: non-custodial

Belma AKÇURA (F): author. trial opened 26 November 2006 under Article 125 of the Penal Code for "insult through the press" for her book *How the Deep State Became the State*. Follows complaint by Nevzat Bor, said to be linked to the mafia who himself has links to the intelligence agencies and the ultra nationalist movement. Akçura says that she refers in her book to a number of murders, but that in the two references to Bor in the book, neither links him to the killings and simply refers to his friendships with others that the book refers to. On 25 January 2007 he Ankara 2nd District Court sentenced Akçura to 3 months in prison, reduced to a fine of 1,8000 Turkish lira. She is appealing against the sentence as of December 2007.

***Kemal BOZKURT:** editor in chief of the magazine *Revolution is the Only Way*. Tried for "praising a crime" (Article 215) for three articles that call for resistance against attacks on Turks that could be seen to incite violence.. Articles published in September and October 2004. Sentenced on 18 October 2007 to six weeks in prison commuted to a fine of 900 turkish lira.

Arat DINK, Sarkis SERKOPYAN: administrative officer and editor of Armenian-Turkish language newspaper, *Agos*. On 25 September 2006, case was launched against Hrant Dink for an article published in *Agos* on 21 July 2006 entitled 'I vote against 301' which included a statement Dink had made in an interview he gave to the Reuters newsagency on 14 July in which he referred to the Armenian genocide. He is said to have told interviewers Daren Butler and Osman Senkul that he had no doubt that an Armenian genocide had taken place, that he would not remain silent on this issue, and had no plans to leave Turkey despite death threats against him. On 11 October 2007, both were sentenced to one year suspended prison terms. They are appealing the sentence. Hrant Dink (see above) was also charged and the case against him dropped on his death. Arat Dink is his son.

Umur HOZATLI: former editor-in-chief of *Ülkede Özgür Gündem*. Charged under Article 301 for insult to the Turkish police and armed forces in an article. Sentenced to 5 months in prison c. 27 September 2007, converted to a fine. This case is in the appeal court.. (see also above)

***Perihan MAGDEN (F):** journalist and writer. Sentenced to one year and two months suspended sentence on 4 December 2007 for a February 2007 article deemed to breach Article 125 of the Penal Code "injury to honour and respectability". The article entitled "The Arrogant Woman ins the Wolf, the Fox, the Turkey of Women: She Eats and Leaves" referred to Aytaç Akgül a district governor in the south eastern province of Mus in which she describes what people she interviewed in the area had told her of the governor. She was accused of insult to a public official. (See above).

***Ayse ÖNAL (f)**: reporter for the *Star*. Sentenced to pay nationalist lawyer Kemal Kerincisiz compensation totalling 4,750 Turkish Lira. She was also given a three month sentence, converted to a fine. The charges relate to an article by Önal published on 30 December 2005 in which she criticised Kerincisiz for filing a suit against Joost Lagendik, the Dutch co-chair of the EU Turkey Joint Parliamentary Committee, referring to Kerincisiz as, among other things, "insane". Charged under Article 126 of the Penal Code (defamation)

***Ahmet YAMAN**: editor of *Atilim* newspaper and *Nu Azadi* magazine sentenced c. 24 September 2007 to five months in prison commuted to a fine of 3,000 lira under Article 301 of the Penal Code. Accused of insult for an article critical of a Turkish soldier.

Attacked

***Mehmet COSKUNDENİZ**: Editor in chief of *Posta* newspaper Mehmet Coskundeniz was stopped by the police on 24 November 2007. His girlfriend Derya Özel was driving the car. Coskundeniz was made to lie down on the pavement, was handcuffed and beaten. Istanbul Security Centre claimed that Coskundeniz attacked the police officers.

***Sinan TEKPETEK**: editor in chief of *ÖzgürHayat* and the journalist *Yüzde 523 Öfke* claimed in a press conference on 28 July 2007 that he had been abducted from his car by police and tortured on 26 July 2007. He stated that he was sprayed with tear gas, insulted and beaten. No reason given for the alleged attack..

Brief detention

***Idris AKBOGA**: editor of *Özgür Halk*. Reportedly detained on 28 September 2007 when he went to the Istanbul 11th Heavy Penal Court to give a statement on the September issue of the magazine. Said to be accused of publishing materials from and aiding a terrorist organisation.

***Erdiç BOLCAL**, **Fethullah ERKAN**: journalists for *Free People's Magazine* were reportedly arrested on 22 October 2007 at the publication's offices in Taksim, Istanbul and publication suspended. Believed to be freed soon after.

Released/Acquitted

Nevin BERKTAS (f): political prisoner detained since 1994 on charges of membership of a terrorist organisation. Berktaş wrote a book on her prison experiences called *Hücrem* (My Cell) which was prosecuted under Article 169 of the Penal Code for "supporting terrorists". Thought to be for comments in the book supporting prison protests denouncing the F-Type Prisons. Berktaş and Elif Çamyar, publisher of the book, appeared at the State Security Court Istanbul on 7 November 2001. Berktaş was subsequently given an additional 45 months in prison. Çamyar received a fine. **Background**: was first arrested in 1978, and was imprisoned on a number of other occasions for her radical political activities from then until she was amnestied in 1983. However she was re-arrested on 16 December 1994 and convicted for membership of an illegal organisation accused of extremist activities. Prior to the trial for her book, she was serving a twelve and a half year sentence, to which the 45 month sentence for the book was added. Released in February 2007 and currently filing for compensation for being held five years beyond expiry of her sentence.

İsmail BESİKÇİ, **Mehmet Ali İZMİR**, **Ferzinde KAYA**: Besikçi is a sociologist and author who spent many years on trial and in prison in the 1980s/1990s. İzmir and Kaya are with *Esmer* magazine. All charged under Article 301 of the Penal Code in December 2006, Besikçi for an article in *Esmer* magazine published on 19 January 2006 entitled "We

did not Talk, We were Repressed" and for an article 'Phantom' published in the magazine's December 2005 issue. Accused of insult to the army. In addition accused under Article 216 of the Turkish Penal Code (inciting hatred and hostility among the people". Case against the three men dropped on 10 December 2007 as the case had not been opened with in the two months period needed between the alleged crime and charging

Umur KARAKOYUN: owner of the local *Tunceli Emek* newspaper based in Tunceli in south east Turkey. On trial under Article 301 of the Penal Code for accusing the judiciary of bias in an article published in October 2006. Trial hearing on 24 July 2007 adjourned to 21 September 2007 when he was acquitted

Mehmet SAH AYAZ: journalist for the *Batman Express*. Trial continued on 22 September 2006 under article 301 of the Penal Code. Also **Murat Ayaz**, the newspaper owner. Linked to an article published 20 February 2006 entitled 'Kurtlar Vadisinde Vergi Haftasi' by Sah Ayaz. Hearing adjourned to 24 November 2006. They were acquitted on 24 November 2007.

Cengiz SARI: singer, lyricist and leader of punk band, Deli (Mad). Case under Article 301 brought against Sari, four other band members and their agent for the lyrics of a song that criticised the university entrance exam system. The head of Turkey's central examination board, while admitting that the lyrics of the punk record were humorous, he added that it was his duty to ensure that they do not fall foul of laws penalising insult of state institutions. The first hearing was due 2 May 2007. Sari, now aged 24, points out that it was written seven years ago. One of the defendants, drummer Resat Saral, who had only joined the band a year before, and six years after the lyrics had been written. All were acquitted in late September 2007.

İsmail SAYMAZ, **Hasan ÇAKKALKURT**, **İsmet BERKAN**: journalist for *Radikal* and editors-in-chief of the newspaper. First hearing before Bagcilar Court of First Instance No 2 held on 5 October 2006 for publishing an article suggesting a child had been tortured published on 23 February 2006. Saymaz has refused to pay a fine of 20,000 YTL. The article referred to the arrest of an 11-year-old in the Bagcilar district of Istanbul. He claimed that he had been arrested by police and then beaten. Police claim that he had suffered injuries as he fell as he attempted to run away from them. Accused under article 5187 of the Press Law that bans reporting on judicial proceedings that are still in process. They were acquitted on 15 February 2007.

Cemal SUBASI: journalist for the journal *Tempo*. Court case launched against Subasi and mayor of Diyarbakir Osman Baydemir in late June 2006 for an interview published on 14 January 2006. Charged under article 216/2 of the Penal Code (incitement to hatred and enmity) and Article 218 that allows for increase of the penalty by 50% for publication of the offensive article in the press. The article questioned the incarceration of PKK leader Abdullah Öcalan, and suggests that his imprisonment in isolation will serve to promote violence. Bagcilar Criminal Court of First Instance Num 2 acquitted them on 12 April 2007.

***Umur TALU**: journalist for *Sabah*. Case filed by the General Staff of the Turkish Military under Article 95/4 of the Military Penal Code for "acting in an insulting and derisive manner aimed at undermining relations between junior and senior officers and destroying trust in superiors or commanders." Relates to an article by Talu published on 12 June 2007 entitled 'Is this impossible?' on complaints by serving soldiers in the lower ranks. If convicted, he faced up to three years in prison. On 13 November the case against him was dropped when the Istanbul Press Prosecutor ruled that Talu had written the article with good journalistic and humane intents.

Ibrahim YILDIZ: journalists for Cumhuriyet . Charged with insult through the press under Article 125 of the Penal Code following complaints by Prime Minister Erdogan about an article entitled 'CHP MP Koç: Prime Minister is making a U-Turn'. The case is being tried before two courts. In early April 2007 the Istanbul 2nd Criminal Court due 6 April 2007 sentenced Yildiz to 23 months in prison commuted to a fine.

Case closed

Gülcan BAHTIYARIN: editor in chief of the magazine *Mizgin* and writers for the magazine. On 2 November 2006 the Diyarbakir Court of First Instance decided not to continue with its deliberation on charges under Article 216/1 of the Penal Code of "inciting people to hatred and enmity" and handed the case to the Heavy Penal Court. Related to articles published in February 2006 – "Scenes from Kurdish Children" and "Lausanne Treaty". The court acquitted the responsible editor of "Mizgin" magazine Deniz Tursun and Ömer Aybar; and condemned Gülcan Bahtiyar to 1 year prison sentence over Bahtiyar's article on "Lausanne Treaty". Presumed free.

Hasan CAN: age 71. Editor-in-chief of the local newspaper *Günes* based in the Eregli district of Konya. Case launched against him in mid September 2006 on charges of insult to the Minister of Justice in a 13 July 2006 article entitled "Justice Minister Cemil Çiçek leaves many question marks behind". Accused of defamation under Article 125/4 of the Penal Code. Case closed due to lack of further information.

Bekir COSKUN: journalist for *Hurriyet*. Reported in June 2007 to be on trial for an article entitled "Testing...testing..." published on 6 April 2007 accused of calling for a coup. The Ankara Legal Court Num 2 rejected the request for trial on 26 December 2007.

Cengiz DOGAN: editor in chief of the local Diyarbakir newspaper, *Mavi ve Kent*. Case opened against him before Diyarbakir Heavy Criminal Court on 28 December 2006 on charges relating to an article in which he is said to have praised the Abdullah Öcalan, the leader of the banned PKK. Diyarbakir High Criminal Court Num 5 found Dogan guilty under 220/8 of TPC and sentenced him to 1 year and 6 months and 22 days prison sentence on 3 February 2007. Cengiz Dogan was released considering the time he had spent in prison.

Sevda ERGIN (f): journalist and editor in chief of *Demokrasi ve Sosyalizm Yolunda Fabrika* (Factory on the Way to Democracy and Socialism). Trial opened at the Istanbul State Security Court on 6 June 2004. Charged with "propaganda for an illegal organisation" under article 7/2 of the Anti-Terror Law. Accused of issuing propaganda for Kongra-Gel (Kurdish People's Congress – the successor to the PKK) in an article by **Zeki Tombak** entitled "The Recent Situation on the Kurdish Question" published in April 2004. A 12 August hearing adjourned the case to 25 November 2006. PEN has learned that Sevda Ergin died of stomach cancer on 13 April 2006. The case was closed.

TURKMENISTAN

Investigation

Khudaiberdy KURBANDURDYEV: editor-in-chief of the newspaper *Adalat*. Sentenced to eight years in prison according to news reports of the 10 January 2006. The ruling was a surprise to Kurbandurdyev's colleagues as he had always been regarded as loyal to both the regime and President Saparmurat Niyazov. The official charges allege that Kurbandurdyev illegally issued editorial documents to two people, who were not members of the *Adalat* staff and were later revealed to be associated with people who are serving prison sentences

for taking part in assassination attempts against President Niyazov. PEN is seeking further information.

Threat of arrest/Charges pending

Rakhim ESENOV: writer and journalist. D.o.b: c.1926. Arrested on 23 February 2004 and freed pending charges on 9 March 2004. Esenov was arrested by members of the Ministry of National Security (MNB) on 23 February 2004 for interrogation. During questioning, Esenov suffered a stroke and was taken to hospital where he remained under Security Service guard. Two days later he was taken from hospital and transferred to the MND investigation-interrogation unit. He was released condition that he not leave the country. He was also warned against continuing to report for Radio Free Europe/Radio Liberty. On 2 March 2004 Esenov was charged under Article 177 parts 1 and 2 of the Turkmen Criminal Code for "inciting social, national and religious hatred". The charges relate to Esenov's book *Ventsenosny Skitalets* (The Crowned Wanderer), banned in Turkmenistan for 10 years. Esenov had managed to get the book published in Moscow in 2003 and had 800 copies delivered to his home in the Turkmen capital Ashgabat. In January 2004, customs authorities had removed the books, alleging they had been imported illegally. The book, set in the Moghul Empire that was founded in the 16th Century, centres on Bayram Khan, a poet, philosopher and army general who is said to have saved Turkmenistan from falling apart. In 1997 President Saparmurat Niyazov denounced the book as being "historically inaccurate" and demanded that corrections be made, a demand that he refused to meet. **Other details:** Also arrested was his son-in-law Igor Kaprielov who was subsequently sentenced to a five year suspended prison term for "smuggling". **Health Concerns:** acute – Esenov had suffered a heart attacks prior to his arrest. **Current situation:** In April 2006, Esenov was allowed to leave Turkmenistan to attend a ceremony in New York where he received the PEN American/ Barbara Goldsmith Freedom to Write Award. As of December 2006 he had travelled to Prague, Czech Republic and plans to return to Turkmenistan. PEN is seeking further information. **Honorary Member:** English, Canadian and American PEN

UKRAINE

Attacked

***Maksim BIROVASH:** special correspondent for *Business* newspaper was assaulted by two unidentified persons on 7 December 2007. Birovash is facing legal action over his reporting of the activities of a business consortium. He suspects the attack, in which his briefcase containing papers on the trial was stolen, is directly related to the lawsuit. The case was later found containing everything except for the papers relating to the trial and his laptop. The police investigating the incident do not think that the incident is related to Birovash's journalism. One suspect has been detained and police have set out to arrest another.

***Serhiy HARMASH:** editor in chief of the online edition of the independent newspaper *Ostriv*, based in Donetsk. Claims that his car was set alight on 22 September 2007 in an attack Harmash claims to have been in retaliation for his newspaper's critical reports. Police claim that the attack was hooliganism.

***Artem SKOROPADSKIY:** journalist for *Commercant*. Reports having been beaten by unknown persons in the night of 13 August 2007 on the front porch of his home. They did not speak nor were they intent on robbery. Skoropadskiy believes the attack is linked to an article he wrote criticising the mayor of Kiev. Skoropadskiy has filed a complaint.

UNITED KINGDOM

Judicial Concern – Suspended Sentence

***Samina MALIK (f):** age 23. Former shop worker at Heathrow Airport. Self styled 'Lyrical Terrorist' for her poetry. The first woman to be convicted under Britain's Anti Terror Act. Arrested in October 2006 and held under house arrest until sentenced on 6 December 2007 to 8 months in prison suspended for 18 months. Convicted for having publications including *The Al-Qaeda Manual* and *The Mujahideen Poisons Handbook* considered under the "likely to be useful to a person committing or preparing an act of terrorism". Malik had also posted poems on the Internet that praised martyrdom, described beheadings and hatred of non-Muslims. She later in court described her poems as 'meaningless', an attempt to be 'cool' and had been taken too literally.

UZBEKISTAN

Main Case

Muhammad BEKZHON (BEKJANOV)

D.o.b: c. 1955 **Profession:** former journalist **Date of arrest** March 1999 **Sentence** 15 years, reduced to 12 years **Expires** March 2011 **Details of arrest:** Deported from Ukraine in March 1999 on accusation of involvement in a series of explosions in Tashkent. Several others arrested in connection with these events. (see Makhmudov, below) **Trial details:** It is thought that his arrest is linked to his association with the exiled opposition leader Muhammed Salih and that the charges are linked to his work on *Erk*, the opposition party's newspaper, although it has been banned since 1994. Some of the defendants have testified to having been tortured under interrogation including beatings, electric shock and threat of rape of female family members. **Professional details:** Former contributor to *Erk*. Brother of exiled opposition leader, Muhammad Salih **Place of detention:** Kasan, south west Uzbekistan. **Health concerns:** reports of torture lead to concern for well being. The UN Special Rapporteur on Torture in his 2003 report referred to allegations of torture resulting in Bekjanov's leg being broken. It referred to Bekjanov contracting TB, for which he received treatment. The Uzbek government had responded to the Rapporteur informing him that the sentence had been reduced by a fifth, and giving details of the TB treatment being given. It denied that "moral or physical pressure" had been applied. In October 2006, his wife was able to visit him in prison and reports that he was still suffering beatings, and that he had lost most of his teeth. Concerns for his health remained acute as of late 2007. **Other Details:** Brother Rashid Bekzhon arrested alongside him. Wife resident in the USA. **Honorary Member:** English PEN, American PEN, USA, Canadian.

Mamadali MAKHMUDOV

Profession: writer and opposition activist **Date of arrest** 19 February 1999 **Sentence** 14 years **Expires** 3 August 2013 **Details of arrest:** Arrested 19 February 1999 after a series of explosions in Tashkent. Several others arrested in connection with these events. **Trial details:** Held in incommunicado detention from February to May 1999. Subsequently charged 1) Article 158 Uzbek Criminal Code – Threatening the president and 2) Article 159.3 UCC – Threatening the constitutional order. It is thought that his arrest is linked to his association with the exiled opposition leader Muhammed Salih. However access to key documents has been denied. Appears that some of the charges

against the defendants are linked to their writings in and distribution of *Erk* the newspaper of the opposition *Erk* party, banned in 1994. At the trial, Makhmudov testified to having been tortured under interrogation including beatings, electric shock and threat of rape of female family members. On 3 August 1999, sentenced to 14 years. **Professional details:** Well-known writer. Member of the Uzbek Writers Union and Uzbek Cultural Foundation. **Previous political imprisonment:** imprisoned between 1994 and 1996 for alleged embezzlement and abuse of office, charges which at the time were considered by PEN and Amnesty International to have been fabricated and that his arrest was because of his association with Salih. This view supported by the United Nations Working Group on Arbitrary detentions. **Place of detention:** Transferred from Navoi prison to the medical centre at Tashkent prison around March 2001. Subsequently moved on to Chirchik prison where the conditions are said to be less harsh than at Navoi. **Health concerns:** reports of torture lead to concern for well being. Hospitalised July 2000 presumably for facial and throat surgery. Thought to have resulted from extreme ill-treatment and neglect in Jaslyk camp where previously held. **Honorary Member:** English, American, Canadian, Netherlands and USA

Yusif RUZIMURADOV

Profession: leading opposition party member and editor-in-chief of *Erk* **Date of arrest** March 1999 **Sentence** 15 years **Expires** March 2014 **Details of arrest:** Deported from Ukraine in March 1999 on accusation of involvement in a series of explosions in Tashkent. Several others arrested in connection with these events. (see Makhmudov, above) **Trial details:** Sentenced 18 August 1999 to eight years in prison on charges of attempting to "overturn the government by force", "membership of an illegal organisation" and "slander" of the Uzbek President. It is thought that his arrest is linked to his association with the exiled opposition leader Muhammed Salih and that the charges are linked to his work on *Erk*, the opposition party's newspaper, although it has been banned since 1994. Some of the defendants have testified to having been tortured under interrogation including beatings, electric shock and threat of rape of female family members. **Professional details:** Former editor-in-chief of *Erk* and leading member of the *Erk* opposition party. **Place of detention:** Navoi. **Health concerns:** reports of torture lead to concern for well being. **Other details:** wife resident in the USA. **Honorary Member:** English PEN, American PEN, Canadian, USA

Forced psychiatric detention

Dzhamshid (Jamshid) KARIMOV: d.o.b c. 1967, journalist working for the London-based Institute of War and Peace Reporting (IWPR) until May 2005 and subsequently for a number of other publications, disappeared on 12 September 2006. Two weeks later his friends were able to ascertain that Karimov was being held in a psychiatric hospital in the capital, Samarkand. The chief psychiatrist at the hospital stated that Karimov suffers from a psychiatric disorder, that he was accepting medication, was in a room of his own and does not mix with other patients. **Ill treatment/medical:** has been allowed visits from his mother and fiancé but on occasion reportedly appeared distressed and asked them to help him get out. In August 2007, there were reports that his health had deteriorated further, in particularly his failing eyesight. **Background:** Karimov is a nephew of the President Islam Karimov and, according to CPJ, is said to have been openly critical of his uncle and to be living in poverty. Karimov worked for IWPR until May 2005 when many protestors were killed at a protest in Andijan. He subsequently

went on to work for a number of independent newspapers as a freelancer. **Previous political persecution:** Since mid 2006 Karimov had been under surveillance by the intelligence agencies and in August 2006, his mother reportedly demanded of the authorities, unsuccessfully, that listening devices be removed from their property. Also in August 2006, Karimov's passport was seized after he applied for a visa to attend a journalism seminar in Kyrgyzstan. It is reported that on 31 August 2006, the head of the regional administration visited Karimov and offered him positions on official newspapers, apparently in a bid to entice him to stop his independent journalism. Honorary member: English PEN

Investigation

***Yusuf Juma (Dzhuma):** poet. Age 50. Reported disappeared on 10 December 2007, and subsequently found to have been arrested on 22 December 2007 and remained detained as of 31 December. His arrest follows a series of demonstrations he and his son staged in Bukhara, where they displayed anti President Karimov posters against charges made against another son, Mashrab Dzhuma, who was arrested on 4 December and is charged with rape, allegations that he and his family dispute. Alerts were raised when, on 10 December 2007, after an altercation with police in Bukhara, neighbours reported that dozens of police had descended on the Juma home, and heard shooting from inside the house in a rampage that lasted until 1 am the following morning. Neighbours also report that after the police left, they went to the house to find no-one there and the corpses of pet dogs and livestock that had been shot. Juma was thought to have been at his house at the time, along with three of his children aged 25, 19 and 11, and his daughter-in-law and two grand children aged five and two. For some days there were concerns that Juma had been arrested, and possibly killed. However by 22 December he was found to have been detained. At time of writing, PEN is unclear about the reasons for the arrest. One report suggests that on 10 December, Juma was in his car that had posters displayed on it. When police attempted to apprehend him, he allegedly knocked down and injured two policemen and drove away. **Previous political persecution:** Juma is well known for his opposition activities and has been subject to arrest and harassment in recent years including a three year sentence passed in 2001 for "unconstitutional activities. He was freed in early 2002.

Khayrullah (Hairulla) ERNAZAROV: journalist. Arrested 28 April 2003 by national security service (SNS) agents at his home in Tashkent. Trial: **Trial** opened in Samarkand regional court on 18 June 2003. Ernazarov is said to be accused of disseminating audio cassettes of sermons by the Islamic preacher Abduvalli-kori, and thus promoting wahhabism (a conservative Islamic sect), and being a member of the Hizb-Ut-Tahrir party. His lawyer, provided by the Centre for Human Rights Initiatives, was apparently denied access to the court hearing. Human rights groups have expressed deep concern about the arrest and reported torture of alleged Hizb-Ut-Tahrir members, and there are fears for Ernazarov's well-being. A fourth hearing was held on 18 July 2003 during which eight witnesses testified. All had been condemned of "wahabi-ism" in 2000. Six declared that they did not recognise Ernazarov. One apparently claimed in court that his statements had been extracted under torture. Others have made similar claims. During the hearing, Ernazarov apologised to the court and Uzbek President. When asked why, Ernazarov is said to have replied that he apologised only for practising Islam prayer. The trial hearing was barred to journalists. **Convicted** to seven years in prison on 28 July 2003. **Background:** Ernazarov graduated from the Tashkent Theatrical Institute in 1997, and

went on to work as a proof-reader for the newspaper *Khalq Suzi* and worked for the newspaper *Sport*. He left journalism in 2001 to care for his wife and two young daughters, age five and six, both of whom are disabled. His wife is also disabled. Ernazarov had reportedly stopped working as a journalist, and was at the time of his arrest employed in a bazaar to earn money for the surgery needed by his daughters. **Place of detention:** Zarafshan Prison, Navoi. **Other:** In July 2003 the UN Special Rapporteurs on Torture and Freedom of Expression, and the Chair of the UN Working Group on Arbitrary Detention sent an urgent appeal about the arrest and lack of access to legal counsel. The Special Rapporteurs on Torture and Freedom of Expression sent subsequent appeals in August 2003 following the conviction of Ernazarov following a trial that dismissed allegations that he and his defendants had been tortured. The Government responded that Ernazarov had been defended by a lawyer, and contested reports that his wife had not been allowed access to him. PEN is seeking further information.

Gayrat MEHLIBOEV: d.o.b. c. 1979. Journalism graduate. Arrested 24 July 2002 in Chorsu Market, Tashkent, during an illegal demonstration. Accused of supporting the banned Hizb ut-Tahar Islamist group. Charged under Article 156 of the Criminal Code – inciting religious enmity, Article 159 – forming illegal religious organisations, Article 244 participation in extremist groups. Sentenced 20 February 2003 to seven years in prison, subsequently reduced to six and a half years. Accusation based on article published in 2001 on the ideology of Hizb ut-Tahar and literature of the organisation found in his room. Mehliboev claims that while he studied the organisation's ideology which he used as a source for his article, he was not involved in violent acts. He also denied possession of the literature. He claims to have been tortured in detention. Graduated in journalism in June 2002 from Tashkent University. His whereabouts and conditions of detention are unknown. PEN is seeking further details.

Oritkali NAMAZOV: former editor of the government newspaper *Pop Tongi* and journalist for *Kishlok Khayoti*, also a state newspaper, sentenced to five and a half years in prison on 16 August 2004 on charges of embezzlement. **Background:** Namazov's arrest followed a series of articles in which he criticised alleged abuses of tax inspections and collective farm management. His trial opened on 4 August 2004 at the Turakurgan District Criminal Court, during which he is said to have claimed that the judge was biased and that he was not allowed to defend himself. Human Rights monitors say that Namakov's family has suffered reprisals, having their home telephone cut and his daughter fired from her job as a school doctor. Namazov's whereabouts and state of health are unknown. PEN is seeking further details.

Attacked

***Said ABDURAKHIMOV (aka Sid Yanyshiev):** journalist. Age 35. Reported that on 11 October 2007 he was set upon in the capital Tashkent by two men in civilian clothes claiming to be National Security Service officials after he asked them to show their credentials following their demand that he produce his documents. He claims to have lost consciousness. He believes the attack was related to his writings. He is the Tashkent correspondent for the London-based Institute for War and Peace Reporting and has covered social and political issues for the website ferghana.ru and other Russian based websites. He was on his return from reporting on protests over rises in bread prices in the town of Chirchik when he was attacked, during which his mobile phone containing footage of the demonstrations was stolen.

Middle East and North Africa

ALGERIA

Facing charges

Abdel Salam BAROUDY: Administrator of the *Bilad Telmesan* Internet log (<http://bilad-13.maktoobblog.com>). Facing a defamation charge for criticising an official in an article published in February 2007. Baroudy reportedly criticised an official for allegedly banning cooperation between religious leaders and local broadcasters. If found guilty, he could face a sentence of six months in prison and a fine. The first hearing was due to take place on 11 June 2007. No further information as of 31 December 2007.

Sentenced: free on bail

***Dhif TALAL:** Correspondent for the Arabic-language newspaper *Al Fajr*. Reportedly sentenced on 15 October 2007 to six months in jail on defamation charges brought by the Ministry of Agriculture, over an article on mismanagement within the Ministry written by Talal. He is appealing against the decision.

Case closed

Chawki AMARI and Omar BELHOUCHE: Director and columnist respectively of the daily *El Watan*. Reportedly handed down three-month prison sentences passed by a court in eastern city of Jijel on 25 December 2006. The sentences are a result of a libel suit brought by the prefect over an article published on 17 June 2006 in which they accuse him of corruption. Their sentences were reduced to two months in prison on appeal on 27 May 2007. Case closed for lack of further information.

Salah MOKHTARI: Journalist with the national daily *El Djazair News*. Reportedly arrested in Medea, south of Algiers, on 18 December 2006. When he was taken to the prosecutor's office the following day, he was told four arrest warrants were pending against him from 2004 and 2005 for alleged libel in articles he had written for the Arabic-language *El Kawalis*, for which he was working at the time. Mokhtari, who claims to have never received a summons in connection with these cases, was accorded a provisional release on 25 December 2006, after being held for a week. Case closed for lack of further information.

BAHRAIN

Attacked

***Ali AL-SHEHABI, Husain AL-ORRAYED and Mohammed AL-MUKHARRAQ:** Journalists with the newspapers *Al-Al-Ayam*, *Al-Waqt* and *Al-Wasat* respectively. Reportedly harassed and assaulted by Bahraini security forces on 25 December 2007 whilst covering a peaceful protest outside the public prosecutor's office.

EGYPT

Main case

Abdel Kareem Nabil SULEIMAN (aka Kareem Amer)

D.o.b: 1984 **Profession:** Internet activist **Date of arrest:** 6 November

2006 Sentence: Four years in prison **Expires:** 5 November 2010 **Details of arrest:** arrested after posting articles critical of Islam on his web-blog (www.karam903.blogspot.com). He was charged with 'incitement to hatred of Islam' and 'circulating rumours threatening public order'. **Details of trial:** His trial began on 18 January 2007 and he was sentenced to four years in prison on 22 February 2007 on charges of 'disparaging Islam' and 'defaming the Egyptian president'. The charge of 'broadcasting statements that could disturb public order' was dropped. The Court of Appeal upheld the four-year sentence on 12 March 2007. **Place of detention:** Borg El-Arab Prison in Alexandria. **Health concerns:** Reported in November 2007 to have suffered a broken tooth as a result of ill-treatment in prison. **Treatment in Prison:** Reported to be beaten and ill-treated in detention. **Previous political imprisonment/problems:** Previously arrested for posting anti-religious articles on his website and held for almost three weeks in October 2005. **Awards:** Kareem Amer was awarded the journalism award at the 7th Annual Index on Censorship Freedom of Expression Awards on 14 March 2007. **Honorary member of:** English and American PEN. (RAN 04/07, 24 January 2007; update #1, 26 February 2007; update #2, 13 March 2007; update #3, 28 November 2007.)

Judicial concern

Abd al-Mun'im Gamal al-Din `ABD AL MUN'IM: Freelance journalist, born c. 1964, currently detained on charges of terrorism before a military court. He was arrested in February 1993, acquitted in October of that year of being a member of an illegal Islamist group but issued with a new detention order and placed in a high security prison. He has been charged along with 106 others of supporting the militant Islamist group al-Jihad (Holy Struggle) in a trial known as the "Returnees from Albania" trial. On 18 April 1999, the Supreme Military Court acquitted 20 of the 106 including `Abd al-Mun'im Gamal al-Din. However, he was immediately issued with a new detention order and was transferred to Istiqbal Tora prison, north of Cairo, which is closed to visits. Amnesty International is among groups expressing concerns over his judicial process and is treating him as a possible prisoner of conscience. His journalism was critical of the government and some believe that this is what really lies behind his imprisonment. He used to write regularly for the bi-weekly *Al-Sha'b*. Still detained as of 31 December 2007. Held in Rayoum Jail, southwest of Cairo, and said to be suffering from kidney problems and asthma.

Sentenced, free on bail pending appeal

***Anawar EL-HAWARY, Mahmood GHALAB and Ameer SALIM:** Director, deputy chief and political editor of the newspaper *El-Wafd* respectively. Reportedly each sentenced to two years in prison on 25 September 2007, after a lawsuit was brought against them by a group of lawyers representing the ruling Democratic Party. The charges are based on Article 102 of the Criminal Code, alleging that *El-Wafd* published false news detrimental to the judiciary in January 2007. The story refers to a meeting between several senior judiciary officials during which several judges were criticised. Several other newspapers covered the same story. The men remain free pending appeal after posting bail.

***Adil HAMOUDA, Wael AL-IBRASHI, Ibrahim ISSA AND Abdel Al-Halim QANDIL:** Editor of the weekly *Al-Fagr*, journalist with the weekly *Sawt al-Umma*, editor of the daily *Al-Dustur* and former editor of the weekly *Al-Karama* respectively. Reportedly sentenced on 13 September 2007 to one year in prison and a heavy fine on charges of 'making public with malicious intent false news, statements or rumours

that are likely to disturb public order' as stated by Article 188 of the Penal Code. The men posted bail and remain free pending appeal. Their appeal will be heard by the Agouza Appeal Court on 26 January 2008.

Investigation

***Yonis DARWISH:** Journalist with the newspaper *El-Wafd*. Reportedly sentenced to one month in prison by a criminal court on 28 October 2007 after a lawyer brought a lawsuit against Darwish questioning the accuracy of an article he wrote about a municipal session. WiPC seeking further information.

***Wael EL IBRASHI:** Chief editor of the independent newspaper *Sawt El-Omma*. Six lawsuits for defamation were reportedly brought against him before the Misdemeanors Court of El-Agouza on 10 December 2007. The lawsuits were reportedly filed by several businessmen regarding articles published in his newspaper alleging corruption in their companies. Three of the lawsuits are brought by the chairman of the board of one of the companies. The hearing for three of the lawsuits is scheduled for 28 January 2008, the hearing for the other three lawsuits is scheduled for 11 February 2008. Ibrashi has been previously charged and convicted for articles published in his newspaper (see 'sentenced, free on bail' above), and the *Sawt El-Omma* is known for exposing corruption in Egypt.

***Ibrahim ISSA:** Editor of the daily *Al-Dustur*. Reportedly charged on 11 September 2007 by the prosecutor general with 'publishing reports likely to disturb public security and damage the public interest'. The charges stem from a series of articles published in *Al-Dustur* about President's Mubarak's rumoured health problems. Ibrahim Issa was due to appear in court on 1 October 2007 and this was postponed to 26 October 2007 after his lawyer asked for more time to prepare the defence. Issa is also appealing against a sentence he was handed out on 13 September 2007 in a separate case with three other journalists (see below). **Previous political imprisonment/problems:** Reportedly sentenced to one year in prison on 26 June 2006 for 'insulting the President' and 'spreading false or tendentious rumours' for a report on a legal case against President Mubarek. His sentence was commuted to a fine by a court of appeal on 28 February 2007. Issa is also a novelist, and his novel *Maqatal Al-Rajul Al-Kabir (The Assassination of the Big Man)* was banned in 1999. He has been banned from publishing as a journalist many times.

Case closed

Sherin Abu EL NAGA (f), Mohamed HASHEM, Shahenda MEKLED: Academic and writer, owner of *Dar Merit Publishing House* and political activist respectively. All three faced charges of defamation after several members of a feudal family filed a defamation claim against them on 10 January 2007. This followed the publication of the book *From the Papers of Shahenda Mekled*, published by *Dar Merit*. El Naga, the author of the book, reportedly recounted some of the feudal practices in Kamshich, Menoufia Governorate in the 1950s and 1960s. Some of the members of the said feudal family regard the book as defamatory and insulting and now seek confiscation of the book. Case closed for lack of further information.

Ibrahim ISSA and Sahar ZAKI: Editor and journalist respectively of the opposition weekly *Al-Dustur*. Reportedly sentenced to one year in prison on 26 June 2006 by a court in the village of Al-Warrack, near Cairo, for 'insulting the President' and 'spreading false or tendentious rumours' after they reported on a legal case against President Mubarek. The charges were brought by the 'ordinary people of al-Warrak' who were reportedly offended by an article published in *Al-Dustur* on 25

April 2005 reporting on a lawsuit brought by a man from Al-Warrak who accused President Mubarak and his wife and son of unconstitutional conduct and 'wasting foreign aid' during the privatisation of state-owned companies. A court of appeal sentenced both men to a fine and dropped their prison sentences on 28 February 2007. Case closed.

Amira MALASH (f): Reporter for the independent weekly *Al-Fagr*. Sentenced to one year in prison for defamation on 9 March 2006. She was convicted of defaming Judge Attia Mohammad Awad in an article she wrote in July 2005 alleging that he had taken bribes. Thought to remain free pending appeal, case closed of further information.

IRAN

Main Cases

***Emadeddin BAQI**

Profession: Leading journalist and human rights defender **Date of arrest:** 14 October 2007 **Sentence:** One year in prison. **Details of arrest:** According to PEN's information, Emadeddin Baqi was arrested on 14 October 2007 at the Security Unit of the General and Revolutionary Public Prosecutor's Office after he responded to a summons. He is believed to have been charged with 'propaganda against the regime' and 'publishing secret government documents' for his activities as president of the Society for the Defense of Prisoners' Rights, an organisation that he founded in 2003. Whilst his family was posting bail, Evin prison authorities arrived at the courthouse and announced that Baqi was required to serve a one-year suspended sentence he was given in December 2003, and he was immediately transferred to jail. **Previous political imprisonment/problems:** In November 2003 he had been charged with 'endangering national security' and 'publishing lies' in a series of articles published in the reformist press and his book *The Tragedy of Democracy in Iran*, implicating Iranian officials in the 1998 murders of a number of intellectuals and dissidents. Baqi was sentenced on 4 December 2003 to one year in jail, suspended for five years. On 17 October 2004 the suspensive character of the prison sentence was reportedly lifted, and he subsequently launched an appeal against the judgement. On 2 February 2005, the one-year prison sentence was upheld and his appeal was rejected. However the sentence was not enforced until now, for reasons that remain unclear to PEN. Emadeddin Baqi has a history of political imprisonment and persecution; his family report that he has been summoned to court 23 times in the past four years alone. He was first imprisoned on 29 May 2000 after being convicted on several counts stemming from his critical writings, including those that "questioned the validity of ...Islamic law", "threatening national security", and "spreading unsubstantiated news stories". Baqi was sentenced on 17 July 2000 to five and a half years in prison, which was commuted to three years on 22 October 2000. He reportedly served two years of this sentence. **Place of detention:** Section 209 of Tehran's Evin prison. **Treatment in prison:** Said to be held incommunicado and in solitary confinement, and to be at risk of ill-treatment. **Health concerns:** Reportedly suffered a heart attack in prison on 26 December 2007. He was reportedly briefly hospitalised for emergency treatment, but then returned to prison. (RAN 44/07, 31 October 2007; update #1, 15 January 2008).

Mohammad Hassan FALLAHIYA:

Profession: Journalist and managing editor of *Aqlam al-Talaba*, a student publication of Ahvaz University, Khuzestan province. **Date of arrest:** November 2006. **Sentence:** Three years imprisonment with hard labour. **Expires:** November 2009 **Details of arrest:** Detained after

writing articles criticising the Iranian government and reportedly contacting opposition groups based abroad. **Details of trial:** Reportedly sentenced on 21 April 2007 and according to Amnesty International, he was not allowed legal representation throughout the judicial process. **Place of detention:** Reportedly held in Section 209 of Evin Prison, Tehran. **Treatment in prison/Health Problems:** There are fears that he may be at risk of torture or ill-treatment. Fallahiya also suffers from sickle cell anaemia but he is reportedly being denied the medical care he needs for his condition. The prison authorities have reportedly prevented his family from bringing supplies of his medication to the prison and it is feared that his health may deteriorate further without adequate medical care. **Honorary member of:** English PEN.

Ali FARAHBAKHSH:

Profession: Former economics and foreign affairs reporter for the banned reformist dailies *Yas-e No*, *Shargh* and *Sobh-e Emrooz*. **Date of arrest:** 27 November 2006. **Sentence:** Three years imprisonment. **Expires:** 26 November 2009 **Details of arrest:** Arrested on 27 November 2006 on his return from Bangkok, Thailand, where he had been attending a conference organised by a Thai human rights organisation on government and the media. His arrest was not made public until 6 January 2007. **Details of trial:** His trial began on 26 February 2007, and he was convicted of 'espionage' and 'stealing from foreigners' on 26 March 2007. His lawyers said they would appeal the sentence. **Place of detention:** Evin Prison, Tehran. **Treatment in prison:** Ali Farahbaksh has been allowed family visits, and his wife and mother report that he is in poor health and is held in solitary confinement. According to his family, he suffers from kidney and digestive problems, and the authorities have reportedly not allowed him access to his medication since the beginning of May 2007. (RAN 15/07 21 March 2007; update #1 03 April 2007; update #2 13 June 2007)

Adnan HASSANPOUR

Profession: Iranian Kurdish journalist, writer and human rights activist. **Date of arrest:** 25 January 2007 **Sentence:** Death penalty **Details of arrest:** Reportedly detained on 25 January 2007 in Marivan, a small city in the northwestern province of Kurdistan, apparently for expressing his views on the Kurdish issue. He was reportedly held incommunicado without charge in a Ministry of Intelligence facility in Marivan, and transferred to Marivan prison on 26 March 2007. In April 2007, the *Mehr News Agency*, which is said to have close links with Iran's judiciary, apparently alleged that Adnan Hassanpour had been in contact with Kurdish opposition groups and had helped two people from Khuzestan province, who were wanted by the authorities, to flee from Iran. However, it is thought that he may be held for a phone conversation he had with a staff member of *Radio Voice of America* shortly before his arrest. **Details of trial:** He appeared before the Islamic Revolutionary Court in Sanandaj on 12 June 2007, in the presence of his lawyer. On 16 July 2007 he was told that he had been sentenced to death on charges of espionage and *Moharebeh* ('being at enmity with God'). The sentence was confirmed on 3 August 2007. **Previous political imprisonment/problems:** Adnan Hassanpour is a former member of the editorial board of the Kurdish-Persian weekly journal, *Aso* (Horizon), which was closed by the Iranian authorities in August 2005, following widespread unrest in Kurdish areas. He had previously been tried in connection with articles published in the journal. **Other information:** He is a member of the Kurdish Writer's Association. (Update #1 to RAN 11/07, 30 July 2007).

Kaveh JAVANMARD

Profession: Iranian Kurdish Journalist for the weekly *Krafto*. **Date of arrest:** 18 December 2006 **Sentence:** 2 years in prison. **Expires:** 17 December 2008 **Details of arrest:** Officials from the Ministry of Intelligence arrested Kaveh Javanmard at his home in Sanandaj on 18 December 2006. **Details of trial:** He was sentenced to two years in prison 17 May 2007. The charges against him have not been made known, although he is believed to be held for his legitimate professional activities as a journalist. The authorities have reportedly targeted other staff members of *Krafto* in the weeks leading to his arrest. Javanmard's arrest came during a wave of arrests, bans and acts of intimidation against the media following a visit to the Kurdish north by the President and the Culture Minister in September 2006. **Place of detention:** Reportedly transferred on 29 December 2007 to a prison in the northern city of Maragheh, 300km from his family home. (RAN 18/07 , 28 March 2007 – Update #1 30 May 2007).

***Mohammad Sadiq KABUDVAND:**

Profession: Editor of the journal *Payam-e Mardom-e Kurdistan*. **Date of arrest:** 1 July 2007. **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. No reason has been given for his arrest although it could be linked to a previous one-year prison sentence which he has never served. **Place of detention:** Intelligence Ministry's Section 209 of Evin Prison. **Treatment in prison:** Held incommunicado and said to be ill-treated. **Health concerns:** Suffers from high blood pressure, a skin and a kidney condition, has been told by prison guards that every time he wants to go to the toilet, he must write a letter to the intelligence officials running Section 209 of Evin Prison and seek formal permission to do so. His kidneys may be damaged if he is not permitted to use the toilet when he needs to. **Other information:** Reportedly granted a conditional release order in December 2007, but his family cannot afford to raise the bail amount of 150 million toman (145, 000 euros) so he remains detained. **Previous political problems:** Among several prominent Kurdish human rights defenders and journalists to be detained on 2 August 2005 following protests in the city of Sanandaj, capital of Kurdistan. Kabudvand was reportedly sentenced to 10 months in prison on 18 August 2005 for "separatist propaganda". Reportedly held in solitary confinement for 66 days before being freed on bail. For reasons unclear to PEN, Kabudvand was summoned by the Office for the Execution of Sentences on 22 September 2006, and ordered to serve out the remainder of his sentence. Released in April 2007. (RAN 30/07, 18 July 2007 – update #1, 13 November 2007).

***Ako KURDNASAB**

Profession: Board member of the weekly *Karfto*. **Date of arrest:** 23 July 2007 **Sentence:** Six months in prison **Expires:** 22 January 2008 **Details of arrest:** Reportedly arrested on 23 July 2007 for his activities in support of Adnan Hassanpour (see 'main case' above). **Details of trial:** Kurdnasab reportedly appeared at a closed-doors session at the Sanandaj Revolutionary Court on 10 September 2007 on charges of 'espionage, acting against national security and attempting to overthrow the regime through his journalistic activities'. Said to have been sentenced to three years in prison on espionage charges, reduced on appeal to six months for 'attempting to overthrow the government by means of journalistic activities' on 13 November 2007. **Place of detention:** He is held incommunicado at Sanandaj prison without access to family visits.

*Ejla QAVAMI

Profession: Journalist with the banned weeklies *Payam-e Mardom Kurdistan* and *Deedgah*. **Date of arrest:** 2 August 2005. **Sentence:** 3 years and a half years in prison **Details of arrest:** 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. Believed to be charged with acting against national security and organising and leading the demonstrations in Sanandaj. Held in solitary confinement for 66 days before being freed on bail. **Details of trial:** Reportedly sentenced to three and a half years in prison on 9 June 2007 for 'inciting revolt' and 'undermining national security'. Qavami was reportedly re-arrested on 9 July 2007 and his lawyer confirmed that Qavami has been sentenced to three and a half years in prison on 1 August 2007. **Place of detention:** Evin prison **Health concerns:** Said to require an operation for an acute eye infection. **Previous political imprisonment/problems:** Reportedly sentenced to a two-year suspended prison sentence for 'publishing false news' in 2007.

Grand Ayatollah Yasub al-Din RASTGARI

D.o.b.: 1927 **Profession:** Shi'a religious leader and scholar. **Date of arrest:** 27 April 2004 **Sentence:** 4 years in prison **Expires:** 28 April 2008 **Details of arrest:** Grand Ayatollah Yasub al-Din Rastgari was reportedly arrested in his home city of Qom on 27 April 2004 after the publication of his book *The Reality of Religious Unity*. His two sons were also arrested with him and the book's publisher closed down. He is accused of 'insulting Islam' and 'causing schism' in the book, which is allegedly critical of the policies of some historic characters and 'denigrates the sanctity' of some Wahhabi sect personalities. The book is said to be a Shiite text attacking the Sunni sect of Islam, and is reportedly addressing points raised in another published book. PEN first learned of this case in June 2005, and exact details remain difficult to confirm. **Details of trial:** It is thought that Grand Ayatollah Rastgari has been secretly charged, convicted and sentenced to four years in prison by the Special Court for the Clergy, which is known to violate internationally recognised standards of fairness to which Iran is a state party. **Health concerns:** Said to be in poor health, suffering from heart disease and diabetes. **Professional details:** Grand Ayatollah Rastgari is said to be a Muslim scholar who has written over 100 works. **Place of detention:** He is thought to be held by the secret service in the city of Qom although his exact whereabouts, charges against him or sentence have not been confirmed. **Previous political imprisonment/problems:** He has reportedly been previously detained on several occasions, most recently in 1996, when he was reportedly sentenced to three years in prison and a period of internal exile for his activities against the regime. He was reportedly critical of government interference of religious institutions in Qom and of the functions of the Special Court for the Clergy. Said to have been tortured in detention. (RAN 45/05, 19 October 2005)

Main case, free on medical leave

Siamak POURZAND

D.o.b.: 1930 **Profession:** Journalist and film critic. **Date of arrest:** 24 November 2001. **Sentence:** 11 years' imprisonment. **Expires:** 23 November 2012 **Details of arrest:** Abducted by the Iranian intelligence services on 24 November 2001. It is thought that his arrest may be connected to his position as manager of the *Majmue-ye Farrhangi-ye Honari-ye Tehran*, a cultural centre for writers, artists, and intellectuals. Pourzand is also known for his articles critical of the Islamic regime, and is said to have worked with Iranian foreign-based media. **Details of trial:**

On 6 March 2002, the Iranian authorities began closed and unannounced proceedings against Pourzand. On 13 April 2002 the Tehran General Court reportedly sentenced him to eleven years' imprisonment on charges of "undermining state security through his links with monarchists and counter-revolutionaries". It is widely believed that the charges against him are based on 'confessions' which are thought to have been exacted under duress. The sentence was reportedly confirmed on 21 May 2002 following an appeal by his court-appointed lawyers. **Health concerns:** Pourzand suffers from diabetes and a heart complaint. Said to have been denied necessary medical treatment whilst in detention, and reported by his family to be in a serious condition both physically and psychologically. After a series of hospitalisations in 2004 he was released on medical leave from prison. However according to his family he is denied permission to travel abroad for necessary medical treatment and to visit his family who are living in exile in the US. **Other information:** Siamak Pourzand is the husband of writer and lawyer Mehrangiz Kar. Adopted by the UN Working Group on Arbitrary Detention. **Honorary Member:** Norwegian, Canadian and American PEN. (RAN 20/04, 27 April 2004)

Investigation

***Soheyl ASEFI:** **D.o.b. :** 4 November 1982 Freelance journalist. Reportedly arrested on 4 August 2007 after a summons from the Special Section for Security Affairs of Tehran's Prosecutor's Office. His home had been searched on 31 July 2007 and his writings, letters and computer amongst personal items taken away. Has since been held incommunicado and in solitary confinement in Section 209 of Evin Prison. He was offered bail on 25 September 2007 but his family are unable to raise the bail sum of 3,000 million rials (250,000 Euro). **Health concerns:** Said to be in poor health and to suffer from dizziness and low blood pressure.

***Omid AHAMADZADEH:** Journalist with the banned newspapers *Aso* and *Didgah*. Reportedly arrested by intelligence officers in Sanandaj, Iranian Kurdistan, on 28 November 2007. The reason for his arrest is unknown. WiPC seeking further details.

***Farshad GORBANPOUR :** Journalist for several publications including the online newspaper 'Roozonline'. Reportedly arrested on 31 July 2007 on the orders of Tehran prosecutor Said Mortazavi, and transferred to Section 209 of Evin prison. The charges against him are not known. WiPC checking whether still detained.

Esmail JAVADI: Journalist. Arrested on 18 February 2007 in Orumiye. Reportedly detained in a facility controlled by the Ministry of Intelligence where he was allegedly severely beaten. His family was allowed to visit him and reported that he is in urgent need of medical attention. They also claim they were threatened by security officials and told they should not speak about his case to anyone. WiPC seeking further information.

Said MATINPOUR: Journalist with the Azeri weekly *Yarpagh*. Reportedly arrested on 28 May 2007 at his home in the northwestern city of Zanjan. Reportedly held incommunicado without charge in section 209 of Evin prison, without access to family visits. WiPC checking whether still detained.

***Abolfazl Abedini NASR:** **D.o.b.:** 1982. Journalist with the weekly *Bahar Khozestan*. Reportedly arrested on 13 November 2007 as he left his office, and sentenced to one year in prison on 24 December 2007 at a trial held in the southwestern city of Ahvaz. His lawyer was reportedly not present at the trial. Thought to have been convicted on charges of 'acting against national security' and 'disseminating false information' for his reporting. Said to have been arrested several times in the past two years. WiPC seeking further information of the charges.

Bejaz Ahmad QASABIAN, Moqdad KHALIPOR, Pooya MAHMOUDIAN, Majid TAVAKKOLI and Majid SHEIKHPOUR: Managing editor of *Sahar*, editor of *Atiyeh*, editor-in-chief of *Rivar*, editor-in-chief of *Khat-e Sefer* and editor in chief of *Sar-e Khat* respectively. Qasabian was reportedly arrested on 3 May 2007 and Khalipour on 7 May 2007. The three other men were reportedly summoned to a Revolutionary Court on 8 May 2007 and were detained by judicial officials the same day. All men are reportedly detained in relation to articles published in several student publications on 30 April 2007 deemed by university officials to ‘insult Islamic sanctities’, a criminal offence. All are believed to be held in Evin Prison and there are fears that they may be at risk of torture or ill treatment. WiPC seeking an update.

***Bakhtiyar REHIMI:** Journalist from Merivan, Iranian Kurdistan. Reportedly arrested on 23 July 2007 with Ako Kurdnasab (see ‘main case above’) for their activities in support of Adnan Hassanpour (see main case above). Rehimy was reportedly due to remain in detention for at least two months after his arrest. WiPC checking whether still detained.

Sentenced, free on bail

Taghi RAHMANI and Hoda SABER

Profession: Journalist with the banned weekly *Omid-é-Zangan* and co-editor of the banned monthly *Iran-é-Farda*. **Date of arrest:** 14 June 2003. **Sentence:** seven and five and a half respectively. **Details of arrest:** Reportedly arrested at their homes in Tehran on 15 June 2003 for meeting secretly with students in support of the anti-government protests that began on 10 June 2003. They were free on bail at the time after being convicted in a separate case. **Details of trial:** Among seven journalists who were sentenced on 10 May 2003 for their membership of the National Religious Alliance (Melli Mazhabi), a nationalist Islamic group that has been banned since March 2001. They received sentences of eleven and ten years’ imprisonment respectively on charges of “subversive activities against the state”. Both remained free on bail pending appeal, but were each arrested at their homes in Tehran on 15 June 2003 for allegedly meeting secretly with students in support of the anti-government protests that began on 10 June 2003. They remained detained, and details of their detention remained unclear until 1 May 2004, when their sentences were reportedly confirmed as seven and five-and-a-half years’ imprisonment respectively. Lawyers for the men have not been allowed access to their clients’ files. Their case was re-examined by the Head of Judiciary and they were convicted in a closed session on 28 December 2005 on charges of forming an illegal group and conspiring to commit crimes. They remain free on bail pending appeal. **Other information:** Taghi Rahmani is a recipient of the 2005 Hellman/Hammett awards. **Previous political imprisonment/problems:** Rahmani previously served 13 years in the 1980’s and 90’s for opposition activities. **Honorary member of:** Danish PEN (Taghi Ramani).

Sentenced, suspended

Abbas ABDI: Journalist, director of the *Ayandeh* public opinion firm and a former editor of the now-closed daily *Salam*. Arrested on 4 November 2002 and sentenced to 9 years and six months’ imprisonment in February 2003 on charges of “cooperation with foreign governments” (selling information to the US) and “propaganda against the Islamic regime”. This followed the publication of an *Ayandeh* poll indicating overwhelming support for a resumption of Iran’s ties with the US by the official news agency. In April 2003 his sentence was reduced on appeal to four-and-a-half years. WiPC learnt that the Supreme Court acquitted Abbas Abdi of the two charges of “cooperation with foreign govern-

ments” (selling information to the US) and “propaganda against the Islamic regime” but he faces another charge of “keeping confidential and secret documents of the intelligence organizations”. A sentence of unknown duration has been issued on this count, but it is still on appeal. The Tehran Prosecutor immediately lodged a protest against the acquittal ruling, which is currently under examination.

***Fatemeh Kamali Ahmad SARAHÍ (f):** Editor of the banned monthly *Jameh-e-no*. Married to leading pro-reform journalist Emadoddin Baqi (see ‘main case’ above). Reportedly handed down a three-year suspended sentence on 31 July 2007 on charges of ‘meeting and colluding with the aim of disrupting national security’ for taking part in a series of human rights workshops in Dubai in 2004.

Ahmad Reza SHIRI: Journalist and internet writer. Reportedly handed down a three-year prison sentence, suspended for five years, on 8 January 2006 for writing articles calling for a boycott of the elections in February 2005.

Yaghoub YADALI

D.o.b.: 1970 **Profession:** Novelist **Date of arrest:** 15 March 2007 **Sentence:** 1 year in prison, 9 months of which are suspended. **Details of arrest:** According to PEN’s information, Yaghoub Yadali was arrested on 15 March 2007 and detained for 41 days on charges of insult, libel and publication of false information in two of his fictional works: a collection of six short stories entitled *Sketches in the Garden* (Aasa Publications, Tehran, 1997) and parts of his novel *Rituals of Restlessness* (Niloufar publications, Tehran, 2004). Both had been granted approval for publication from Iran’s Ministry of Guidance. A sample of the novel, *Rituals of Restlessness*, featuring a rural Lor woman who is described as an immoral person, is quoted by the prosecutor in the indictment. Yaghoub Yadali is himself a member of the Lor Ethnic minority, and is an award-winning writer in the region. **Details of trial:** Yadali was tried at a court in the city of Yasuj, capital of Kohgiluyeh and Boyer-Ahmad Province, southwestern Iran, on 23 August 2007. He was convicted and sentenced in September 2007 to one years’ imprisonment for ‘insulting in order to agitate the general public’. Nine months of the sentence are suspended for two years, conditional on his writing four articles in the local news papers on art and cultural personalities of Kohgiluyeh and Boyer-Ahmad Province, published at his own expense. **Professional details:** Yaghoub Yadali is a prominent writer, who has also worked as a television director, making documentaries and writing screenplays. In addition to the works for which he was sentenced, he has also published *Probability of Merriment and Mooning* (Nim-negah Publications, Shiraz, 2001), a collection of eight short stories for which he won the Press Critics Annual Prize in 2001, and many articles and cultural commentaries in newspapers and journals. Since his arrest Yadali has been banned from publishing, and his books have been withdrawn from the market. He has also been dismissed from his job, and is now unemployed and without financial support. **Honorary member of:** Scottish PEN.

Free on bail pending trial

Mahbubeh ABBASGHOLIZADEH, Parvin ARDALAN, Jila BANIYAGHOUB and Shadi SADR (f): Prominent women writers and journalists. Arrested on 4 March 2007 along with thirty other women activists. Baniyaghoub was released on bail on 9 March 2007, Ardalan was released on bail on 7 March 2007, Sadr and Abbasgholizadeh were released on bail on 19 March 2007. All three are still facing undisclosed charges for organising a demonstration in Tehran on 4 March 2007. (RAN 13/07, 12 March 2007; Update #1, 26 March 2007).

Brief Detention/Facing charges

***Soheil ASSEFI:** Journalist for a number of publications. Reportedly arrested on 4 August 2007 and detained incommunicado for over two months in Evin Prison, Tehran. He was released on 8 October 2007 and faces charges of ‘publishing false news likely to disturb public opinion’.

Brief Detention

***Behzad KORDESTANI:** Poet and writer from Marivan. Arrested on 23 July 2007 along with two other intellectuals (see Kurdnasab and Rehimi above) for their activities in support of Adnan Hassanpour (see ‘main case’ above). He was released without charge on 24 July 2007.

***Adi MAZRI:** Editor of the newspaper *Sobh e Zahedan*. Reportedly arrested on 8 December 2007 in the southeastern city of Zahedan for publishing false information and ‘disturbing public opinion’. Released on 12 December 2007 pending trial.

***Yaghoob Salaki NIA:** Journalist for several newspapers including *Shamesse Tabriz*, *Ahrar*, and *Omid Zanjan*. Reportedly arrested on 30 October 2007 and held without charge in Evin Prison until 19 December 2007.

Released

Haleh ESFANDIARI (f) and Kian TAJBAKSH: Head of the Middle East Program at the Woodrow Wilson International Centre for Scholars in Washington D.C and consultant for the Open Society Institute respectively. Arrested on 8 and 11 May 2007 respectively. Esfandiari travelled to Iran in December 2006 to visit her ailing mother. On 30 December 2006, prior to her planned departure from Iran, armed and masked men stopped her taxi and seized both her Iranian and US passports. She was then subjected to repeated and protracted interrogation sessions by Ministry of Intelligence officials until her arrest on 8 May 2007, when she was transferred to Tehran’s Evin prison. Tajbakhsh was arrested at his home in Tehran on or around 11 May 2007. On 29 May 2007 they were both charged with “endangering national security through propaganda against the system and espionage for foreigners” against Esfandiari and Tajbakhsh. Haleh Esfandiari was freed on bail on 21 August 2007 and left Iran on 2 September 2007. Kian Tajbakhsh was released on bail on 19 September 2007.

Case closed

Alireza ALAVITABAR: Editor of the banned dailies *Sobh-Emrooz* and *Bonyan*. Reportedly sentenced to 15 months in prison, suspended for three years, on 17 January 2006 for allegedly insulting the regime’s leaders in an article entitled ‘Militarism and its consequences’. Case closed, sentence expired.

Elham AFROUTAN (f): Journalist with the provincial weekly newspaper *Tammadon-e Hormozgan (Hormozgan’s Civilisation)*. Reportedly detained on 29 January 2006 in the city of Bandar Abbas, in the province of Hormozgan, following the publication of a satirical article entitled “Let’s Expose the AIDS Epidemic of the Regime”. Charged with insulting the Leader, officials and institutions of the Islamic Republic of Iran and spreading “propaganda against the system”. Sentenced on 9 July 2006 to one year in prison, suspended for five years, for ‘propagating immoralities’. Case closed for lack of further information.

Hashem AGHAJARI: Prominent reformist intellectual. Head of the history department at the Tarbiat Modarress University in Tehran. Arrested in August 2002 and sentenced to five years imprisonment, including a two-year suspended sentence, for a speech in which he

allegedly “insult[ed] Islamic values”. Sentence expired in August 2007, case closed.

Reza ALIJANI: Editor-in-chief of *Iran-é-Farda*. Arrested on 14 June 2003 with Taghi and Hoda Saber (see above). They were among seven journalists who were sentenced on 10 May 2003 for their membership of the National Religious Alliance (Melli Mazhabi), a nationalist Islamic group that has been banned since March 2001. They received sentences of eleven, ten and six years’ imprisonment respectively on charges of “subversive activities against the state”. All three men remained free on bail pending appeal. On 1 May 2004 Reza Alijani learned that his sentence was confirmed as four years’ imprisonment. Case closed, sentence expired.

Mohammad Hassan ALIPOUR: Managing editor of the banned weekly *Aban*. Reportedly sentenced to 6 months in prison, suspended for two years, on the charge of acting against the national security on 5 November 2005 for his writings. Case closed, sentence expired.

Sherko JIHANO: Iranian Kurdish journalist, human rights activist and Kurdish PEN member. Reportedly detained on 27 November 2006 in the town of Mahabad in Kurdistan Province after being summoned by the Prosecutor Office. He was freed on bail on 3 February 2007. Thought to be still facing charges for writing critical articles that were published in the foreign media. Case closed for lack of further information.

Morteza KAZEMIAN, Said MADANI, Ezzatollah SAHABI and Ali-Reza RADJAI: Journalist with the now-banned daily *Fath*, journalist with *Iran-é-Farda*, managing editor of the journal *Iran-e Farda*, and journalist with *Asr-é-Azadegan* respectively. They are all believed to be among fifteen members of the National Religious Alliance (Melli Mazhabi), a nationalist Islamic group that has been banned since March 2001, whose trial began in camera on 8 January 2002 on charges of “subversive activities against the state” and “blasphemy”. Sentenced to 10, 10, 4 and 4 years’ imprisonment respectively. They spent periods of varying length in detention before being released on bail. Cases closed for lack of further information.

Farid MODARRESI: Journalist with the daily *Shargh* and internet writer. Reported on 22 June 2005 to have been sentenced to 91 days’ imprisonment for insulting the President in his writings. He appealed the sentence and remained free. Also reported to have been handed down a suspended eight-month prison sentence in a separate case on charges of ‘acting against national security’ for his writings on 26 November 2005. Reported to have been sentenced by Bench 1 of Qom Islamic Revolution Court to a 6 months suspended prison sentence for insulting the authorities, and 6 months in prison for ‘propaganda against the regime’. This sentence was upheld on appeal in May 2006. Case closed for lack of further information.

Aso SALAH: Reporter for the weekly *Didgagh*. Reportedly arrested on 8 March 2007 in Sanandaj by intelligence officials while covering an authorised demonstration marking International Women’s Day. Case closed for lack of further information.

Qoli SHEIKHI: Managing editor of the daily *Tose’e*. Reportedly sentenced to two years’ imprisonment, suspended, and 10 million rials cash fine on 18 December 2005 on charges of propaganda against the regime and publishing lies with intent to disturb the public opinion for articles published in his newspaper. Case closed, sentence expired.

Mansour TAYFOURI: Journalist and member of the Kurdistan Journalists’ Association. Reportedly detained in Marivan by Ministry of Intelligence officials on 8 March 2007 and held in a facility run by the Ministry of Intelligence. At some point he was reportedly taken to a court in Marivan by Ministry of Intelligence officials, and then taken to

Marivan prison. He was released on bail on 8 April 2007. Case closed for lack of further information.

Abolfazl VESSALI: Editor of the banned *Nedaye Azarabadegan*. Reportedly detained on 7 June 2006 and charged with ‘sowing discord ...by means of ethnic and racial issues, inciting the people against national security and interests’. Sentenced to 6 months in prison. Released on bail pending appeal on 24 July 2006. Thought to remain free pending appeal. Case closed for lack of further information.

IRAQ

Killed

***Shehab Mohammad AL-HITI:** Editor for the weekly *Baghdad al-Youn*. Reportedly last seen leaving his home in Baghdad on 28 October 2007. His body was found later that day.

***Khalid HASSAN:** Interpreter and reporter for the *New York Times*, Baghdad bureau. Reportedly shot and killed in a targeted attack on 13 July 2007 in Baghdad.

Brief detention

***Hassan Shaheed AL-AZZAWI:** Journalist for the daily *Al Sabah*. Reportedly kidnapped on 28 July 2007 near Baqouba, northeast of Baghdad. Al Azzawi was travelling with a friend from Baghdad when he was stopped at an illegal checkpoint and seized by masked gunmen. He was released on 8 August 2007, and reportedly beaten during his detention. The identity of his kidnappers is unknown.

Case closed

Mohammed Siyassi ASHKANI: Journalist for the newspaper *Peka*. Reportedly arrested on 22 January 2007 at his home in Rania, in the Kurdish-controlled province of Sulaimaniya in northern Iraq. Official security forces operating in the Kurdish region and known as the Asayish, reportedly arrested Ashkani and transferred him to an unknown location in the city of Sulamaniya. His whereabouts and the reasons for his arrest are unknown. Case closed for lack of further information.

ISRAEL

Investigation

***Ata FARAHAT:** Golan Heights correspondent for the daily newspaper *Al Watan*. Reportedly arrested on 30 July 2007 and detained since then in Al-Jalama prison, southeast of Haifa. The charges against him are unknown but it has been reported that Farahat was brought before an investigative judge on several occasions. Farahat is a Syrian national and according to the Syria Centre for Media Expression, he may have been charged with ‘establishing contacts with an enemy nation’. His lawyers and the Israeli media are banned from talking about the case. WiPC seeking further information.

***Ron Ben YISHAI:** Journalist for the daily *Yediot Aharonot*. Reported in December 2007 to be facing charges for visiting Syria in September 2007 to report on developments in the region without official permission. Israel has no formal relations with Syria, and Israeli citizens are not permitted to visit ‘enemy states’ without permission from the interior ministry. Breaches of the law can lead to jail terms of up to four years.

JORDAN

Case closed

Naser KAMSH and Ahmed SALAMA: Editor-in-chief and journalist of *Al Hilal* newspaper. The Jordanian minister of foreign affairs brought a lawsuit against both men and the paper for defamation, insult and publishing false news after an article was published in the issue of the 18-24 January 2007, which criticised the performance of the Jordanian government in general. Both men denied all charges during a hearing on 4 February 2007. Case closed for lack of further information.

LIBYA

Investigation

Jamal AL-HAJI, Fareed AZWY and Idriss BOUFAYED: Writers and political activists. Idriss Boufayed was reportedly arrested on 16 February 2007 by officers of the Internal Security Agency. He is thought to be detained for organising a demonstration scheduled for 17 February to mark the first anniversary of a police attack on demonstrators in Benghazi during which at least 12 people were shot dead and many more injured. Several other dissidents are reported to have been arrested in connection with the planned demonstration. They include writers Jamal al-Haji and Fareed Azwy, who are reported to have been arrested on or around 15 February 2007. According to Amnesty International, the trial of the three men, along with nine other government critics who were arrested around the 17 February 2007, began on 24 June 2007. Al-Haji, Azwy and Boufayed have reportedly been charged with offences including attempting to overthrow the political system, possession of weapons and explosives with the intention of carrying out subversive activities and communication with enemy powers. All men are still in detention and reportedly being held in Ain Zara Prison in Tripoli. No further news as of 31 December 2007. **Previous problems/political imprisonment:** Boufayed has been in exile for fifteen years in Switzerland, and was reportedly arrested by Libya’s Internal Security Agency on 5 November 2006 during a visit to Libya. His passport was confiscated when he arrived at the airport in Tripoli on 30 September 2006, and he was held incommunicado until 29 December 2006, when he was released, apparently without charge. Dr Boufayed has been an outspoken critic of Libyan leader Muammar al-Kaddafi and it is thought that Dr Boufayed’s critical writings against the government in foreign websites may have caused his detention.

MOROCCO

On Trial

***Ahmed BENCHEMSI:** Editor of the sister weeklies *Nichane* and *Tel Quel*. Reportedly charged with ‘showing disrespect for the King’ under Article 41 of the Moroccan Press Law. He was due to appear in court on 24 August 2007 but the hearing was adjourned to 7 November 2007 on the request of the prosecutor. The charge is linked to an editorial written by Benchemsi in which he questioned the King’s commitment to democracy and the use of legislative elections under the current system. He previously received a suspended prison sentence for libel in 2005 and could face a prison sentence of between three to five years if found guilty. WiPC seeking an update.

Sentenced, suspended

Driss KSIKES and Sanaa AL-AJI (f): Director and journalist respectively of *Nichane* magazine. Driss Ksikes and Sanaa al-Aji were charged with defaming Islam under Article 41 of the Press and Publication Law 2002 on 22 December 2006. The charges derive from a ten-page long article analysing popular jokes on religion, sex and politics that was published as a feature in the paper's 9 to 15 December issue entitled: 'Jokes: How Moroccans laugh at religion, sex and politics'. The Moroccan government banned the paper on 20 December 2006 and the King's prosecutor at the Casablanca High Court ordered the police to investigate the matter. On 22 December, Driss Ksikes and Sanaa al-Aji were charged with 'damage to the Islamic religion' and 'publication and distribution of articles contrary to morality'. They were each handed down suspended three-year sentences on 15 January 2007 under the 2002 Press Law. Both maintain they did not make fun of religion and have issued a public apology.

Brief Detention

***Abderrahim ARIRI and Mostapha HURMATALLAH:** Editor and journalist with newspaper *Al Watan Al An* respectively. Reportedly arrested on 17 July 2007 after the publication of a report entitled 'The Secret Reports Behind Morocco's State of Alert'. Both men were convicted of 'receiving documents obtained by criminal means' under Article 571 of the criminal code on 15 August 2007. Ariri, who was released on 24 July 2007, received a six-month suspended sentence but Hurmallah was handed down a eight months prison sentence. He was released pending appeal on 11 September 2007.

PALESTINE AUTHORITY

Investigation

***Omar AL-GHUL:** Journalist with the pro-Fatah newspaper *Al-Hayat Al-Jadida*. Reportedly arrested at his home in Tal al-hawa, western Gaza, by Hamas security forces on 14 December 2007. His computer and several work documents were reportedly also seized. Held at Al-Mashtal, the former headquarters of the intelligence services, as of 31 December 2007. A Hamas spokesman stated that his detention was 'not linked to his journalistic activity' but gave no information of any charges against him.

***Moukhless SAMARA:** Journalist with the daily *Palestine*, which has been banned for three months. Reportedly arrested in Nablus by Palestinian Authority security forces on 23 November 2007. Said to be summoned for questioning for unknown reasons. WiPC checking whether still detained.

SAUDI ARABIA

Investigation

***Ahmad Fouad AL FARHAN:** Internet writer. D.o.b.: 1976. Reportedly detained on 10 December 2007 at his workplace in Jeddah, and taken to an unknown location. His laptop was also confiscated. Thought to be investigated by the Ministry of the Interior in connection with statements published on his web-site <http://www.alfarhan.org> about political prisoners in Saudi Arabia. No official information has been made known about why he is detained or where he is being held. Still detained incommunicado, without access to his family, as of 31 December 2007.

Brief detention

***Wajeha AL-HUWAIDER (f):** Writer and leading human rights activist. Reportedly detained for seven hours after staging a one-woman demonstration calling for women to be given rights in mid-August 2007. She was released after a male 'guardian' signed for her.

SYRIA

Main cases

Aref DALILA

D.o.b.: 1943. **Profession:** Professor and Dean of the Faculty of Economics at Damascus University also wrote for the banned weekly *Al-Doumari*. Has written many books on economics, politics and social history. **Date of arrest:** 9 September 2001 **Sentence:** Ten years hard labour. **Expires:** 8 September 2011 **Details of arrest:** Reportedly arrested on 9 September 2001 for a lecture in which he called for democracy and transparency, and alleged official corruption. Arrested with nine other members of the Civil Society Movement during the 'Damascus Spring', a short-lived period of greater openness to public debate and calls for reform. **Details of trial:** Sentenced in early 2002 to 10 years in prison with hard labour by the Supreme State Security Court (SSSC) at a trial, which did not comply with international standards. **Place of detention:** 'Adra Prison, Damascus. **Treatment in prison:** Said to be held in solitary confinement, to have been beaten in detention and denied medical treatment. **Health concerns:** Said to be seriously ill with heart problems. **Honorary member of:** American, English and Scottish PEN.

Michel KILO

D.o.b.: 1949 **Profession:** Prominent writer, journalist and civil society activist. Contributes to the leading Lebanese daily *Al-Nahar* and the London-based Arabic-language daily *Al-Quds Al-Arabi*. **Date of arrest:** 14 May 2006 **Sentence:** 3 years in prison **Expires:** 13 May 2009 **Details of arrest:** Among 10 Syrian civil society activists to have been arrested between 14 and 18 May for signing the "Beirut-Damascus Declaration" of 12 May 2006 calling for the establishment of diplomatic relations between Lebanon and Syria based on respect for each countries' sovereignty. Several hundred Syrian and Lebanese nationals signed the agreement. These arrests appear to be part of a renewed crackdown on government opponents in recent months, where scores have been arrested for their peaceful opposition activities. **Details of trial:** Michel Kilo was issued a provisional release order by a judge on 19 October 2006, but his release was obstructed by new charges filed by the prosecution on 23 October 2006. He was convicted by the Damascus Criminal Court on 13 May 2007 on charges of "spreading false news, weakening national feeling and inciting sectarian sentiments" for his dissident writings and pro-reform activities. **Place of detention:** 'Adra prison near Damascus. **Treatment in prison:** Said to be treated well and granted full access to his family. **Previous political imprisonment/problems:** Michel Kilo has been subject to persistent harassment by the Syrian authorities over the years as a result of his work in support of democratic rights. **Honorary member of:** American PEN. (RAN 23/06, Update #2 to RAN 23/06, 16 May 2007).

Investigation

***Karim 'ARBAJI:** Website moderator. Reportedly arrested on 7 June 2007 by the Mantaqa branch of the Military Intelligence, apparently for moderating the website <http://www.akhawia.net>, a popular online forum for Syrian youth covering social and political issues. Thought to have

been transferred to Damascus, although no official information has been given about his whereabouts or the reason for his arrest.

***Tarek BIASI:** Internet writer. Reportedly arrested on 30 June 2007 for allegedly ‘insulting the security services’ online. His whereabouts remain unknown and he continues to be detained incommunicado as of mid-October 2007. WiPC seeking an update.

***Rashid ISSA:** Journalist with the daily *Tishrin*. A libel case reportedly opened against him on 27 December 2007 at a court in Damascus. The complaint was reportedly brought for an article he wrote in September 2007 in which he accused a state theatre director of fraud.

***Ali Zein al-‘ABIDEEN MEJ’AN:** Reportedly sentenced to two years in prison on 23 September 2007 by the Supreme State Security Court for “undertaking acts or writing speeches unauthorised by the government...that spoil its ties with a foreign state”. The charge is said to be based on comments he posted online attacking Saudi Arabia. WiPC seeking further information.

Under banning order

***Waddah MUHYIDDIN:** Journalist for the weeklies *Al-Nur* and *Bukraat Daou*. Reportedly banned from writing for the state news media following allegations of ‘spreading false information’ by the Central Commission for Control and Investigation. The banning order was issued following a story he wrote in October 2007 in which he criticised the Central Commission for Control and Investigation. Muhyiddin is known for his investigation of corruption in both the state and private sector and in the judicial apparatus. He is also facing four libel suits brought since September 2007.

Released

Nu’man ‘Ali ‘ABDU: Journalist for Lebanese monthly *Al-Tarik*. Arrested in 1992 and sentenced to fifteen years’ imprisonment for his membership of the Party for Communist Action. Presumed freed on expiry of sentence.

Habib SALEH: Writer for the daily *An-Nahar* and cyber dissident. Arrested on 27 May 2005 and sentenced to three years in prison on 15 August 2006 for his dissident writings and activities. Released on 12 September 2007 under a law that allows prisoners to be released after completing three-quarters of their sentence.

Case closed

Ibrahim ZORO: Human rights activist and Internet writer. Reportedly arrested on 5 April 2007 in Damascus. His arrest was kept secret for nearly a week. His family does not know the reasons of his arrest or his whereabouts. Zoro, who belongs to the Kurdish minority, was helping to organise a seminar called ‘The Philosophy of Lies’ at the time of his arrest. He has posted many articles in Arabic on foreign based websites. Case closed for lack of further information.

TUNISIA

Investigation

***Slim BOUKHDIR:** Journalist with the London-based *Al-Quds Al Arabi* and internet writer. Reportedly detained in Sfax on 26 November 2007 whilst on his way to Tunis to renew his passport. Charged with allegedly “assaulting a government employee in the exercise of his duty” and “breach of decent behaviour”. The charges are widely believed to be politically motivated and he is thought to be targeted for his critical reporting. Sentenced on 4 December 2007 to one year in prison. Remains

detained in poor conditions and said to be harassed by prison guards and fellow prisoners. [Sentence upheld on appeal on 18 January 2008]. **Previous political imprisonment/problems:** Reportedly assaulted twice in May 2007 as he left an internet café in Tunis after writing critical articles published online.

Facing charges

Omar MESTIRI: Managing editor of the online magazine *Kalima*. Summoned by the prosecution’s offices on 29 March 2007 to respond to an alleged defamation offence. He was reportedly questioned about an article he published on 5 September 2006 on the case of a lawyer seeking to clear his name after he was accused of fraud and forgery. Mestiri claimed during the hearing that he had written the article after he obtained evidence on the culpability of the lawyer in question. He denies that his article is defamatory. A court hearing was scheduled for 2 August 2007. WiPC seeking an update.

Sentenced in absentia

Mohamed FOURATI: Journalist. Reportedly sentenced in absentia on 9 March 2007 to one year and two months in prison. He had been charged in 2002 of having ties with a group that helped the families of political prisoners after he wrote an article about fundraising for the family of a detainee on the website *Aqlma*. Fourati now lives in Qatar where he works for the daily *Al-Sharq*. The Tunisian authorities are refusing to let his wife leave the country.

Released

Mohammed ABBOU: Internet writer, lawyer and human rights activist. Arrested on 1 March 2005 and sentenced to three years and six months for “publishing false reports”, “insulting the judiciary”, “inciting people to break the law” and “publishing offences” in connection with an article which he had written and posted on the *Tunisnews* website in August 2004. Released under amnesty on 24 July 2007.

UNITED ARAB EMIRATES

Sentenced, free on bail

***Khalid EL-ASLY:** Internet writer. Reportedly sentenced to five months in prison on 12 September 2007 on criminal defamation charges after he was accused of writing for the website *Majan* (www.majan.net) under an alias whose writings were deemed to be defamatory. El-Asly denies the charges and is appealing against the sentence. His appeal was scheduled for 26 November 2007, WiPC seeking an update.

Investigation

***Mohammed Rashed SHEHHI:** Owner of the website *Majan.net*. Reportedly facing three defamation suits and has been handed down a one-year suspended prison sentence for comments published on his website, which has been closed since August 2007. On 19 November 2007 he was acquitted in another defamation case (see *Khali El-Asly* above), and the 17-month jail sentence over-turned. WiPC seeking further details of the cases still pending against him.

YEMEN

Facing charges/attacked

***Abdel Karim AL-KHAIWANI:** Former editor of the online opposition publication *Al-Shoura*, According to PEN’s information, Abdel Karim

PEN Centres with Writers in Prison Committees

African Writers Abroad, American, Armenian, Austrian, Bangladesh, Belarus, Belgian Flemish, Belgian French, Bolivian, Canadian, Catalan, Colombian, Czech, Danish, English, Finnish, French, Galician, German, German Writers Abroad, Ghanaian, Hong Kong, Iceland, Independent Chinese PEN Centre, Iranian Writers in Exile, Italian, Israeli, Japanese, Kenyan, Kurdish, Liechtenstein, Lithuanian, Malawian, Melbourne, Mexico, Nepalese, Netherlands, New Zealand, Nicaragua, Nigeria, Norwegian, Palestinian, Paraguay, Polish, Portuguese, Quebecois, Russian, San Miguel de Allende, Scottish, Sierra Leone, Slovak, South African, Suisse Romande, Swedish, Swiss German, Swiss Italian, Sydney, Tibetan, Turkish, Ugandan, USA, US Writers in Exile, Venezuelan, Vietnamese Writers Abroad

Total: 64

Al-Khaiwani has been under threat since 20 June 2007, when his home was raided and he was arrested for his alleged links with the rebels fighting government forces in the city of Saada, north west of the country. It is thought that the charges relate to his journalistic activities. He was released on bail in late July, but still faces vague terrorism charges brought by a state security court on 4 July 2007. He has since been subject to continued harassment; his website has been blocked a number of times and both he and his family have been threatened. **Attack:** On 27 August 2007, Al-Khaiwani was subjected to an apparently politically motivated assault, when he was reportedly abducted by gunmen in civilian clothing whilst waiting for a taxi outside the offices of the weekly newspaper *Al-Needa* in central Sana'a. Al-Khaiwani recognized one of his abductors as one of the Yemeni security officers who raided his home in June. Al-Khaiwani was beaten and threatened with death for articles which allegedly harmed the President's image and threatened Yemen's national unity. His passport, identity cards and other belongings were confiscated during the attack. It is believed that his abduction was motivated by an article he wrote and published on 16 August 2007 by the weekly *Al-Needa*, entitled "What's Before the State: A Homeland Behind Bars". The article discussed the status of prisoners in the country's prisons, prison conditions and alleged injustice. Following the attack, Al-Khaiwani was treated at Al-Ahali Hospital in Sana'a and reportedly suffered extensive bruising on his face, chest, and hands. **Professional details:** Al-Khaiwani has been a harsh critic of the government for several years, and is particularly known for his writings against the government's fight with rebels in Saada. In 2004, as editor of the then-print weekly *Al-Shoura*, al-Khaiwani was sentenced to a year in jail for incitement, insulting the president, publishing false news, and causing tribal and sectarian discrimination through his published criticisms of the government's conduct in the fighting.

Death Threats

***Nayef HASSAN:** Editor in chief of the newspaper *Al Shaari*. Reportedly threatened with death by ten unidentified armed men on 30 July 2007. The men arrived at the offices of the newspaper and were looking for Hassan who was away at the time. They then reportedly told the office staff that they would kill him. The incident follows a lawsuit brought by the Yemeni government, which accuses the newspaper and its staff of damaging national security after a series of articles on fighting between the army, and some armed groups were published. The charges have been brought in a court normally used to try terrorists and convictions on these charges could lead to death sentences for accused journalists.

Case closed

Jamal AMER and Mustafa NASSER: Editor and journalist of the independent *Al-Wasat* respectively. Reportedly charged with defaming the Religious Endowment Ministry and the military police on 5 March 2007. The charges stem from an article published in the paper on 19 June 2006, accusing the said authorities of corruption. Case closed for lack of further information.

Abdel al-MAHTHARI: Editor in chief of the independent weekly *Al-Deyar*. Reportedly charged with defaming the Watani Bank for Trade and Investment. The charges derive from an article published on 7 December 2005, in which he implied that the bank was guilty of embezzlement. The case opened on 10 March 2007. Case closed for lack of further information.

List of Main Cases or Cases Adopted by PEN Centres by Country

(Those elected by PEN Centres are indicated in brackets)

Current as of 31 December 2007

- | | | |
|--|-------|-------------|
| 1. Yashar AGAZADE | ..... | AZERBAIJAN |
| 2. Sardar ALIBEILI | ..... | AZERBAIJAN |
| 3. Eynulla FATULLAYEV | ..... | AZERBAIJAN |
| 4. Rovshan KARBILI | ..... | AZERBAIJAN |
| 5. Faramuz NOVRUZOGLU | ..... | AZERBAIJAN |
| 6. Samir SADAGATOGLU | ..... | AZERBAIJAN |
| 7. Rafiq TAGI | ..... | AZERBAIJAN |
| 8. Salah Uddin Shoaib Chaudhury (USA, English) | .. | BANGLADESH |
| 9. Fausto BRITES | ..... | BRAZIL |
| 10. CHEN Shuqing | ..... | CHINA |
| 11. CHING Cheong (ICPC) | ..... | CHINA |
| 12. GUO Qizhen (ICPC) | ..... | CHINA |
| 13. Hada (Canadian, ICPC) | ..... | CHINA |
| 14. HU Jia | ..... | CHINA |
| 15. He Depu (Suisse Romande, ICPC) | ..... | CHINA |
| 16. HU Shigen (English, ICPC, Canadian) | ..... | CHINA |
| 17. Huang Jinqiu (German, American, English, ICPC) | ..... | CHINA |
| 18. Jin Haike (Ghanian, ICPC) | ..... | CHINA |
| 19. Kong Youping (ICPC) | ..... | CHINA |
| 20. Korash Huseyin (American, English, ICPC) | ..... | CHINA |
| 21. LI Changqing (ICPC) | ..... | CHINA |
| 22. Li Zhi (Canadian ICPC) | ..... | CHINA |
| 23. LU Gensong | ..... | CHINA |
| 24. LU Jianhua (ICPC) | ..... | CHINA |
| 25. Lu Zengqi | ..... | CHINA |
| 26. Nurehamet Yasin (American, English, ICPC) | ..... | CHINA |
| 27. Abdulghani Memetemin (German, ICPC) | ..... | CHINA |
| 28. Ning Xianhua (ICPC) | ..... | CHINA |
| 29. Shi Tao (Canadian, German, ICPC, Sydney, USA, New Zealand, English, Swiss Italian, American) | ..... | CHINA |
| 30. Tao Haidong (ICPC) | ..... | CHINA |
| 31. Tohti Tunyaz (American, Canadian, Catalan, English, Japan, Leichenstein, Perth, ICPC)..... | ..... | CHINA |
| 32. Wang Xioning | ..... | CHINA |
| 33. Wu Yilong (ICPC) | ..... | CHINA |
| 34. Xu Wei (Ghana, ICPC) | ..... | CHINA |
| 35. Xu Zerong (Ghana, ICPC) | ..... | CHINA |
| 36. YAN Xengzhue | ..... | CHINA |
| 37. YANG Maodong | ..... | CHINA |
| 38. Yang Tongyan (Canadian, ICPC) | ..... | CHINA |
| 39. Yang Zili (Ghana, ICPC) | ..... | CHINA |
| 40. YU Huafeng | ..... | CHINA |
| 41. Zhang Honghai (Ghana, ICPC) | ..... | CHINA |
| 42. Zhang Lin | ..... | CHINA |
| 43. Zheng Yichun (Canadian, PEN Flanders, ICPC) | ..... | CHINA |
| 44. ZHANG Jianhong | ..... | CHINA |
| 45. Dolma Kyab (English, German) | ..... | CHINA/TIBET |
| 46. Dawa Gyaltsen | ..... | CHINA/TIBET |
| 47. Tashi Gyaltsen (English PEN) | ..... | CHINA/TIBET |
| 48. Jampel Gyatso (English PEN) | ..... | CHINA/TIBET |
| 49. Ngawang Phulchung (American, Austrian, Canadian, English, Sydney) | ..... | CHINA/TIBET |
| 50. Jesús Alvarez Castillo | ..... | CUBA |
| 51. Pedro Argüelles Morán (English) | ..... | CUBA |
| 52. Victor Rolando Arroyo Carmona (Finland) | ..... | CUBA |
| 53. Mijaíl Bárzaga Lugo (Netherlands) | ..... | CUBA |
| 54. Albert Santiago Du Bouchet Hernandez | ..... | CUBA |
| 55. Adolfo Fernández Saíz (English) | ..... | CUBA |
| 56. Miguel Galván Gutiérrez (Sydney) | ..... | CUBA |
| 57. Julio César Gálvez Rodríguez (English) | ..... | CUBA |
| 58. José Luis García Paneque (English) | ..... | CUBA |
| 59. Ricardo Severino González Alfonso (Finnish, German) | ..... | CUBA |
| 60. Léster Luis González Pentón (Sydney, American) | ..... | CUBA |
| 61. Alejandro González Raga | ..... | CUBA |
| 62. Iván Hernández Carrillo (Catalan, Scotland) | ..... | CUBA |
| 63. Normando Hernández González (English, American) | ..... | CUBA |
| 64. Juan Carlos Herrera Acosta (Germany) | ..... | CUBA |
| 65. José Ubaldo Izquierdo | ..... | CUBA |
| 66. José Miguel Martínez Hernández | ..... | CUBA |
| 67. Héctor Maseda Gutiérrez (Italy) | ..... | CUBA |
| 68. Jose Antonio MOLA PORRO | ..... | CUBA |
| 69. Pablo Pacheco Ávila | ..... | CUBA |
| 70. Raymond PERDIGON BRITO | ..... | CUBA |
| 71. Omar Pernet Hernández | ..... | CUBA |
| 72. Fabio Prieto Llorente (English) | ..... | CUBA |
| 73. Alfredo Pulido López | ..... | CUBA |
| 74. José Gabriel Ramón Castillo | ..... | CUBA |
| 75. Blás Giraldo Reyes Rodríguez (Sydney) | ..... | CUBA |
| 76. Omar Rodríguez Saludes (Finland) | ..... | CUBA |
| 77. Omar Moisés Ruiz Hernández (Sweden) | ..... | CUBA |
| 78. Oscar SANCHEZ MADAN | ..... | CUBA |
| 79. Léster Téllez Castro | ..... | CUBA |
| 80. Alberto Gil TRIAY ES | ..... | CUBA |
| 81. Ramón VEAZQUZ TORANSO | ..... | CUBA |
| 82. Abdel Kareem Nabil SULEIMAN | ..... | EGYPT |
| 83. Omer "Abu Akla (Ghana) | ..... | ERITREA |
| 84. Said Abdelkader (American, Canadian) | ..... | ERITREA |
| 85. Akhader Ahmedin (Ghana) | ..... | ERITREA |
| 86. General Ogbe Abraha | ..... | ERITREA |
| 87. Mahmud Ahmed Sheriffo | ..... | ERITREA |
| 88. Yusuf Mohamed Ali (American, Canadian) | ..... | ERITREA |
| 89. Emanuel Asrat (American, Canadian) | ..... | ERITREA |
| 90. Astier Feshatsion | ..... | ERITREA |
| 91. Berhane Ghebre Eghzabiher | ..... | ERITREA |
| 92. Beraki Ghebre Selassie | ..... | ERITREA |
| 93. Amanuel Ghebremaskel (Ghana) | ..... | ERITREA |
| 94. Ghebremedhin (Ghana) | ..... | ERITREA |
| 95. Yebio Ghebremedhin (Ghana) | ..... | ERITREA |
| 96. Temesken Ghebreyesus (American, Canadian) | ..... | ERITREA |
| 97. Daniel Habte (Ghana) | ..... | ERITREA |
| 98. Mattewos Habteab (American) | ..... | ERITREA |
| 99. Muluberhan Habtegebriel (Ghana) | ..... | ERITREA |
| 100. Dawit Habtemichael (American) | ..... | ERITREA |
| 101. Medhanie Haile (American, Ghana, Canadian) | ..... | ERITREA |
| 102. Zemenfex Haile (Ghana) | ..... | ERITREA |

103. Hamid Himid	ERITREA
104. Dawit Isaac (American)	ERITREA
105. Saleh Idris Keka	ERITREA
106. Germano Nati	ERITREA
107. Meles Nigusse(Ghana)	ERITREA
108. Estifanos Seyoum	ERITREA
109. Petros Solomon	ERITREA
110. Haile Woldetesnae	ERITREA
111. Fesshaye Yohannes (American, Canadian)	ERITREA
112. Paolos Zaid (Ghana)	ERITREA
113. Emadeddin Baqi	IRAN
114. Ali Farahbakhsh	IRAN
115. Mohammed Hassan Fallahiya (English)	IRAN
116. Kaveh Javanmard	IRAN
117. Mohammad Sadiq Kabudvand	IRAN
118. Ako Kurdnasab	IRAN
119. Ejlal Qavami	IRAN
120. Grand Ayatollah Yasub al Diri Rastgari	IRAN
121. Siamak Pourzand (American, Canadian, Norway)	IRAN
122. Taghi Rahmani (Danish)	IRAN
123. Hoda Saber	IRAN
124. Kian Tajbaksh	IRAN
125. Aung Than (American)	MYANMAR
126. Aung Zeya (American)	MYANMAR
127. Aung San Suu Kyi (English, Canadian)	MYANMAR
128. Ko Aung Tun (Canadian, Canberra, Norwegian)	MYANMAR
129. Maung Maung Oo (American)	MYANMAR
130. MAUNG Thura (aka 'Zargana') (English)	MYANMAR
131. Sein Hlaing (American)	MYANMAR
132. U Aye Kyu	MYANMAR
133. Win Tin (Hong Kong (E), Japan, New Zealand)	MYANMAR
134. Nikolai Andrushchenko	RUSSIA
135. Stanislav Dmitrievski	RUSSIA
136. Aref Dalila (English)	SYRIA
137. Michel Kilo	SYRIA
138. Mehmet Bakir	TURKEY
139. Hrant Dink (Belgium (Fl), English, Norway)	TURKEY
140. Leyla Zana (Belgium (Fl), English, San Miguel, Scottish, USA, Writers in Exile)	TURKEY
141. Ragip Zarakolu (American, Canadian, English, Kurdish, Scottish, Netherlands, Quebec, Sweden)	TURKEY
142. Rahim Esenov (English, Canadian and American)	TURKMENISTAN
143. Muhammad Bekzhon (American, Canadian, English, USA)	UZBEKISTAN
144. Mamadali Makhmudov (American, Canadian, English, Netherlands, USA)	UZBEKISTAN
145. Dzhamsheed (Jamshid) Karimov (English)	UZBEKISTAN
146. Yusif Ruzimaradov (American, Canadian, English, USA)	UZBEKISTAN
147. Dang Phuc Tue	VIETNAM
148. Le Thi Cong Nhan (Suisse Romande)	VIETNAM
149. Thich Huyen Quang (Denmark, English, France, Sydney)	VIETNAM
150. Nguyen Van Dai (Suisse Romande)	VIETNAM
151. Nguyen Van Ly (Sydney)	VIETNAM
152. Tran Quoc Hien	VIETNAM
153. Tran Khan Thanh Thuy (English PEN)	VIETNAM

Half-year Statistics

July to December 2007

Killed.....	5
Killed Investigation	8
Disappeared.....	18
Main Case (imprisoned).....	118
Under Investigation (imprisoned)	65
Judicial Concern.....	5
Under Judicial Process	155
Non Custodial Sentence	45
In Hiding	10
Brief Detention.....	43
Death Threat.....	30
Other Threat/Harassment	44
Attacked/Ill-treated	34
Kidnapped	2
Deported/Expelled/Fled	1
Total.....	582
Released	52

Full-year Statistics

January to December 2007

Killed.....	18
Killed Investigation	37
Disappeared.....	18
Main Case (imprisoned).....	152
Under Investigation (imprisoned)	65
Judicial Concern.....	6
Under Judicial Process	155
Non Custodial Sentence	98
In Hiding	10
Brief Detention.....	109
Death Threat.....	87
Other Threat/Harassment	144
Attacked/Ill-treated	104
Kidnapped	4
Deported/Expelled/Fled	2
Total.....	1009
Released	94

