

INTERNATIONAL PEN
Writers in Prison Committee

HALF-YEARLY CASELIST
to 30 June 2005

International PEN
Writers in Prison Committee
9/10 Charterhouse Buildings
London EC1M 7AT
United Kingdom

Tel: + 44 020 7253 3226
Fax: + 44 020 7253 5711
e-mail: intpen@gn.apc.org
web site: www.internatpen.org

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 Commission of Human Rights 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

Our work would be impossible without our Sponsors who include:

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

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

Contents

List of cases by country	4	Centres with Writers in Prison Committees	72
Africa	4	List of Main Cases by Country	72
The Americas	21	Case statistics	73
Asia and Pacific	31		
Europe and Central Asia	48		
Middle East	63		

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 December 2004.

AFRICA

(including Francophone North Africa)

ALGERIA

Main Case

Mohammed BENCHICOU: director of the private daily newspaper *Le Matin*. **Sentences:** 1) two years' imprisonment 2) 3 months in prison 3) 2 months in prison **Arrest:** apprehended on 23 August 2003 on his return from France. **CASE I – Charges:** Benchicou was found guilty of currency exchange control violations for being in possession of credit notes issued by an Algerian bank on his return from France. Free expression organisations question whether he did indeed break any laws. They suggest that the action was taken as a means to silence Benchicou's newspaper (see below). That the arrest was ordered by Algerian Interior Minister Yazid Zerhouni adds to these concerns. **Trial Details:** sentenced to two years in prison plus a fine of 20m dinars (c. US\$280,000) on 14 June 2004. Sentence upheld on appeal on 11 August 2004. **Background:** In 2003 a *Le Matin* article accused Interior Minister Yazid Zerhouni of involvement in torturing prisoners in the 1970s during his service as a commander in military security. At a press conference in Djelfa in 2003, Zerhouni reportedly insinuated that Benchicou would “pay” for the accusations made in *Le Matin*. Benchicou, along with **Ali Dilem** (cartoonist with the newspaper *Liberté*) had been arrested and charged with “insulting the head of state”. Both were released the following day. **CASE II:** On 20 April 2005, Benchicou received a three-month prison sentence along with *Le Matin* journalists **Yussef Rezzoug** and **Yasmine Ferroukhi** (see below) for libelling Minister for Energy and Mines, Chakib Khelil, in reports that accused the authorities of using the state oil company Sonatrach to buy luxury apartments for the president's relatives and friends. **CASE III:** . The same day, 20 April 2005, Benchicou was sentenced to two months imprisonment along with *Le Matin* journalists **Abla Cherif (f)** and **Hassane Zerrouky** (see below) in connection with a series of reports published in *Le Matin* that implicated businessman Mohamed Ali Shoraffa (a friend of President Abdelaziz Bouteflika), in embezzlement. **Other information:** According to reports received by International PEN Benchicou has approximately 50 other cases pending against him, leading to organisations such as Reporteurs Sans Frontières belief that Benchicou is being subjected to judicial harassment. **Place of detention:** El-Harrach Prison, Algiers. **Health:** According to family members, Benchicou's health has deteriorated greatly since his imprisonment and a prison doctor has reportedly advised that he be moved to a hospital.

Investigation

***Kamal AMARNI:** journalist with the newspaper *Le Soir d'Algérie* was sentenced on 14 June 2005 to six months in prison and a 250,000 dinar (approx. US\$3,500) fine for “offending the head of state”. Kamal Amarni was sentenced alongside **Fouad Boughanem (see below)**, director of the newspaper, who received a two month prison sentence in the same case.

Sentenced in absentia

***Farid ALILAT:** former publication director of the daily newspaper *Liberté*, along with *Liberté* cartoonist **Ali Dilem**, was handed down a six-month prison term with no parole and received a 250,000 dinar (approx. US\$3,500) fine for criminal defamation on 28 June 2005. The newspaper was fined 1.5 million dinars. Alilat was sentenced in absentia. The sentencing stems from the publication in *Liberté* in 2003 of a cartoon that dealt with the 2004 presidential election. Both journalists and paper were accused of ‘insulting the head of state’. Previously, Farid Alilat was sentenced in absentia to a one-year prison sentence on 24 May 2005 for defaming President Abdelaziz Bouteflika. This sentencing was also connected to the publishing of cartoons in 2003 which were critical of president Bouteflika and his 2004 re-election campaign. ***Djamaldine BENCHENOUF:** journalist with the newspaper *Liberté* was sentenced in absentia to three years in prison for articles he had written concerning embezzlement within the National Social Insurance Fund and the General Union of Algerian Workers. WIPC trying to confirm exact date of sentencing but believed to be during May 2005.

Sentenced: now free

***Omar BELHOUCHE, Ali DJERRI and Salima TLEMCNI:** editor of the newspaper *El Watan*, editor of the newspaper *El Khabar* and journalist respectively, received six-month prison sentences on 25 January 2005 for libel for publishing a letter from police officers criticizing the director-general and secretary-general of the General Directorate for National Security. Sentence expired in June 2005.

***Abla CHERIF (f) and Hassane ZERROUKY:** journalists with the private daily newspaper *Le Matin* were each handed down two-month in prison sentences on 20 April 2005. The sentences stemmed from a series of reports published in *Le Matin* that implicated businessman Mohamed Ali Shoraffa (a friend of President Abdelaziz Bouteflika), in embezzlement. **Mohammed Benchicou**, director of *Le Matin*, who is already serving a two-year prison sentence handed down on 14 June 2004 (see above) was handed down the two-month prison sentence along with Chéfi and Zerrouky.

***Hakim LAALAM and Fouad BOUGHANEM:** columnist and director respectively with the daily newspaper *Le Soir d'Algérie*, were each handed down two-month sentences with no parole on 17 May 2005 for ‘insulting’ and ‘offending’ the head of the state. The sentencing stemmed from the publication of articles which were critical of President Bouteflika during the 2004 election campaign. Both journalists also received fines of 250,000 dinars (approx. 2,700 euros). Fouad Boughanem was sentenced on 14 June 2005 to two months in prison and a 250,000 dinar (approx. US\$3,500) fine for “offending the head of state” in the same case as *Le Soir d'Algérie* journalist Kamal Amarni (please see individual entry above).

***Yussef REZZOUG and Yasmine FERROUKHI:** journalists with the private daily newspaper *Le Matin* were sentenced to three months in prison on 20 April 2005 for libelling Minister for Energy and Mines, Chakib Khelil, in reports that accused the authorities of using the state oil company Sonatrach to buy luxury apartments for the president's relatives and friends. **Mohammed Benchicou**, director of *Le Matin*, who is already serving a two-year prison sentence handed down on 14 June 2004 (see above) was handed down the three-month prison sentence along with Rezzoug and Ferroukhi. According to reports received by International PEN, the imprisonment of Rezzoug and Ferroukhi has been postponed pending the outcome of an appeal by their lawyers.

Fled/Sentenced

***Omar SAADA**- author, published a book entitled *La déchéance administrative, le drame d'un officier* (Administrative decline, the drama of an officer) in August 2002 in which he criticised the behaviour of several governmental officials. At least sixteen legal proceedings were taken against for defamation and at least three other legal submissions were taken against him by the General Director of the government's Civil Protection Department. him for defamation. Saada Omar fled Algeria in February 2005 as he feared he would be imprisoned. He received a three and a half year prison sentence in absentia in May 2005. **Honorary member:** English PEN

On trial

Kamel GACI: reporter with the daily newspaper *Le Soir d'Algérie* was charged with 'failure to report a fugitive' following the publication of his interview with an escaped convict (publication believed to have been in April 2004). The fugitive contacted Gaci through the newspaper two weeks after his escape from El Khemis prison, saying he wanted to tell his story. Gaci notified the authorities of his interview with the fugitive but did not say where it would take place. The day after the article's publication, the Bedjaia Prosecutor's Office brought charges against Gaci. The court granted him a conditional release and placed him under judicial surveillance pending the verdict of his trial. *No further information as at 30 June 2005.

Released on appeal

Hafnaoui GHOUL: Djelfa correspondent for the weekly newspaper *El-Youm* was handed down a down a six-month prison sentence for defamation at a summary trial on 26 May 2004. The sentencing stemmed from interviews given in the newspapers *Le Soir d'Algérie* and *Le Matin* and a report in *El Djazair News* in which the journalist had criticized the repression of correspondents in Djelfa. On 9 June 2004 Ghoul was fined 300,000 (approx. US\$4250) and sentenced to a further two months imprisonment on additional defamation charges linked to a 17 May 2004 article in *Le Soir d'Algérie* in which he reportedly alleged that local officials were responsible for the deaths of a number of premature babies in Djelfa hospital, and had misused public funds. In an Appeals Court of 11 July 2004 Ghoul's two-month prison sentence of 9 June 2004 was increased to three months. Ghoul faced another increase to his prison sentence and an additional fine of 50,000 dinars (approx. US \$675) on 8 August 2004. Ghoul was provisionally released on 25 November 2004 with appeals to the Supreme Court by the journalist's lawyers still be considered.*No further information as at June 2005.

Released

***Ahmed BENAOUIM:** editor of the Er-rai Aam Press Group, was acquitted on 19 June 2005 after eleven months of detention. According to reports received by International PEN, Benaouim was waiting to appear before a court in Oran on 28 June 2004 in a defamation case, when he was serviced with a warrant that led to his being taken directly from the courthouse to the prison. He was sentenced to two years in prison based on a complaint from the tax authorities. Many other complaints have reportedly been filed against him in defamation cases.

BENIN

Investigation

Patrick ADJAMONSI: publication director of the daily newspaper *L'Aurore*, was arrested on 13 August 2004. He was charged with defamation and sentenced to six months in prison. The charges reportedly stemmed from an article which he wrote in November 2003 in which it was suggested that the state communications authority disbursed government subsidies for the private press. Adjamonsi appealed the six-month prison term and won a retrial which was due to take place on 19 October 2004. *No further information as at 30 June 2005.

John AKINTOLA and Christophe HODONOU: reporter and publication director respectively with the private newspaper *La Pyramide*, were due to appear in court in October 2004 charged with defamation. This charge followed the publication of an article in *LaPyramide* which reported on the he distribution of press subsidies. *No further information as at 30 June 2005.

BOTSWANA

Deportation

***Kenneth GOOD:** professor in the Department of Political and Administrative Studies at the University of Botswana in Gaborone, was issued a deportation order by President Festus Mogae on 18 February 2005 and told he had 48 hours to leave the country. Good, an Australian citizen, had co-authored an academic paper with a fellow professor in which the decision by President Mogae to handpick Vice-President Lieutenant-General Ian Khama as his successor was criticised. Good (72) challenged the constitutionality of the presidential decree and, on 19 February 2005, the High Court gave him stay to leave pending a ruling on that challenge. The government immediately appealed against the High Court decision but this was turned down by the court. Good's challenge opened at Lobatse High Court on 3 May and on 31 May, the court upheld the decision. He was deported the following day.

BURKINA FASO

Investigation

***Mathieu N'DO:** Managing editor of the pro-opposition weekly newspaper *San Finna*, was arrested on 5 November 2004 at the airport in Ouagadougou, the capital of Benin, as he was returning from the Ivory Coast. He had reportedly travelled to the Ivory Coast to report on the ongoing tensions in the country between rebel forces and the government. It is believed that N'do's detention may be linked to his journalistic work, which is often critical of the Burkina Faso government. N'do has reportedly been particularly outspoken in his criticism of Burkina Faso's government policy in the Ivory Coast which has been accused of providing arms to the rebel forces. Prior to his detention on 5 November 2004, N'do had been detained on two occasions for five-hour periods for reportedly expressing his opinions in regard to Burkina Faso's governmental policies in areas such as the trafficking of weapons and diamonds. During his detention N'do was held incommunicado in solitary confinement at the police barracks of the *Compagnie Republicaine de Sécurité* (Republican Security Company – CRS) in Ouagadougou. *N'do believed to have been released. WiPC investigating.

BURUNDI

Brief detention

***Etienne NDIKURIYO**: on-line journalist with and director of the email news service *Zoom-net*, was arrested on 14 June 2005 following a 9 June e-mail report on the site which questioned the health of President Domitien Ndayizeye. The report stated that the president had become depressed after his party had lost recent elections. The 14 June arrest followed the questioning of Ndikuriyo earlier the same day at the headquarters of the Burundi's secret services about his "outrageous remarks about head of state written by his own hand". Ndikuriyo was officially released on bail on 22 June 2005 and was ordered to report to the examining judge every week. Although officially released on 22 June, the on-line journalist was only physically released on the morning of 23 June due to release procedures. WiPC investigating.

CAMEROON

On trial

***Jules Koum KOUM**: editor of the bi-monthly privately owned newspaper *Le Jeune Observateur*, was sentenced to a six-month prison sentence on 10 January 2005 for criminal defamation. According to information received by PEN, Koum was convicted of libel for a 8 February 2005 article in which he challenged the integrity and management of the insurance companies 'CPA' and 'Satellite'. Koum was held in New Bell prison in Douala until he was provisionally released on 9 February 2005. *Le Jeune Observateur* was due to appear in court on 28 February to face another libel action from CPA, the insurance company whose lawsuits were responsible for the sentencing of Koum. An additional lawsuit brought against the newspaper by the former defence minister and the current foreign minister, Laurent Esso, was due to be heard on 5 April. WiPC investigating.

Sentenced in absentia

***Guibai GATAMA and Abdoulaye OUMATÉ**: editor and journalist with the regional weekly newspaper *L'Oeil du Sahel* respectively, were sentenced in absentia to five months in prison for defamation at a court hearing in Maroua on 26 April 2005. The sentencing stems from a January 2005 article which reportedly exposed 'abuses and extortion practiced on the people by the security forces'. In his article Oumaté condemned "the mafia gendarmes of the Fotokol brigade, who on the pretext of fighting 'road-block gangs' roam the region robbing citizens". Following the publication of the article, a defamation complaint was lodged by the captain of the brigade. Neither Gatama or Oumaté attended the court hearing, for fear of arrest, and one of them is believed to have fled the country. According to reports received by PEN, the journalists have been prevented from lodging an appeal because of the disappearance of a court file from the court file's office. WiPC investigating.

Cases closed

Michel Michaut MOUSSALA: director of the newspaper *Aurore Plus*, was ordered to appear in court on 24 June 2004 on a charge of defamation. The charge stems from an unsigned 11 May 2004 article entitled "*Fresques et frasques d'un schizophrénique*" *No further information as of 30 June 2005 – case closed.

Richard Max Bosoh MPANDJO and Luther OUANDIE: publication director and journalist with the newspaper *L'Indépendant* respectively,

were ordered to appear in court on 6 May 2004 to respond to charges of "defamation and spreading false information", brought by Ndo Jean Rollin Bertrand, director of pharmaceuticals for the Ministry of Public Health. The charges stem from a 12 February 2004 article written by Ouandie which reportedly accused Bertrand of having stolen the remains of a patriarch from a Yaounde morgue on 13 December 2001. *No further information as of 30 June 2005 – case closed.

CENTRAL AFRICAN REPUBLIC

Sentence: suspended

Alexis Maka GBOSSOKOTO: publication director of the private independent daily newspaper *Le Citoyen*, and the correspondent for RSF in the Central African Republic was arrested on 8 July 2004 and detained without trial until 9 August 2004 following charges of defamation. He received a 12-month suspended prison term and was fined 500,000 CFA franc (US\$960) for printing "public insults" against businessman Jean-Serge Wafio. Charges of defamation filed against Gbossokoto by Wafio, the former director of the Central African Republic's national power company, stemmed from a series of articles in *Le Citoyen* that accused Wafio of mismanagement and embezzlement. The 9 August 2004 court hearing dismissed the defamation charges against Gbossokoto but the charge of public insult was retained and reportedly stemmed from Gbossokoto writing that Wafio was a "predator". The journalist's lawyers stated that they intended to appeal the decision of the court. *No further information as at 30 June 2005.

Case closed

Michel NGOKPELE: publication director of the daily newspaper *El quotidien de Bangui*, was sentenced to six months imprisonment with no parole on 3 July 2003 for "defamation by means of the press" and "incitement to ethnic hatred". *No further information as at 30 June 2005 - case closed.

CHAD

Detained/facing charges

***Michaël DIDAMA**: journalist with the weekly newspaper *Le Temps*, was arrested in the capital N'Djamena on 21 June 2005 and charged with "defamation" and "incitement to hatred, violence, and rebellion". The charges stem from articles that appeared in *Le Temps* during the month of May covering an alleged uprising of anti-government rebels in eastern Chad and a purported massacre of civilians in the same area. The media regulator, the High Council of Communication, has already ruled that the articles did not amount to incitement to violence. Still being held as of 30 June 2005.

Brief detention/facing charges

***Ngaradoubé SAMORY and Garondé DJARMA**: editor of the weekly *L'Observateur*, and freelance journalist respectively, were arrested in the capital N'Djamena on 21 June 2005 to face criminal charges of "defamation" and "incitement to hatred". The charges stem from a *L'Observateur* opinion piece written by Djarma that was critical of President Idriss Déby and bemoaned an amendment to the constitution that allowed him a third term in office. Samory was also questioned about an open letter that appeared in *L'Observateur* in support of imprisoned members of a minority ethnic group. Samory had already arrested once – on 4 June 2005 – and detained for three days in connection with the

letter. Both Samory and Djarma were given a provisional release on procedural grounds on 4 July 2005.

DEMOCRATIC REPUBLIC OF CONGO

Kidnapped

***Scott MAYEMBA and Jean-Marie MUSUSA:** journalists with the Kinshasa-based newspaper *Uhuru* and the Congolese News Agency respectively, were abducted along with television journalists Adam Shemisi (who managed to escape), Pierrot Nsenga, Léon Kabasele and cameraman Freddy Mwanza on 24 April 2005. According to reports received by PEN, the journalists were abducted by a group of Mai Mai militiamen operating under the command of and individual known as ‘Chinja, Chinja’ (‘Cut Throat’) who was arrested on 8 April 2005 and charged with human rights abuses against local citizens in the Upper Lomami district of the DRC. The journalists were abducted when they went to cover the disarmament of armed militias in the Katanga province of the DRC and it is believed that the abduction may have been in retaliation for the arrest of ‘Chinja, Chingja’. Negotiations between Minister Mulunda and Mai Mai militiamen began on 26 April 2005, with the aim of ensuring the release of the journalists. WiPC investigating.

Sentenced/In hiding

***Déo Mulima KAMPUKU:** journalist with the Kinshasa-based daily newspaper *La Référence Plus* received a four-month prison sentence with no parole in absentia. Kampuku was also ordered to pay 63,260 FC (approx. US\$145) in damages and legal fees for defaming Guillaume Bolenga, president of the Cobil Oil (formerly Mobil Oil) company’s management committee. *La Référence Plus* was also found liable and ordered to pay a symbolic fine of 100 FC (less than one dollar) in damages. The defamation charge stems from a 21 December 2004 article entitled ‘The Sale of COBIL is imminent’ in which Kampuku remarked that the fact that Bolenga held several positions simultaneously could create a conflict of interest. In the same article, Kampuku also implicated Bolenga in embezzlement remarking “It is regrettable that, just like vultures, certain Congolese citizens help themselves to public property (...) But the most flagrant case today is certainly that of Cobol Oil.”. Lawyers for Kampuku and *La Référence Plus* were due to appeal the sentencing on 26 January 2005 whilst Kampuku went into hiding. WiPC investigating.

Sentenced/Released

Jose WAKADILA: journalist with the private daily newspaper *La Référence Plus*, appeared in court on charges of defamation in a Kinshasa on 3 August 2004. Charges of defamation were filed by the Congolese Oil Refinery Industries Corporation (*Société Congolaise des Industries de Raffinage du Pétrole* – SOCIR) following the publication of a 17 July 2004 *La Référence Plus* article entitled “The SOCIR and Kinlao refinery are destined to disappear”. According to information received by PEN, Wakadila received anonymous threatening phone calls on 26 and 27 July 2004. Wakadila received an 11-month prison term with no parole on 13 September 2004. He was also ordered, along with his newspaper, to pay damages amounting to US\$600. Wakadila was arrested on 31 January 2005 and was detained at Matadi Central prison until he was granted a provisional release on 8 February 2005 after paying a US\$200 bail fee. No further news as at 30 June 2005.

Brief detention/death threats

***Léon MWAMBA:** Tshikapa correspondent with the private Kinshasa-based daily newspaper *La Prospérité*, was detained on 28 June 2005 and held for 24 hours by security agents who reportedly questioned him about a *Journaliste en Danger* (Journalists in Danger – JED) statement which was reprinted in *La Prospérité* on 21 June. The JED statement reported the security agents’ 14-15 June detention and interrogation of the radio journalist Laurent Lukengu Badimanye. Badimanye had been asked to give the names of soldiers he had interviewed about discontent in the military but had refused to reveal their identities. According to reports received by International PEN, Mwamba searched and stripped during his interrogation and his life was threatened by security agents.

Brief detention/facing charges

***Médard Ndinga MASAKUBA and Francois MADA:** publisher and publication director respectively, with the twice-weekly Kinshasa-based newspaper *La Manchette*, were arrested on 31 March 2005. They were detained for 24 hours and questioned following the publication of two *La Manchette* articles which referred to a conflict between two traditional chiefs in the Bulungu territory in Bandundu province of the DRC. According to reports received by International PEN, the journalists were accused of making ‘damaging allegations’ against Biba Ngola, one of two pretenders to the Bulunga territory throne. Ngola was described as a ‘slave’ in the articles. Masakuba were released on 1 April 2005 and ordered to appear before the examining magistrate on 5 April 2005. No further information at 30 June 2005.

Death threats

***Donna M’Baye TSHIMANGA and Tshivis TSHIVUADI:** President and Secretary General respectively, of the non-governmental organization *Journaliste en Danger* (Journalists in Danger – JED) were threatened with death in an email sent to Tshivuadi on 4 April 2005. The email read “Since you and your M’baya are continue to betray the nation by your false campaigns against the DRC...we would like to inform you that the hour of repentance is near”. It also threatened to hold the journalists’ families responsible for “all the evil that you have caused the nation”. According to reports received by International PEN, the threat came one day after Tshivuadi gave an interview to Radio France International (RFI) in which he alleged that politicians in the DRC were seeking to control broadcasters during the reparations for the June 2005 general elections. Tshimanga, who is also a contributor to the organization’s monthly bulletin *Plume and Liberté* was previously subjected to what appeared to be a death threat on 6 December 2004. The threat was believed to be linked to an article written by Tshimanga which appeared in the November 2004 bulletin of *Plume and Liberté* entitled “Incitement to Hatred and Discrimination: Has the DRC crossed the line?”. Tshimanga reportedly wrote the article following a letter sent by JED and *Reporteurs sans frontières* (Reporters without borders – RSF) several months beforehand to the director-general of RTNC, the public broadcaster in the Democratic Republic, which denounced extremist comments made on the programme “*Forum des médias*”. The comments were reportedly an incitement to racial hatred and a call for violence and death of Congolese citizens of Rwandan heritage, including Vice-President Azarias Ruberwa. In responding to the letter of complaint, the director-general stated that the host of the programme would be “brought into line and would be subject to serious reprimand if he made similar comments in the future”. On 5 December 2004, Noel Kalondale who

hosts the programme, ended the programme by inviting Tshimanga to be a guest on the next programme and to prove that hate media was involved in the programme's content. The following day Tshimanga's wife received an anonymous phone call during which she was offered condolences, although no death had occurred in the family.

In hiding

Deo NAMUJIMBO: Goma-based correspondent for the international news agency *Syfia*, based in Montpellier, France was forced to go into hiding with his family on 18 July 2004 to "escape from soldiers who were searching for him". The soldiers searching for Namujimbo were reportedly aligned with rebel General Laurent Nkunda. Namujimbo's persecution stemmed from a 15 July 2004 article which was published on the online edition of *Syfia Grand Lacs* entitled "Rebels impose reign of terror in Minova". In the article, Namujimbo reported that "For the past month and a half, the people of Minova...have lived in terror harassed by General Nkunda's men, who are now based in the region. Extortion and rape have become common. Everyone hides in the hills at night". From 16 July 2004 soldiers who are reportedly close to Nkunda, began questioning those living in the locality of Namujimbo as to his whereabouts. *No further information as at 30 June 2005.

Cases closed

Roger Salomon LULEMBA KIABULULU: correspondent for the Kinshasa-based weekly newspaper *L'Veil*, was sentenced to six months' imprisonment (two months of which were suspended) on defamation charges on 25 May 2004. Presumed freed in September 2004.

Gustave MPINGANAYI: correspondent for the Kinshasa-based weekly newspaper *Le Grande Monde*, was charged with "breaching the privacy of Tshinota Watala" in a Kamonia satellite division of the Tshikapa court on 7 July 2004. Mpinganayi was accused of offending the Watala, a local chief, in an article which appeared in the 1-7 April 2004 edition of *El Grande Monde* which implicated Watala in an illegal real estate deal. Lawyers representing Mpinganayi at the 7 July 2004 court hearing raised a series of objections which forced the court to adjourn Mpinganayi's hearing until they could be examined in further detail. No further information as at 30 June 2005 – case closed.

Lucien-Claude NGONGO and Albert Kassy Khamy MOUYA: deputy editor of the weekly *Fair Play*, and former publication director of the weekly *Le Lauréat* respectively were arrested on 19 May 2004 and 27 May 2004 for "criminal defamation". Ngongo faces charges resulting from a *Fair Play* article that questioned why a wealthy Belgian businessman, William Damseaux, had not had to pay the costs arising from a legal action. Lucien-Claude Ngongo was released on 28 July 2004 after paying a bail fee. On 2 August 2004, Ngongo reportedly attended a discovery hearing before a Kinshasa-Ngaliema criminal court judge, on charges brought by William Damseaux and was due to appear again in court during the same week. Albert Kassy Khamy Mouya was provisionally released on health grounds on 29 June 2004 after being hospitalised on 21 June 2004. *No further information on the cases of Ngongo and Mouya as of 30 June 2005 – case closed.

Cashmir TWITE: correspondent with the Kinshasa-based newspaper *L'Alerte* was summoned on 26 February 2004 to appear before the Luebo High Court on 9 March 2004 to face a charge of "defamation" brought by the case bailiff Ignace Mulumba Nkoshi. The charge is linked to a case which Twite reported on concerning influence peddling by the bailiff. *No further information as at 30 June 2005 – case closed.

ERITREA

Disappeared

Ezra FESSEHAYE: journalist with the government-owned newspaper *Hadas Eritrea*, was arrested by security forces in July 2002 and has not been heard of since. Fessehaye, who analysed international news for *Hadas Eritrea*, was also the founder of a computer design company, Juventus. He was apparently arrested on the grounds that his company had been forging passes allowing Eritrean citizens to travel around the country. Freedom of movement in Eritrea is restricted to those holding government-issued passes and a number of students were apprehended in July with false passes. However, it is believed that the forgery charges are being used as a pretext to detain Fessehaye.

*Still presumed to be held by the security forces as of 30 June 2005.

Main cases

Yusuf MOHAMED ALI (editor-in-chief, *Tsigenay* – born c. 1958), **Mattewos HABTEAB** (editor-in-chief *Meqaleh* – born c. 1973), **Dawit HABTEMICHAEL** (reporter *Meqaleh* – born c. 1973), **Medhanie HAILE** (deputy editor-in-chief *Keste Debera* – born c. 1970), **Emanuel ASRAT** (editor-in-chief of *Zemen*), **Temesken GHEBREYESUS** (*Keste Debera* – born c. 1967), **Dawit ISAAC** (co-owner of *Setit*, writer – born c. 1965), **Fesshaye YOHANNES "Joshua"** (co-owner of *Setit*, playwright and poet – born c. 1957) **Said ABDELKADER** (writer and editor *Admas* and owner of the press that printed most of the independent newspapers – born c. 1969) **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 the journalists may have been arrested for avoiding national service. However, it has also been reported that **Yusuf Mohamed Ali** is too old for national service and is therefore legally exempt. This is the second time that **Said Abdulkader** has been reported missing, presumed arrested. Other journalists had their houses searched. 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. On 31 October 2001 it was reported that the first seven above named journalists had been held incommunicado at a police station in the capital Asmara since their arrest. They had not apparently been charged or taken to court. Eritrean law states that this must take place within 48 hours of an arrest. On 3 December 2001, a separate report confirmed that all but two of the above were in detention. All those detained have had their bank accounts frozen and assets confiscated. Their relatives have not been allowed to visit them. On 5 April 2002, the nine journalists started a hunger strike to protest against their detention. All were said to be refusing food until they were released or tried fairly. 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." It was reported in April 2004 that the journalists were being held in secret security sections of the 2nd and 6th police stations in Asmara. **Health Concerns: Dawit Isaac**, a Swedish citizen of Eritrean origin, was hospitalised under strict security amidst allegations that his need for medical aid was a direct result of his treatment in prison. He was reported in April 2002 to be undergoing surgery in Halibet Hospital in Asmara. Isaac is believed to have been transferred to the 2nd police station in Asmara some time during 2004. **Honorary Members:** American PEN

Mahmud AHMED SHERIFFO, Haile WOLDETESNAE, Petros SOLOMON, Saleh Idris KEKIA, General Ogbe ABRAHA, Astier FESHATSION, Berhane GHEBRE EGHZABIHER, Hamid HEMID, 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 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 are still being detained as of 30 June 2005.

Disappeared/possibly imprisoned or conscripted

Paolos ZAID (*Eritrean Profile*), **Akhader AHMEDIN** (*Tsigenay*), **Omer "ABU AKLA"** (*Tsigenay*), **Meles NIGUSSE** (*Tsigenay*), **Yebio GHEBREMEDHIN** (*Mekalih*), **Muluberhan HABTEGEBRIEL** (*Setit*), **Amanuel GHEBREMASKEL** (*Mana*), **GHEBREMEDHIN** (*Millennium*), **Daniel HABTE** (*Eri-Tempo*): 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 captured by security agents early on in 2000. He is reported to have been tortured before being transferred to Zara hard labour detention centre. He has never been charged with any offence. Eritrean Justice Minister Foazia Hashim wrote to the Committee to Protect Journalists (CPJ) on 15 June 2001 claiming that five of the fifteen 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."

All are still missing presumed imprisoned or forcibly conscripted as of 30 June 2005. **Honorary Members:** Ghanaian PEN

ETHIOPIA

On trial

Leykun ENGIDA: editor-in-chief of the 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 Siyoum Mesfin appeals for resignation." Engida was released on bail of 5000 birr (US\$600). *No further details as of 30 June 2005.

Merid ESTIFANOS: former editor-in-chief of the weekly Amharic newspaper *Satenaw 1*) appeared in court on charges of "defamation" in February 2004 and on 2 April 2004 in connection with a 5 June 2001 *Satenaw* article entitled, "Foreign Minister Seyum Mesfin isolated himself from the ruling party." Estifanos was first arrested for questioning on 1 January 2004 and held for ten days before being released on bail. He was detained immediately following his 2 April 2004 court hearing where he also discovered he was being charged with 2) having defamed Prime Minister Meles Zenawi. Despite the fact that Estifanos apparently presented a document attesting to the fact that he had been unable to appear at an earlier hearing due to illness, the court quadrupled his bail from 1000 Birr (c. US\$120) to 4000 Birr (c. US\$480) on the grounds of the earlier non-appearance. Since Estifanos was unable to raise this sum, he was sent to the central prison in Addis Ababa. He finally raised bail on 21 May 2004 and was released. The latter charge stems from a September 2001 *Satenaw* opinion piece entitled, "The Hidden Agenda of Prime Minister Meles," which accused the Prime Minister of being a supporter of Eritrea. Estifanos appeared before the 2nd Criminal Bench of the Federal High Court on 29 June 2004 and the case was adjourned again until 6 August 2004. PEN seeking update on the trial proceedings. *No further details as of 30 June 2005.

Wesenseged (or Wondwossen) GEBREKIDAN : editor-in-chief of the newspaper *Ethiop*, was summoned on 19 November 2001 to the Central Investigation Office (Makelawi) and advised that charges had been filed against him at the Federal High Court under the country's press laws.

1) On 8 March 2002, Gebrekidan was charged with "disseminating fabricated information that could affect public opinion". The charge stems from an article entitled "Prosecutor and Police Under Tension" in which it is alleged that Gebrekidan falsely reported that there were three types of police force, and that he stated that "the organisation of the prosecutor (Ministry of Justice) is ethnically-based". He was released on bail of 2,000 birr (c. US\$240) and his case was adjourned until 4 May 2002. 2) A further press law charge was filed on 14 May 2003 in connection with his alleged defamation of former ambassador Habtemariam Seyoum. Gebrekidan had dismissed Seyoum's claims regarding his own diplomatic efforts during the war with Eritrea. Gebrekidan was arrested and released on bail of 2,000 birr.

3) On 9 October 2003, Gebrekidan was summoned to appear at the Central Investigation Department. He was accused of "disseminating fabricated information" in the 9 April 2003 *Ethiop* article entitled, "National Military Service Proclamation promptly approved." Apparently, the article referred to the "National Military Service Proclamation" instead of the "National Reserve Army". The journalist made a statement and was released on Birr 5,000 (c. US\$600). It is

unclear whether the case will be taken to the Federal High Court. 4) On 27 February 2004 Gebrekidan was charged yet again – on this occasion with “defamation” at the Third Criminal Bench for comments made in the *Ethiop* back page column ‘If I were to come to power one day’. The case was adjourned until February 2005. 5) Gebrekidan was imprisoned from 23 to 31 December 2004 while he raised the bail set by the Federal High Court in connection with another libel case against him. The charge stems from a March 2001 *Ethiop* article in which Gebrekidan alleged that the Justice Ministry had prematurely dismissed a case involving businesswoman Eteneshe Abreha. 6) A further libel action was lodged on 2 December 2004 by Justice Minister Harqa Haroye against Gebrekidan, deputy editor **Tesfa Tegegne Tadesse**, and former editor **Andualem Ayele**. The case stems from an *Ethiop* article regarding the Ethiopian army and the arbitration of The Hague in a long-running conflict over the siting of the frontier between Ethiopia and Eritrea. *No further details as of 30 June 2005.

Melese SHINE: editor-in-chief of the weekly *Ethiop*, has been charged with publishing and disseminating an article defaming the head of government, and the publication of an interview with an alleged member of an illegal group. The charges relate to two 1993 *Ethiop* articles entitled, “Who is Meles Zenawi,” and, “Overthrow of power through the gun will continue.” Shine had previously been released on 7 January 2001 on bail of 10,000 birr on charges of “endangering national security by disseminating false information nationally”. Also was held in custody from 20 March to 25 June 2002 when he was released on bail. Re-arrested on 29 April 2003 and charged with defaming Melkamu Gettu, the administrator of the Ras Desta Hospital, whom an *Ethiop* article had accused of embezzlement. In July 2004 it was reported that Shine had been released on bail pending trial. *No further details as of 30 June 2005.

***Getachew SIMIE**: deputy editor of the defunct Amharic weekly *Enat Agerie* and journalist with the weekly *Addis*, was charged with “defamation” at the Addis Ababa 2nd Criminal Bench of the High Court on 21 March 2005. The charges, under press proclamation No 34/85 (1992), Article 20/1 and Criminal code 580/1, stem from an August 1999 *Enat Agerie* article which alleged corrupt practices at a government-owned textile factory. Simie spent a day in custody whilst he raised 3,000 birr bail (US\$360). At a subsequent hearing on 7 June 2005 the case was adjourned until 8 July 2005.

Daniel TILAHUN: former-editor of the weekly *Tikur Anbesa*, was briefly detained at the central investigation bureau before being released on bail of 500 birr (US\$60). He made his first court appearance on 15 April 2004 and was ordered to pay a further 2000 birr (US\$240) bail. The charge against him is believed to stem from a *Tikur Anbesa* article. The case was adjourned until October 2004. Tilahun also appeared in court on 31 May 2004 but was not told why he was there or what charges were being brought against him. This case was adjourned until November 2004. *No further details as of 30 June 2005.

On trial

***Befekadu MOREDA, Zelalem GEBRE, Dawit FASSIL and Tamrat SERBESA**: editor-in-chief of *Tomar*; editor-in-chief of *Menilik*; editor-in-chief of *Asqual* and editor-in-chief of *Satenaw* (all Amharic-language weekly newspapers) respectively, were arrested in Addis Ababa on 28 June 2005. They were detained for seven hours before being released on bail of 2,000 birr (c. US\$230) each. The arrests came in the wake of reports in the four weeklies that Ethiopian air force pilots had defected whilst in Belarus on a training programme. The four journalists are to be tried for “defaming the military”.

Brief detention

***Taye BELACHEW, Tadesse KEBEDE and Tegist ABRHAM**: senior editor, editor-in-chief and deputy editor-in-chief respectively of the Amharic-language weekly *Lisane Hezeb*, were arrested in Addis Ababa on 30 June 2005. They were freed on bail of 1,000 birr (c. US\$115) each after being questioned about a photo that appeared in *Lisane Hezeb* showing the violent arrest of two demonstrators in May. The public prosecutor is to decide whether charges are to be preferred against the three.

***Zelalem GEBRE, Serkalem FASSIL, Abiye GIZAW, Dereje HABTEWOLD, Mesfin TESHAYE, Fekadu INDRIAS**: editor and deputy editor of the newspaper *Menilik*, editor and deputy editor of the newspaper *Netsanet*, and editor and deputy editor of the newspaper *Abay* respectively, were reported to have received orders from the Federal Central Investigation Office on 1 June 2005 to report to a police station the next day. They were all questioned for several hours about their reporting of events surrounding the 15 May 2005 parliamentary elections. All six were released the same day without charge.

***Anthony MITCHELL**: reporter for the *Associated Press (AP)* news agency, was held at a police station along with *AP* photographer Boris Heger on 6 June 2005. The two had been covering clashes between students and police at the University of Addis Ababa when their equipment was confiscated by police. When they went to the police station to recover the equipment, they were detained for seven hours before being released without charge.

***Fassil YENALEM and Daniel GEZAHEGNE**: editor-in-chief of *Addis Zena* and editor-in-chief of *Moged* respectively, were arrested on 30 June 2005 after having published a letter that upbraided the Orthodox Church for its lack of criticism of the police crackdown on post-election demonstrations. The two were released after giving a statement to police

Cases closed

There has been no further information for over twelve months on the following cases which have therefore been closed: **Henok Alemayehu, Tilahun Bekele, Abrham Reta Alemu and Leul Seboka**.

GAMBIA

Killing

Deyda HYDARA: publication director and co-owner of the weekly *The Point*, and correspondent for *Agence France-Presse (AFP)* and *Reporters sans frontières (RSF)*, was shot dead on the night of 16/17 December 2004. Two of his *Le Point* colleagues were also apparently injured in the shooting. Hydara (58) was shot in the head three times by one or more individuals as he walked from his office just after midnight. The shooting comes at a time when the Gambian authorities were cracking down on the independent press. Under the guise of establishing a free media, a proposed Criminal Code (Amendment) Bill actually imposes mandatory prison terms for any published work judged to be “seditious” or “libellous”. First-time offenders face at least six months’ imprisonment, whilst repeat offenders could be detained for a minimum of three years. The bill also increases the scope of what might be deemed libellous. *The National Intelligence Agency (NIA) took over the running of the murder investigation from the Gambian police in February 2005, and shortly afterwards, on 22 February, arrested Lebanese businessman Wally Mahmoud Hakim. The NIA had apparently found some

(licenced) arms at Hakim's house but did not state whether the weapons were linked directly with the crime. Hakim is reported to have had several bitter arguments with Hydera regarding the latter's journalistic work. On 17 and 18 March, Hydera's former business partner and co-owner of *The Point* newspaper, **Pap Saine**, was interrogated at NIA headquarters regarding the management of the newspaper. However, this latter move has been seen as further harassment of the newspaper's staff rather than as any serious attempt to track down Hydera's killer/s. Local journalists continued to call for the NIA to investigate the so-called Green Boys, a pro-government group known to have attacked and threatened independent journalists in the past, and suspected to have links with President Yahya Jammeh.

Case closed

Lamin Waa JUWARA: opposition party leader, was sentenced to six months' imprisonment on 16 February 2004 following the publication in *The Independent* on 21 September 2003 of an article he wrote in which he called for Gambians to take to the streets to protest against the government. Juwara was charged with sedition. He has appealed against the sentence. WiPC investigating if the original article did indeed constitute an incitement to violence. No further information as of 30 June 2005. Case closed.

GUINEA

Brief detention/Attacked

***Sotigui KABA**: reporter with the *Le Lynx-La Lance* press group, was severely beaten on 24 February 2005 by members of the Anti-Crime Brigade and Conakry Municipal police when he was covering a protest by truck drivers working for the Transport-Terrassement-Minier company in the suburb of Matoto. According to reports received by PEN, as soon as he arrived, Kaba was accosted and insulted by Hawa Sangaré the sister of environment minister Kader Sangar who reportedly said, "These absurd journalists come and provoke us while we are doing our job" before ordering the police to attack him. Kaba was whipped, kicked, clubbed with sticks and rifle butts, and then undressed and his notebook, press card and ID card were taken from him.

***Lasana SARR**: reporter with the state-owned daily newspaper *Horoya*, was beaten by members of the police's special interventions unit (*Brigade Spéciale d'Intervention de la Police* – BSIP) and detained for several hours on 14 February 2005 after covering a protest march in Conakry.

Brief detention

***Youssof BOUNDOU** and **Abdoulaye Youlaké CAMARA**, bureau chief and information coordinator respectively with the Guinea News agency bureau, were arrested on 7 June 2005. Boundou and Camara were reportedly arrested by members of the presidential guard when they went to the presidential palace to attend an appointment with French national René Tayot in order to investigate occultist influences being exerted on the presidency by him. Tayot works from an office on the second floor of the palace and his actions have been criticised publicly. When Boundou and Camara arrived at the presidential palace to meet with Tayot they were arrested by members of the presidential guard. Both were released on 8 June 2005.

* **Mohammed Lamine DIALLO**, aka 'Benn Pépito', editor-in-chief of the independent weekly newspaper *La Lance* was arrested at his home on 16 February 2005. Before taking Diallo to Conakry's Detention Centre

at the Municipal Police head-quarters, police reportedly made a thorough search of his house. Diallo's arrest stemmed from his reporting on opposition leader Antoine Soromou, who had reportedly been wanted by the authorities since an abortive attack in January 2005 on President Lasana Conté's motorcade. Diallo was released on 19 February 2005.

IVORY COAST

Disappeared - investigation

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 shoppingcentre in Abidjan and has made no contact with anyone since that time. **Background**: The journalist and writer, who has lived with his family in the Ivory Coast for several years, is the Abidjan correspondent for the French publication *La Lettre du Continent* and contributes occasionally to several magazines. He also reportedly writes for the Ivorian press under a pseudonym and was collaborating on a book with Louis-André Dacoury-Tabley, foreign affairs coordinator for the *Mouvement patriotique de Cote d'Ivoire* (Patriotic Movement of the Cote d'Ivoire – MPC). In addition to his work as a journalist and writer, Kieffer has also worked as a cocoa and coffee trade expert for a firm of consultants and has conducted numerous investigations into the coffee and cocoa sectors, some of which have exposed corruption. **Prosecution of suspect**: 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. In two interviews that he gave to the French examining magistrate Patrick Ramael, he named at least eight people whom he said were involved in the kidnapping of Kieffer. On 21 May 2004 Ramael wrote to the state prosecutor in Abidjan complaining that his requests to interview the witnesses named by Legré 'were getting nowhere' and complained of a 'total block on his investigations'. According to Legré, several men snatched Kieffer from the car park of an Abidjan commercial centre, bundled him into a green four-wheel drive vehicle that took him to a military camp on the orders of Patrice Bailly, chief of presidential security. On 28 May 2004 Legré was 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 Ramael claimed that himself and fellow investigating judge Emmanuelle Ducos had not been able to interrogate Legré satisfactorily during their stay in Abidjan. However, according to reports received by International PEN, when judge Patrick Ramael visited the Ivory Coast in February 2005, the request had not been received by the Ivorian authorities as it had been reportedly blocked by the French foreign ministry.

Attacked/Death threats

***Sylla ARUNA**, **Hamadoun ZIAO**, **Yacouba GBANÉ**, **David YOUANT**: journalists with the independent daily newspapers *Info Soir*, *L'Inter*, *Le Temps* and *Le Courrier d'Abidjan* respectively, along with their driver **Didier Wahi**, were reportedly arrested and dragged to a cemetery in Bouaké on 13 April 2005 and threatened with death by a group of

armed soldiers of the Armed Forces of the New Forces (FAFN). The journalists were leaving a meeting they had been covering a meeting between Commanders of the regular forces and Commanders of the FAFN when they were forced by a group of FAFN soldiers to the cemetery who alleged that the journalists had been writing reckless articles about the rebellion. The journalists reportedly escaped death by speaking to their captors in the Malinke language which is widely spoken among the rebels and people of the northern Ivory Coast, before being released.

Attacked

***Fofana MAMBÉ**: reporter with the newspaper the independent daily newspaper *Soir Info*, was beaten up on 29 March 2005 by about fifty policemen who were taking part in a police officers' demonstration in the Plateau district of Abidjan. According to reports received by PEN, Mambé was interviewing a police officer on duty near to the demonstration when he was viciously attacked. He was taken to a local hospital where he received medical attention to injuries to his head. The journalist had reportedly been driven to the demonstration by a *Soir Info* driver, in a vehicle clearly marked as 'press'.

Case closed

Gaston BONY: publications director of the weekly newspaper *Le Venom* and principal host of a local radio show was sentenced to a six-month prison sentence for "defamation" on 31 March 2004. Bony was granted a provisional release on 28 July 2004 after serving four months of the six-month sentence. A hunger strike which Bony undertook in protest at this detention led to a serious deterioration in his health and at the 28 July 2004 court hearing, Bony's lawyer also argued for his release due to health grounds. An appeal hearing was due to take place on 10 October 2004. *No further information as at 30 June 2005 – case closed.

KENYA

Brief detention

***Kamau NGOTHO**: investigative journalist with the *East African Standard*, had charges of "criminal defamation" brought against him on 13 January 2005 under Article 194 of the Criminal Code, a law which has not been used since 1963. The charges stemmed from an 8 January *Standard* article alleging that a business elite continued to profit financially from its connections in high political circles in Kenya. The charges against Ngotho were brought by businessman John Macharia and others implicated in the article. On 11 January, *Standard* deputy editor **Kwamchetsi Makokha** was summoned and interrogated about the story by the Criminal Investigation Department in Nairobi. Two days later, the newspaper published corrections to a number of elements in the piece and apologised to "all persons concerned". Nevertheless, Ngotho was charged the same day and released on bail of 20,000 shillings (approx. US\$250). On 17 January 2005, after international protests, the Attorney General announced that all charges were being dropped.

Attacked

***Angwenyi GICHANI**: Nyamira correspondent for the daily *Daily Nation*, was reportedly attacked on 6 May 2005 in a hotel in the town of Kisii. Stephen Orwenyo, director of the Sangany tea plant, apparently hit Gichani with a chair as a reprisal for what he felt were "negative" reports published by the journalist. Gichani was rescued by security guards.

Harassment

***Staff at the Daily Nation**: were threatened and harassed by Lucy Kibaki, wife of President Kibaki, on the night of 2/3 May 2005. Kibaki was upset about a report in the newspaper of an apparent attempt she made to break up a noisy party near her home. She burst into the *Daily Nation*'s offices with six bodyguards around midnight and harangued staff for five hours, confiscating notebooks, cameras and mobile phones. She also threatened that she would not leave until the authors of the report – and of other articles with which she was unhappy – had been arrested. She went on to attack a television journalist who was filming her outburst.

Acquitted

David MAKALI, Tom MSHINDI and Kwamchetsi MAKOKHA: Sunday edition editor, managing director and associate editor respectively of the *East Africa Standard*, were all detained briefly by police on 29 September 2003. Following an article in the *Standard*, Makali was charged with the theft of a copy of a videotape of an alleged confession to police by the suspected murderer of Crispin Odhiambo Mbai. *After trial proceeds lasting over a year, Makali was acquitted on 4 April 2005.

LESOTHO

Facing possible charges

***Bethuel THAI and Khutliso SEKOA**: editor-in-chief and reporter respectively with the weekly *Public Eye*, were summoned to appear before the chief magistrate on 21 March 2005. They were questioned about an article in the 18-24 March edition of the newspaper regarding the seizure of a large sum of money from an individual who was allegedly attempting to smuggle it out of the country via Moshoeshoe International Airport. Some of this money had apparently then been used to post bail for the accused in a trial presided over by Molefi Makara, the chief magistrate. Makara told the journalists that the article had "tarnished his image" and ordered them to apologise. The two refused to do so, on the grounds that the piece had been fair and objective. As a result, they face possible "defamation" charges.

Threatened

***Francis KHOARIPE**: editor of the weekly *Moeletsi oa Basotho*, was reportedly threatened by two officials from the Lesotho Catholic Bishop's Conference (LCBC) on 25 February 2005. The two men took issue with an article published in that day's edition of the newspaper. Apparently, Booi Mohapi told Khoarape, "I will beat you severely if I see you at any one of our forums under the guise of media coverage," whilst Makhojane Mahlakeng added, "Had we met you earlier, we would have sorted you out. You have defamed us." The journalist had alleged in his report that an LCBC prayer meeting had been hijacked by the ruling Lesotho Congress for Democracy (LCD) party in order to appeal for candidates to stand in local government elections.

LIBERIA

Facing Charges

***Augustus FALLAH**: managing editor of the newspaper *Forum*, was the subject of an arrest warrant issued by a court in Monrovia on 4 March 2005 for "contempt of court". The same court also ordered the closure of *Forum* until a US\$200 fine was paid by the newspaper. The actions arose from libel charges filed against *Forum* by Melee Kermue, a political

candidate and director of the Liberian office of Hope International. Kermue is seeking damages of US\$2M for a *Forum* article that alleged that he was wanted in the United States for drugs trafficking. Fallah claims that he did not receive a summons to appear in court on 4 March. **Roland WORWEE, Samuel S DOE, Koffee NIMELY, Tarnu WORWEE:** staff at the privately owned newspaper *New Broom*, were charged under section 11.44 of the New Penal Code on 11 June 2004. The charges related to a story printed in *New Broom* six days earlier alleging that Abraham Mitchell, Commissioner of the Bureau of Immigration and Naturalisation, had accepted bribes. All four of the accused failed to attend court on the three occasions detailed by the various summons issued by magistrates at Monrovia City Court. On 14 July 2004, Judge Fayiah issued an injunction preventing the publication of *New Broom*. *No further information as of 30 June 2005.

Case closed

Philip MOORE Jr., Adolphus KARNUAH, and Robert KPADEH Jr.: editor-in-chief, managing editor and sub-editor respectively for the newspaper *Telegraph*, were arrested on 16 January 2004, taken to the Monrovia Magistrates Court, and charged with “criminal malevolence” before being released on bail. **Rennie Moses and Rudolph Gborkeh,** former *Telegraph* business manager and chief reporter respectively, were charged in absentia. The charge, which allows a maximum one-year prison sentence, stemmed from a 30 December 2003 *Telegraph* article in which it was claimed that National Security Minister Losay Kendor had embezzled US\$15,000.

*No further information as of 30 June 2005. Case closed.

LIBYA

Killed

***Daif al-Ghazal AL-SHUAIBI:** reporter for the UK-based web newspaper *Libya Today* (libya-alyoum.com), was found dead on 2 June 2005 in Benghazi. His body reportedly showed evidence of extensive torture and he had been killed by a shot to the head. The journalist had been missing since the night of 21 May when he was said to have been kidnapped by two armed men purporting to be state security officers. Al-Shuhaibi (32) wrote for the UK-based on-line newspaper *Libya Today* (www.libya-alyoum.com) in which he had published articles criticising Libya’s governing party, the Movement of Revolutionary Committees (MRC). In 2004, the journalist had appealed to intellectuals in Libya to join together to fight corruption. He had apparently received threats from the MRC as a result. Previously, he had been a journalist for four years with the MRC-controlled *Al-zahf Al-Akhdar (The Green March)* newspaper but left in protest at corruption within the MRC.

Investigation

***Abdel Razak AL MANSOURI:** bookseller and Internet writer, was reportedly detained by the police on 12 January 2005 in Tobruk. He has been held incommunicado since his arrest but it is believed that he was transferred to a Tripoli prison on 14 January. Al Mansouri (52) was known for his criticisms of the Libyan authorities in articles published on a website (www.akhbar-libya.com) based in the United Kingdom. The writer dealt mainly with social and human rights issues. However, his last piece, posted on 11 January, made fun of a speech made by President Muammar Gaddafi and it is presumed that this led to his arrest.

MADAGASCAR

Sentenced: free on appeal

* **Rolland (aka Lola)RASOMAHARO and James RAMAROSAONA,** publication director and editor respectively of the independent daily newspaper *La Gazette de la Grande Ile* each received a one month prison sentence on 19 April 2005 for criminal defamation. The sentencing reportedly stemmed from a January 2004 article which alleged that employees of a state-owned real estate agency, SEIMAD, had embezzled money. According to reports received by PEN, Rasoamaharo had been given at least three other prison sentences in connection with his work in the year prior to his most recent arrest. Following a 19 January 2004 editorial, Rasoamaharo received a two-month prison sentence and was fined million ariary (approx. 1,200 euros) for libelling and insulting national assembly deputy speaker Mamy Rakotoarivel. Rasoamaharo , along with his editor **Rolly Mercia,** had also received a one-month suspended prison sentence and symbolic fine of one ariary following an article referring to possible criminal charges against a Pakistani businessman called Mamod Taky Mamode Abasseky who said that the report had “seriously harmed his honour, respect and credibility”. In a third case (exact date unknown), Rasoamaharo was sentenced to one month in prison and received a fine of 1 million ariary (approx. 400 euros) for reportedly libelling an individual named Gabhy Ramaherijaona. As at 27 May 2005 Rasoamaharo and Ramarosaona were both free pending appeals by the newspaper.

MALAWI

Attacked

***Collins MTIKA:** reporter for the *Daily Times*, was reportedly attacked on 29 January 2005 by alleged supporters of the Alliance for Democracy (AFORD), a member of the coalition in power in Malawi. The assault occurred when the reporter was covering a press conference held by AFORD leader Chakufwa Chihana. Mtika alleged that Chihana’s nephew, Jeremiah Chihana, ordered the attack because the journalist had “reported ill about [the AFORD] leader.”

Brief detention/possible charges

***Mabvuto BANDA:** reporter with the newspaper *The Nation*, was arrested on 15 March 2005 along with BBC journalist Raphael Tenthani, and interrogated regarding a story covered by both of them in which it was alleged that President Bingu wa Mutharika complained of being haunted by evil spirits. The two were charged with “publishing false information that is likely to cause public alarm” and released on police bail the next day. The source for the news piece was purportedly the presidential adviser on religious affairs, Rev. Malani Mtonga. On 23 March 2005, the public prosecutor announced that he would be compelled to prosecute the two journalists (under the amended charge of “publishing an article calculated to disrespect the high office”) if the local chapter of the Media Institute of Southern Africa (MISA) refused to discipline them. The MISA office has declared it has no plans to do so, given the evidence that their story was based on a sound source.

MAURITANIA

On Trial

***Mohamed Lemine Ould MAHMOUDY:** freelance journalist, was arrested on 13 March 2005 in connection with an article he had published concerning an alleged case of slavery. In the published article, Mahmoudy related the experiences of a young slave, Jabhallah Mint Mohammed, who reportedly had been forced to work with salary and was mistreated. On 16 March 2005, Mahmoudy appeared before an investigating judge on charges of 'damaging the diplomatic and economic image of Mauritania' and 'producing documents inclined to disturb public order'. On the same day Jabhallah Mint Mohammed and her husband were reportedly put on national television and made to deny the contents of Mahmoudy's article. They also accused Mahmoudy of manipulating them into saying they were slaves. Mahmoudy was released on bail on 13 April 2005. No further information as at 31 June 2005.

Brief detention

* **Mohamed Mahmoud Ould EBILMAALI:** editor of the independent daily newspaper *Akhbar Nouakchott*, was arrested on 19 May 2005. The arrest stemmed from an interview he had granted to three days earlier to an Jemil Ould Mansour, an Islamic leader who had been declared wanted by the Mauritanian police. During his detention Ebilmaali was asked by the police to reveal the hiding place of Jemil Ould Mansour and of other fugitives which Ebilmaali refused to do. He was released without charge on 21 May 2005.

MOROCCO

Sentenced

***Ali LMRABET:** editor-in-chief of the banned *Demain magazine* and *Douman*, was banned from working as a journalist in Morocco for ten years and received a fine of 50,000 dirhams (approx. 4,500 euros) by a Rabat court on 12 April 2005. The sentencing stems from an article written by Ali Lmrabet which challenged the Moroccan government's position on West Saharan refugees. In the 12 January 2005 edition of the Arabic-language Moroccan weekly *Al Moustakil*, Ali Lmrabet claimed that the Sahrawis of Tindouf, southwest Algeria were not being 'held' as Moroccan officials claim, but were "refugees" as defined by the UN. The court decision came just after the journalist had received, on 22 March 2005, a provisional acknowledgement from the crown prosecutor at the Rabat high court for the creation of a new weekly newspaper. According to reports received by PEN, there were many irregularities in Ali Lmrabet's trial. An appeals court upheld the ten-year ban and fine on 23 June 2005 and in addition Lmrabet was obliged to publish the verdict for 21 days in the Arabic-language daily newspaper *Al Ahdath Al Maghribia*. On 21 May 2004, the journalist received a three year prison sentence (reduced from four years on appeal) for "insulting the person of the king" and committing "an offence against territorial integrity" following articles and cartoons published in the weekly newspapers *Demain magazine* (subsequently closed down) and *Douman* in regard to the annual allowance that the Moroccan government grants the royal family. Ali Lmrabet was released from prison on 7 January 2004 following a royal pardon. **Awards:** Ali Lmrabet has received several international awards including the 2003 RSF-Fondation de France

annual press freedom award a 2005 Hellman-Hammett award. **Honorary Member:** English PEN, Danish PEN, Turkish PEN, PEN USA.

Investigation

Anas TADILI: editor of the weekly newspaper *Akhbar al-Ousbouaa*, was sentenced to six months' imprisonment for 'defamation' on 1 June 2004. Tadili was found guilty of "defamation, vilification of a government official and spreading false news". The charges stem from a 9 April 2004 *Akhbar al-Ousbouaa* article about the alleged homosexual activities of a government minister at a holiday resort. The minister was not named but the inference taken by the finance minister was that the article was about him. The journalist was arrested in Rabat on 15 April 2004 and held in custody until his charge. The journalist also received a 10-month prison sentence on charges relating to foreign exchange regulations. On 29 September 2004, Tadili was sentenced to a further one-year prison sentence and a fine of 10,000 dirham (approx. US\$1000) having been charged with libelling the Economy Minister Fathallah Oualalou. According to information received by PEN, a number of other complaints have been brought against Tadili and are currently being investigated by judicial authorities. *WiPC investigating.

Facing trial

***Abdelaziz KOUKAS:** managing editor of the Arabic-language weekly *Al Ousbouia Al Jadida* was due to go on trial on 28 June 2005 and was reported to be facing a heavy sentence having been charged with "damaging the monarchic regime". The charge against Abdelaziz Koukas is linked to 2 June *Al Ousbouia Al Jadida* article which published an interview with Nadia Yassine the unofficial spokesperson of the *Al Adl Wal Ihssane* (Justice and Charity) party in which she said the monarchy did not suit Morocco and that the regime was on the point of collapse. According to reports received by PEN, Koukas and the journalists who carried out the interview were summoned to the general directorate for national security in Rabat to be questioned about the reasons for the interview. The authorities criticised the journalists for not countering what Yassine had said and accused them of producing propaganda for her party. Journalists on various papers who picked up Yassine's comments were also summoned by judicial police, but Koukas is the only one to have been charged. WiPC investigating.

Released/In hiding

Anas GUENNOUN: director of the weekly newspaper *Al Ahali*, was sentenced to a ten month prison term on 2 April 2004 for 'defamation'. The sentencing stemmed from an article written by the journalist which allegedly defamed a politician. The journalist was due to appear in court on 21 April 2004 to face a second charge of defamation linked to an article he wrote in 1999 about the private life of a governor of Tangiers. Guennoun was released during the first week of August 2004. In the week following the journalist's release he was reportedly sentenced to a separate charge of 'defamation' and following the sentencing his immediate arrest was ordered by the court. The prison sentence apparently expires a year after being handed down and it has been reported that Guennoun has gone into hiding to avoid serving it.

Honorary Member: English PEN. WiPC investigating.

MOZAMBIQUE

On trial

***Teodoro de ABREU**, former editor of the weekly *Demos*, is facing charges of “libel” following the publication of a letter in *Demos* written by Momad Assife Abdul Satar, who is currently serving a prison sentence for his part in the November 2000 killing of journalist Carlos Cardoso. The charges have been filed by Attorney General Joaquim Madeira who objected to the assertion in the letter that he had interfered with a file on the Cardoso murder case. Nyimpine Chissano, the son of former president Joaquim Chissano, is suspected of having ordered the killing of Cardoso but has evaded prosecution thus far. The trial, at which Abreu and Satar are co-accused, opened on 31 March 2005.

NIGER

In hiding

Managing editor: of the weekly newspaper *Le Témoin* went into hiding on 20 December 2004 after he was informed that police officers and uniformed officers had entered the private printing press where issue 99 of the newspaper was in the process of printing and were asking for him (he was in the same building at the time). The entire print run and materials necessary for the production of the issue were seized. In the seized issue, *Le Témoin* was reportedly expected to publish a photograph of four soldiers and gendarmes taken hostage by Touareg rebels operating in Northern Niger. *No further information as at 30 June 2005.

Case Closed

Mamane ABOU: managing editor of the weekly newspaper *El République*, was handed down a four-month suspended prison sentence on 23 December 2003 at an appeal hearing. He also received a fine of two million CFA francs (approx. US\$3,780) for defaming former finance minister Ali Badjo Gamatié and current Prime Minister Hama Amadou. This ruling replaced a previous six-month sentence which had been handed down to Abou in absentia on 7 November 2003. *No further information as of 30 June 2005 – case closed.

NIGERIA

Brief detention

***Haruna ACHENEJE:** Akwa Ibom state correspondent for *The Punch*, was reportedly arrested by State Security Service (SSS) officers in Uyo, the state capital of Akwa Ibom, on 30 June 2005. Held incommunicado and questioned for eight hours regarding a *Punch* article from a few days earlier entitled, “Lawmakers got \$1.2m to remove me – Ex-Deputy Governor.” Acheneje explained that he was not the author of the story.

***Jerry NEEDAM:** publisher of the Port Harcourt-based weekly *National Network*, was reportedly arrested on 19 January 2005 following the publication of an article that claimed that Rivers State Police Commissioner Sylvester Araba had “slumped while climbing Mount Sinai” and had collapsed in Jerusalem. Needam had been with Araba at the time of the alleged event which took place while the two were on a state-sponsored pilgrimage to the Holy Land. Before Needam’s arrest, *National Network* had announced that it would be publishing details of purportedly corrupt dealings carried out by government officials on the trip to Israel. It is not clear whether Needam has been released or if charges have been brought against him.

***Segun OMOLEHIN:** chairman of the Kogi state branch of the Nigerian Union of Journalists (NUJ), was reportedly arrested in Lokoja, the state capital, on 22 June 2005. Perversely, his arrest came after he had agreed to an invitation by the police to attend a meeting called to find a solution to the poor relations between the police and journalists in the state. The police objected to a story that had run in three newspapers on 20 June alleging that Police Commissioner Thomas Bamidele had undergone physical abuse and humiliating treatment at the hands of a gang of armed robbers. The police did not deny that the events took place but still found it in themselves to occupy the NUJ secretariat in Kogi the same day in an attempt to arrest the journalists who had covered the story. A number of arrests of journalists were apparently made but it is unclear whether they have now been freed. It is not absolutely certain that Omolehin has been released either.

***Omo-Ojo OROBOSA:** publisher of the weekly *Midwest Herald*, was arrested on 2 May 2005 and threatened with charges of “criminal libel” and/or “sedition” following the April 2005 publication of an article alleging that the First Lady, Stella Obasanjo, was in the process of selling off government-owned houses cheaply to her relatives. According to his lawyer, Festus Keyamo, Orobosa was arrested on Stella Obasanjo’s express orders and taken to the capital, Abuja. After the story broke, President Obasanjo curtailed the sale of over 200 under-valued houses set to be sold to his wife’s relatives. Orobosa was apparently questioned daily about his sources for the story and was told that he would be conditionally released if he turned in the assistant editor of the *Midwest Herald* and co-author of the story, **Philipson Abah**. Orobosa refused to do this. He reported that he was held at the Criminal Investigation Department’s so-called “Liberation Centre” in Abuja where he shared a tiny cell with 41 common criminals in perpetual darkness. Nigerian law states that a suspect can only be held for a maximum of 48 hours without charge. However, Orobosa was not released until 14 May. No charges have been made against him.

Facing charges

Kola OYELERE: Kano correspondent for the privately owned *Nigerian Tribune* newspaper, was arrested on 4 July 2004 and charged with publishing false information under Sections 74, 114, 139, 140, 392 and 397 of the Kano State Penal Code. The charges relate to a *Sunday Tribune* article co-authored by Oyelere and entitled ‘Panic in Kano State’. Oyelere was detained in prison during which time he claims to have been tortured and had his typhoid medication withheld. On 8 July Oyelere was released under orders to report before the Kano Chief Magistrate Court the following day. *No further information as of 30 June 2005.

***Kingsley EMERUWA:** reporter with the daily *The Sun*, was reportedly summoned to appear before the Criminal Investigation Department (CID) in Abuja on 14 March 2005 to answer questions about a 24 February 2005 *Sun* article. The piece covered allegations by a political opponent of Senate president Adolphus Wabara that the latter had forged a tax receipt.

Attacked

***Femi AKINOLA:** journalist with the daily *New Age*, was reportedly attacked on 26 April 2005 at a Lagos State Ministry of Transport press conference. A group of young men known as “Area Boys” apparently stormed the conference and beat Akinola and a television journalist. Akinola had his jaw dislocated and a tooth broken in the assault and was taken to hospital. The attack is believed to have been prompted by the

Area Boys' belief that Akinola had not always been wholly supportive of the ruling party in Lagos state, the Alliance for Democracy.

***Ayodele ALE**: journalist for the wide-circulation *Saturday Punch*, was reportedly attacked on 4 March 2005 whilst gathering information about the *modus operandi* of the Kick Against Indiscipline (KAI) paramilitary brigade. Ale was attacked whilst watching how KAI agents – ostensibly employed by the Lagos authorities to protect the environment – were dealing with pedestrians who crossed a major road in Sabo without using the footbridge. Members of the KAI apparently arrested Ale and beat him with sticks when he complained about them smashing his camera. He was thrown into a cell but released several hours later.

***Ijendu IHEAKA and Mathia NWOGU**: reporters for *The Punch* and *The Sun* respectively, were reportedly attacked on 21 March 2005 by traders at the Ariaria International Market in Aba, the capital of Abia State. The two journalists had entered the market to interview a widow named Florence Moghalu who had complained of being harassed by men whose sexual advances she had turned down. They were eventually saved by an onlooker who insisted the two be taken before the market traders' chairman.

***Segun Jacob OLATUNJI, Yomi ODUNUGA, Kennedy EGBON-ODJE, Akin OSIMOLADE and Sunday ADAH**: reporter for the *Nigerian Tribune*, Abuja bureau chief of the daily *Punch*, reporter for *Daily Trust* and reporters for the weekly magazine *Tell* respectively, were reportedly assaulted by police at a meeting of the National Executive Council of the ruling People's Democratic Party (PDP) in Abuja on 4 January 2005. Five photo-journalists were also attacked. Olatunji was apparently beaten unconscious and was hospitalised with a broken leg. The police claim they were merely attempting to keep order following an alleged surge forward at the meeting on the arrival of Chris Ngige, the embattled governor of the state of Anambra.

Case closed

Osa DIRECTOR, Chucks ONWUDINJO and Janet MBA-AFOLABI (f): editor-in-chief and executive directors respectively of the news magazine *Insider Weekly*, were reportedly arrested in Lagos on 24 November 2003. The three were charged with "sedition" and "criminal defamation" before being released on bail of N200,000 (c. US\$1,515) two days later. *Insider Weekly* had carried a report in which it was claimed that Vice President Abubakar Atiku and General Aliyu Muhammed Gusau (ret.), National Security Adviser to President Obasanjo, were involved in corrupt oil dealings. *No further information as of 30 June 2005. Case closed.

RWANDA

Sentenced - suspended

Charles KABONERO: editor of Rwanda's only independent newspaper *Umuseso* was tried on 16 November 2004 on criminal charges of defamation and "divisionism" in connection with an article published in August 2004 that reportedly accused parliamentary Vice President Denis Polisi of plotting to seize power. The article also reportedly speculated about Polisi's political aspirations and divisions in the ruling Rwandan Patriotic Front. On 23 November Kabonero was acquitted on the criminal charge of "divisionism" but convicted of defamation and ordered to pay a fine of 8,500 Rwandan francs (US\$15) and symbolic damages of 1 franc to parliamentary Vice President Denis Polisi. Kabonero was handed down a one-year suspended sentence on 22 March 2005 at a prosecution appeal hearing, which found that the 23 November 2004 trial court had been too lenient.

SENEGAL

Charges pending

Madiambal DIAGNE: publication director of the independent daily newspaper *Le Quotidien*, was arrested on 9 July 2004 and charged with publishing confidential reports and correspondence, false information and news "which could cause serious political problems". The charges stemmed from the articles published in *Le Quotidien* which reportedly alleged fraud in the customs service and alleged government interference in the judiciary. The independent media in Senegal declared 12 July 2004 a "Day without the press" in solidarity with the jailed journalist. Diagne was granted a provision release on 26 July 2004. According to Diagne's lawyer, the journalist faced several years in prison if convicted. After Diagne's provisional release, his defence lawyers filed a motion requesting that the charges against him be dismissed. *As at 31 June 2005, the charges against Diagne are still pending. WiPC investigating.

SIERRA LEONE

Main case

Paul KAMARA:

Profession: founding editor of the newspaper *For Di People* **Date of Arrest**: 10 October 2003 **Sentence**: two twenty-four month prison sentences, to run concurrently **Date of sentence**: 5 October 2004 . **Sentence expires**: 4 October 2006. **Arrest**: Kamara was arrested on 10 October 2003 along with three printing press employees. They were charged on 11 October and bail was set at Le 50 million (approx. US\$21,400) each. Unable to pay such a large amount, the four were held in custody at Pademba Road Prison in Freetown. They finally raised bail on 11 November and were released pending further hearings. **Trial**: Questions have been raised over the impartiality of the presiding judge in the case who apparently made scathing remarks about Kamara during the trial. The charges of "seditious libel" stemmed from *For Di People* articles published in October 2003 that highlighted a 1967 Commission of Inquiry into fraud allegations concerning the Sierra Leone Produce Marketing Board, with which the Sierra Leonean president Ahmed Tejan Kabbah was then associated. The article claimed that Kabbah was unfit to hold office because he had allegedly been found guilty of fraud by the commission. Excerpts from the Commission's report were also published. *On 22 April 2005, judge Akiiki Kiiza ruled against an appeal for Kamara to be released on bail. The judge declared himself unhappy that Kamara's wife had signed the appeal, using a power of attorney, rather than Kamara himself. The journalist's lawyer declared his intention to appeal against the ruling. The date of the next hearing was set for 5 July 2005. **Other harassment**: On 24 November 2003, heavily armed police reportedly raided the offices of *For Di People* whilst Kamara was in court. The police confiscated almost all the office equipment including computers, desks and a car. **Background**: Kamara (48) had previously been arrested in November 2002 and subsequently served six months on 18 counts of criminal libel for the defamation of a judge. In October 2003 he was ordered to pay US\$25,000 in damages plus legal costs in the same case. He has been unable to pay this sum and claims that there were gross irregularities in the court proceedings. The latest prison sentence is a clear violation of UN Security Council Resolution 1562 which calls on the Sierra Leone government to 'decriminalise press offenses, as other African countries have done'. **Honorary Member**: German, English, USA and Canadian PEN

Charges dropped

***Sydney PRATT and Dennis JONES:** editor and reporter with the newspaper *The Trumpet*, were arrested on 24 May 2005 and charged with “seditious libel” under the Public Order Act of 1965. They were held at Freetown’s central police station before being freed on bail of 40 million Leones (c. US\$17,000) on 26 May pending trial. The charge stemmed from a 23 May *Trumpet* article entitled, “Kabbah Mad over Carew Bribe Scandal”. The piece alleged that President Kabbah had been “disgusted” when it was revealed by an investigation that Attorney General and Justice Minister Frederick Carew had received a bribe. The charge the two journalists faced was the same as that under which fellow journalist Paul Kamara was sentenced to two years in prison in October 2004. The trial opened on 3 June 2005 but charges were dropped on 7 June after *The Trumpet* published a retraction of certain sections of the story.

Brief detention

***Olu Richie Awoonor GORDON:** editor of the magazine *Peep!*, was reportedly arrested by police in Freetown on 11 February 2005. He was held until 14 February when he was released without charge. The arrest was connected with a *Peep!* article criticising the failure by the government to sack a minister allegedly involved in corruption.

Attacked

***Salamatu TURAY (f):** senior reporter for the *Salone Times*, was allegedly attacked on 1 March 2005 while covering a clash between police and striking students. The journalist was apparently set upon by several police officers when she identified herself as a journalist.

***Harry YANSANEH:** acting editor of the daily *For Di People*, was reportedly beaten up by a group of thugs in the newspaper’s office on 10 May 2005 on the orders of member of parliament Fatmata Hassan Komeh. One of the men, reportedly sitting on Yansaneh’s neck, threatened to kill the editor. Hassan apparently took exception to what she viewed as Yansaneh’s negative attitude towards the government as evinced in articles he had published. Two of her sons were allegedly involved in the assault.

SOMALIA

Brief detention

***Abdirisak Ahmed ABSUGE:** editor of the official website of the self-appointed Jawhar authorities (www.guulane.com), was reportedly arrested on 5 March 2005 by security forces loyal to Mohamed Dhere, the head of the self-appointed administration. The detention apparently came about for reasons connected with Absuge’s management of the website. He was released some weeks later after the intervention of traditional and clan elders in Jawhar, and fled the area.

***Abdi FARAH NUR and Abdirashid QORANSEY:** editor and reporter with the Garowe-based newspaper *Shacab*, were reportedly arrested in April 2005 following the publication of an article and a letter that were deemed critical of the Puntland authorities. On 10 April, dozens of officers from the Puntland security forces broke into *Shacab*’s offices and damaged property. Ten days later, Qoranseey was arrested twice by police but released the same day. The next day, 21 April, he was arrested a third time but after a few hours’ detention, Farah was able to negotiate his release. However, the police then arrested Farah and held him for three days. He was questioned about an article that encouraged readers to write to their representative in parliament if they had complaints to make about

the Puntland authorities; and about a letter that found fault with the Puntland authorities. On 23 April, the police returned to *Shacab*’s premises and rearrested Qoranseey. The next day, both Qoranseey and Farah were charged in court with inciting the public to rebellion and insulting the president of Puntland, General Adde Muse Hirsi. The charges were thrown out and the two men were freed. However, on 28 April, police made yet another visit to the newspaper’s offices to question staff about *Shacab*’s licence. A letter from the Information Ministry also warned Farah against publishing the newspaper without permission. On 5 May, the vice-president of Puntland, Hassan Dahir Afqurac, issued a presidential decree on behalf of General Adde Muse Hirsi, ordering the suspension of *Shacab* until further notice on the pretext of the need to protect the unity of Puntland. Farah began publishing *Shacab* again and was duly re-arrested on 19 June 2005. He was brought to court on 23 June (even though Puntland law guarantees a court hearing within 48 hours of an arrest) before being transferred to a high security prison. The journalist was freed on 5 July 2005. He is not believed to be facing charges.

***Abdirahman Mohammed HABANE:** reporter for the daily newspaper *Jamhuuriya*, was reportedly arrested on 29 March 2005 on the orders of the governor of the the Adwal region, Mohamud Sheekh Abdillaahi Ige. The detention came in the wake of an article the journalist had published the day before in *Jamhuuriya* in which he alleged that Ige had released a statement to the effect that the people of Awdal would not accept the planned system for seat-sharing in the Somaliland parliament. Ige denied ever having made such a statement. *Jamhuuriya* published an apology on 30 March, explaining that Habane had been the victim of a hoax. The journalist was reportedly released on 5 April.

SUDAN

On trial

***Mohamed Taha Mohamed AHMED:** editor-in-chief of the daily *Al-Wifaq*, has been 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 (which means “Slave of Lat”, Lat being a pre-Islamic idol). Ahmed’s trial opened on 4 May 2005 and he was arrested on 8 May on the orders of the office of the prosecutor responsible for so-called press offences. The next day, *Al-Wifaq* was closed down until the end of the trial. The public prosecutor in the case is calling for the death sentence, as have the thousands of protesters that gather outside the court on each day of the trial proceedings. On 10 May, the size and volatility of the crowd was such that the trial was adjourned. Ahmed, a member of the Muslim Brothers movement, seems unperturbed by this, stating, before his arrest, “I do not feel under threat. [...] This has been, from the very start, a political campaign against me.”

Investigation

Salih Mahmoud OSMAN: lawyer, human rights activist and writer, was arrested in Wad-Madani, central Sudan, on 1 February 2004. He was reportedly interrogated at the National Security Agency (NSA) offices in Wad Madani. He is not believed to have been charged with any offence to date. Also reported to have been suffering from jaundice at the time of his arrest. The motive for his detention is not known but it is believed to be in connection with his human rights work. Osman is a well-known human rights activist and writer and has published a number of articles regarding the conflict in the Darfur region of Sudan. He has also offered

his services as a lawyer free of charge to those alleged to have been victims of human rights violations in Darfur. He may have been transferred from Wad Madani to Khartoum. *No further information as of 30 June 2005.

Brief detention

***Paul FOREMAN and Vince HOEDT:** director of operations in Sudan (British national) and regional coordinator for Darfur (Dutch national) respectively with *Médecins sans frontières (Doctors without borders)*, were arrested on 30 and 31 May respectively and charged with “spying”, “publishing false reports” and “undermining the Sudanese state”, for which crimes they faced punishments of between three years in prison and death. The charges stemmed from a report the two men published on 7 March 2005 entitled, “The Crushing Burden of Rape: Sexual Violence in Darfur” which detailed the high level of rape occurring in the Darfur region. The Sudanese government asserted that the figures in the report were inflated. The two were released after being held overnight. It was reported on 2 June that the international outcry over the arrests may have been responsible for the Sudanese government’s subsequent decision to drop the charges against the two men.

TUNISIA

Main case

***Mohammed ABBOU**

Profession: on-line internet writer, lawyer and human rights activist
Sentence: three years six months **Expires:** 1 August 2008 **Details of arrest:** Arrested on 1 March 2005 and taken to 9 April prison in Tunis.
Charges: “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. The article reportedly compared torture committed against political prisoners in Tunisia to abuses carried out by US soldiers in Iraq’s Abu Ghraib prison. On 28 February 2005, Mohammed Abbou posted an article on the same website Tunisnews in which he ironically compared Tunisian President Ben Ali to Israeli Prime Minister Ariel Sharon and it is thought that his recent arrest is in fact linked to the publication of this latter article. **Trial and sentence:** On 29 April 2005 Abbou was handed down an 18-month prison term for the above charges. He was also given a two year term for an incident at a 2002 conference in which the lawyer supposedly physically attacked a colleague. The sentences totalling 3½ years were upheld on appeal on 11 June 2005. **Trial irregularities:** With reference to the two-year prison term, Tunisian lawyer and human rights activist Radhia Nasrawi reportedly said that “There was no concrete evidence to back up the charge [of the attack], apart from an unsigned medical certificate which has no legal standing. A number of witnesses would have been able to testify that no assault was committed during this conference in 2002”. French lawyer, Guillaume Prigent, who was at the appeal on behalf of Reporters Sans Frontières, said that basic rights of the defence had not respected. The hearing reportedly only lasted a few minutes and the judge began by sending the diplomats out because they were ‘making too much noise’. -He then expelled the media and others, including the defendant’s wife, leaving only the defence lawyers and legal observers from foreign NGOs in the courtroom. Representatives of the US, France, the EU, Finland and Spain tried to attend the hearing. As well as Prigent, lawyers from the International Federation for Human Rights (FIDH), Amnesty International and Lawyers Without Borders were present. **Honorary member:** English PEN

Hamadi JEBALI:

Profession: editor of weekly *al-Fajr (Dawn)* and member of the al-Nahda party. **Sentence:** total 17 years **Expires** 30 January 2008 **Details of trials:** He was sentenced on 31 January 1991 to one year in prison by a military court in Tunis for defamation after publishing an article calling for the abolition of Tunisian military courts. Jebali reportedly remained in detention beyond the expiry of his sentence and was then sentenced to sixteen years in prison on 18 August 1992. He and fellow journalist Abdellah Zouari were tried along with 265 members of the Islamic al-Nahdha group and accused of attempting to “overthrow the government with violence”. **Trial irregularities:** Amnesty International, who sent observers to these trials, reported that international standards of fairness were repeatedly breached. In the particular case of Hamadi Jebali it is alleged that he was in prison at the time when he is said to have participated in the “attempted overthrow” of the government. He claims to have been tortured while in detention and to have been submitted to continued harassment and hardship in prison. **Place of detention:** Currently Mahdia Prison **Health concerns.** Hamadi Jebali began a hunger strike on 9 April 2005 to protest the lack of medical care and inhumane and degrading treatment inflicted on him.. In addition, Jebali was being detained in Sfax prison which is 250 km from his family’s home in Sousse so his wife was only able to visit him once a month. Due to his health problems, his doctor had recommended that Jebali receive a special diet. During her visit to her husband in March, the guards refused to pass on the food brought by his wife. On 22 April 2005 Hamadi Jebali was transferred to Mahdia prison (60 km from Sousse where his family lives) where reportedly his conditions of detention were improved. Jebali ended his hunger strike on 25 April 2005.

Harassment

Siheem BENSEDRINE (f): editor of the online magazine Kalima and spokesperson of the National Council for Freedoms in Tunisia (CNLT) has been the target of a defamation campaign. The members of the IFEX Tunisia Monitoring Group (IFEX-TMG) of which PEN is a member reported that the defamatory campaign was prompted by publication of a CNLT report describing in very negative terms the situation of freedom of expression in Tunisia. The defamation campaign against Bensedrine began on the day following the publication of the report when an insulting and slanderous press campaign targeting Siheem Bensedrine was launched in a number of Tunisian newspapers, including *Al Chorouq*, *Al-Hadath* and *As-sarih*. Articles, were published in these newspapers on 8 and 11 May 2005 accusing her of selling her conscience and prostituting herself. Siheem Bensedrine has suffered constant persecution by the Tunisian authorities over many years for pursuing her right to freedom of expression. In addition to having been subjected to constant harassment and police surveillance, the journalist and human rights activist has suffered severe beatings at the hands of the police. During June and August 2001 she was imprisoned for six weeks on charges of “defamation” and “broadcasting false news” for appearing on a London-based Arabic TV station in an interview in which she discussed corruption in Tunisia. **Honorary member:** Swiss Romande PEN

***Lotfi HAJJI:** president of the small independent Tunisian Journalists’ Syndicate (SJT), had 15 books confiscated on his arrival at Tunis airport on 25 April 2005 as he returned from a regional conference on press freedom in Marrakech. The confiscated volumes included works by Moroccan philosopher Mohamed Abed al-Jabri and Moroccan-born Paris-based analyst Rachid Benzine. The books are freely on sale in Morocco. All but one was later returned. The missing book was the auto-

biography of a Moroccan police chief. On 4 May 2005 Hajji was summonsed to the main police station in the town of Bizerte and was reportedly told by the police that his syndicate did not have the legal status to publish a report on media rights in Tunis scheduled for release to fellow free expression campaigners at the World Press Freedom Day meeting in Tunis on 6 May. He was freed after four hours. The SJT report, which was released as planned, concluded that the Tunisian media was more muzzled today than at anytime since President Zine Abidene Ben Ali seized power in 1987. A former editor at the weekly *Réalités* and known for his independent views, Hajji was again summonsed to appear before Police on 7 May 2005 and again on 9 May 2005. He was detained for three hours on 9 May during which time he was told . told once again that STJ was illegal. He was urged to stop issuing press releases and reports in the name of this syndicate and was informed that he might be summonsed in the future for another examination. Hajji was asked to hand the police the list of its 160 members, but declined to satisfy such a request.

Abdallah ZOUARI: journalist with *al-Fajir*, an unofficial Islamist publication, was sentenced to a nine-month prison sentence for “failing to obey an administrative decision” on 29 August 2003. Abdallah Zouari is living under a banishment order applied in 2002 following his release from an 11 year prison term. [The journalist was one of 265 defendants convicted by military courts in July and August 1992 on charges of plotting to overthrow the government and belonging to the unauthorized association the Ennahda Islamic Movement. Although members of Ennahda were accused by the authorities of attempting to “overthrow the government, the leadership of Ennahda has publicly repeatedly condemned the use of violence.] Zouari’s banishment order requires him to live in Zarsis, a town in the south of Tunisia, far from his family in Tunis. On 6 June 2002 he was re-arrested for refusing to move from his home in Tunis to Zarsis and spent several months in prison before being released on 6 November 2002. On 18 July 2003, Abdallah Zouari was sentenced to four months in prison for “defamation” after complaining about being barred from a cybercafe in Zarss.. Zouari has reportedly undertaken hunger strikes during his imprisonment and has made complaints against the conditions of his detention. Zouari was released on 10 September 2004. Zouari began another hunger strike on 23 January 2005 to protest his banishment order and the rejection of his numerous written requests for permission to visit his family. On 25 February 2005 Zouari was rushed to a private clinic after suffering a mild heart attack and suspended his heart attack reportedly in response to appeals from several national and international organizations that voiced concern about his health and undertook to continue to support his campaign for the lifting of the internal banishment order. He left hospital on 27 February 2005.

Case closed

Mohamed MOUADDA: retired professor of Arabic literature and former leader of the opposition *Mouvement des Démocrates Socialistes* (MDS), was returned to prison to serve the remainder of his eleven-year sentence on 19 June 2001. Mouadda had been arrested on 11 October 1995 after having made public a letter addressed to President Ben Ali in which he condemned the deterioration of the human rights situation in Tunisia. He was sentenced in February 1996 to eleven years’ imprisonment on charges including threatening the security of the state and intelligence with a foreign power. He was conditionally released in December 1996 but since then had been arrested for brief periods and placed under house arrest. PEN considers him to be no longer under threat of rearrest.

UGANDA

Case closed

Vincent MATOVU: managing editor of the weekly *Mazima*, was arrested on 6 January 2003 in connection with two *Mazima* articles published in October and November 2002 on the civil war in the north of the country. The editor has been charged with sedition on the grounds that he reported that Lord’s Resistance Army (LRA) forces killed thousands of government soldiers and captured the districts of Pader and Kapchorwa. Matovu has denied the charge brought against him. It was reported on 17 January 2004 that the journalist was still being held in custody in Luzira prison. His trial was due to open on 21 January. *No further information as of 30 June 2005. Case closed.

ZAMBIA

Attacked

***Jonathan MUKUKA:** reporter for the *Zambia Information Service*, was reportedly attacked by armed police in his house in the Nakonde district on 7 April 2005. He managed to escape and flee to Tanzania where he stayed for a week. He returned home when he received reassurances from Northern Province Minister Clever Silawwe that the situation was being dealt with. The police action was apparently the result of a report by Mukuka in the *Zambian Daily Mail* on complaints by people in Nakonde that the police were releasing suspected murderers without charge, presumably after receiving bribes.

Harassment

***Fred M’MEMBE:** editor-in-chief of the daily *Post*, was questioned for two hours on 29 June 2005 and finally issued a “warn and caution” statement by police. The police action stemmed from a series of *Post* articles that have criticised the fact that the government dropped corruption charges against former Ministry of Health Permanent Secretary, Kashiwa Bulaya. Following the articles, the Zambian authorities reinstated criminal proceedings against Bulaya.

ZIMBABWE

On Trial

Bornwell CHAKAODZA and Valentine MAPONGA: editor and reporter respectively with the newspaper *The Standard*, face charges of violating Section 15 of the Public Order and Security Act (POSA), namely “publishing false statements prejudicial to the State”. They were initially arrested on 19 May 2004 and released the same day on bail of Z\$50,000 (c. US\$10) each. They were re-arrested two days later and released hours later on bail of Z\$50,000 again. The charges stem from the 16 May 2004 publication of a *Standard* article entitled, “The family of slain mine boss blames government officials.” The piece claimed that the family of Leonard Chimimba, the head of the Trojan Mine company, had accused (unnamed) government officials of being responsible for his murder. The two face a fine or imprisonment of up to five years if convicted. The trial opened on 14 August 2004. Chakaodza was also summonsed to Harare Central police station on 28 September 2004 to answer charges stemming from a February article in *The Standard* in which it was claimed that a church minister, Pastor Admire Kasi, held a licence to sell beer. *No further information as of 30 June 2005.

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. The charges stem from a 9 January *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 face two years’ imprisonment if convicted. On 14 January 2004, the newspaper’s general manager Raphael Khumalo and reporter **Itai Dzamara** (co-author of the *Air Zimbabwe* article) were summoned by police and charged with the same offence. Charges were subsequently dropped against Khumalo. Wetherell, Kahiya, Muleya and Dzamara have been ordered to appear in court on 10 January 2005 to face trial. Minister of Information and Publicity, Jonathan Moyo, has apparently confirmed that the article itself was “not fictitious” but rather “blasphemous”. *On 10 January 2005, Wetherell, Kahiya, Muleya and Dzamara were all removed from remand. The judge delivered this ruling when the state prosecutor failed to supply a trial date for the four men. They are thus awaiting a summons to appear in court at a later date to be decided by the prosecutor.

45 Journalists and former journalists with the *Daily News*: 45 of whom were summonsed to appear at a police station in the capital, Harare, on 25 September 2003. All the journalists had written for the *Daily News* or the *Daily News on Sunday* between 1 January and 11 September 2003 and were included on a list demanded by police from newspaper executives. They had all attempted to register as journalists under the terms of the draconian Access to Information and Protection of Privacy Act (AIPPA) but their applications had not been passed on to the Media and Information Commission (MIC) because the *Daily News* owners, Associated Newspapers of Zimbabwe, were challenging the constitutionality of AIPPA in the courts. Perversely, those journalists who had not tried to register were not summonsed. Nine journalists were charged on 25 September 2003 with violation of Section 83 of AIPPA for their failure to register as journalists. The nine are: **Luke Tamborinyoka, Pedzisai Ruhanya, Fanuel Jongwe, Precious Shumba, Chengetai Zvauya, Conelias Mabasa, Conway Tutani, Gladwin Muparutsa, Darlington Makoni.** Another journalist, **Francis Mdlongwa**, was similarly charged the following day. They were all released after signing “warned and cautioned” statements. The summons followed the defeat of ANZ’s action in the High Court on 11 September 2003 and the subsequent closure of the *Daily News* the following day. Police also confiscated all the newspaper’s computers. These were returned on 20 September following a High Court ruling but re-confiscated two days later. On 19 September 2003, the MIC rejected an ANZ attempt to register the newspaper. On 1 October 2003, the following six *Daily News* journalists were charged under Section 83 of AIPPA: **Philemon Bulawayo, Margaret Chinowaita (f), Kelvin Jakachira, Sydney Saize, George Muzimba and Lawrence Chikuvira.** A police spokesperson has stated that all 45 journalists will eventually be charged under Section 83 once they have been traced by the security services. On 16 October 2003 it was reported that another four *Daily News* journalists, namely **Chris Gande, Oscar Nkala, Saul Gwakuba Ndlovu and Grey Chitika**, had been charged for allegedly practicing without being registered. The *Daily News* re-initiated publication on 22 January 2004.

However, the Associated News of Zimbabwe’s legal challenge to the Access to Information and Protection of Privacy Act (AIPPA) failed on 5 February 2004 when the Zimbabwe Supreme Court declared that sections 79, 83 and 85 of the Act (which refer to the enforced accreditation of journalists by the Media and Information Commission (MIC)) were constitutional. With journalists fearful of being re-arrested should they continue to work for the newspaper, the *Daily News* ceased publication on 6 February 2004. The MIC further announced on 11 February 2004 that no *Daily News* or *Daily News on Sunday* journalists would be accredited because neither newspaper was registered with the commission. The journalists could seek accreditation only if they found other employers or newspapers who would pay them for freelance work. The staff at the *Daily News* won the Canadian Journalists for Freedom of Expression 2004 International Press Freedom Award. Charges still pending as of 31 December 2004. *The trial of the 45 journalists, which was meant to open in late June, has been adjourned until 12 October 2005, apparently because of a log jam of cases in the courts. Furthermore, the judicial authorities reportedly only got around to summonsing 21 of the journalists to appear for trial. For reasons that remain obscure, the trial date for **Kelvin Jakachira** has been set for 1 August 2005.

Facing charges

Vincent KAHIYA, Raphael KHUMALO and Augustine MUKARO: editor, general manager and reporter respectively with the weekly newspaper *Zimbabwe Independent*, were arrested on 23 September 2004 on allegations of abusing journalistic privilege. The three were charged under Section 80 (c) of the Access to Information and Protection of Privacy Act (AIPPA) “publication of a statement that is injurious to the reputation, rights and freedoms of the State, recklessly or maliciously representing the statement as a true statement”. The charges stem from an article on the treason trial of opposition leader Morgan Tsvangirai published in *Zimbabwe Independent* on 30 July 2004. Kahiya, Khumalo and Mukaro were ‘warned and cautioned’ and then released with instructions to return to Harare Central Police Station the following week. *No further information as of 30 June 2005.

***Davison MARUZIVA:** editor of the weekly newspaper *The Standard*, was summonsed on 19 April 2005 to be questioned by police in Harare. The next day he was accused of “publishing false information” under the Access to Information and Protection of Privacy Act (AIPPA). The accusation stems from a *Standard* article which accused an election official of misappropriating a ballot box during the 31 March elections. The police are apparently continuing their investigations in order to ascertain whether Maruziva has a case to answer. The journalist faces a maximum two-year sentence if the case comes to court and he is convicted.

Richard MUSAZULWA: correspondent for the weekly *The Standard*, appeared in court on 13 October 2004 on charges of publishing “falsehoods” under Section 80 (1) (b) of the Access to Information and Protection of Privacy Act (AIPPA). He was set a bail of 50,000 Zimbabwean dollars (approx. US\$9) but remained in custody until 26 October 2004. The charges stem from a 4 January 2004 *Standard* article entitled, “ZMA [Zimbabwe Military Academy] Recruits Flee Training” in which Musazulwa alleged that 39 soldiers had deserted from the ZMA in 2003. The journalist claims that he was threatened by soldiers after the story was published. *No further information as of 30 June 2005.

***Willie MPONDA:** editor of a Gweru-based community newspaper *The Sun*, was due to appear in court on 17 June 2005 to face charges of “publishing falsehoods” under the Public Order and Security Act

BRAZIL

Killed: Investigation

***Ricardo GONZALVES ROCHA**: owner of the daily *Jornal Vicentino* based in the city of São Vicente (São Paulo state), was driving in his car when he was shot three times by an unidentified individual on a motorbike on 31 March 2005. Gonzalves (72), who was reportedly something of a controversial local figure, had formerly served many years on the city council. The motive for the murder has not yet been clarified but robbery has been ruled out since nothing of value was taken at the time of the attack.

Death threats

***Efrém RIBEIRO**: journalist with the newspaper *Meio Norte*, reported that on 16 June 2005 he was threatened by Teresina State commissioner Homero Catelo Branco in the State Assembly building. Catelo Branco allegedly told Ribeiro he would “make him disappear” on account of an article the journalist had written regarding corruption charges brought against the commissioner.

***Lúcio Flávio PINTO**: publisher and editor of the Belém-based bi-monthly *Jornal Pessoal*, was reportedly attacked and threatened on 21 January 2005. Pinto was in a restaurant when he was assaulted by Ronaldo Maiorana, a media magnate and politician. Maiorana, who entered the restaurant accompanied by his bodyguards, apparently also threatened to kill the journalist. Three days earlier, *Jornal Pessoal* had published an article by Pinto about the Maiorana family in which he detailed various counts of malpractice by the media group they own. Ronaldo Maiorana later told a news agency that he would be filing charges of criminal defamation against Pinto. The Brazilian authorities have launched an investigation into the incident.

***Fernando de SANTIS**: journalist with newspaper *O Estado de S. Paulo*, reported having received anonymous death threats by telephone on 9 and 13 April 2005 at his home in Ilhabela on the north coast of the state of São Paulo. The caller also warned that the journalist’s one-year-old son would be killed. The journalist believes the threats are linked with his reporting of corrupt activities allegedly involving local mayor Marco de Jesus Ferreira. In light of the lack of protection afforded to him by the authorities to date, de Santis is considering leaving Ilhabela.

***Paulo TARSO VENCESLAU and Alan BRITO**: director and reporter respectively for the newspaper *Contato*, were reportedly assaulted and threatened on 15 March 2005 by security guards at a rubbish dump in the town of Taubaté. The two journalists were attempting to interview people who live and work illegally on the dump when they were allegedly surrounded by the guards and ordered to leave. When Tarso and Brito refused to do so they were apparently attacked and told that, should they be killed, no one would come forward as a witness to the murder.

Attacked

***Sandra MIRANDA (f)**: editor of the independent newspaper *Primeira Página*, reportedly had her house set on fire by unidentified individuals on 17 May 2005. The attack is believed to be linked with recent reports in *Primeira Página* regarding the allegedly corrupt practices of local politicians and military police officers. Miranda has asked for police protection but, to date, has received none.

(POSA). The charge relates to a 10 June *Sun* article that alleged that a woman in Gweru had committed suicide as a result of her informal shop being destroyed by the police as part of the Mugabe regime’s “Operation Murambatsvina” (“Get rid of trash”). The police claim that the woman left a suicide note citing personal problems as the reason for her actions. Mponda was questioned by police about the story on 16 June and issued a “warned and cautioned” statement. WiPC investigating outcome of 17 June hearing.

Brief detention/deported

***Toby HARNDEN**: chief foreign correspondent for the UK-based *Sunday Telegraph*, was arrested at a polling station in the town of Norton on 31 March 2005, along with photographer Julian Simmonds. The two were detained and tried on criminal charges of reporting without accreditation. The two declared that they were merely in Zimbabwe on holiday. Despite the fact that both were acquitted on 14 April, they were only released on bail having first agreed never to return to Zimbabwe. They were then deported the next day.

Attacked

***Frank CHIKOWORE**: freelance journalist, was reportedly ferociously assaulted by police whilst covering a raid on unregistered traders in Harare on 18 May 2005. Chikowore was arrested and spent the night in prison. He was released the following morning without charge.

Harassment/fled

***Angus SHAW, Jan RAATH and Brian LATHAM**: journalist with the *Associated Press*, correspondent for the UK-based *The Times* and the German *Deutsche Presse-Agentur*, and correspondent for the US-based *Bloomberg News* respectively, had their Harare office searched by police on 14 and 15 February 2005. The police, who had no search warrants, interrogated the three for six hours, accused the journalists of being spies, and confiscated the hard drives from their computers. Tipped off that they were about to be arrested and jailed, the three fled the country over land borders and are now all living in exile abroad.

Case closed

Samuel NKOMO, Moreblessing MPOFU, Nqobile NYATHI (f) and Bill SAIDI: No further information has come to light in the last twelve months regarding these cases which have therefore been closed.

***Maurício Melato BARTH**: owner of the bi-monthly *Infobairros*, was outside his home in Itapema (Santa Catarina state) when he was approached by two gunmen. They proceeded to shoot him deliberately in the legs. He was hit twice. Barth reported that he had received a number of anonymous death threats over the phone since the publication in *Infobairros* of stories alleging corruption within the city's council. He had reported the threats to the police at the time. The journalist was hospitalised as a result of the attack.

COLOMBIA

Death threats

***Enrique HERRERA ARAUJO**: columnist with the César-based *Vanguardia Liberal*, has allegedly received a number of death threats since July 2004, the most recent of them coming on 21 January 2005. He reported this latest threat in his 24 January editorial, stating, "I have been threatened in connection with my role as a writer for *Vanguardia Liberal*. I received the latest threat on Friday, when I was told that I would be 'buried' if I continued to write 'crap'. . . . It pains me to have to say that I will stop writing editorials as I fear the assassins may not be patient." The journalist will continue to write his opinion column but restrict himself to non-controversial subject matter. He believes that the threats are either linked directly with his editorials on local issues or because of *Vanguardia Liberal's* reporting in general.

***Carlos LOZANO and Daniel CORONELL**: director of the Communist newspaper *Voz* and columnist for the weekly magazine *Semana* respectively, were both reportedly the target of anonymous death threats on 16 May 2005. The two men, along with prominent television journalist Hollman Morris, received funeral wreaths and notes of condolence lamenting their demise. To date, no one has claimed responsibility for the action. Coronell, who is also the director of a television news programme, reported that he had received numerous anonymous death threats by telephone and that, on 14 May, a caller had threatened to kill his wife and daughter. Lozano revealed that he had received a number of death threats by telephone since the beginning of the year. President Uribe issued a statement on 17 May in which he declared that the threats "bring shame on our democracy". The three journalists met with high ranking government officials the next day to discuss what action could be taken. All three, along with their families, have come under the government's protection programme as a result of the threats. Police investigations have revealed that at least two of the wreaths were ordered at a flower shop in Pereira, in the south-western department of Antioquia. This makes it possible that the threats are linked with the three journalists' reporting of a recent massacre in San José de Apartadó, also in Antioquia. In June 2005, Coronell reported in his *Semana* column that he had received a further threat – this time by e-mail – on 19 June. Technical experts hired by the journalist traced the message back to the home of former senator Carlos Nader Simmonds. The Public Prosecutor's Office interviewed Nader about the e-mail. He reportedly admitted to having sent one to Coronell but claimed that it had been "misinterpreted".

***Angélica RUBIANO (f)**: correspondent for the Huila-based daily *La Nación* and radio journalist, fled the department of Caquetá in March 2005 after having received a number of death threats. The threats came in the wake of articles published by Rubiano that included information from a member of the FARC guerrilla movement. On 10 March, she received a phone call in which she was told that the "situation had become serious". Three days later, the transmission towers of the radio station for which worked were blown up. Rubiano left shortly afterwards.

Attacked

***William PARRA**: a journalist with the *Reuters* newsagency, was allegedly attacked on 22 May 2005 on the road from Sesquilé to Bogotá. According to reports, an unidentified assailant got into Parra's car and stabbed him several times. He then tied the journalist up and threw him into a ditch beside the road, leaving him for dead. Parra, however, survived the attack. The motives for the apparent attempted murder are still not clear but possible links with Parra's reporting are being investigated.

COSTA RICA

Attacked

***Staff at La Nación**: daily newspaper, were put at risk by two separate attacks on their San José offices in the same month. On 8 March 2005, an unidentified individual fired six shots at the security post guarding *La Nación's* offices. A second attack occurred on 23 March at about 4 am when three men fired at the building eight times from a passing car. No one was injured on either occasion. Although the motives for the incidents remain unclear, the newspaper's directors believe that they are a reaction to reports published in *La Nación* regarding the alleged corrupt practices of two former presidents of Costa Rica.

CUBA

Main cases

April 2003 Crackdown Trials *The following 26 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, four 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).

Pedro ARGÜELLES MORÁN: director of *Cooperativa Avileña de Periodistas Independientes (Avileña Independent Journalists Cooperative – CAPI)* – 20 years (Combinado del Este, Havana), born c.1948. Transferred in May 2003 from Santa Clara Provincial Prison, Villa Clara to Combinado del Este, Havana) – sentenced under Law 88. Argüelles reported in March 2004 that he had not been allowed visitors or medicine since November 2003. Also 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. **Honorary Member:** English PEN

Víctor Rolando ARROYO CARMONA: journalist (*Unión de Periodistas y Escritores de Cuba Independiente*) *Independent Cuban Union of Journalists and Writers – UPECI*) & librarian (Reyes Magos Library) – 26 years (Chafarina, Guantánamo), born c.1952 – sentenced under Article 91. On 26 May 2003, Arroyo's wife reported that he had been moved from his special hardship cell to a bedless punishment cell for refusing to stand to attention in front of a prison guard. Arroyo reported having been taken from his cell by three prison guards on 31 December 2003 and beaten about the face and body. Believed to be suffering from liver problems. On 1 September 2004, Arroyo, was reportedly transferred to a punishment cell too small to lie down in. Arroyo declared that he was going on hunger strike to demand access to the medication he needs. The prison authorities apparently swiftly relented on this point. He was transferred back to an ordinary cell after a fortnight. However, he was reportedly marched off to a punishment cell on 15 October 2004 without explanation after having been pulled from a visit to the prison doctor. At the end of November 2004, Arroyo was transferred to Havana for medical tests. He was diagnosed with pulmonary emphysema. Although other prisoners who were moved to Havana at the same time were subsequently released, Arroyo was returned to an ordinary cell at Chafarina prison a few hours later. *Reported on 16 June 2005 that Arroyo had been transferred to a punishment cell on 2 May after a complaint the journalist made to a prison officer about the poor medical treatment he was receiving turned into a heated argument. **Honorary member:** Finnish PEN

Mijaíl BÁRZAGA LUGO: journalist (*Agencia Noticiosa de Cuba*) – 15 years (Santa Clara Provincial Prison, Villa Clara) – sentenced under 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

Adolfo FERNÁNDEZ SAÍNZ: journalist (*Agencia Patria*) – 15 years (Holguín) – sentenced under Law 88. Reported on 3 June 2003 by Russian news agency *Prima News* to have started a 13-day hunger strike to demand more frequent visiting rights for his relatives. Reported to have started another hunger strike on 15 August 2003, this time with Mario Enrique Mayo and Iván Hernández Carrillo, to demand decent food and medicine for seriously ill prisoners. Reported to have begun a

third hunger strike on 18 October 2003 with Mario Enrique Mayo in protest at the sending of fellow journalist Iván Hernández Carrillo to a punishment cell. Reported to have been knocked unconscious on 6 December 2003 when he protested against violence used against a fellow prisoner. 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. **Honorary Member:** English PEN

Miguel GALVÁN GUTIÉRREZ: journalist (*Havana Press*) – 26 years (Agüica, Matanzas) – sentenced under Article 91. Sentence confirmed on 3 June 2003 by the Supreme Popular Tribunal. On or around 3 August 2003, Galván (born 1965), 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 that he had been transferred to this block so that the other prisoners would kill him. Also claimed that a prison guard was encouraging other prisoners to attack him physically and sexually. Reported to have a physical disability due to a road accident. In October 2004, Galván's straw mattress was removed from his cell by the authorities meaning that he has to sleep on bare boards. **Honorary Member:** Sydney PEN

Julio César GÁLVEZ RODRÍGUEZ: freelance journalist – 15 years (Combinado del Este, Havana) Santa Clara Provincial Prison, Villa Clara) – sentenced under Law 88. Reported in March 2004 to have been transferred to the Celestino Hernández Robau hospital in Santa Clara suffering from high blood pressure and kidney stones. Transferred back to prison on 9 July 2004 after four months of post-operative recuperation. Reported to have been handcuffed and beaten by his 're-educator' before being moved. On returning to the prison, Gálvez spent some time in a punishment cell. His wife, Beatriz del Carmen Pedroso, appealed for parole on medical grounds on behalf of her husband but this was turned down by the authorities. Moved from Santa Clara Provincial Prison, Villa Clara, to Combinado del Este Prison, Havana, in August 2004. *Gálvez' wife reported in March 2005 that he was suffering from arthritis – a degenerative disease of the joints – and high blood pressure. **Honorary Member:** English PEN

José Luis GARCÍA PANEQUE: journalist (*Agencia Libertad*) & librarian (Carlos J Finlay Library) – 24 years (Santa Clara Provisional Prison, Villa Clara) born c. 1965 – sentenced under Law 88 and Article 91. Reported to have suffered from mental illness during his imprisonment. Transferred to the ward at the Prisión de Jóvenes in Villa Clara in or around July 2004. *Reported in March 2005 to have lost over half his bodyweight since starting his sentence due to intestinal problems, and to be extremely emaciated. Transferred to the infirmary at the Combinado del Este prison in Havana in November 2004. Former fellow prisoner Raúl Rivero reported on 12 April 2005 that García had been transferred to a prison psychiatric ward, a move he claimed signalled the journalist's impending release. **Honorary Member:** English PEN

Ricardo Severino GONZÁLEZ ALFONSO: president, *Manuel Márquez Sterling Journalists Society*, director of *De Cuba* magazine, and librarian (Jorge Mañach Library) – born c. 1950 - 20 years (Prison hospital, Combinado del Este, Havana) – sentenced under Article 91. Reported in November 2003 to have developed a nodule in his throat. González Alfonso declared the start of a hunger strike on 8 December

2003 to back up his demand that he be transferred to a wing of his prison where he can be held with other political prisoners rather than common criminals who he claims have harassed him. On 14 December 2003, as a reprisal for his hunger strike, the prison authorities moved him to a cell where the lights were never switched off. Reportedly underwent an operation on 19 December 2003 to remove two nodules from his throat. Reported in January 2004 not to have received a biopsy he had been previously told was necessary. On 27 July 2004, was transferred to the prison wing of the Amalia Simoni hospital in the city of Camagüey suffering from hepatitis. *On 13 January 2005, González underwent a successful operation to remove some gallstones. Still reported to be suffering from a variety of ailments including a cyst of the throat and a heart murmur. Former fellow prisoner Raúl Rivero reported on 12 April 2005 that González had been transferred to a prison psychiatric ward, a move he claimed signalled the journalist's impending release. González reported in June 2005 that he required a second operation, this time for an Aureus staphylococcus. **Honorary member:** Finnish PEN

Léster Luis GONZÁLEZ PENTÓN: journalist (*Movimiento Democracia*) and member of human rights movement ALFA-3 – 20 years (Prisión de Jovenes – formerly known as Pretensado – Santa Clara) – sentenced under Article 91. Reportedly held a hunger strike with fellow prisoner Juan Carlos Herrera Acosta from 18-22 March 2004 to mark their first year in prison. Born in February 1977, he is the youngest of the 75 opposition members arrested in March 2003. Transferred to from Kilo 8 prison, Camagüey, to Kilo 7 prison, also in Camagüey. Reported in June 2004 still to be held under a “special regime” even though he had been promised by the prison authorities that his prison conditions would be made less harsh, and that he was suffering from constant dizziness. Reported in August 2004 that he was undergoing daily physiotherapy sessions at the Amalia Simoni hospital to rectify spinal problems. On 12 August 2004 was transferred from Kilo 7 prison in Camagüey to the Pre Tensado de Villa Clara prison which is near his family. González announced in November that he would be joining the Héctor Maseda-organised hunger strike on the 18th of each month (see below) in order to demand the release of all “political prisoners and prisoners of conscience” in Cuba. Transferred to the Dr Celestino Hernández Rubau hospital in Santa Clara on 3 December 2004 where he was diagnosed with chronic gastritis. He was also found to have sinusitis, a condition for which he will be operated on. *Reported in April 2005 to have received treatment in hospital for severe haemorrhoids. Returned to prison on 10 May 2005. **Honorary Member:** Sydney PEN

Alejandro GONZÁLEZ RAGA: freelance journalist – 14 years (Canaletas, Ciego de Ávila) – sentenced under Article 91.

Iván HERNÁNDEZ CARRILLO: journalist (*Agencia Patria*) and librarian (Juan Gualberto Gómez Library) – 25 years (Holguín) – sentenced under Law 88. D.o.B. 24/5/71. Reported to have started a 13-day hunger strike on 15 August 2003 with Adolfo Fernández Sainz and Mario Enrique Mayo to demand decent food and medicine for seriously ill prisoners. Reportedly transferred to a punishment cell on 17 October 2003, though the reasons for this are not known. Apparently received a death threat from a fellow prisoner in April 2004, although the motives are unknown. **Honorary Member:** Catalán PEN, Scottish PEN

Normando HERNÁNDEZ GONZÁLEZ: director of *Colegio de Periodistas Independientes de Camagüey* (Camagüey College of Independent Journalists), journalist (*CubaNet*) – 25 years (Kilo 5½ prison, Pinar del Río) – sentenced under Article 91 and other provisions of the Criminal Code. Born c. 1970/1. Reported on 5 June 2003 to be suffering from very high blood pressure. Reported to have begun a

hunger strike in protest at prison conditions on 31 August 2003. Transferred from Boniato prison, Santiago de Cuba to Kilo 5½ prison, Pinar del Río. Also reported in January 2004 to be suffering from high blood pressure and undiagnosed heart problems, and to have been assaulted by the prison's Security Chief, Ramón Beúne. The prison authorities have apparently denied both the attack and Hernández' illness. In a letter, a fellow prisoner claimed in January that Hernández was in a 2m2 cell that the prison authorities had made him share with dangerous or mentally disturbed prisoners. Moved on 25 February 2004 from a punishment cell to a more standard cell. Hernández reported in March 2004 that his wife was stripped naked and interrogated by the prison authorities before being allowed to visit him. Reported in the same month to be suffering from abdominal problems. On 7 May 2004 was transferred to Block 8, a section housing common criminals, and beaten by prison guards for shouting anti-Castro slogans. Reportedly staged a hunger strike in protest at the move the same day as his transfer, and was sent to a punishment cell later the same month. Eventually gave up his hunger strike, presumably after coming to some agreement with the prison authorities over the cell in which he would be detained. On 15 September, Hernández was transferred to a cell block containing common criminals. Later in the month he was briefly hospitalised. On 22 November 2004 it was reported that his wife had been informed by the prison authorities that her husband was suffering from chronic diarrhoea which had caused him to lose a considerable amount of weight. The condition apparently derives from a number of intestinal ailments including a stomach ulcer. *Hernández' wife reported in February 2005 that the journalist had been moved to the Abel Santamaría hospital in Pinar del Río suffering from a number of abdominal complaints. Hernández was still receiving treatment in hospital in April 2005.

Honorary Member: English PEN

Juan Carlos HERRERA ACOSTA: journalist (*Agencia de Prensa Libre Oriental* (Eastern Free Press Agency – APLO)) – 20 years (Kilo 8, Camagüey) – sentenced under Law 88. Reported to have begun a hunger strike in protest at prison conditions on 31 August 2003. Transferred from Boniato prison, Santiago de Cuba, to Kilo 7 prison, Camagüey. In January 2004, Herrera complained of cardio-vascular problems, and the fact that he was being held with potentially dangerous prisoners. It was reported in February 2004 that Herrera had accused prison officer Captain Julio César Bombino González of organising a group of prisoners to harass him and steal his possessions. Held a hunger strike with fellow prisoner Léster Luis González Pentón from 18-22 March 2004 to mark their first year in prison. During the hunger strike, Herrera reportedly cut his own legs repeatedly with a knife. The wounds required several stitches. He also suffers from vitiligo, a complaint causing disfigurement of the skin. Reported to have been transferred to Kilo 8 Prison in Camagüey. It was also claimed by Herrera's wife, Danger Hardy, that on 13 October 2004, prison guards handcuffed the journalist's hands behind his back before transferring him to a punishment cell and beating him unconscious. The guards accused Herrera of being a “counter-revolutionary”. The journalist apparently immediately started a hunger strike in protest at the treatment and at the fact that he has no access to medical supplies in the punishment cell. *Reported in May 2005 to have been transferred to the prison ward of the Amalia Simone Hospital in Camagüey. On 23 May 2005, Herrera was allegedly dragged by prison guards into a room before being beaten and threatened. His aggressors apparently also warned him that he would be charged with “insulting Fidel Castro”. **Honorary Member:** German PEN

José Ubaldo IZQUIERDO: journalist (*Grupo de Trabajo Decoro & CubaNet*) – 16 years (Kilo 5½, Pinar del Río) – sentenced under Article 91. Sentence confirmed on 3 June 2003 by the Supreme Popular Tribunal. Izquierdo reportedly broke his wrist in two places and required stitches in a head wound after falling down some steps in prison whilst handcuffed. It was reported in March 2004 that his wife was stripped naked and interrogated by the prison authorities before being allowed to visit him. Reported to have been in a group of prisoners transferred to a military hospital in Havana at the end of November 2004, a move which has signalled early release for some prisoners.

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* – 13 years (Kilo 8, Camagüey) – sentenced under Law 88. Reported to have been in a group of prisoners transferred to a military hospital in Havana at the end of November 2004, a move which has signalled early release for some prisoners.

Héctor Fernando MASEDA GUTIÉRREZ: Born c. 1943. journalist (*Grupo de Trabajo Decoro & CubaNet*) and president of the Partido Liberal Cubano (Cuban Liberal Party) – 20 years (Transferred in January 2005 from La Pendiente, Villa Clara to La Pre, Villa Clara) – sentenced under Law 88 and Article 91. Announced in November 2004 that he and three other prisoners would be holding a hunger strike on the 18th of each month in order to demand the release of all “political prisoners and prisoners of conscience” in Cuba. *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. His proposed move to a prison near his home in Havana, which was first mooted in September 2004, has yet to take place. 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. **Honorary Member:** Italian PEN

Mario Enrique MAYO HERNÁNDEZ: lawyer, journalist (chief of *Agencia Félix Varela*) – 20 years (Kilo 7 prison, Camagüey) – sentenced under Article 91. Reported to have started a 13-day hunger strike on 15 August 2003 with Adolfo Fernández Saíñz and Iván Hernández Carrillo to demand decent food and medicine for seriously ill prisoners. Mayo has apparently been refused medicine brought to the prison by his wife to treat his high blood pressure and haemorrhoids. Reported to have begun another hunger strike on 18 October 2003 with Adolfo Fernández Saíñz in protest at the sending of fellow journalist Iván Hernández Carrillo to a punishment cell. Transferred in mid-November 2003 from Holguín prison to Mar Verde prison in Santiago de Cuba Province, reportedly to remove him from his fellow hunger strikers. *Transferred in February 2005 to the hospital at the Combinado del Este prison in Havana where he underwent surgery. Believed to be suffering from a wide range of physical complaints including three undiagnosed lumps on his head, glaucoma, emphysema and high blood pressure. Reported to have been transferred to the infirmary at Kilo 7 prison in Camagüey on 21 June 2005 and told that he would shortly be moved to a cell shared by common criminals. **Honorary Member:** Catalán PEN

Pablo PACHECO ÁVILA: journalist (*Agencia Patria*) – 20 years (Morón, Ciego de Ávila) – sentenced under 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. *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.

Omar PERNET HERNÁNDEZ: Born c. 1945 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* – 25 years (Prison ward of Dr. Celestino Hernández Robau Hospital, Santa Clara) – sentenced under Article 91. Reported in May 2004 to be suffering from staphylococcus in the kidneys, an inflamed bladder and high blood pressure, and to have been transferred to the prison wing of the Carlos Manuel de Céspedes hospital in Bayamo, Granma province. In August 2004 Pernet was reported to have been transferred to Las Mangas de Bayamo prison in the province of Granma, where his various illnesses continue unabated. Reported that his skin had turned a sallow jaundiced colour. He was kept in intensive care at the hospital at Ciego de Ávila for some while. On 10 October 2004, Pernet was transferred to the Carlos J. Finlay Military Hospital in Havana for medical tests. En route, his ambulance was involved in a fatal accident but Pernet is not reported to have been injured. *Reported to have been transferred from the Dr. Carlos J. Finlay military hospital, Havana, to the Dr. Celestino Hernández Robau Hospital in Santa Clara on 21 June 2005. The move brings Pernet closer to his family.

Fabio PRIETO LLORENTE: freelance journalist and member of the Asamblea para la Sociedad Civil (Civil Society Assembly) – 20 years (Kilo 8, Camagüey) – sentenced under Article 91. Llorente (born 1964) was reportedly ordered to spend 21 days in solitary confinement in August 2003 for having offended a state security official. Reported in January 2004 to be held in solitary confinement in reprisal for starting a hunger strike in protest at being held with common criminals, some of whom Prieto claimed were dangerous. Also reported to be suffering from high blood pressure. Transferred from Guanajay prison in Havana to Kilo 8, Camagüey. Reported in July 2004 that he was suffering from chronic emphysema. Apparently held a hunger strike for the last ten days of July in protest at being held alongside murderers and drug addicts; and began another on 11 August 2004 to back up his demand to be transferred to a prison nearer his home in Isla de la Juventud. *Reported in February 2005 to have been transferred to a punishment cell measuring 1.2 x 3m. It is not clear how long he spent in this cell or why he was moved to it. Reported in April 2005 to be suffering from emphysema, piles, constant back ache and general tiredness. He also occasionally coughs up blood. In May 2005, Prieto had a number of common criminals join him in his cramped cell, making it all but impossible to leave his bed. He stated that he was only allowed out into the sunlight twice a week. **Honorary Member:** English PEN

Alfredo PULIDO LÓPEZ: human rights activist and journalist (*Agencia El Mayor*) – 14 years (a prison in Camagüey) – sentenced under Article 91. Transferred in August 2004 Combinado del Este prison in Havana to a prison in Camagüey – possibly Kilo 8 prison.

José Gabriel RAMÓN CASTILLO: journalist (Instituto Cultura y Democracia (Culture and Democracy Institute) & *CubaNet*) – 20 years (Transferred in February 2005 to Boniato) – sentenced under Law 88. On 25 November 2004, Ramón Castillo was transferred to a punishment cell after refusing to watch a video produced by the Cuban authorities about three model prisons in Habana. It is not known how long Ramón spent in

the punishment cell. The journalist announced in November that he would be joining the Héctor Maseda-organised hunger strike on the 18th of each month in order to demand the release of all “political prisoners and prisoners of conscience” in Cuba. *Reported that he had spent over two months at Reclusorio Provincial in Santiago de Cuba before being transferred on 16 February 2005 to Boniato, a prison nearer his home. 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.

Blás 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) – 25 years (Aguica, Colón) – sentenced under Law 88. **Honorary Member:** Sydney PEN

Omar RODRÍGUEZ SALUDES: director of *Nueva Prensa Cubana* – 27 years (Nieves Morejón, nr Cabaiguán, Sancti Spiritus) – sentenced under Article 91. Reported in December 2003 to have been transferred from Kilo 8 prison in Camagüey to Nieves Morejón. **Honorary member:** Finnish PEN

Omar Moisés RUÍZ HERNÁNDEZ: journalist (*Grupo de Trabajo Decoro & CubaNet*) – 18 years (Canaleta, Ciego de Ávila) – sentenced under Article 91. Reported in August 2003 to have been transferred to a solitary confinement cell. In September 2003, hospital doctors stated that Ruiz was not suffering from prostate inflammation, despite the fact that a urologist had previously declared that he was. Transferred from Boniato prison, Santiago de Cuba, to Guantánamo Provincial prison. In August 2004 was transferred to the Canaleta prison in the province of Ciego de Ávila, which is nearer his family. Reported in September 2004 to be suffering from high blood pressure and a cyst on one of kidneys. Further reported to have been in a group of prisoners transferred to a military hospital in Havana on 27 November 2003, a move which has signalled early release for some prisoners. *In a 24 February 2005 phone call to his wife, Ruíz complained that his prison cell had been searched by guards and a number of his possessions confiscated. The journalist reportedly suffers from an enlarged aorta, amongst other ailments. Reported to have been moved to a punishment cell on 23 May 2005 for refusing to salute a prison official who was insulting him. Has since been transferred to a normal cell. Reported to be suffering from an eye complaint. **Honorary Member:** Swedish PEN

Miguel SIGLER AMALLA (also AMAYA): librarian (General Pedro Betancourt Library) – 26 months (sic) (Matanzas) – sentenced under Law 88. Reported in April 2004 to have been assaulted by a ‘prison re-educator’.

Other Main Cases

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** (since released) and **Carlos Brizuela Yera** (see “Released” below). 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 Álvarez Castillo** (below), 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.

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 (see above) who protested at the hospital on 4 March 2002. Álvarez 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.

House Arrest

Roberto GARCÍA CABREJAS: journalist (Instituto Cultura y Democracia –(Culture and Democracy Institute), arrested in the March 2003 crackdown on so-called anti-patriots and has been placed under house arrest (see above).

Brief detention/expulsion

***Maciej STASINCKI, Jerzy JURECKI, Seweryn BLUMSZTAJN, Wojciech ROGASIN and Francesco BATTISTINI:** journalist with the Polish daily *Gazeta Wyborcza*, editor with the Polish weekly *Tygodnik Podhalanski*, journalist with the Polish daily *Gazeta Wyborcza*, journalist with the Polish edition of the US magazine *Newsweek*, and journalist with the Italian *Corriere della Sera* respectively, were reportedly detained in May 2005 after arriving in Cuba to report on a meeting convened by the opposition umbrella organisation the Assembly to Promote Civil Society. Maciej Stasincki was deported on 19 May. Jurecki, Blumsztajn, Rogasin and Rogasin’s translator, Maciej Sarna, were apparently arrested at their Havana hotel on the evening of 19 May and taken to an immigration detention centre. Battistini was detained the following morning. The five were accused of violating their tourist visas and were immediately deported from the country. Several other journalists from Spain and Italy have reported that they were barred from travelling to the island by the Cuban authorities in the run-up to the opposition meeting.

Harassment

***Iván GARCÍA:** reporter for the website *Encuentro en la Red*, was reportedly summoned to a Havana police station on 15 February 2005 and told by police that he should “stop writing” or he could “live to regret it”. García was apparently interviewed about his contributions to *Encuentro en la Red (Meeting on the Web)*. When he asked why, he was told that the website was funded by the Central Intelligence Agency (CIA) and other agencies of the US government. The police officers told García that they would give him two or three months and, if he was still writing for the website they would “take further measures”. García mainly writes on sports or social subjects.

***Oscar Mario GONZÁLEZ:** journalist with the news agency *Grupo de Trabajo Decoro*, was reportedly interrogated by police in a Havana police station on 24 March 2005. During the interview González was told that he “criticised the government too much” and that the police “would not allow this to continue.” They also apparently told him that he might be able to obtain an exit visa to visit his daughter in Sweden if he ceased his journalistic activities.

***Osmel SÁNCHEZ LOPEZ**, independent journalist, was reportedly summoned by the political police to a police station in Venezuela, Ciego de Ávila province, on 18 June 2005. He was allegedly questioned for three hours and told to stop working as a journalist and meeting with **Juan Carlos González Leiva**, head of the Cuban Human Rights Foundation. Sánchez was threatened with a four-year sentence for 'social dangerousness' if he refused to comply with the command.

Released

Carlos BRIZUELA YERA: director of the *Cooperativa de Periodistas Independientes de Camagüey* (Camagüey Cooperative of Independent Journalists), was released on 2 March 2005. The journalist had served in full his three-year sentence for "disobedience", "insulting the president" and "public disorder". Brizuela Yera, had been detained since 4 March 2002 – along with Léster Téllez Castro, director of the *Agencia de Prensa Libre Avileña* (Avileña Free Press Agency), and lawyer Juan Carlos González Leiva – when the three 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, who had earlier been assaulted by police.

GUATEMALA

Death threats

***Alfonso GUÁRQUEZ**: correspondent for the *CERIGUA* news agency, has reportedly been threatened for reports he has filed regarding the opposition of local people to gold mining operations in the department of Sololá. On 25 March 2005, a car belonging to Guárquez' brother Carlos (who has been active in the campaign against the mining) was found in flames near the village of El Tablón. Five separate written death threats were found by the car including one that warned, "...Carlos Humberto [...] your day for disappearing from the world will arrive soon [...] and for Dominga [Vásquez – the mayoress of Sololá] and her husband Alfonso Guárquez."

***Gonzalo MARROQUÍN**: editor of the daily *Prensa Libre*, was revealed on 17 March 2005 to be on a death list that included a number of high profile individuals. Interior Minister Carlos Vielman announced to various press outlets that he possessed a police report on plans to murder Marroquín and several other leading figures such as politicians and outspoken Catholic bishop Álvaro Ramazzini. According to the report, a group of foreign drug traffickers are behind the plan. However, Guatemalan NGOs dismissed this hypothesis, believing that the plotters are more likely to be members of home-grown right-wing death squads.

HONDURAS

Threatened

Jhony LAGOS: director-founder of the monthly *El Libertador*, reported in December 2004 that since the launching of the newspaper in May 2004 he has been the subject of harassment and numerous threats. Matters came to a head on 24 November when a group of unidentified individuals arrived at the offices of *El Libertador* in a pick-up with no numberplates. The men asked to see Lagos and stayed watching the offices for over three hours. The pick-up truck has been seen since patrolling the streets near the *El Libertador* offices and is allegedly the same model as that used by the Cobra special police unit. When Lagos arrived home on 24 November he reportedly received a number of anonymous telephone calls in which he was played the sound of gunshots

or the church bells that accompany a funeral. *In May 2005, Lagos reported that he was continuing to receive anonymous threats via the telephone. The calls were traced to a nearby house which, when searched by police, was found to be uninhabited.

MEXICO

Main case

***Olga WORNAT (f)**: Argentinian writer and journalist, was placed under house arrest on 6 May 2005 following a civil lawsuit lodged by Marta Sahagún, the wife of Mexican president Vicente Fox. Wornat is the author of *La Jefa*, an unauthorised biography of Sahagún, and *Crónicas Malditas* (published in English as *Damned Chronicles from a Devastated Mexico*), an investigation into the presidential couple and their retinue. In the latter book, it was claimed that the couple's sons were involved in various acts of corruption. The suit was lodged on 3 May and three days later, federal civil litigation court judge Justice Carlos Jiménez Mora placed Wornat under house arrest pending his decision regarding the complaint. Wornat claims that she is being followed and that her phone is being tapped.

Killed

***Raúl GIBB GUERRERO**: owner and director of the newspaper *La Opinión*, was killed on 8 April 2005 following the launch of a new edition of his newspaper, *La Opinión*, in the town of Martínez de la Torre (about 200 miles north-east of Mexico City). Gibb Guerrero died in a hail of bullets whilst driving home to Papanla, also in the state of Veracruz. His assailants were reportedly four unidentified individuals who fled the scene of the attack in two cars. In the days leading up to the launch, Gibb reported having received several anonymous death threats. The police are working on the theory that his killing stems from articles he wrote about the Gulf Cartel, a powerful drugs gang based on the coast of the Gulf of Mexico. Public prosecutors have announced that a full investigation has started into the murder.

Disappeared

***Alfredo JIMÉNEZ MOTTA**: 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.

On trial

Sergio WITZ LÓPEZ: university professor and poet, is on trial for "insulting national symbols" after his poem "Invitación (La Patria Entre Mierda)" ["Invitation (The Country in Shit)"] was published in the Campeche-based magazine *Criterios* in 2001. Among other images, the poet imagines himself using the Mexican flag as toilet paper. A retired army officer, Abel Santa Cruz Menchaca, brought the poem to the attention of the then Campeche state Interior Minister, Carlos Justo Sierra, who brought charges against Witz under Chapter 5 of Article 191 of the federal penal code. The law, which dates from the 1930s and is viewed by some legal experts as unconstitutional, allows for up to four years in prison for anyone found guilty of "insulting national symbols". The case, which is being viewed as a crucial test of freedom of expression in Mexico, has risen through the Mexican court system and, in 2004,

reached the Supreme Court. Pre-trial hearings took place in January 2005. *As of 30 June 2005, still awaiting a verdict from the Supreme Court.

Facing Charges

Anselmo ESTRADA ALBURQUERQUE: journalist, was charged with criminal defamation in Pachuca de Soto, Hidalgo in October 2004. The charges, brought by Francisco Austria Cabrera, stem from an interview published in the now-defunct daily *Diario Visor* in 1993 and reprinted in 2004 in the newspaper *Milenio Hidalgo*. The interviewee, Professor Inocencio Rangel Honojosa, discussed the alleged reign of terror exercised for years by Austria Cabrera in Tepehuacán de Guerrero and other places. Amnesty International considered Austria's totalitarian rule to be one of the most ferocious in the history of Hidalgo. He was finally ousted in the late 1980s. Austria recently re-emerged from the shadows to give his backing to political candidate Gerardo Sosa Castelán (see Alfredo Rivera Flores case, below) and as a result, *Milenio Hidalgo* republished the Rangel Honojosa interview. Austria has brought charges against both Estrada Alburquerque and Professor Rangel. Professor Rangel died, aged 94, in January 2003. *No further information as of 30 June 2005.

Illegal detention

***Staff at Noticias:** a Oaxaca-based daily newspaper, have reportedly been held against their will inside their offices since 17 June 2005. The thirty-one journalists and ancillary staff have been prevented from leaving by a so-called strike by the Revolutionary Confederation of Workers and Peasants (CROC), a trade union with ties to the Institutional Revolutionary Party (PRI). However, *Noticias* staff have reported that the "strikers" actually have no connection with the newspaper but are, in effect, outsiders – including alleged plain clothes policemen – who are blockading their offices in order to stop publication of the newspaper. *Noticias* staff also complained that they had been intimidated and threatened by those blockading the building. The police have yet to intervene in the situation except, reportedly, to attack a number of individuals who were selling the newspaper (which is now being printed at a separate location) and confiscate 10,000 copies. The blockade comes in the wake of a number of *Noticias* reports that have been critical of the Oaxaca state authorities, controlled by PRI.

Brief detention

***Héctor MORENO PORTILLA:** editor of the newspaper *Mundo al Día* and *TV Azteca* reporter, was reportedly detained by police in the city of Mérida in the Yucatán peninsula. Moreno approached a car that had been surrounded by three police patrols. When he attempted to interview the driver of the car, he was thrown by police officers into an anti-riot van and held for two hours at police headquarters.

***Wilberth TEYER GÓMEZ:** correspondent for *El Diario de Yucatán*, reported on 28 June that he had been arrested a few days earlier for no apparent reason. The Tixméhuac local authorities, who ordered his arrest, allegedly produced no arrest warrant and did not charge the journalist with any crime. He was released after a few hours. Teyer Gómez believes that the arrest was carried out in reprisal for his frank reporting of events in Tixméhuac.

Threatened

***Ricardo BRAVO:** journalist with the *lapolitica* website, was reportedly threatened in March 2005 when covering a meeting at which 500

hectares of land bought by the federal and state authorities were to be registered in the names of 74 underprivileged families. The regional coordinator at the San Andrés Tuxtla Internal Affairs Subsecretary's Office, Emilio Rojas Zavala, apparently warned Bravo not to publicise the fact that some of the families had failed to turn up to register, or he would "face the consequences".

***Emilio GUTIÉRREZ SOTO:** a correspondent for the Chihuahua-based *El Diario de Juárez*, reported on 9 February 2005 that he had received death threats from army officers in the wake of an article he had published regarding a raid by soldiers on a hotel. According to Gutiérrez Soto, he was called to a meeting on 8 February 2005 by an army officer with the surname Martínez Piedra. When he arrived, he found himself in the midst of eight soldiers who insulted him and threatened to kill him if he publicised the meeting. When *El Diario de Juárez* contacted Martínez the next day, he said that he had only wanted a word with Gutiérrez and that "everything had been sorted out". The army has denied that death threats were issued but has, apparently, ordered an investigation.

***Pedro PÉREZ NATIVIDAD:** editor of the Nuevo Laredo-based *Primera Hora*, reportedly had his van destroyed by a home-made bomb in Nuevo Laredo, Tamaulipas, on 10 May 2005. Pérez was not in the van which was parked outside his home. The journalist declared that he had not received any threats before the bomb attack and had no idea who might have perpetrated it. However, a *Primera Hora* journalist investigating criminal cases had received threats. Pérez has been receiving police protection since 12 May.

Cases closed

Walter HERNÁNDEZ GONZÁLEZ: former editor of the San Cristóbal de las Casas-based *Siglo XXI*, was arrested on 3 January 2004 as a result of a demand against him for "defamation" brought by the governor of Chiapas, Pablo Salazar Mendiguchía, after Hernández had referred to him as a "rogue" in a *Siglo XXI* opinion piece in October 2003. *No further information as of 30 June 2005. Case closed.

Juan Manuel LAGUNAS MORENO: journalist with the daily Huejutla de Reyes-based *Zu Noticia*, is facing criminal defamation charges brought in June 2003 by senator José Antonio del Sagrado Corazón de Jesús Hagenbeck Cámara. The legal action stems from a front-page article written by Lagunas on 17 December 2002 that alleged that Hagenbeck had caused a disgraceful scene in a bar of dubious reputation in Huejutla. *No further information as of 30 June 2005. Case closed.

NICARAGUA

Killed

María José BRAVO (f): Chontales correspondent for the newspapers *La Prensa* and *Diario Hoy*, was covering a recount of votes on 9 November 2004 when she was shot at close range. She died before reaching hospital. Police arrested Eugenio Hernández González close to the scene of the crime as he tried to make his escape. *On 28 January 2005, Eugenio Hernández was sentenced for the killing of Bravo (26). The former mayor of El Ayote was handed a 25-year prison term on charges of premeditated murder.

Death threat

***Heberto JARQUÍN MANZANARES:** Rosita correspondent for the daily *La Prensa*, reported having received a death threat from Evaristo Rivas Sánchez, the ex-commander of the now defunct paramilitary organisation Frente Unido Andrés Castro (Andrés Castro United Front).

On 22 May 2005, Jarquín was investigating a story at the Bosawa nature reserve in Atlántico Norte when he was told by an unidentified individual, “Be careful, this man [Rivas Sánchez] is not safe. He’s met with the farmworkers and the conversation did not bode well for your future.” Jarquín was also informed that there was a price on his head. The journalist believes that the threat derives from an article he published in which he accused Rivas of having misappropriated collectively held land. Jarquín has apparently received death threats on two previous occasions on account of his writing – both times from men involved in illegal logging.

PANAMA

On trial

Roberto EISENMANN Jr.: founder of the Panama City-based daily *La Prensa*, faces “criminal defamation” charges brought against him by Public Prosecutor José Antonio Sossa. The charges stem from a 30 January 2004 column in *La Prensa* in which Eisenmann accused Sossa of “protecting criminals and filing charges against journalists”, an opinion which has at least been borne out by Sosa’s filing of charges against him. On 25 March 2004, Technical Judicial Police escorted the journalist from his office to the prosecutor’s office to be questioned with regard to the case. An order barring Eisenmann from leaving the country has been in force since 15 February. *No further information as of 30 June 2005. Trial proceedings are presumed to be continuing.

Facing possible charges

***Pablo O’BRIEN CUADROS:** journalist with the Peru-based newspaper *El Comercio*, faces charges of “acting against the public faith and falsifying information” after a 25 January 2005 decision to prosecute made by the Thirteenth District Prosecutor’s Office in Panama City. The charges stem from an article published in *El Comercio* in 2004 which alleged that the (Colombian) Bavaria beer company had bribed an advisor of Peruvian President Alejandro Toledo. Bavaria filed the initial complaint about the story on 9 July 2004. The article claimed that the Panama Civil Aeronautics General Directorate had briefly detained a Bavaria employee before he flew to Peru in Bavaria’s private plane. The man was apparently in possession of US\$1.7 million in cash. The incident constitutes the main evidence in the bribery scandal.

PARAGUAY

Case closed

Nacha SÁNCHEZ (f) and Mabel REHNFELDT (f): investigative journalists with the newspaper *ABC Color*, had charges filed against them by President Juan Carlos Wasmosy in early February 2004. The “defamation and insult” charges stem from a series of reports published by Sánchez and Rehnfeldt regarding alleged fraudulent practices by the state-run oil company Petropar. The journalists claim that Wasmosy made sure that many of the dubious contracts handed out by Petropar went to companies apparently controlled by his cousin José Luis Manzoni. *No further information as of 30 June 2005. Case closed.

PERU

Suspended sentence

***Julio Jara LADRÓN DE GUEVARA:** editor of the Cuzco-based newspaper *El Comercio*, was handed down a one-year suspended sentence on

19 January 2005 and fined a total of 17,000 (approx. US\$5,200) for defamation of former government official Rafael Córdova Paliza. The judgment from Cuzco’s Third Criminal Court stemmed from a 3 October 2003 *El Comercio* article that published allegations made by member of congress Manuel Figueroa Quintana that Córdova had conned a large number of rural communities into giving him money by posing as an advisor to President Alejandro Toledo. Ladrón has appealed against the verdict. The case has consequently gone to a higher court.

Facing charges

***Julio MOLERO:** editor and owner of the Andahuaylas-based weekly *El Tiempo*, reported on 26 January 2005 that an order had been issued for his arrest and that he had consequently gone into hiding. The journalist’s arrest is allegedly sought for distributing child pornography despite the fact that, in July 2004, an investigation by the Public Prosecutor’s Office found that there was no evidence to suggest Molero’s involvement in such activities. It is believed that the action taken against Molero is in reprisal for reports in *El Tiempo* criticising the police and the local judiciary.

Facing charges

Walter MUÑOZ INGA: journalist with the daily *La Calle de Huamanga*, is facing criminal defamation charges brought by former army major César Gonzalo Vásquez Guevara in October 2004. Muñoz had reprinted in *La Calle de Huamanga* a communiqué from the Second Infantry Brigade of the Peruvian Army in which Vásquez Guevara was accused of using local paramilitary forces for his own ends. *No further information as of 30 June 2005.

Attacked/threatened

***Magno SOSA:** editor of the bi-monthly *Rebelión*, was reportedly attacked and threatened by two women in Huamanga, Ayacucho, on 17 March 2005. The journalist was apparently set upon by two activists, Gloria Álvarez de la Cruz and Basiliza Dololier Quispe, who work on behalf of sacked public sector workers. They allegedly accused him of libelling them in two *Rebelión* articles before physically assaulting him and threatening to have him killed. Sosa was eventually rescued by police who, however, did not attempt to arrest his assailants.

Death threats

***Raúl VELA CARHUAS:** reporter for the Huánuco-based daily *El Pregonero*, reported on 18 April 2005 that he had received death threats from José Antonio Muñoz Cárdenas, the regional head of a government programme. Muñoz Cárdenas met Vela in a park, complained about a report that had appeared in *El Pregonero*, and showed the journalist the gun he was carrying. Vela immediately applied for official protection. The article in question was an investigation published on 28 March which highlighted alleged irregularities in the functioning of the entity presided over by Muñoz Cárdenas, including the appearance of “phantom employees” on the payroll.

Attacked

***Alí ALAVA:** journalist with the daily *El Comercio*, was reportedly attacked on 2 January 2005, along with television journalist Guillermo Zora. Alava was covering the occupation of a police station in Andahuaylas by former mayor Antauro Humala and his supporters. About thirty people are said to have surrounded the two men and accused them of being pro-Chilean gutter-press journalists before physically attacking them.

***Marilú GAMBINI LOSTANAU (f)**: a freelance journalist, has reportedly been the victim of two break-ins at her home in the province of Chimbote. On 28 March 2005, two unidentified individuals entered her house, held her down and destroyed or removed documentation she had accrued as a result of her investigations into the trafficking of drugs. On the second occasion, on 21 May 2005, Gambini's home was broken into in her absence. The intruders searched through her belongings and stole some video cassettes. Gambini has been protected by the Chimbote sub-prefect's office since 2000 due to the threats she has received on account of her investigative journalism.

***Percy RAMÍREZ**: special correspondent for the daily *Correo*, was one of four journalists from various media reportedly attacked in San Cirilo, Cajamarca, on 16 June 2005 attempting to cover a meeting held as part of a protest against the Yanacocha mining company. Those attending the meeting apparently ran on the journalists and attacked them with sticks when they realised that they were recording the proceedings.

***Fernando VALVERDE LAVADO**: journalist with the daily *Ya*, was reportedly attacked by brothers Gilfor and Gib Alva Sotomayor in Pomabamba on 29 January 2005. He was apparently only saved from being stabbed by his assailants by the swift intervention of passers-by but still had to be hospitalised. The attack came in the wake of Valverde's investigations into malpractices at the Pomabamba campus of Los Angeles University. The father of the two attackers is the university administrator, Joaquin Alva Fontena.

***Rufino ZAMBRANO PINTO**: journalist with the Pucallpa-based daily *Ahora*, was reportedly attacked on 20 May 2005 by congressman Víctor Valdez Meléndez. The assault occurred immediately after a hearing in the civil defamation case Valdez is pursuing against *Ahora* at the Third Penal Court. As Valdez was leaving the court, Zambrano attempted to question him regarding the case and called into question the politician's honesty. Violence ensued.

Cases closed

Guillermo NAVAS CHUJUNTALLI: director of the magazine *Panorama Regional*, was arrested in Tarapoto on 30 January 2004 to face criminal defamation charges brought by Justo Pérez Ruíz, the former dean of the San Martín College of Law. *No further information as of 30 June 2005. Case closed.

Pedro Eduardo SALINAS CHACALTANA: columnist for the daily *Correo*, faces defamation charges brought in December 2003 by congressman Jorge Mufarech Nemy (ruling Perú Possible party) Mufarech is seeking a three-year prison sentence US\$1m in damages. The legal action stems from two articles by Salinas published on 23 December 2002 and 11 March 2003. *No further information as of 30 June 2005. Case closed.

Yima SALÍZAR ESCOBAR (f): correspondent for the newspaper *El Sol de Cusco*, faces two different charges stemming from reports she has published. On 25 May 2004, Fedia Castro Melgarejo de Gutiérrez, mayor of La Convención district, in Quillabamba, Cusco, began legal proceedings against the journalist for "condoning violence". *No further information as of 30 June 2005. Case closed.

Álvaro VARGAS LLOSA: journalist, is currently on trial for "crimes against honour". The charge stems from public statements by Vargas Llosa in which he called for investigations into Gil Shavit Aiches, Adam Pollack and Joseph Maiman Rapaort. *No further information as of 30 June 2005. Case closed.

UNITED STATES OF AMERICA

Main case

Judith MILLER (f) correspondent with the *New York Times*, was ordered to be detained on 6 July 2005 for her refusal to reveal a source to a Grand Jury. The journalist was sentenced to imprisonment until October – or until she reveals the source – by District Court judge Thomas Hogan. She has stated that she will not divulge the source. Miller and **Matthew Cooper**, reporter with *Time* magazine, were detained on charges of contempt of court on 7 October 2004 and 13 October 2004 respectively. Both refused to identify to a Grand Jury their sources for their investigations concerning the leak of the identity of Valerie Plame, a CIA operative. Judge Hogan ruled that Miller and Cooper should be jailed until they agreed to testify regarding their sources but remained free pending an appeal. Cooper's source later gave him permission to release his name to the Grand Jury and the journalist's subsequent cooperation in proceedings has secured his freedom. The Valerie Plame story broke in July 2003 when syndicated columnist Robert Novak revealed her identity as a CIA agent. He cited two "senior administration officials" as his sources. Plame's husband, former diplomat Joseph C. Wilson IV, had previously published an article in which he questioned the Bush administration over their claims that Iraq had attempted to purchase materials for its alleged weapons programme from Niger. The leaking of Plame's identity has been seen as retaliation by Bush administration officials for the article. Both Miller and Cooper followed up Novak's claims, Cooper publishing an article in *Time* about the affair. Miller, however, did not publish the results of her enquiries. *Time* has also agreed to hand over materials relating to the story. Novak has not been charged or ordered to testify publicly before the Grand Jury.

Case closed

Mumia ABU-JAMAL: Prominent black radio journalist turned writer on death row since 3 July 1982. Convicted of the shooting of a police officer. Concerns around fair trial. Case closed following reconsideration of case status with reference to the WiPC PEN mandate.

URUGUAY

Death threat

***Pablo FERNÁNDEZ**: contributor to the daily *Primera Hora*, reportedly received a death threat on 18 March 2005 at the *Primera Hora* offices in San José in the south of the country. An unidentified individual apparently entered the newspaper's newsroom and left a message that a hired killer, whom he named, would soon carry out a hit on Fernández. The following day, a different person arrived to deliver the same message. Both messengers claimed not to have anything to do with the supposed contract on the journalist's life. Fernández believes that the person behind the messages is imprisoned civil servant Marianela Viana. The journalist had investigated her part in an embezzlement scandal in 2002 for which Viana is currently serving a prison sentence. Fernández and other journalists who reported on the corruption also received threats at the time of the affair.

VENEZUELA

Sentenced/awaiting ratification

Ibéyise PACHECO (f): journalist with the newspaper *El Nacional*, was sentenced to nine months' imprisonment for "aggravated defamation" on 25 May 2004. The journalist remains at liberty until the sentence is ratified by the Appeals Court. If this should occur, Pacheco intends to appeal against it. The sentence derives from charges brought by Colonel Angel Bellorín who claimed he was defamed by a Pacheco column published in *El Nacional* on 15 June 2001 in which she alleged that Bellorín had cheated in order to pass a law course. *No further information as of 30 June 2005. Presumed that sentence still awaiting ratification.

Facing charges

Manuel Isidro MOLINA: journalist with the weekly *La Razón*, was informed on 11 November 2004 that he is facing charges in a military court stemming from a 7 November *La Razón* article. In the piece, Molina had claimed that retired air force colonel Silvino Bustillos had been tortured and killed by the military intelligence services (Dirección de Inteligencia Militar, DIM). However, the next day, Bustillos' lawyers stated that their client was merely in hiding and was perfectly well. Molina immediately published a retraction of his story. However, Molina may still be tried by a military court under Article 505 of the Military Justice Code which carries sentences of between three and eight years in prison for those who defame or slight the National Armed Forces.

*No further information as of 30 June 2005.

***Patricia POLEO (f):** columnist and director of the Caracas-based daily *El Nuevo País*, is facing charges including that of "illegally obtaining and disclosing sealed case documents". The charges stem from articles written by Poleo in December 2004 and January 2005 in which she revealed confidential information regarding the killing, in November 2004, of public prosecutor Danilo Anderson. On 28 January 2005, Poleo's home was raided by police who took photocopies of the documents which were allegedly leaked to her by police officers. The journalist has vowed never to reveal the sources for her articles which alleged that Anderson was involved in an extortion operation that also included other prosecutors.

Attacked/death threat

***Staff at *La Costa*:** a daily newspaper based in Puerto Cabello, were reportedly attacked by a group of about eighty people who forced their way into the *La Costa* offices on 25 June 2005. Head of information, **Gustavo Riquez**, also apparently received death threats. The incident stemmed from a *La Costa* article regarding the death of a man who attempted to connect his home to electricity supplies illegally. The group that attacked the newspaper identified themselves as relatives and friends of the deceased who had come to defend his good name. Police managed to clear the building after a couple of hours once the newspaper had offered the family of the dead man the right to reply in a forthcoming edition of the newspaper.

ASIA AND PACIFIC

AUSTRALIA

Main case

Hassan Hakimi

Profession: Iranian journalist and poet. **Date of arrest:** 2000. **Details of arrest:** Sent to immigration detention at Topside Camp, an Australian 'Offshore Processing Centre' on the Pacific island of Nauru, after fleeing Iran on an asylum boat which was intercepted by the Australian navy as part of the Australian government's policy known as 'The Pacific Solution', which denies refugees entry to Australia by intercepting asylum boats and sending them to 'offshore processing centres' under Australian administration. Hassan Hakimi was reportedly a regular contributor to the now-closed reformist weekly newspaper *Eman*, based in the city of Ghom, between 1996 and 1998. The newspaper was reportedly taken over by the government in 1998, and the entire newspaper staff sacked. Hassan Hakimi and his colleagues started to produce another publication underground. However, following the student protests of 1999 and the subsequent government crackdown, Hassan Hakimi fled Iran in fear of arrest after being pursued by security forces. He has now been held at Topside Camp for over five years.

Released

Ardeshire GHOLIPOUR: Writer, journalist and political activist. Arrested on 27 May 2000 after arriving in Australia after fleeing Iran in March 2000 in fear of persecution for his political activism. He was held at the Baxter detention centre. Gholipour contributed articles to provincial newspapers and prepared political bulletins for the Iran Freedom Movement and the Left Union for Democracy. He worked for the Left Union for Democracy's monthly *Payan Peroz Research Bulletin* between 1994-1997 and the *Avay E Kermanshal Daily* from 1997-8. He also wrote widely on issues of culture and social reform. Gholipour is widely believed to be under threat in Iran due to his reformist writings. He was released from the Baxter detention centre on 29 April 2005, though there remains some uncertainty as to the type of visa he may receive from the authorities.

BANGLADESH

Killed: investigation

***Sheikh Belaluddin AHMED:** A journalist at the *Daily Sangram*. Died six days after a bomb attack on the Khulna press club in Khulna, south-western Bangladesh, on 5th February 2005. Ahmed, aged 48, died on 11 February 2005 in the intensive care unit of Dhaka military hospital. Two others were injured (see Hassan and Ahmed below).

***Golam MAHFUZ:** Editor of the *Comilla Mutakantha* newspaper. He was stabbed to death on 31 May 2005 in his home in Comilla, a town 88 km east of Dhaka. According to reports, the police have detained four people for questioning, but are unclear about the motive for the attack. The WIPC will follow developments in the case.

Death threats

***Shamareh BOIDDYA:** A journalist with the daily *Bhorer Kagoj*, 31

reportedly threatened by the Jamaa-e-Islami on 10 March 2005 for writing critical articles about the party.

***Sumit Kumar DUTT(f)**: A correspondent for the *Daily Dainik Ittefaq* in Golachipa in the south of the country. The journalist reportedly received death threats from a criminal after publishing articles about his alleged embezzlement.

***Zillur Rahman JALIL**: A journalist with the daily *Janakantha* in Patuakhali, in the south of the country, reportedly received an anonymous letter on 6 March 2005 which threatened Jalil and journalists working in Khulna and Jessore with death.

***Sumi KHAN(f)**: A correspondent for the *Shaptahik 2000* in Chittagong, reportedly received a letter on 12 March 2005 purportedly from the Jamaat-e-Islami party threatening to kill her if she continued to write on the involvement of party officials in crime and terrorism. She had recently published an article which alleged that Shahjahan Choudhury, a Jamaa-e-Islami member of Parliament, was involved in criminal activity.

***Jubayer SIDDIQUI**: A journalist with the daily *Ajker Surjodoy*, reportedly threatened on 10 March 2005 by the Jamaa-e-Islami for writing critical articles about the party.

Attacked

***Dip AZAD**: A journalist for the national daily *Jugantor* which is based in Khulna, south-west Bangladesh. Azad was attacked on 4 January 2005 when assailants riding a motorbike through an explosive device at him. Azad also reported that he had received death threats from an armed group calling itself Janajuddha. His name is said to have appeared on a death list in January 2004.

***Sheikh Abu HASSAN and Tutul AHMED**: Correspondent for the *Daily Prothom Alo* and reporter for the Jessore-based daily *Loksomaj* respectively. Reportedly injured when a bomb placed on a moped outside the Khulna press club in Khulna, south-western Bangladesh, exploded on 5th February 2005. Sheikh Belaluddin Ahmed, a correspondent for the daily *Sangram* was also injured in the same incident, but died of his wounds (see above).

***Syed Monjur MORSHED**: Editor and publisher of the bi-monthly journal, *Horizon*. He was attacked on 17 May 2005 by four men as he returned to his home in Gora near Dhaka. According to reports, he was stabbed in the stomach, and underwent an operation on 19 May 2005.

***G.M. SHAHID**: Editor of the weekly *Aparadh Barta* and correspondent for *Dainik Khobor Patra* newspaper. He was attacked on 21 May 2005 in Rupanj near Dhaka. According to reports, he was beaten with a hammer.

Free on bail pending trial

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.

Honorary member of: USA PEN.

Shahriar KABIR: Eminent writer and journalist. **Date of arrest:** 22 November 2001 **Details of arrest:** Detained at Dhaka Zia International airport on 22 November 2001 by members of the Special Branch Police Force. He was returning from Kolkata, India, where he had been interviewing Hindus who had recently fled persecution in Bangladesh. An official statement issued by the Home Ministry on 24 November 2001 claimed that Kabir was detained for possessing material containing "...objectionable and misleading statements that are detrimental to communal harmony and subversive of the state", and "tarnishing the image of Bangladesh and of the government in the outside world". It is widely believed that he was detained for writing articles, giving interviews and taking video footage of Hindus who have fled Bangladesh following attacks against them in the wake of the 1 October 2001 parliamentary elections. **Details of trial:** Formally charged with treason on 8 December 2001, and his detention order was extended by three months. On 12 January 2002 a High Court bench declared the extension of Kabir's detention order illegal and ordered his release. However he continued to be held until a separate High Court bench ordered his release on interim bail for six months pending his treason trial. Released on bail from Dhaka Central Jail on 20 January 2002. Kabir was again arrested on 8 December 2002 and held incommunicado until 8 January 2003, when a High Court order declared his detention illegal. He reportedly suffered a heart attack in prison but his family and doctors were unable to see him. Case still pending. **Professional details:** Shahriar Kabir is a regular contributor to the national Bengali-language daily *Janakantha*, author of several books about Bangladesh's war for independence, and a documentary film-maker. **Other information:** On 5 February 2002 Kabir was apparently targeted in a bomb attack on Chittagong Press Club, where he was attending a reception to celebrate his release on bail. He was unhurt, although one bystander was killed and several others injured in the blast.

Case closed

Abdul Mahbud MAHU: Journalist with the daily *Ajker Desh Bidesh*. Reportedly arrested under the Special Powers Act on 14 February 2004 following pressure by a Bangladesh National Party (BNP) leader for his critical articles. Case closed for lack of further information.

CHINA

Main cases

GAO Qinrong

Profession: Xinhua state news agency reporter. **Date of arrest:** 4 December 1998 **Sentence:** 13 years imprisonment **Expires:** 3 December 2011 **Details of trial:** Convicted in a closed, one-day trial on 28 April 1999 on charges which are believed to have included bribery, embezzlement and pimping. It is thought that the charges against him are trumped-up, and that the real reason for his arrest is a report he published alleging corruption in an irrigation project set up in drought-plagued Yuncheng, Shanxi Province. No local officials have been called to account in connection with these allegations, and Gao's imprisonment was kept secret until 14 March 2000, when CNN International aired a story about his case. **Place of detention:** Qixian Prison, Shanxi Province. **Honorary member of:** PEN Canada.

HADA

D.O.B: 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 **Details of Arrest:** Arrested because he was a founder and chair of the southern Mongolian Democracy Alliance and founder and publisher of the underground journal, *The Voice of Southern Mongolia*. He was charged with inciting separatism and espionage. **Sentence:** 15 years in prison and four years deprivation of political rights **Place of Detention:** No.4 Prison of Inner Mongolia in Chi Feng City. **Health Concerns:** stomach ulcer and coronary heart disease **Honorary member:** PEN Canada

HE Depu

D.o.b.: 28 October 1956 **Profession:** Dissident activist/writer. **Date of arrest:** 4 November 2002 **Sentence:** Eight years in prison. **Expires:** 3 November 2010 **Details of arrest:** Arrested from his home and has since been held incommunicado. 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. 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 and to be suffering from a liver complaint. **Treatment in prison:** Ill-treated in prison and denied access to family visits. **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.

HUANG Jinqiu (aka Qing Shuiju)

D.o.b.: 03/09/74 **Profession:** Internet essayist, writer and journalist. **Date of arrest:** 13 September 2003 **Sentence:** 12 years in prison. **Expires:** 12 September 2015 **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, where he became 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). 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. 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’. It was not until January 2004 that his family was officially notified by the authorities of his arrest on 13 September 2003 in Lianyungang, Jiangsu Province. **Details of trial:** Huang’s trial began on 22 June 2004 at the Changzhou Intermediate People’s Court on subversion charges. 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 handed down a twelve-year prison sentence and is detained at Changzhou Detention Centre,

Jiangsu Province. His is appealing the sentence. **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. **Place of detention:** Changzhou Detention Centre, Jiangsu Province. **Previous political imprisonment/problems:** In early 2001, whilst he was overseas, his articles began to attract the attention of the Chinese authorities, who 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.

JIANG Lijun

Profession: Internet writer. **Date of arrest:** 6 November 2002 **Sentence:** 4 years in prison. **Expires:** 5 November 2006 **Details of arrest:** Arrested for his participation in an open letter to China’s 16th Party Congress calling for political reform (see **He Depu** above and **Zhao Changqing** below). For the first four months of his detention his wife was reportedly unable to obtain any documentation regarding his arrest or his whereabouts. However, on 25 March 2003 she was told by the Beijing Public Security Bureau that her husband had been charged on 14 December 2002 with ‘incitement to subvert state power’. **Details of trial:** Reportedly sentenced on 28 November 2003 to four years imprisonment on subversion charges. **Place of detention:** Quincheng Prison, Beijing.

JIANG Weiping

Profession: Former Dalian bureau chief for the Hong Kong-based newspaper *Wen Hui Bao* and reporter for the state news agency Xinhua. Also a published poet. **Date of arrest:** 4 December 2000 **Sentence:** Six years’ imprisonment. **Expires:** 3 December 2006 **Details of arrest:** Reportedly arrested after publishing a number of articles in the Hong Kong-based monthly magazine *Qianshao (Frontline)* reporting on corruption scandals in north-eastern China. Jiang is said to have written the *Frontline* articles between June and September 1999 under various pen-names. His coverage exposed several major corruption scandals involving high-level officials, two of whom were prosecuted. Charged in May 2001 with “revealing state secrets”, “instigating to overthrow state power” and “illegally holding confidential documents”. **Details of trial:** He was reportedly tried in secret at the Dalian Intermediate Court, Liaoning Province, on 5 September 2001. He was sentenced to eight years’ imprisonment in January 2002 on charges of revealing state secrets and inciting to subvert state power. On 26 December 2002 his sentence was reduced to six years’ on appeal. **Other information:** Recipient of CPJ 2001 International Press Freedom Award. Has published two books of poetry. The couple have a young daughter, who is staying with relatives. **Honorary member of:** English and Canadian PEN.

KONG Youping and Ning Xianhua

Profession: Internet writers and factory workers. **Date of arrest:** November 2003 **Sentence:** 15 and 12 years in prison respectively. **Expires:** November 2018 and November 2015 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 were 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:** Both were sentenced on 16 September 2004 by the Shenyang Intermediate People’s Court, Liaoning province, north-eastern China on charges of ‘subverting state power’.

LI Zhi

D.o.b.: 1971. **Profession:** Internet writer and financial official in the Dazhou municipal government, Sichuan Province. **Date of arrest:** 8 August 2003 **Sentence:** 8 years in prison **Expires:** 7 August 2011 **Details of arrest:** Reportedly arrested on 8 August 2003 by Sichuan Province State Security Police after posting an essay on an overseas website accusing Sichuan officials of corruption. Officially charged on 3 September 2003 with ‘conspiracy to subvert state power’. **Details of trial:** Sentenced to eight years in prison on 11 December 2003 by the Dazhou Intermediate People’s Court. **Honorary Member:** Canadian PEN.

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.

LUO Changfu

Profession: Internet writer. **Date of arrest:** 13 March 2003. **Sentence:** 3 years’ imprisonment. **Expires:** 12 March 2006 **Details of arrest:** Arrested at his home in Chongqing city and charged with subversion in connection with articles published on Boxun.com. WiPC learned in September 2004 that he had been sentenced to 3 years’ imprisonment on 16 November 2003. **Place of detention:** No.2 Prison, Chongqing City, PR China.

LUO Yongzhong

Profession: Internet writer/activist and stall-holder. **Date of arrest:** 13 June 2003 **Sentence:** 3 years in prison. **Expires:** 14 June 2006 **Details of arrest:** Arrested at his home in the north-eastern city of Changchun, Jilin Province. Police also seized written material and computer equipment. **Details of trial:** Sentenced on 14 October 2003 by Changchun Intermediate Court on subversion charges for posting articles on-line between May and June 2003 which ‘attacked the socialist system, incited to subvert state power, and created a negative influence on society’. Specific articles were cited as evidence, including ‘At last we see the danger of the Three Represents!’, a reference to a political theory formulated by former president Jiang Zemin, and ‘Tell today’s youth the truth about June 4’. According to the court papers, the articles were published in online forums including *Shuijing (Crystal)*. Luo, who has a physical

disability, has also written a number of articles advocating for the rights of disabled people, and is said to have published over 150 articles on-line commenting on current affairs and criticising the government. **Place of detention:** No.3 Detention Centre, Changchun.

MA Yalian (f)

Profession: Internet writer. **Date of arrest:** March 2004 **Sentence:** 18 months’ Reform Through Labour. **Expires:** September 2005 **Details of trial:** Administratively sentenced on 19 March 2004 for posting articles on the Internet alleging failings in China’s complaints system for citizens. The articles alleged the harassment of citizens who express dissatisfaction with the authorities, and were posted on the legal website www.chineselawyer.com.cn and www.dajiyuan.com, a website run by the Falun Gong. **Previous political imprisonment/problems:** Sentenced to one year’s RTL in August 2001 following several complaints she had filed after being evicted from her Shanghai residence as a result of an urban development plan.

MAO Qingxiang, ZHU Yufu and WU Yilong

Profession: Internet writers and China Democratic Party (CDP) activists. **Date of arrest:** June 1999 **Sentence:** 8, 7 and 11 years’ imprisonment respectively. **Expires:** June 2007, June 2006 and June 2010 respectively. **Details of arrest:** Arrested with fellow activist Xu Guang (released on 14 September 2004 on expiry of sentence) 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. PEN learned of this case in September 2004. **Details of trial:** Sentenced by the Hangzhou Intermediate Court in Zhejiang Province, eastern China, on charges of subversion.

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.

***SHI Tao**

DOB: 25 July 1968 **Profession:** Journalist and poet. Member of Independent Chinese PEN. **Date of Arrest:** 24 November 2004. **Details of Arrest:** He was arrested without a warrant 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. He is believed to have been

transferred to Changsha, Hunan Province, southern China, on suspicion of 'leaking state secrets overseas'. According to Xinhua, the government run news agency, he had been found guilty of posting online his notes regarding 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 for "revealing state secrets". The sentence was upheld on appeal on 2 June 2005. **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. **Place of Detention:** Detention Centre of the National Security Bureau of Hunan Province, Changsha.

TAO Haidong

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 that allegedly incited people to subvert the government, and was sentenced to seven years' imprisonment. His sentencing was disclosed by the Official People's Court Daily 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:** Urumqi Dadaowan Detention Centre. **Previous political imprisonment/problems:** Tao Haidong previously completed three years of 'Reform through Labour' for editing a book entitled '*Imaginations of a New Human Race*.' He was released in January 2001 and subsequently became active on the internet, often without using a pseudonym.

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. Adopted by the UN Working Group on Arbitrary Detention on 17 May 2001. **Honorary member of:** English, Perth, Catalan, Japan, American, Liechtenstein and Canadian PEN.

WU Shishen

D.o.b.: c.1960. **Profession:** Editor for Xinhua news agency. **Date of Arrest:** 26 October 1992. **Sentence:** Life, commuted to 15 years imprisonment. **Expires:** 25 October 2007 **Details of Arrest:** Accused of giving foreign reporter an advance copy of General Secretary Jiang Zemin's speech to 14th Party Congress. Said to have been paid 30,000 yuan (US\$865) by Hong Kong *Express* reporter. **Details of Trial:** Trial said to have been in secret before Beijing Municipal Intermediate People's Court. Sentenced in April 1993 to life imprisonment, commuted to 15 years in November 2004. **Place of Detention:** Beijing No.2 Prison. **Honorary member of:** Norwegian and Danish PEN.

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. **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 PEN.

XU Zerong

D.o.b.: 1956 **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 25 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. Xu's conviction was upheld on appeal in late December 2002 by the Guangdong Province Higher People's Court. **Place of detention:** Dongguan prison. **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 PEN.

YU Dongyue

D.o.b.: c. 1967. **Profession:** Art editor of *Liuyang Daily*. **Date of Arrest:** 22 May 1989. **Sentence:** 20 years imprisonment and five years' deprivation of civil rights, commuted to eighteen years in September 2000. **Expires:** 21 May 2007 **Details of Arrest:** Arrested with two others for throwing paint-filled eggs and ink at Mao's portrait in Tiananmen Square, Beijing. Had travelled to Beijing on 19 May 1989, possibly as delegates of the Hunan Delegation in Support of the Beijing Students. Also accused of taking part in pro-democracy demonstrations in Hunan. **Details of Trial:** Charged on 11 July 1989 and sentenced on 11 August 1989 by Beijing Intermediate Court to 20 years' imprisonment and five years' deprivation of civil rights for 'counter-revolutionary propaganda, sabotage and incitement'. Sentence reportedly reduced by two years in September 2000 because according to government officials "he has repented his crimes". **Place of Detention:** Ruanjiang Prison, Hunan. **Health Concerns:** He is reported to be suffering extreme psychological disturbance as a result of treatment in prison, and is said to have lost control of some bodily functions. **Treatment in Prison:** Has reportedly refused to confess which is said to have resulted in severe beatings by the prison authorities and imprisonment in 'strict regime' unit in solitary confinement (reportedly held in tiny windowless damp cell) for at least two years. **Honorary Member of:** Melbourne, Canadian and Czech PEN.

ZHAO Changqing

D.o.b.: 1967. **Profession:** Leading Xi'an-based dissident. **Date of arrest:** 7 November 2002 **Sentence:** 5 years in prison **Expires:** 6

November 2007 **Details of arrest:** Reportedly arrested after drafting an open letter to China's 16th Party Congress calling for political reform. The letter was signed by 192 opposition activists, several of whom were also detained, including **He Depu** and **Jiang Lijin** (see above). The letter reportedly included the following political demands: a reassessment of the 1989 democracy movement; the return of political exiles; the restoration of the political rights of the former Chinese Communist Party General Secretary Zhao Ziyang, who was ousted from government and placed under house arrest on 23 June 1989 for advocating a dialogue with the students demonstrating in Tiananmen Square; the release of all prisoners of conscience; China's ratification of the International Covenant on Civil and Political Rights; national elections. Charged on 25 June 2003 with inciting subversion of state power. **Details of trial:** His trial began on 10 July 2003 at the Xi'an Intermediate People's Court and he was sentenced on 4 August 2003 to five years' imprisonment. **Health concerns:** Said to be suffering from tuberculosis at the time of his arrest, and his health is thought have significantly deteriorated in prison. Transferred to a prison infirmary for several months but subsequently returned to prison. **Place of detention:** Xi'an Municipal Public Security Bureau. **Treatment in prison:** Held incommunicado and feared to be at risk of ill-treatment. **Previous political imprisonment/problems:** Previously served two years in prison for endangering state security, released in February 2001; also detained in 1989 for his involvement in the Beijing pro-democracy protests. **Other information:** Adopted by the UN Working Group on Arbitrary Detention.

ZHAO Yan

Profession: News assistant at the Beijing bureau of the *New York Times* and former reporter for *China Reform* magazine. Also an activist. **Date of arrest:** 17 September 2004. **Details of arrest:** Arrested on charges of "providing state secrets to foreigners" 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. The article preceded the official announcement about Jiang's retirement, which was made on 19 September 2004. Zhao Yan, who worked as a researcher and not a reporter for the *New York Times*, is claimed to be the source of the leak by the authorities and was formally charged on 20 October 2004. On 1 June 2005 it was reported that a new charge of fraud had been brought against him, allowing the authorities to extend the period of untried detention legally permitted in Zhao's case. It is not clear whether the new fraud charge means that the authorities will drop the allegations of leaking state secrets against Zhao. **Treatment in detention:** Held incommunicado. **Previous political imprisonment/problems:** Zhao began working at the "New York Times" in May after he was forced out of his job as a reporter for "China Reform" magazine. Reportedly harassed on numerous occasions in 2004 for his aggressive reporting for *China Reform* magazine alleging government abuse of peasants across China. In June 2004, police raided Zhao's family home. According to the New York-based organization Human Rights in China, the raid startled Zhao's elderly father and precipitated a decline in his health and he died a few days later.

***ZHANG Lin**

D.o.b.: 1963. **Profession:** A dissident writer and pro-democracy advocate. **Date of arrest:** 27 January 2005 **Details of arrest:** Arrested on 27 January 2005 at Bangbu City railway station in Anhui Province. At the time of his arrest, Zhang Lin had just returned from a trip to Beijing

where he planned to pay his respects to the late Zhao Ziyang, a reformist politician who had died on 17 January 2005. Zhang Lin was not permitted to do so by the authorities and was forced to return to Bangbu. On 29 January, Zhang Lin was charged with “disturbing social order”, and placed in detention for 15 days. His house was searched by police on 6 February. On 12 February, shortly before he was due to be released, he was charged with “suspicion of endangering national security”, and remains in detention. According to the official indictment issued by the Bengbu authorities on 23 May, 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: Tried on charges of ‘incitement to subvert state power’ at the Intermediate People’s Court of Bengbu, Anhui Province, on 21 June 2005. A verdict has yet to be announced. **Place of detention:** Bengbu No.1 Detention Centre **Treatment in detention:** Held incommunicado and is said to have staged two hunger strikes in protest at his detention and alleged ill-treatment in prison. **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.

Investigation

***CAI Zhouhua:** Publisher. Reportedly arrested with XIAO Yunfei (f), HU Jiayun (f) and XIAO Gaowen on 13 September 2004 and accused of ‘illegal commercial activity’ for profiting from the sale of illegal books. Charges relate to the sale of an unlicensed book, a version of the Bible not approved by the authorities, published by Maizi (‘Culture and Art’) publishing House. Cai is reportedly the publisher, the others distributors, of the book. Sentence reportedly passed on 1 June 2005. WiPC seeking further details.

***CHING Cheong:** Hong Kong based correspondent for Singapore’s *The Straits Times*. Ching Cheong was detained on 22 April 2005 in Guangzhou, southern China, on charges of espionage. PEN understands that no evidence has so far been supplied to support the charges. 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 clampdown on the Tiananmen 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 Cheong was later transferred to Beijing, where he has since been held under a form of detention known as ‘residence under surveillance’. The WiPC is following developments in the case.

***Abdulla JAMAL:** Teacher and writer. Ethnic Uighur from the Xinjiang Uighur Autonomous Region (XUAR). Reportedly arrested in early April

2005 for writing a book which allegedly incites ‘separatism’. Jamal, who teaches at the No.1 Middle School of Poskam County near Kashgar, is said to be known in the region for his writing. He was detained after he submitted the manuscript of his book ‘Disaster in the Oil Well’ to a publishing house in Kashgar. The exact charges against Jamal have not been made known, although the Chinese authorities have reportedly accused him of inciting ‘separatism’ in the book. His whereabouts are unknown and he is feared to be at risk of torture.

LIU Shui: D.o.b.: 1967. Freelance journalist, has reportedly worked for a number of publications including *Nanfang Dushi Bao* (*Southern Metropolis News*) and *Shenzhen Wanbao* (*Shenzhen Evening News*). Reportedly arrested on 2 May 2004 in Shenzhen with a friend on charges of “soliciting prostitution”. Taken to a detention centre, and the following day his friend was released. Liu was reportedly transferred to Xili Detention Centre in Shenzhen, where he was administratively sentenced to two years’ “custody and education”, a form of administrative detention specifically designed for accused prostitutes and their clients. In recent months Liu Shui had published a number of essays, news reports and poems online. Prior to his arrest, Liu is said to have written a number of essays commemorating the June 4 1989 military crackdown on the pro-democracy movement, advocating the release of political prisoners and calling for political reforms. Many of his essays were posted on overseas Chinese-language web sites. Previously detained in 1994 when he was sentenced to three years imprisonment for editing a book ‘The Truth About the June 4th Incident’. Also briefly detained in 1998. WiPC seeking confirmation that he is currently being targeted for his writings.

YU Huafeng and LI Mingyong: Deputy editor-in-chief and general manager, and former editor respectively, of the Guangzhou-based daily *Nanfang Dushi Bao* (*Southern Metropolis News*). Yu Huafeng was sentenced by the Dongshan District Court in Guangzhou, Guangdong Province, to twelve years in prison on corruption charges on 19 March 2004, reduced on appeal to eight years. Li Mingyong was sentenced to eleven years, reduced to six on appeal, for bribery in a related case. Yu was reportedly detained on 14 January 2004 for alleged financial irregularities and was convicted for embezzling 580,000 yuan (US\$70,000) and distributing it to members of the newspaper’s editorial committee. The court also accused Yu of paying Li a total of 800,000 yuan (US\$97,000) in bribes while Li was editor of *Nanfang Dushi Bao*. Li was convicted of accepting bribes totalling 970,000 yuan (US\$117,000). Both men maintain that the money in question was acquired legally as staff bonuses. Chinese journalists familiar with the case report that the evidence presented in court did not support the charges. *Nanfang Dushi Bao* is known for its aggressive investigative reporting on social issues and official corruption, and there are concerns that the sentences are part of a campaign to silence the newspaper. The newspaper’s editor-in-chief Chen Yizhong (see below) has also been arrested in the case. On 15 June 2004 the Intermediate People’s court in Guangzhou reduced Yu Huafeng’s sentence on appeal to eight years, and Li Mingyong’s to six years. WiPC seeking confirmation that the charges have been levied for their writings.

***ZHENG Yichun:** A professor and freelance writer who was arrested on 3 December 2004. After his arrest, he was taken to Yingkou city and held at the Liohe hotel for about ten days. On 31st December, his family was informed that he had been charged with “subversion of state power” and that his arrest was officially approved by the Yingkou Prosecutorial authorities. His family was told not to publicise the arrest which was finally made public when the *Yingkou daily* officially reported his arrest and detention on 24 February 2005. He was tried on 26 April 2005 and is

awaiting sentence. Zheng Yichun has written on a wide range of topics, including on political reforms in China. He is currently detained at the No.1 Detention Centre in Panjing City.

Brief detention

***Dr. LI Boguang:** Freelance writer and director of the Qimin Research Centre in Beijing. Arrested in Fu'an, Fujian Province, on 14 December 2004. It is believed that Dr. Boguang's arrest was related to his activities in support of farmers in Fu'an who have been campaigning against corruption, and who have been embroiled in a land dispute with the Central Government. Dr Li Boguang was released on 21 January 2005.

YANG Tianshui: Freelance journalist. Arrested on 24 December 2004 in Hangzhou, Zhejiang Province, for allegedly "inciting subversion of state power". Tianshui was released on 25 January 2005. His movements are restricted. The charges against him have not been dropped, which means he could still be prosecuted.

Released

CHEN Yanbin (Yanlin): Co-editor of *Tielu*. Arrested late 1990 and sentenced to 15 years plus four years' deprivation of political rights which was reduced by 3 months in 1998. He was accused of "counter revolution" for his involvement in the Chinese Revolutionary Democratic Front and for his work for *Tielu*, the Party's publication, which carried items on the Tiananmen Square crackdown. He was released on 12 April 2005.

YAN Jun: Biology teacher and well known dissident. Arrested on 2 April 2003 and sentenced in December 2003 to two years' imprisonment for posting allegedly "subversive" articles on the internet. He was released on 4 April 2005.

HUANG Qi: Internet publisher. Arrested on 3 June 2000 and sentenced to 5 years' imprisonment for posting allegedly "subversive" material on his Tianwang Web-site (www.6-4tianwang.com) between March and June 2000. The articles discussed the pro-democracy movement, the Xinjiang independence movement and the banned spiritual group Falun Gong. Presumed freed on expiry of sentence.

Case closed

CHEN Guidi and WU Chunato(f): Writers. Their book *An Investigation of China's Peasantry* was reported on 5 July 2004 to have been banned by Chinese officials. The book describes cases of abuse and extortion of farmers by corrupt officials, and reportedly includes a report about a farmer and village activist who was allegedly beaten to death by police after being jailed for accusing a local party leader of corruption. After the government ordered the publisher 'People's Literature' to cease printing, the market was taken over by pirates who have reportedly sold millions of copies in violation of the copyright. The authors have also faced prosecution on libel charges brought by a local official named in the book. The case was heard from 24 August-28 August 2004 but the verdict has yet to be announced. Case closed for lack of further information.

TIBET AUTONOMOUS REGION

Main cases

***Lobsang DHARGAY, Tashi GYALTSEN, Jampel GYATSO, Tsultrim PHELGAY and Toesam Zangden**

D.o.b.: 1968, 1964, 1979, 1967 and 1973 respectively. **Profession:** Monks from the Drakar Trezong monastery in Qinghai province, north-

western China. **Date of arrest:** 16 January 2005 **Sentence:** Tashi Gyaltsen and Jampel Gyatso were reportedly administratively sentenced to three years RTL ("re-education through labour") and Lobsang Dhargay, Tsultrim Phelgay and Toesam Zangden to two years' RTL respectively. **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 Dzung, near Xining in Qinghai province, northwestern China. **Professional details:** Tashi Gyaltsen 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. **Previous political problems/imprisonment:** Lobsang Dhargay and Toesam Zangden were detained without charge for one and two months respectively in 2002.

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 Gyaltsen was sentenced to thirteen years' imprisonment for leading the protest. Three other monks co-accused with the Gyaltsen brothers were sentenced to lesser terms ranging from two-six years for their participation in the protest, and have now been freed on expiry of their sentences. 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.

Ven NGAWANG Phulchung

D.o.b.: c.1958 **Profession:** senior monk from Drepung monastery near Lhasa. **Date of Arrest:** 16 April 1989 **Sentence:** 19 years in prison plus nine years' deprivation of political rights **Expires:** 15 April 2008 **Details of Trial:** Sentenced at a mass rally in November 1989 for producing political leaflets which 'venomously slandered the people's democratic dictatorship' and for 'spying for the enemy'. **Place of Detention:** Tibet Autonomous Region Prison (formerly Drapchi Prison), Lhasa. **Previous Political Imprisonment/Problems:** Publications of Drepung printing group included a Tibetan translation of the Universal Declaration of Human Rights and a Tibetan political manifesto, 'The Meaning of the Precious Democratic Constitution of Tibet', calling for constitutional democracy. Singled out as the leader of a group of monks who were secretly producing literature critical of the Chinese govt in early 1988. Accused of setting up 'illegal separatist movement' or 'counter-revolutionary clique' and of 'collecting information and passing it on to the enemy, seriously undermining national security'. **Honorary Member of:** English, American, Canada, Sydney and Austrian PEN.

Released

JAMPEL Changchup: Monk from Drepung Gonpa monastery. Arrested on 13 September 1989 and sentenced to 19 years' imprisonment plus five years deprivation of political rights for being "a main culprit" in "printing leaflets and forming counter revolutionary organisations" and for "spying for the enemy". PEN learnt in April 2005 that he had been released on or around 7 March 2005.

INDIA

Brief detention

***N.VENUGOPAL, G.PINAKAPANI, V.CHENCHIAIAH and Ravi KUMAR:** Editor of the fortnightly *Veekshanam*, editor of the literary magazine *Aruna Tara* and writers respectively. All members of the Revolutionary Writers Association ('Virasem'). Arrested on 30 May 2005 at a hotel where they had met to discuss media interaction with the Maoist party, the second round of talks between the state and CPI (Maoist), and issues relating to the Revolutionary Writers Association. All were released after 72 hours except Venugopal, who was held until 16 June 2005 when he was freed on bail.

Case closed

Sanjay ARYA: Freelance journalist. Reportedly arrested on 21 October 2004 under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. He is thought to be targeted on trumped-up charges for his writings on local corruption. Case closed for lack of further information.

INDONESIA

Sentenced, free on bail pending appeal.

Bambang HARYMURTI: Chief editor of *Tempo* magazine. Convicted of criminal defamation on 16 September 2004 and sentenced to one year in prison. The case was brought by building contractor Tomy Winata following the publication of an article on 3 March 2003 entitled 'Is Tomy Behind 'Tenabang'?' in which it was alleged that Winata stood to gain from, and may have been responsible for, a suspicious fire that destroyed the Tanah Abang textile market in Jakarta in February 2003. Winata had lodged a Rp53 billion renovation contract with the Jakarta authorities to rebuild the market. This is said to be the ninth case filed by Winata against *Tempo* magazine in two years. On 27 March 2003, police summoned Harymurti for questioning after Winata registered criminal complaints against *Tempo* magazine and the authorities charged him with libel and defamation. Harymurti is also charged with the violation of Article 5 (1) of the Press Law, which carries a maximum fine of 500 million rupiah (US\$ 56,000). The same three charges were later filed against *Tempo* reporters Ahmad Taufik and T.Iskander Ali, who were both acquitted on 16 September 2004. Harymurti remains free pending appeal as of June 2005.

Risang Bima WIJAYA: former general manager of the daily *Radar Jogja*. Sentenced to nine months in prison on charges of criminal defamation on 22 December 2004. He was found guilty of publishing articles in his newspaper suggesting that the general manager of another newspaper had sexually harassed another staff member. Wijaya is free on appeal.

MALAYSIA

Sentenced, free on bail pending appeal

Irene FERNANDEZ (f):

D.o.b.: 1948. **Profession:** Director of *Tenaganita*, a women's rights organization. **Date of arrest:** 18 March 1996 **Sentence:** 12 months' imprisonment **Details of arrest:** Charged with "false reporting" under Section 8a of the 1984 Printing Presses and Publications Act which carries a maximum three-year sentence. Charges relate to a report she issued in July 1995 entitled "Abuse, Torture and Dehumanised Treatment of Migrant Workers at Detention Camps". Govt accuses her of making false statements in the report including the numbers of people interviewed, allegations of strip-searching, poor sanitation, corruption and health problems. **Details of trial:** 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 began in June 1996 and is the longest trial in Malaysian legal history. She remains free on bail pending appeal but her passport was withdrawn on 4 November 2003. The case was transferred to the Kuala Lumpur High Court. **Honorary member of:** Canberra PEN Centre.

Zulkifli SULONG: Editor of biweekly *Harakah*, the newspaper of the opposition Pan-Malaysian Islamic Party (PAS). Reportedly arrested on 12 January 2000 and charged with sedition for publishing a statement criticising the government's handling of the sodomy trial of former Deputy Prime Minister Anwar Ibrahim. The statement was published in the 2 August 1999 edition of *Harakah*. Sulong was released on bail and his trial started in May 2000. He reportedly denies the charges and proceedings were continuing as of June 2005. He faces up to six months in prison if convicted. The newspaper's owner was also arrested and charged in the case. On 22 December 1999 the Ministry of Home Affairs banned the sale of *Harakah* at news-stands, and on 24 December 1999 threatened the newspaper with sanctions if sales of the newspaper were not limited to party members only by 8 January 2000.

MALDIVES

Main case

Ahmed Ibrahim DIDI and Mohamed ZAKI.

Profession: Both are businessmen and internet writers. **Date of arrest:** January and February 2002. **Sentence:** Sentenced to life imprisonment, reportedly reduced to fifteen years imprisonment in 2003. **Details of arrest:** They were arrested for their alleged involvement with *Sandhaanu*, an internet publication critical of the authorities. Didi and Zaki were taken to Malé Police Headquarters along with another businessman Ibrahim Moosa Luthfee and secretary Fathimath Nisreen (see below), where they were held in solitary confinement. They were then transferred to a detention centre on the island of Dhoniidhoo, where they were held until September 2002. In May 2002 Luthfee managed to escape and now lives in exile. On 12 August 2004 Didi managed to attend a mass rally in Malé, and was among scores to be arrested. Zaki was too ill to attend. He was being held under house arrest at the time, and on 13 August 2004 Didi were re-arrested. Zaki was re-arrested on 16 August and held at Maafushi prison until 6 October 2004 when he was transferred back to house arrest, and Didi is held in Dhoniidhoo prison as of June 2005. **Details of trial:** On 29 May 2002 they were charged with 'defamation' and 'committing acts hostile to the government', and a second hearing took place in June. Throughout the proceedings they

were denied access to a lawyer. They were sentenced on 7 July 2002. The authorities have denied their request for an appeal. **Place of detention:** Zaki is under house arrest, and Didi is held in Dhoonidhoo prison. **Treatment in prison:** Have spent periods held in solitary confinement, conditions in the prison are said to be harsh. Prisoners are kept in handcuffs at all times and access to healthcare is severely limited. Their cells are not ventilated and their drinking water is restricted. Visits from relatives are only allowed once a month. Health concerns: Zaki and Didi require urgent medical treatment; Didi was reportedly hospitalised for heart problems on 10 February 2004 and doctors reportedly recommended his transfer to a hospital abroad for further treatment not available in the Maldives. The government has refused the transfer. Zaki reportedly suffers from a bladder condition which deteriorated in early 2004 and he was transferred to hospital in Male at his own cost in February 2004. The hospital reportedly does not have the necessary equipment to treat him and his condition has not improved. **Other information:** Adopted by the UN Working Group on Arbitrary Detention. Honorary members of: English PEN.

Naushad (aka 'Naube') WAHEED

D.o.b: 1963 **Profession:** Poet, painter and cartoonist. **Date of Arrest:** 9 December 2001 **Sentence:** 15 years imprisonment **Expires:** 8 December 2016 **Details of Arrest:** Arrested in Malé in December 2001 for attempting to send an email to Amnesty International with information about human rights abuses in the Maldives. He was not taken up by PEN until November 2004 as he was not known to be a writer. **Details of Trial:** Tried in October 2002 without access to a lawyer. Sentenced on 12 October 2002 to 15 years' imprisonment for treason. **Place of detention:** Dhoonidhoo prison. Currently on medical leave and under house arrest. **Treatment in prison:** Has spent periods in solitary confinement and has reportedly been tortured. **Health concerns:** Naube suffers from acute ulcers, a kidney infection and spinal injuries mainly caused by months of torture while in detention. He has reportedly lost a lot of weight and has become mentally unstable. Reportedly denied adequate medical treatment in prison. **Previous political imprisonment/problems:** Naube is known for being an outspoken critic of the current regime of President Maumoon Gayyoom. In 1991, he was detained for 4 months for drawing a political cartoon in a popular magazine, the *Hukurum*, and was a PEN case. **Professional details:** A well-known artist, has also written a poem in prison.

Released

Fathimath NISREEN(f): Personal secretary to Ibrahim Moosa Luthfee. Arrested in January 2002 along with Ahmed Ibrahim DiDi, Ibrahim Moosa Luthfee and Mohamed Zaki for their alleged involvement with *Sandhaanu* (see above). On 29 May 2002, she was charged with 'defamation' and 'committing acts hostile to the government'. She was sentenced on 7 July 2002 to ten years in prison, reduced to five years on 13 November 2003. She was freed on amnesty on 9 May 2005.

MYANMAR (BURMA)

Main cases

AUNG Pwint, THAUNG Tun (Nyein Thit)

Profession: both documentary film makers, editor and poets. **Date of arrest:** early October 1999 **Sentence:** eight years. **Expires:** October 2007. **Details of arrest:** Aung Pwint (born c. 1946) and Thaug Tun

(born 1959) were arrested separately in early October 1999 for filming a video documentary that included portrayals of forced labour and rural hardship. Convicted and sentenced to eight years in prison. Aung Pwint charged with "illegal possession of a fax machine" and sending information to banned Burmese newspapers. Thaug Tun charged under Article 5(j) of the emergency act for sending abroad information on human rights violations. **Professional details:** Aung Pwint worked for a private media company that specialises in tourism and education. He and Thaug Tun had worked together on documentaries. Aung Pwint is said to be noted poet writing under the name Maung Aung Pwint. Thaug Tun, also said to be a poet writing under the pen name Nyein Thit worked for *Padaut Pwint Thit* (banned in 1995) and wrote for Rangoon City magazine and on videos for various independent production companies. **Previous political persecution:** Aung Pwint had been prohibited from making videos in 1996 for showing "too negative a picture of Burmese society and living standards". (HRW). **Place of Detention:** Aung Pwint – Irrawaddy Prison (2003) Thaug Tun – Moulmain Prison **Health Concerns:** One source suggests that Thaug Tun is said to suffer from brain disorder.

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 eye-witnesses estimate the numbers killed to be over sixty. Many were also injured, including Aung San Suu Kyi, who is believed to have suffered cuts to the face and shoulder when the window of her car was shattered by a brick. Her injuries are not thought to have been serious. **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.

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.

KHIN Zaw Win (aka Kelvin)

Profession: Dentist, interpreter, former speech and report-writer for UNICEF and student **Date of Arrest:** 4 July 1994 **Sentence:** 15 years **Expires:** 3 July 2009 **Details of arrest:** Arrested at Yangon airport as he prepared to leave for Singapore. Accused of carrying documents relating to the Burmese opposition movement. Also contact with other dissidents, writer Daw San Nwe, U Khin Maung Swe and U Sein Hla Oo (see below). The group is said to have made contact with foreign diplomats and journalists and sent "news comments against or critical of the government" to them. **Details of trial:** 6 October 1994, sentenced to 15 years imprisonment by a civil court at Insein Prison for offences under the Emergency Provisions Act (spreading false news), the Unlawful Associations Act (membership or contact with illegal organisations) and the Official Secrets Act (possession of secret official information). Also accused of having made arrangements to send "fabricated news" to UN Special Rapporteur Yozo Yokota. **Professional details:** Usually resident in Singapore at time of arrest where he was due to start a Masters degree in Public Policy. Was visiting Burma, his country of origin, as part of his research. **Place of detention:** Myitkyina Prison, Kachin State **Treatment in Prison:** Reportedly among a group of political prisoners ill-treated following the discovery of a protest letter addressed to the UN in November 1995. Also said to have been refused family visits since May 2002. **Honorary member of:** English PEN. [Freed under amnesty in July 2005.]

KYAW Sein Oo

Profession: Assistant to the head of the information department of the National League for Democracy (NLD). **Date of arrest:** 14 September 2000 **Sentence:** Seven years' imprisonment. **Expires:** 13 September 2007 **Details of arrest:** Accused with Aung Myint (see below) of distributing information regarding the repression of the NLD to international press agencies and to Western diplomats based in Rangoon. The charges are believed to relate to a press release written by Aung Myint and his assistant Kyaw Sein Oo and distributed to international press agencies and foreign embassies in Rangoon in September 2000 a few hours after NLD leader Aung San Suu Kyi was arrested by security forces as she was trying to leave Rangoon. **Details of trial:** Kyaw Sein Oo was sentenced under the Printers and Publishers Registration Act.

U SEIN Hla Oo

D.o.b.: 1938 **Profession:** Journalist with the daily *Botahtaung* and well-known short story writer. MP-elect for National League for Democracy. **Date of Arrest:** 5 August 1994 **Sentence:** Sentenced to 7 years in prison. Sentence reported to have been extended to 14 years whilst in prison. **Expires:** 4 August 2008. **Details of Trial:** Reported on 23 August 1994 to have been formally charged with criticising the Burmese govt, contacting banned opposition groups and 'fabricating' anti-govt reports. Also accused of exchanging information with a member of armed opposition group. Sentenced on 6 October 1994 to seven years in prison for spreading information injurious to the state. In 1999 his sentence was reported to have been extended to 14 years for reasons unclear to WiPC. **Place of**

detention: Myitkyina Prison **Treatment in Prison:** Reportedly suffering from heart disease and is believed to be receiving treatment at the prison hospital. He has reportedly been denied visits from his wife since February 2002. **Previous Political Imprisonment/Problems:** Previously imprisoned from 1990 to 1992. **Honorary member of:** English and USA West PEN Centres. [Released under amnesty in July 2005].

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:** Suffers from spondylitis, an inflammation of the vertebrae, diabetes and high blood pressure. Has also lost several teeth and requires dental treatment. Is dependent on his family for medicine and meat, which he needs for his medical condition. In March 2002 he was reportedly being treated in Yangon General Hospital, where he had been operated on for a hernia. His condition is reportedly stable, although it is feared that his return to prison in May 2002 could endanger his life. Returned to Rangoon General Hospital on 27 July 2002 and again on 23 November 2002 for treatment for a heart ailment. **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. **Honorary Member of:** Hong Kong (English), New Zealand and Japan PEN centres.

House Arrest

*U SHWE Ohn: A veteran politician from the Shan community. He was arrested on 8 February 2005 and placed under house arrest for a year by the State Peace and Development Council (SPDC). U Shwe Ohn's arrest came after he met other Shan leaders in Taunggyi, the capital of Shan state, to discuss the role of the Shan people in the reconvened "National Convention", the forum established by the regime with the stated aim of

“drafting and adopting by referendum, a democratic constitution”. U Shwe Ohn was previously arrested in December 1992 and sentenced to one year’s imprisonment for writing and distributing an essay in which he made suggestions for a new constitution to the previous National Convention (1993-1996). He is the other of “Towards the Third Union of Burma”.

Investigation

Monywa AUNG Shin (U Aye Kyu): writer and vice-Chairman of the Sagaing Division of the National League for Democracy. Arrested in September 2000 and reportedly convicted under Article 5(j) of the emergency act. Currently held in Insein Prison and said to suffer acute asthma. Started to write poetry in 1962 published in several popular magazines until he was banned from publication in 1988 for his involvement in the NLD. Previously served terms of political imprisonment from 1967-1970, and four months in 1990. PEN is seeking confirmation of the above.

Released

AUNG Myint (aka Phya Pon Ni Loan Oo): Poet, journalist and head of the information department of the National League for Democracy (NLD) in Rangoon. Arrested on 14 September 2000 and sentenced to 21 years’ imprisonment for violating the State Protection and Emergency Provision Acts. Aung Myint was accused of distributing information regarding repression of the NLD to the international press. He was amnestied on 3 January 2005.

U OHN Kyaing (Aung Wint): Politician, Translator and former editor of the Bohtataung Daily. Arrested on 6 September 1990 and sentenced to 7 years’ hard labour on 17 October 1990. According to reports, he had accused the army of brutally breaking up a monks’ and students’ demonstrations in Mandalay in August 1990. Amnestied on 3 January 2005.

ZAW Thet Htwe: Editor-in-chief of First Eleven Sports Journal. Arrested on 17 July 2003. He was sentenced to death by a special military court. He was reportedly sentenced with eight other defendants under Article 122/1 of the Law on High Treason for allegedly plotting to murder leaders of the State Peace and Development Council (SPDC), Myanmar’s military government. On 12 May 2004 the charge of high treason was quashed on appeal by the Supreme Court and the death sentence against him was commuted, but he was sentenced to three years in prison for sending reports to opposition activists abroad. Amnestied on 3 January 2005.

U MYO Htun: Student activist and writer. Arrested in February 1998 with Ko AUNG Tun (see ‘main case’ above) and sentenced to 7 years in prison for assisting Ko Aung Tun in writing a book on the history of the student movement in Myanmar. An unconfirmed report suggested that he may have been amnestied in November 2004, sentence expired in February 2005. Presumed freed.

NEPAL

Killed: investigation

***Khagendra SHRESTHA:** Editor of the *Dharan Today* newspaper was shot twice in the head at his office in Dharan, 540 km from Kathmandu on 15 March 2005. Shrestha died of his wounds on 31 March in hospital in the Indian town of Siliguri.

Kidnapped

***Bikram GIRI:** Reporter for the *Kantipur* daily. Abducted by (CPN) Maoist rebels on 3 June 2005. Released on 10 June 2005.

***Chandra GIRI:** Journalist with the *Shram* publication. He disappeared on 30 December 2004 after visiting a fellow journalist in Hariharbhawan, near Kathmandu.; no group has claimed responsibility.

***JB Pun MAGAR:** A reporter with the *Himal Khabarpatrika* was kidnapped by persons unknown on 9 March 2005 and released on 11th. Magar was kidnapped while covering an anti-rebel uprising in Kapilbastu district approximately 186 miles from Kathmandu.

***Som SHARMA:** Journalist with the weekly *Aankha*. Kidnapped by (CPN) Maoist rebels on 13 May 2005 in eastern Nepal for his critical reporting on Maoist activities. Said to be in poor health. [Released on 9 July 2005].

Investigation

***Narayan ADHIKARI:** A journalist from the government owned *Rastriya Samachar Samiti*. He was arrested on 15 February 2005. The WiPC is seeking information as to his whereabouts and of his conditions of detention.

***Sujeev BAJRAHARYA:** Editor-in-chief of the daily *City Times Sandhyalkin*, was arrested on the 16 February 2005 for publishing the opinions on the royal coup on 1 February 2005 of Girija Prasad Koirala, a former Prime Minister and President of the Nepali Congress. The WiPC seeking an update on his status.

Yagya DHAKAL: Publisher and chief editor of *Awaj Weekly*. Arrested on 9 October 2004 by plain clothes security forces. The WiPC is seeking an update.

Binod DAHAL: Editor of the monthly *Kosedhunga*. Arrested in December 2003 and detained without charge until 27 June 2005, when he was charged under anti-terrorism laws. Held at Nakhkhu jail, Kathmandu. Reportedly tortured in detention. Dahal is said to require ongoing treatment for a kidney disorder, and underwent surgery two months’ ago. There are serious concerns for his health. WiPC seeking details of charges against him.

***Arjun DHANAK:** Editor of the weekly *Abhimat*, was arrested on 14 March 2005 after a protest against King Gyanendra in the town of Mahendranagar. According to reports, he is being held at the police station in Kachanpur district. The WiPC is seeking an update.

Bhaikaji GHIMIRE: Journalist. Reportedly arrested in December 2003 and still held without charge. Detention without charge confirmed in June 2005. WiPC seeking further details.

***Kamal KOIRALA:** Editor of the weekly *Roadmap* which is published from Kathmandu, was arrested by the police on 4 March 2005. According to reports, he is being detained at the Hanuman Dhoka police station in Kathmandu. The WiPC is seeking an update.

***Ghanash LAMA:** A reporter for the weekly *Jana Prahara* was arrested on 13 March 2005 in Kathmandu while covering a demonstration against the king. According to reports, he is being held at the Ward police station in the Kamal Pokhari district of Kathmandu. The WiPC is seeking an update.

Bandhu Dev PANDEY: Owner of Ashiwairya Press, journalist for the *Raktakali Press* and the progressive literary magazine *Kalam*. Reportedly arrested on 7 July 2004 during a raid on his printing press, and materials prior to 1996 were seized. Previously detained under the Terrorist and Disruptive Activities (Control and Punishment) Act (TADA) from 26 January 2002-30 October 2002, and also briefly detained in September 2003. Said to have been tortured in custody. His current whereabouts are unknown. The WiPC seeking an update on his and, in particular, clarification of the torture allegation.

- ***Krishna PRAJAPATI:** Correspondent for the daily *Sandhya Times*, was detained on 11 April 2005 in Banepa, 15 miles east of Kathmandu, as he covered an anti government protest. The WiPC is seeking an update.
- ***Basant PRAJULI:** Representative of the *Gorkhapatra Daily*, was arrested and detained in Chitwan on 15 February 2005 for reasons unknown. The WiPC is seeking an update.
- ***Rishiram POKHREL:** Editor of the weekly *Tanahu Aawaj* in Tanahu, western Nepal, was arrested on 8 March 2005 as he was covering a demonstration calling for a return to democracy. According to reports, he is being held at the Damauli police station. The WiPC is seeking an update.
- Shakti Kuman PUN:** Reporter for the daily *Rajdhani*. Reportedly arrested by the security services during a military operation in a rebel held area in mid December 2004. Thought to be held in a Royal Nepalese Army barracks in Pyuthan, western Nepal. Pun had previously been held by Maoist rebels for 35 days and subsequently “rescued” by the army who have continued to hold him for questioning. The WiPC is seeking an update.
- ***Khagendra SANGRAULA:** A columnist for *Kantipur*, was arrested on 4 February 2005. According to reports, he is being held at the police headquarters at Halchowk, on the outskirts of Kathmandu. Sangraula is a well known critic of the monarchy. The WiPC is seeking an update.
- ***Rabinda SINGH and Kashinath YADAV:** Journalist with the weekly *Kalaiya* and editor of the Daily *Brahmastra* respectively. Reportedly arrested on 12 April 2005 in Birjuni, 60 miles from Kathmandu, as they covered anti government protests. The WiPC is seeking an update.
- ***Murari Kumar SHARMA, Bindu Kanta GHIMIRE, Kiran POKHREL Shital KOIRALA, and Shiva DEVKOTA:** Journalist leaders. Arrested on 29 June 2005 as they tried to enter a government building to hand over a petition calling for press freedom to the Minister of Information and Communications.
- ***Suryaa THAPA(f):** A reporter for the weekly *Haank* and a leading member of the Communist Party of Nepal, was arrested on 8 March 2005 while taking part in a meeting to mark International Women’s Day. According to sources, she is being held at the Mahendra police station in Kathmandu. The WiPC is seeking an update.
- ***Dwarika UPRETY:** The publisher of the weekly Roadmap was arrested by the security forces on 27 April 2005 while he was walking to work. The WiPC is seeking information on his whereabouts.

Brief detention

- ***Madhu ACHARYA, Ishwori OJHA, Bhojraj TIMILSINA and R.L. SHRAMJIVI:** Amongst at least 44 journalists to be arrested on 13 June 2005 in a peaceful protest rally against the government crackdown on press freedom. All were later released. Around fifty journalists were detained in a previous protest rally held on 8 June 2005, all were released the following day.
- ***Gopal BARAILI:** A local reporter in the eastern district of Dhankuta for the state run daily *Gorkhapatra*. Arrested 19 March 2005 and fired from *Gorkhapatra*. He was released on 19 April 2005.
- ***Khem BHANDARI:** Publisher and editor of the *Abhiyan* daily, was arrested on 16 February 2005 for covering a protest rally against the royal coup. He was released on 25 February 2005.
- ***Lavadev DHUNGANA:** Editor of the daily *Panchther Times* and correspondent for the daily *Rajdhani* in Panchther District, far-eastern Nepal. Arrested on 3 March 2005. According to reports, he was accused of publishing articles about pro-democracy demonstrations, and a detention order was issued against him for “disturbing the public order”. He was

sentenced to three months’ imprisonment by the Panchther chief district officer. He was released on 21 April 2005.

- ***Kanak Mani DIXIT:** Editor of the *Himal South Asia Magazine*, was arrested on 7th March 2005. Dixit has been an outspoken critic of King Gyanendra’s take over of the government on 1st February 2005. Dixit was released the same night without charge.
- ***Ganesh MAHAR:** A freelance journalist based in Dadeldhura, was arrested while reporting on a meeting of banned political parties on 25 March 2005. According to reports, he will be held in Dadeldhura jail for 90 days. Mahar was formerly chief editor of the *Farwest Daily* and executive editor of *Sahakarmi Weekly*.
- ***Swagat NEPAL:** A reporter for the daily *Nepal Samacharpatra*, was arrested and held for 14 hours by the army in Kathmandu on 21 February 2005.
- ***Bishnu NISTHURI:** Secretary-General of the Federation of Nepalese Journalists, was arrested on 4 February 2005. According to reports, Nisthuri’s arrest was due to a press release he had issued that day which had condemned the attempted arrest of Taranath Dahal, the president of the Federation of Nepalese Journalists. Nisthuri was released 25 February.
- ***D.R PANTH:** A reporter for the daily *Kantipur*, was arrested in Dadeldhura town in the mid western region on 13 February 2005 after calling for an end to press censorship. According to reports, he has been given a three month sentence under the Public Security Act.
- ***Satyaram PARAJULI:** Chief editor of *Majdur Aawaj*. Arrested on 1 April 2005 and held at the training centre of the Nepal Electricity Authority in Kharipati, Bhaktapur, a district close to Kathmandu. He was released on 22 April 2005.
- ***Manohar POKHREL:** Editor of the *Batabaran*. Arrested on 18 February 2005 and issued with a three month detention order. He was released on 24 April 2005.
- ***Robin POUDEL:** A correspondent for the *Tanahu Aawaj* weekly newspaper was arrested on 8 April 2005 while covering an anti government demonstration in Damauli. According to reports, he is being held in the Tanahu Police station and was served with a three month detention warrant under the Public Security Act which sanctions the preventive detention of individuals considered a threat to domestic security and tranquillity.
- ***Arjun SAH:** An executive editor of the *Jana Akrosh* weekly. Arrested on 1 February 2005 and served with a three month detention order. He was released on 24 April 2005.

PAKISTAN

Killed

- ***Allah Noor WAZIR and Amir Nawab Khan WAZIR:** Correspondents for the English language Daily *The Nation* and the English language daily *The Frontier Post* respectively. Both were killed in South Waziristan Agency on 7 February 2005. Anwar Shakir, a correspondent with the Urdu language daily *Islam* was injured in the same incident. The men were travelling in a van when they came under attack by men armed with AK47 assault rifles.

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. **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. **Health concerns:** Reported in September 2003 to have lost a lot of weight and to be denied appropriate medical treatment for a heart condition which has worsened. **Other information:** Father of Mahmood Afridi (see below), managing editor of *The Frontier Post* charged in January 2001 with blasphemy.

Facing trial

***Afzal NADEEM and Asad Ibne HASAN:** Reporters with the newspapers *Awam* and *Daily News* respectively. Cases against them were registered in Karachi on 28 May 2005 for alleged 'anti-state' activities. The charges relate to a mistake in their reporting of the exact timing of a police encounter with criminals in which four kidnappers were killed. The discrepancy in the timing of the incident between their report and the account provided by the chief of police suggested that the killings could have taken place extra-judicially. The charges carry a maximum punishment of seven years imprisonment in one case and three years in the other. *Awam* issued a clarification to the report the following day but the cases were not dropped. The men remain free.

Attacked

***Nisar ABBAS:** Journalist with the *Daily Jang* newspaper was beaten by an army officer on 20 March 2005 in Skardu, in the north of Pakistan. The attack occurred during an army raid on a gathering which was organised by a humanitarian NGO.

***Khurshid AHMED:** A correspondent for the national daily *Khabrain* and president of the Gilgit press club. Ahmed's home in Gilgit, capital of the Northern Areas in Pakistan's far north, was attacked on 3 March 2005.

***Kamran MUMTAZ:** The executive editor of the *Daily Mashriq*, was attacked at the paper's office in Quetta, the capital of Balochistan Province, on 14 April 2005, by supporters of the Jamhoori Watan Party. The attackers had alleged that the paper was biased against their party.

***Anwar SHAKIR:** A correspondent with the Urdu language daily *Islam*, was injured in an attack on the vehicle he was travelling in South Waziristan on 7 February 2005. His two companions, Allah Noor Wazir and Amir Nawab Khan Wazir were killed (see above). The men were travelling in a van when they came under attack by men armed with AK47 assault rifles.

Case closed

Sarwar MUJAHID: Journalist for the Urdu language daily *Nawa-I-Waqt*. Reportedly arrested on 31 July 2004 for writing articles on the conflict between Pakistani militaries and agricultural labourers. Mujahid

was being held in Punjab's Sahiwal Prison under the Maintenance of Public Order Act, which provides for up to three months' detention without charge or trial for threatening public order. Presumed freed, case closed.

PHILIPPINES

Killing

***Marlene GARCIA-ESPARAT (f):** An anti-graft correspondent for the *Midland Review* in Mindanao. She was shot and killed while at her home in the city of Tacurong on 24 March 2005. Ms Garcia-Esparat was reportedly under police protection due to a number of death threats she had received. It's believed by the police that the motive for the killing was work related. She had written extensively on corruption. The WiPC will continue to follow developments in the case.

Killed: Investigation

***Philip AGUSTIN:** Editor and publisher of the weekly *Starline Times Recorder*. He was shot and killed in Dingalan (in Aurora province, Northwest of Manila), on 11 May 2005. According to sources, Agustin was inside the home of his daughter when a gunman fired through a window and then fled on a motorcycle. Agustin was killed by a single shot to the head. The *Starline Times* often carried stories about corruption. The WiPC is closely following developments in the case.

***Arnulfo VILLANUEVA:** Correspondent for the *Asian Star Express Balita*, was shot and killed in Naic, Cavite, just south of Manila, on 28 February 2005. The motive for the killing is currently unknown. The WiPC will continue to follow developments in the case.

Threatened

***Dodie BANZUELA and Iring MARANAN:** two staff members at the weekly *Deretso Balita*, claim to have received telephone threats on 20 February 2005. The two journalists work in San Pablo, south of Manila, and regularly expose corruption. They had both apparently named a leading local official.

Attacked

***Pablo HERNANDEZ:** A writer for the tabloid *Bulgar*. He was stabbed on 8 February 2005. The suspect, identified as 34-year-old Joel Reduca, was apprehended immediately by bystanders and police officers. He claimed he was hired to kill Hernandez. Hernandez was playing pool inside the Sidepockets billiard hall on Quezon Avenue when he received a phone call, which turned out to be the cue for Reduca to kill him. Reduca stabbed Hernandez twice using an ice pick before other patrons and security guards managed to stop him. Under interrogation by Central Police District (CPD) officers, Reduca admitted being paid P20,000 (approx. US\$365) to kill the columnist by senior police officer Bonito Antenunes and four other cohorts, including two high-ranking police officers. Further investigations and follow-up operations by the CPD in the succeeding days resulted in the identification of the suspected masterminds behind the attack.

***Maximo QUINDAO:** Publisher of the weekly "Mindanao Truck News" in Tagum, Mindanao. Quindao was attacked on 29th January 2005 in what appeared to be an attempted assassination. He was shot four times in the chest. A possible motive, according to his wife, was his criticism of politicians in the Mindanao province of Davao del Norte.

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. He had reportedly been invited to South Korea by the Korea Democracy Foundation. 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

Killing

***Darmarathan SIVARAM:** A member of the editorial board of the *Tamilnet website* and a columnist for the English language daily, "*The Daily Mirror*". Disappeared on 28 April 2005 in Colombo. Sivaram was abducted by unknown individuals as he exited a restaurant which was opposite a police station. His body was found on 29 April 2005 in an abandoned paddy field in the Kolonnawa police division of Colombo district. Sivaram's house was searched in 2004, see V.Ivan and Sunanda Deshapriya below for further details.

Death Threat

***Victor IVAN and Sunanda DESHAPRIYA:** Chief editor of *Ravaya* newspaper, and former editor of the *Yukthiya* newspaper respectively. Reportedly received death threats in late April 2005 from an extreme group calling itself "Theraputtabhaya force". The threatening letter, which claimed responsibility for the murder of journalist Sivaram Dharmaratnam (see above), says that all traitors should be ready to become "fertiliser of the motherland" if they continue to betray it. Sivaram, a leading Tamil journalist in Sri Lanka, was abducted and killed on 28 April 2005. The letter was received on the day of a protest rally organised in Colombo by the Patriotic National Movement (PNM) against "the betrayal of the country to the Liberation Tigers of Tamil Eelam".

***Vediwel THEVARAJ:** Editor-in-chief of the Tamil daily *Veerakesari*, reportedly received death threats on 29 and 30 April 2005. The threats come in the wake of the killing of Tamil journalist Darmarathan Sivaram (See above).

TAIWAN

Sentenced/Suspended

HUNG Che-cheng: Reporter. On 25 July 2003 Taiwan's High Court sentenced Hung to one and a half years in prison, suspended for three years, on sedition charges for allegedly revealing military secrets. The sedition charges are based on an article that Hung wrote on 29 July 2000 for the now defunct *Power News*. Government prosecutors claimed that the report included classified information about Taiwan's military exercises, which is a sensitive topic because of Taiwan's strained relations with mainland China.

THAILAND

Killing

***Kiat SAETANG:** Managing editor of the bi-monthly *Had Yai Post*, was shot dead on the morning of 14 February 2005, while riding his motor-bike in Had Yai, in Thailand's southern province of Songkhla. According to his wife, Suchin, Kiat had been receiving threatening phone calls for some time. Suchin reportedly told police that she believed her husband was killed because of his work exposing political misconduct among local politicians.

Attacked

***Manop RATTANACHARUNGORN:** Journalist with the daily *Maichon*. Reportedly shot and wounded in the leg on 1 June 2005 in the southern province of Phangnga, apparently in reprisal for his reporting on illegal land appropriations in tsunami-hit areas. The justice minister has ordered an investigation into these irregularities and Rattanacharungorn is reportedly in the witness protection programme and will be required to testify in court. No arrests have yet been made.

On trial

Supinya KLANGNARONG (f): Secretary General of the Campaign for Popular Media Reform (CPMR). Faces a criminal and a civil libel suit filed by Shin Corp, Thailand's largest telecommunication and mobile company, for an article published in the *Thai Post* on 16 July 2003 in which she alleged that Shin Corp was a major beneficiary of Prime Minister Thaksin Shinawatra's policies. Three Thai Post editors are also said to be charged in the case. The charges carry penalties of up to two years in prison and a fine of 400 million baht (\$US 10 million). The criminal case was adjourned until 19 July 2005.

Sentenced, suspended

***Prasong SOONSIRI and Jirapong TEMPIAM:** Columnist and editor respectively of the daily *Naew Na*. Sentenced to one year in prison, suspended pending appeal, on 2 December 2004 for contempt of court for an article entitled 'Disgraceful Ruling' published on 28 August 2001 alleging government corruption. They were acquitted of the more serious libel charge, and are not expected to be imprisoned.

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. In February 2003 it was reported that Thich Huyen Quang was prevented from travelling to Ho Chi Minh City for urgent surgery to remove a painful growth near his right eye. He was also said to be suffering from high blood pressure, chronic arthritis and stomach ulcers. On 10 March 2003 it was reported that he had finally undergone surgery for the growth on his eye in Hanoi, and had been visited by diplomats from the European Union and the United States. On 2 April 2003 he met with Prime Minister Phan Van Khai, reported to be the first time in unified Vietnam that a Prime Minister has met with the head of the UBCV. In October 2003 he was once again in total isolation in Nguyen Thieu Pagoda and said to be denied access to medical care despite very poor health, including dental problems and a painful throat condition. Reported in November 2004 to be gravely ill in hospital after a stomach haemorrhage. **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.

Nguyen Hong QUANG

Profession: Dissident writer, lawyer and General Secretary of the banned Vietnamese Mennonite Church. **Date of arrest:** 8 June 2004. **Sentence:** 3 years in prison. **Expires:** 7 June 2007. **Details of arrest:** Arrested for allegedly “instigating others to obstruct persons carrying out official duties”, after police searched his home in Ho Chi Minh city. Security agents also confiscated computer equipment and numerous documents, which included files on human rights cases he was working on. **Details of trial:** The charges stem from an altercation on 2 March 2004 between Nguyen Hong Quang, several of his associates at the Mennonite church, and two plainclothes police officers who the Mennonites allege were harassing church workers at the church where Hong Quang lives and works. Five other Mennonite church workers were also convicted with Nguyen Hong Quang on the same charges, and received sentences from 9 months to 2 years’ imprisonment. All six were tried in a four-hour closed hearing by the People’s Court of Ho Chi Minh city on 12 November 2004. **Professional details:** Nguyen Hong Quang, aged forty-five and a married father of three young children, has written numerous essays on human rights in Vietnam, in particular the repression of religious freedom and freedom of speech. He has also provided legal assistance to other prisoners of conscience in Vietnam though is banned from officially practising as a lawyer. He is thought to have been targeted for his writings published on the Internet on the suppression of religious freedom and human rights violations in Vietnam. **Honorary member of:** Canadian PEN.

Nguyen Khac TOAN

D.o.b: 1955 **Profession:** Businessman, freelance reporter and dissident writer. **Date of arrest:** 8 January 2002 **Sentence:** 12 years in prison **Expires:** 7 January 2014 **Details of arrest:** Arrested at an internet café in Hanoi. Accused of assisting a democracy group overseas by criticising the government in a series of emails. **Details of trial:** Convicted of espionage for posting on the Internet his reports about the December 2001 protests against corruption in front of local government buildings and the National Assembly. **Place of detention:** Ba Sao Labour Camp, Ha Dong Province, northern Vietnam.

NGUYEN Vu Binh

D.o.b: 1969. **Profession:** Writer and leading member of the Democracy Club for Vietnam. **Date of arrest:** 21 July 2002, re-arrested 25 September 2002. **Sentence:** Seven years imprisonment, followed by three years house arrest. **Expires:** 24 September 2009 **Details of Arrest:** Arrested by police on 21 July 2002 at his home in Hanoi following a search of his home and seizure of books and other materials. He was put under house arrest and close surveillance by the police, to whom he had to report daily. He was re-arrested on 25 September 2002. **Background to arrest:** On 16 July 2002 Binh and 16 other writers, relatives of detainees and retired government officials wrote an open letter to the government calling for political reform and the release of political prisoners. His re-arrest on 25 September is thought to be linked to the online publication of one of his critical essays, ‘Some Thoughts on the China-Vietnam Border Agreement.’ **Details of trial:** Convicted of espionage by Hanoi People’s Court in a three-hour trial on 31 December 2003. Said to have “written and exchanged, with various opportunist elements in the country, information and materials that distorted the party and state policies”. Also accused of communicating with “reactionary” organisations abroad. His sentence was upheld on appeal by Ha Noi Supreme Court on 5 May 2004. **Professional details:** Binh is a former journalist who worked for 10 years for *Tap Chi Cong (Journal of Communism)*, the official publication of the Communist Party of Vietnam. In January 2001 he left his post to form the independent Liberal Democratic Party. He has since written several articles calling for political reform and criticising government policy. **Place of Detention:** Ba Sao Prison, Nam Ha Province. **Other:** Recipient of the Hellman/Hammett Award 2002. **Treatment in prison:** Held in a cell with two criminal convicts, prison authorities have reportedly not allowed him to receive food or reading materials from his family. Also said to be denied family visits. **Health concerns:** Said to be in poor health and to have staged a hunger strike for two weeks in May 2004. **Previous political imprisonment/problems:** Briefly detained in September 2001. Had been under increased surveillance since April 2002.

PHAM Hong Son

D.o.b: 1967 **Profession:** Medical doctor and dissident writer. **Date of arrest:** 27 March 2002. **Sentence:** 13 years’ imprisonment, reduced on appeal to five years plus three years’ administrative detention (house arrest). **Expires:** 26 March 2007 **Details of arrest:** Arrested on 27 March 2002 on charges of espionage after police searched his home, confiscated his computer and several documents and subjected him to four days’ interrogation. **Details of trial:** Sentenced to thirteen years in prison and three years’ house arrest by the Ha Noi People’s Court on 18 June 2003. He was convicted on espionage charges for his pro-democracy activities, including using email to “translate and send anti-Party documents and anti-government documents” to colleagues abroad. His

sentence was reduced to five years on appeal on 26 August 2003. **Place of detention:** In early September 2004 he was transferred to Yen Dinh Labour Camp in Thanh Hoa province, 280km south of the capital. **Prison conditions:** Said to have been held in solitary confinement since August 2003, during which time his health has seriously deteriorated. He is said to be denied family visits. On 11 September 2004 his wife and two children (aged six and four) travelled to Yen Dinh but were reportedly denied the right to visit him. **Health concerns:** According to Pham Hong Son's wife, who visited her husband on 16 August 2004, Pham Hong Son is very weak and suffering from an inguinal hernia for which he is not receiving adequate medical treatment. The condition is said to require an operation, and if not quickly treated could lead to fatal complications. **Other information:** Recipient of 2003 Hellmann/Hammett grant. **Honorary member of:** French PEN.

Under house arrest

***Nguyen Thi LAN ANH (f):** Staff reporter for the daily *Tuoi Tre*. Anh was indicted on 5 January 2005 for "appropriating state secrets". The indictment followed her investigative reports into the manipulation of the drug market by the Zuellig Pharma Pharmaceutical company. While Lan Anh has not been officially arrested, she is not permitted to leave her home in Hanoi. Lan Anh's indictment stems from an article she wrote in May 2004, where she quotes from a document submitted to the Prime Minister by the Ministry of Health. In the document, the Health Minister recommends an investigation into Zuellig Pharma Vietnam, a subsidiary of Zuellig Pharma, a multi-national firm. Lan Anh alleged that Zuellig Pharma Vietnam had used its monopoly position to drive up the price of medicine.

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 and Thich Tue Si below). 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, and Thich Tue Si sentenced to two years' administrative detention. No formal charges against the three have been made known. Since September 2003 a police clampdown has been underway on efforts by UBCV leaders Thich Huyen Quang and Thich Quang Do to hold a peaceful UBCV Assembly to discuss UBCV reorganisation and new appointments. **Place of detention:** Thanh Minh Zen Monastery in Ho Chi Minh city. **Health concerns:** Reported in November 2003 to be critically ill, and to be denied medical treatment for diabetes and heart problems. Underwent heart surgery in late August 2003, and his health has reportedly rapidly deteriorated as a result of long hours of police interrogation since his re-arrest. **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:** Adopted by the UN Working Group on Arbitrary Detention in May 2005.

PHAM Van Thuong (religious name Thich TUE Si)

D.o.b.: 15 February 1941 **Profession:** Buddhist monk, writer, scholar. Leading member of the outlawed Institute for the Propagation of the Dharma, United Buddhist Church of Vietnam (UBCV). **Date of arrest:** 9 October 2003 **Sentence:** 2 years' administrative detention. **Expires:** 8 October 2005 **Details of arrest:** Part of a delegation of nine UBCV leaders who were all arrested on 9 October 2003 (see Thich Huyen Quang and Thich Quang Do 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. Sentenced to two years' administrative detention. No formal charges have been made known. Since September 2003 a police clampdown has been underway on efforts by UBCV leaders Thich Huyen Quang and Thich Quang Do to hold a peaceful UBCV Assembly to discuss UBCV reorganisation and new appointments. **Place of detention:** Held incommunicado at his residence in Ho Chi Minh city, Gia Lam Pagoda. **Professional details:** Co-author of the Encyclopaedia of Vietnamese Buddhism. **Previous political imprisonment/problems:** Has spent most of the last twenty years in detention or under residential surveillance because of his campaign for religious freedom and free expression. Arrested in 1978 and sentenced to 3 years 're-education'. Arrested again in 1984 and detained for four years without trial. Sentenced to death in 1988, commuted to 20 years imprisonment. Released on 1 September 1998.

Released

Nguyen Dinh HUY: Former newspaper editor and leading figure in the pro-democracy organisation Movement for National Unity and Building Democracy. Arrested on 17 November 1993 for planning an "illegal meeting". He was tried and sentenced to 15 years in prison in August 1995. Released on amnesty on 2 February 2005. Reportedly still under heavy surveillance.

Nguyen Van LY: Priest, scholar and essayist. Arrested on 17 May for publishing a written testimony entitled 'Violations of Human Rights in Vietnam' on the Internet. He was sentenced to 15 years' imprisonment and five years' probationary detention, reportedly reduced to ten years in July 2003 and again in June 2004 to five years' imprisonment and five years' probationary detention for undermining national unity and violating a previous house arrest order. Released on Amnesty 2 February 2005. Reportedly still under heavy surveillance.

Nguyen Dan QUE: Writer and publisher of the underground magazine *Tuong Lai*. Arrested on 17 March 2003. Officials claim he was arrested at an internet café in Ho Chi Minh City while he tried to email his writings to recipients abroad. His family claim he was arrested at home. According to a spokesperson for the Foreign Ministry, Nguyen Dan Que had been 'caught red handed carrying out activities that violate Vietnamese law.' Nguyen Dan Que's arrest follows the 13 March 2003 online publication of an essay entitled 'Communiqué on Freedom of Information in Vietnam', in which he criticised the Vietnamese authorities' reluctance to implement political reforms and to lift controls on the media. He was sentenced on 29 July 2004 to 30 months' in prison for "taking advantage of democratic rights to infringe upon the interests of the state". Released on amnesty 2 February 2005. Reportedly still under heavy surveillance.

Nguyen XUAN Tu (pen-name: HA Si Phu): Biologist, dissident and writer. Arrested on 9 February 2001 and held under renewable two year administrative detention orders for “making contact with reactionaries living abroad to sabotage Vietnam and demanding the overthrow of the socialist regime and the leadership of the Communist Party”. The house arrest order was made amid a clampdown on dissidents following ethnic unrest in the central and southern highlands. His latest detention order expired in March 2005 and has reportedly not been renewed although he remains under surveillance.

EUROPE and Central Asia

ARMENIA

Investigation

Murad BODJOLYAN: age 56. 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 on 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. PEN is seeking an update of his trial and current status.

Case closed

Suren SURENYANTS: editor in chief of the internet site *Republic*, press secretary and member of the political council of the opposition Republic party. Arrested on 4 April 2004 charged under article 301 of the Penal Code for calling “for a forced change of the constitutional order” and Clause 2 of Article 318 of the Penal Code for “insult to the representatives of the authorities”. Case closed due to lack of further information.

AZERBAIJAN

Killed

Elmar HUSEYNOV: editor in chief of the weekly *Monitor*. Shot dead on 2 March 2005 evening on the stairway his home in Baku. The killing is said to have been well organised with neighbours reporting that electricity and power had been cut just prior to the murder, leading to suggestions that this was an assassination aimed at silencing a high profile critic of the authorities and corruption. An investigation was quickly initiated into the death, and foreign experts, including from the USA, were invited

to take part. Huseynov’s death led to mass protests in Azerbaijan and international condemnation. On 7 April 2005 it was announced that six suspects from Georgia had been arrested. The same day the nature of the murder was changed from “premeditated murder” to “an act of terrorism” aimed at destabilising the country. This was met with scepticism by Huseynov’s family and supporters who believe that the arrests may be used for political ends. They question the investigation procedures being followed. The OSCE representative on freedom of the media met with President Aliyev on 11 April 2005 to raise the concerns about the investigation. On 4 May it was reported that four of the suspects were freed, and the fifth had been charged with the murder. **Background:** *Monitor* has long been under attack by the authorities for its critical reports, and Huseynov had been subject to numerous charges, fines and harassment. Most recent was on 18 January 2005 when Huseynov was ordered to pay a fine equivalent 15,000 for an article published in the newspaper deemed to be insulting to the Azeri autonomous republic of Nakhitchevan (an enclave between Armenia and Iran). The newspaper was originally ordered to pay the fine in October 2003, but Huseynov refused to do so. The order was then re-issued. On 10 December 2004, the all proceeds from the sale of the newspaper were frozen. In recent issues the paper had reported on human rights abuses, torture in prisons and poor conditions in the Azeri army.

Briefly Detained/Attacked

***Akper HASANOV:** journalist for the opposition *Monitor*. Reported by RSF to have been held for five hours at Baku military headquarters on 2 February 2005. He was apparently forced by soldiers to write a refutation of an article he wrote published on 29 January reporting on poor conditions in a military unit. Hasanov claims that he wrote the refutation after he and his family had been threatened if he did not do so. The Interior Ministry subsequently issued a statement denying that he had been taken against his will, and had gone of his own volition.

Attacked

***Farid TEYMURKHANLI:** journalist for *Zerkalo*. Reported by RSF to have been set upon by police officers who beat him on the head resulting in loss of consciousness during a demonstration in Baku on 21 May 2005.

***Qanimet ZAHID, Azer AHMEDLI:** editor in chief and director respectively of the opposition *Azadliq*. The men claim that at around 1 am on 26 February 2005 they were kidnapped by five men, two of whom they claim to be policemen. They say that they were held for around eight hours during which time they were beaten and humiliated, including being forced to pose with prostitutes for photographs aimed at blackmail. The women themselves were reportedly also subjected to beating by the kidnappers. Staff at their newspaper where the two men went after being freed from captivity noted that Zahid’s clothes were bloodstained and he had bruising on his face. Zahid had earlier reported that men had offered money to his newspaper staff for his address prior to the attack, and that he had suspected he was under threat. Following a press conference where the two men testified to the attack, a pro government television station broadcast the photos claiming that the men had been involved in immoral acts.

Released

Rauf ARIFOGLU: deputy chairman of the opposition Musavat party and editor in chief of its daily newspaper, *Yeni Musavat*. Arrested on 27 October 2003 on accusation of “inciting public disorder”. Accused of

having been involved in riots that took place around the October 2003 Presidential elections. He claims that on 17 October 2003 he was subsequently subject to a kidnap attempt, and fled to the Norwegian embassy in Baku where he found refuge for some days. On 22 October 2004, Arifoglu was sentenced to a five year prison term as charged. On 20 March 2005, Arifoglu was among 115 political prisoners to benefit from a presidential pardon and freed.

BELARUS

Killed: investigation

Veronika CHERKASOVA (f): age 44, independent journalist. Found by a relative at her home dead from multiple stab wounds on the night of 20 October 2004. CPJ reported soon after the death that colleagues at the trade union newspaper *Solidarnost*, for which Cherkasova had recently worked, expressed concern that the murder may have been linked to her articles published four months earlier on Belarus secret service (KGB) activities. Other reports suggest that the killing may have been by members of the drugs underworld. Cherkasova, who focussed mainly on social and cultural news, did occasionally report on the sensitive issues such as drug abuse. **Investigation:** Police subsequently accused Cherkasova's 15-year-old son, Anton, of the murder, citing a family quarrel as the cause. Anton's grandparents wrote to the authorities on 31 January 2005 to complain of the emotional toll that the investigation was having on the family, accusing the police of wrongly suspecting Anton, and stating that he was suffering psychological distress as a result. According to his grandmother, the day after her letter was sent, police came to Anton's school to take him for psychiatric tests at a closed facility. However his grandparents intervened and he was subsequently taken to Moscow by his father. Speculation about the murder grew following allegations in February 2005 that Cherkasova had been reporting on Belarus arms sales to former Iraqi President Saddam Hussein's regime, and the Belarus Infobank's financing of military contracts in Iraq. RSF and others have called on the authorities to explore the possibility that her death was linked to her reporting and to allay fears that her relatives were being implicated as a means to divert attention away from this. In November 2004, the Belarus authorities responded to the UN Special Rapporteur on Freedom of Expression letter of concern on this case, saying that an investigation was under way and that "all possible theories are being checked" but that there was no grounds to supposing that the murder was linked to her political writings.

Main Case

Professor Yuri BANDAZHEVSKY

DoB: January 1957 **Profession:** Doctor of medicine – pathological anatomy. Author of numerous scientific works. **Date of arrest:** July 1999 **Sentence:** Eight years reduced to four years **Expires:** 6 January 2006 **Details of arrest:** Arrested in July 1999 and released pending trial which started in December 1999. Imprisoned on conclusion of his trial on 18 June 2001. **Trial details:** Convicted on charges of a) receiving bribes from students at the Gomel Medical Institute and b) falsifying documents in an attempt to escape trial. Bandazhevsky's defence is a) that he did not receive bribes and that the charges were levied in retaliation for his medical work, highly critical of the government's handling of the after-effects of the nuclear accident at Chernobyl in 1986, and b) the charges of falsification of travel documents are founded, but that he had done so fearing imprisonment solely for his criticisms. In addition, Amnesty

International and other local human rights groups point to a number of breaches of international standards safeguarding fair trial. Sentence immediately reduced to seven years. An appeal against the sentence was turned down by the Supreme Court on 23 November 2001. Sentence reduced to 6 years in January 2002, to 5 years in January 2003 and again to four years on 8 January 2004. **Professional Background:** Doctorate in pathological anatomy. Director of Belarus' central research laboratory from 1987. From 1990 rector of the Gomel State Medical Institute, southern Belarus (Gomel is one of the areas most affected by the Chernobyl fall-out.) Bandazhevsky has carried out numerous studies into the effects of radio-active fall-out from the Chernobyl disaster on the local population. These have been widely published. Has been openly critical of the Belarus government's response to the impact that Chernobyl has had on public health, and specifically so of the research methodology of the Belarus Ministry of Health's Clinical Research Institution for Radiation Medicine. **Publications:** Reported that Bandazhevsky has published over 200 scientific papers and articles. After being released from pre-trial detention (and before imprisonment) Bandazhevsky completed further scientific works including a book published June 2000 on the impact of radiotope caesium-137 on humans living in the contaminated areas. Reported in January 2002 that he had prepared two scientific books while in prison to be published abroad. **Place of detention:** Currently in an open prison in the village of Belitsa, near Grodno. He works in a cow shed and has a radio and TV and can make telephone calls. He is currently doing a research project on Cs137 health effects. **Health:** Suffers stomach ulcers and depression, for which he received medical attention during his pre-trial detention in 1999. In late 2003 it was reported that although he has been receiving medical attention, his psychological well-being is poor. By mid-2004, his family had reported that his health has improved, but fears for his health were again raised later in the year leading him to be transferred to a settlement area nearer to medical care in Minsk. He received surgery in November 2004 and was said to still be in pain in early 2005. **Family details:** Married – Galina Bandazhevskaya, a cardiologist, and daughter, Olga. **Other:** case subject to scrutiny by the Special Rapporteur on Freedom of Expression to the UN Commission on Human Rights and the Rapporteur on Human Rights Defenders. **Honorary Member:** Swiss Romande, English and Norwegian PEN Centres.

Briefly detained

***Alexei AMETOV, Mikhail ROMANOV:** journalists for the Russian newspapers *Rossisky Newsweek* and *Komsomolets* respectively. Arrested in Minsk on 26 April 2005 while reporting on a protest marking the 19th Anniversary of the Chernobyl disaster. Both were sentenced two days later, on 27 April, for not having obtained accreditation from the Belarus Foreign Ministry. Ametov received a 10-day sentence, and Romanov eight days. Both were held in Okrestina jail in Minsk. Both were freed early on 30 April when a court reduced their sentences in recognition that they were "first time offenders".

***Andrei POCHOBUT:** journalist for the Pahonia internet magazine (www.pahonia.promedia.by). Sentenced on 4 March 2005 to a ten-day sentence by a court in Grodno for having "participated in an unauthorised demonstration". Convicted under article 167-1 of the Administrative Code. He served his sentence at Leninski district prison. Around 3,000 small business owners reportedly stated a demonstration in Grodno on 3 March to protest a rise in value added tax and demanding a meeting with the regional governor. Pochobut was accused of "creating" tension because of his presence at the demonstration as a reporter.

Threatened

***Gennady ANANYEV**: publisher and editor of *Vremya* newspaper. Reported that on 30 January 2005, his wife, was assaulted by unknown men in the stairway of their home in an attack thought to be aimed at intimidating Ananyev who is also a member of the Unified Civic Party which has been under government scrutiny.

Harassment

Irina KHALIP (f): deputy editor of *Belarusskaya Delovaya Gazeta*. Reported to have been summonsed to the Minsk prosecutor's office on 8 November 2004 for a "number of publications". On 11 April 2005 she was brought before a district court on charges of defaming Arkady Mar, described as the editor of a US-based newspaper *Russkaya America*. Khalip is said to have accused Mar of gaining an interview with President Lukashenko by offering him 12-pages of positive coverage in exchange for payment. Khalip wrote this in an article published in her newspaper entitled "The inhabitants of Oklahoma won't find out anything about Lukashenko" on 22 February 2005. Khalip accuses the presidential office of encouraging the defamation case. She was fined 17,800 Euro.

CYPRUS (NORTH)

On Trial

Sener LEVENT: editor of *Afrika*. International Federation of Journalists reports that Levent appeared before a military court on 25th and 26th October 2004 for articles seen to be "insulting" the military. The case relates to pieces published in 1999 and about which 77 accusations have been made since then. The court decided to send all the cases to a civilian court. IFJ reports that if convicted Levent could face up to 2,000 years in prison. It calls the action a "continuing ... victimisation campaign" against Levent. PEN is seeking further details.

Case closed

Basaran DUZGUN, Hasan HASTURER, Suleyman ERGUCLU, Hasan KAHVECIOGLU, Mehmet DAVULCU: Duzgun, Hasturer and Erguclu are editors and writers for *Kibris*. Kahvecioglu and Davlucu are both writers for *Ortam*. All arrested between 3 and 4 November 2003 and are charged with "inciting hatred towards the state", in articles they published. Hasturer also accused of "insulting Turkey's senior officers". If convicted they face sentences of between 11 to 44 years – according to Reporters Sans Frontières in its alert dated 6 November 2003. They were detained. Case closed due to lack of further information.

FRANCE

Case closed

Philippe BRUNET-LECOMTE: publication director of *Lyon Mag*. Reporters sans frontières reports that Brunet-Lecomte has been indicted on 28 April 2004 for "defending a criminal act". Under inquiry is an interview with a controversial imam who advocates the stoning of women that formed part of a series entitled "Islamic Fundamentalism; Lyon Suburbs Infected" published in the magazine on 3 April 2004. Case closed.

GEORGIA

Investigation

Revaz OKRUASHVILI: age 55, editor of the local *Khalkhis Gazeti (People's Newspaper)*. Arrested on 2 August 2004 and charged at a court hearing on 4 August 2004 with drug dealing and illegal possession of arms. Okruashvili's lawyer and supporters dispute the charges, saying that they have been brought as a means of silencing the editor who is known for criticism of the local authorities and reports on human rights abuses. They suggest that the drugs found on Okruashvili had been planted, as well as the gun and ammunition. The Minister of the Interior has stated that he personally had ordered the arrest and warned journalists not to use their profession as a means of covering up criminal activities. Okruashvili's colleagues point to recent articles published in their newspaper on the presidential representative to the Gori region, Mihael Kareli, which had upset the authorities.

GREECE

Acquitted

Gerhard HADERER: Austrian author. First hearing held on 18 December 2003 for the Greek translation of Haderer's illustrated "*The Life of Jesus*". On 18 January 2005 Haderer was sentenced to a six-month suspended sentence. **Angelos Petroutsas**, of Oxy Publishing the publisher of the Greek edition of the book, and four Greek booksellers were tried alongside Haderer. They were all acquitted on 18 January. The book was charged under blasphemy laws for its alleged depiction of Jesus as a "hippie", seen as defamation and ridicule. Haderer's book has been published in a number of other languages, without similar judicial action, although not without controversy among the Catholic community in Austria and other countries where the book has been published. On 13 April 2005, following an appeal against the sentence, Haderer was acquitted.

HUNGARY

Investigation: on trial

Rita CSIK (f): journalist for the daily *Nepszava*. Charged under Article 221 of the Hungarian Penal Code for "deliberate breach of a state secret". According to an International Press Institute press release dated 22 November 2004, the charge stems from an article published in May 2004 in which Csik referred to a police memorandum on a criminal case against a member of parliament where the option of removing immunity from the MP was discussed. This document had been labelled as "classified". Csik faces between one to five years if convicted of "obtaining a state secret in an unauthorised manner". Article 221 provides a maximum 8-year sentence if the secret is "especially important" and 15 years if an "incompetent foreign person" is the recipient of the secret. PEN is seeking further details.

ITALY

Facing Charges

***Oriana FALLACI (F)**: writer. **Dob**: 1929 On 24 May 2005, a court in Bergamo agreed to consider a request that Ms Fallaci be brought to prosecution for allegedly insulting the Muslim faith in her book *The Force of Reason*. The request was made by the Muslim Union of Italy which

objected to derogatory comments about Islam made in the book which was published shortly after the train bombing in Madrid in March 2004. A final decision on whether formal charges would be made are due by early June. Fallaci, the author of a number of controversial books and articles, is resident in the USA.

***Mario SPEZI**: journalist and writer. Home in Firenze searched and documents seized by police in November 2004. Spezi has been warned that he is under investigation for 19 offences although had not been informed of the exact charges. It is believed that the search and seizure order was made by Commissario Giuttari, who is in charge of a controversial murder case. Spezi is carrying out research for a book which is thought to contain comments critical of Giuttari's handling of the case. Spezi claims that research material and manuscripts relating to other work, including a draft of a novel, were also seized and has yet to be returned.

KAZAKHSTAN

Case closed

Gennadi BENDITSKIY: reporter for the weekly *Vremya*. Reportedly faced charges for articles investigation the alleged misappropriation of \$15 million destined for the purchase of arms. A campaign group defend Benditskiy was set up in January 2004, reports Radio Free Europe/Radio Liberty. Case closed due to lack of information.

NETHERLANDS

Killed: investigation ongoing

Theo van GOGH: age 47, controversial film-maker and writer. Shot and stabbed to death in broad daylight as he cycled through an Amsterdam street on 2 November 2004. A police officer and the suspect were injured in a shoot-out. A man holding Dutch-Moroccan nationality was subsequently arrested. A message from the Koran was reportedly left on Van Gogh's body. The suspect is said to have had "radical Islamic fundamentalist convictions". Van Gogh is public figure well known for making outspoken and often controversial remarks, particularly those critical of the Muslim community. Van Gogh's film, *Submission*, had recently been broadcast in the Netherlands, meeting with criticism from Muslims who believed that its portrayal of violence against women was insulting to Islam, in particular a scene with an actress wearing flimsy clothing revealing the Koranic script written on her body. The murder led to widespread protests across the Netherlands and people came out on the streets in their thousands and which included members of the Muslim community and others who, although did not agree with van Gogh, supported his right to freedom of expression. In the days following the murder, there were attacks against Muslims, including an arson attack against a school. A Muslim of North African descent was arrested and charged with the murder. On 25 May 2005, another person, said to be a Chechen was arrested and charged with being an accomplice. The trial is ongoing.

NORWAY – Sri Lanka

Death Threats

***Sethurupan NADARAJAH**: Tamil journalist based in Oslo. Reported at the end of April 2005 that he had been receiving death threats the previous six months. The threats were allegedly posted on Danish web-sites hosted in the USA. The threats suggested that the attacks would be carried out by Tamils based in Norway. Nadarajah's wife was also report-

edly threatened with rape. It is thought that the threats emanate from supporters of a former chief of the Liberation Tigers of Tamil Eelam (LTTE) who has since broken away from the group and now based in the UK. Nadarajah is a member and foreign affairs correspondent of the Sri Lanka Tamil Media Alliance, and contributes to a London-based Tamil radio station as well as a number of web-sites and Sri Lankan media.

POLAND

Case closed

Jerzy URBAN: journalist. Charged on 7 February 2003 with "insulting the head of the Vatican, Pope John Paul II" in an article. Sentenced to a fine in January 2005. Case closed.

RUSSIA

Killed

***Magomedzarid VARISOV**: political analyst, Director of the Republic Centre of Strategic Initiatives and Political Technologies, and journalist. Shot dead in Makhachkala, Dagestan on the evening of 28 June 2005 by a number of men firing from a car. His driver was wounded although Varisov's wife, who was with him, was unhurt. Police and colleagues believe the murder is linked to Varisov's writing. In the past year, Varisov had been contributing to a column entitled "Political Analysis" published in *Novoye Delo* in which he was critical of the Dagestan opposition. He reported in 2004 that he was being followed by strangers and had received telephone threats. His request for police protection was reportedly refused. His last article had reported on events in Chechnya, notably on the flight of around 1,000 people of Avar descent into Dagestan following a 4 June Russian Army offensive in the border town of Borozdinovskaya in which a person was killed and several injured. He is said to have criticised the Chechen authorities for failing to protect their people. Another source adds that Varisov had accused the Dagestan opposition of trying to take advantage of this situation by using it to stir up nationalist hatred. Varisov was considered a leading expert on the Caucasus to whom many journalists had turned as a source.

Killed: Investigation ongoing

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. A police investigation was opened immediately. 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. This followed a controversial article by Klebnikov written in 1996 in which he questioned the honesty of Berezovsky, a wealthy Russian businessman since charge with fraud and now living in asylum in Britain. **Investigation**: On 28 September 2004, Moscow Police Chief Vladimir Pronin was quoted in the press as saying that two Chechens arrested for kidnapping were found with the gun used in Klebnikov's murder. Police subsequently backed away from this statement when investigators announced that the type of pistol used in the killing was not among those seized from the Chechen. Pronin was reportedly rebuked by the Moscow chief prosecutor for making unauthorised statements to the press. Pronin

denied making the remarks. On 2 December 2004, it was reported that four suspects were arrested in Minsk, Belarus. All are said members of the Chechen underworld and will be extradited to Russia. 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 Khodz Akhmed Nukhayevo who had featured in Klebnikov's 2003 book *Conversation with a Barbarian: Interviews with Chechen Field Commander on Banditry and Islam*. The prosecutor said that Nukhayevo remains at liberty, as are two other members of the four person gang accused of being employed to carry out the killing. 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.

Main Case

*Eduard ABROSIMOV

Dob: 1968 **Profession:** journalist and advisor to the Saratov regional governor. **Sentence:** seven months in prison. **Expires:** mid August 2005 **Details of Trial:** The Volga Region Court of Arbitration in Saratov sentenced Abrosimov to 7 months for criminal defamation to be served in a penal colony, plus six months "correctional work" and a fine of 10% of his salary. Convicted under Russian Penal Code Articles 129.2 (defamation disseminated through the mass media) and 129.3 (defamation involving accusation of a serious crime) Abrosimov was taken into custody on announcement of the sentence. He is appealing the decision. **Background to charges:** 1) The first charges under Article 129.2 relate to an article published on 24 November 2004 in the Moscow newspaper *Sobesednik* entitled "Don't Look Through the Keyhole". The article referred to the purported sexual orientation of a State Duma Vice Speaker. The article was published under a pseudonym. 2) The second relates to the unpublished draft of an article subsequently published in the Saratov newspaper *Saratov Stolitsa Povolzhya*. The article, entitled "Thinking Over a Portrait", focussed on local government corruption. Although Abrosimov was not convicted of this article, his original draft included a paragraph that suggested that a local public prosecutor took bribes in exchange for the release of criminal suspects. This paragraph was excised from the published article. He was charged with defamation of the prosecutor mentioned in the unpublished draft which was reportedly found on his computer and in an email sent to the newspaper. Colleagues see prosecution for unpublished articles as "unthinkable". According to the law, distribution of libelous information is deemed to have taken place when it is passed to two or more people. In this case the two persons were the editor of the newspaper who ordered that the offending paragraph be cut, and the computer operator who typed in the text. The latter stated in court that she doesn't read what she types, simply checks grammar. One source says that a complaint was made to the prosecutor by the Duma Vice Speaker in December 2004 and it was during the investigation into this complaint that the draft on allegations of corruption within the Saratov prosecutor's office was found. **Imprisonment:** Abrosimov was Arrested on 21 January 2005 and released pending trial in mid-May on condition that he did not leave Saratov. He is to serve the remaining 2 months of his sentence.

*Nikolai GOSHKO

Profession: deputy editor in chief of the weekly *Odintsovskaya Nedelya* and former correspondent for Radio Vesna. **Date of Arrest:** 6 June 2005

Sentence: five years. **Expires:** 5 June 2010 **Details of trial:** Sentenced to five years in a penal colony on 6 June 2005 by an arbitration court in Smolensk. Goshko is convicted of defaming three Smolensk officials in a statement he made on Radio Vesna on 27 July 2000 in which he implicated them in the murder of Sergey Novikov, the radio station's owner and director who had been shot dead the day before. (one report suggests that he also published the same statement) The trial started in December 2004, originally held before the Lenin Regional Court, he was initially sentenced to a one year suspended prison term. The case was subsequently transferred to the arbitration court. The prosecuting authorities had requested that Goshko receive a one-year suspended sentence, so when the six-year sentence passed, it was greeted with shock and surprise. The court justified the sentence saying that Goshko had been sentenced in 1996 to a one year suspended prison term and a probationary period of five years on conviction of fraud. Goshko was taken to a detention centre and is believed to be appealing the case. **Background:** Sergey Novikov was shot in his apartment on 26 July 2000. His killers have never been apprehended. Novikov's colleagues believe that the killing was linked to Radio Vesna's criticism of the Smolensk authorities. Goshko told listeners to his radio program the day after the killing that he had received information some days before that several Smolensk officials were planning to assassinate Novikov. Free expression commentators in Russia point out that this is the heaviest ever sentence for defamation in Russia. While they acknowledge that Goshko could have shown more tact in his live broadcast and could perhaps have provided more evidence, his statement was no more than a supposition. Colleagues also point out that should be recognised that he was close to Novikov and had been distraught when he made the statement. Whatever the circumstances, the sentence is seen as part of a growing tendency for journalists to be prosecuted for defamation in Russia.

Investigation

Mikhail AFANSSIEV (Afanasyev): journalist. Arrested on 9 December 2004 in the autonomous region of Hakasia as he attempted to travel to Moscow to pick up the Glastnost Defence Foundation's Sakharov Prize. He is reported to be charged with defamation under article 129 of the Criminal Code for an article posted on the website www.nacbez.ru on 6 December entitled "A Gang of Hunters Have Taken Power". Afanssiev is known for his investigative reporting which have already brought five defamation charges against him in 2005, three of which have since been dropped. PEN is seeking further information on Afanssiev's current status.

***Andrei SKOVORODNIKOV:** web-site editor reported to have been sentenced to six months of "corrective labour". An appeal hearing on 4 April 2005 heard by the Krasnoyarsk Central District Court upheld the sentence and ordered that Skovorodnikov's computer be returned to him after it had been cleansed of any files with "negative information" on Putin. He was reportedly convicted for creating an internet site that had carried articles defaming President Putin. PEN is seeking further details.

Kidnapped

Ali ASTAMIROV: age 34. Journalist for the AFP newsagency. Reportedly abducted in front of fellow journalists by unknown armed men in Ingushetia on 4 July 2003. Astamirov, based in the Ingushetia capital, Nazran, is said to have received threatening phone calls in the months before his abduction. It is thought he is being held hostage although no ransom demands have been made. Astamirov's brother issued a taped appeal in January 2004 to the kidnappers calling for him to

be freed and allowed to return to his family and two children. In July 2004, RSF called on the United Nations Working Group on Disappearances and the Council of Europe to investigate the case. RSF continues to campaign on his behalf in 2005.

On Trial

Pavel KRASOTIN: deputy editor-in-chief of *Novosti Klina*, Klin. Reported in mid-December 2004 to be under investigation under Article 319 of the Russian Criminal Code (public slander of an official) and Article 129 of the Code (slander). Related to an article in which local officials are accused of having illegally allowed people linked with terrorism to buy and rent property. PEN is seeking further information.

Facing Charges

Stanislav DMITRIEVSKI: editor-in-chief of *Pravo-zashchita (Rights Defence)*, a monthly newspaper published in Nizhny Novgorod. Criminal investigation initiated in January 2005 by the FSB on charges of attempting to overthrow the government for reports carried in the newspaper in March and April 2004 quoting Chechen rebel leaders based in the UK and France calling for peace talks. Moscow prosecutors see the statements as calling for the overthrow of the government and is has called charges under Article 280 of Russia's Penal Code. PEN is seeking further information.

Attacked

***Nikolai KOCHUROV:** editor-in-chief of *Severniy Rabochiy*. Reportedly attacked on 28 June 2005 at the entrance of his home in Severodvinsk, Archangel region. He lost consciousness and received treatment for skull fractures and brain injury in the neuro-surgery ward of a hospital. That there was no robbery suggests that the attack was linked to Kochurov's writings. According to the Centre for Extreme Situations, in mid June, Kochurov wrote an article published in his newspaper entitled "Give me a Million" in which he reported on some criminal trials. His editor says that the Severodvinsk military criminal investigator and city prosecutor had been "very unhappy" with the article. CJES adds that his colleagues report that he had received telephone threats. It says that although the mayor of Severidvinsk has initiated an investigation, there is concern that it is to be carried out by one of the bodies that Kochurov had been critical.

***Sergei LYBIMOV:** journalist for the Saratov weekly *Bogatei*. Reported to have been attacked on 19 February 2005 by unknowns outside his home in Saratov, breaking both his legs with metal bars before making off with documents and a notebook. His mobile and wallet were not taken. Lybimov is known for his reporting on corruption.

***Victor NAYKHIN:** journalist for the Moscow based *Moë* and *Komsomolskaya Pravda*. Attacked at his apartment in Voronezh 8 March 2005 by four assailants according to reports. There are concerns that the attack is linked to coverage of municipal and regional elections. He suffered severe bruising to his face and hands.

***Shagen OGADZHIANIAN, Irina GORDIENKO (F), Aydar BURIBAEV:** journalist for *Noviye Izvestiy*, *Novaya Gazeta* and *Gazeta* respectively. Ogadzhianian was reportedly beaten by Federal Security Bureau police on 31 May 2005 as he attempted to report on an anti-Putin demonstration in the Kremlin's Cathedral Square. He was set upon after he and Buribaev had come to the aid of fellow journalist Irina Gordienko who was being manhandled by the officers. All three had their ID's and mobile phones seized and taken to the FSB offices. There they were told that they had been attacked by passers by, not police, and that in future

none of their newspapers would be given accreditation to cover events in the Kremlin.

***Vladimir SHALIGIN:** editor in chief of *Vasha Alternativa*, reported assaulted on 11 February 2005 by a man who stepped out of a car, asked if he was the author of a piece of an article critical of past election campaigns for local governor. Shaligin was hospitalised for his injuries.

***Dmitry SURYANINOV:** general director of the Media-Samara company that owns several news outlets in Samara. Set upon and beaten by unidentified persons on 24 May 2005, suffering concussion and head wounds. No money was stolen although Suryaninov is said to have been carrying a considerable sum, leading to suggestions that the attack was linked to his companies' publications. Suryaninov is responsible for the editorial policy of the six newspapers, a magazine, three television stations and two radio stations owned by Media-Samara. Articles carried in the newspapers in April had reported on alleged corruption in local businesses. Police are considering the attack as attempted murder.

Harassment

Yuri BAGROV: reporter for the Associated Press. Sentenced on 17 December 2004 to a fine of 15,000 roubles (400). The sentence was upheld on appeal on 19 January 2005. Bagrov, originally from Georgia, also had his passport invalidated which makes him vulnerable to deportation. Reported by CPJ to be under criminal investigation by the South Ossetia authorities on allegations of forging passport documents. Bagrov argues that the documents he submitted for Russian citizenship in 2003 are legitimate and that the action is being taken in reprisal for his reporting. (Bagrov is of Georgian descent, but moved to the North Ossetian capital Vladikavkaz in 1992.) The charges follow a raid on Bagrov's home on 25 August 2004, during which documents, computers, discs and tapes were taken, as well as his wife's diaries. On 5 October 2004, his wife was taken for questioning and that day Bagrov was informed that charge of knowingly using forged documents had been filed against him on 17 September. Bagrov and his colleagues question the timing of the action, referring to the raid having taken place just a few days before elections in Chechnya, which stopped him from travelling there to report on events. Bagrov has earned a reputation for his independent reporting on the war in Chechnya. Bagrov is appealing against the sentence. On 22 February 2005, the Interior Ministry announced that Bagrov would not after all be deported, although restrictions on his reporting remain. However in May 2005, the Committee to Protect Journalists reported that Bagrov had been threatened by a Federal Security Bureau agent who stopped him from covering an opposition rally in Vladikavkaz, North Ossetia. A day earlier he had been prevented from covering the trial of the only surviving armed fighter arrested for his alleged role in the massacre at a school in Beslan in September 2004.

Irina PETRUSHOVA (f): Kazakh journalist formerly for the *Assandi Times*. And now for *Respublika Delovoye Obozreniye* a Kazakh opposition weekly. Arrested by Russian police, in Volokolamsk, and held for two days from 22 April 2005. She claims that the arrest was instigated by the Kazakh authorities. Previously arrested and held for four hours in St Petersburg on 9 March 2004. She had been arrested following a request from the Kazakh government for alleged infringements of Kazakh tax laws. She was told that she was released without condition as the Russian police believed the charges to be politically motivated. Petrushova has been subject to consistent threats and harassment since she was forced to leave Kazakhstan in 2002. Threats included a funeral wreath left on her doorstep, and the corpse of a dog hung from her office window with a note

Anna POLITKOVSKAYA (f): well known war correspondent working for *Novaya Gazeta*. In February 2005, *Novaya Gazeta* was fined 25,000 roubles, and Politkovskaya 15,000 roubles for an article by Politkovskaya published in September 2003 considered to be defamatory of marine regiment #45 for having accused the regiment of allowing criminal gangs to use its training grounds. **Previous problems:** Suddenly fell ill on an aeroplane bound for Rostov-no-Donu where she intended to take another flight to North Ossetia where she intended to report on the school hostage tragedy in Beslan. Needed urgent hospital treatment. Tests indicate possible poisoning. She has suffered arrest, threat and other harassment for a number of years because of her reporting on Chechnya. Politkovskaya was awarded the 2005 Leipzig annual press freedom prize.

Case closed

German GALKIN: publisher of *Rabochaya Gazeta* and deputy editor of *Vecherny Chelyabinsk* both opposition newspapers. Also local director of the Liberal Opposition party. Sentenced on 20 August 2003 to one year's hard labour by a Chelyabinsk court on charges of defamation following a legal suit brought by two deputy governors of the Chelyabinsk region subject of critical in articles published in July 2002. Galkin denies having written the articles, and referred to the fact that the newspaper never reached newspaper stands as all copies had been seized. Galkin's appeal was upheld on 7 October 2003 and he was imprisoned. On 13 November 2003, an appeal court ordered that Galkin be freed on probation of one year, following a reduction of his sentence. Sentence expired – case closed.

Bakhrom KHAMOROYEV: Uzbeki journalist for the opposition journal in exile *Harakat (Movement)*. Arrested near his home in Moscow on 20 July 2003. Apparently accused of drugs offences. Reportedly ill treated. Prior to his arrest, Khamoroyev had made a number of statements publicly criticising the Moscow police for their arrest of 55 people from Central Asia accused of Islamic extremism. Most of whom were subsequently deported. Colleagues claim that Khamoroyev does not consume drugs or alcohol and believe that the narcotics were “planted” by the police in an attempt to penalise him for his criticism. Khamoroyev has been subject to numerous stop and search by police since 1992, although the harassment is said to have increased in recent months. Khamoroyev was active in Birluk, the secular opposition movement in Uzbekistan. He went into exile in Moscow in 1992. Case closed.

Bayan SHIRYANOV: writer (given name **Kirill Vorobev**). A criminal case on charges of “disseminating pornography” under article 242 of the Russian Criminal Code was filed against him on 26 September 2002. This stems from a complaint made by the youth group Moving Together against the book *The Lower Pilotage*. Shiryayev issued a counter suite against the group, accusing them of insult. The court dismissed the accusation in March 2003, but following an expert opinion from a Writers Union member that the book did contain pornographic language. However the Russian Language Institute of the Russian Academy of Sciences had come to a different conclusion, saying that the book was simply a creative work that could not be considered pornography. Trial ended in May 2005. Case closed.

SERBIA & MONTENEGRO

Death threat

***Grujica SPASOVIC:** editor in chief of *Danas* newspaper. Reported by the International Press Institute to have received death threats on 11 June

2005 from an unknown person. Apparently the telephone caller claimed to be a security person for General Ratko Mladic who is currently in hiding and wanted to stand trial for war crimes. CPJ expresses concern by the lack of action from the Interior Ministry to the threat. It adds that the threat followed an article in *Danas* that claimed that the Serb government knows of Mladic's whereabouts and was planning to arrest him. The government denies this report and police had demanded of *Danas* for information on its source. On 23 June a letter to Spasovic from the Minister of the Interior criticised an article published on 21 June on the lack of police action, adding that he advised that Spasovic get his own bodyguard, not for his physical safety but for his mental state, and who would “save him from publishing nonsensical materials

Suspended prison sentence

***Milan MILINKOVIC:** former editor of *Podrinski Telegraf*. Sentenced to one year in prison, suspended and a fine on 10 February 2005 on charges of libel. Related to an article published in 2002 which claimed that the owner of major business had links to Slobodan Milosevic. Milinkovic is appealing against the sentence.

Facing charges

Milos VASIC: journalist for *Vreme*. Reported by ANEM on 23 November 2004 to be under investigation on charges of libel against Prime Minister Kostunica, the Minister of Justice and Minister for Police. Linked to an article in which Vasic claimed that the three knew of transcripts of conversations between one of those alleged to have murdered prime minister Djindjic and his lawyer. PEN is seeking further information.

Case Closed

Zeljko CVIJANOVIC, Jovica KRTINIC: editor in chief and journalist for the Belgrade weekly *Blic*. Libel charges have been filed by the Interior Ministry following a 21 May 2003 report criticising the police investigation into the murder in June 2002 of Serbia's deputy chief of police. Cvijanovic was convicted of another offence on 30 May 2003 for a July 2002 article accusing a military official of a “dirty propaganda war” against politicians. Case closed due to lack of information.

United Nations Administered Province – Kosovo

Assassination attempt

***Bardhyl AJETI:** journalist for the daily *Bota Sot (World Today)*. Shot in the head from a passing car on 3 June 2005 as he was driving from Pristina to Gnjilane. As of 8 June 2005 he remained in a coma. Colleagues at the Kosovo Journalist's Association fear that Ajeta may have been targeted for his writings. *Bota Sot* is allied with the governing Democratic League of Kosovo party and he had openly criticised opposition officials in his articles.

SPAIN

Free on bail/Judicial Concern

Xabier ALEGRIA: Former leading member of the Administrative Council of *Egin* a Basque-language paper banned in 1999. Arrested 20 February 2003 under anti-terrorism laws and held in “unconditional detention” until freed on bail. Alegria claims to have been tortured at the

hands of the Civil Guard during his interrogation. A former teacher of Basque language, Alegria, he was elected in 1995 to provincial parliament. Imprisoned for 11 months from July 1998 to May 1999 for his role in the newspaper *Egin*, now closed. The *Egin* case is still in progress. In September 2001 Alegria was again arrested on charges of being a member of the political wing of ETA. **Honorary Member:** English PEN

Fr. Txema AUZMENDI: age 55. Jesuit priest and deputy director of Radio Popular, San Sebastian. Linked to the *Euskaldunon Egunkaria*, a Basque language newspaper. Arrested 20 February 2003 under anti-terrorism laws and held in “unconditional detention”. Freed on bail a few weeks after his arrest. *Euskaldunon Egunkaria* accused of being financed and directed by ETA, and used by the organisation for money laundering. There is widespread condemnation of the charges as being without foundation. (See above) **Torture allegations:** Auzmendi claims to have been tortured at the hands of the Civil Guard during his interrogation. **Honorary Member:** English PEN

Martxelo OTAMENDI: director of *Euskaldunon Egunkaria*, a Basque language newspaper, now banned. Arrested 20 February 2003 under anti-terrorism laws and held in “unconditional detention”. *Euskaldunon Egunkaria* accused of being financed and directed by ETA, and used by the organisation for money laundering. There is widespread condemnation of the charges as being without foundation. Formerly a teacher and principal at a Basque language school. Editor of *Egunkaria* since 1993. (See above) Also served four years as a presenter, director and screenwriter for Basque public television – ETB. **Torture allegations:** Otamendi claims to have been tortured at the hands of the Civil Guard during his interrogation. **Honorary Member:** English PEN

Juan Mari TORREALDAI: Writer and President of the Administrative Council of *Euskaldunon Egunkaria*, as well as President of its Editorial Board. *Egunkaria* is a Basque language newspaper, now banned. Arrested 20 February 2003 under anti-terrorism laws and held in “unconditional detention”. *Euskaldunon Egunkaria* accused of being financed and directed by ETA, and used by the organisation for money laundering. There is widespread condemnation of the charges as being without foundation. **Torture allegations:** Torreal dai claims to have been tortured at the hands of the Civil Guard during his interrogation. Author of numerous books on Basque Culture and Literature, and three books on censorship under General Franco, including in 1998 *El Libro Negro del Euskara (The Basque Language's Black Book)*. . Editor of *Jakin* a journal on contemporary thought and philosophy. In 1977 published *Euskal Idazleak Gaur (Basque Writers Today)* followed in 1997 by *Euskal Kultura Otain (Basque Culture Today)*. (See above) **Honorary Member:** English PEN

Pello ZUBIRIA: Age 45. Director of *Euskaldunon Egunkaria*, a Basque language newspaper (now banned) from its foundation in December 1990 until his contract expired in mid-1992. He also during this period held the post of Director of the magazine *Argia*. Was on sick leave when arrested. Suffers a serious illness of the spine, ankylosing spondylitis. Arrested 20 February 2003 under anti-terrorism laws and held in “unconditional detention”. *Euskaldunon Egunkaria* accused of being financed and directed by ETA, and used by the organisation for money laundering. There is widespread condemnation of the charges as being without foundation. Shortly before his arrest he had resigned from *Argia* due to ill-health. Health deteriorated sharply following arrest and transferred a Madrid hospital. Reportedly attempted suicide in detention. (See above) During the early stages of his imprisonment under the Civil Guard there were periods when his whereabouts were unknown, adding to already severe concerns about his welfare. **Honorary Member:** English PEN

Iñaki URIA: Age 42. Leading member of the Administrative Council of *Euskaldunon Egunkaria*, a Basque language newspaper. Arrested 20 February 2003 under anti-terrorism laws and held in “unconditional detention”. *Euskaldunon Egunkaria* accused of being financed and directed by ETA, and used by the organisation for money laundering. There is widespread condemnation of the charges as being without foundation. **Torture allegations:** Uria claims to have been tortured at the hands of the Civil Guard during his interrogation. **Background:** journalism career started in 1980 when he worked for *Susa* literary magazine, and moved on to the magazine *Argia (The Light)* magazine in 1982. Worked also as a Basque language teacher and translator. In the late 80s joined with others to found *Egunkaria*, a Basque language paper launched in December 1990, now banned. He was Deputy Director of *Egunkaria* from its launch to mid 1992, when he took on the role of Director. In February 1993 and to his current post on the newspaper's Administrative Council. Uria is also an author and playwright. Freed on bail in early August 2004. **Honorary Member:** English PEN

TURKEY

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, and she and the other three 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 statements by 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 is ongoing as of June 2005. **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. Amnesty International Prisoner of Conscience. **Honorary Member:** PEN USA, San Miguel De Allende, Belgian Flemish, Scottish, Writers in Exile and English PEN Centres

Investigation cases

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 Camyar, 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. Camyar 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 1991. 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. **Place of detention:** Istanbul-Gebze Prison. Berktaş is not due to be freed until early 2011.

Mehmet KUTULAR, Nurettin SIRIN: owner of the daily *Yeni Asya* and writer for the daily *Selam* respectively. Reported on 2 November 2004 that both are to appeal sentences under article 312 of the Turkish Penal Code of two years in prison for Kutular and 18 months for Sirin. Kutular was convicted for an article interpreting the August 1999 earthquake as “Divine Justice” and Sirin for an article seen to compare Kemalists with Satanists titled “Satanism or Kemalism?”. Both seen as articles deemed to be incitement to hatred. Sirin was freed from a 17½ year prison term in November 2004 for his alleged links to Hizbollah. Kutular remains detained.

On Trial/Charged (not detained)

Ahmet AKSOY: editor in chief of *Yeni Olusum (New Foundation)* newspaper. **1)** Trial opened on 24 June 2004 on charges of “insult” against a local official of the ruling Justice and Development Party (AKP) **2)** Reported in July 2004 that Aksoy is also charged with libel of a son of another AKP member who had taken objection to an article stating that a local school master had been beaten up by two officials because of “unearned income during a state tender”. PEN is seeking further information.

***Cemal ANADOL:** professor, aged 72. Case opened against him on 10 March 2005 for his book *Turkey in Danger of Israel and Zionism*. Accused under Article 312 for inciting religious enmity. A 6 May hearing was adjourned prior to the announcement of the verdict.

***Cetin AYDIN, Toygun ATILLA:** journalists on trial in March 2005 for publishing transcripts of telephone conversations allegedly linking state institutions with the mafia. Accused under Article 4422 of the Penal Code relating to the fight against organised crime. Apparently the article had been published before a police investigation into the case had been concluded. A hearing held before the Istanbul Heavy Penal Court held 5 May was adjourned to 13 July.

Hasan Basri AYDIN: a retired teacher aged 75. Reported to have been brought before the Istanbul Penal Court of First Instance on 30 November 2004 on charges of “insulting the state” (Article 159 of the Penal Code). Charges relate to his book *Letters to God 2*. The court convened to a later date to allow for more evidence. According to the Human Rights Foundation of Turkey, Aydın had been sentenced to 40 months in prison in November 2002 for the same book. He had been freed in May 2004 on medical grounds. Not clear to PEN why the case has been re-opened.

***Huseyin AYGUN:** lawyer and publisher of the newspaper *Munzur Haber*. **1)** Trial opens on 29 March 2005 on charges of “insulting the republic” and “praising an action deemed crime by law”. Said to be for promoting the right to education in languages other than Turkish during 2002 Turkish new year celebrations when he is said to have chanted slogans. **2)** charged with defamation on 30 March 2005 for claiming that a local police chief had issued death threats against him. Claim made during a 13 February press conference when Aygun stated that on 3 February he had requested a meeting with a regiment commander who had made derogatory remarks about Aygun and his profession. Charged for publishing these allegations are journalists **Irfan Ucar** and **Hasan Bayar**, executive editor of *Özgür Gündem* and managing editor respectively. Charged under article 424/4 of the Turkish Criminal Code. Trial was due to start on 13 May 2005.

Ugur BALIK, Evin KATURMAN, Kenan KIRKAYA, Meryem YILMAZ, Beyhan SEKMAN, Baris GÜLLÜ: Chair of the Executive Board of the Dicle Newsagency, DIHA editor, journalists, and (Güllü) owner of *Özgür Halk* respectively. Arrested on 8 June 2004 during demonstrations against the NATO Summit in Istanbul. All except Kirkaya to be charged under Article 168/2 of the Penal Code – membership of an “illegal organisation”. Kirkaya to be charged under Article 169 for “aiding an illegal organisation”. Court case launched on 11 July 2004. Next hearing was due 31 May 2005.

Enis BATUR (f): author. Trial against her book *Elma (Apple)* reopened c. 10 December 2004. Charged with “obscenity”. The book had been acquitted at a previous trial in 2002. The first hearing of the retrial is due to be held on 9 February 2005. PEN is seeking further information.

***Hasan BAYAR:** editor in chief of *Özgür Gündem*. Case launched against him in early 2004 and the owner of the newspaper Ali Gürbüz for articles on the confessions of a PKK member. Indictment being sought under articles 6 and 7 of the Anti Terror Law on the grounds that the article revealed the names of certain officials working for the anti terror security network. Trial opened on 4 May 2005 and adjourned to 12 October to allow for the enforcement of the new penal code. before the Istanbul Heavy Penal Court (See also Aygun above)

***Sadik DASDÖGEN, Abdurrezzak GÜNGÖR:** owner of the Berdan printing Company and editor of the Çetin Publishing and Distribution Company respectively. Case launched on 17 April 2005 in Istanbul for a book entitled *Remembering Abdullah Öcalan* on charges of “making propaganda for an illegal organisation”.

Abdurrahman DİLİPAK: editor-in-chief of *Türkiye’de Cuma (Friday in Turkey)* (now closed). On 15 June 2004, the trial against him 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. On 12 July the military court concluded that it was not appropriate for it to be trying the case and referred it to the Bakirköy Penal Court. PEN is following up.

***Hrant DINK:** editor of the Armenian language *Agos* magazine. Trial opened at a court in Sanliurfa on 28 April 2005 on charges of insult regarding remarks he made at a conference on minority and human rights in 2003. He reportedly faces up to three years in prison if convicted. The charges relate to comments he made about his childhood when he had objected to having to recite a patriotic verse that required him to identify himself as a Turk, rather than an Armenian. He also criticised a line in the Turkish national anthem that he considered to be discriminatory.

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. PEN is seeking an update.

Mehmet Sevki EYGI, Selma ÇALISKAN: on 15 March 2005, an appeal court confirmed 18 months prison sentences served against these two journalists for *Milli Gazete*. The sentences were passed in October 2004 for an article published in November 2000 entitled “Din Dusmanligi Terörü – The Terror of the Enemies of Religion” under article 312 of the Turkish Penal Code. Çaliskan was sentenced to a fine. The appeal court reconstituted the 18 months sentence against him and upheld that against Eygi. Believed to continuing to appeal.

Baris GÜLLÜ: former editor in chief of *Özgür Halk*. Arrested during a raid on the journal on 15 September 2004 and freed to face trial on charges of being a member of an illegal organisation. Case was to open on 23 December 2004. See elsewhere for other charges against Güllü. PEN is seeking an update.

***Sevdi KARAKURT, Hasan KILIÇ, Necdet TALICAN:** reporter and editor-in-chiefs for the newspaper *Hurriyet* detained c. 19 October 2004 after Karakurt returned from interviewing Kurdish militants for an article “Women’s Consciousness has Surpassed Kurdism in Kandil” on changes within the life styles of Kurdish militants, 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 Kongra-Gel. Karakurt is being tried under Articles 6/2 and 7/2 of the Anti Terror Law, and the others under Article 7/2. A hearing before the Istanbul Heavy Penal Court held 5 May 2005, was adjourned to 14 July. The detention was protested by the Turkish Press Council and Turkish Journalist’s Association.

***Ali Çelik KASIMOĞULLARI, Mehmet ÇOLAK, Hikmet ERDEN:** owner of *Özgür Gündem*, editor-in-chief of same, and Diyarbakir correspondent for the Dicle News Agency respectively. Went on trial on 28 January 2005 for articles published in of *Özgür Gündem* in March 2003 for an article entitled ‘The price of forgetfulness’ which is said to have named persons involved in the “fight against terrorism”. Accused under Article 6/1 of the Law on the Fight Against Terrorism. Trial believed to be ongoing.

Ersen KORKMAZ: editor-in-chief of *Demokrat Iskenderun* (1) Case launched against him and Necmettin Salaz, Executive Member of the Turkish Communist Party (TKP) Followed a TKP panel discussion during which Salaz is said to have insulted the security forces. Korkmaz is being tried in connection with his reporting on the discussion. Both are charged under Article 159 of the Penal Code. First hearing held 11 March 2004, with the next scheduled for 21 June 2005. (2) Another case launched on 28 June 2005 for “insulting the state” under Article 301 of the new penal code for an article entitled “Turkey Towards May Day”. Previously on trial in late 2002 for reports of alleged rape in detention of two women.

Erol ÖZKORAY, Nur DOLAY: Owner and editor-in-chief of the magazine *Idea Politika* and journalist respectively. On trial in November 2002 at the Istanbul State Security Court for an article entitled “Kurdish Wound”. Both are resident in France. By 30 December 2003, Özkoray was still facing 4 further trials with prosecution calling for up to 30 years

of imprisonment. *On 16 March 2005, **Erol Özkoray** was sentenced to a fine of 1,000 for articles posted on an internet site www.ideapolitika.tr in November 2001 entitled “What Use is the Army?” and “New barbarians and Taliban in epaulettes”.

Mehmet Emin SERT, Emin KARACA, Dogan ÖZGÜDEN: editor of the journal *Writing in Europe and in Turkey*, and writers respectively. On trial regarding an article “Reminiscences on the 30th Anniversary” by Karaca published April 2002, and “30 Years later” by Dogan Ozguden in the same issue. The articles refer to the execution of three leaders of the revolutionary left youth movement Progressive Youth in the 1970s. Charged with insult to the armed forces under article 159 of the Penal Code. First hearing set before the Istanbul Penal Court No2 on 26 November 2002. Özgüden has been living in exile since the 1970s in Belgium where he is now editor of *Info-Turk*. Hearings took place through 2004 with the next hearing set for 13 September 2005. Ozguden sent a notarised letter from Belgium to the court, saying that he claimed the full legal responsibility regarding his article in question, and that he won’t be attending the hearings as he found out that an *in absentia* arrest warrant against him was posted to all Turkish airports and national border gates. Özgüden and Karaca apparently face six year sentences, and Sert a heavy fine.

***Sami TAN, Serdar Altan, and Birol Duru:** editor in chief of the Dicle News Agency and two correspondents. Court case launched in late June 2005 for an article published in September 2004 that alleged that a forest fire had been started by incendiary bombs used by soldiers. They are being tried under Article 283 of the old Penal Code for reporting on a crime that had not occurred. Also on trial with them is **Ridvan Kizgin**, chairman of the Bingol branch of the Human Rights Association. Trial set for 13 July 2005.

Ferhat TUNÇ, Mehmet ÇOLAK: singer and editor-in-chief of *Özgür Gündem* respectively. Trial started on 2 December 2004 at the Beyoglu 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 1-3 years in prison if convicted. The case was adjourned to 9 March 2005 and again to 2 June so as to fully notify Çolak, who lives abroad, and again delayed to 21 September. (For other cases against Çolak, see elsewhere on this list.)

***Rahmi YILDIRIM:** internet journalist. Case launched in mid-June 2005 regarding an article posted on the website www.sansurusuz.com that gave names of generals accused of fraud. He is accused of insult to the army under Article 159 of the Penal Code. Trial date not yet set.

Mehmet YÜREK: editor in chief of the Marmaris newspaper *Değisim*. Trial instigated against him under Article 482 of the Penal Code for “insult to the honour of state president Kenan Evren”. Charges relate to an article published on 16 April 2004 entitled “Decentralization, Governance, and Ten Suggestions for Marmaris’ New Mayor”. Trial to start at the Marmaris Court of First Instance on 6 July 2004, and adjourned to a later date. Yürek has reportedly previously been sentenced to one year and three month suspended prison term on 6 March 2004 for an article entitled “4 Mustafa or 4 Worship”. PEN is following up.

***Mehmet YÜCEDAG, Medine TUNÇ, Sadik SÜRER, Fahri KILINÇ, Sevinç TUNCELLI, Ibrahim AÇIKYER:** all journalists detained at the *Özgür Gündem* offices in Izmir and held briefly on 21 January 2005. Trial had opened at the Izmir Heavy Penal Court and on 3 February 2005 the court was adjourned to a later date. An arrest warrant was issued against Yücedag who had never attended hearings. All are accused of “making propaganda for an illegal organisation”.

Ragıp ZARAKOLU: publisher, Belge Publishing House. Zarakolu is a recipient of the NOVIB/PEN Free Expression Award 2003. **1)** On 3 December 2003, further charges were initiated under article 312 against Zarakolu for an article published in *Özgür Politika* on 8 March 2003 entitled *Sana Ne (Of No Interest)* that criticised Turkey's policy towards the Kurds in Iraq. Trial opened 26 May 2004. Also accused are **Ali Çelik Kasimoğullari** and **Mehmet Çolak**, owner and editor in chief of *Özgür Gündem* (since closed) respectively. At a final hearing on 10 September 2004, Kasimoğullari was sentenced to a fine and Çolak to a six month sentence reduced to a fine. Zarakolu's case, however, was considered separate due to recent changes to Article 312 and will continue to be tried at the Penal Court of First Instance in Istanbul. Hearing on 2 March 2005 postponed to 12 May 2005, and again to 11 October. **2)** Legal proceedings were initiated in December 2004 against Zarakolu for the publication of **George Jerjian's** book *History Will Free All of Us/Turkish-Armenian Conciliation* under Article 159 of the Turkish Penal Code for "insult" to the State and to 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 with a subsequent hearing on 17 May, postponed to 20 September. **3)** Legal proceedings were initiated in December 2004 against another book published by Zarakolu of journalist **Zulkuf Kisanak's** *Lost Villages*. Charged under Article 159 of the Turkish Penal Code for insult to the Turkish state for claiming that 3,5000 Kurdish villages were forcefully evacuated between 1990 and 1995 and that homes were burnt. **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. **Honorary Member:** American, English, Quebec, Kurdish, Canadian, Netherlands and Swedish PEN

Sentenced: non-custodial

***Fikret OTYAM:** painter. Aged 79. Sentenced to a fine of equivalent 2,835 for an article published in *Aydinlik* in 2004 in which he wrote a satirical piece on Prime Minister Erdogan's stance on adultery entitled "Recep has successfully lowered the debate (on the EU entry) to crotch level". He was convicted on charges of defamation of the Prime Minister.

Brief Detention

***Sandra BAKUTZ (f):** Austrian radio journalist and contributor to the Austrian newspaper *Junge Welt (Young World)*. Arrested on 10 February 2005 on arrival at Atatürk Airport in Istanbul and held on charges of "belonging to an illegal organisation" levied in September 2001. Charged under Article 168 paragraph 2 of the Turkish criminal code for being a member of the DHKP-C, classified as a terrorist group. Bakutz is known for her activism for political prisoners, and had travelled to Turkey to report on the trial of over 80 activists arrested in April 2004 for being members of the DHKP-C (Revolutionary People's Liberation Party-Front). Held in Gebze Prison where she was not allowed to make telephone calls or otherwise contact the outside world. She was freed pending trial on 30 March and 1 April 2005 and returned to Austria. Acquitted on 1 June 2005. ***Nihat BEHRAM:** poet. Arrested on his return to Turkey on 4 May 2005 on charges levied 20 years earlier in 1985 under martial law. Freed the following day.

Attacked

***Ümit KILIÇ:** Ardahan correspondent for the Dogan News Agency. Set upon by three individuals known to Kiliç on 22 March 2005, suffering cerebral haemorrhage and a broken arm. Kiliç believes that the attack was linked to his writings on illegal distribution of aid to farms and a photo he had taken of a security chief hunting despite a hunting ban.

***Mehmet ÖZ:** editor-in-chief of the Ankara local paper *Öz Sakarya Bölge Gazetesi*. Reportedly set upon by police and guards working for a local mayor on 21 May 2005 during an opening ceremony.

Threatened

***Orhan PAMUK:** internationally renowned author. Reportedly placed under threat following a statement he made in the Swiss newspaper *Tagesanzeiger* published 6 February 2005 in which he commented on reports of mass killings of Armenians in Turkey in the early 20th century. Also reported that a local official in the southern town of Isparta ordered the seizure and burning of all Pamuk's works in Isparta's libraries, only to discover that none existed. The official was subsequently reprimanded for his comments by the Isparta governor. Others have since threatened to burn Pamuk's book, a threat carried out in at least one incident. Pamuk is the author of six novels and is translated into 20 languages. He is the recipient of numerous literary awards both in Turkey and abroad. Books include *My Name is Red* and, most recently *Snow*.

Sentenced: free pending appeal

Asiye Güzel ZEYBEK (f) arrested 22 February 1997 during a demonstration protesting alleged links between Mafia and government. **Zeybek**, (born 1970) editor-in-chief of *Atilim*, is specifically accused under Article 168 of the Penal Code with connections with the Marxist-Leninist Communist Party (MLKP). The indictment dated from 21 June 1994 accused her of running and distributing the MLKP journal *İşçinin Yolu (Worker's Path)*, as well as being an organiser of the movement's activities. Formally charged on 7 March 1997. Trial proceedings began in late 1997. It was still under way on 5 June 2002 when she was freed pending a final court hearing. On 16 October 2002, Zeybek was sentenced to 12½ years in prison. By then she had left Turkey for Sweden where she was a recipient of the Tchukolsky Award. A further appeal is being made. **Zeybek is an Honorary Member of:** Swedish PEN, English PEN, Netherlands, San Miguel Allende, Ghanaian, American, Swiss Romande, and Canadian PEN.

Released/Acquitted

Dr Fikret BASKAYA, Özden BAYRAM, İsmet ERDOĞAN: Professor and writer, and publishing managers of the Özgür (Free) University Library. On trial on charges under Article 159/1 of the Penal Code – insult to the state, state institutions and the military - for articles published in a collection entitled *Articles Against the Tide*, most of which were written and previously published in the early to mid-1990s. Trial started in late 2004 and concluded with acquittal on 2 March 2005 in a hearing observed by an international delegation of observers, including PEN Centres, Amnesty International and Human Rights Watch. **Baskaya is an Honorary Member:** English, Belgian Flemish and Swiss German PEN.

Hacı BOGATEKİN: editor in chief and owner of the newspaper *Gerger Fırat*. Court case reportedly launched on 12 October 2004 as Bogatekin had not paid a fine imposed in September for not disclosing documents necessary for a trial initiated against him for an article deemed to be

“insulting the state” under Article 159. The article is entitled “Gang State” published in August 2004. He was acquitted in June 2005.

Yasar ÇAMYAR: former editor-in-chief of *Alinterimiz*, arrested on 17 December 2004, apparently for non-payment of fines related to his articles. There are a number of cases ongoing against Çamyar under article 7/2 of the Anti-Terror Law. On 7 February 2005 he was freed in consideration of changes to the law.

Halil EYYUBOĞLU, İsmet ATAR, Atila KONUKOĞLU: journalist, owner and editor in chief respectively for the Gaziantep newspaper *Zafer (Victory)*. Reported by BIA Net to have gone on trial on 16 July 2004 for an article entitled “Will it be Kurdistan after Cyprus?”. On 10 June 2005 Eyyuboglu was sentenced to a fine and the others were acquitted.

Ömer FARUK, Funda Uncu IRKLI (F): owner of the Ayrinti publishing house and translator respectively. Trial commenced in April 2004 against the two in relation to a Turkish translation of of Chuck Palahniuk’s book “*Tikanma*” (Choke). Charged under Article 426 of the Penal Code (insult to the morals of the people). Acquitted on 30 December 2004.

Memik HORUZ: Editor-in-chief of *Özgür Gelecek (Free Future)* and *İsci-Köylü (Workers & Peasants)*. Arrested in 6 June 2001 for membership of an “illegal” organisation. On 13 June 2002, he was sentenced by the Ankara State Security Court to 15 years in prison under Article 168(2) of the Criminal Code for writing an article based on interviews with TKP/ML TIKKO members and publishing it in November 2000. Sentence confirmed on appeal on 23 January 2003. Reported in May 2005 as having been freed. Details not provided.

Sabri KALIÇ, Kivanç GÜNEY, Fuat SESEN and Levent ERSEVER: three translators and Stüdyo Imge Publishing House publisher respectively. On trial on 24 March 2004 before the Beyoglu Court of First Instance. Charged under Article 426 of the Penal Code that penalises works deemed to be “offensive”. The trial is for the translation into Turkish of the books *Show* (a collection of writings by Turkish authors on the US rap artist, Eminem, *Angry Blond*, Eminem’s autobiography, and Irvine Welsh’s *Ecstasy: Three Chemical Romances*. Next hearing due in June 2004. No further information.

Sinan KARA: owner of *Datça Haber*. Has a series of court cases against him since 2003. The latest court results include: Acquittal on 7 October 2004 of charges of not delivering two copies of his newspaper to a local official, an act that no longer constitutes an offence under new press laws. Case Closed

Elif KORAP, Eren GÜVENER: journalist and editor in chief of the daily *Milliyet* respectively. Case launched against them in early September 2004 under Article 312 of the Turkish Penal Code for an interview with the son of İlyas Kucak, accused of a bomb attack on the Istanbul headquarters of the HSBC bank in November 2003. The contentious part of the article was Korap’s question to Kucak as to his and his father’s feelings when synagogues were also attacked in Istanbul. It is reported that Kucak’s response was that they had no feelings as the attack was against the Jewish community, and he saw the Koran as condemning friendship with Jews. When Korap then asked if Kucak was happy to see the attacks, Kucak responded that he was not, as Muslims were among those who were killed. Both were acquitted on 22 June 2005.

Suna PARLAK (f): writer for *Ulkede özgür Gündem (Free Agenda in our Country)* was arrested and held for four days on 4 December 2004 alongside **Helen Buket** of the Rainbow Women’s Foundation. Accused of being members of the outlawed Kongra-Gel organisation, they are currently awaiting trial. The Turkish Human Rights Foundation has

deemed their imprisonment illegal. Believed to be free.

***Tolga SARDAN, Gökçer TAHINCIOĞLU, Eren GÜVENER:** journalists and editor in chief respectively for the daily *Milliyet*. Trial opened on 3 February 2005 under the Law to Fight Criminal Organisations. They are accused of publishing confidential information relating to allegations that a criminal gang leader had connections with the intelligence services. A 5 May hearing was adjourned to 12 June when all were acquitted.

Case closed

Harun AKSOY, Asim YENİHABER (Mehmet DOĞAN): editor in chief and journalist respectively for *Vakit*. Case launched against them in May 2004 for an article by Yenihaber published in August 2003 deemed to be insulting to the Turkish armed forces.

Bedri BAYKAM: owner of the *Piramit* publishing house. On trial in June 2004 on charges of obscenity for the book *Aum* by author **Murat Hiçyılmaz**, also standing trial. No further information.

Mehmet BÖLÜK: Chair of the Istanbul branch of the Republican Peoples’ Party (CHP). On trial in July 2003 for his book entitled *El Tayyip Nasil Umut Oldu?* (How did Al-Tayyip Become the Hope of the People?) No further information.

Sükrü BULUT, Mustafa DÖLÜKER: journalists. Hearing held before the Istanbul State Security Court on 10 February 2004 for article entitled “Zelzeleler Denktir Felaketler” (Earthquakes are Catastrophes). Originally acquitted by the SSC, the prosecution appealed and a retrial started. No further information.

Muharrem CENGİZ: owner of *Kultur Sanat Yasamında Tavir (Manner in the Culture and Arts World)* magazine and the Idil Culture Centre. Reported in July 2004 that he has been under arrest for some months and that on 9 June 2004 the Istanbul DGM joined his file with that of another on a bomb attack against a DGM vehicle in Bakirkoy District, Istanbul. No further information. Case Closed.

Ali Ekber COSKUN: editor-in-chief *Dersim*. Tried for articles published April 2003 deemed to be “incitement to hatred and enmity”- article 312 of the Penal Code. The articles are entitled: “*Dersim’de Milat*” (Turning Point in Dersim), “*Özgürlüğüne Düşkün Bir Diyar: Dersim*” (Dersim: A Land Devoted to Its Freedom), “*Osmanlı’dan Sonra Cumhuriyetle Süren Alevi İhlalleri*” (Violation Against Alevites resumed by the Republic after the Ottomans), “*Festivalin Onur Ödülü*” (Festival Honour Reward) and “*Kurumlarımıza ve Aydınlarımıza Çağrı*” (A Call to Our Institutions and Intelligensia). A fourth hearing was scheduled for 11 November 2003. Also on trial was **Kemal Mutlu**, Chairman of the Tunceli Culture and Solidarity Association. No further information.

***Burcu CUMUS, Selver ORMAN, Seda AKTEPE, Nuray KESİK, Ufuk HAN:** journalists for the weekly *Atilim (Leap)* magazine. Arrested early January 2005 for their part in a demonstration organised by the Socialist Platform of the Oppressed against the Draft Penal Execution Law held on 7 December 2004. All appeared in court on 11 March 2005 in Ankara. Now free.

Halit ERTAS: internet journalist. Sentenced by the Ankara Special Heavy Penal Court to ten months in prison under Article 169 of the Penal Code for making propaganda for a terrorist organisation. Accused of posting articles on his web site supporting the organisation KADEK (Kurdish Labour Party) which has links to detained PKK leader Abdullah Oçalan. Ertas had originally been sentenced to three and a half years in prison, but this had been quashed on appeal. Case closed – presumed freed.

Ubdeyduh HAKAN: journalist for the Dicle News Agency. Hearing held on 21 January 2004 at the Van Penal Court of First Instance on charges of “resisting security forces and damaging public property”. Several hearings held in early 2004. Hakan further claimed on 4 September 2004 to have received death threats from a police officer in Van. Case closed.

Ruhat MENGI: journalist reported by BIA Net to be on trial in early 2004 for an article published in *Vatan* that criticised plans to reduce the sentences that can be served against rapists. The article referred to those who support the changes as having a “sick mentality”. Two MPs who had drafted the bill subsequently took out charges of defamation. No further information.

Mehmet NAS: owner and editor-in-chief of *Özgür Siirt*. Trial opened on 10 October 2003 for not publishing a letter from the Siirt Governor responding to an article in the newspaper accusing the Siirt Governor of not reacting appropriately to the May 2003 earthquake. The letter was published, but three days after a court deadline ordering the paper to do so. Trial adjourned to 11 December 2003. No further information.

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 Cicek** entitled *Tutkular ve Tutsaklar* (The Passions and the Prisoners). Seen as “insult to Atatürk”. Sentenced to 15 months in prison in December 2003. 2) On trial in August 2002 for book by **M. Erol Coskun** *Acinin 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. Many other books published by Peri Publishing House are banned. No further information.

Suat ÖZALP: editor-in-chief and owner of *Azadiya Welat*. Charged with “support for an illegal organisation” under article 169 of the Turkish Penal Code and Article 5 of the Anti Terror Law. Trial was to commence in June 2003. No further information.

Aziz ÖZER: editor-in-chief of *Yeni Dünya İçin Çağrı* (Call for a New World). Sentenced to six months in prison on 9 April 2004 by the Beyoğlu Penal Court of First Instance. The charges are in connection with an article entitled “Don’t Be Silent, Claim the Demands of the Prisoners”. No further information.

Emine SENLIKOGLU (f): writer. Sentenced to 20 months in prison under Article 312 of the Criminal Code (incitement to enmity) for her book *Whose Victim Am I?* published in 2000. The book challenges a ban on Muslim women wearing headscarves. She and her husband, **Recep Ozkan**, publisher of the book, made their first appearance before the court in December 2000. After a series of hearings and postponements, Senlikoglu was sentenced on 14 May 2003. She was free pending appeal. Ms Senlikoglu is well known for her outspoken objections to strict laws passed in 1997 forbidding women to wear headscarves in public places, part of an “anti-Islamisation” campaign. She is the author of over 40 books, many on Islamic issues, some challenging Western feminist’s interpretation of Islam.

Arif SIRIN: nationalist poet and singer (stage name “Ozan Arif”). On trial in September 2003 alongside singer **Ismail Türüt** and director **Nursel Tozkoparan (f)** for a song performed on television on 15 April 2003 by Sirin said to have “insulted the leader of the 12 September coup Kenan Evren” under article 159 of the Turkish Penal Code. Hearing in December 2003 adjourned to a later date. No further information.

Gülçiçek Günel TEKİN (f): writer. Indicted 23 December 2002 for her book *“Dilimiz Varlığımız, Dilimiz Kültürümüz”* (Our Language is Our Entity, Our Language is Our Culture). Trial ended on 4 April 2003.

Sentenced to 1 year 8 months imprisonment and her publisher Fatih Tas was heavily fined. Presumed not detained.

Ahmet TELLI and Abdullah VARLI: well known poet and writer respectively. 1) Case launched against Telli in early April 2003 on charges of “propaganda for an illegal organisation”. Telli states that his arrest is for unfurling a banner and reading a poem at a meeting of the Democratic People’s Party (DEHAP) of which he is a representative. 2) Case launched against **Telli** and **Varli**, together with university students **Aysen Keysan (f)** and **Seyhan Erkek** on June 2003 on charges of “propaganda in a public sector building during electoral [propaganda restrictions] period. No further information.

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. No further information.

Asim YENİHABER: journalist for *Vakit*. 312 generals have filed a lawsuit against Yenihaber and his newspaper for “insult” following an article published 25 August 2003 where the writer questioned the abilities of the generals to carry out their tasks. Case closed.

Hamdullah YILMAZ: editor in chief of the Kurdish newspaper *Azadiya Welat*. Facing trial in Istanbul on charges under Article 7/2 of the Anti-Terror Law for articles published in several issues of the newspaper. No further information.

TURKMENISTAN

Threatened/harassment

Nikolai GERASIMOV: correspondent for the Azerbaijan Azerpress news agency, and contributor to *Akhal Durmushi (Akhal Life)* and *Neytrlniy Turkmenistan (Neutral Turkmenistan)*, as well as now closed *Khalk Sesi (The Voice of the People)*. On 25 January 2005, it was reported that he was arrested by officers of the National Security Ministry where he was threatened for having granted an interview to “a hostile radio station”, and he was accused of being an foreign intelligence agent. He says that before he was released in the early hours of the morning, he was told that if he did not leave the country in six months, he would be given a prison sentence on drugs or rape charges. **Previous imprisonment:** Arrested 7 November 2000, and summarily sentenced to five years in prison on charges of fraud. Details not available. PEN learned in February 2005 that Gerasimov had been freed on 23 August 2003 and that he had since been lobbying government bodies and international organisations for a review of the sentence and restoration of his civil and political rights. He has not been able to find employment and claims to have been subject to repeated police harassment. During his imprisonment, PEN experienced difficulties in ascertaining the reasons for his arrest. Some sources suggested that he may have been convicted on charges of espionage linked to his reporting on an exhibition on Caspian oil and gas held in Baku. Clarification of the case was hampered by reports that the authorities were penalising any person who passes information on the case. Reports suggest that Gerasimov is suffering psychiatric disorder.

Threat of arrest/Charges pending

Rakhim ESENOV: writer and journalist., age 78 Arrested E23 February 2004 and freed pending charges on 9 March. 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 Saparmurad Niyazov denounced the book as being “historically inaccurate” and demanded that corrections be made, a demand that Esenov 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.

Expelled

***Viktor PANOV:** journalist with Turkmen/Russian dual nationality, working for the Russian news agency RIA-Novosti. Expelled from Turkmenia on 12 March 2005 after being detained for two weeks. Accused of espionage for Russia, Panov was originally arrested on 23 February for “hooliganism”.

Case closed

Ashirkuli BAYRIYEV: journalist arrested 1 March 2004 and freed pending charges 12 March. Bayriyev was arrested by members of the Ministry of Security (MND) for questioning regarding his relationship with writer Rakhim Esenov (see above). Case closed.

UKRAINE

Killed: investigation ongoing

Georgiy GONGADZE: age 31. Editor of the internet newspaper *Ukrayinskaya Pravda (Ukrainian Truth)*. Disappeared in the evening of 16 September 2000. His disappearance could be linked to his web-site’s coverage of reported corruption by government officials. In November 2000, his decapitated and severely mutilated corpse was discovered close to Kiev. For the next four years the case was central to political debate, as evidence emerged that suggested that Gongadze had been murdered on the orders of the then President Kuchma. These accusations were among the issues that subsequently led to him standing down and the introduction of a new government in late 2004. **Investigation:** On 27 February 2005, the newly elected government announced that Gongadze’s killers had been arrested for questioning, but gave no further details. Soon after a television station reported that police informers had reported that Gongadze’s head had been found in a lake outside Kiev and that two men had been arrested. On 4 March 2005, former minister of interior, Yuri Kravchenko, was found shot dead at his home. Kravchenko, a suspect in the murder, had been summoned for questioning later that day. Official report suicide, but other claim that he was assassinated. Just two days earlier, the authorities had admitted that two of the four suspects had also been killed, and underlined its commitment to find and punish those responsible. On 10 March 2005, former president Leonid Kuchma was

interrogated about his alleged role in the affair. He remains free. In early April 2005 it was reported that two former police officers had admitted to the murder. A third alleged culprit is said to have fled to Israel.

UNITED KINGDOM

Detention – asylum seeker

***Jean-Louis N’TADI:** playwright fled Congo-Brazzaville following the staging of his play *Le Chef de L’Etat* in January 2001 which was critical of the government. The play was banned and forcibly closed throughout the Congo-Brazzaville and Jean-Louis N’tadi was imprisoned and tortured by the government. He was held for a three-day period during August 2001 at the Central Police station in Brazzaville and from 12 January 2002 to March 2003 at Brazzaville prison. Fleeing Congo-Brazzaville fearing further persecution, Jean-Louis Ntadi arrived in the United Kingdom in February 2004. He claimed asylum was held in five separate detention centres until he was released on temporary bail from Campsfield detention centre, Oxford in May 2005. Currently claiming asylum in the United Kingdom. Faces imprisonment, torture and possible death if forcibly returned to Congo-Brazzaville by the UK government. It was requested that Jean-Louis N’tadi’s play *The Cry of the Cricket* be performed on 21 June 2005 at the London Eye as part of the UK’s cultural focus on Africa 2005. **Honorary member:** English PEN

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 Muhammad 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:** Kagan prison, a TB prison in Bukhara. **Health concerns:** reports of torture lead to concern for well being. Relatives who visited in early 2001 claim to have been alarmed by his state of health and reported that he requires crutches. 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. **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

Investigation

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 18 June 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: age 23. Journalism graduate. Arrested 24 July 2002 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. 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 act. He also denied possession of the literature. He claims to have been tortured in detention. Graduated in journalism in June 2002 from Tashkent University. PEN is seeking further details.

***Salavat UMRZAKOV:** member of the opposition *Erk* party and journalist for its newspaper. Reported by Erk Chairman Atanazar Aripov on 2 May 2005 that Umrzakov had been arrested some days earlier and that although the reasons for the arrest were not known, it was thought it could be linked to his writings. Umrzakov is said to have been imprisoned with other Erk activists in March 1994, released three months later, and subsequently subjected to surveillance. He had apparently signed a statement claiming that he would no longer be involved in politics but had nevertheless made it clear before his recent arrest that that he would not stand by this undertaking. PEN is seeking further information.

***Sobirjon YAKUBOV**

Dob: 1983 **Profession:** journalist for *Hurriyat (Freedom)* **Date of arrest** 11 April 2005 **Sentence** not yet sentenced. **Details of arrest:** arrested at his home in Tashkent on 11 April 2005. Police denied holding him until 3 days later. **Charges:** Ministry of Internal Affairs stated on 14 April 2005 that Yakubov has been arrested under Article 159 of the Uzbek Penal Code for overthrowing the constitutional order and membership of an

illegal religious organisation. **Defence:** colleagues believe that Yakubov is detained for his writings. He is a devout Muslim who recently completed a hadj (pilgrimage) to Mecca, and published several articles on his experiences entitled "A journey to Dreamland". The fact that Yakubov has spoken on the dangers of Islamic fundamentalism leads to questions about the charges. Colleagues instead believe that the arrest is linked to an article by Yakubov published on 16 March 2005 on the downfall of the Ukrainian President Leonid Kuchma, where the murder of an internet journalist, Georgiy Gongadze (see above) was central to the deposing of the government. Kuchma has been implicated in the murder. Yakubov referred to Gongadze's death as being the "driving force" towards the implementation of democracy in the country. Reports suggest that the first lawyer provided to Yakubov had urged that he "confess", and there is concern that Yakubov may have been forced to sign papers that could indicate guilt. PEN is seeking further clarification of the charges **Professional details:** Yakubov has worked for *Hurriyat (Freedom)*, a weekly state-run newspaper, since 2001. He has received an prestigious government scholarship for his journalism, and was studying for a masters degree in the topic at Tashkent National University. He had been personally awarded for his journalism by President Karimov himself, who gave him a gift of personally autographed books. **Place of detention:** Tashkent Prison to 21 April 2005, then to the National Security Police HQ in Tashkent on 5 May. **Health concerns:** reports of poor conditions and abuse at Tashkent Prison leads to concerns for Yakubov's well-being. Some suggest that the reported 5 May transfer may be to hide evidence of torture while under interrogatoin. **Other information:** the arrest has lead to extensive protests by his colleagues. They refer to "blacklist" of journalists reportedly issued in mid-April that suggests an impending crackdown on the media.

Brief Detention/harassment/fled

Tulkin KARAEV: Kachdaria correspondent for the London based Institute for War and Peace Reporting and for the Uzbek service of the Voice of the Islamic Republic of Iran radio station. Arrested on 4 June 2005 and summarily sentenced that day to ten days in prison on charges of "hooliganism". The charges are said to relate to an attack against him by an unknown woman at a bus-stop. After the incident, Karaev, accompanied by a friend who had witnessed the attack, went to the police to report the assault concerned that this may have been an attempt at provocation. It is not unknown for civilians to be used to instigate violence against dissidents who are subsequently imprisoned. His lawyer's attempts to get an appeal of the sentence and to get access to his client in prison were thwarted. Karaev was released on 14 June. During his internment, Karaev went on hunger strike in protest. On 16 June he was stopped by police from leaving Karshi on his way to Tashkent to receive medical treatment.. He and Akmal Akhmedov, a human rights activist who was travelling with him, were held for five hours on 16 June before they were freed. However both had their passports seized. All citizens of Uzbekistan have to carry their passports even for internal travel. They were told they would have their passports returned on 16 June, but as of 21 June they had not been. Karaev was allegedly threatened by police in Karshi when he refused to divulge the contents of his interviews with OSCE observers on 11 December 2004. He claims to have been given death threats unless he complied. Karaev had also claimed that in March 2004 he was similarly threatened, this time for his reports on bombings in Tashkent. He was also briefly detained on 5 November 2004 on accusation of organising a protest rally some days earlier where businessmen had protested new trade proposals. See **Ulugbek HAIDAROV** below.

On 27 June 2005, Karaev fled Uzbekistan and is seeking asylum. He fears for his family's safety.

Brief detention/harassment

***Gafur YULDASHEV:** journalists and member of the banned *Erk* opposition party. Reportedly arrested – presumably briefly – on 26 June 2005 with two other Erk activists. Computer discs, tapes, documents and other personal belongings were seized.

Attacked

***Ulugbek HAIDAROV:** journalist and human rights activist. Reportedly severely beaten on 23 April 2005 resulting in hospitalisation following an attack in the Central Uzbek region of Jizzakh.. He reports that his attacker hit him in the face and kicked him to the ground. He believes that the attack was for his articles which criticised the governor of Jizzakh region. He claims that he had been warned against continuing writing such reports by local officials. Haidarov is the head of a local human rights group, Ezgulik (Kindness) and is one of a number of journalists whose name appears on a 'black list' supposed to have been issued by the Ministry of Internal Affairs, although the Ministry denies the existence of such a list. He was again attacked on 24 June 2005 in Karshi, where he had travelled to meet with journalist **Tulkin Karayev** (see above). Haidarov claims that on arrival in Karshi he was aware that he was being followed. He claims that as he approached Karayev's house he was set upon by men who beat him to the ground and then proceeding to kick him. He told Human Rights Watch that he would not be issuing a complaint to the police seeing it as futile.

Middle East

BAHRAIN

Brief Detention

***Ali Abdel IMAM:** Founder and editor of *bahrainonline.com*. He was detained on 27 February 2005 in Manama, the Bahraini capital. Prosecutors charged Imam with violating the press, communications and penal codes by "facilitating the publication of defamatory material through his sites discussion forum". Mohammed al-Musawi and Hussein Yousef, two technicians for *bahrainonline.com*, were arrested on 1 March 2005. All three were released on 14 March. The Public Prosecutor will decide in the coming weeks whether to proceed with a trial, which may result in a 10 year sentence for the three if they are convicted.

EGYPT

Judicial concern

Abd al-Mun'im Gamal al-Din `ABD AL MUN'IM: Freelance journalist, born c. 1964, currently facing trial 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 30 June 2005. Held in Rayoum Jail, south-west of Cairo, and said to be suffering from kidney problems and asthma.

Sentenced, free pending appeal

Ahmed EZZEDINE: Correspondent for the weekly *Al-Ousbou*. Sentenced on 16 June 2004 to two years’ imprisonment for defaming Deputy Prime Minister and Agriculture Minister Youssef Wali after accusing the minister of “false testimony” in an article published on 23 June 2003. He was reportedly tried *in absentia*, and is thought to have gone into hiding where he is expected to remain until the impending reform of the Criminal Code to end prison sentences for press offences announced in February 2004 has been adopted by Parliament.

Brief Detention

***Ibrahim AL-SAHAR:** A journalist. He was detained on 28 January 2005 on charges of “incitement against public order” for distributing leaflets at the Cairo book fair which called for demonstrations on 4 February against President Mubarak standing unopposed for a fifth term in office in the upcoming Presidential elections. _

IRAN

Main Cases

Amir Abbas FAKHRAVAR

Profession: Writer, journalist for the now-banned pro-reform dailies *Mosharekat* and *Khordad*, and law student. **Date of arrest:** 10 November 2002 **Sentence:** Eight years in prison **Expires:** 9 November 2010 **Details of trial:** Sentenced by Bench 26 of the Revolutionary Court on or around the 10 November 2002 to eight years in prison for criticising the supreme leadership of Iran in his book *Inja Chah Nist* (‘This Place is Not a Ditch’), shortlisted for the 2001/2 Paulo Coelho Literary Prize. Following a period of leave from Evin prison he was ordered to appear in court on 18 March 2003 for an appeal hearing. When he appeared he was denied representation by the two lawyers who had represented him on previous occasions. After an argument with the judge he was beaten in front of Bench 26 before being transferred to prison. It is thought that he may have been targeted for writing an open letter to the authorities on 4 February 2003 criticising the Iranian government and demanding a referendum on the future government of Iran. **Place of detention:** Evin prison **Treatment in prison:** Reportedly held amongst common law prisoners and denied medical treatment for the reportedly severe injuries sustained in court and an existing foot injury. Said to have been repeatedly attacked in staged assaults by fellow in-mates. In January 2004 he was taken from Qasr prison to a military detention centre - called “125” and which is run by the Revolutionary Guards - for interrogation about alleged links with an opposition political organisation called Jonbesh-e Azadi-ye Iraniyan. He was held in solitary confinement and subjected to a technique of sensory deprivation is called “white torture” (*shekanjeh-e sefid*). On or around 8 February 2004, Amir Abbas Fakhravar was reportedly allowed

to leave the detention centre. However, two days later he was taken into custody again. While he was free he was able to tell others about what was being done to him. Granted temporary release from prison in June 2005. **Health concerns:** Thought to have sustained a broken leg during the court assault. **Honorary member of:** English and Canadian PEN.

Akbar GANJI

Profession: Journalist. **Date of arrest:** 22 April 2000 **Sentence:** 6 years’ imprisonment. **Expires:** 21 April 2006 **Details of arrest:** Arrested following his participation in an academic and cultural conference held in Berlin on 7-9 April 2000 entitled “Iran after the elections”, at which political and social reforms in Iran were publicly debated. **Details of trial:** Trial started on 9 November 2000 at the Revolutionary Court in Tehran. On 13 January 2001 he was sentenced by Bench 3 of Tehran’s Revolutionary Court to ten years’ imprisonment plus five years’ internal exile, four years for his attendance at the conference and six years for other charges, including “spreading propaganda against the Islamic regime”, for a series of articles he had written implicating leading figures in the murders of several dissidents and intellectuals in the mid-late 90’s. On 15 May 2001 an appeal court reduced his 10-year sentence to six months and overturned his additional sentence of five years internal exile. However, although he had served the entire sentence, the Tehran judiciary challenged the appeal court decision and brought charges against him in connection with newspaper articles he wrote prior to April 2000. Sentenced on 16 July 2001 to six years’ imprisonment on charges of collecting confidential information harmful to national security and spreading propaganda against the Islamic system. On 15 October 2003 he was reported to have appeared before an examining magistrate to answer questions about his book *Prison-like Archipelago*. There are said to be several cases pending against Ganji for articles he has written, including charges of ‘propaganda against the regime’ and publishing lies, insult and libel. **Professional details:** Author of the best-selling book *Dungeon of Ghosts*, a collection of Ganji’s newspaper articles published in early 2000, in which he implicated the former president, Akbar Hashemi Rafsanjani, and other leading conservative figures in the “serial murders” of 1998. The book is said to have seriously damaged the reputation of Rafsanjani, and is thought to have been a major factor in the conservative defeat in the parliamentary elections of February 2000. **Place of detention:** Evin Prison. **Treatment in prison:** Has spent long periods in solitary confinement. **Health concerns:** Seriously ill and suffering from asthma. Reported in October 2004 by prison doctors to be in need of specialist medical treatment outside prison. This request was reportedly blocked by prison authorities and on 19 May 2005 Ganji began a hunger strike in protest. On 24 May he ended his hunger strike after being granted permission for one week’s medical leave and was released on 29 May. On 7 June 2005 a Judiciary spokesman said that Ganji’s medical leave was being extended on medical advice, but Tehran’s Chief prosecutor ordered that he be re-arrested. Ganji returned to prison on 11 June 2005 without having received the recommended treatment and has resumed his hunger strike. Health is significantly deteriorating as of 30 June 2005. **Other information:** Recipient of the Canadian Journalists for Free Expression (CJFE) 2000 International Press Freedom Award. **Honorary member of:** Canadian, American, Liechtenstein and English PEN Centres.

Hossein GHAZIYAN

Profession: University lecturer and director of the Ayandeh Research Group. Formerly worked for the now-banned newspaper *Nowrooz*. **Date**

of arrest: 31 October 2002. **Sentence:** Nine years imprisonment, reduced to four and a half on appeal. **Expires:** 30 April 2007. **Details of arrest:** Detained by judicial officials following a search of his Tehran office. The Ayandeh Research Group has since been closed down according to an order by the judiciary. **Details of trial:** Ghaziyani's trial began on 1 December 2002, and he was sentenced on 2 February 2003. **Place of detention:** Evin Prison, Tehran.

***Mojtaba LOTFI**

D.o.b: 1969 **Profession:** A cleric and journalist in the city of Qom, worked for the banned dailies *Khordad* and *Fath*, and was a member of the editorial board of the banned weekly *Ava* and the website *Naghshineh*, which was closed by the authorities. **Date of arrest:** 5 February 2005 **Sentence:** Lotfi had been sentenced to 3 years and 10 months' imprisonment in early 2004 on charges of "spreading lies and acting against the regime" and "disclosing national secrets." He had been detained for 2.5 months in early 2004 and then released. According to a 12 February 2005 report, Mojtaba Lotfi was taken to prison on 5 February 2005 to serve the rest of his sentence. **Expires:** 20 September 2008 **Place of Detention:** Langarood Prison, Qom. **Health Concerns:** Is said to be suffering from chronic bronchitis and skin diseases caused by chemical weapons during the war against Iraq.

***Mohammad Reza NASSAB-ABDOLLAHI**

D.o.b: 1978 **Profession:** Student, journalist and human rights activist. **Date of Arrest:** 1 March 2005. **Sentence:** 6 months' imprisonment. **Expires:** 1 September 2005 **Details of Arrest:** He was first arrested and detained in December 2003 and held for two weeks because he had written an open letter online which was critical of Ayatollah Khameni. He was informed on 24 February 2005 that his six month sentence and fine was to be upheld. **Details of trial:** He was summoned to court in January 2004 and accused of "spreading lies", "insulting the sanctities", "insulting the regime", "conducting propaganda against the regime" and as a result, received his six months sentence in April 2004. **Place of Detention:** The Central Prison in Rafsanjan, Kerman Province. **Professional Details:** Nassab-Abdollahi was formerly the secretary of the Islamic Students Society of Rafsanjan University. He was then an activist for the United Students Front. He is also a member and representative of the *Ayandeh-Sazan* Party in Rafsanjan and established the Student Society for the Defence of Human Rights in Iran in 2004. **Previous political imprisonment/problems:** In July 2004, he was sentenced to one year's imprisonment, suspended for two years, for writing an article in December 2001 in which he protested against the continued detention of Ali Afshari, a leading student activist, and for insulting the regime. He was also banned from leaving Iran for six years. In May 2004 he issued an open letter in which he accused the Ministry of Intelligence of persecuting him.

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. **Place of detention:** Evin Prison **Health concerns:** Pourzand suffers from diabetes and a heart complaint. Said to have been denied necessary medical treatment in detention, and reported by his family to be in a serious condition. On 18 April 2004 he was reportedly admitted to cardiac care unit of Tehran's Modares Hospital following a reported heart attack on 30 March 2004. Reported on 25 April 2004 to have left the cardiac care unit, but his condition reportedly deteriorated and he was re-admitted to hospital. Said to have undergone surgery on his spine on 23 May 2004. **Treatment in prison:** In late July 2002 it was reported that some days earlier Pourzand had appeared on state television and confessed to espionage and denounced other intellectuals and writers. He was in apparent distress and there are concerns that he has been placed under extreme duress. **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.

Taghi RAHMANI, Hoda SABER and Reza ALIJANI

Profession: Journalist with the banned weekly *Omid-é-Zangan*, co-editor of the banned monthly *Iran-é-Farda*, and editor-in-chief of *Iran-é-Farda* respectively. **Date of arrest:** 14 June 2003. **Sentence:** Seven, five-and-a-half and four years respectively. **Expires:** 13 June 2010, 13 December 2008, and 13 June 2007 respectively. **Details of arrest:** Rahmani, Alijani and Saber were 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. The charges against them are thought to include "attempting to overthrow the state" and "acting against national security". **Details of trial:** Rahmani, Saber and Alijani 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, but were each arrested at their homes in Tehran on 14 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 Reza Alijani learned that their appeal had been heard in absentia and their sentences confirmed as seven, five-and-a-half and four years' imprisonment respectively. Lawyers for Rahmani, Alijani and Saber have not been allowed access to their clients' files. The three are currently on leave from prison and their case is being re-examined by the Head of Judiciary. **Place of detention:** Evin Prison. **Treatment in prison:** Held for long periods in solitary confinement and without access to their families or lawyer. Feared to be at risk of torture. **Health concerns:** The WiPC received reports that Alijani is suffering from breathing problems and requires regular medical treatment. **Previous political imprisonment/problems:** Rahmani previously served 13 years and Alijani 7 years in the 1980's and 90's for opposition activities.

*Mojtaba SAMI'INEJAD

D.o.b: 1980 **Profession:** Student and writer of short stories. **Date of arrest:** 1 November 2004 **Sentence:** 2 years in prison. **Details of arrest:** Initially detained on 1 November 2004 for reporting on the detention of three individuals who had been arrested for their online activities in his weblog *Man-Namanam.Blogspot.Com*. He was released on bail in January 2005 and re-arrested on 12 February 2005 on a total of sixteen charges which include: (i) Insulting the late Ayatollah Khomeini and the present leader Ayatollah Khamenei;(ii) Taking action against the national security;(iii) Insulting the sanctities of Islam; (iv) Spreading lies and disturbing the public; (v) Having illicit relationships and encouraging prostitution. **Details of trial:** On 2 June 2005, Bench 13 of the Islamic Revolutionary Court sentenced Mojtaba Sami'inejad to two years' imprisonment on charges of "insulting the leader". He was acquitted of all other charges. His sentence was upheld on appeal on 28 June 2005. **Place of detention:** Ghezal-Hessar Prison.

Nasser ZARAFSHAN

D.o.b: 1946. **Profession:** Author, translator and barrister. **Date of arrest:** 7 August 2002. **Sentence:** Five years' imprisonment (2 years' for disseminating state secrets, 3 years' for the possession of firearms) and seventy lashes for the possession of alcohol. **Expires:** 6 August 2007 **Details of trial:** The Judicial Organisation of Armed Forces (JOAF) brought the original complaint against Zarafshan and arrested him in October 2000. He was released after a month pending trial. In February 2002 he was tried behind closed doors by a military court, and was sentenced on 19 March 2002. The presiding judge was also a prosecutor with the JOAF. Zarafshan has repeatedly denied the charges against him, asserting that he was simply carrying out his duties as an attorney, and alleging that the weapons and alcohol were planted in his office, which was reportedly searched while he was in detention. His sentence was upheld by an appeals court on 16 July 2002. Zarafshan has reportedly appealed to the Supreme Court and is currently awaiting a decision. **Place of detention:** Evin Prison, Tehran. **Health concerns:** Zarafshan is seriously ill, suffering from a chronic and worsening kidney disease for which he was reportedly been denied urgent medical care. On 7 June 2005 he started a hunger strike in protest at being denied treatment, and as a result his health significantly deteriorated. [In early July 2005 PEN learned that Zarafshan had ended his hunger strike and had been transferred to hospital for an operation on his kidney. He is expected to remain on medical leave for some time, and may undergo further surgery.] **Treatment in prison:** In addition to being denied medical care Zarafshan was reportedly held in a cell with prisoners convicted of violent crimes. **Professional details:** A distinguished member of the Iranian Writers' Association (Kanoon), the Committee on Serial Killings in Iran and the Iranian Bar Association, Nasser Zarafshan is the legal representative of two of the families of Iranian writers assassinated in November 1998 in what came to be known in Iran as the 'serial murders' case. The action against Zarafshan is thought to be both in retribution for his criticism of the official investigation carried out into the murders, and also as a means of silencing others who seek the truth behind the killings. On 29 January 2003 the Iranian Supreme Court commuted the death sentences of at least two former secret agents found guilty of the murders. **Other:** Recipient of American PEN's 2004 Barbara Goldsmith Freedom to Write Award. **Honorary member:** Norwegian PEN Centre, Canadian PEN, English PEN, Swedish PEN.

Investigation

***Grand Ayatollah Yasoub-al-Deen RASTGARI-JUYBARI:** Cleric and writer. 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 sectarian Shiite text attacking the Sunni sect of Islam, and is reportedly addressing points raised in another published book. There are unconfirmed reports that Grand Ayatollah Rastgari has been secretly charged, convicted and sentenced to four years in prison by the Special Court for the Clergy. Grand Ayatollah Rastgari is said to be a highly respected and renowned Muslim scholar who has written over 100 works. He is aged 78 and said to be in frail health, suffering from diabetes and heart disease. 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. He was reportedly previously detained for three years and sentenced to a period of internal exile for his activities against the regime. WiPC seeking confirmation of charges and sentence against him, and further details of the nature of the comments for which he is detained.

Attacked

***Shahla LAHIJI(f):** Writer and Director of the Roshangaran Publishing House. The office of the publishing house was attacked by unknown persons using a petrol bomb on 27 February 2005. According to Ms Lahiji, all the files and manuscripts as well as publishing permits for individual books were burnt in the ensuing fire. **Previous political imprisonment/problems:** Lahiji was previously detained from 29 April-21 June 2000 for her participation in a conference at the Heinrich Boll Institute in Berlin.

Brief detention

***Yusuf AZIZI-BANITORUF:** A journalist and writer as well as an Iranian-Arab activist. A member of the Iranian writers union and the Arab Writers Union. He was detained after ethnic disturbances erupted among Iran's Arabic-speaking minority in the southern province of Khuzestan. Azizi-Banitoruf's detention came on 25 April 2005, a few hours after he gave an interview to Radio Farda and had made a speech in a human rights seminar regarding the disturbances and voiced his protest against the suppression of the demonstrators. The security agents searched his house and took away his writings as well as some other items including a telephone book. Azizi-Banitoruf was first taken to Evin Prison in Tehran and later transferred to Ahvaz, the provincial capital of Khuzestan, where the disturbances had taken place. His lawyer was allowed to visit him in Ahvaz on May 8 2005. Released on bail on 28 June 2005. It is not known whether he will face trial as no charges have yet been brought against him.

Sentenced, free on bail pending appeal

Hashem AGHAJARI

D.o.b.: 1957 **Profession:** Prominent reformist intellectual. Head of the history department at the Tarbiat Modarress University in Tehran. **Date of arrest:** August 2002 **Sentence:** Five years imprisonment, including a two-year suspended sentence. **Expires:** August 2007 **Details of arrest:** Detained in connection with a speech in which he reportedly rejected

demands to “blindly follow” clerical rule. **Details of trial:** He was sentenced to death for apostasy on 9 November 2002 by the Fourteenth District Court in the western city of Hamadan. The verdict was overturned twice by the Supreme Court, most recently on 1 June 2004, and on 20 July 2004 he was sentenced to five years in prison including a two-year suspended term for “insulting Islamic values”. Aghajari was freed on bail on 31 July 2004 pending appeal at the Supreme Court. Other information: Member of the left-wing reformist political group the Islamic Revolutionary Mujahidin Organisation. **Honorary member of:** Norwegian PEN.

Morteza KAZEMIAN, Said MADANI, Ezzatollah SAHABI and Ali-Reza REDJAI

Profession: 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. **Sentence:** 10, 10, 4 and 4 years’ imprisonment respectively. **Details of arrest:** Ezzatollah Sahabi, who is reportedly the son of one of the founders of the National Religious Alliance, was first detained on 26 June 2000 for his participation in the Berlin conference. He was released on bail on 21 August 2000, but re-arrested on 17 December 2000 on new charges. He remained detained until 2 March 2002, when he was freed on bail. **Madani, Kazemian, and Redjai** were reportedly among a number of people arrested on 11 March 2001 when security agents raided a gathering at the home of journalist Mohammad Bastehneghar (see below). The gathering constituted 20-30 supporters of the ‘Iran Freedom Movement’ (‘Nehzat-e Azadi-ye Iran’) and Milli Mazhabi (National Religious Alliance), a broad and informal group of individuals advocating reform in Iran (see Rahmani, Alijani and Saber in ‘main cases’ above). According to the head of Tehran’s Revolutionary Court, the group were “conspiring to overthrow the Islamic government”. They spent periods of varying length in detention before being released on bail pending trial. **Details of trial:** The journalists were handed down sentences ranging from four to thirteen years by the Tehran Revolutionary Court on 10 May 2003 after a closed trial. 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”.

***Farid MODARRESI:** Journalist with the daily *Shargh* and weblogger. Reported on 22 June 2005 to have been sentenced to 91 days’ imprisonment for insulting the President in his writings. He is appealing the sentence and remains free. Also believed to be facing charges for his writings in another case.

***Arash SIGARCHI:** D.o.b.: 1978. Editor-in-Chief of *Gylon Emroz*. Formerly with the now-banned reformist daily *Bahar* and translator of a book as yet unpublished entitled *Headline Writing*. Arrested on 16 January 2005 after being summoned to court following articles in his weblog critical of the authorities and protesting the detention of several webloggers. His detention was allegedly because of interviews he gave to the BBC World Service and to Radio Farda. On 22 February it was reported that the Revolutionary Court of Gilan had sentenced Sigarchi to fourteen years’ imprisonment. He was released from prison on bail in March 2005. Sigarchi was previously detained for several days in August 2004 for his writings.

***Dr.Ebrahim YAZDI:** Doctor of pharmacology, writer and translator. Reportedly sentenced to a ‘heavy’ prison term on 16 November 2004 on charges of acting against national security, propaganda against the regime, activities in favour of groups opposing the regime, retaining

unauthorised weapons, insulting the Supreme Religious Authority and other leaders. Tried in absentia on 1 October 2004. Is free pending appeal.

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 recently learnt that the Supreme Court acquitted Abbas Abdi of the two charges of “cooperation with foreign governments” (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.

Emadeddin BAQI

Profession: Journalist with the now suspended daily *Fath*. **Sentence:** One year’s imprisonment. **Details of trial:** Charged in connection with a series of articles published in the reformist press and his book *The Tragedy of Democracy in Iran* implicating Iranian officials in the murders in recent years of a number of intellectuals and dissidents. He was tried on 9 November 2003 and on 4 December 2003 it was announced that he had been sentenced 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, although the sentence has reportedly not yet been enforced for reasons that remain unclear and Baqi remains free. **Previous political imprisonment/problems:** Previously arrested on 29 May 2000 and sentenced to five-and-a-half years in prison, commuted to three years on appeal, on a number of charges stemming from his critical writings, including articles that “questioned the validity of ...Islamic law”, “threatening national security”, and “spreading unsubstantiated news stories”.

Fariba DAVOUDI-MOHAJER (f): Journalist for the reformist press. Reportedly handed down a three-year suspended jail sentence on 28 September 2003 by the Tehran Revolutionary Court for “anti-government propaganda” and “harming state security” in articles she had written. She was also accused of signing a petition to release prisoners.

Abbas KAKAVAND: Freelance journalist, formerly with the conservative daily *Ressalat*. Reportedly detained on 7 June 2004 for a series of articles alleging official corruption which were published in February 2004 on the website www.gooya.com and in several reformist dailies. He was found guilty of disseminating “false news, libelling and propaganda against the regime”, and was sentenced to 91 days of imprisonment on each count. The sentence has been suspended for two years. According to reports, he has decided not to appeal.

Hamed MOTAGHI: Editor of the webzine *Naqshineh.com*. Reportedly sentenced on appeal on 18 November 2004 to a fifteen-month suspended prison term and a cash fine of 10 million rials for ‘publishing false information with the aim of disrupting public order’.

Released

Hojjatoleslam Hasan Yousefi ESHKEVARI: Director of the Ali Shariati Research Centre and contributing editor of the *Iran-e Farda* newspaper. Arrested on 5 August 2000 and sentenced to 7 years' imprisonment for "propaganda against the Islamic Republic" and "insulting top rank officials". Eshkevari was among a number of Iranian writers, journalists and academics who attended a conference at the Heinrich Boll Institute in Berlin, Germany, on 7-9 April 2000 entitled "Iran after the elections", at which political and social reform in Iran were publicly debated. Eshkevari was granted "conditional release" on 5 February 2005. If he is charged by the authorities for similar offences as outlined above, he would have to serve the remainder of his term in prison.

Ensafali HEDAYAT: Freelance journalist. Arrested on 17 January 2004 and sentenced on 14 April 2004 to 18 months' imprisonment for 'insulting senior officials of the Islamic republic' and 'propaganda against the regime'. Released on 13 June 2005 on completion of his sentence.

Case closed

Narges MOHAMMADI (f): Prominent female journalist working for *Payam-e Hajar*. Sentenced to one year in prison on 9 March 2003 for granting interviews to media outlets during the imprisonment of her husband, journalist Taghi Rahmani (see 'main case' above). Mohammadi reportedly remains free on bail pending appeal, case closed for lack of further information.

Mohsen SAZEGARA: Leading reformist journalist. Sazegara is the publisher of the now-suspended dailies *Jameh* and *Tous*, and founder of the website www.alliran.net. Arrested on 15 June 2003 and charged with "undermining national security", "insulting the Guide of the Islamic Revolution" and "propaganda against the regime". Held until 6 October 2003 when he was released on bail. Sazegara is currently abroad receiving medical treatment, but was tried *in absentia* and learned on 8 March 2004 that he had been convicted and sentenced to one year's imprisonment. Case closed, sentence now expired.

IRAQ

Killing

***Najem Abd KHUDAIR, Ahmad ADAM and Ali Jassem AL RUMI:** The Kerbala correspondent for the newspaper *Al Mada*, freelance writer for *Al Mada*, and trainee journalist with the *Al Safeer* newspaper in Baghdad respectively. Killed on 19 May 2005 while on their way to Kerbala from Baghdad. According to reports, they were among 13 passengers in a minibus that was stopped by an armed group who picked out the journalists when they showed their press cards. They were subsequently killed by the road side.

Killed: investigation

***Karam ALI:** A Kurdish journalist working for the *al-Ittihad al-Islami* and *al-Ofoq al-Islami* newspapers was shot and injured by US forces on the road between Baghdad and Darbandikhan in northern Iraq on 9 February 2005. He died three days later in hospital. According to reports, the driver of the car in which Karam Ali was driving in, failed to stop at a checkpoint when ordered to do so by American troops.

***Abdul Hussein AL-BASRI:** An editor for a local newspaper as well as a correspondent for the US backed TV channel al-Huriyya, was killed along with his son as they left their home in Basra on 9 February 2005. ___

***Ahmed U'BADI:** A reporter with the *al-Sabah* newspaper. Reportedly beheaded by the insurgent group al-jihad al-tawhit over the weekend of 16/17 April 2005. WiPC is currently trying to get more details about the case.

Investigation

***Ahmed Mutare ABASS and Ayad ALTMIMI:** Journalist and editor of the daily *Sada Wasit* respectively, were arrested on 12 April 2005 in the southern town of Kawit on the apparent orders of the mayor. Abass and Altmimi were sentenced to four months and two months imprisonment respectively for "libel". *Sada Wasit* had repeatedly criticised the municipality. WiPC is currently trying to corroborate the story.

Brief detention

***Majed Fadhil ZABOUN:** An Iraqi journalist who is the cultural editor for the *al-Fourat* newspaper. Arrested by US forces on 28 February 2005 on his return from a conference in Damascus. Zaboun was released on 11 March 2005. He was said to be in a poor physical and psychological condition on his release.

Kidnapped/released

***Florence AUBENAS(f):** A reporter with the French daily *Liberation*. She disappeared along with her interpreter, Hussein Hanoun Al-Saadi shortly after leaving their hotel in Baghdad on the morning of 5 January 2005. Released on 11 June 2005.

***Eduard OHANESIAN:** A journalist with the *Romania Libera* newspaper. Kidnapped in Baghdad on 28 March 2005 along with Marie-Jeanne Ion (f) and Sorin Miscoci, a reporter and cameraman respectively for the Romanian Prima TV. The three were taken shortly after conducting an interview with the interim Prime Minister, Iyad Allawi. They were all freed on 22 May 2005.

***Giuliana SGRENA(f):** A reporter with the Rome daily *Il Manifesto*, was kidnapped in Baghdad on 4 February 2005. Sgrena was released on 4 March 2005. Nicola Calipari, the Italian secret service agent who negotiated the release of Sgrena, was killed by American fire as they both travelled to the airport. Sgrena was wounded in the incident.

KUWAIT

Main case: awaiting deportation

Fawwaz Muhammad AL-AWADHI Bessissu

D.o.b.: c.1960. **Profession:** Editor. **Date of Arrest:** February 1991 **Sentence:** Life imprisonment. **Details of Trial:** One of twenty-four people to be tried for allegedly working for al-Nida newspaper, an Iraqi government publication, during the 1990/1991 occupation of Kuwait. Tried under martial law and not allowed a government-appointed defence lawyer until the trial was under way. There was concern, however, that those tried may have confessed under torture and that they may have been forced to co-operate with the Iraqi forces. The investigation and trial were also said to be unfair due to other reasons, including the fact that the trial took place in only a day, 2 June 1991, and that evidence was based only on hearsay or secret sources and 'confessions' allegedly obtained under torture. Given death sentence on 15 June 1991, commuted to life imprisonment on 25 June 1991 following international protests and after martial law was dropped. **Professional Details:** Reportedly one of the editors of al-Nida and formerly language editor of al-Qabas. **Previous Political Imprisonment/Problems:** Claims he was imprisoned by Iraq occupiers for a week for publishing an article trans-

lated from Time magazine about how young Kuwaiti men were preparing to resist the Iraqis and reconstruct Kuwait after the war. **Other Details:** Palestinian. He was reportedly theoretically released in March 2002 and is now awaiting deportation; his family members living abroad are believed to be trying to find him another country of domicile, and he is expected to remain detained until a suitable third country can be found to accept him.

Main case/in hiding

Yasser AL-HABIB

Profession: Writer, journalist and researcher. Has worked for several Arabic-language newspapers including the monthly *al-Menbar (The Pulpit)*. **Date of arrest:** 30 November 2003 **Sentence:** 10 years imprisonment. **Expires:** 1 March 2013 **Details of arrest:** Yasser al-Habib was arrested on 30 November 2003 in connection with an audiocassette recording of a lecture he gave to an audience of 10-20 people in a closed environment on Islamic historical issues. His research is believed to have relied heavily on Wahhabi references and texts, and is said to have angered hard-line Wahhabi groups who have used their influence within the establishment to bring about the maximum punishment against al-Habib. **Details of trial:** He was sentenced to one year's imprisonment on 20 January 2004 for defaming the companions of the prophet Muhammad in a lecture, but then released on 25 February 2004 as part of a prisoner amnesty to mark Kuwaiti National Day. According to PEN's information the Wahhabi lobby within the National Assembly pressurised the Minister of Justice to order al-Habib's re-arrest, and on 9 March 2004 new charges were brought against him under the National Security Law. He was reportedly sentenced in absentia to ten years in prison on 5 May 2004 for attempting to overthrow the regime. Yasser al-Habib has gone into hiding. On 4 June 2004 a group of some twenty armed security guards reportedly raided al-Habib's family home in search of him and assaulted his father.

LEBANON

Killed

***Samir QASIR:** A journalist with the Lebanese paper *an-Nahar*. He was killed on 2 June 2005 in a car bomb explosion in front his house in east Beirut. Qasir was a renown critic of the Lebanese authorities and of Syrian activities in the country. It is widely believed in Lebanon that his trenchant criticism of the authorities led to his death.

SAUDI ARABIA

Main case

Ali AL-DOMAINI

Profession: Leading poet and writer. **Date of arrest:** 15 March 2004 **Sentence:** Nine years **Expires:** 14 March 2013 **Details of arrest:** Among twelve leading Saudi intellectuals who were detained on 15 March 2004 for advocating political reforms, criticising the National Commission on Human Rights (NCHR) and for planning to set up their own human rights organisation. The NCHR is the kingdom's first human rights watchdog, and was approved in early March 2004 by the Saudi government as part of limited steps towards political reform. However, many liberal and opposition figures want to see speedier and more radical change than is being offered by the government. A Ministry of Interior official reportedly announced that the detainees were suspected of issuing "statements which do not serve the unity of the country and the

cohesion of society...based on the Islamic religion". Most of the detainees were released. Ali Al-Domaini was among those who were charged after refusing to sign a document renouncing their political activism. **Details of trial:** Trial began at an Islamic court in Riyadh on 9 August 2004. Ali Al-Domaini and academic Dr. Matrouq al-Faleh (see below) were charged with threatening national unity. They were also said to have been accused of promoting a constitutional monarchy and using Western terminology in demanding political reforms. The trial was conducted in camera. Al-Domaini was sentenced to nine years in prison on 15 May 2005. He was convicted on a number of charges including "stirring up sedition and disobeying the ruler". **Professional details:** Al-Domaini is a well-known writer, and his publications include three collections of poetry and one novel in Arabic. Health concerns: He is a diabetic. Treatment in prison: His wife is permitted fortnightly visits. He was not allowed to see his father before his death in late October 2004. **Honorary member of:** English PEN and PEN USA.

Dr. Matrouq AL-FALEH

Profession: Academic, writer, and well-known activist. **Date of arrest:** Mid-March 2004. **Sentence:** six years **Expires:** March 2010 **Details of arrest:** Among twelve leading Saudi intellectuals who were detained on 15 March 2004 for advocating political reforms, criticising the National Commission on Human Rights (NCHR) and for planning to set up their own human rights organisation (see **Ali Al-Domaini** above). Most of the detainees were released, but Dr. Al-Faleh was among those who were charged after refusing to sign a document renouncing their political activism. **Details of trial:** Trial began at an Islamic court in Riyadh on 9 August 2004. Matrouq al-Faleh and Ali Al-Domaini were charged with threatening national unity. They were accused of promoting a constitutional monarchy and using Western terminology in their demands for political reforms. **Professional Details:** Former political science teacher at King Saud University, Riyadh. He has published several academic books. **Previous political imprisonment/problems:** Reportedly banned from teaching in January 2003 because of an article he published in the London-based Arabic-language newspaper *Al-Qudis* which reportedly discussed the September 11th attacks and their impact on Saudi Arabia. **Honorary Member of:** PEN USA.

Investigation

***Mohamed AL-AWSHAN:** Editor-in-chief of the weekly *al-Mouhaid*. He was arrested by the Saudi security forces in Riyadh on 9 January 2005. Reportedly arrested because of his support for Saudi detainees at the American administered Guantanamo detention facility in Cuba. He is said to have written a number of articles in which he urged the Saudi authorities to help secure the detainees' release. WiPC checking whether still detained.

SYRIA

Main case

Nu'man 'Ali 'ABDU

Profession: Journalist for Lebanese monthly *Al-Tarik*. **Date of arrest:** 1992 **Sentence:** 15 years **Expires:** 2007 **Details of trial:** Apparently sentenced in 1993 to fifteen years' imprisonment for his membership of the Party for Communist Action. **Place of detention:** Reportedly transferred from Seydnaya prison to a detention centre in Damascus on 16 November 2000. **Health concerns:** He is said to suffer from a chronic open leg wound, according to reports from former prisoners.

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.

Abdul Aziz AL-KHAYER

D.o.b.: 1951 **Profession:** Medical doctor and dissident writer. **Date of arrest:** 1 February 1992 **Sentence:** 22 years' imprisonment. **Expires:** 31 January 2014 **Details of arrest:** Arrested in Damascus for his membership of the *Hizb al-'Amal al-Shuyu'i* (Party for Communist Action), which is not known to have used or advocated violence. **Details of trial:** Convicted in August 1995 by the Syrian State Security Court (SSSC). Four others tried at the same time as Al-Khayer, including poet and former PEN main case Faraj Baraykdar with whom he shared a prison cell, were released in December 2001 under a presidential amnesty. It is not known why Al-Khayer was not included in the amnesty. He was not taken up by International PEN until June 2004 as he was not known to be a writer. His writings reportedly include many political essays, including 'Nuptials of Dictatorship', and a publication called *The Black Book* which reportedly alleged corruption in Assad's regime. **Place of detention:** Sednaya prison, Damascus. **Treatment in prison:** Reported to be allowed greater freedom within the prison in recent years and to be able to provide medical care to a great number of prisoners. Said to have been denied family visits for over a year. Al-Khayer has been made an honorary member of English PEN.

'Abdel Rahman Al-SHAGOURI

D.o.b.: 1972 **Profession:** Internet activist. **Date of arrest:** 23 February 2003 **Sentence:** Three years' imprisonment, reduced to two-and-a-half years. **Expires:** 22 August 2005 **Details of arrest:** Reportedly arrested at a checkpoint near Damascus for sending an email newsletter from the banned website www.thisissyria.net (Levant News), which posts political news, including reports about Syrian political prisoners. The authorities reportedly consider material on the site to be "detrimental to the reputation and security of the nation" and "full of ideas and views opposed to the system of government in Syria". **Details of trial:** Sentenced to three years' imprisonment for "disseminating false information" by the Supreme State Security Court, a military court with no recourse for appeal, on 20 June 2004. The sentence was reportedly immediately reduced to two-and-a-half-years. **Place of detention:** Sednaya prison, near Damascus. **Treatment in prison:** Held in solitary confinement since his arrest. **Other information:** He is married with two children. This is the first known jailing of an internet dissident in Syria.

Haytham QUTAYSH and Muhannad QUTAYSH

Profession: Internet activists. **Date of arrest:** January 2003. **Sentence:** Four and three years' imprisonment respectively. **Expires:** January 2007 and January 2006 respectively. **Details of arrest:** Reportedly arrested for sending articles to an electronic newspaper in the United Arab Emirates. Their colleague **Yahia AL-AWS** (see 'Released' below), who was arrested and convicted with them, has now served his sentence and is presumed freed. They had reportedly been writing articles under pseudonyms about government corruption, politics, economics and human rights issues in Syria. **Details of trial:** Convicted of 'spreading false information' on 25 July 2004. **Place of detention:** Sednaya prison.

Investigation

***Ali ABDULLAH:** D.o.b.: 1950. Journalist and active member of the Committees for the Revival of Civil Society and the Human Rights Association of Syria, both proscribed organisations. Ali Abdullah has written for several Arabic language newspapers including for the Lebanese daily, *al-Nahar*. **Details of arrest:** He was arrested by the security forces at his home in Qatana, near Damascus on 15/16 May 2005. The arrest came after he read a statement at the Jamal al-Atassi Forum on behalf of Sadr al-Din Bayanouni, the exiled leader of the Muslim Brotherhood, an organisation which is banned in Syria. According to reports, the statement reiterated the movement's opposition to violence and called for political reforms in Syria. Ali Abdullah is reportedly facing charges of "promoting an illegal organisation" and his trial is due to start before the Supreme State Security Court in October 2005. He is said to be held in solitary confinement in 'Adra Prison, near Damascus, where he is feared to be at risk of ill-treatment. The WiPC is following developments in the case.

Nabil FAYAD: Writer and journalist. Has published articles for the online political review *Annaqed* (www.annaqed.com) and the Kuwaiti daily *al-Seyassah*. Also one of the founders of *Liberal Syria* (liberal-syria.com), a new liberal online discussion forum. A well-known sociologist, has published numerous books and is known for his writing against Islamic fundamentalism. Arrested on 30 September 2004, apparently in connection with his participation in founding the Syrian Liberal Association on 13 September 2004 (see Jihad Nasra below). Fayad had been summoned on various occasions by the intelligence services for his writing, most recently on 2 September 2004. He is known for his articles calling for democracy and free expression and his writing has been censored in Syria and other Arab countries. No charges against him have been made known.

Habib 'ISSA: Lawyer, journalist and writer. Reportedly arrested in September 2001 and sentenced by the State Security Court to five years' imprisonment for his activities with the Civil Society Movement (see Aref Dalila above). WiPC seeking further details.

Jihad NASRA: Writer and journalist for the Syrian news website *Levant News* and co-founder of *Liberal Syria*, a new liberal online discussion forum. Arrested on 1 October 2004, apparently in connection with his participation in founding the Syrian Liberal Association on 13 September 2004 (see Nabil Fayad above). WiPC seeking further details.

Aktham NU'AYSA: Lawyer and human rights defender. Head of the Committee for the Defence of Democratic Liberties and Human Rights (CDDLHR). Reportedly arrested on 13 April 2004 and believed to be facing charges of "carrying out activities contrary to the socialist system of the state" and "opposing the objectives of the revolution", which carry a maximum penalty of 15 years' imprisonment. The charges against him are thought to relate to his work with the CDDLHR, including an annual

report on human rights violations in Syria published shortly before his arrest. Nu'Aysa is said to be in very poor health, suffering from kidney disease and a heart complaint. He is said to have suffered a minor stroke following his arrest, and to have been taken to Tishrin Hospital. Now believed to be held in solitary confinement in Sednaya Prison. Reported to have undergone a hunger strike in June 2004.

***Habib SALEH:** Journalist. Arrested in his home town of Tartus, on the coast north of Damascus, on 29 May 2005, reportedly for publishing articles critical of the government. He had written some highly critical open letters addressed to the ruling Ba'ath party in advance of the party congress which began on 6 June. The letters were published on Arabic-language websites including the Syrian pro-democracy discussion forum www.rezgara.com and the website of the Damascus Centre for Theoretical and Civil Rights Studies www.dctcrs.org. Said to be held incommunicado without charge and to be at grave risk of torture. Previously arrested in 2001 for articles published on the Internet and sentenced to three years in prison. He was released in September 2004.

Brief Detention

***Hussein AL-AWDAT, Yusef al-JIHMANI, Jihad MASSOUTI, Muhammad MAHFOUDH and Abdel Nasr KALHOUS:** Writer and owner of the Dar al-Ahali publishing house, writer and owner of the Dar Houran publishing house, and freelance journalists respectively. Reportedly arrested following the detention of Ali Abdullah (see above) on the night of 15/16 May 2005. They were released without charge on 31 May 2005. According to reports, they were questioned by the security services about the activities of banned organisations, the Muslim Brotherhood in particular.

Released

Yahia AL-AWS: Internet activist. Arrested in January 2003 with **Haytham QUTAYSH** and **Muhannad QUTAYSH** (see 'main case' above) sentenced to two years' imprisonment for 'spreading false information'. Charged for sending articles to an electronic newspaper in the United Arab Emirates. They had reportedly been writing articles under pseudonyms about government corruption, politics, economics and human rights issues in Syria. Sentence expired in January 2005, presumed freed.

YEMEN

Under banning order/facing charges

Saeed THABET: Correspondent for Kuds Press. Reportedly arrested on 5 March 2004 and charged with "spreading false news damaging to public interest and security" for publishing a news report about an alleged assassination attempt against President Saleh's son. Also handed down a six-month banning order on 13 April 2004. He was freed on bail on 8 March 2004, and the trial reportedly started on 10 March 2004. The charge carries a maximum penalty of one years' imprisonment. No further details on progress of trial as of end June 2005.

Released

Abdel Karim AL-KHAIWANI: Editor-in-chief of the weekly opposition newspaper al-Shoura. Arrested on 5 September 2004 and charged for nine articles he published in the 7 July 2004 issue of the weekly, which was dedicated to discussing the Yemeni government's fight against a rebel cleric who led a three month uprising in the northern region of Sa'ada during which hundreds were killed. Al-Khawaiwani was

convicted of incitement, defaming the President, publishing false news and causing tribal and sectarian discrimination. He was released under a Presidential pardon in March 2005.

PEN Centres with Writers in Prison Committees

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, 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, Perth, 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: 63

List of Main Cases or cases adopted by PEN centres by Country

(Those elected by PEN Centres are indicated in brackets)

Current as of 30 June 2005

1. Mohamed Benchicou	ALGERIA
2. Hassan Hakimi	AUSTRALIA
3. Shahriar Kabir	BANGLADESH
4. Salah Uddin Shoab Chaudhury (USA).....	BANGLADESH
5. Yury Bandazhevsky (Norway, English, Suisse romande)	BELARUS
6. Gao Qinrong (Canada).....	CHINA
7. Hada	CHINA
8. He Depu	CHINA
9. Huang Jinqiu	CHINA
10. Jiang Lijun	CHINA
11. Jiang Weiping(English & Canada).....	CHINA
12. Jin Haike (Ghana)	CHINA
13. Kong Youping	CHINA
14. Li Zhi (Canada).....	CHINA
15. Lu Zengqi.....	CHINA
16. Luo Changfu	CHINA
17. Luo Yongzhong.....	CHINA
18. Ma Yalian	CHINA
19. Mao Qingxiang	CHINA
20. Abdulghani Memetemim	CHINA
21. Ning Xianhua	CHINA
22. Shi Tao	CHINA
23. Tao Haidong.....	CHINA
24. Tohti Tunyaz (England, Perth, Canada, Japan, Leichenstein, Catalan, America)	CHINA

25. Wu Shishen.(Norway, Danish).....	CHINA
26. Wu Yilong.....	CHINA
27. Xu Wei (Ghana)	CHINA
28. Xu Zerong (Ghana)	CHINA
29. Yan Qiuyan	CHINA
30. Yang Zili (Ghana)	CHINA
31. Yu Dongyue (Czech, Melbourne, Canada)	CHINA
32. Zhang Honghai (Ghana)	CHINA
33. Zhang Lin.....	CHINA
34. Zhao Changqing.....	CHINA
35. Zhao Yan	CHINA
36. Zhu Yufu	CHINA
37. Lobsang Dhargay.....	CHINA/TIBET
38. Dawa Gyaltzen	CHINA/TIBET
39. Tashi Gyaltzen	CHINA/TIBET
40. Jampel Gyatso	CHINA/TIBET
41. Tsultrim Phelgay	CHINA/TIBET
42. Ngawang Phulchung(America, Austria, England, Canada, Sydney)	CHINA/TIBET
43. Toesam Zangda.....	CHINA.TIBET
44. Jesús Alvarez Castillo.....	CUBA
45. Pedro Argüelles Morán (English).....	CUBA
46. Victor Rolando Arroyo Carmona (Finnish).....	CUBA
47. Mijaíl Bárzaga Lugo (Netherlands).....	CUBA
48. Adolfo Fernández Saínz (English)	CUBA
49. Miguel Galván Gutiérrez (Sydney)	CUBA
50. Julio César Gálvez Rodríguez (English)	CUBA
51. José Luis García Paneque (English)	CUBA
52. Ricardo Severino González Alfonso (Finnish).....	CUBA
53. Léster Luis González Pentón (Sydney)	CUBA
54. Alejandro González Raga	CUBA
55. Iván Hernández Carrillo (Catalan, Scottish)	CUBA
56. Normando Hernández González (English).....	CUBA
57. Juan Carlos Herrera Acosta (German)	CUBA
58. José Ubaldo Izquierdo	CUBA
59. José Miguel Martínez Hernández	CUBA
60. Héctor Maseda Gutiérrez (Italian).....	CUBA
61. Mario Enrique Mayo Hernández (Catalan)	CUBA
62. Pablo Pacheco Ávila.....	CUBA
63. Omar Pernet Hernández	CUBA
64. Fabio Prieto Llorente (England)	CUBA
65. Alfredo Pulido López	CUBA
66. José Gabriel Ramón Castillo	CUBA
67. Blás Giraldo Reyes Rodríguez (Sydney).....	CUBA
68. Omar Rodríguez Saludes (Finland).....	CUBA
69. Omar Moisés Ruiz Hernández (Sweden)	CUBA
70. Miguel Sigler Amalla	CUBA
71. Léster Téllez Castro.....	CUBA
72. Omer "Abu Akla (Ghana)	ERITREA
73. Said Abdelkader (American).....	ERITREA
74. Akhader Ahmedin(Ghana)	ERITREA
75. General Ogbe Abraha	ERITREA
76. Mahmud Ahmed Sheriffo	ERITREA
77. Yusuf Mohamed Ali (American).....	ERITREA
78. Emanuel Asrat (American).....	ERITREA
79. Astier Feshatsion	ERITREA
80. Berhane Ghebre Eghzabiher	ERITREA
81. Beraki Ghebre Selassie.....	ERITREA

82. Amanuel Ghebremaskel (Ghana)	ERITREA	140. Abdul Aziz Al-Khayer (English).....	SYRIA
83. Ghebremedhin (Ghana)	ERITREA	141. Aref Dalila.....	SYRIA
84. Yebio Ghebremedhin (Ghana)	ERITREA	142. Abdel Rahman Al-Shagouri	SYRIA
85. Temesken Ghebreyesus (American)	ERITREA	143. Mohamad Abou	TUNISIA
86. Daniel Habte (Ghana).....	ERITREA	144. Hamdi Jebali.....	TUNISIA
87. Matthewos Habteab (American).....	ERITREA	145. Sihem Ben Sedrine (Suisse Romande)	TUNISIA
88. Muluberhan Habtegebrriel (Ghana).....	ERITREA	146. Leyla Zana (USA, San Miguel, Belgian Flemish, Scottish, Writers in Exile, English).....	TURKEY
89. Dawit Habtemichael (American).....	ERITREA	147. Ragip Zarakolu (American, English, Quebec, Kurdish, Canadian, Netherlands).....	TURKEY
90. Medhanie Haile (American and Ghanian).....	ERITREA	148. Jean Louis N' Tadi (England)	UNITED KINGDOM
91. Hamid Himid	ERITREA	149. Muhammad Bekzhon (England, America, USA, Canada).....	UZBEKISTAN
92. Dawit Isaac (American).....	ERITREA	150. Mamadali Makhmudov (England, USA, Canada, America, Netherlands).....	UZBEKISTAN
93. Saleh Idris Kekia	ERITREA	151. Yusif Ruzimaradov (England, USA, American).....	UZBEKISTAN
94. Germano Nati	ERITREA	152. Dang Phuc Tue.....	VIETNAM
95. Meles Nigusse (Ghana)	ERITREA	153. Thich Huyen Quang (England, Sydney, France, Denmark).....	VIETNAM
96. Estifanos Seyoum	ERITREA	154. Nguyen Hong Quang (Canada).....	VIETNAM
97. Petros Solomon.....	ERITREA	155. Nguyen Khac Toan	VIETNAM
98. Haile Woldetesnae	ERITREA	156. Nguyen Vu Binh.....	VIETNAM
99. Fesshaye Yohannes (American)	ERITREA	157. Pham Hong Son (France).....	VIETNAM
100. Paolos Zaid (Ghana).....	ERITREA	158. Pham Van Thuong.....	VIETNAM
101. Reza Alijani	IRAN		
102. Hashen Aghajari (Norway).....	IRAN		
103. Emadeddin Baqi	IRAN		
104. Amir Abbas Fakhavar (English, Canada).....	IRAN		
105. Akbar Ganji (Canada, America, England, Liechtenstein)	IRAN		
106. Hossein Ghaziyan.....	IRAN		
107. Mojtaba Sami' Inejad	IRAN		
108. Mojtaba Lotfi	IRAN		
109. Muhammd Reza Nassah-Abdollahi.....	IRAN		
110. Siamak Pourzand (Canada, America, Norway).....	IRAN		
111. Taghi Rahmani.....	IRAN		
112. Hoda Saber	IRAN		
113. Nasser Zarafshan (Norway, England, Canada, Sweden)	IRAN		
114. Fawwaz Muhammad al-Awadhi Bessissu.....	KUWAIT		
115. Irene Fernandez (Canberra)	MALAYSIA		
116. Ali Lmrabet (England, Denmark, Turkey, USA).....	MOROCCO		
117. Ahmed Ibrahim Didi (England).....	MALDIVES		
118. Naushad Waheed (England).....	MALDIVES		
119. Mohamed Zaki (England).....	MALDIVES		
120. Aung Pwint.....	MYANMAR		
121. Aung San Suu Kyi (England, Canada)	MYANMAR		
122. Ko Aung Tun (Norway, Canada, Canberra)	MYANMAR		
123. Khin Zaw Win (England)	MYANMAR		
124. Kyaw Sein Oo.....	MYANMAR		
125. Thuang Tun.....	MYANMAR		
126. U Sein Hla Oo (England, USA).....	MYANMAR		
127. Win Tin (Hong Kong (E), New Zealand, Japan)	MYANMAR		
128. Eduard Abrosimov	RUSSIA		
129. Nikolai Goshko.....	RUSSIA		
130. Ali Al-Domaini (English)	SAUDI ARABIA		
131. Matrouk Al-Faleh.....	SAUDI ARABIA		
132. Paul Kamara (England, USA, German, Canada).....	SIERRA LEONE		
133. Xabier Alegria (English)	SPAIN		
134. Txema Auzmendi (English)	SPAIN		
135. Martxelo Otamendi (English)	SPAIN		
136. Juan Mari Toreldai (English).....	SPAIN		
137. Iñaki Uribe (English).....	SPAIN		
138. Pello Zubria (English).....	SPAIN		
139. Nu'man 'Ali Abdu.....	SYRIA		

Half-year statistics

January to June 2005

Killed	15
Killed Investigation	13
Disappeared	12
Main Case (imprisoned)	140
Under Investigation (imprisoned)	62
Judicial Concern	10
Under Judicial Process	148
Non Custodial Sentence	32
In Hiding	5
Brief Detention	85
Death Threat	33
Other Threat/Harassment	59
Attacked/Ill-treated	62
Kidnapped	10
Deported/Expelled/Fled	13
Total	699
Released	64