

Violating a press law prohibiting
the publication of material considered
defamatory and offensive to religion

Promoting democracy

Speaking out in support of
women's rights and challenging
conservative religious beliefs

Subversive actions against
the state and collusion
with the political opposition
outside the country

Reporting on corruption
in the ruling party and
on planned attacks against the
political opposition; accused
of being a "media terrorist"

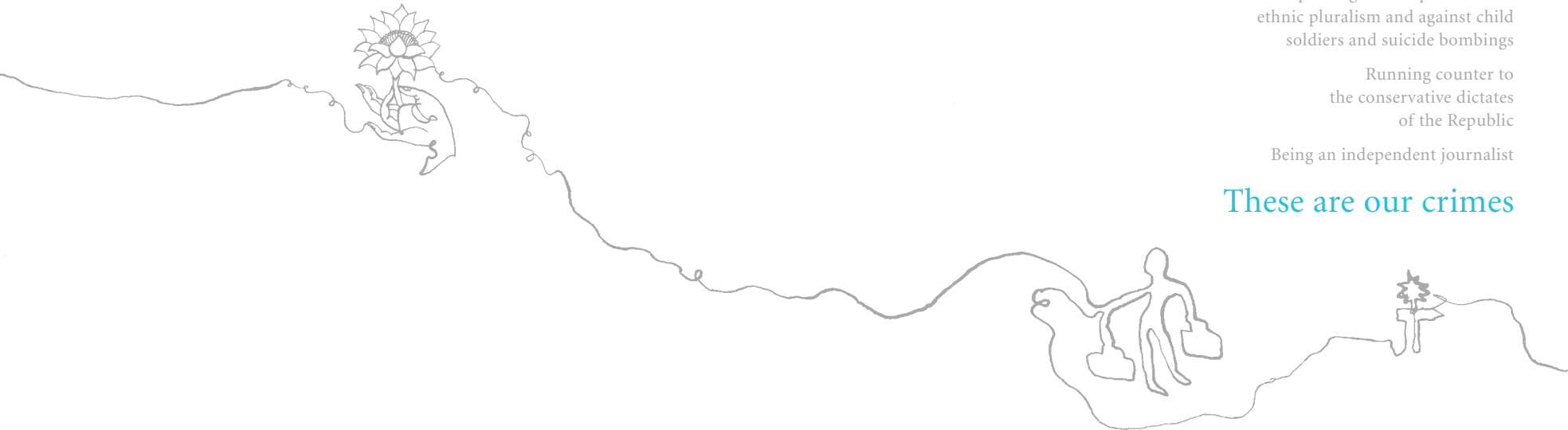
Arguing against terrorism
by the state and separatists;
speaking out for political and
ethnic pluralism and against child
soldiers and suicide bombings

Running counter to
the conservative dictates
of the Republic

Being an independent journalist

These are our crimes

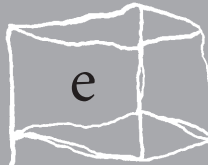
PEN CANADA 2004 05 ANNUAL REPORT



PEN CANADA

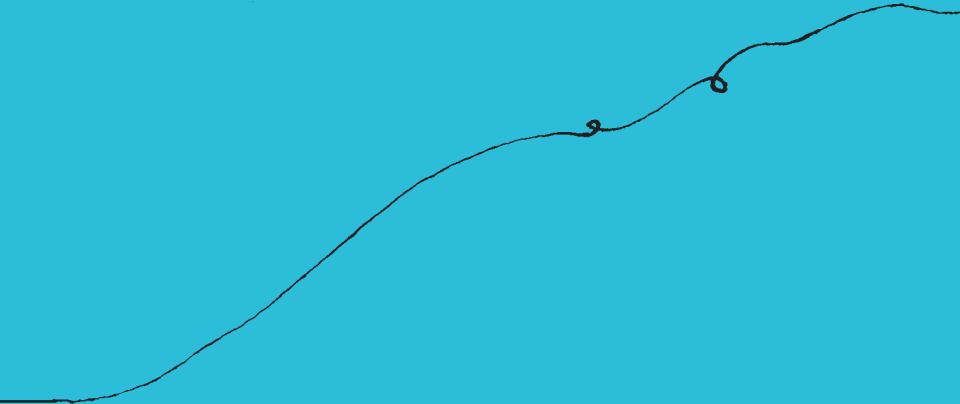
2004 05 ANNUAL REPORT

We live in



xile





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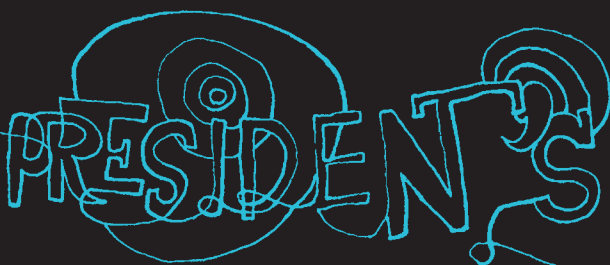
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Sometimes freedom is only the beginning. For the writer who has been freed from prison or escaped threat in his or her homeland, exile presents a whole new set of problems. When one is estranged from friends, family and culture, with a name no one knows, exile can be a lonely, frightening place.

PEN Canada has been working very hard over the past few years to develop ways to help these exiled writers make the transition to their new homes, with some encouraging success. In fact, we have been instrumental in establishing guidelines for PEN centres all over the world.

We dedicate this annual report to these writers, and would like to introduce you within these pages to some of the brave men and women who have made Canada their new home.



PRESIDENTS

Good governance.
Healthy finances.
Steady advocacy for freedom
of expression and other
PEN principles.

Expanded PEN reach
across Canada and in
International PEN.



REPORT

The goals with which I began my presidency have, for the most part, been met. Thanks to a series of painstaking but essential reforms undertaken in the last two years, PEN Canada has come a long way from our cash-strapped and conflict-ridden days to a point where we can play an even more significant role at home and abroad than we have in the past.

Better governance, combined with more than a dozen partnerships forged across Canada, with support of grants and foundations, have enabled us to fulfill our mandate more effectively in all of our areas of concern.

We can be especially proud of the truly pioneering work we have done as chair of the International PEN's Writers in Exile Network in the last three years.

No undertaking has taken more time and effort than our work on behalf of exiled writers – those who come to the West to save their lives but often end up feeling intellectually dead, deprived of the oxygen of their constituency and their cause. Instead of being silenced, their voices need to be heard, especially in today's global village.

The task of helping them was initiated by Reza Baraheni, whose passion moved International PEN in 2002 to name Canada as chair of the exilic network of 16 PEN centres worldwide.

We have been active on several fronts.

An exile committee of the board, initially headed by myself and now by director Mary Jo Leddy, has reached out to the exilic writing community in a variety of ways.

The Readers and Writers Program, funded by the Ontario Trillium Foundation, holds readings by exiled writers throughout Ontario.

Speaking in Tongues: PEN Canada Writers in Exile, an anthology of exile writing, edited by director Maggie Helwig and published by Banff Centre Press, is being launched at this year's annual meeting.

The biggest success story has been the placement of exiled writers in academic and other institutions. Through a great deal of hard work, we have found, or are close to finding, placements for a dozen writers.

We already have established partnerships with the Banff School of Fine Arts (two placements a year); George Brown College, Toronto (one lecturer in residence a year, two to date); York University (one resident scholar, and one student's tuition fee waived); University of Toronto (a new scholar in residence program, starting this fall, initiated by Arts Dean Dr. Pekka Sinervo, in addition to Massey College's Scholars at Risk program); and Acadia University (writer in residence for a year).

We are also actively developing partnerships with Laurentian University; the City of Owen Sound; Simon Fraser University, Green College, U.B.C., King's College, Halifax; University of Windsor; Trent University and others.

Another exciting development is that, after a year of negotiations, the Canada Council for the Arts has agreed to fund two scholarships, of \$25,000 each, for the placement of two exiled writers. One will likely fund the proposed program

in Halifax and the other in Vancouver, based on discussions held there in April by Philip Adams and director Constance Rooke. Rooke's distinguished academic career and campus connections bode well for the program.

As chair of International PEN's Exile Network, we have prepared a handbook for use by all PEN centres. It is mostly a compilation of our own experience, so that it can be duplicated or adapted elsewhere. We shall post it on our web site, with links to other PEN centres, thereby giving us the opportunity to keep updating it, and also helping exiled writers anywhere find that first useful connection.

Of course, this exciting new activity has not detracted from our traditional work. Under the able guidance of Writers in Prison Committee chair Alan Cumyn, we continue to be one of the most active centres in International PEN, through our network of minders, through the weekly Rapid Action Network and by lobbying the Canadian and foreign governments for the writers we have adopted as honorary members. Alan's report details the often frustrating task.

On the home front, the fact that Canada's reputation as a haven of freedom of expression is under post-9/11 assault by government, the police and the courts continues to be of great concern, as National Affairs Committee chair Christopher Waddell explains in his report.

Most of the work that I've outlined would not have been possible without the remarkable progress we have made in strengthening our organization. I consider the latter as significant as, if not more so than, the former.

Our board of directors is hard-working and highly talented: we have three former presidents, Louise Dennys, Alison Gordon and Reza Baraheni, along with others with experience in writing, publishing, finance, law, media and marketing – all dedicated to our mandate of protecting freedom of expression, in Canada and around the globe.

Attendance at board meetings, a basic test of commitment, is high. Directors are well informed and engaged. Committees function smoothly.

Under Executive Director Isobel Harry, office management has been exemplary, as you will see from her report. Operating expenses are down. Project money is up. The relationship between the board and the staff, a key ingredient of success in the NGO sector, has been superb. The board does not micro-manage the office. The staff operates within the policies laid down by the directors. The relationship is one of mutual respect and inter-dependence. Isobel, thank you.

Our bylaws have been modernized, thanks to the pro bono work of Janne Duncan of Fasken Martineau DuMoulin LLP, who is now working to bring PEN Canada into compliance with the proposed new Canada Corporations Act.

Finances are in good shape, as the audited statement shows, and on firmer footing, thanks to an expanded and multi-faceted business plan. Our treasurer, Hank Bulmash, CA, has been of tremendous help.

Membership and patron involvement have been enhanced, thanks to the work of the strategic committee, especially Diane Davy and director Bruce MacDougall.

Multi-year project funding has been obtained from the Ontario Trillium Foundation, Maytree Foundation, Canadian Heritage and IDRC. Negotiations are under way for more federal support.

Corporate and personal sponsorships are at a record level. Already on board are: Sir Christopher Ondaatje, Random House, RBC Financial Group, Royal Bank, Conros Corporation, HDS Retail, BMO Financial Group, The Toronto Star, Bell Globemedia, Penguin Group (Canada), McClelland and Stewart, Showcase/Alliance Atlantis, Scotiabank, Audi, Deloitte and Touche, Thomas Allen & Son Ltd.

Special thanks are due to John Neale and Louise Dennys of Random House, who donated to PEN all proceeds from *Navigating a New World*, a day-long symposium held at University of Toronto last fall. Thanks are also due Sunir Chandaria of our Strategic Committee, who not only brought in his family firm Conros but also the Royal Bank.

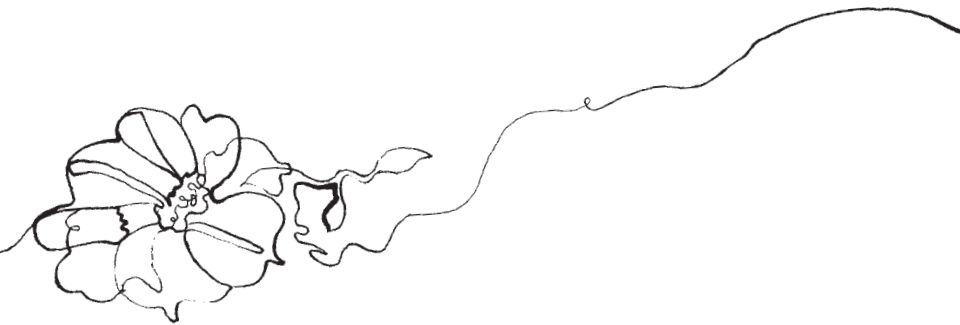
We have resurrected the annual fundraiser. In fact, there are two this year. The one held January 28 at the Thomas Fisher Rare Book Library raised more than \$60,000 profit, thanks to the Yeoman service of the board, especially Constance Rooke, Camilla Gibb and David Israelson, and the staff, especially Caitlin Smith. Star power was provided by a who's who of writers and other public figures dedicated to PEN's work: Their Excellencies Adrienne Clarkson, Governor General of Canada, and John Ralston Saul, Margaret Atwood, Aaron Berhane, June Callwood, Austin Clarke, David Cronenberg, Graeme Gibson, Thomas King, Yann Martel, Anne Michaels, Rohinton Mistry, Alice Munro, Nino Ricci, Leon Rooke, Susan Swan, Jane Urquhart, M.G. Vassanji, Eleanor Wachtel and Nobel Laureate John Polanyi.

A second fundraiser is planned for the fall, as the curtain raiser for the International Festival of Authors, under a partnership negotiated with Harbourfront. There are also plans for smaller fundraisers across Canada, starting with Calgary, under the direction of director Karen Connelly.

We also have a new anthology in the works. *Writing Life* will be a sequel to *Writing Away* (1994) and *Writing Home* (1997), which together raised \$200,000 for us. Fortunately, Constance Rooke, who edited the first two, has agreed to take on the third. We thank her – and our lucky stars.

Finally, I want again especially to thank Her Excellency Adrienne Clarkson and His Excellency John Ralston Saul, our honorary patron. Long-time patrons, both have continued to take a keen interest in our work. John has been particularly helpful with the work on exiles, offering suggestions, making phone calls and opening doors. Without a doubt, we owe him much of the progress that we have made.

My employer, *The Toronto Star*, has not only been a corporate patron for the last three years but has partnered with us on Freedom to Read Week and hosted our board and committee meetings, with free use of the corporate conference



phone call facility. Thanks go to John Honderich and his successor as publisher, Michael Goldbloom, along with Brad Henderson, director of marketing, and Linda Larsen, manager of the publisher's office.

The battle for freedom of expression never ends. It takes different forms in different eras. Often, it must be waged against the tide of public opinion. PEN Canada maintains its credibility by being reasonable and responsible in waging the campaign against censorship and for literary and artistic freedoms.

Our work with exiles has taken us to a new frontier. The Canada Model or the Maple Leaf Model, as we call it, reflects core Canadian values and fits in with Canada's declared foreign policy objectives. It is our vision that it will grow into a truly international network and that it will continue to be led by PEN Canada.

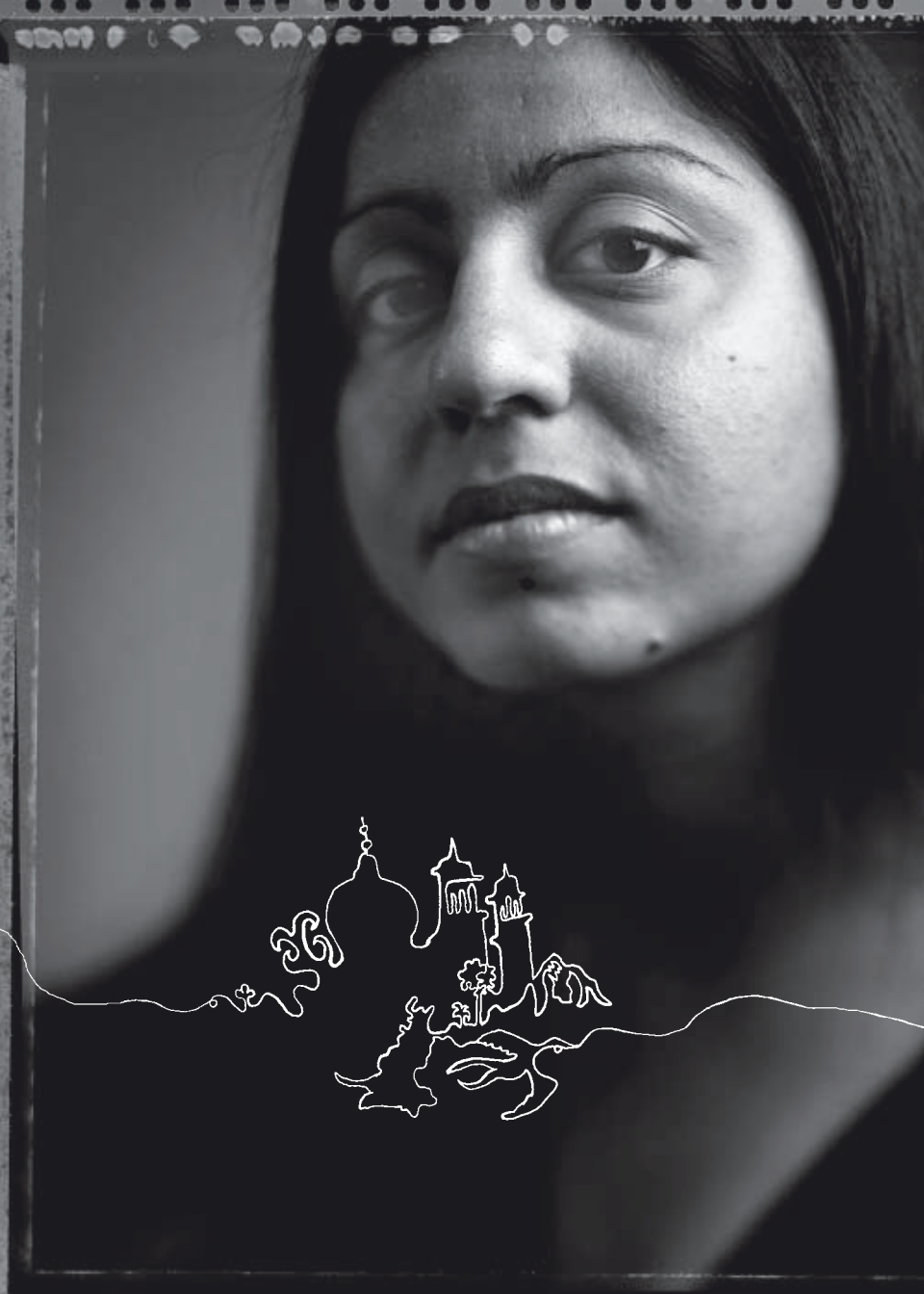
I consider myself privileged for having been given the opportunity to do my bit on behalf of one of Canada's oldest, and most respected, human rights organizations.

May the power of the pen and PEN prevail.



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

ARTICLE 19
UNIVERSAL DECLARATION OF HUMAN RIGHTS



AMEERA JAVERIA

COUNTRY PAKISTAN

OCCUPATION JOURNALIST

LIVING IN EXILE SINCE 2001

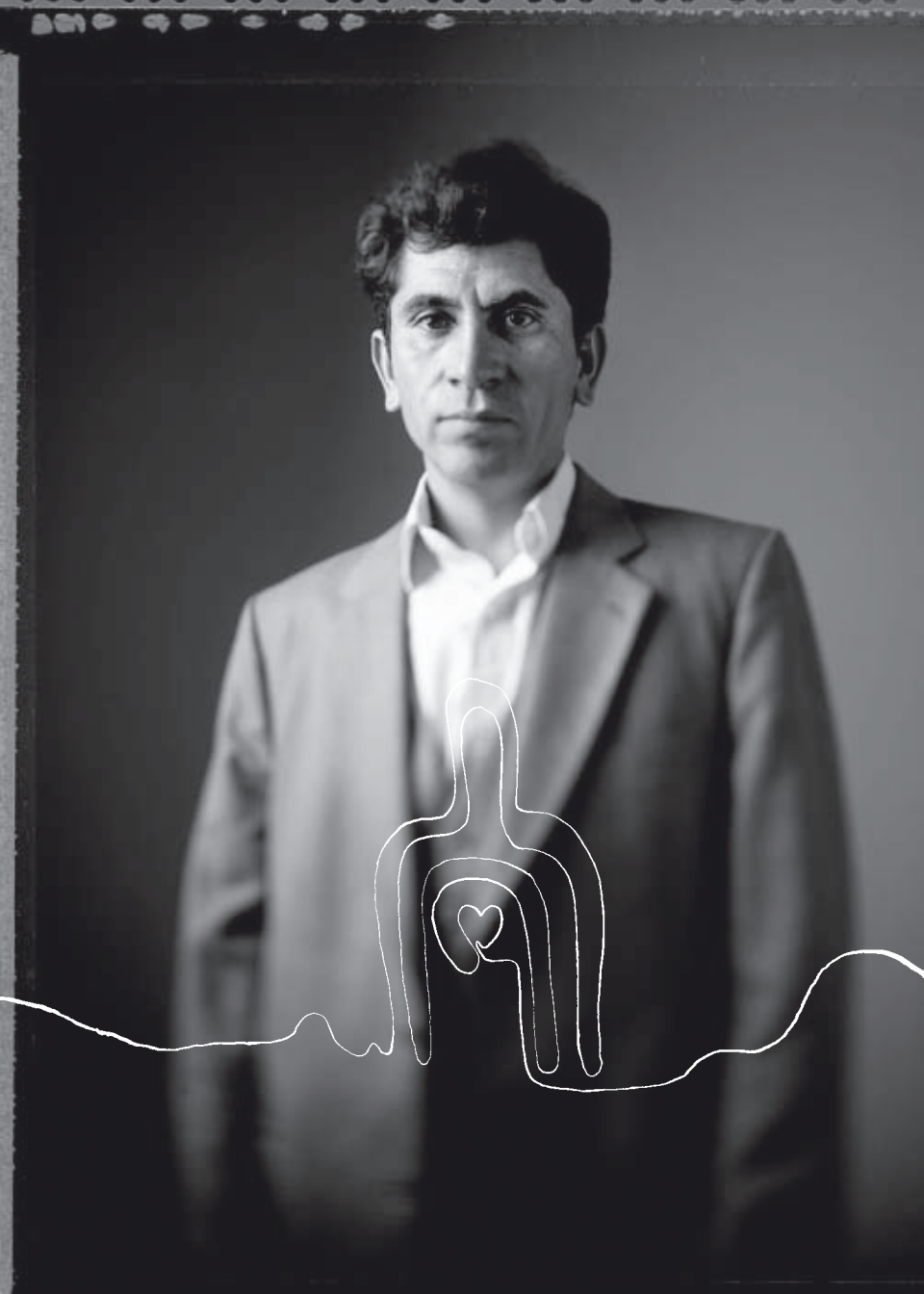
THESE ARE MY CRIMES

SPEAKING OUT IN SUPPORT OF WOMEN'S
RIGHTS IN PAKISTAN AND CHALLENGING
CONSERVATIVE ISLAMIC BELIEFS

“To be a woman in Pakistan is to ask for a life of subservience.” Sentiments like that can invite trouble for the author of those words. Such was the case of Pakistani journalist Ameera Javeria, whose focus on human rights and crimes against women rubbed many people the wrong way.

Women in Pakistan face an uphill struggle to assert even their basic rights. Javeria’s own case was no different. When she decided to embark on a career as a journalist, her family spoke out in opposition. However, the intelligent and determined young woman pursued her goal. She settled in Peshawar, a conservative tribal-dominated area near the border with Afghanistan. She wrote for the front-ranking publications *The Frontier Post* and *The Friday Times*.

The work that the *Post* published, in particular, raised the ire of readers, local authorities and tribal leaders. Edited by Javeria’s husband, Javed Nazir, the paper enjoyed an extraordinary amount of freedom of expression and regularly reported on human rights and official corruption. That journalistic outspokenness eventually became too much for some, which resulted in the torching of the *Post*’s offices. Criminal proceedings for alleged blasphemy were subsequently launched against many of the staff, including Javeria. No longer able to work safely in the country, Javeria and Nazir decided to leave Pakistan. They fled to the USA, where Nazir remains. Javeria, who has been in Canada since 2001, continues to pursue her career in journalism. Undaunted by the efforts to silence her in her home country, she is currently writing a book about crimes against Pakistani women.



MIR HUSSAIN MAHDAVI

COUNTRY AFGHANISTAN

OCCUPATION JOURNALIST

LIVING IN EXILE SINCE 2003

THESE ARE MY CRIMES

VIOLATING AN AFGHAN PRESS LAW PROHIBITING

THE PUBLICATION OF MATERIAL CONSIDERED

DEFAMATORY TO ISLAM; ALSO CHARGED UNDER

SHARIA LAW FOR OFFENDING ISLAM

Although the Taliban no longer govern, Kabul's streets are safe and the U.S. government calls Afghanistan a success in its self-proclaimed "war on terror," Mir Hussain Mahdavi would beg to differ.

Mahdavi, editor of the Kabul weekly *Aftab* (*The Sun*), and his assistant, Ali Reza Sistani, were arrested June 2003 and charged with violating a law prohibiting the publication of material considered defamatory to Islam. They were also charged under sharia law for offending Islam. In the paper, Mahdavi had urged the government to move to a more secular state. Indeed, one of the offending phrases cited by authorities was, "Religion plus governance is equal to despotism." The article was headlined: "Holy Fascism."

This unprecedented journalism reflected the very progressive and independent nature of *Aftab* and of Mahdavi himself. Yet, following the arrests, police closed the newspaper's offices and seized copies of the publication. After intense international pressure, the journalists were released by President Hamid Karzai personally. However, he told the men that they would be tried. "We don't consider what they have written to be the freedom of the press," Karzai was quoted as saying. "My opinion is that . . . it was a violation of the beliefs of the Afghan people."

The trial resulted in Mahdavi's acquittal. Nevertheless, the court's "fatwah" committee, which tried him under Islamic law, imposed a death sentence. Several Islamic clerics also pronounced a fatwah on Mahdavi. Hearing this, he and his family left Afghanistan immediately.

Executive Director's Report

“Freedom is not fun. It is not the same as individual happiness, nor is it security or peace or progress. It is a responsible choice. Freedom is not so much a right as a duty... It is not ‘fun’ but the heaviest burden laid on man: to decide his own individual conduct as well as the conduct of society and to be responsible for both decisions.”

PETER F. DRUCKER, *THE DAILY DRUCKER*
HARPERCOLLINS 2004

These lines from one of the great management theorists neatly converge with the theme of my report this year: that the “tight ship” that is now PEN Canada is our duty to the membership and it is at the core of what enables this organization to be an effective advocate for the right to freedom of expression.

The last two years, under Haroon Siddiqui’s presidency, have been remarkable not only for the ambitious agenda that he set with the board, but also for the overwhelmingly positive results achieved. The improved governance that he has ushered into this organization has also allowed activities to widen, but never at the expense of our core mandate or budget. We have also been able to extend our traditional work into other initiatives.

The staff has benefited greatly from workshops for non-profits put on this past year by the Maytree Foundation and IMPACS on human resources management, governance, financial reporting and working with the media.

Caitlin Smith, PEN Canada’s administrator, not only manages day-to-day details, but more importantly, as a member of the Association of Fundraising Professionals, has added much-needed expertise to events management, membership renewals and patron solicitation efforts; her Excel spreadsheets are stuff of legend. She will soon extend her good humour and panache to enhance membership outreach and communications across the country.

Two new staff positions have been made possible directly from grants:

David Cozac wears two hats: as half-time programs coordinator for Writers in Prison and for National Censorship issues he researches and writes briefs, press releases, reports and letters on behalf of persecuted writers; he also composes the weekly Rapid Action Network (RAN) alert that is sent electronically to participating members. David initiated our new monthly electronic bulletin to rave reviews from the membership. Through grants from the Maytree Foundation and the International Development Research Centre, David also is the half-time coordinator of the Writers in Exile Network placement and outreach efforts.

Philip Adams is the coordinator of the Readers & Writers program, funded by the Ontario Trillium Foundation, which offers opportunities to exiled writers to join more established writers for events in colleges and universities throughout Ontario. The program has just launched its second chapbook, *Listen to the Reed*, a conversation between Fereshteh Molavi and Karen Connelly. A third chapbook is in the works for the fall, as is a tour of northern communities like Thunder Bay and Sault Ste. Marie. This program has been an impetus for expansion of the educational role of PEN Canada: requests from high schools for r&w visits have been pouring in, spread by word of mouth. Philip has taken writers to half a dozen high schools this year alone, in addition to the regular events.

Expansion in programming demands expansion in fundraising. Thanks largely to Haroon Siddiqui we now have working committees for fundraising and events. A special thank you goes to Diane Davy for assistance with the creation of the fundraising strategy model and to Hank Bulmash, PEN Canada's treasurer, for demystifying the cashflow and budgets.

Our extremely successful patron event at the Thomas Fisher Rare Book Library and Massey College in February enabled us to set up a template that we will now apply to our fall fundraiser and all future events. (Thanks to Anne Dondertman and Pearce Carefoote at the Fisher and to John Fraser, Master of Massey College, for making us all feel so warmly welcome, and to Dawn Becker of BPL Events for the excellent logistics coordination.)

Since this event, more sponsors and patrons are now supporters. Our new Corporate Circle has two distinguished "founding" members: HDS Retail and Conros Corporation, who donate \$10,000 for a minimum of three years. We hope to increase this group by two members a year. Thanks to Sunir Chandaria for his assistance with this.

PEN Canada's patron base (those who donate \$1,000 or more per year) increased substantially this year, from 30 to 56. Please see the complete list of acknowledgements at the back of this annual report.

Our members make up a significant amount of our budget with their dues (still only \$60 after all these years!) This year 232 members responded to our special appeal and joined the Free Expression Circle to donate a total of \$18,300 above their membership fees, for which we are deeply grateful.

And we cannot forget to thank Craig Pyette, the intrepid associate editor at Random House who has led the PEN Canada Hockey Game to financial victory two years running. Because of his vision, sense of fun and leadership of the unruly white jersey “Writers” and blue jersey “Publishers” teams, this is a PEN event worth supporting.

The final arm of our fundraising strategy is going after grants, a process that is labour-intensive by nature and usually project-oriented. Sometimes it entails learning a whole new language in which to communicate to the funders; but when these relationships bear fruit, they can have a significant impact on our mandate. We are grateful to Ontario Trillium Foundation (\$245,000 over three years), the Maytree Foundation (\$20,000 each of two years), Heritage Canada (\$15,000), the International Development Research Centre (\$32,000) and the Canada Council for the Arts (\$25,000 each for two Writers in Exile Network writer residencies). Negotiations with other foundations are under way.

Increased efficiency and improved fundraising have allowed PEN Canada to branch out with some significant new initiatives.

On the international front, I was invited by International PEN to take part in a PEN Caribbean Centre Development initiative, funded by UNESCO-Paris. In December 2004 I accompanied the International Secretary of International PEN, Joanne Leedom-Ackerman, to Kingston, Jamaica, where we met with a dozen writers, journalists and academics in an effort to spur the creation of a new PEN centre in the region.

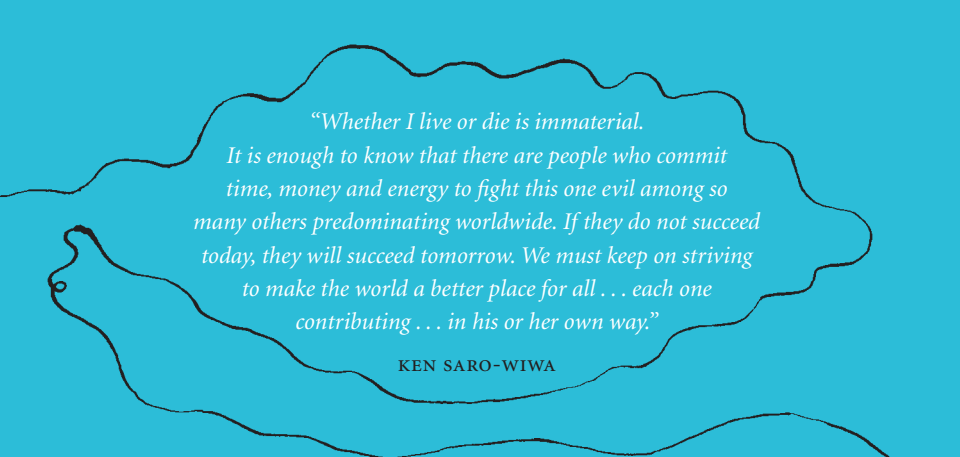
The discussions centred around the need the writers themselves described to belong to the “world community of writers” that PEN represents with its 141 centres in 99 countries. They also identified a desire to form a network that could respond to freedom of expression concerns as they arise in the region. At issue

also is the fact that a large percentage of writers from Caribbean countries live in a diaspora, mainly the UK, USA and Canada, and that this must be considered in the formation of a future centre.

Conversations have been ongoing since then and to this end I was invited back to Jamaica – with UNESCO funds – for the region's only literary festival, Calabash, at the end of May, to meet many regional and diasporic writers, and attempt to identify key writers to take the PEN centre idea forward. The festival, founded by writer Colin Channer, is a truly exciting gathering in an exquisite setting in rural Jamaica. With the aid of longtime PEN supporter Russell Banks I briefed a group of Caribbean writers on the history and works of International PEN as well as on the rules of forming a centre. A representative of this group will attend this year's PEN Congress in Slovenia; the intent is that a Caribbean Centre will be approved by the Assembly of Delegates at the 2006 Congress in Berlin.

In April, I was invited to participate in a panel discussion at the Scholars at Risk Network Conference "Global Strategies for Defending Academic Freedom" in New York City. The panel: "Fellowships and Visiting Positions: How do they work? How effective are they?" began the day's discussions. The Network was formed in 2002 to come to the aid of scholars in various countries who required short-term assistance due to difficult situations in their home countries, where they might be prohibited from teaching, for example, and counts Massey College as its only Canadian member. Through the Network we may find future placements out of Canada for writers in exile, if appropriate, or might be able to help the Network expand within Canada.

On the domestic front, PEN Canada was invited to join the International Civil Liberties Monitoring Group, an Ottawa-based group of organizations that promotes respect for human rights and civil liberties, including Amnesty International, the Canadian Council for Refugees, Greenpeace, la Ligue des droits et libertés and Rights and Democracy, among many others. Together we will monitor the evolution and application of Canada's security and "anti-terrorist"



*“Whether I live or die is immaterial.
It is enough to know that there are people who commit
time, money and energy to fight this one evil among so
many others predominating worldwide. If they do not succeed
today, they will succeed tomorrow. We must keep on striving
to make the world a better place for all . . . each one
contributing . . . in his or her own way.”*

KEN SARO-WIWA

agenda and its impact on civil society and participating in the Parliamentary review process.

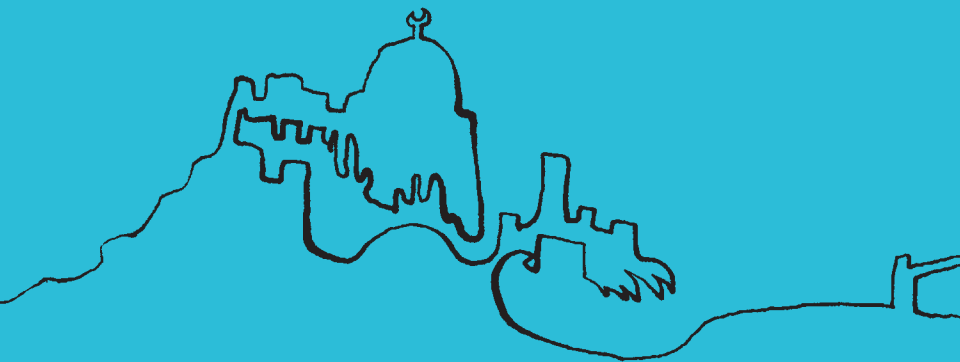
We also continue to work with the Canadian Commission for UNESCO on an educational project to disseminate information on freedom of expression to schools, colleges and universities across the country.

PEN Canada has also joined the Ken Saro-Wiwa Foundation in planning an event to mark the 10th anniversary of the execution of the Nigerian writer and environmental activist on November 10.

I would be remiss if I concluded this report without thanking those wonderful people who donate their talents to help spread our message. Jim Rycy and Gary Beelik of Soapbox Design Communications have designed all of our print materials for the past several years. They are responsible for the stunning annual reports, newsletters, posters and flyers, and they give of their talents with patience and good humour. They make it possible to present beautiful materials to members and funders and as always, they win awards for this work too. Michel Blondeau of ecentricarts inc offers the wizardry behind our new Web site, and Amber Lin has donated her Web site skills to us *gratis* for the last year.

Having been associated with PEN Canada for so many years, I feel I can say I have never felt so confident in a meaningful and vital future for the organization. It has been a unique privilege and a pleasure to work with Haroon Siddiqui and this dedicated and collegial board. I am also grateful to PEN Canada’s Honorary Patron John Ralston Saul for his helpful insights and encouragement.

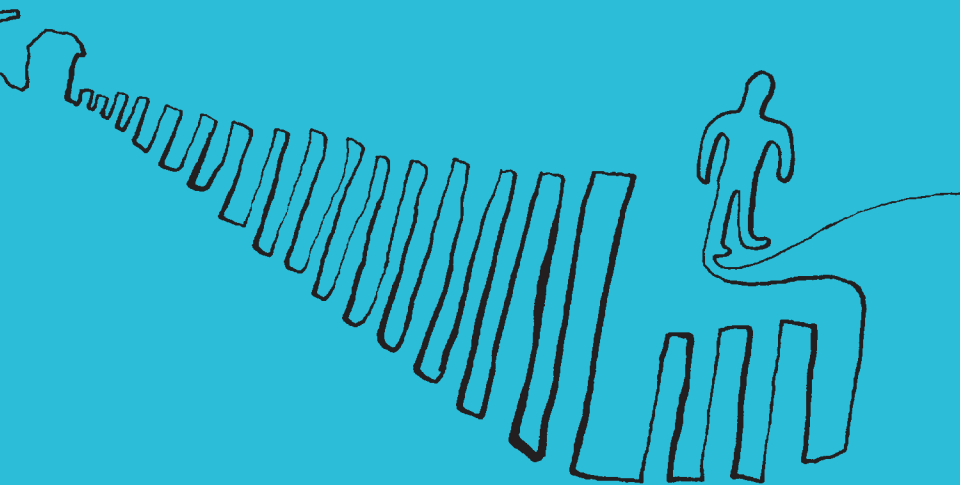
WRITERS IN EXILE: A BRIEF HISTORY



PEN Canada began working with exiled writers not as policy, but by necessity. In 1989, Chinese poet Duo Duo found himself exiled in Toronto after the Tiananmen massacre. Two years later journalist Martha Kumsa arrived from Ethiopia after spending nearly ten years in jail. In both these cases, PEN Canada staff and members did their best to help them establish new lives here, but had neither the resources nor the structure to do it. They cobbled together support systems as best they could, while beginning to search for ways to do it better.

The situation changed when writer and PEN Canada member John Fraser became Master of Massey College at the University of Toronto in 1994. As a close friend of Duo Duo, Fraser had seen first-hand the alienation of an exiled writer living alone in a strange city. Because Massey is a small residential college, he believed that establishing a position there for exiled writers could make their initial resettlement in Canada much easier.

Together with former PEN Canada president Graeme Gibson, Fraser approached the board of directors with his idea. The board agreed, and the PEN Canada Writers in Exile Network was born.





HASSAN CHÉRIF KALA

COUNTRY CHAD

OCCUPATION JOURNALIST

LIVING IN EXILE SINCE 2000

THESE ARE MY CRIMES

ACCUSED OF SUBVERSIVE ACTIONS AGAINST
THE STATE AND COLLUSION WITH THE POLITICAL
OPPOSITION OUTSIDE THE COUNTRY

Sequestered in Central Africa, Chad is arguably one of the more obscure countries on the continent. Any news coverage that it has received lately concerns the exodus of Sudanese refugees into its territory from the neighbouring Darfur region. Yet, it is a diverse and complex nation, with over 100 languages spoken, three major religions and three climatic zones. It is also extremely poor, geographically remote and susceptible to political turmoil.

This was the environment from which journalist Hassan Chérif Kala fled to Canada in 2000. With degrees in journalism from the University of Yaoundé in Cameroon and the University of Quebec in Montreal (UQAM), Kala took on leading editorial roles from 1991 to 1999 at several Chadian media, notably Chad Television, the Chad Press Agency and Télé-Tchad. During his tenure at those media outlets, Kala made efforts to ensure the democratic principles prevailed and that the viewing and listening audience in the country were made aware of issues such as human rights. However, that and critical reporting on his part ran afoul of the government of President Idriss Déby. After being repeatedly detained and harassed by political authorities, including by the notorious National Security Agency (ANS), Kala was forced to flee. Sadly, the persecution did not end there. Colleagues and family members were targeted in his absence. This resulted in his wife and two young sons leaving for Europe, where they have remained ever since.

Kala continues to file stories on Chad, Darfur and other issues for several online media.



SARA HABTEMICHAEL

COUNTRY [ERITREA](#)

OCCUPATION [JOURNALIST](#)

LIVING IN EXILE SINCE [2004](#)

THESE ARE MY CRIMES

[BEING AN INDEPENDENT JOURNALIST IN ERITREA](#)

While the eyes of the world were focused on the terrorist attacks in New York City in September 2001, the government of Eritrea took advantage of the situation to launch a massive crackdown on the independent media. Media outlets were shut down and thousands of opposition voices silenced and jailed. The move came a year after a border war with Ethiopia had ended, when some politicians were calling for democratic reform and writers at the handful of private newspapers were advocating democracy and human rights.

Today, there is no press freedom in Eritrea. For the young journalist Sara Habtemichael, the papers for which she worked were forced out of existence. She turned to a state-run paper in order to survive, but that was merely a mouthpiece for the government. Deciding that the freedom to express one's opinions is more important, she left that job. Yet, conditions for independent-minded journalists in Eritrea were not safe. No one dared to speak out publicly. A climate of fear in the country – which has not dissipated – prompted her exile to Canada.

Eritrea is the largest prison for journalists on the African continent. Had Habtemichael stayed longer, she might have been detained. Or, like her brother, who was an editor at the defunct independent paper *Meqaleh* and whose whereabouts are not known since 2002, she may have been disappeared.

WRITERS

IN PRISON

COMMITTEE

Last June the Writers in Prison Committee of PEN Canada decided to focus its efforts for the upcoming year on three main areas. We would intensify our campaign to get new Honorary Member Jiang Weiping released from prison in China, continue to pressure both the Iranian and Canadian governments over the case of murdered Canadian-Iranian photojournalist Zahra Kazemi, and extend our efforts to combat impunity for attacks on journalists and writers in Mexico. These main areas of focus would add to our other usual work, such as sending out weekly Rapid Action Network appeals on a variety of emerging cases, preparing briefs for the annual consultations with Foreign Affairs in advance of the spring United Nations Commission on Human Rights meeting in Geneva, and actively working on behalf of our other Honorary Members. The plan was to focus our limited resources especially to try to make headway in these crucial areas.

HOW DID WE DO?

At this writing, in mid-May 2005, it is hard to avoid a note of frustration. Take the case of Jiang Weiping. A respected journalist with Hong Kong's *Qianshao* (Frontline) and *Wen Hui Bao*, and with the state news agency Xinhua, Jiang was arrested in late 2000 in connection with a series of articles he'd written on corruption scandals in northeastern China. Ma Xiangdong, vice mayor of Shenyang, had lost 30 million yuan (about us\$3.6 million) of public funds gambling in Macau, and was subsequently executed for his crimes. Surely Jiang should have been praised for reporting on the scandal. But instead he is serving a six-year sentence. His wife, Stella Lee, who spoke at last year's PEN Canada AGM, is a landed immigrant now living in Toronto with their daughter and campaigning courageously for her husband's release. The Canadian government is interested in Jiang's case and, after a series of meetings with PEN Canada representatives, brought the case to the attention of Chinese officials. Jiang has served more than half his sentence, and by Chinese law is eligible for parole. China often opts to

send dissidents into exile. For his own safety and to reunite with his family, Jiang clearly should be allowed to come to Canada.

Yet the Chinese government has stonewalled on the case, and the latest news is that Jiang's health has been deteriorating in prison, and that he has been denied access to medical treatment.

FOR WHAT?

The case of Zahra Kazemi is similarly disheartening. Arrested for photographing families of the imprisoned at Tehran's notorious Evin prison, Kazemi was tortured, fell into a coma and died in July 2003. This much we know for certain because Sharam Azam, the doctor who examined Kazemi before she died, arrived in Canada this March and gave stunning testimony about her condition in hospital. Again, PEN Canada representatives met with Canadian government officials a number of times, and along with many other groups have worked to pressure the government of Iran to raise the veil of secrecy that shrouds this tragic case. But Iranian officials continue to stonewall, no one is brought to justice, Kazemi's remains are still in Iran contrary to the wishes of the family, there has been no independent autopsy or inquiry, and PEN Canada's several other Honorary Members in Iran continue to suffer in prison, often in deteriorating health.

Regarding impunity in Mexico for attacks against journalists, there are rays of hope at least in the form of new partnerships that PEN Canada has formed with Mexican non-governmental organizations to fight the problem. One of these alliances is with Ni Uno Más (Not One More), a group that came together out of a one-day national protest in October 2004 and has continued to campaign ever since. PEN Canada also helped convince the Danish, American and Québec PEN centres to join as well, and is working with other Mexican groups to support their work in compiling reports, filing complaints, and, if need be, eventually bring particular cases to the Inter-American Human Rights Commission.

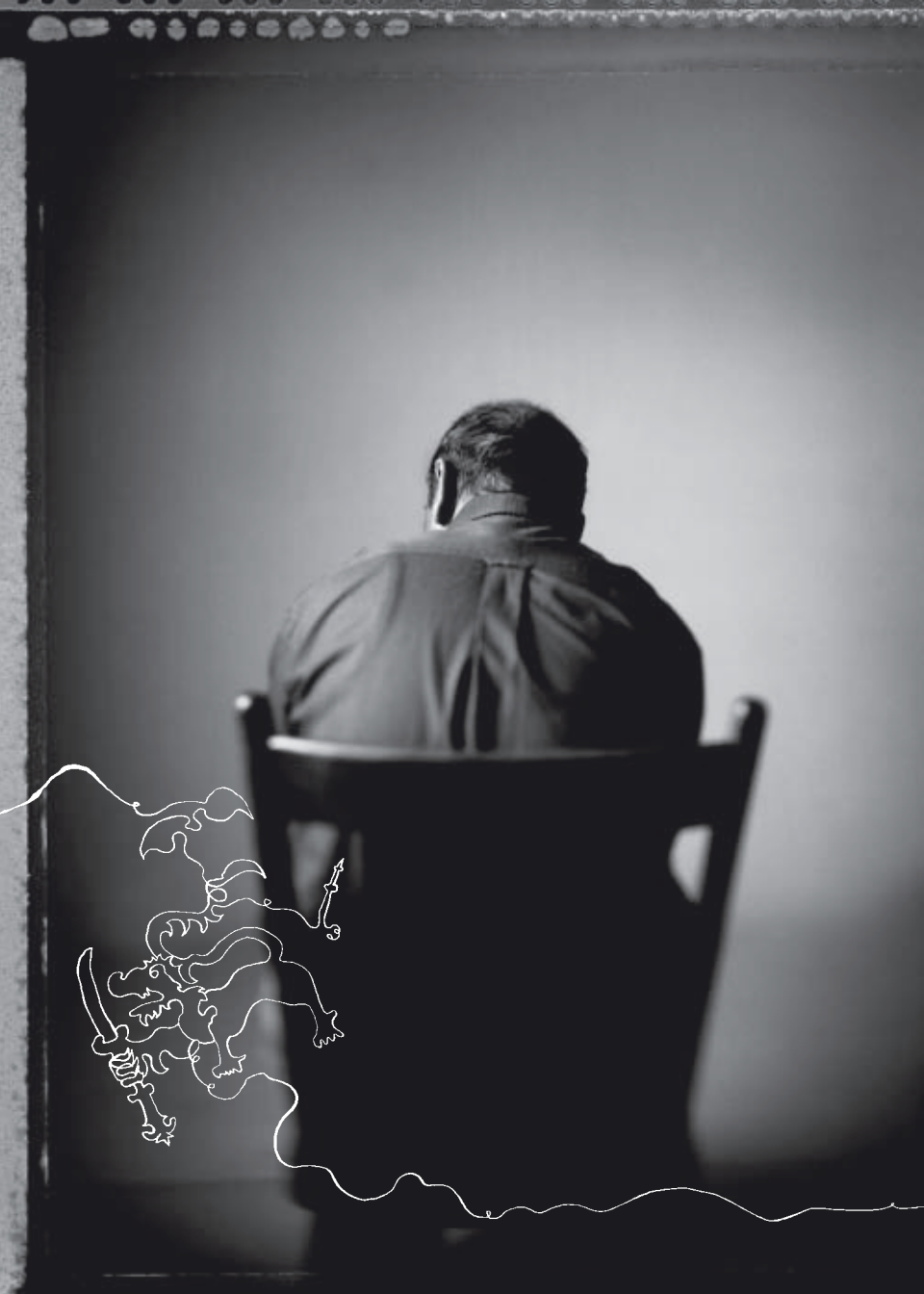
So, in the three key areas set out for 2004-05, we have experienced many set-

backs, a bit of progress and have plenty more work to do. But beyond these key areas, the year has seen its share of stunning successes as well. Fifteen Honorary Members were released, including Tibetan monks Jamphele Jangchub and Ngawang Gyaltzen, both of whom had been in prison since 1989; Iranian writer and cleric Hojjatolislam Hassan Eshkevari, who served two-thirds of a 7-year sentence for attending a conference on Iran in Berlin; Burmese poet and journalist Aung Myint, an associate of Aung San Suu Kyi, who served four years of a 21-year sentence; and Cuban political prisoners Raúl Rivero Castañeda and Marta Beatriz Roque, both of whom served less than two years of 20-year sentences.

Because of this series of releases, PEN Canada adopted several new Honorary Members, including among others Paul Kamara of Sierra Leone, an editor serving time for publishing on government corruption; Iranian Amir Abbas Fakhra- var, serving eight years for criticizing the Iranian government in a book; writer and editor Hada, in ill-health, serving a 15-year sentence after writing on Chinese repression in Inner Mongolia; and nine Eritrean journalists who have been held in prison since the government shut down all independent newspapers in the country in September 2001.

Alex Neve, Secretary General of Amnesty Canada, remarked recently at a meeting between Canadian NGOs and Foreign Affairs officials that Amnesty never takes credit for the release of prisoners because one simply cannot know what has caused the release: often it's the work of many different organizations and the coming together of various complex factors. So, as part of the human rights community, we celebrate the good news and work on through the bad, and try to remain a positive force in an often unresponsive world. But the effort is never wasted; we are working on the right side for better things to come.

I must give thanks as always for the excellent direction of PEN Canada's Executive Director Isobel Harry, the wonderful research and campaigning skills of Programs Coordinator David Cozac, and the inspired leadership of President Haroon Siddiqui. It has been an honour to serve again this year.



RAJAH

COUNTRY SRI LANKA

OCCUPATION WRITER

LIVING IN EXILE SINCE 2004

THESE ARE MY CRIMES

ARGUING AGAINST TERRORISM BY THE STATE AND
TAMIL SEPARATISTS; FOR SPEAKING OUT FOR
POLITICAL AND ETHNIC PLURALISM AND AGAINST
CHILD SOLDIERS AND SUICIDE BOMBINGS

Short account of his triple exile:

EXILE 1: Rajah (*not his real name*) is an ethnic Tamil who grew up and lived in the northern part of Sri Lanka, where the vast majority of the country's minority Tamils reside. He is a poet, singer and human rights activist. Rajah penned poems and articles in various publications, including in a socially-conscious magazine that he ran as well as a newspaper where he served as editor. The daily, in particular, came under severe threat from the terrorist Liberation Tigers of Tamil Eelam (LTTE), who had been fighting for an independent homeland since the early 1980s. Rajah eventually had to flee to the capital, Colombo, in the south of the country.

EXILE 2: In February 2002, the Sri Lankan government and the LTTE entered a cease-fire agreement intended as a first step towards resolving the conflict. However, with military obstacles removed, the LTTE initiated a deadly campaign to eliminate Tamil critics throughout the island. LTTE hit squads infiltrated Colombo, where many people targeted by the group had sought refuge, including Rajah. While there, he continued his writing activities and had collaborated with other journalists in establishing a new publication. However, safety again could not be assured for Rajah and his family, resulting in their arrival in Canada in 2004.

EXILE 3: While writers seeking refuge from persecution find comfort and security in Canada, Rajah has not. Having settled in the Greater Toronto Area, Rajah must now contend with the large Tamil community that is notorious for heavily supporting the LTTE. As such, he must maintain a very low profile, although he actively pursues his writing.



SHENG XUE

COUNTRY CHINA

OCCUPATION JOURNALIST/POET

LIVING IN EXILE SINCE 1989

THESE ARE MY CRIMES

PROMOTING DEMOCRACY IN CHINA

Thousands of armed police and soldiers. Mass arrests. Tanks rolling down the avenues. These were not the images of democracy that Chinese students and activists wanted to see after they had converged on Tiananmen Square in Beijing in June 1989. Using swift and deadly force, the Chinese government effectively snuffed out the flicker of hope for reform desired by the country's citizens.

Beijing native Sheng Xue witnessed those events over fifteen years ago. A student, poet and magazine writer, she saw that her dream for a better life in China would not come any time soon. Moreover, the subsequent crackdown on pro-democracy activists signalled to her that it was no longer safe to remain.

Sheng Xue arrived in Canada in late 1989 and has stayed ever since. She has continued with her poetry and prose, with dozens of her works published in various periodicals. She has been even more active as an award-winning journalist, working for Radio Free Asia as its Canada correspondent and for the satellite channel NTDTV. Using her new-found freedom here, Sheng Xue has been outspoken in advocating democratic reform in China and investigating political and social issues in the country. A book on the human trafficking of Chinese illegal immigrants became a best-seller in Chinese communities outside of China and caused shockwaves in the country, so much so that the Propaganda Ministry immediately banned it.

Because of her writings and pro-democracy views, Sheng Xue is now *persona non grata* in China. However, the memories of Tiananmen Square remain with her, reinforcing her commitment to democracy in her homeland.

National Affairs



Why would anyone have to speak out for freedom of expression in a country like Canada? It's a question many people around the world might well ask. Canada's reputation is that of a world leader in democratic institutions, freedom and democracy.

Yet it's a reputation that is increasingly tarnished and under assault by our own courts, police and justice system itself. Just as the sponsorship scandal has challenged and undermined international perceptions of Canada as a corruption-free country, the rising numbers of attacks on freedom of expression in Canada have been noticed internationally.

A series of high-profile cases is the reason why Reporters Without Borders has dropped Canada to 18th place from 10th in its world press freedom index. This country now stands behind such nations as Slovenia, Estonia, Latvia and Trinidad and Tobago when it comes to press freedom.

As a resolution at an International PEN meeting last September stated, Canada must "take steps to confront the ease with which police can obtain search warrants in cases in which they are trying to track down journalistic sources for stories and books that criticize and embarrass governments, police and judicial authorities."

To date, that has not happened. The resolution responded to the Stephen Williams case, which was finally settled in January. It remains outrageous that in Canada, such a case continued as long as it did. The long list of ultimately dropped charges and the entire prosecution was a fishing expedition designed to discover the confidential sources of embarrassing revelations published by Williams about how the police and Crown law office handled the Paul Bernardo and Karla Homolka murder cases.

As well, the use of legal procedures and foot-dragging by the Crown and police was designed solely to bankrupt Williams so that he could no longer afford to defend himself against the many frivolous charges laid against him while, at the same time, also responding to the separate civil proceedings launched against him by the Crown.

Another reason for Canada's declining status as a guardian of freedom of expression came in the disturbing comments last autumn of Ontario Justice David Crane in holding reporter Ken Peters in contempt of court for refusing to identify his sources for a story.

As the *National Post* reported last December, Justice Crane "said the 'oppressive nature' of Canada's media culture turns reporters into mere 'pawns' that create a feeling they are above the law in pursuit of the news. Justice Crane suggested the teachings of Canadian journalism schools and the practices in newsrooms instilled in Ken Peters, a veteran reporter with the *Hamilton Spectator*, a false belief he had a higher principle to uphold than the authority of the court."

That higher principle is freedom of expression and the ability to protect the identities of whistleblowers who bring information to that media that may embarrass political, bureaucratic, justice and corporate authorities.

Meanwhile *Ottawa Citizen* reporter Juliet O'Neill continues her fight to overturn the search warrants that led to the RCMP raid on her home and office more than a year ago, in a crude effort to find the source for her stories and to try to intimidate those who might consider passing information to reporters in future.

Without the support of her employer CanWest, O'Neill could never have afforded to fight the search warrant. Hundreds of thousands of dollars have already been spent to compel the federal government to produce documents that will expose the RCMP's real motivation in raiding her home. That effort has to date produced favourable rulings to allow cross-examination of the RCMP officer who swore the warrants and to overturn the original court orders sealing the RCMP information.

Two weeks have already been set aside in October for main arguments in an effort to quash the search warrant and also challenge the validity of section 4 of the Security of Information Act invoking relevant sections of the Charter as protection for journalists and citizens.

It is nothing short of shameful and an indelible stain on Canada's international reputation that the federal government continues to fight this case. Why

must huge amounts of money be spent by a news organization to protect itself from the police and to obtain the truth about the RCMP's tactics of intimidation?

PEN Canada will continue to speak out forcefully whenever freedom of expression is threatened in Canada.

We will also watch legislative efforts such as Bill C-2, the latest attempt by the federal government to change definitions regarding child pornography. The previous version of this bill, C-20, thankfully died when the 2004 election was called. This latest version also disappeared when the Liberal minority government was defeated in Parliament in mid-May.

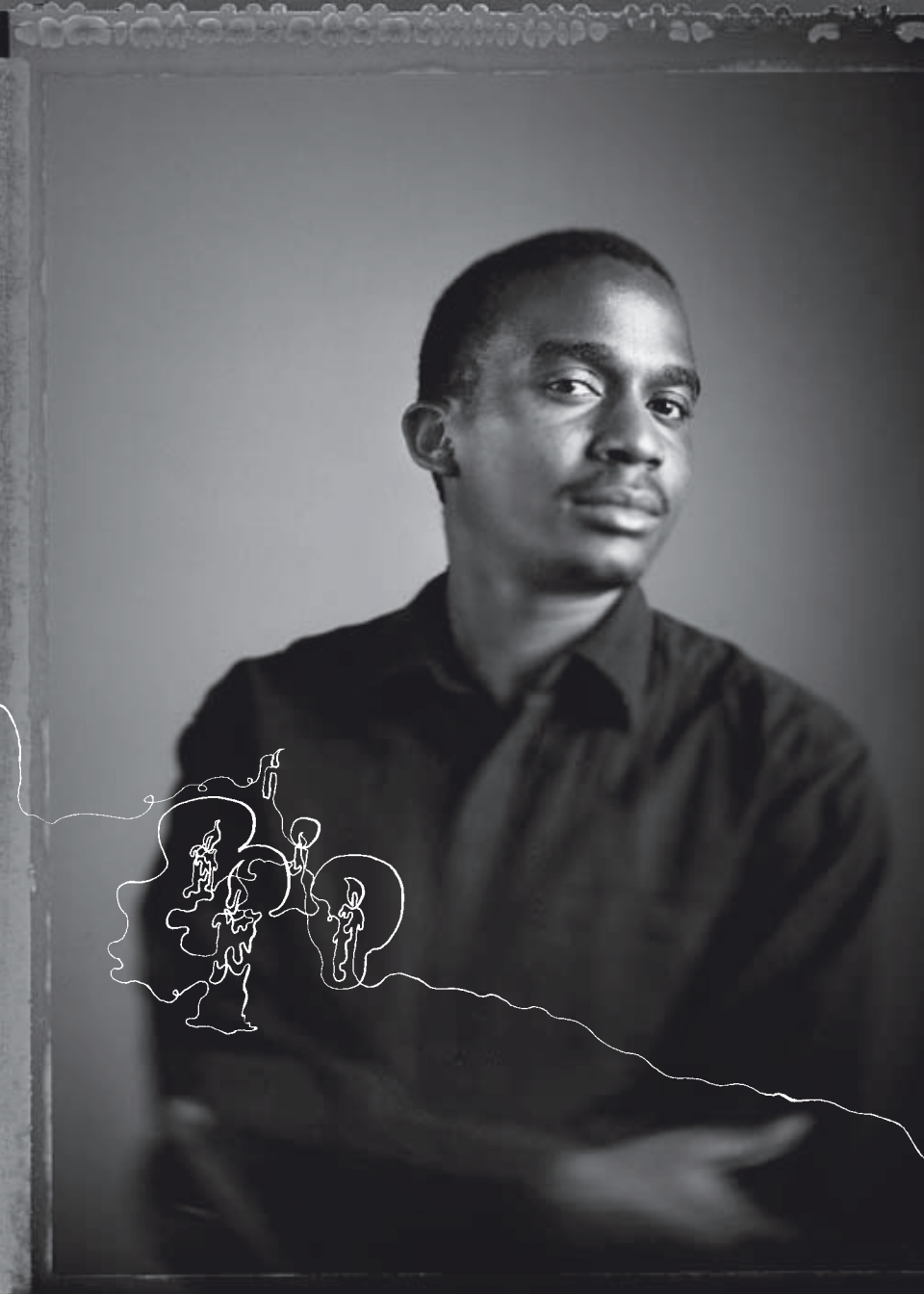
In April, PEN Canada strongly supported the position of The Writers' Union of Canada and the Book and Periodical Council before the Commons Justice committee that some provisions of C-2 endanger the free expression rights of authors without providing added protection for children against sexual predators.

We strongly oppose the intent of Bill C-2 to expand the definition of child pornography in the Criminal Code to the point where authors writing fiction or memories, those involved in the production of documentaries and journalists reporting about sex with people under the age of 18 could be successfully prosecuted.

We believe whatever legislation is finally passed must retain a defence of "artistic merit" or "artistic purpose" in the Criminal Code for book, magazine and other writers inappropriately accused of creating child pornography. Additionally, we believe there must be defences in the law for people engaged in medical, scientific and/or educational research into youth sex and child sex crimes.

PEN Canada believes there is an important distinction between sexually abusing children and writing about child sex. The former is and must remain a serious crime. The latter, depending on the writer's intent, could conceivably educate the public. If a new version of the bill ever emerges we hope it will reflect such concerns.

We will watch if this issue is addressed by a new parliament and will continue to speak out in conjunction with other like-minded groups.



THOMAS MADONORO

COUNTRY ZIMBABWE
OCCUPATION JOURNALIST
LIVING IN EXILE SINCE 2004

THESE ARE MY CRIMES
FOR REPORTING ON CORRUPTION IN THE RULING
ZANU-PF PARTY AND ON PLANNED ATTACKS AGAINST
THE POLITICAL OPPOSITION; ACCUSED OF BEING
A “MEDIA TERRORIST”

Lord Acton’s axiom, “power tends to corrupt; absolute power corrupts absolutely,” may be perfectly applied to Zimbabwe president Robert Mugabe. Once a leader in the guerrilla movement in the former Rhodesia that led to the creation of an independent state in the 1970s, Mugabe has transformed himself from a rebel with a populist cause to a dictator who is intolerant of dissent.

Thomas Madondoro knows this very well. The journalist observed Mugabe’s ruling ZANU-PF party with a critical eye, for both the private and public media. Madondoro began as a business reporter for the now-defunct *Daily News* and the *Herald*. He then joined the government’s Information Centre, interpreting and circulating domestic economic policy for an international audience. Nevertheless, Madondoro never had the freedom to conduct analysis and write his articles independently. Realizing that he was just a tool for state propaganda, he resigned and returned to the private media.

Working for the *Financial Gazette*, Madondoro used his government contacts as well as the confidential information to which he had been privy, to write critical articles. He highlighted economic malfeasance, repression of opposition figures as well as state espionage of foreign diplomats. In August 2004, Madondoro’s troubles began when he received threatening phone calls and youth militias followed him, calling him a “media terrorist.” As Madondoro continued with his reporting, more threats followed. While investigating a story in rural Zimbabwe, he was detained and tortured by armed supporters of Mugabe. He left the country soon after.



FERESHTEH MOLAVI

COUNTRY **IRAN**

OCCUPATION **WRITER**

LIVING IN EXILE SINCE **2000**

THESE ARE MY CRIMES

**RUNNING COUNTER TO THE
CONSERVATIVE DICTATES OF THE
ISLAMIC REPUBLIC OF IRAN**

The emergence of an Islamic republic in 1979 resulted in widespread oppression of dissidents and the rounding up of political opponents in Iran. Although many people fled the country, Fereshteh Molavi was disinclined to abandon Iran in such a catastrophic situation. As a writer, she did not want to be detached from her language – Farsi – which was, as she notes, “the house of my existence, my writing.” But tolerating the suffering of living under a repressive regime proved too much to endure, so Molavi came to Canada with her family five years ago.

Although cosmetic political and social reforms have been instituted in Iran, the country remains an extremely difficult one for an individual to express himself or herself freely. Yet, Molavi says that, these days, “everybody can return,” unlike in past years, where it was too dangerous. Yet, anything can happen, too. Because of the nature of power in the Islamic Republic, where different, often shadowy, groups exert influence on every facet of Iranian society, nothing is predictable. Activists once considered enemies of the State travel to Iran and nothing happens to them. On the other hand, someone such as photojournalist Zahra Kazemi can encounter serious danger – even death. In this regard, Molavi calls Iran a “land of magic realism” – but not a Márquez landscape so much as a bleak one. You may be imprisoned, and even executed, for expressing the wrong word; however, you may also say anything you want against the regime and not be persecuted. Your life may be spared by a simple stroke of luck. For Molavi, this uncertainty is not found in exile.

MINDERS



As part of PEN Canada's work to effect the release from prison of its Honorary Members, some of our membership serves as volunteer minders. The member selects one or more of the cases of an imprisoned writer. The minder then takes on the role of monitoring developments in the situation of the Honorary Member. The key roles that the minders play are to write regular letters of support to the imprisoned writer and/or to family members and letters of protest to the relevant government officials. If they have the time and the inclination, minders are also welcome to draft petitions; highlight the case through op-ed pieces in the local newspaper; alert other media to the situation of the Honorary Member; or make presentations to local schools or community organizations. The work that minders do proves invaluable to that done by PEN Canada.

HONORARY MEMBER

Taslima Nasrin *Bangladesh*
Zahra Kazemi *Canada*
Hada *Inner Mongolia, China*
Gao Qinrong *China*
Tohti Tunyaz *Uighur, China*
Zheng Yichun *China*
Drepung Monks *Tibet, China*
Nine Eritrean journalists
Amir Abbas Fakhraev *Iran*
Akbar Ganji *Iran*
Nasser Zarafshan *Iran*
Ko Ang Tun *Burma*
Aung San Suu Kyi *Burma*
Win Tin *Burma*
Ali al-Domaini *Saudi Arabia*
Matrouq al-Faleh *Saudi Arabia*
Paul Kamara *Sierra Leone*
Asiye Güzel Zeybek *Turkey*
Ragıp Zarakolu *Turkey*
Muhammad Bekzhon *Uzbekistan*
Yusif Ruzimuradov *Uzbekistan*
Mamadali Makhmudov *Uzbekistan*
Le Dinh Nhan *Vietnam*
Pham Hong Son *Vietnam*
Nguyen Hong Quang *Vietnam*

MINDER

Barbara McLean
Douglas Donegani
Jane Kay
Mark Reuter
Carol Devine
Kevin Tierney
Mark Frutkin
Lisa Pasold
Mary Burns
Kenneth J. Harvey
Kevin McLoughlin
Liza Potvin
Emily Blakelock
Dave Glaze
Maria Coffey
Deborah Gorham
Suzanne Robertson
Ziggy Pattinson
Ziggy Pattinson
Robert Price
Robert Price
Robert Price
Chi Dang
Susan Glickman
Chi Dang, Elaine Slater



CANADA

Zahra Kazemi *photojournalist*

Zahra Kazemi, a Canadian photojournalist of Iranian descent, was killed in Tehran in July 2003 after being imprisoned and tortured for taking photographs outside Evin prison. The journalist's mother, who lives in Iran, had asked that Kazemi's body be repatriated to Canada and signed a request to that effect at the Canadian Embassy in Tehran. Canadian authorities had supported the request. Despite the requests, Kazemi was hurriedly buried in Iran. Since then, calls for the body to be exhumed and repatriated to Canada have fallen on deaf ears. The journalist's mother has since said publicly that she was put under pressure to allow the burial in Iran. To date, no one in Iran has been brought to justice for Kazemi's murder. A show trial in 2004 resulted in the acquittal of an Iranian security agent. The government of Iran also publicly stated that her death was an accident, despite overwhelming evidence that the journalist was severely tortured, including being sexually assaulted, while in custody.

MEMBERS

CHINA AND AUTONOMOUS REGIONS

Drepung Monastery Printing Group

The group of Buddhist monks in the Drepung Monastery, known as the Tibetan Freedom Organization, produced pro-democracy leaflets, a Tibetan translation of the Universal Declaration of Human Rights and the first Tibetan political manifesto calling for a democratic system based on Buddhist tradition. This “Group of Ten” was under surveillance by the authorities in 1988, after a peaceful demonstration by Drepung Monks in 1987. In September 1988, Chinese authorities implemented a “re-education program” at the monastery. On November 30, 1989, the monks were convicted and sentenced to 17 to 19 years in prison for various charges of espionage and “counter-revolutionary” organizing. An official radio service stated, “. . . Let the sentence on Ngawang Phulchung serve as a stern warning for separatists both at home and abroad that those who split the motherland will come to no good end.” Of the ten monks who were imprisoned, only one remains incarcerated: Ven. Ngawang Phulchung. (Monks Jampel Jangchub, Ngawang Gyaltsen and Ngawang Oeser were released in April 2005 and June and April 2004, respectively.) Phulchung is serving a 19-year prison term. His sentence is due to expire on April 15, 2008.

Phulchung is imprisoned in the Drapchi Prison, Tibet, where conditions are known to be extremely severe.

Gao Qinrong *journalist*

Gao Qinrong worked for the Xinhua state news agency as a reporter when he was arrested on December 4, 1998, and sentenced to 13 years' imprisonment after a closed, one-day trial on April 28, 1999, on charges that 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 on an irrigation project set up in drought-plagued Yuncheng, Shanxi Province. Xinhua never carried Qinrong's article, but it was sent to the Central Disciplinary Inspection Committee, the party's internal investigative unit. On April 5, 1998, the Committee is believed to have sent a local team of investigators to interview Gao about his findings. After trying unsuccessfully for three years to secure his release from prison, Gao Qinrong has asked the United Nations High Commissioner for Human Rights to intercede with the Chinese government on his behalf. Qinrong is currently being held in Qixian Prison, Shanxi Province.

Hada *writer*

Hada was one of the founders, in 1992, of the Southern Mongolian Democratic Alliance (SMDA) for the peaceful promotion of human rights and Mongolian culture. Hada and the SMDA published an underground journal, *The Voice of Southern Mongolia*, and he also finished a book, *The Way Out for the Southern Mongols*. In the book, Hada detailed what the Chinese government had done to the Mongols of Inner Mongolia, including mass killings, deprivation of social and political rights, and suppression of Mongol culture. After organizing a demonstration and strike among the teachers and students in the universities and colleges of Hohhot in December 1995, Hada and dozens of other Mongols were arrested by the authorities. On December 6, 1996, after a year of detention without trial, Hada was tried for "conspiring to overthrow the government" and "espionage," and was sentenced to 15 years' imprisonment. Subsequent appeals against the sentences were rejected. Hada is imprisoned in the 4th Prison of Inner Mongolia, in city of Chi Feng (Ulaan-Hada). An inmate recently released from the prison told Human Rights in China that Hada has been subjected to disciplinary punishments that range from being held in solitary confinement to being chained overnight to a metal board with handcuffs at each end because he is regarded as "resisting reform."

Jiang Weiping *journalist*

Jiang Weiping is the former Dalian bureau chief for the Hong Kong-based newspaper *Wen Hui Bao* and a reporter for the Xinhua state news agency. He is also a published poet. He was arrested on December 4, 2000, after publishing a number of articles in the Hong Kong-based monthly magazine *Qianshao* (*Frontline*) reporting on corruption in north-eastern China. His coverage exposed several major scandals involving high-level officials. Weiping was likely targeted for arrest by local officials angered by his investigations. Weiping was charged in May 2001 with “revealing state secrets,” “instigating to overthrow state power” and “illegally holding confidential documents.” He was reportedly tried in secret on September 5, 2001. He was sentenced to eight years in prison on November 2, 2001. The Liaoning Province Higher People’s Court reduced that sentence to six years on appeal on December 26, 2002. During the first two years of his imprisonment, he was not allowed visitors. After that, his family was permitted one half-hour visit per month. In May 2005, it was reported that Jiang was suffering from a severe stomach ailment, which prison medical authorities were refusing to treat.

Li Zhi *writer*

Li Zhi is an Internet writer and financial official in the Dazhou municipal government, Sichuan Province. He was arrested on August 8, 2003, by Sichuan Province State Security Police after posting an essay on an overseas Web site that accused Sichuan officials of corruption. Police seized his computer. Li was officially charged on September 3 with “conspiracy to subvert state power” for having contact with foreign-based dissidents. The Dazhou Intermediate People’s Court sentenced Li, aged 33, to eight years in prison on December 11. He planned to appeal the ruling. Observers said the punishment was particularly harsh for a cyber-dissident. Li is imprisoned in Sichuan Province and is said to be suffering from a worsening Hepatitis B condition. The action against Li is part of a broader government crackdown that shows official intolerance of online freedom of expression. Government surveillance of e-mail messages and discussion forums to track down regime dissidents is routinely practised.

Tohti Tunyaz *historian*

Tohti Tunyaz (Muzart) is an ethnic Uighur historian and writer from Zinjiang Province. He was arrested in February 1998 and in February 2000 he was sentenced to 11 years' imprisonment and two years' deprivation of political rights. He was arrested in Urumchi, Xinjiang Province, where he had gone to collect research material. He had reportedly been watched by security police for some time prior to his arrest, and is said to have been arrested with allegedly sensitive material. Some reports claim that the content – on ethnic relations – was published for classified circles only; others, that it was material published for the general public. Tunyaz is said to have been formally charged with “inciting national disunity” and “stealing state secrets for foreign persons.” Tunyaz has exhausted his appeals and remains incarcerated in Xinjiang Uighur Autonomous Region Prison Number Three in the province of Urumqi.

One of Tunyaz's sons was able to visit his father in prison in 2002.

Yu Dongyue *journalist*

On May 19, 1989, Yu Dongyue, fine art sub-editor of the *Liuyang Daily*, travelled to Beijing with two friends. As representatives of the Hunan Delegation in Support of the Beijing Students, their mission was to join the pro-democracy demonstrators in Tiananmen Square. Hanging in the centre of the square, overlooking the thousands of demonstrators, was a giant portrait of Mao Zedong. The three men filled empty eggshells with paint and threw them at the portrait, hitting the former Chinese leader in the forehead, neck and shirt-collar, and splattering his face. Yu was convicted in August 1989 for “counter-revolutionary propaganda, sabotage and incitement” and sentenced to 20 years' imprisonment and a further five years' deprivation of civil rights. His friends received life imprisonment and 16 years, respectively. The Justice Ministry said Yu had his 20-year sentence reduced in March 2001 to 18 years “because he sincerely expressed regret and willingness to reform.” He is due to be released on May 21, 2007.

Zheng Yichun *writer*

Zheng Yichun, a professor of English, was arrested by the security services in Yingkou, Liaoning Province, on December 3, 2004, and charged with “suspicion of inciting subversion of state power.” The Prosecutor’s Office is citing 63 of Zheng’s articles as evidence for the charges against him. They were among 300 articles that the police confiscated from his home. Zheng, a prolific Internet writer and poet, has published several books on a number of topics.

Zheng’s trial on April 26, 2005, lasted less than three hours and was attended by high-level authorities of north-east China’s Liaoning Province. Prosecutors listed the titles of several essays in which he called for political reform, increased capitalism in China and an end to the practice of imprisoning writers. Zheng was born in 1959 in Yingkou City, Liaoning Province, and is part of the ethnic Korean minority in China. His health has reportedly taken a turn for the worse since his arrest. Zheng suffers from diabetes.

ERITREA

Nine imprisoned journalists

Yusuf Mohamed Ali, (editor-in-chief, *Tsigenay*) Mattewos Habteab (editor-in-chief, *Meqaleh*), Dawit Habtemichael (reporter, *Meqaleh*), Medhanie Haile (editor-in-chief, Keste Debona), Emanuel Asrat (*Zemen*), Temesken Ghebreyesus (*Keste Debona*), Dawit Isaac (co-owner of *Setit*, writer), Fesshaye Yohannes “Joshua” (publisher, *Setit*, playwright and poet) and Said Abdelkader (writer and editor, *Admas*, and owner of the press that printed most of the independent newspapers). They were arrested in the days following September 23, 2001. They have yet to be sentenced. The detentions came in the wake of the closing down of all eight independent newspapers by the authorities on 18 September 2001. 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 October 31, 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 December 3, 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.

IRAN

Amir Abbas Fakhavar *writer*

Amir Abbas Fakhavar is a writer, journalist for the now-banned pro-reform dailies *Mosharekat* and *Khordad*, and medical student. He was arrested on November 10, 2002. Fakhavar was sentenced by Bench 26 of the Revolutionary Court on or around that day to eight years in prison for criticizing the supreme leadership of Iran in his book *Inja Chah Nist* ('*This Place is Not a Ditch*'). Following a period of leave from Evin prison, Fakhavar was ordered to appear in court on March 18, 2003, for an appeal hearing. It is thought that he may have been targeted for writing an open letter to the authorities on February 4, 2003, criticizing the Iranian government and demanding a referendum on the future government of Iran. Fakhavar is held in Evin Prison. He is reportedly held among common law prisoners and is being denied medical treatment for the reportedly severe injuries sustained in court and an existing foot injury. He is said to have been repeatedly attacked in staged assaults by fellow inmates.

Akbar Ganji *journalist*

Akbar Ganji was arrested on April 21, 2000, upon his return to Iran after attending an academic and cultural conference on Iran at the Heinrich Böll Institute in Berlin. He was charged with “insulting religious edicts and figures, threatening national security and dissemination of propaganda against the Islamic system.” Ganji reportedly told the judge he had been hung upside down in his cell while being kicked in the head and stomach by four prison guards. He started a hunger strike to protest his ill-treatment, which included 80 days in solitary confinement and no access to his family or lawyer. On July 16, 2001, Ganji was sentenced to six years in jail on charges of collecting confidential information that harms national security and spreading propaganda against the Islamic system. In the course of his five years in prison, he has been allowed only 40 day passes, most of them for medical appointments. Hospital doctors recommended that he be hospitalized for back problems and asthma. In late May 2005, Ganji was granted a short-term medical leave.

Siamak Pourzand *journalist*

Journalist and film critic Siamak Pourzand disappeared on November 24, 2001. He had been abducted and taken to prison, then charged with espionage and threatening national security. He was sentenced to 11 years in prison on May 3, 2002, 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” that are thought to have been exacted under duress. It is thought that Pourzand’s disappearance and the charges brought against him are connected to his position as manager of the Majmue-ye Farrhangi-ye Honari-ye Tehran, a cultural centre for writers, artists and intellectuals, and to his articles critical of the Islamic regime. Pourzand was re-arrested on March 30, 2003, after being conditionally released in December 2002. As of April 2005, Pourzand has been on conditional medical leave from prison. Every two weeks, he is required to submit to the medical office at Evin a medical report on his condition. Family members have secured a small apartment for him in Tehran. The charges against Pourzand remain.



Nasser Zarafshan *lawyer*

Nasser Zarafshan was arrested on August 7, 2002, and later charged with “disseminating state secrets and the possession of firearms and alcohol.” He was convicted in a secret trial by a military court and sentenced to five years’ imprisonment and 50 lashes. 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 into the murders and a means of silencing others who seek the truth behind the killings. Zarafshan has denied the charges against him. He has asserted that he was simply carrying out his duties as an attorney, and claims that the weapons and alcohol were planted in his office. Zarafshan is held in Evin Prison and is reportedly in poor health. In late 2004, he suffered from kidney stones. Zarafshan was granted a 48-hour medical leave. It was only the second time since his 2002 incarceration that he had been given a leave from prison. He is also said to have been grouped with common criminals and not fellow political prisoners, thus endangering his life in prison.

MYANMAR (BURMA)

Aung San Suu Kyi *writer*

Aung San Suu Kyi is the leader of the National League for Democracy (NLD), a writer and a Nobel Peace Prize winner. She was taken into “protective custody” on June 1, 2003, following clashes between the NLD and pro-government supporters on May 30. Aung San Suu Kyi was held in a two-room hut at the notorious Insein prison under a 1975 law that allows detention for as long as five years without access to family or lawyers. Diplomats have been denied access to her. Aung San Suu Kyi was admitted into hospital for a hysterectomy on September 19, 2003. She was reportedly released a week later to her home, where she remains under house arrest. Aung San Suu Kyi has spent much of the past 14 years under house arrest.

Ko Aung Tun *writer*

Student activist and writer Ko Aung Tun was arrested in February 1998 and reportedly sentenced in March 1998 to 17 years' imprisonment for writing a book on the history of the student movement in Burma. According to opposition sources, six other people were also arrested in connection with the case and handed down prison sentences ranging from seven to 10 years for supplying information to Ko Aung Tun. According to official reports, Ko Aung Tun was charged under the 1962 Printers and Publishers Registration Act, the Unlawful Association Act and the Emergency Provisions Act. He is detained at Insein Prison and was reportedly held incommunicado in solitary confinement during the initial stages of their detention. Ko Aung Tun said to be in very poor health as a result of ill-treatment in prison.

Win Tin *journalist*

The prominent journalist, writer and Central Executive Committee member of the National League for Democracy (NLD) was arrested on July 4, 1989, during a nationwide crackdown by the authorities on the opposition. Win Tin worked closely with Daw Aung San Suu Kyi. He was accused of being a "leftist" politician who urged the NLD to adopt a civil disobedience campaign against martial law, quoting the works of philosopher Henry David Thoreau and the example of Mahatma Gandhi. Despite the political allegations against him, he was formally charged with a criminal offence and sentenced to three years' hard labour in October 1989. In June 1992, just a few months before completion of his three-year sentence, Win Tin was sentenced to an additional 10 years' imprisonment under Section 5(j) of the 1950 Emergency Provisions Act. This vaguely-worded security legislation is frequently used to sentence political detainees to long terms of imprisonment. Win Tin's third prison sentence was imposed on March 28, 1996. In mid-November 1995, he had been one of a group of men detained in Insein Prison who were interrogated under suspicion of smuggling a letter to the United Nations Special Rapporteur on Myanmar about ill-treatment and poor conditions in the prison, and of producing written materials, including magazines, which were considered to be detrimental to the state. They were also accused of hiding three radio sets and other materials such as pens and international magazines.

SAUDI ARABIA

Ali al-Domaini *writer*

Ali al-Domaini is a well-known poet and writer whose works include a novel in Arabic and three collections of poetry. On March 15, 2004, al-Domaini was arrested with eleven other leading Saudi intellectuals who criticized the National Commission on Human Rights (NCHR) and planned to set up their own human rights organization. The NCHR is the kingdom's first human rights watchdog, and was approved in early March 2004 as part of limited steps toward political reform. 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 Islamic religion." Several of the detainees have reportedly since been released, but al-Domaini is among those who remain detained for refusing to sign a document renouncing their political activism.

His trial started on August 9, 2004, at an Islamic court in Riyadh. In May 2005, the court handed down a nine-year prison sentence against al-Domaini.

Matrouq al-Faleh *writer*

Dr. Matrouq al-Faleh is an academic, writer and well-known activist. He was a professor of Political Science at King Saud University in Riyadh and has published several academic books. Al-Faleh was banned from teaching in 2003 due to an article he published in the London-based Arabic-language newspaper *Al-Qudis*. The article discussed the September 11th attacks on the United States and their impact on Saudi Arabia. On March 15, 2004, al-Faleh was arrested with eleven other leading Saudi intellectuals including Ali al-Domaini, all of whom criticized the National Commission on Human Rights (NCHR) and planned to set up their own human rights organization. They were charged with threatening national unity, accused of "issuing statements and collecting signatures" as well as "using Western terminology" in demanding social reform.

Many liberal and opposition figures including Dr. al-Faleh wanted speedier and more radical change. He was given a six-year prison term in May 2005.

SIERRA LEONE

Paul Kamara *journalist*

The founding editor and publisher of the daily *For Di People* was arrested on October 3, 2003, the same day the newspaper had printed articles detailing corruption implicating the current president. On October 5, Kamara was found guilty of charges of seditious libel (Public Order Act of 1965). The journalist was sentenced to two 24-month sentences, to run concurrently. Kamara began serving the sentence immediately at Pademba Road Prison, Freetown. Questions were raised over the impartiality of the presiding judge in Kamara's case – Judge Bankole Rashid – who, it has been alleged, had previously made scathing remarks about Kamara in public and reiterated them in open court. Kamara launched an appeal on October 22 at the Freetown Appeal Court, stating that the “judgment is against the weight of evidence” brought against him, and protesting that he should have been tried before a jury rather than merely a judge, particularly given the prejudices against him openly held by Judge Rashid. On April 15, 2005, a Sierra Leone High Court ruled against an application for bail filed by Kamara.

TURKEY

Asiye Güzel Zeybek *journalist*

Zeybek, who was arrested in 1997, was the editor-in-chief of *Atilim*, a radical newspaper, and was accused under Article 168 of the Penal Code of connections with the now-banned Marxist-Leninist Communist Party, specifically with running and distributing the Marxist-Leninist Communist Party (MLKP) journal *İşçinin Yolu* (*Worker's Path*). During a trial hearing in October 1997, Zeybek filed a complaint against eight police officers, claiming that she had been subjected to severe torture, including repeated rape, while she was being held for interrogation. The officers were brought to trial in November 1998; however, on November 1, 2000, the court decided not to proceed with the prosecution of the eight policemen. Zeybek was reportedly shot in the back and leg during a police raid on her prison in December 2000. She was released on June 5, 2002, at the conclusion of a lengthy trial. On October 16, 2002, Zeybek was sentenced to the heavy term of 12 and a half years' imprisonment for belonging to the MLKP. She was sentenced in absentia and currently lives in Sweden.



Ragip Zarakolu *writer*

Ragip Zarakolu's staunch belief in freedom of expression, his vocal campaign against book bannings and his persistence in publishing works that violate Turkey's repressive censorship laws have resulted in a series of indictments dating back to the early 1970s. In 1971, a military government assumed power in Turkey and instituted a crackdown on writers it deemed subversive. Following a conviction and a three-year stay in prison, Zarakolu steadfastly refused to abandon his campaign for freedom of thought. In the 30 years since his release, Zarakolu has continued to defy Turkey's censorship laws, especially Article 312 of Turkey's Penal Code, which outlaws "making divisive propaganda via publication." The Belge Publishing House, which Zarakolu owns, operated under a barrage of charges brought by Turkish authorities against he and his late wife, Aysel Nur. Over the years, such charges resulted in further imprisonment for the couple, the wholesale confiscation and destruction of books, and the imposition of heavy fines.

Since his wife's death in 2002, Zarakolu has continued to face numerous prosecutions. He is currently on trial for an article published in the journal *Özgür Politika*.

UZBEKISTAN**Muhammad Bekzhon** *journalist*

Bekzhon was deported from Ukraine in March 1999 on accusation of involvement in a series of explosions in Tashkent. However, it is thought that Bekzhon's arrest is linked to his association with the exiled opposition leader Muhammed Salih (his brother) and that the charges are linked to his work on *Erk*, the opposition party's newspaper, although it has been banned since 1994. Bekzhon was sentenced to 15 years in prison in March 1999. His sentence is set to expire in March 2014. He is held in Kagan Prison in Bukhara. There are concerns that Bekzhon has been tortured. Relatives who visited in early 2001 claim to have been alarmed by his state of health and reported that he required crutches. The UN Special Rapporteur on Torture in his 2003 report referred to allegations of torture that resulted in Bekzhon's leg being broken. On June 18, 2003, representatives from the Institute for War and Peace Reporting (IWPR) were permitted to visit Muhammad Bekzhon in a prison hospital in Tashkent – his first interview since he was imprisoned. He told the IWPR that, as a result of beatings received in prison, he was deaf in his right ear and his leg was broken.

Mamadali Makhmudov *poet*

Mamadali Makhmudov is a well-known poet in Uzbekistan. Makhmudov was taken into custody in February 1999, and held in an unknown location. He “reappeared” in May and was charged with threatening the president and constitutional order. Those charges appear to have been based on the evidence that he possessed copies of the banned *Erk* newspaper, voice of the banned Erk political party, and because of his association with writer Muhammad Salih, Erk’s exiled leader. The trial was “99-per cent closed” and Makhmudov was sentenced to 14 years in prison. Although only in his fifties, he has had three heart attacks and his health is very poor. He was moved to a prison medical centre in May, but was returned to prison camp at the end of June 2001. He was transferred to the medical centre at Tashkent prison around March 2001 and subsequently moved to Chirchik prison. He was reportedly transferred to a hospital wing on July 3, 2002.

Yusif Ruzimuradov *journalist*

Journalist and opposition politician Yusif Ruzimuradov was deported from Ukraine in March 1999 on accusation of involvement in a series of explosions in Tashkent. It is thought that Ruzimuradov’s 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 (where Ruzimuradov was editor-in-chief), although it has been banned since 1994. Ruzimuradov was sentenced to eight years in prison in March 1999, on charges of attempting to “overturn the government by force,” “membership of an illegal organization” and “slander” of the Uzbek President. His sentence is set to expire in March 2008. He is held in Navoi Prison.

Recent developments have generated considerable fear for Ruzimuradov’s physical and psychological well-being. In a statement signed by Ruzimuradov and five others associated with the *Erk* arrests, the journalists allege that, during their pre-trial detention, they had been suffocated, beaten with rubber truncheons and plastic bottles filled with water, and given electric shocks. While exact details of his physical state are unknown, there are reports that Ruzimuradov’s health is deteriorating as a result of the appalling conditions at this prison camp.

VIETNAM

Le Dinh Nhan *writer*

Le Dinh Nhan, the acting head of the Institute for the Propagation of the Dharma, Unified Buddhist Church of Vietnam (UBCV), was arrested on December 29, 1994, for publishing an open letter criticizing government policy on freedom of speech and religious expression.

He was held under “temple arrest” until around mid-1995, when he was transferred to an isolated area in Quangai. Since 2003, he has been at Nguyen Thieu Monastery, Binh Fongh Province, held incommunicado with security guards reportedly permanently stationed at the gates.

Le Dinh Nhan is the author of renowned books on Buddhism and Oriental philosophy for the last thirty years. He is said to be one of the most respected religious leaders of the Vietnamese Buddhists and people. His life is said to be in great danger due to poor health and lack of medical treatment. On March 10, 2003, it was reported that he had finally undergone surgery for a growth on his eye in Hanoi, and had been visited by diplomats from the European Union and the USA. On April 2, 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, Le Dinh Nhan 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. The latest report, in November 2004, said that he was gravely ill in hospital after a stomach haemorrhage.

Nguyen Hong Quang *writer*

The dissident writer, lawyer and General Secretary of the banned Vietnamese Mennonite Church, Nguyen Hong Quang, was arrested on June 8, 2004, for allegedly “instigating others to obstruct persons carrying out official duties,” after police searched his house in Ho Chi Minh City. Security agents also confiscated computer equipment and numerous documents, which included legal files on human rights cases on which he was working. The charges stem from an altercation on March 2, 2004, between Nguyen Hong Quang, several of his associates at the Mennonite church and two plainclothes

police officers whom the Mennonites allege were harassing church workers at the church where Hong Quang lives and works as a pastor. Five other Mennonite church workers were also convicted with Nguyen Hong Quang on the same charges and received sentences from 9 months to two years' imprisonment. All six were tried in a four-hour closed hearing by the People's Court of Ho Chi Minh City. Nguyen Hong Quang 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, although he 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.

Pham Hong Son *writer*

Pham Hong Son, a doctor and the head of a pharmaceutical firm, has been in prison since March 27, 2002 for translating and posting an article on the Internet headlined, "What is democracy?" which he downloaded from the Web site of the American embassy in Vietnam. He had previously posted several pro-democracy and human rights articles on Vietnamese discussion forums.

On June 18, 2003, Pham was sentenced to 13 years in prison for "espionage" and to three years' house arrest under the supervision of the Hanoi People's Court. On August 26, his sentence was reduced on appeal to five years in prison and three years' house arrest. Pham reportedly became interested in human rights after reading the work of Nguyen Gia Kieng, a Paris-based Vietnamese dissident. He subsequently became very active in sharing information that he found on-line and writing, via the Internet, to friends and government officials. He is also one of 21 dissidents who signed a petition to the authorities in August 2002 that called for peaceful political reform.

He is said to have been held in solitary confinement and to be in ill health. According to his wife, Pham suffers from a hernia. He has reportedly been moved to a prison far from Hanoi, where his family lives.





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TIBET AUTONOMOUS REGION

Drepung monk **Jamphel Jangchub** was released from prison in early April 2005. After having initially been detained for his involvement in Tibet's first major demonstration after the Cultural Revolution on September 27, 1987, he was arrested on April 19, 1989, and then sentenced in November to 19 years' imprisonment for involvement with a clandestine pro-independence organization set up by monks from Drepung monastery. He was accused of "illegally establishing a separatist organization at the monastery, collecting secret intelligence, slipping across the frontier, distributing leaflets advocating Tibetan independence and taking part in the March 1989 riots." In 1994, Jamphel Jangchub's sentence was reduced, reportedly because of good behaviour.

VIETNAM

The administrative detention of writer **Nguyen Xuan Tu** expired in March 2005. He had been under effective house arrest since May 2000, when he became the subject of a police inquiry for treason. He was suspected of being involved in the drafting of an open letter appealing for democracy being prepared by a group of intellectual dissidents. On February 9, 2001, police in Dalat issued a two-year house arrest order against him for "making contact with reactionaries living abroad to sabotage Vietnam" and "demanding the overthrow of the Communist Party." He was reported to be held in total isolation in his Dalat home, with all mail censored and no telephone communication allowed. Nguyen Xuan Tu's formal administrative order was renewed for a further two years in March 2003.

IRAN

Religious cleric and writer **Hojjatoleslam Hassan Eshkevari** was released from prison on February 6, 2005. He was freed after serving two-thirds of his seven-year jail term. A condition of his release is that Eshkevari will no longer be permitted to wear the cleric's robes. The cleric was arrested on August 5, 2000 upon his return from a conference on Iran in Berlin sponsored by the Heinrich Böll Foundation. He was charged with apostasy and "corruption on earth," which are capital offences. A verdict was issued in October 2002 of a total of seven years for the "crime" of expression of thought.

MYANMAR (BURMA)

On January 3, 2005, poet and journalist **Aung Myint** was released from prison. He was among some 25 political prisoners released ahead of Myanmar's Independence Day celebration on January 4. Aung was charged with violating the State Protection and Emergency Provision Acts and sentenced by a military court on December 20, 2000, to 21 years' imprisonment. He was detained in September 2000, for distributing a press release internationally shortly after security forces had arrested Aung San Suu Kyi.

CUBA

Raúl Rivero Castañeda was released from prison on November 30, 2004. The 59-year-old poet and journalist was freed for medical reasons, following the release of three other dissidents the same week. Rivero was detained as part of a crackdown on opposition voices that led to the arrest of 75 dissidents in March 2003. Prior to his arrest, Rivero had signed, along with other intellectuals, an open letter to the Cuban government calling for more openness and freedom in the country. After a one-day trial, Rivero was sentenced on April 7, 2003, to 20 years in prison.

UZBEKISTAN

On October 21, 2004, Uzbek journalist **Ruslan Sharipov** arrived in the United States of America, where he was granted asylum after fleeing Uzbekistan in the face of serious threats to his safety. Sharipov, who had served 10 months in prison and was continuing his sentence under house arrest, fled Uzbekistan in June and was living in Moscow until his asylum was approved. Sharipov, 25, had been sentenced to four years in prison in August 2003 for “engaging in homosexual acts” – a pretext to silence him and stop his human rights work. He was held in a high security prison from his arrest in May 2003 until March, when he was transferred to house arrest. Sharipov is the founder of the Union of Independent Journalists of Uzbekistan and a correspondent for the Moscow Human Rights Agency.

CHINA

Guo Qinghai was released on September 14, 2004, upon expiry of his prison sentence. He had been arrested in September 2000 and sentenced to prison on April 6, 2001, following a short closed trial. He was arrested on charges of “subverting state power” for publishing articles and editorials on the Internet. Although free, Guo began to serve a three-year sentence of deprivation of political rights that commenced the day of his release. According to the Chinese law, he has no right to freedom of expression, publication, assembly and association as well as the right to elect and to be elected. He lives with his wife and is recovering from sciatica, which began while in prison. Guo has reportedly already defied the order to deny him his political rights and begun to write articles and send them abroad for publication.

Liu Weifang is believed to have been released from prison sometime in late 2003 or early 2004, upon expiry of his sentence. An Internet publisher and small business owner, Liu was arrested in October 2000 and sentenced in Xinjiang in north western China, to three years’ imprisonment. According to a June 15, 2001, report in the *Xinjiang Daily*, the Ninth Agricultural Brigade district’s Intermediate People’s Court in the Xinjiang Uighur Autonomous Region convicted him of inciting subversion against state power.

TIBET AUTONOMOUS REGION

Tibetan monk **Ngawang Gyaltzen** was released in June 2004, after having spent 15 years in Drapchi Prison in Lhasa, Tibet. Ngawang, a member of the Drepung Monastery Printing Group, had originally been sentenced to 17 years in prison. However, he secured an early release after getting a sentence reduction of two years. Ngawang was first arrested on 27 September 1987, following a protest organized by him and 20 other Drepung monks. He was released after four months detention at Gutsa Detention Centre. After his release, he and the other monks pasted and distributed pamphlets calling for freedom and human rights in Tibet. Chinese border guards detained Ngawang on May 13, 1989 as he attempted to make his way to Nepal. On November 28, 1989, he was sentenced to 17 years in prison with deprivation of political rights for five years on charges of “counter revolutionary propaganda” and “illegally crossing the border.” Also in 2004, monk **Ngawang Oeser** was released in April.



CUBA

Marta Beatriz Roque, 58, was released from prison unconditionally on July 22, 2004. The writer and economist was freed from the Carlos J. Finlay military hospital on health grounds after serving sixteen months of a twenty-year sentence. Roque had been arrested in March 2003 along with 74 other individuals opposed to President Fidel Castro's rule. She was sentenced in April 2003 under Article 91 (which deals with "acts against the independence or territorial integrity of the state"), principally for her work in setting up a Web site that reported unfavourably on the Cuban economy. Roque was reported to be suffering from rheumatism and diabetes, as well as chest pains and high blood pressure.

VIETNAM

Cyber-dissident **Le Chi Quang** was released on June 14, 2004, two years before he was due to complete his prison sentence. Quang suffers from serious kidney problems. This appears to have been the reason for his early release. A government source reported that he had been freed for "humanitarian" reasons. Quang was said not to have received the treatment that he needed for his ailment. Quang had been sentenced to four years in prison on November 8, 2002, for sending "dangerous" information abroad. He had written and posted an article on-line that detailed the circumstances in which the Vietnamese government signed border agreements with China. A policeman posing as an Internet user arrested Quang in a cybercafé.

Bui Minh Quoc, a Vietnamese poet, journalist and dissident, was released from formal administrative detention on January 11, 2004. However, he remains under heavy surveillance. He was detained on January 8, 2002. He was questioned by police for three days and then placed under formal house arrest in Dalat, southern Vietnam, on January 12. He was charged with "possessing anti-government literature," including his own writings.

CHINA

Journalist **Gu Linna** was released in early 2003 – although the exact date of her release is not yet known – about one year earlier than the expiry of her four-year prison sentence. It is believed that she was freed because of her alleged cooperation with authorities against Falun Gong practitioners. She worked as a journalist, fiction writer and radio broadcaster with Shijiazhuang People’s Broadcast Station. She was also an outspoken and active member of Falun Gong. In April 1999, Gu Linna was fired for moderating a radio broadcast that she concluded by discussing her own faith. She then joined demonstrators in a protest against the government in Beijing. Gu Linna was arrested, transported to Shijiazhuang, fined and released. She was again taken into custody in late October 1999. On June 14, 2000, Gu Linna was sentenced to four years’ imprisonment for “undermining the implementation of the law using an evil cultist organization.”

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