

PRO

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PEN Canada
2011-12 Annual Report

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PEN Canada is a nonpartisan organization of writers that works with others to defend freedom of expression as a basic human right, at home and abroad. PEN Canada promotes literature, fights censorship, helps free persecuted writers from prison, and assists writers living in exile in Canada. PEN Canada is a registered charity.

This year's annual report takes inspiration from PEN Canada's recent focus on Mexico. As detailed in the essays that follow, this campaign was launched with an groundbreaking investigation into the war on Mexico's journalists; PEN's focus continued through its involvement in an historic delegation led by PEN International president John Ralston Saul. To recognize this important commitment, the pages of this report are inspired by two essential elements in the traditional Mexican Day of the Dead celebration: marigolds, the flower whose scent is believed to draw the souls of the dead back to earth temporarily, and tissue paper, which is used to make decorations in many shapes and styles. Throughout this report, you'll find "Protestas," short pieces originally read by their authors in Mexico as part of the PEN delegation. They serve as vital reminders of not just the predicament in that country, but the broader challenges facing free expression around the world.



President's Message

Charlie Foran

There is almost too much to report about PEN Canada's activities in 2011-2012. The year, begun with a new president and a near-to-new board, started off busy and then got busier. It also started new, so to speak, and then got newer.

Our fall benefit at the International Festival of Authors in Toronto featured a brilliant designer and author Bruce Mau and a striking visual element; our Ideas in Dialogue events explored first philosophy and the Arab Spring, and then African child soldiers and our shared humanity. Autumn programming initiatives included guerrilla photo campaigns in city streets and letters to Eritrean journalists, read by their Canadian colleagues. Deeper into the winter, we co-hosted an encounter with a hero of the Burmese resistance, and posted a video of one prominent Chinese dissident reading the poetry of another. With spring 2012 came more innovation, in the form of a dialogue about comedy and satire that had to be among the funniest events PEN Canada has mounted, and the very recent, very exciting decision to launch a national affairs campaign this coming fall that will probe the ways in which our current federal government is changing the climate for freedom of expression in Canada. This will be a response to the times, and to our mandate.

As well, this spring we reworked our visual look and launched a bold, interactive website. Not so coincidentally, we also hired a new executive director, after three years of going without this essential position. Tasleem Thawar brings fresh perspectives, ideas, and skills to the task of guiding PEN Canada deeper into the new century, and the transformative new world of communication, conversation and advocacy, online and off. She joins our programs coordinator, Brendan de Caires, and our administrator, Kasey Coholan. We're even getting the floors redone in our offices on Ryerson Avenue in downtown Toronto. The space isn't exactly new, but the energy certainly is.

My point, I suspect, is clear by now. Elsewhere in this report you can read about the activities of the various programs and committees. They have all been busy and they have all been tasked with thinking freshly about their areas of concern, including forging new alliances and bringing new people into the discussion. In putting together such a large board of directors, and intentionally mixing experience with youth, I've been hoping to infuse the organization with the right balance of good governance, itself rooted in PEN Canada's history and stature, and

hard but necessary conceptualizing about our ongoing identity and purpose. So far, I've been delighted with the results. Delighted, but not content; there is much still to be thought through.

At our final board meeting of 2011-2012, we had the chance to say goodbye to my predecessor, Ellen Seligman, who graciously stayed on as ex-officio this year, bringing her wisdom and experience to this unruly process. "I was so impressed with this engaged board," Ellen wrote to me after the meeting. "It's really exciting to see." Without Ellen's heroic leadership, there might not have been any process for her — or anyone else — to witness. PEN is in her permanent debt.

Speaking of debts, we've never been more beholden to, or grateful for, our wide array of supporters. Our patrons, for instance, a distinguished group of Canadians now numbering close to 60, make our work possible. (Patrons Chair Sara Angel has done a remarkable job welcoming new patrons into the fold.) We are lucky indeed to have a fellow Canadian, and our Honorary Patron, John Ralston Saul, serving as president of PEN International, and to ride the wake of his pioneering stewardship of the world's oldest freedom of expression organization. The Right Honorable Adrienne Clarkson is another key friend, and did us the great favour of representing PEN Canada during the Mexico delegation that John Ralston Saul describes in this report. The outstanding team at Soapbox Design Communications, responsible for how PEN shows to the public, are likewise invaluable, not to mention generous. And I'd be remiss if I didn't give special thanks to a few individuals: to single out just the contributions of Valerie Hussey, Deborah Windsor, Diana Kuprel, Sara Angel, Randy Boyagoda, Kelly Rankin, and Arne Kislenko and Stéphanie Walsh Matthews at Ryerson University risks excluding others by simple oversight. My apologies for that — PEN values all its friends.

**OUR NEW
NATIONAL
AFFAIRS
CAMPAIGN
WILL BE A
RESPONSE
TO THE TIMES,
AND TO OUR
MANDATE.**

PROTESTA

IS THIS WORTH DYING FOR?

ELENA PONIATOWSKA

In Mexico, telling the truth can cost you your life. Every reporter must ask themselves: “Is this worth dying for?” In the northern cities of the republic, journalists are hunted like rabbits and up to now nothing and nobody has protected them. All weapons are corrupt.

There are many “official” numbers; some say that between 2000 and 2011, 74 journalists have been killed, others say 83, others say much more. What is terrifying is that the number keeps growing. On May 30, 1984, Manuel Buendía was murdered in Mexico City because his column, published in 60 Mexican newspapers, dared to talk about drug trafficking and government corruption. He was the first murdered journalist I knew. Since then, I’ve asked myself, when did journalism become a death sentence? How much longer must we wait for the authorities to provide credible protection for the profession? How much more time will have to pass before Mexico stops being the most dangerous country in Latin America for working journalists?



A Question of Free Expression

John Ralston Saul
President of PEN International

The question I ask myself every day is: How do we actually change things? Or instead: How do we convince those who don't believe that freedom of expression is a normal state of being, not something to fear?

Of course, PEN Canada, along with almost 150 PEN Centres around the world, is constantly working at this. And we have our methods. We have been at it for 90 years as an international organization; 85 years in Canada. And it is amazing how often a writer or publisher is freed. Or how often we manage to help them into exile, sometimes to come here to Canada. But the basic problem remains: that of normalizing free speech.

A few years ago, PEN Canada was part of a campaign to improve our libel laws. A handful of specialist lawyers more or less understood them. Writers were — are — reduced to writing almost by instinct, hoping to avoid the arcane libel traps. As part of our campaign we made calls on various politicians. I remember a leader who should have known better — and who has since faded away — going on and on about how he was constantly under attack and how it wasn't fair, so the libel laws shouldn't be weakened. We tried to explain that this was about free speech, not him, and that public life was meant to be tough and that what we wanted was clarity not weakness.

If a provincial politician in a relaxed society where criticism is actually pretty soft doesn't get it, we shouldn't be surprised that dictators don't either. It is a cliché, but it is also true, that power, whether political or administrative, military or economic, creates a sense of well-being in the beneficiary such that he or she simply rejects the idea of justified criticism.

But the question I am constantly asking myself is whether there are new ways to make our case. Our Mexico campaign is a good example of this rethinking. We all know that Mexico is one of the most dangerous places in the world to be a writer. All sorts of NGOs, local and international, are working away at condemning the situation in the hope of changing it.

What we decided to try was a multi-layered approach with a truly international conception. The idea was to balance solid expertise with our strength not as a top down NGO — we are neither top down nor an NGO — but as a bottom up virtual global democracy of public writers.

It began with an alliance between PEN Canada and the International Human Rights Program of the University of Toronto Faculty of Law. Cara Gibbons and Beth Spratt, two young law students, set about preparing a well-researched and clearly written report. PEN Canada, through programs coordinator Brendan de Caires, launched the report, and PEN International joined in with its already existing Mexico campaign—a local initiative now moving around the world. Then PEN International began to conceive a large mission to Mexico, built upon this study. The delegation was led by the full international Executive (a first) and all seven North American PEN Centres (a first). Japan and English PENs joined this group. So did Renu Mandhane, the Director of the International Human Rights Program.

With the support of American PEN and the Knight Foundation, we launched the mission with a full page ad in Mexican newspapers—a letter from leading writers around the world to Mexican writers. This included the ex-Presidents of PEN International, the Permanent Secretary of the Swedish Academy, the Chair of the Nobel Prize Committee, and writers from over forty countries. The letter itself was a piece of literature—not of political rhetoric. And it made a clear impact.

The central problem in Mexico is not drug lords versus the government. It is profound levels of corruption linking organized crime, police, military, many state governments, and political parties. You never know where you are. The Mexican elite is remarkable, wonderfully educated, and sophisticated. Its members are beneficiaries of the system, but usually are not linked to the corruption and violence. They would like to see change but are neutralized by the Mexican reality, which funds their lives.

So we met with the Ministers, senior civil servants, and the leaders of the Senate. At the same time, we kept on explaining publicly exactly what we felt was needed—not as outsiders, because our delegation included the Mexican PEN Centre—but as an international public voice.

And PEN Mexico, under the leadership of Jennifer Clement organized the highlight of the week, a public event in which over fifty of us spoke for one minute each. Well, perhaps 90 seconds. Legendary Mexican writers, journalists under threat, and foreigners. People spoke in Spanish, English, and French. The coverage was intensive and national—and excerpts from five of these speeches are included in this report.

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I am skipping many details, but one of the outcomes was that the Mexican Senate passed a key law—long blocked—that federalized criminal activity, thus beginning the process of moving real enforcement from the more often corrupt states to the federal system.

The key is that PEN is first and foremost a public voice. And our voice includes over a hundred countries and many more languages.

Finally, the cause of free speech is never won. It is maintained and strengthened through constant action. This new style of campaign in Mexico will continue until there are enough changes in law and in action to better the power of the citizens and the role of public speech.

And now we must apply these methods to Turkey, to China, to many other countries.

ARTICLE



THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

EVERYONE HAS THE RIGHT TO FREEDOM OF OPINION AND EXPRESSION; THIS RIGHT INCLUDES FREEDOM TO HOLD OPINIONS WITHOUT INTERFERENCE AND TO SEEK, RECEIVE AND IMPART INFORMATION AND IDEAS THROUGH ANY MEDIA AND REGARDLESS OF FRONTIERS.

National Affairs Committee Report

Philip Slayton
Chair

Over the past year, PEN Canada's National Affairs Committee has continued to defend Canadian freedom of expression in particular cases, while expanding its mandate to address pervasive and systemic threats to that freedom.

In November 2011, PEN Canada announced its support for a private member's bill calling for the repeal of section 13 of the Canadian Human Rights Act which deals with hate speech. PEN Canada president Charles Foran said, "The best defense against so-called 'hate speech' is not government enforcement of vague prohibitions, but an educated and alert citizenry and vigilant and responsible media." Also in November, PEN expressed support for the artist Franke James, whose European art exhibition, initially financially supported by the federal government, was later defunded on the grounds that it was critical of government environmental policy. In December, PEN Canada expressed concern that Toronto's mayor, Rob Ford, had created a chill on press freedoms by denying the *Toronto Star* access to city information as punishment for a story the mayor did not like.

In the meantime, the National Affairs Committee has been reconstituted with active representatives from coast-to-coast. Current members include the distinguished Nova Scotia author Marq de Villiers; Elise Mosher, president of the Québec Writers' Federation; Toronto lawyers Janne Duncan and Grace Westcott; Bruce Walsh, a well-known publicity and marketing consultant for book publishers; Ken Filkow, former chair of the Manitoba Human Rights Commission; and Cindy Grauer, a consultant and former CRTC commissioner, who lives in Vancouver.

In pursuit of broader issues, the committee is working to develop position papers on federal government attempts to suppress research results of government-funded scientists when those results conflict with government policy; government threats to change legislation governing charities so that the tax-advantaged charitable status of environmental groups opposing government policy could easily be taken from them; and revisions to anti-terrorism legislation so that certain environmental groups could be classified as threats to national security.

Finally, the National Affairs Committee is assembling a Litigation Intervention Panel of constitutional lawyers across Canada prepared to intervene on PEN's behalf, pro bono, in court cases where freedom of expression is at stake.

PROTESTA

GATHER IN SOLI- DARITY

LUIS MIGUEL AGUILAR

The great Russian poet Osip Mandelstam once said, “If they are killing poets, it’s because they respect poetry.” When I was a young man, this phrase sounded full of dignity, majestic even. As I grew older, it began to seem sad, and I recalled that the phrase sprang from Mandelstam’s despair, terror, and defenselessness as he waited for death in one of Stalin’s concentration camps. Now that I am older, the phrase strikes me as intolerable, incapable of imparting any wisdom.

No, Dear Mandelstam, no: if they are killing poets, it’s because they *don’t* respect poetry. The same could be said for all writers. In fact, it is this lack of this respect that has brought us together here today. If they kill journalists, it’s because they don’t respect journalism; which is to say that they don’t respect us as a society where a free press is indispensable. When they don’t kill, threaten, or censor journalists, then we can say they respect journalism. I am certain that our gathering in solidarity with Mexico’s defenseless journalists is a decisive contribution to this problem. And I respect this.





HONORARY MEMBERS

CHINA AND AUTONOMOUS REGIONS

Uighur writer **Nuremuhamet Yasin** received a 10-year sentence in November 2004 during a closed trial, with no legal representation, for “inciting Uighur separatism” in a short story published in a literary journal. “Wild Pigeon” recounts the experiences of a young pigeon trapped and caged by humans while trying to find a new home for its flock. Instead of forfeiting its freedom, the pigeon kills itself by swallowing a poisonous strawberry, a choice that Yasin’s own father had made in similar circumstances several years earlier. Yasin is an award-winning and prolific freelance writer with a well-established literary reputation among Uighur readers. Since his arrest, he has been permitted no visitors and there are serious concerns for his well-being.

The poet and essayist **Zheng Yichun** was arrested in 2004 by the security services in Yingkou, Liaoning Province on “suspicion of inciting subversion of state power.” At his trial, the prosecution exhibited 63 postings, signed by Zheng, which had appeared on *dajiyuan.com*, a website popular among China’s intelligentsia. Several hundred other articles were confiscated during a police raid on Zheng’s home. A professor of English at the University of Liaoning, Zheng has long been a prominent critic of the government.

In one essay, he refers to China’s one-party system as “the root of all evil” and the title of one of his self-published books of poetry is *The Era of Brainwashing*.

On April 26, 2005, at a trial attended by senior authorities from Liaoning Province, Zheng pleaded guilty. Although his lawyer argued that Zheng’s work was protected by Article 35 of the Chinese Constitution, which guarantees freedom of the press, Zheng was convicted in July 2005 and later sentenced to seven years in prison. Zheng suffers from diabetes and his health has deteriorated since his arrest. In May 2008, there were reports that he had suffered cerebral thrombosis, which caused paralysis in part of his face and constrained movement in his right arm. He was sent to a hospital outside the prison, but was returned when doctors concluded that his condition was not serious. Medical facilities in the prison are not able to treat his condition and his relatives are said to be requesting his release on medical parole.

ERITREA

In September 2001, 13 newspaper journalists were arrested after President Issaias Afeworki closed Eritrea's independent newspapers, leaving only the state-run *Hadas Eritrea*. PEN Canada adopted the following as Honorary Members: **Yusuf Mohamed Ali** (editor-in-chief of *Tsigenay*), **Mattewos Habteab** (editor-in-chief of *Meqaleh*), **Dawit Habtemichael** (reporter for *Meqaleh*), **Medhanie Haile** (editor-in-chief of *Keste Debena*), **Emanuel Asrat** (editor of *Zemen*), **Temesken Ghebreyesus** (reporter for *Keste Debena*), **Dawit Isaac** (writer and co-owner of *Setit*), **Fesshaye Yohannes "Joshua"** (playwright, poet and publisher of *Setit*), and **Said Abdelkader** (writer, editor of *Admas* and owner of the press that printed most of the independent newspapers). In September 2009, Reporters Without Borders reported that many of the imprisoned journalists were being held in metal containers or underground cells in Adi Abeito Military Prison, in Eiraeiro Prison and in the Dahlak archipelago.

In 2007, reports indicated that four of the journalists had died in custody between 2005 and early 2007: Abdelkader, Haile, Ali, and Yohannes. Their deaths were attributed to harsh conditions and lack of medical attention. Some sources indicate that Yohannes had been tortured prior to his death, including having his fingernails ripped out. In May 2007, the African Commission on Human and People's Rights (ACPHR) of the African Union ruled that the detention of the journalists was arbitrary and unlawful and called on the Eritrean government to release and compensate the detainees.

Isaac, who spent a number of years in Sweden during the Eritrean war of independence and the border dispute between Eritrea and Ethiopia, holds Swedish citizenship.

In November 2001, the Swedish local consul held a brief meeting with Isaac in jail. In April 2002, it was reported that Isaac had been hospitalized suffering from injuries sustained through his torture. In November 2005, Isaac was briefly released for a medical check-up and was allowed to call his family and friends in Sweden. As of January 2010, Isaac was reportedly being kept in solitary confinement in a tiny cell with no windows, and was in very poor physical and mental health. He and the other inmates are reportedly not allowed any contact with each other or the outside world, are routinely shackled and receive almost no medical care.

On February 18, 2010, Reporters Without Borders reported that Asrat and Habtemichael were being held at Eiraeiro Prison. However, an April 2010 article by the Committee to Protect Journalists cited reports from a former prison guard at Eiraeiro that Habtemichael had died in custody; this death is unconfirmed. The former guard reportedly also said that Ali had died in June 2003 as a result of extreme heat, Haile had died due to lack of medical treatment, while Yohannes and Abdelkader had committed suicide. These reports are likewise unconfirmed.

In a TV interview in 2009 President Afeworki said he did not know what crime Isaac had committed and added that Eritrean authorities would release him or put him on trial. In an interview published on the website of the Swedish daily newspaper *Aftonbladet* on August 1, 2010, a senior adviser to President Afeworki said that Isaac was being held for his involvement in a "conspiracy" by a group of Eritreans "to facilitate" an invasion of the country by Ethiopia during the border war between the two countries. He refused to provide assurances that Isaac was still alive.

IRAN

On November 1, 2008, **Hossein Derakhshan** was arrested by Iranian authorities and, on June 23, 2010, he was placed on trial for "conspiracy" and "acting against national security." No verdict was made known until late September when the Farsi news website Mashreq reported his conviction on charges of "propagating against the regime," "promoting counter-revolutionary groups," "insulting Islamic thought and religious figures," and "managing an obscene website." Derakhshan was sentenced to 19 years and six months in prison. He was held in solitary confinement for the first eight months of his detention. He has been held incommunicado in Evin Prison and is said to have been ill-treated. On December 9, 2010, Derakhshan was released conditionally, on two days parole, after posting a bail of \$1.5 million. Within two days, he was taken back to prison. There are serious concerns for his physical and psychological well-being.

On September 4, 2010, **Nasrin Sotoudeh**, a prominent writer, journalist, and lawyer, was arrested after being summoned to the special court in Evin Prison to answer charges of "propaganda against the state." The arrest followed a raid on her home

HONORARY MEMBERS

and office the previous month by security officers, who confiscated files and documents. Sotoudeh's lawyer was not allowed to represent her in court or accompany her client during questioning. Sotoudeh received an 11-year sentence from Branch 26 of the Revolutionary Court on January 9, 2010. She was also banned from practicing law and from leaving the country for 20 years. The sentence comprises one year imprisonment for "propaganda against the regime," and a total of 10 years for the two charges of "acting against national security" and "violating the Islamic dress code (Hijab) in a filmed speech." Sotoudeh is believed to have been charged for critical interviews given to overseas media following Iran's disputed 2009 presidential election and for her membership in the Association of Human Rights Defenders. In mid-September 2011, Sotoudeh's sentence was commuted to six years and the legal ban reduced to 10 years. In October, she received PEN Canada's One Humanity Award on the opening night of the International Festival of Authors in Toronto.

SYRIA

High school student **Tal Al-Mallouhi**, a poet and blogger, was detained on December 27, 2009 after being summoned by state security officers for questioning about her blog entries. Following her arrest, Tal Al-Mallouhi's family home was raided by security agents who confiscated her computer, notebook, and other personal documents. She was held incommunicado at an undisclosed location without charge or access to her family for the first nine months of her detention. Her family was allowed to visit her once at Doma Prison in Damascus in September 2010. On September 2, 2010, her mother published an open letter to the Syrian president seeking information about her daughter's welfare and calling for her release. On October 5, 2010, it was reported that Al-Mallouhi had been charged with spying for a foreign country. On February 14, 2011, she appeared before Damascus State Security Court in a closed session, during which she was convicted of "divulging information to a foreign state" and sentenced to five years in prison. Al-Mallouhi has no known political affiliations, and sources close to the family are baffled by the charges. It is feared that she could be targeted for comments and poems published in her blog.

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BAN REDUCED TO 10.**

UZBEKISTAN

Mamadali Makhmudov, a well-known Uzbek writer and opposition activist, was arrested in February 1999 after a series of explosions in Tashkent. He was charged with "threatening the president," "threatening the constitutional order," "organizing banned public associations and religious organizations," and "organizing a criminal group." On August 3, 1999, he was found guilty and sentenced to 14 years in prison.

Previously, Makhmudov had been imprisoned between 1994 and 1996 for alleged embezzlement and abuse of office. At the time, these charges were considered by PEN and Amnesty International to have been fabricated in order to persecute Makhmudov for his association with the exiled opposition leader Muhammed Salih. This view was supported by the United Nations Working Group on Arbitrary Detentions. A successful international campaign was launched and Makhmudov was released early as part of a presidential amnesty. Makhmudov is currently being held at Yaslik high-security prison in Tashkent. He was hospitalized in July 2000, reportedly for facial and throat surgery made necessary by extreme ill-treatment and neglect during his detention at another prison. His sentence will expire in 2013. Makhmudov's book, *Immortal Cliffs*, was published in French in late 2008.

HONORARY MEMBERS

VIETNAM

Nguyen Van Hai, better known by his pen name, “Dieu Cay,” is a renowned blogger, journalist, and democracy activist in Vietnam. He should have been released on October 20, 2010 on completion of two and a half years imprisonment for “tax fraud”; however, he was reportedly transferred to a public security detention camp in Ho Chi Minh City on October 18, 2010, apparently on charges of “conducting propaganda against the Socialist Republic of Viet Nam” under Article 88 of the Criminal Code. The charges are said to be based on his online writings for the Free Journalist Network in Viet Nam before his April 19, 2008 arrest after participating in protests against the police in Ho Chi Minh City earlier that year. He was still detained as of December 31, 2010. As one of the founding members of the Club of Free Journalists (Cau Lac Bo Nha Bao Tu Do), founded in 2006, Dieu Cay is well known for reporting on human rights abuses and corruption and for his participation in protests against Chinese foreign policy.

RUSSIA

Anna Politkovskaya was a special correspondent for the newspaper *Novaya Gazeta*. She reported on the human rights abuses carried out by Russian forces in Chechnya and openly criticized Vladimir Putin. In 2001, she was detained by Russian officials in Chechnya and threatened with rape and torture and put through a mock execution. On October 7, 2006, Politkovskaya’s body was found in the stairwell of her apartment building. She suffered a gunshot wound to the head. Five years after her death, PEN International continues to call for an impartial investigation into Politkovskaya’s murder.





HONORARY MEMBERS

RELEASED

CHINA AND THE AUTONOMOUS REGIONS

Hada, owner of the Mongolian Academic Bookstore, was arrested on December 10, 1995, for founding the Southern Mongolian Democracy Alliance and for publishing the underground journal *The Voice of Southern Mongolia*, of which he was founder and editor-in-chief. On December 6, 1996, he was sentenced to 15 years in prison and four years deprivation of political rights on charges of “inciting separatism and espionage.” He is thought to have been released when his sentence expired on December 10, 2010, but was reportedly re-arrested and detained with his wife and son in January 2011.

CUBA

Normando Hernández González, a journalist (*Cubamet*) and the director of the news agency Camagüey College of Independent Journalists (Colegio de Periodistas Independientes de Camagüey), was released from Kilo 7 prison and arrived in Spain on July 14, 2010 following a deal brokered by the Catholic Church and the Spanish government in early July. Hernández had been serving a 25-year prison sentence handed down under Article 91 and other provisions of the Criminal Code in the 2003 “Black Spring” crackdown on Cuba’s dissidents.

MYANMAR

Aung San Suu Kyi, a writer and the leader of the National League for Democracy (NLD), was kept in “protective custody” following violent clashes between opposition and pro-government supporters on May 30, 2003. She was held under successive house arrest orders at her home in Yangon until May 14, 2009, when she was detained under Section 22 of the State Protection Law for “subversion,” following an incident in which a US citizen reportedly swam across the lake to her home and in doing so violated the ban on her meeting with anyone without prior permission. Her trial began on May 18, 2009 and she received a three-year prison sentence from a criminal court inside Insein Prison on August 11, 2009. The verdict was reduced to 18 months to be served under house arrest, and she was returned to her home soon after the trial ended. Aung San Suu Kyi was released unconditionally on November 13, 2010. She had spent much of the past 20 years in detention.

On October 12, 2011, the political activist, poet and comedian **Maung Thura (“Zarganar”)** was released from Myitkyina Prison in Kachin State, northern Myanmar, as part of a widespread general amnesty. Zarganar was serving a 35-year sentence following his arrest for leading a private-relief effort to deliver aid to victims of Cyclone Nargis, which struck on May 2, 2008. In August 2008, Zarganar was charged with seven offences under the Criminal Code, the Unlawful Associations Act, the Video Act, and sections of the Electronics Act. On November 21, 2008, he was sentenced to 45 years for violating the Electronics Act. Days later, he was given a further 14-year sentence for offences under the Criminal Code related to his peaceful opposition activities. In 2010, Zarganar was the subject of a documentary called “This Prison Where I Live” named after one of his poems. In October 2011, Zarganar described his release to the BBC as “conditional.”

UZBEKISTAN

Muhammad Bekzhon (“Bekjanov”) was reportedly released in March 2011 after the expiry of a 15-year prison sentence. In March 1999, he had been deported from Ukraine following accusations of his involvement in a series of explosions in Tashkent.

Bekjanov’s arrest is thought to be linked to his association with the exiled opposition leader Muhammed Salih (his brother), and to his work for the opposition party’s newspaper, *erk*, which has been banned since 1994.

Writers in Exile Committee Report

Mary Jo Leddy
Chair

The Writers In Exile Network has been going through a period of profound change. We are happy to report that it has been change for the better.

During the time of the PEN financial crisis, the Writers in Exile Committee was one of the first casualties. Until this time, the focus of this committee had been developing a series of placements for writers in exile at various academic and literary institutions. The process of being recognized as a writer in exile was refined, as was the process of selecting writers for these placements. However, during the recession, many of these placements evaporated.

A serious rethinking of this aspect of PEN Canada's commitments became a practical necessity – and a welcome challenge. About two years ago, the PEN board made the crucial decision to focus their efforts on welcoming writers who had newly arrived in Canada and on those who had become newly active as writers. We believed that the nature of PEN's welcome could and should be expanded beyond the possibility of residencies. A committee was developed with this focus in place. Members of the committee are Mary Jo Leddy, Keith Leckie, Marina Nemat, Aaron Berhane, Miki Andrejevic, Munir Pervaiz, Sturla Gunnarsson, and Judith Koomar.

The committee sent notices of PEN's willingness to support writers in exile to refugee lawyers and to ethnic media outlets. Over the past year, PEN has been contacted by eight newly arrived writers in exile. In most cases, the immediate need was assistance with the writer's refugee claim. We developed a set of guidelines for PEN members who volunteer to accompany these writers to their refugee hearings. Various members of the board and the committee have attended these hearings, and in each case the PEN president wrote a letter of support to the Immigration and Refugee Board. This was immensely encouraging for the writers and a real learning experience for those who accompanied them. This shared experience set the basis for a genuine sense of solidarity.

This sense of co-operation has been deepened through a series of potluck suppers at the Romero House Centre. This was an initiative based on a hunch that has proven to be immensely important. Members of the PEN Board, the Exiles Committee, and newly arrived writers are invited. Everyone contributes to the supper and the evening is spent in a focused conversation around topics of shared concern for writers. In the process, important connections have been made and members of the group have offered various forms of practical support to each other. As one writer put it: "There was a lot of suffering around the table, but we all felt stronger for being together."

**“WE
ARE
STRONGER
FOR
BEING
TOGETHER.”**



We are now calling this gathering the Writers in Exile Supper Club and plan to have it on a regular basis. This is an informal way of establishing an effective network, at least in the Toronto area. The club bypasses all the questions of who is a member and who is not, who is in exile and who is not, who is a writer and who is not. Everyone is welcome as long as they contribute to the food, drink, and conversation. At our last supper, we had two CBC reporters who had heard about the supper and brought along a refugee journalist they had met while doing a story.

Much remains to be done. While we have welcomed and supported eight new writers, we want to reach out to others, especially those living outside of Toronto. We are also concerned about recent changes in legislation that are directly affecting writers who have been counting on the protection of Canada. We know of many writers who are trapped in untenable situations overseas. We are hoping to work more closely with Canadian Journalists for Freedom of Expression, as many of our writers have worked as journalists. We have three residencies that are still available to PEN writers. We want to increase these possibilities without making them the primary focus of the Writer in Exile program.

One of our writers in exile is a journalist from Sri Lanka, who travelled to Canada aboard Ocean Lady ship that arrived on Vancouver Island two years ago. The ship became a symbol used by the government to justify draconian legislation that would punish those seeking to live. “Is it a crime to want to live?” asked our writer. His struggle, as a journalist and as a human being, summons PEN members to a renewed sense of our call to speak the truth to power.

PROTESTA

THE VIOLENCE MUST STOP

JENNIFER CLEMENT

PEN International asks that, at every PEN event, an empty chair be present to represent writers who have been killed, assassinated, incarcerated, or who have disappeared. Today we remember and honor the 67 journalists who have been killed in our country and the 10 who have disappeared.

I have often asked myself, “How can one talk about Mexico’s violence?” I feel as if the very words themselves — censure, impunity, prosecute, demand, clarify — have also been assassinated. From so much overuse, these words, without weight and worn out, are no longer stones one can use to strike, but instead frayed cloths for wrapping bodies.

Another consequence of this violence is self-censorship. If we cannot tell the truth and report the news because of fear, we lose not only democracy and freedom, but also our history. If we don’t know the story, we do not know who is the saint or the killer, the outcast or the heroine. And if we do not know what happened, we do not know who to pursue and punish, who to forgive and love.



Western Canada Outreach Committee Report

Miki Andrejevic
Chair

PEN Canada's outreach efforts in Western Canada continue to be a successful and important part of expanding the organization's reach and scope.

The organization had a notable presence at the LitFest – Edmonton's non-fiction festival. The Empty Chair program was featured at two events. This year the chair was in honor of the Iranian human rights lawyer Nasrin Sotoudeh, a prominent Iranian journalist and human rights lawyer currently serving an 11-year prison sentence for her outspoken advocacy of clients arrested after the June 2009 presidential elections.

Ms. Sotoudeh is reportedly being held in Ward 209 of Evin prison, an enclosed space normally reserved for prisoners undergoing methadone treatments for drug addiction. Prisoners in the ward are banned from using the library and making phone calls and are granted access to fresh air for less than one hour each day. They are also prohibited from face-to-face meetings. All political prisoners at Evin prison were reportedly transferred to the methadone ward in November 2010. In mid-September, Sotoudeh's sentence was commuted to six years in prison.

The first of the events at which Sotoudeh was honoured was held October 17, 2011 at the Edmonton Public Library. It featured two former Edmonton writers in exile, Jalaj Berzanji, who was launching his first book, *The Man in Blue Pajamas*, and Goran Simic. The box office revenue of \$1,087 from the event was donated to PEN Canada. The Second event was held October 19, 2011 at the Edmonton Public Library which featured the Right Honorable Adrienne Clarkson and her new book, *Room for All of Us*.

As a member of the board of PEN Canada and the chair of Western Outreach, I spoke at both events about PEN Canada, its history and programs, and highlighted the empty chair and answered many questions about PEN Canada after the events. Seventy seven attendees signed the petition and joined PEN Canada in calling for Nasrin Sotoudeh's immediate and unconditional release.

Further outreach plans include the membership drive through special events in Calgary in Vancouver, and the coordination of wide media coverage in Western Canada about PEN programs and initiatives.

PROTESTA

DEFEND HUMANITY

RUSSELL BANKS

Faced with and outraged by the cold, irrefutable reports of assassination, torture, kidnapping, and widespread intimidation of journalists and writers, we may overlook the fact that these terrorizing attacks against Mexico's journalists and writers are attacks against the Mexican people.

A nation's journalists and writers, like its poets and storytellers, are the eyes, ears, and mouth of the people. When journalists and writers cannot freely speak of what they see and hear of the reality that surrounds them, the people themselves cannot see, hear, or speak of it either. Whoever gouges a people's eyes, stops up its ears, and cuts off its tongue makes a nation blind, deaf, and silent.

A nation blinded, made deaf, and silent cannot choose and create its own history. Simply, it becomes dehumanized property, the property of criminals and assassins. A community becomes a commodity, a thing to be bought and sold to the highest bidder. It must be remembered, therefore, that in defending our brother and sister journalists and writers, we are defending the humanity of the Mexican people.



Writers in Prison Committee Report

Brendan de Caires
Programs Coordinator

In 2003, after her colleague narrowly survived an assassination attempt, Anna Politkovskaya asked herself, “Is journalism worth dying for?”

She mused that “in Russia – [where] attempts to kill journalists are no rarity – we, the servants and slaves of information, ask ourselves this question. If the price of truth is so high, perhaps we should just stop... How much would society, for whose sake we are doing this work, care? In the face of that, each of us makes his or her own choice.” As it happened, Politkovskaya – a legendary investigative journalist, and Honorary Member of PEN Canada – chose journalism, and paid dearly for it. To date, her October 2006 murder remains unsolved, despite several high profile investigations and trials by the Russian government.

In Mexico, Politkovskaya’s question hovers above the lives of hundreds of working journalists – particularly in the northern states, which have borne the brunt of President Calderón’s militarized campaign against drug trafficking organizations (DROS). The six-year conflict has claimed more than 40,000 Mexican lives, including dozens of journalists. Many others have been harassed, threatened, and attacked.

Despite its recent transition to democracy after 70 years of single-party rule, Mexico retains a culture of impunity. Few crimes are properly investigated, even fewer brought to justice. In August 2011 a study by the Universidad Nacional Autónoma de México (UNAM) found that “for every 100 crimes committed in Mexico, only three are charged, fewer than two come before a judge. Perpetrators get away with murder.” The report acknowledged “formal advances” in the recognition of human rights but said “much more must be done to establish effective means to defend those rights.”

Corruption, Impunity, Silence: The War on Mexico’s Journalists is a comprehensive overview of this crisis. Published in June 2011 by PEN Canada and the International Human Rights Program at the University of Toronto’s Faculty of Law, it examines Mexico’s systemic failure to uphold “binding international human rights obligations, including the right to life and the right to freedom of expression.” The report raises serious doubts about the government’s oft-repeated claim that DROS are the primary source of violence. In fact, two out of every three attacks on journalists originate with state agents, and community radio broadcasters – who face no known threats from the drug cartels – are more vulnerable to violence and intimidation than professional journalists.

In November 2011, PEN International launched a Day of the Dead campaign to commemorate the more than 45 Mexican journalists who have disappeared or been killed during the past six years. Around the world, PEN Centres held readings and vigils outside embassies to raise awareness of the issue. In Toronto, students at Martingrove Collegiate Institute designed a traditional Day of the Dead shrine for the fallen journalists in the school library, and staged bilingual poetry readings in their honour. The school gathered several hundred signatures for a petition urging the Canadian Foreign Minister to press the government of Mexico for more action on impunity.

In January 2012, a PEN delegation with representatives from nine centres in the United States, Canada, Japan and the United Kingdom, visited Mexico City and met government officials and freedom of expression and human rights NGOs. These included the mayor of Mexico City, a former Foreign Affairs Secretary, the President of the Mexican Senate, and the Minister of Home Affairs (Gobernación.) Shortly afterwards the Senate approved an amendment to the law that would make any attack on journalists a federal crime. (The work of this delegation is detailed elsewhere in this report, in an essay by PEN International president John Ralston Saul.)

Honorary Members

For those who believe that petitions and letter writing campaigns are little more than symbolic gestures, our last three years have been very instructive. In that time, thanks to the support of free expression and human rights groups, including PEN, three of our Honorary Members have walked away from 100 years of prison time. In August 2009, student journalist Parvez Kambaksh was pardoned from a 20-year prison sentence (initially, a death sentence) for blasphemy in Afghanistan; in July 2010 Cuban journalist Normando Hernandez Gonzalez, was set free from a 25-year prison sentence, following a Vatican-brokered amnesty between Spain and Cuba, and in September 2011, the Burmese poet and comedian Zarganar was released from a 59-year sentence (commuted to 35 years) imposed in 2008.

One of our most recent Honorary Members is the Iranian human rights lawyer and journalist Nasrin Sotoudeh, recipient of our 2011 One Humanity Award at the International Festival of Authors (IFOA). Florence Minz presented the award at PEN's gala on the opening night of the IFOA and Canadian-Iranian theatre producer

Sohail Parsa accepted the prize on behalf of Ms. Sotoudeh. (BBC News broadcast footage of the ceremony in Tehran the following morning.) Sotoudeh also featured prominently in Michael Ignatieff's conversation with Ramin Jahanbegloo at a televised PEN event on "Liberty and the Arab Spring." Responding to a question from the audience about the importance of civil society, Ignatieff pointed to the empty chair image of Sotoudeh onstage and said: "Don't think there is nothing you can do — join PEN. Write the President of Iran, keep her name up there, this stuff matters. You're not just spectators here, she needs your help."

On September 23, 2011 we marked the tenth anniversary of Dawit Issak's arrest with a public event called "The Other Side of Silence," at Ryerson University. Canadian authors Camilla Gibb, Karen Connelly, Sheila Heti, Rosemary Sullivan, and Susan Swan read letters to the five surviving journalists — four of Isaak's colleagues have reportedly died in prison. Each letter ended with the phrase "you are not forgotten." Footage from the event, and the text of the letters, are available on our website

In December 2011 PEN Canada adopted José Armando Rodríguez Carreón as an Honorary Member. Rodríguez was a veteran crime reporter for *El Diario* in Ciudad Juárez, Chihuahua state. He was shot at least eight times by an unidentified gunman on the morning of November 13, 2008, as he prepared to drive his daughter to school. Rodríguez had briefly left Mexico to live in El Paso, Texas, after receiving death threats. On his return, he refused to stop covering crime stories despite receiving further death threats. Shortly before his death, Rodríguez told the Committee to Protect Journalists (CPJ): "The risks here are high and rising, and journalists are easy targets. But I can't live in my house like a prisoner. I refuse to live in fear." Two prosecutors responsible for Rodríguez case have subsequently been assassinated.

In March 2012, we were honoured to host "Conversations with Zarganar" — a joint event with Amnesty Canada and the Arts and Contemporary Studies Program at Ryerson University's Library Lecture Theatre. Zarganar appeared onstage with novelist Karen Connelly, comedian Zaib Shaikh, and Dr Arne Kislenko of Ryerson's Department of History. Becky Toyne offers an account of this remarkable day in the Spotlight section of this report.

**CONCLUSION OF
CORRUPTION,
IMPUNITY, SILENCE –
THE WAR ON
MEXICO'S
JOURNALISTS**

“Journalism in Mexico has reached a state of emergency. Reporting the news in certain parts of the country has become as deadly an undertaking as living in a war zone. But Mexico is not engaged so much in a war on drugs as in a battle for its fledgling democracy, its grasp on the rule of law, and its very future. It is a war with two fronts: terrifyingly violent drug trafficking organizations are pressing from one side and Mexico’s legacy of impunity from the other. It is ordinary citizens who are feeling the squeeze, and journalists, in particular, who are caught in the middle. Yet the media, which in a less violent context would be exposing this situation for the world to see, become quieter with each passing day. Mexico’s journalists can no longer take action to protect themselves without putting their lives at grave risk. It is time for the world to act. The risk of not doing so is far too great.”

PROTESTA

FREE EXPRESSION MATTERS

JOHN RALSTON SAUL

We are people of the word. All of us. The life of a journalist in Juarez, the free expression of a blogger — both are as essential as the life and free expression of a Nobel laureate.

And the right of citizens, all citizens, to read in any form, to hear in every way, to question as they wish, to intervene if they want, depends on the ability of writers — all of us — to write and to speak without fear. That is the meaning of solidarity. It is a noble concept. But it is also a physical presence. That is why we are gathered here.

This is an historic gathering. The first time that all seven North American PEN centres have come together over a cause, on the territory we all share. And we are joined by Japan PEN and English PEN. The first time that the entire executive of PEN international has led a delegation. The first time since this terrible violence began that we have all come together, with you, here, in Mexico.



Spotlight: Free Expression

PEN International's Day of the Imprisoned Writer

The day before PEN International's Day of the Imprisoned Writer, I received a call from PEN Canada's programs and communications coordinator Brendan de Caires asking for some photography advice. "We're taking 'man on the street' shots of people holding up photographs of imprisoned writers," he explained, "as a show of solidarity." "I can do better than give you advice," I said, "just tell me where and when to show up." I'd been wanting to get more involved with PEN, and this was a perfect opportunity.

The next morning, on Tuesday November 15, we met up at the PEN Canada office on Ryerson Avenue. PEN writer in exile Ayub Nuri was there with his younger brother Mekdad, who had, believe it or not, arrived the night before from Iraq (via the US). Ayub and I discovered we had friends in common from his home Kurdistan, where we'd both worked as journalists during the Iraq War. We were also joined by Brendan and



by Morteza Abdolalian, another PEN writer in exile. We all donned t-shirts featuring a photo of imprisoned writer Nasrin Sotoudeh. A second team consisting of PEN advocate Rui Umezawa, writer in exile Aaron Berhane, PEN intern Dylan Franks, and his friend Roberto wore t-shirts with a picture of imprisoned writer Dawit Isaak on them. We set out on foot with a stack of flyers and photos of the imprisoned writers.

Locations around Toronto were divvied up between the two teams (we had a friendly competition to see who could collect more portraits). We had our best success at City Hall. One woman from Iran went to get her children so they could all pose for a picture. We took nearly a hundred photographs, and at the end of the day the teams met at the Eaton Centre, along with some of PEN's most illustrious writer-members, including PEN president Charles Foran, who, although he said nothing to us at the time, had just been informed that he'd won the Governor General's Award for his biography of Mordecai Richler. The scene at the Eaton Centre was triumphant. Despite the heavy topic on all our minds and the photos of imprisoned writers emblazoned on our shirts, we had come together in solidarity, and made allies along the way. On the walk home, Morteza and I agreed: It was an amazing day.

—Rita Leistner

To Open Many Mouths

Zarganar delivers an impressive one-liner. A satirist originally sentenced to 59 years in prison for criticising his government, Burma's most prominent opposition figure has, to joyous reception, happily been released after less than four and, as is his instinct, is engaging his audiences by making the most serious of subjects — for a brief moment at least — a laughing matter. Censorship and imprisonment may not seem the stuff of joke-telling, but for an hour on stage in Toronto, they were.

Zarganar's presence in Canada was a proud moment for PEN — the chance to meet in person a man previously known only through reports, statements on petitions, pictures propped up on symbolic empty chairs. On stage with author Karen Connelly, academic Arne Kislenko, and actor Zaib Shaikh on March 3, Zarganar talked of Burmese theatre, of comedy, and of his hopes for his country's future government and transition away from decades of military rule.

Though Zarganar is out of jail he is not yet out of the woods — his sentence suspended, not overturned. Under current Burmese law he could be arrested and returned to jail for writing an email deemed subversive or for cracking the wrong kind of joke in the wrong kind of crowd, and so his release is partly cosmetic. "This is not amnesty," he said in a characteristic bon mot. "This is show business."



The man whose name means "tweezers" originally trained as a dentist. But as he told his assembled audience, when the time came to practice he had a realization: "If I was a dentist I have a chance to open one mouth at a time, but if I was a comedian I can open many mouths." To open many mouths on behalf of the silenced few is PEN's daily work. To hear the subject of a PEN campaign at liberty to voice the idea was a singular pleasure.

—Becky Toyne

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