

PEN CANADA ANNUAL REPORT 2013–2014

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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.

FOREWORD

FREEDOM OF EXPRESSION IS A FUNDAMENTAL RIGHT THAT ALLOWS US TO COMMUNICATE INFORMATION AND IDEAS. THE ABILITY TO COMMUNICATE IS WHAT, ABOVE ALL, MARKS US AS HUMAN; DENIED THIS WE ARE DENIED OUR VERY EXISTENCE.

owhere in the world are these rights absolute; everywhere in the world then, these rights need protecting. Why do we care if a member of a small minority group in China is imprisoned for writing an allegorical story about a wild pigeon who commits suicide by eating a poisoned strawberry? Why do we care if a

small African nation shuts down its independent presses? Why do we care that journalists are being murdered with impunity in a small Central American country?

Because the defence of all our human rights must begin at the margins. The threat to human rights may well begin far outside our own experience, but it's at those outer reaches that the erosion of our rights begins. When the range of acceptable expression is narrowed, the margins are redefined and start to close in on the core-those rights and freedoms we deem essential for our well-being. The core, that centre we too-often take for granted in a democracy, is only protected by wide margins. Without that buffer we don't have the room for debate and advocacy and suddenly we are the ones denied an education, literacy, a voice, access to information, the freedom to communicate and share our experiences and observations of what is happening in the world. On a case-by-case basis, we may be asked to defend something we personally find uncomfortable. At times we have to put our own tastes aside in support of a broader principle. In an earlier era, for instance, gay literature was frequently charged with being obscene. In many countries in the world this continues to be the case. If we do not defend the rights

of gay people to communicate their experiences, how can we justifiably argue for the rights of any other oppressed minority? Perceived threats to prevailing social values shift. In H.G. Wells, *The Country of the Blind*, a seeing man must have his eyes surgically removed in order to become accepted as a citizen. "Those queer things which are called eyes...are diseased...in such a way as to affect his brain," says the local doctor.

The defence of the other is the defence of ourselves for next week we may be the other.

A precedent established elsewhere can be appropriated by governments in other times and places. Civil liberties worldwide for instance, continue to be curtailed on the basis of "the war on terror"—a Bush-era invention, a specific language that embodies a particular narrative and set of beliefs, now used by governments throughout the world to silence voices of opposition or dissent.

Impingements on freedoms in democracies often take on more insidious forms; they creep largely imperceptibly unless we are vigilant and aware. When Canadian scientists are silenced for results that challenge current environmental policies, both the specifics and broader implications of the issue need to be addressed.

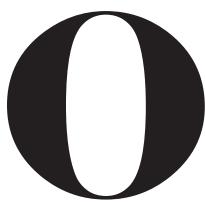
We inhabit a democracy, an ideal of self-government where we elect our representatives and decision-makers and hold them accountable for the policies that determine and delimit our lives. We have a right to know, to hold opinions and to act upon those opinions in the forms of election and advocacy. Suppressing information denies us access to the information we need to know in order to make informed decisions about our own lives.

We defend as much against the infringement upon our rights to freedom of expression as we do against the conditions that allow for this possibility.

President's Report

By Philip Slayton

THE PAST YEAR HAS EXEMPLIFIED THE COMPLEX AND INTERRELATED NATIONAL AND INTERNATIONAL SCOPE OF PEN CANADA'S WORK.



ur National Affairs Committee gained yet more momentum as it worked to protect and promote the fundamental freedoms of thought, belief, opinion and expression in Canada. These freedoms are guaranteed by section 2(b) of the Charter of Rights and Freedoms, part of our Constitution. Guarding the guarantee is an important part of PEN's purpose. So, for example, the

National Affairs Committee is now partnering with The Writers' Union of Canada and other organizations to create Canada's first censorship reporting repository, which will gather data on censorship and report it annually. The committee's "Know Your Rights" project has begun, and will eventually provide Canadians—for the first time—with a handy resource of rights in one place. Bolstering our national affairs efforts, we are working to create PEN Canada student chapters to give university students a means for engaging with freedom of expression issues and to encourage and develop future generations of PEN supporters. Ryerson University will be the first to establish such a chapter and we anticipate the creation of more student chapters in the next few months. Internationally, PEN Canada has gained new prominence over the past year. Our January study of the plight of Honduran journalists, prepared in partnership with PEN International and the International Human Rights Program at the University of Toronto, attracted extraordinary attention. In March, Brendan de Caires, Programs and Communications Coordinator, appeared before the Inter-American Commission on Human Rights

in Washington, D.C. to present the report's findings. In April, Tasleem Thawar, PEN Canada's Executive Director, gave testimony before the House of Commons Standing Committee on International Trade on the human rights implications of Canada's proposed free trade agreement with Honduras. There was substantial press coverage of the Honduras report and our committee appearances.

We are close to having Edmonton named the first North American City of Refuge, part of the International City of Refuge Network (ICORN). The mayor of Edmonton, Don Iveson, has expressed strong support for this project. Members of ICORN offer sanctuary and two-year funding to a writer-in-exile. We intend to find another Canadian city to join the Network, making Canada a significant contributor to this international movement. Joining and promoting ICORN builds upon our longstanding

writers in exile work.

Both the idea of student centres and our knowledge of ICORN came from conversations Tasleem and I had with our international colleagues at the 2013 PEN International Congress in Reykjavik, Iceland. At the Congress, PEN Canada also sponsored the creation of PEN Delhi, the second PEN centre in India, further developing our ties with that country. PEN is once again working in partnership with PEN International and the International Human Rights Program at the University of Toronto this time on a study of press freedoms in India.

The work of PEN Canada is an intricate blend of domestic initiative and international cooperation, each feeding into and enriching the other. What we do is essential, sometimes exhilarating, and I am proud to be president.

Executive Director's Report

By Tasleem Thawar

IN SHORT, WRITERS BRING MEANING TO THE ISSUES OF THE DAY.

EN is growing. Every one of our programs, from Writers in Prison to Writers in Exile to National Affairs is doing deeper and more engaging work than the year before. Our literary events are also growing, both in quantity and quality, and through our many partnerships (with the Spur Festival, Hot Docs, the Art Gallery of Ontario and others) we're reaching more Canadians and helping

more writers around the world. We have boosted our membership by over 20 per cent, and the board now includes representatives from across the country.

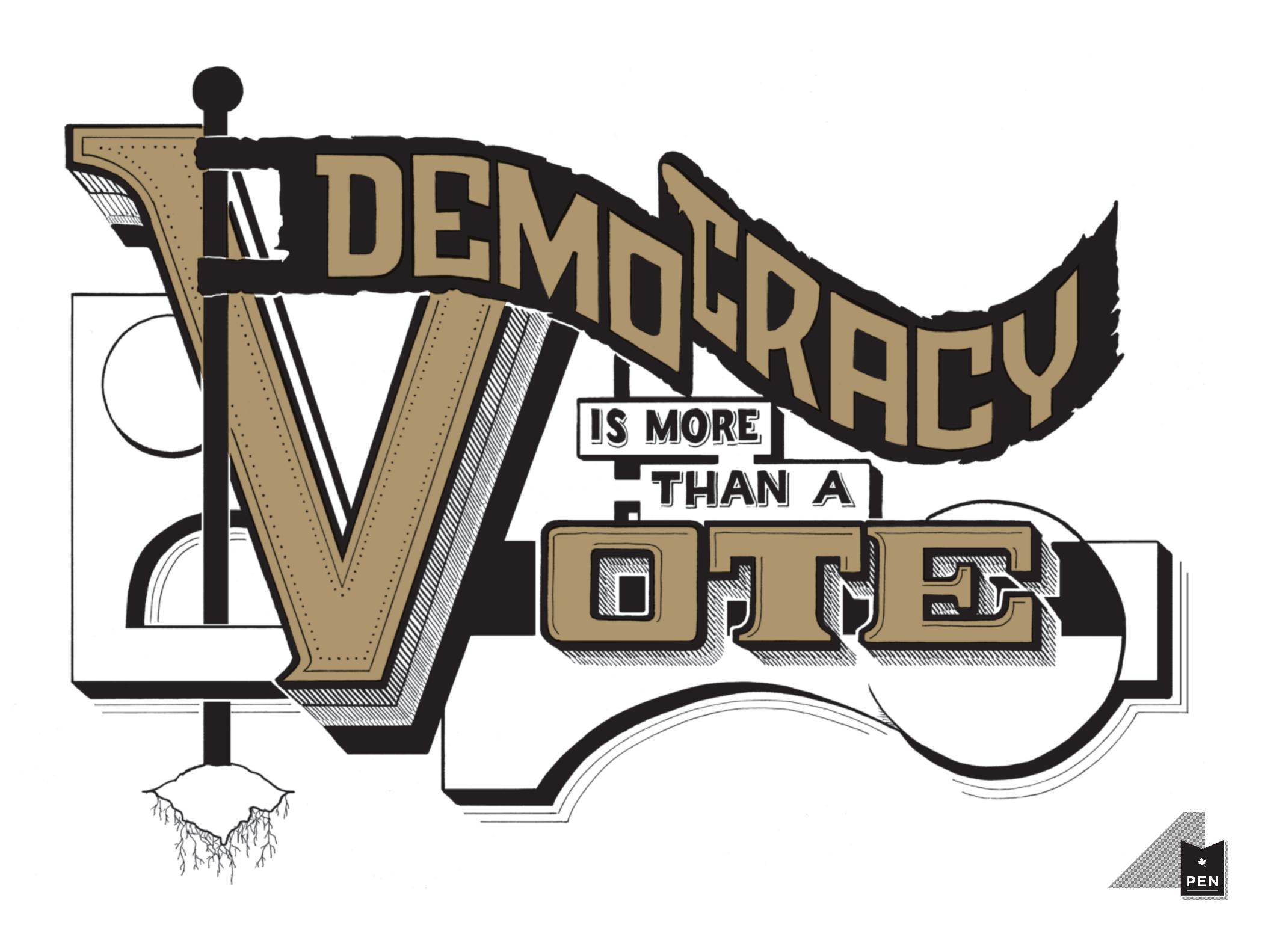
All of this has been a great leap forward for PEN Canada. With our core work progressing steadily, we've been able to spend a little time on the more existential questions that will inform our work in the years to come: what is our role as a writers' organization in defending free speech? How can we make the most difference for the writers whom we defend? What do we bring that is unique to the free expression conversation? a wider reality of state corruption and complicity. It was this story that we told to the Inter-American Commission on Human Rights in Washington, D.C. in March, and it was this story that prompted them to push Honduran government officials to improve their investigations.

Our public events have also brought thoughtful and considered narratives to the table. Over the past year our events have touched on everything from book censorship to surveillance, and have featured Lawrence Hill, Jian Ghomeshi, Sheila Heti, Linwood Barclay, Camilla Gibb, Miriam Toews, Ron Deibert and others, each of whom placed a specific event (from the Snowden revelations to the censoring of Lawrence Hill's book) in a much larger historical or geographical context. In short, writers bring meaning to the issues of the day. At PEN we're looking forward to doing more of that.

None of our work this year could have been done without the unshakable support of our board members, who write and speak for PEN and for freedom of speech unceasingly and encourage others to do so without hesitation. PEN's staff is also indispensable. Many thanks are due to Brendan de Caires for his inventive programming. We were sorry to say goodbye to Kasey Coholan, PEN's excellent administrator, but were lucky to welcome Pari Rajagopalan as our office manager who has kept our work running incredibly smoothly. We were also joined this year by Mica McCurdy, who brought rigour to our events coordination, and Juanita Bawagan, who has been ensuring that all the work we do gets noticed. This report would not have been possible without the leadership of Camilla Gibb and the excellent design work of Jim Ryce. PEN thanks them all.



One of the answers, as it turns out, is narrative. Of course, as writers, it is our obligation to stand in solidarity with those whose right to free speech is in danger. What we've learned this year is that our task of contextualizing what otherwise might seem like one-off, isolated events in order to tell a story is more important than ever. Our January 2014 report on Honduras placed impunity within a longer history of government failure to redress the legacies of massive human rights abuses, and within



Paradox in India

By Haroon Siddiqui

A former president of PEN Canada and a member of the board of PEN International, Siddiqui was in India in January with John Ralston Saul, president of PEN International, for the opening of the PEN Delhi Centre and to help revitalize the All-India PEN Centre, based in Mumbai.

ndia is the world's largest and most rambunctious democracy. It has a free press and a thriving literary scene, in English as well as several regional languages. The Jaipur Literature Festival has become, within eight years, the biggest in the Asia-Pacific region. Print and electronic media are enjoying record and ratings, thanks to rising incomes

circulation and ratings, thanks to rising incomes and literacy rates. Yet free speech has never been so imperilled. Authors, journalists, cartoonists, screenwriters and artists are under siege. This paradox, one of India's million contradictions, is explained by a toxic mixture of British colonial-era laws still on the books, increasing religious fanaticism and corporate intolerance. Police and the lower courts are caving in to Muslim and, increasingly, Hindu fundamentalists, who demand bans on what they don't want to hear, see or read. Big business is slapping down expensive and seemingly endless lawsuits to avoid scrutiny, forcing not only individuals, but publishing houses and media to capitulate. Government is shutting down websites, blocking blogs and social media.

India's constitution guarantees free speech but, as in Canada and many European nations, it also imposes "reasonable restrictions" to maintain public order. Authorities shut down anything that might flare communal riots, a real and ever-present danger, given the history of horrendous Hindu-Muslim killings. No government wants blood on its hands by upholding the right of a writer to offend.

Several laws restrict free speech. The Penal Code makes it an offence, punishable by up to three years in jail, to hurt anyone's religious sensibilities or promote enmity between different religious groups, etc. Worse, it allows anyone offended to demand that offensive material be removed; this has opened the door to political busybodies and religious bigots, who may storm police stations and courts, even turn up at a writer's door to intimidate. The Anti-Sedition Act prohibits words and actions that may cause "hatred or contempt or disaffection" toward government. In 2012, as many as 6,000 farmers and fishermen were charged for

INDIA'S CONSTITUTION GUARANTEES FREE SPEECH BUT, AS IN CANADA AND MANY EUROPEAN NATIONS, IT ALSO IMPOSES "REASONABLE RESTRICTIONS" TO MAINTAIN PUBLIC ORDER.

opposing the start-up of a nuclear plant along the southeast coast. Media are restricted in reporting from the disputed territory of Kashmir and the insurgency-plagued northeast.

Libel and defamation laws criminalize speech and prescribe jail terms. India's eight intelligence agencies operate mostly beyond civilian control. New surveillance capabilities are being used to target critics, journalists and human rights activists.

India was the first country to ban Salman Rushdie's *Satanic Verses* in 1988. That ban still draws sharp reactions, pro and con. In 2012, Rushdie had to stay away from the Jaipur festival amid threats

chauvinist regional Hindu party. In 2011, the state of Gujarat stopped the sale of American journalist Joseph Lelyveld's biography of Mahatma Gandhi, which suggested that the great leader may have had a gay sexual relationship. In 2010, Rohinton Mistry's A Fine Balance was removed from Mumbai University, his alma mater, on the objections of a Hindu student. The greatest victim of Hindu fanatics was M.F. Husain, the "Picasso of India, whose paintings of nude Hindu goddesses angered hardliners—they vandalized his works, launched hundreds of lawsuits against him and threatened him with death. In 2006 he went into exile in Qatar and London, where he died five years later, pining for his motherland. Corporate India has imposed libel chill. To cut their losses, publishers have withdrawn books, or chapters within books, critical of Air India, the Sahara Group and the Reliance Industries conglomerate, among others. The picture is dismal. But India's strong civic society is fighting back. It is crucial that members of PEN everywhere stand with it.

to his life.

Hindu extremists are on the march. In February, Penguin India pulped American academic Wendy Doniger's *The Hindus: an Alternative History* under pressure from a right-wing group. Last year, leading intellectual Ashis Nandy was threatened with arrest for offending lower caste Hindus. In 2012, Mumbai police arrested a young woman who merely complained on Facebook about the shutdown of the city of 18 million upon the death of the leader of a

HONORARY MEMBERS

UZBEKISTAN VIENNAU

CHINA AND AUTONOMOUS REGIONS

Uighur writer **Nurmuhemmet 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. Rather than surrender its freedom, the pigeon swallows a poisonous strawberry as Yasin's own father had done in similar circumstances several years earlier. In January 2013, reports indicated that Yasin had died two years earlier while being held in Shaya prison in western China's Xinjiang Uighur Autonomous Region. A close relative later questioned the accuracy of these reports; to date, Yasin's situation remains uncertain.

Liu Xiaobo, a former President and Board member of the Independent Chinese PEN Centre is a prominent literary critic, author and the 2010 Nobel Laureate for peace. Liu was arrested for signing Charter 08, a declaration calling for political reforms and human rights. He was held under Residential Surveillance, a form of pre-trial detention, at an undisclosed location in Beijing, until he was formally charged on June 23, 2009 with "spreading rumours and defaming the government, aimed at subversion of the state and overthrowing the socialism system in recent years." Liu was sentenced to an 11-year prison sentence on December 25, 2009.

ETHIOPIA

The journalist **Reeyot Alemu** was arrested on June 21, 2011 and charged with planning and conspiring a terrorist act; possessing property for terrorist acts and participating in the promotion or communication of a terrorist act. On January 19, 2012 she was sentenced to 14 years in prison. In August 2012, an appeals court acquitted Alemu of the first two charges and reduced her sentence to five years. On January 8, 2013, Ethiopia's Court of Cassation rejected Alemu's final appeal to have the charges dismissed. In prison Alemu has reportedly suffered from deteriorating psychological and physical health while being held in unsanitary conditions.

The editor and journalist **Eskinder Nega** was arrested on September 14, 2011 on terrorism-related charges brought under the 2009 Anti-Terrorism Proclamation. Nega was arrested for publishing a column disputing the

ERITREA

In September 2001, the Eritrean government shut down the country's independent newspapers and arrested 13 journalists. PEN Canada adopted the following as Honorary Members: Yusuf Mohamed Ali (editor-in-chief of *Tsigenay*), Mattewos Habteab (editor-in-chief of *Meqaleb*), Dawit Habtemichael (reporter for *Meqaleb*), Medhanie Haile (editor-in-chief of *Keste Debena*), Emanuel Asrat (editor of *Zemen*), Temesken Ghebreyesus (reporter for *Keste Debena*), Dawit Isaac (co-owner of *Setit*), Fesshaye Yohannes "Joshua" (playwright, poet and publisher of *Setit*), Said Abdelkader (writer, editor of *Admas* and owner of the press that printed most of the independent newspapers) and Seyoum Tsehaye (TV and radio journalist and weekly columnist for *Setit*).

In 2007, Abdelkader, Haile, Ali and Yohannes reportedly died in custody due to harsh conditions and a lack of medical attention. Some sources indicate that Yohannes was tortured prior to his death. In May 2007, the African Commission on Human and People's Rights ruled that the journalists' detention was arbitrary and called for their release.

After his arrest, Dawit Isaac, who holds Swedish citizenship, met briefly with the Swedish consul in November 2001. Since then there has been little official information about his case, or the status of the other journalists. In an April 2010 article the Committee to Protect Journalists cited reports from a former prison guard at Eiraeiro that Dawit Habtemichael had died in custody; this report is still unconfirmed. The guard also reported that Yusuf Mohamed Ali had died in June 2003 as a result of extreme heat and Medhanie Haile had died due to lack of medical treatment. Yohannes and Abdelkader had allegedly committed suicide. In 2012 Reporters Without Boarders reported that Dawit Habtemichael along with Mattewos Habteab had died in prison. The reports remain unconfirmed. As of January 2010, Isaac was reportedly in 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.

IRAN

Hossein Derakhshan was arrested by Iranian authorities on November 1, 2008 and placed on trial for "conspiracy" and "acting against national security" on June 23, 2010. In late September the Farsi news website

government's claim that detained journalists were suspected terrorists, and for criticizing the arrest of well-known actor and government critic Debebe Eshetu. Nega was charged with having affiliations with Ginbot 7, a banned political party the government considers a terrorist group and of plotting with Eritrea and gathering material for terrorist attacks. Nega was convicted on June 27, 2012 and received an 18-year prison sentence on July 13, 2012. On May 2, 2013 the Ethiopian Supreme Court upheld the conviction charges in a ruling PEN International and other rights groups described as "highly dubious." *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 bail of \$1.5 million.

MEXICO

José Armando Rodriguez Carreón was a veteran crime reporter for El Diario, a daily newspaper based in Ciudad Juárez, Chihuahua state. He was killed by an unidentified gunman on the morning of November 13, 2008. Rodriguez had covered drug-related violence and organized crime in Ciudad Juárez and, after receiving death threats, had briefly left Mexico to live in El Paso, Texas. On his return, he refused to stop covering crime stories despite receiving further death threats. Shortly before his murder, Rodriguez told the Committee to Protect Journalists (CPJ): "The risks here are high and rising, and journalists are easy targets. But I can't live in my house like a prisoner. I refuse to live in fear." In the weeks after his murder, several other El Diario reporters received death threats, as did members of other media in Ciudad Juárez and Chihuahua. Two prosecutors in charge of investigating Rodriguez's murder have reportedly been assassinated. On May 26, 2011, the Inter American Press Association sent a letter to President Calderón, signed by hundreds of newspaper readers throughout the Americas, calling on him to intervene in order to ensure that the stalled investigation into José's murder moves forward and those responsible are brought to justice.

Marco Antonio López Ortiz, a news editor for the daily newspaper *Novedades Acapulco*, was reportedly kidnapped in Acapulco, Guerrero state, on June 7, 2011. López disappeared after being assaulted by unidentified men when leaving his office that night. López oversaw the paper's crime reporting, among other responsibilities. Local journalists in Acapulco have claimed that they are constantly threatened to keep coverage of organized crime to a minimum, to avoid reprisals from narcotrafficking cartels. The state attorney general has begun an investigation into López's disappearance and the National Human Rights Commission is also investigating the case. In July 2011, President Calderón's office wrote PEN International to say that López's case had been referred to the Federal Attorney General (Procuraduría General de la República).

RUSSIA

Anna Politkovskaya was a special correspondent for the newspaper *Novaya Gazeta*. She reported on human rights abuses carried out by Russian forces in Chechnya and openly criticized President 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. After several inconclusive trials, PEN International continues to call for an impartial investigation into Politkovskaya's murder.



SY

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, 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 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. In September 2010, Sarah Leah Whitson, Middle East Director at Human Rights Watch, said: "Detaining a high school student for nine months without charge is typical of the cruel, arbitrary behavior of Syria's security services." Whitson added: "A government that thinks it can get away with trampling the rights of its citizens has lost all connection to its people."



UZBEKISTAN

Dilmurod Saidov—aka **Sayyid**—was sentenced to 12 and a half years in prison on February 22, 2009 on charges of extortion and forgery according to a statement made by a head of the Agricultural Equipment and Tractor Park in Samarkand, who claimed that Saidov had sought to extort US\$15,000 from him. Authorities added a second charge of extortion in March and a charge of forgery in April. Saidov's case was riddled with procedural violations but when his lawyer appealed the sentence in late 2009 after the Samarkand Regional court upheld the journalist's sentence on September 11, 2011. A further appeal, to the Uzbek Supreme Court is underway. Saidov suffers from tuberculosis and was admitted to hospital for 27 days in mid-August 2011. His family requested a provisional release during his trial but this was rejected on the basis that he is a "dangerous criminal." Saidov has reportedly been subjected to harsh prison conditions and treatment with psychotropic drugs during his detention.



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, 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. Dieu Cay was awarded PEN Canada's One Humanity Award given to a writer whose work "transcends the boundaries of national divides and inspires connections across cultures."





ARTICLE 19



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







HONORARY MEMBERS RELEASED

MARIA ADYOKHINA NA OKON NIKOVA RRR **ISRI**

MAMADALI MAKHNUDOV

RUSSIA

Maria Alyokhina and Nadezhda Tolokonnikova, members of the Russian punk band Pussy Riot were granted an amnesty on the 20th anniversary of the Russian constitution and released December 23, 2013, several weeks before the end of their two-year sentence. Ekaterina Samutsevich, the third band member, was released in October 2012. On August 17, 2012 Pussy Riot members were jailed for two years under Article 213 of the Russian Criminal Code. The three women had been held in custody since early March. In February the band members entered the Christ the Saviour Cathedral in Moscow wearing colourful masks and performed a song with the aim of highlighting the close relationship between the Orthodox Church and President Vladimir Putin. The women were arrested two weeks later. Their trial began in July. During the trial the women were locked in a bulletproof cage and, according to their lawyers, were not given food or water for long periods. The prosecution and its witnesses argued that the band had shown a deep hatred of all Orthodox Christians and was not motivated by outrage at the Putin regime, as they had claimed. PEN International, which monitored the trial, found the defence was repeatedly denied the right to make objections, to call witnesses and even, at times, to speak.

TURKEY

Ayşe Berktay, translator, scholar, author, and cultural and women's rights activist was released by the Istanbul 15th High Criminal Court on December 20, 2013—along with five others—after 27 months of pre-trial detention. In October 2011, she was charged under Turkey's Anti-Terror Law with "membership of an illegal organization" for allegedly "planning to stage demonstrations aimed at destabilizing the state, plotting to encourage women to throw themselves under police vehicles so as to create a furor, and attending meetings outside Turkey on behalf of the Kurdistan Communities Union." Berktay is one of more than 1,800 people, including many writers and academics, swept up in mass arrests of supporters of Kurdish rights in Turkey. If found guilty, she could face up to 15 years in

IRAN

Nasrin Sotoudeh, a prominent writer, journalist and lawyer, was released on September 19, 2013 after serving more than half of a 6-year prison sentence for "propaganda against the state." 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 original 11-year sentence was commuted to six years. In October she received PEN Canada's One Humanity Award on the opening night of the International Festival of Authors.

CHINA

Shi Tao, poet, journalist and member of the Independent Chinese PEN Centre was released in September 2013, 15 months before the end of his 10-year sentence. He was arrested on November 24, 2004 and sentenced on April 27, 2005 for "leaking state secrets abroad." The case against Shi was based on an email sent to the editor of a New York-based website detailing media restrictions imposed by the Chinese authorities prior to the 15th anniversary of the June 3, 1989 crackdown on pro-democracy protests. Information supplied by the Yahoo! Inc. was used to convict him. Shi worked for the Changsha-based daily *Dangdai Shang Bao* (Contemporary Business News) until May 2004, when he became a freelance journalist and writer. He is a published poet, and is known for his social commentaries published on overseas Chinese language media such as *Democracy Forum*.

UZBEKISTAN

On April 19, 2013 the Uzbek writer, **Mamadali Makhmudov** was released after serving a 14-year prison sentence for his involvement in a series of bombings in Tashkent, and an apparent assassination attempt against President Karimov. There was little evidence to substantiate these charges and human rights groups in Uzbekistan and elsewhere rose to his defence. Makhmudov's sentence expired in February 2013, but he was sentenced to three years additional imprisonment on April 8, for breaking prison regulations. Makhmudov appealed this new sentence and was waiting for a response when he was unexpectedly set free. Upon his release the 72-yearold writer met his five grandchildren for the first time.

prison.



National Affairs

By William Kowalski

he past year has been a busy and productive one, with the National Affairs Committee taking on numerous issues and keeping an eye on many more. We maintain an active and vigorous membership of legal and creative professionals who are thoroughly dedicated to protecting the right to freedom of expression in Canada. Though we were sorry to see Cindy Grauer and Janne

Duncan leave, and thank them heartily for their service (Janne remains a member of the Board), we were glad to welcome Russell Wangersky, an award-winning author and the editor of the St. John's *Telegram* editorial page, onto our committee.

In June 2013, the NAC issued a blog post about the right of people to film and take pictures, particularly of police officers, in public places. This issue came up because of the arrest of a reporter in Toronto, but that was merely the latest in a series of events in which the police have arrested or attempted to repress photographers based on erroneous or outright illegal interpretations of the law. Our blog post met with a hugely positive response and continues to be our most popular post so far. In August, Marq de Villiers wrote a post called "Laudable Aim, Questionable Law," concerning Nova Scotia's new anti-cyberbullying law, the first in the country. Marq took on the sensitive task of addressing the problems in a law created in the wake of the bullying-related suicide of young Rehteah Parsons in Halifax.

media's rights when we saw journalists having their camera equipment illegally confiscated—not by police, but by First Nations people.

In December, MP Joy Smith of Alberta promoted her private member's bill suggesting that government should mandate the default installation of filtering software by internet service providers, ostensibly in order to protect children from viewing pornography. Although of course PEN agrees with protecting children, we objected strenuously to the notion that government should have any say in what kind of information is available to the public. The potential for abuse and error here is too great. Following our public statement, I gave press and radio interviews, and we have not since heard any more about MP Smith's bill.

In January of this year, we issued a statement saying that Prime Minister Harper has an obligation to the Canadian people to address revelations that our government has been using an information-sharing agreement with the US to collect personal data about us. Again, our statement received a fair amount of media attention. To date, no response from the PMO has been received.

I assumed the chairmanship of the NAC from Philip Slayton in September 2013.

October was a busy month. In Elsipogtog, N.B., tempers flared as First Nations members and concerned environmentalists clashed with fracking crews and police. The NAC issued a statement reminding everyone of the

Because of our common aims, we arranged with The Writers' Union of Canada to create a liaison between our two groups. In February, we were delighted to announce that publisher and author Anna Porter is the official TWUC liaison. She and I regularly communicate to share what's going on with our respective organizations, and we look forward to this collaboration bearing its first fruit in the very near future.

The National Affairs Committee continues to maintain watching briefs on the issues of the Trans-Pacific Partnership; the auditing by the CRA of environmental charities; the rights of prisoners to receive reading materials; all issues pertaining to copyright; defamation and slander; the closing of the Department of Fisheries and Oceans libraries by the government; the muzzling of scientists by the government; and the code of conduct enforced on employees of Library and Archives Canada.



By Mary Jo Leddy

he Writers in Exile Committee continues to expand and to focus its energies around the "supper club," which meets four times a year for a potluck meal and wide-ranging conversation. Over the course of the year we have had several guests, including Helga Stephenson, CEO of the Academy of of writers around the world. The supper club has become directly involved in trying to help an Afghani documentary film maker in exile and danger in Iran. She is an example of the new realities of writers who may not be in prison but whose lives are in peril. The writers in exile have been working with the Writers in Prison Committee to establish a connection with the UNHCR in Ottawa and in Iran in order to find a place of safety for this

Canadian Cinema and Television, who have offered suggestions for networking. After two years of conversation, the supper club began to think concretely about the possibility of a journal that would provide a platform for writers in exile to exercise their freedom of expression. The journal would be produced, edited and written by those writers and their supporters. This idea arose out of the sense of frustration so many writers in exile feel when trying to find mainstream publishers or producers for their work. The first issue of the journal will take shape this summer with the intention of publishing it in the fall of 2014. This is an exciting initiative and will make an original contribution to the Canadian cultural scene. Our members continue to write and communicate about the situations woman and her family.

We are proud of Kurdish writer Kaziwa Salih who is the 2014 PEN Writer-in-Residence at George Brown College and was awarded the 2013 Naguib Mahfouz Prize for Novel and Short Stories. Journalist Ilamaran Nagarasa has given a number of public lectures on human rights in Sri Lanka and on the demonization of Tamil refugees who arrived in Canada on boats during the civil war. Ava Homa was in Vancouver for three months as writer-in-residence at Vancouver's Historic Joy Kogawa House. Our hope is that the idea of an exiles supper club can be exported to other cities in Canada. As PEN becomes a more national organization, this should become a realistic possibility. In the meantime, we are considering inviting writers in exile from outside Toronto to participate in the supper-club conversation via Skype.

EVENTS

National Affairs Programming

- Vested Interest in Politics: Hendrik Hertzberg and Chrystia Freeland in Conversation-Hosted at the Toronto Reference Library, Hendrik Hertzberg, staff writer and senior editor at The *New Yorker*, and Chrystia Freeland, Managing Director and Editor of Consumer News for Thomson Reuters, discussed comparative models of campaign financing in Canada and the United States. In partnership with the Spur Festival. (April 2013)
- Freedom to Read Week: Surveillance after Snowden—Held at the Toronto Reference Library in partnership with the Toronto Public Library, Jesse Brown, media critic, moderated Ron Deibert of the Citizen Lab, Wesley Wark, former member of the Prime Minister's Advisory Council on National Security, and Colin Freeze, Globe and Mail columnist, in a discussion about the challenge of balancing national security with freedom of expression in an age of surveillance. (February 2014)

Literary Programming

- The Future of the Book: Paul Holdengraber and Hugh McGuire in Conversation—Paul Holdengraber, Director of Public Programs at the New York Public Library, and Hugh McGuire, founder of LibriVox.org, discussed the future of books in the digital era. In partnership with the Spur Festival. (April 2013)
- Keep Toronto Reading Festival—Book Burning: John Ralston Saul and Charlie Foran in Conversation. Hosted at the Toronto Public

- Literary Salon—Hosted at the home of the Right Honourable Adrienne Clarkson and John Ralston Saul, PEN presented Sam Tanenhaus, editor of the New York Times Book Review, in conversation with Jared Bland, books editor at the Globe and Mail, and Mark Medley, books editor at the National Post. (April 2013)
- Ideas in Dialogue: Sir, I Intend to Burn Your Book—Hosted at the Royal Ontario Museum, Commonwealth Prize-winner Lawrence Hill, and Carol Duncan, Associate Professor and Chair in the Department of Religion and Culture at Wilfrid Laurier University discussed race and censorship. Moderated by novelist Randy Boyagoda. (May 2013)
- International Festival of Authors: Double Feature: An Evening with Stephen King and Owen King—Hosted at the Fleck Dance Theatre and moderated by best-selling author Andrew Pyper, Stephen King and his son Owen King, a first-time novelist, discussed the writing life, for PEN's annual opening night benefit at the IFOA. (October 2013)
- Ideas in Dialogue: Literature of the Self—Hosted at the Royal Ontario Museum, and moderated by Mark Medley, National Post Books editor, Jian Ghomeshi, CBC radio host and author of 1982 and Sheila Heti, author of How Should a Person Be?, discussed memoir in the age of the selfie. (December 2013)
- PEN Picks Series: Vincent Lam hosts Hatsumi— Held at the Bloor Cinema, in partnership with HotDocs, Chris Hope, director of Hastumi, participated in a Q&A with the audience following the screening of his film. (January 2014)

- Signal vs. Noise—Hosted in partnership with the Spur Festival, authors Arthur Schafer and George Prochnik discussed the search for meaning in a saturated world. Moderated by Paul Holdengraber, New York Public Library's Director of Public Programs. (March 2014)
- PEN Picks Series: Miriam Toews hosts Marwencol -Held at the Bloor Cinema in partnership with HotDocs, Miriam Toews, author of A Complicated Kindness, discussed her personal interest in the film and participated in a Q&A with the audience following the screening. (March 2014)

Writers in Prison Programming

- Day of the Imprisoned Writer-Canadian artists Peru Jalea, Adrian Hayles, and Gilda Monreal painted a public mural on Gould Street in Toronto depicting three imprisoned writers. (November 2013)
- PEN Interactive Forum at the AGO's Ai Weiwei *Exhibit*—In partnership with the Art Gallery of Ontario, PEN designed an interactive portion of the exhibit where visitors were encouraged to record their reactions on video, by letter, or by tweeting.

(August – October 2013)

• Trafficking and Torture in the Sinai: Rights Denial and the Eritrean Exodus-Hosted at, and in partnership with, Ryerson University, Dan Connell, Senior Lecturer in Journalism and African Studies at Simmons College Boston, gave a public lecture on freedom of expression in Eritrea. (September 2013)

Library, then PEN Canada President and Governor General prize-winner Charlie Foran and writer and public intellectual John Ralston Saul, discussed the library's One Book campaign and Ray Bradbury's Farenheit 451. (April 2013)

• PEN Picks Series: Camilla Gibb hosts The Unknown Famine and Ye WonzeMaibel: Deluge -Held at the Bloor Cinema in partnership with HotDocs, Camilla Gibb, author of Sweetness in the Belly, discussed her personal interest in the films and participated in a Q&A with the audience following the screening. (March 2014)

Writers in Exile Programming

• PEN in the Community: Over the year, Programs Coordinator Brendan de Caires, and writer in exile Ayub Nuri (Iran), visited high schools and post-secondary institutions around Ontario offering workshops to students on freedom of expression as well as presentations on the experience of journalists in conflict-torn countries.





Not in Secret, Not in Whispers:

By Karen Connelly

he place was a small roadside teashop in Mandalay. Nothing fancy. Plastic chairs and a rudimentary kitchen in the back. We dragged metal tables together; they wobbled on the broken

cement floor as we sat down. Twenty some people, mostly under thirty, began to do something that used to be dangerous in Burma. They began to read out loud. Even loudly. Each person presented a poem, the younger ones mostly reading right off their iPhones or Samsungs. A couple of the more experienced poets performed, projecting their voices out to the little crowd. The famous Burmese poet Ma Ei read at the end, and talked about the importance of what they were doing together, reminding them of the changes she has seen over her lifetime. She and her compatriots were speaking freely in public about the things they cared about. I sat at the end of the table, discreetly wiping away tears.

I had the same reaction a few days later, in Yangon, listening to the Harvard anarchist James Scott give a wise, incisive lecture about the role of public memory, and how Burmese people now will be able to continue in public what has been done for decades in private: celebrate the ones who fought for freedom under dictatorship, safeguard the new and precarious political changes, and mourn the losses incurred during such a long (and ongoing) state of civil and ethnic war. spoke about politics at all, they spoke in hushed tones indoors. Foreign journalists were usually turned away by people who lived in fear of military intelligence. The University of Rangoon was closed down indefinitely to prevent students from becoming politically active. Since the early 1960s, when the first of successive dictatorships took power, Burmese people have gone to prison and suffered barbaric treatment for reading, speaking, writing, painting and broadcasting almost anything the military regime deemed offensive or threatening.

Many things have changed in the past four years. Opposition leader Aung San Suu Kyi was released from house arrest in 2010; significant legal reform began in 2011, reinstating various rights and freedoms to the people; in 2012, hundreds of political prisoners were released from prison; soon after, Suu Kyi's party (National League for Democracy) won the by-elections. She and her party are now law-makers in parliament, but men in uniform fill dozens of government seats, reminding everyone just how much power the military still has.

Ma Thida, a woman my age who served a twenty-year sentence in solitary confinement for writing short stories that were critical of the military regime, had been my inspiration for first going to Burma in 1996. She wants us to know how daunting the challenges still are. In an e-mail I received in April she said: *We think of the media ownership as a form of censorship. Even before the end of state censorship, media licenses always played an important role in prohibiting freedom of expression. It's much easier for military cronies or family members to get licenses to start a newspaper or magazine or TV station.*

The last time I was in Burma—now almost always called Myanmar—a gathering of more than four people in a public place was illegal. If people

MANNAR

Reporters and editors face direct threats from the media owner. The writers can be dismissed or fined within their organization if they don't write what the owner wants. They can also be controlled by owners who offer them a lot of money—[provided they write the copy that the owner wants.]

[Another significant problem is that most of our reporters and writers] have had no proper effective media training. People do not always know what it means to be ethical; where would they have learned those skills? The public also has low media literacy.

Legal reform to long-entrenched laws around personal and public freedoms is slow and complicated. Military elements of the government continue to invoke draconian measures against writers and peaceful protestors. Journalists who offend officials or any level of government are still liable to imprisonment. *Democratic Voice of Burma* journalist, Zaw Pe, was recently sentenced to a year of imprisonment for conducting an interview on school grounds. Four journalists from the *Unity* journal are currently on trial for violating the Official State Secrets Act after writing about the alleged production of chemical weapons.

The most significant challenge facing Myanmar

recently expelled its only source of quality medical care—Médecins san Frontières. MSF is calling the situation a grave humanitarian crisis.

The NLD refuses to address these human rights abuses in a direct manner. Myanmar does not have any legislation against hate speech, even that which incites people to violence. During my trip back this year, I met many people who decried the government's lack of action and felt that racism against Muslims was being used as a tactic by the military to create dissent and unrest.

One person speaking out is the young Burmese blogger Nay Phone Latt, a former political prisoner who was released in 2012. He launched the Panzagar (Flower Speech) Campaign in early April 2014, calling for an end to hate speech in all forms, and plans to do advocacy work by bringing this message to schools and villages.

Another hopeful development has been the establishment of PEN Myanmar, with my old friend and inspiration, Ma Thida, now its president. She recently published a book about her time in Insein Prison under her own name. Our ongoing discussions now concern the question of hate speech and PEN Myanmar's new role as an organization for writers and journalists. There are no easy answers, no quick solutions, but conversations like this have begun all over the country. It is a triumph both to read and to hear these words spoken in public—not in secret, not in whispers.

right now, however, is virulent and violent racism against Muslims, mirrored in a lack of balanced media coverage. Hundreds of Muslim men, women, and children have been brutally murdered. The Rohingya, a long-neglected Muslim ethnic group in Rakhine State, have seen their homes razed or burned, leaving over 140,000 of them imprisoned in what are effectively concentration camps, with little access to clean water, healthcare or education. The government has limited access to these camps and

Like many other foreign writers and journalists, Karen Connelly and her books about Myanmar, The Lizard Cage and Burmese Lessons were officially banned in the country until 2012, when the government abolished its "blacklist."

Writers in Prison

By Jim Creskey

wouldn't be exaggerating if I said that advocating for imprisoned and threatened writers from the safety of Canada was, at times, more frustrating than rewarding. We necessarily work at a distance. While cyber-advocacy can be enormously influential, nothing can replace making a human connection with a writer in peril.

That happened this year with Ayşe Berktay, a Turkish translator, author, and rights activist who was imprisoned for 27 months, in a "pre-trial detention."

When we invited Ayşe to become a PEN Canada Honorary Member, she was able to respond to our letter directly. That letter is published here. A few months later she was released from prison, though not freed from the threat of future imprisonment. She awaits a trial that continues to lurch from one postponement to another and we continue to keep a close eye on her case.

Our volunteer advocates who regularly send off letters to imprisoned writers are well aware of the frustration of not knowing if their letters will be tossed in the trash by a prison guard, delivered, or rerouted to a writer's family member. Sometimes the letter writer's only certainty is the certainty of their own goodwill. But we count on these advocates for their perseverance. We also hope that when replies to their communications reveal pertinent details about imprisoned writers, as they sometimes do, we are able to use that information in back-door diplomacy or public advocacy to secure a writer's release or more humane treatment. This year the committee was also able to play a role in an extensive report on the murders with impunity of journalists in Honduras. The small Central American republic is now classified by multiple sources, including the US State Department, as the most dangerous country in the world for journalists outside of a war zone. The report was researched in Honduras by PEN Canada, PEN International, and the University of Toronto's Faculty of Law's International Human Rights Program.

In March, the report was presented to Honduran government officials and the human rights commission of the Organization of American States, in an effort to improve the investigation of journalists' murders. There have been 32 Honduran journalists murdered since June 2009.

PEN Canada has also been invited to appear as a witness at a hearing of the Commons Standing Committee on International Trade in Ottawa, which is considering a bill that deals with free trade between Canada and Honduras.

This year the Writers in Prison Committee played an advisory rule in another PEN investigation of press freedom, this one in India, in collaboration with the PEN Centre in Delhi. This is a work in progress with a report expected next year.

During the course of the year I have regularly spoken with Mary Jo Leddy, Chair of the Writers in Exile Committee, about the intersection of our respective committees. That overlap has increased in recent years, largely because threatened writers now have a more difficult time finding

their way to asylum in Canada.

Recent cuts to Canada's refugee acceptance programs, medical care, and the exceptional difficulty of acquiring a visa that would allow a refugee to flee danger by travelling to Canada have all conspired to dim hopes of a safe harbour here. Suspicion instead of compassion too often dominates our refugee and border policies these days.

The immediate practical result is that we have had to find new ways to assist more threatened writers where they live and, at times, recommend exile to countries easier to reach than Canada.

Helping imprisoned and threatened writers remains at the core of PEN Canada's work. I hope you or someone you know will join us as an advocate and a supporter.

5 August 2013

Dear Mr. Sim Creskey,

I have received your better; thouk you very much.

Please convey my greetings and thanks to the Board of Canad. PEU for their generous offer which I appreciate deeply as a meaningful act of solidarity. I am honoured by the proposal and acceptit with delight.

I will write to you; yes. I have been receiving cards and betters from PEN members all over the world; Britain, the US, Canada, New Zealand, France Sweden, Norway, Haly, Spain, Germany, Ireland, Scotland, Australia; and books ... Their joint mereage wes," we know you and there, we're aware, we care and think a bout you and wish you'll be free very soon" All these near alot, they don't just sit as words on paper but embrace you, give godostnength, raise your spirit spirit of struggle and solidarity and belief in the correctiess of my stance are avery important part of what keeps ne going in the face of this huge injustice - against all of us. I will try to put to good use all opportunities to reachout to the world, by means of the power of the word word to mobilize the power of the word to let people know about our case, about Alustriation in this part of the world, about our struggles and our discussions. Thave this feeling that what is happenning were suit just happenning in some geographically "distant" port of the world. People everywhere can relate to it in their own way. It gives food for thought on matters of principle, on prioritie on seople's own lives and what is taking place in their own countrie I believe our concerns, sensitivities, attitude and of course actions as ordinary folks; what we say and say not; do and do not - our acceptances and rejections utomately set the tone of life on this planet. Hence the value of perceptive information that one can relate to and internal as apposed to that which is "otherified "- addigonized as information about what is happenning to "others" in "other places. I seems to me that this is what gives solidourty strength

and endouse it with the pewer to change, un teashing immense potentials of human creativity.

I am aware that I'm in a privileged position, ironie though it may seen. Hy situation has attracted attention and made it's way to the agenda of a broader publice. I hepeto put this chance to good use - help develop a sense of our situation - of "US" with emphases on the very xivid plurality of the "US" of the many worlds this implies as opposed to that version which Levels to dismiss differences and variety, categorizing "us" as a uniform "we". So, yes I will write to you at Canada PEN; gladly. I send my regards and greetings to all of your m Canada PEN. y -

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Speaking up for Justice in HONDURAS

By Dina Meza Translated from Spanish

> n March 25, 2014 representatives of PEN International, PEN Canada and the International Human Rights Program (IHRP) at the University of Toronto's Faculty of

Law spoke at a session of the Inter-American Commission on Human Rights. The delegation had been asked to appear before the IACHR a few months earlier, following the release of "Honduras: Journalism in the Shadow of Impunity"—a report the government of Honduras had received, without comment, shortly after its publication in mid-January. PEN brought me to the hearing. When they had asked, a few days earlier, if I was prepared to give testimony in Washington, I'd agreed without hesitation. At the time, I was in London, attending Index on Censorship's Freedom of Expression Awards ceremony. I had been nominated for the Guardian Journalism Award. A day later, as I sat on the Saturday flight to Washington, I wondered what the Honduran delegation would tell the IACHR. It would be fielding representatives from the Security Ministry, the Public Prosecutor's Office, the National Congress' Human Rights Commission as well as the Honduran ambassador to the Organization of American States (OAS). I was prepared to hear anything except the truth—at least, that has been my experience in the years since the coup d'état in 2009.

Honduras has already appeared in front of the IACHR to answer for its aggressive restriction of freedom of expression. In the past it has been asked to explain why its security forces attacked journalists and media workers who covered the state's repression of thousands of citizens staging peaceful protests in the aftermath of the coup. IACHR hearings always produce impressive delegations. They offer bureaucrats a chance to tour the US with all expenses paid for by the public whose interests they have worked so vigorously to frustrate. State functionaries give shameless speeches about their respect for human rights, even as the world

I SPOKE ABOUT THE THREATS I'VE FACED AS A JOURNALIST AND HUMAN RIGHTS DEFENDER— THREATS WHICH HAVE PROMPTED THE IACHR TO ISSUE PROTECTIVE "PRECAUTIONARY MEASURES" ON MY BEHALF—THREATS THAT HAVE NEVER BEEN INVESTIGATED BY THE STATE OF HONDURAS.

anxiously watches human rights missions gathering evidence of worsening crisis on the ground.

The March 25 hearing was no exception—all the Honduran officials were there. This time, however, in front of the IACHR commissioners and the Special Rapporteur for Freedom of Expression, PEN International, PEN Canada and the IHRP seized the opportunity to put the report's findings on the record. Its conclusions and recommendations offered a clear outline of how the state of Honduras had failed to deliver justice, and it pressed home the urgent need for investigations into the attacks which had left 32 journalists dead since the coup, and the importance of punishing those responsible. When it was my turn, I spoke about the threats I've faced as a journalist and human rights defender—threats which have prompted the IACHR to issue protective "precautionary measures" on my behalf—threats that have never been investigated by the State of Honduras.

turned out to be well-founded. Once again, the government's representatives justified their failure to investigate the repression of journalists. They made one excuse after the next. They even tried to downplay the report's forceful indictments. But the strategy failed. The IACHR didn't believe them. The commissioners made it clear that they were extremely concerned about the crisis in Honduras, and they asked for a rigorous follow-up to the issues raised in the hearing. They pressed for concrete results, appropriate protocols and methodologies for investigations into violence against journalists, and they recommended the adoption of a legally sanctioned protection mechanism. I am confident that the three institutions that helped to secure this hearing on freedom of expression in Honduras will remain focused on the task of providing the IACHR with further information. After the hearing I returned to Honduras with a great deal of hope, grateful to PEN International, the IHRP and PEN Canada for fixing their attention on Honduras—we really need the support that you are providing.

Much as I wanted my skepticism about what the delegation might say to be proved wrong, my suspicions on the flight over from London

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