



Freedom to Write Index & Writers at Risk Database Methodology

PEN America's Freedom to Write Index provides a count of the writers, academics, and public intellectuals who were held in prison or detention during the previous calendar year in relation to their writing or for otherwise exercising their freedom of expression. Writers are, of course, also subject to other types of threats, including censorship, harassment, legal charges without detention, or physical attacks, and PEN America tracks and advocates on behalf of many cases beyond those included in the Index.

Our searchable [Writers at Risk Database](#) includes those cases counted in the Index as well as hundreds of additional cases of writers, journalists, intellectuals, and artists under threat globally, and is updated regularly.

The cases included in the Index and Database are based on PEN America's own internal [case list](#), PEN America's [Artists at Risk Connection](#) (ARC) case list, and the annual [PEN International Case List](#). Additionally, PEN America draws from press reports; information provided by PEN Centers around the world; reports from the families, lawyers and friends of those in prison; and data from other international human rights, press freedom, academic freedom, and free expression organizations, including Amnesty International, the Committee to Protect Journalists, Freedom House, Frontline Defenders, Human Rights Watch, Index on Censorship, the International Freedom of Expression Exchange, Reporters Without Borders, and Scholars at Risk. Inclusion of a case in the Index or Database does not necessarily constitute a judgment on the factual basis for legal charges brought against an individual. Further information

regarding PEN America's evaluation of specific cases can be found in the [Writers at Risk Database](#).

The Index and Database are not presented as exhaustive. There are cases of writers and intellectuals in prison that are not known publicly or about which there is limited confirmed reporting. There are also cases that are known but where family members have specifically requested that the case be kept private. If readers know of additional cases they believe PEN America should be aware of, you may contact us at feprogram@pen.org and we will review any information provided.

Criteria for Inclusion in the Freedom to Write Index

To be counted in the Freedom to Write Index, an individual must have spent at least 48 hours behind bars in a single instance of detention between January 1 and December 31 of the calendar year in question. The Index includes individuals who primarily write literature, poetry, or other creative writing; essays or other nonfiction or academic writing; or online commentary. Editors, translators, and publishers may also be included where appropriate. In part to distinguish the Index from existing counts of journalists in prison and maximize its usefulness as a resource, the Index does not include journalists except in cases where they also fall into one of the former categories or primarily write commentary. PEN America does track and advocate for cases of journalists under threat, however, and many journalists can be found in our [Writers at Risk Database](#).

For the purposes of the Index and the status designations used to classify cases, imprisonment is considered to be when an individual is serving a sentence following a conviction, while detention accounts for individuals held in custody pending charges or those who have been charged and are being held prior to conviction. In making determinations for inclusion in the Index, PEN America also takes into consideration PEN International's standards for selection for their annual [Case List](#).

Writers at Risk Database Terminology

Active vs Inactive Cases:

Cases in the Writers at Risk Database are designated as either active or inactive. Inactive cases are those that were resolved satisfactorily prior to the previous calendar year, and have not seen any new negative developments since. All other cases are considered active. The Writers at Risk Database includes a record of cases PEN America has worked on over several decades; as a result, some cases have been inactive for years but remain in the Database for historical purposes.

Country Designations:

Each case is tagged with a single country, based on where the threat occurred geographically, or under which government's authority; the country does not necessarily represent the nationality of the individual targeted. Thus, in the case of Oleg Sentsov, a Ukrainian writer and creative artist detained in Crimea by Russian occupying authorities and imprisoned in Russia, it is tagged as Russia. In the vast majority of cases, however, writers are under threat in their home country.

Professional Designations:

The following professional designations are used in the database. Each case may have more than one designation. The below definitions are not exhaustive and also take into consideration how an individual defines their own professional identity, and how they are categorized by other organizations (in particular PEN International).

LITERARY WRITER: Includes authors of fiction, novels, essays, memoirs, biography, book-length non-fiction, short stories, literary criticism, children's books, and satire.

POET: Includes authors of all forms of written poetry or verse.

DRAMATIST: Includes playwrights and screenwriters.

SINGER/SONGWRITER: Includes songwriters, lyricists, and rappers.

SCHOLAR: Includes academics, teachers, university officers, researchers, students, and librarians.

CREATIVE ARTIST: Includes painters, installation artists, mixed media artists, sculptors, art critics, curators, cartoonists, musicians, singers, actors, photographers, film/theater directors and producers, and other performers and cultural professionals.

EDITOR: Includes editors of literary and academic works.

TRANSLATOR: Includes literary translators and linguists.

PUBLISHER: Includes literary publishers or founders of publishing houses.

JOURNALIST: Includes non-fiction writers in periodical print publications like newspapers, newsletters, and magazines and those with any title of journalist, including freelance; script and screen writers for non-fiction video (TV/video news and documentary, audio productions on radio or podcasts); photojournalists; satirist for periodical publication; periodical editors; owners of news media (print, video, audio); documentarians/documentary filmmakers; website moderators; and columnists.

ONLINE COMMENTATOR: Includes bloggers; those with a written presence on internet only sites; and writers on social media platforms such as Twitter, Facebook, Weibo, etc.

ACTIVIST: Includes human rights defenders, NGO workers or members, philanthropists, civil society leaders, and political activists.

Status Designations:

The below designations are used to classify cases included in the Writers at Risk Database. The designations are listed below in descending order of gravity. Where multiple designations are applicable in a given case, that case is listed with the most serious designation applicable, using the hierarchy below.

MURDERED: Individual killed because of their writing/art/exercise of free expression, either by state or nonstate actors.

DEATH IN CUSTODY: Individual died in custody (including in hospital while under guard) in circumstances where conditions in prison may have contributed to their demise.

DISAPPEARED: Disappearance carried out by state authorities or with their acquiescence, or by non-state actors; abducted or killed but no body found.

IMPRISONED: Individual is serving a prison sentence after conviction in relation to their writing/art/exercise of free expression. Includes those who have been sentenced and are in prison while an appeal continues to take place.

DETAINED: Individual is being detained pending charge or trial or without charge/where there is no intention to charge them. Includes those held in administrative detention for more than 48 hours, under judicial investigation, or potentially facing charges but where trial proceedings have not yet started.

ON TRIAL: Individual is currently on trial, i.e. hearings in the case have started or are taking place (even at irregular intervals) or the judicial process or an appeals process is still ongoing. NOT currently detained.

IN EXILE: Individual is living in exile to avoid further harassment/imprisonment/ongoing legal charges. This can include cases where a threatened writer is either on a temporary, non-resident visa, or is in the process of seeking asylum or resident status in another country.

UNDER THREAT: Individual has received threats intended to make them desist from writing/creating art, and/or who has been physically attacked through use of force or violence causing injuries to the individual or destruction of personal property, e.g. arson.

CONTINUED HARASSMENT: Individual is facing varied and persistent forms of harassment or intimidation, including but not limited to: brief detentions of fewer than 48 hours; dismissal from employment where it is linked to their work; coordinated online abuse; censorship or banning of their creative work; judicial harassment, e.g. repeated arrests or summons for questioning, investigations suspended that can be reopened at any time; economic, tax, or financial investigations.

CONVICTED: Individual has reached the end of the judicial process, has been sentenced, but has not been imprisoned due to having a suspended sentence or some other circumstance, such as a conviction in absentia.

RELEASED: Individual has been released from prison or detention as a result of an acquittal, reaching the end of their sentence, a successful appeal of conviction, as part of an amnesty or as a political gesture, or other reason.

CONDITIONAL RELEASE: Individual has been released from imprisonment/detention, but remains subject to some type of restriction, including a suspended sentence, house arrest, travel ban, restrictions on work or movement, regular reporting to police, etc.

DECEASED: Died of disease/natural causes, while free, while case was either active or already resolved.