



**FREEDOM**

**TO WRITE**

**INDEX 2020**

# INTRODUCTION

On April 3, 2020, as COVID-19 cases surged on multiple continents, prompting lockdowns and states of emergency and casting a global pall of anxiety and grief, renowned Indian author and winner of the Man Booker Prize Arundhati Roy wrote an essay entitled, “The Pandemic is a Portal.” In what was perhaps the first great piece of writing about the pandemic, Roy did what writers, more than any other figures in our society, are uniquely equipped to do. She shined an unflinching light on humanity, on the societies and structures we have built, and how they were failing us in our moment of need. She showed us not only what was new and novel about the pandemic, but what old, long-established, and deeply entrenched inequities it was rapidly exposing. She wrote primarily about India but told a story that was true of many countries around the world—of governments too consumed by politics to mount an efficient public health response, of a catastrophic lack of planning or preparedness, of overlapping crises, and of people left in fear and uncertainty. And yet, despite the grim images in the mirror she held up for us, she also offered hope. She placed our chaotic, anxiety-ridden moment in historical context, and showed us that this crisis held the potential for a moment of great transformation:

Historically, pandemics have forced humans to break with the past and imagine their world anew. This one is no different. It is a portal, a gateway between one world and the next. We can choose to walk through it, dragging the carcasses of our prejudice and hatred, our avarice, our data banks and dead ideas, our dead rivers and smoky skies behind us. Or we can walk through lightly, with little luggage, ready to imagine another world. And ready to fight for it.<sup>1</sup>

Writers have played an essential role during the pandemic, analyzing and critiquing government responses, documenting personal experiences, and shocking us into recognition that we must not return blindly to patterns of the past. The protest movements that spanned the globe in 2020 calling for racial justice, the defense of democracy, and a reckoning with historical wrongs also made plain the essentiality of not reverting to a static “normality,” but purposefully moving forward to build a more just and equitable future. It is no coincidence that writers and artists played an essential role in many of those movements, nor is it surprising that they were targeted for it. Not only does Roy’s essay show us the potential of this historic moment of trauma and transformation, but it also demonstrates the power that writers have to help us to make sense of this time, and to envision what comes next.

For those with a vested interest in maintaining the status quo, that power poses a threat. Political leaders the world over—in autocracies and fragile democracies alike—have used the pandemic and protest movements as an excuse to further constrain rights rather than expand them; they have wielded laws about disinformation as a means of silencing the truth; and they have specifically targeted those with the power to imagine and inspire. What lies on the other side of this portal is yet to be determined, but there is no question that the influential voices of writers are indispensable in helping us to find the path forward, and that the freedom to write has never been more essential to defend.

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<sup>1</sup> Arundhati Roy, “Arundhati Roy: ‘The pandemic is a portal,’” *Financial Times*, April 3, 2020, [ft.com/content/10d8f5e8-74eb-11ea-95fe-fcd274e920ca](https://www.ft.com/content/10d8f5e8-74eb-11ea-95fe-fcd274e920ca)

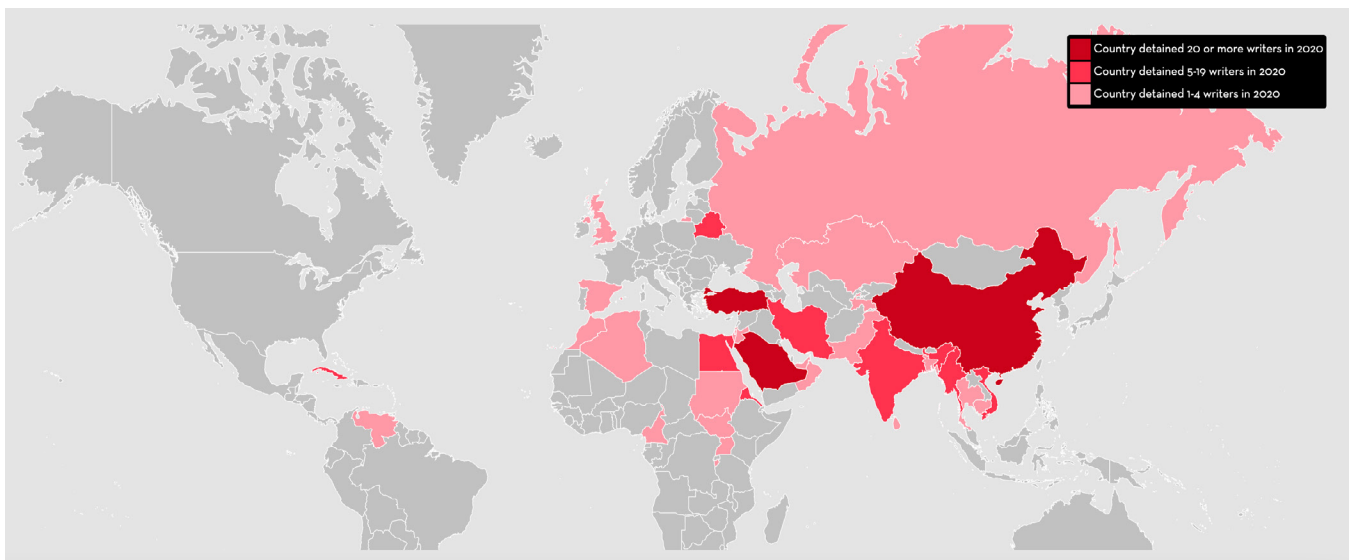
## STATES OF EMERGENCY: THE PANDEMIC, PROTESTS, AND THE PERSISTENT ASSAULT ON GLOBAL FREE EXPRESSION

The climate for free expression globally continued to deteriorate in 2020, with existing challenges in authoritarian and more democratic political environments compounded by new threats. Most dramatically, the COVID-19 pandemic added unprecedented dimensions to existing crises for millions around the world and sparked new threats to freedom of expression. In the context of a global public health crisis, the ability to communicate freely and share and receive information quickly became a lifeline. Writers have helped expose truths and counter falsehoods in ways that have shaped the global public health response. At the same time, the emergency provided cover for crackdowns on human rights and expansions of government power over speech and expression. A proliferation of global protest movements during 2020 also represented a powerful unleashing of vocal public demands for change—and sparked a countervailing effort to restrict protest rights and detain those who

During 2020, at least 273 writers, academics, and public intellectuals in 35 countries—in all geographic regions around the world—were unjustly in prison or held in detention in connection with their writing, their work, or related activism.

raised their voices to demand freedom and equality. Writers and public intellectuals have played an essential role in narrating and shaping our perception of this singular moment, and in all too many cases, they have paid a price for doing so.

During 2020, according to data collected for **PEN America's Freedom to Write Index**,<sup>2</sup> at least 273 writers, academics, and public intellectuals in 35 countries—in all geographic regions around the world—were in prison or unjustly held in detention in connection with their writing, their work, or related activism. This represents a sizable increase from the 238 individuals counted in the inaugural 2019 Freedom to Write Index. By holding these individuals



<sup>2</sup> Read the web report online at: <https://pen.org/report/freedom-to-write-index-2020/>

behind bars, their governments are depriving them of their individual right to free speech, while also robbing the broader public of access to their innovative and influential voices of dissent, criticism, creativity, and conscience. The top three countries—China, Saudi Arabia, and Turkey—still accounted for a majority of cases, 50 percent, down from 59 percent in 2019. Meanwhile, numbers increased in Iran and Egypt, and expanded dramatically in Belarus, which accounted for zero cases in the 2019 Index, but now ranks as the fifth worst jailers of writers and intellectuals, with 18 documented cases (or 7 percent of the total), as a result of a brutal post-election crackdown on mass protests that has also targeted translators, artists, and other cultural figures.

While many writers included in the Index hold multiple professions and re, for example, both literary writers and poets, the most prevalent professions of those incarcerated are: literary writers (107), scholars (54), poets (57), singer/songwriters (30), publishers (13), editors (11), translators (8), and dramatists (3). Of these 273 individuals, 2 died while in custody, 3 died following their release, and 176—roughly two-thirds—remain in state custody at the time of this report’s publication.

The majority of those writers and intellectuals included in the 2020 count were initially imprisoned or detained prior to 2020, or had faced previous detention or imprisonment. Of the 273 in prison or detention during 2020, roughly 71 percent of them had also spent multiple days behind bars in 2019. This figure also includes 12 cases of individuals who were detained or imprisoned prior to 2020 but whose status only became publicly known during the past year. Such cases are common especially in environments where there

## Top 10 Countries

1. **China** (81)
2. **Saudi Arabia** (32)
3. **Turkey** (25)
4. **Iran** (19)
5. **Belarus** (18)
6. **Egypt** (14)
7. **Vietnam** (11)
8. **India** (9)
9. **Eritrea** (8)
10. **Myanmar** (8)

is little transparency to the judicial process and limited press access; for example, in Xinjiang and Tibet in China. In many of these cases, detention is not confirmed until formal charges are made. The remaining roughly 29 percent of the 2020 Index comprises 79 writers and intellectuals, in 25 different countries, who were newly detained or imprisoned in 2020.

The largest number of new cases of writers and public intellectuals detained or imprisoned in 2020 came from Belarus, where the cultural community has played a leading role in the protests that followed the August 2020 presidential election, in which Alexander Lukashenka claimed victory despite election monitors concluding the election was “neither free nor fair,” and the European Union rejecting what it called the “falsified” results.<sup>3</sup> Lukashenka’s regime has responded to the protests with a violent crackdown and widespread detentions, and has targeted influential cultural figures playing a role in the protests and broader movement to reject Lukashenka’s authoritarian rule. As a result, after having had no cases included in the 2019 Index, Belarus entered the top tier of the 2020 Index, ranking fifth in the world for detaining and imprisoning writers and intellectuals.

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<sup>3</sup> Liliya Yapparova, “The angry and the powerless: How the opposition protests in Belarus became a guerilla movement. Liliya Yapparova reports from Minsk,” *Meduza*, January 5, 2021, [meduza.io/en/feature/2021/01/05/the-angry-and-the-powerless](https://meduza.io/en/feature/2021/01/05/the-angry-and-the-powerless); Council of the European Union, “Belarus: Declaration by the High Representative on behalf of the European Union on the so-called ‘inauguration’ of Aleksandr Lukashenko,” press release, September 24, 2020, [consilium.europa.eu/en/press/press-releases/2020/09/24/belarus-declaration-by-the-high-representative-on-behalf-of-the-european-union-on-the-so-called-inauguration-of-aleksandr-lukashenko/](https://consilium.europa.eu/en/press/press-releases/2020/09/24/belarus-declaration-by-the-high-representative-on-behalf-of-the-european-union-on-the-so-called-inauguration-of-aleksandr-lukashenko/)

The remaining majority of these 79 new cases of writers and intellectuals have been detained or imprisoned during 2020 in countries that were within the top 10 jailers of this group in the previous Freedom to Write Index: China (12), Egypt (6), Vietnam (5), Iran (5), Saudi Arabia (3), India (3), and Turkey (2).<sup>4</sup> Individuals were also newly detained or imprisoned during 2020 in countries that held a smaller number overall, including Bangladesh (3), Thailand (3), Cambodia (2), Cuba (2), the Palestinian Territories (2), Sri Lanka (2), Israel (1), Jordan (1), Kazakhstan (1), Morocco (1), Oman (1), Pakistan (1), South Sudan (1), Sudan (1), Tajikistan (1), Uganda (1), and Venezuela (1).

Importantly, a number of these newly detained writers have also been threatened, harassed, or detained for their work in the past, with their 2020 detentions forming part of a larger pattern of ongoing governmental retaliation against them for their writing or expression over time. Writers who fall within this subset include Moroccan historian [Maati Monjib](#), Chinese legal scholar [Xu Zhangrun](#), Palestinian writer [Abdullah Abu Sharkh](#), Iranian literary and arts critic [Anisa Jafari-Mehr](#), and Indian professor of literature [Hany Babu](#).

Many of the trends documented in the 2019 Freedom to Write Index persisted in 2020. National security remains the primary claim authorities use to justify detaining or imprisoning writers and public intellectuals: at least 55 percent of detentions were based on allegations of undermining national security or membership in a banned group. Arbitrary detentions—unaccompanied by formal charges—made up at least 20 percent of the cases, leaving the accused writers and intellectuals in a state of legal limbo, without recourse to challenge the claims against them. Cases of arbitrary detention are particularly common in Saudi Arabia, where at least 66 percent of writers and public intellectuals are held on unknown

or undisclosed charges.

Charges related to organizing, assembly, and activism were used in at least 16 percent of cases against writers. Retaliatory criminal charges, defamation, and charges related to disinformation were levied against writers as well, though in fewer instances. At least 25 cases were identified of writers and public intellectuals detained for alleged disinformation crimes, including those related to spreading allegedly false news about COVID-19, demonstrating the troubling ways in which authorities have abused such laws to quash critics and quell divergent views. A relatively smaller percentage of cases were brought against writers for allegedly making threats against religious authority, producing obscene materials, or inciting violence. One of the most significant trends of 2020 has been the targeting of writers, commentators, and others who have spoken out in criticism of their governments' responses to the COVID-19 pandemic; these cases were often brought on the grounds of national security, public order, or prohibitions against disinformation.

Governments of countries in the Asia-Pacific region continued to jail the most writers and intellectuals for their writing or expression. In total, 121—or nearly half of the global count—were jailed in Asia-Pacific, with the vast majority of those, 81, held in China. Significant numbers of writers were also held in Vietnam (11), India (9), and Myanmar (8). Countries in the Middle East and North Africa have also jailed significant numbers of writers and intellectuals, including Saudi Arabia (32), Iran (19), and Egypt (14). Countries in this region contributed to almost a third of the global count of imprisoned and detained writers, at least 81 individuals, in 2020.

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<sup>4</sup> "Freedom to Write Index 2019," PEN America, accessed March 15, 2021, [pen.org/report/freedom-to-write-index-2019/](https://pen.org/report/freedom-to-write-index-2019/)



A demonstrator is silhouetted by an old Belarusian national flag during a rally in Minsk, Belarus, Sunday, October 4, 2020. Photo by AP Photo

Detentions and imprisonments of writers and intellectuals in Europe and Central Asia occurred largely in two countries: Turkey and Belarus. Turkey maintains its position as the jailer of the third-highest number of writers and public intellectuals worldwide, having held 25 of the 50 prisoners and detainees in Europe and Central Asia during 2020. The crackdown against those protesting Belarus's stolen presidential election led to a startling number of writers and cultural figures being detained or imprisoned: while Belarus did not jail any writers in 2019, in 2020 the number jumped to at least 18 that can be documented—the actual number is likely higher. Countries in sub-Saharan Africa contributed to roughly 5 percent of the

2020 Index, representing 14 writers and public intellectuals detained or imprisoned. Two countries in the Americas contributed to just three percent of the 2020 Index, with six writers detained or imprisoned in Cuba and one in Venezuela.

Tragically, four writers who were detained during 2020 died in circumstances that appear related to their detentions: Saudi columnist Saleh Al-Shehi died from possible COVID-19 complications on June 19, 2020, after being released from prison and then spending three weeks on a ventilator;<sup>5</sup> Uyghur poet and editor Haji Mirzahid Kerimi died in custody on January 9, 2021 while imprisoned for publishing “problematic”

<sup>5</sup>“Saudi writer dies from COVID-19 shortly after release from prison,” *Middle East Monitor*, July 20, 2020, [middleeastmonitor.com/20200720-saudi-writer-dies-from-covid-19-shortly-after-release-from-prison/](https://middleeastmonitor.com/20200720-saudi-writer-dies-from-covid-19-shortly-after-release-from-prison/)

books;<sup>6</sup> Bangladeshi writer Mushtaq Ahmed died in a prison hospital on February 25, 2021, after nearly 11 months in detention, and after being denied bail six separate times;<sup>7</sup> and Egyptian writer Amin El-Mahdy died on October 11, 2020, 11 days after being released from detention.<sup>8</sup> The jailing of writers and others unjustly detained or imprisoned amid the ongoing coronavirus pandemic represents a harrowing—and life threatening—nexus between these concurrent crises of global public health and free expression in retreat.

In this report, PEN America will provide an in-depth analysis of the countries that detain and imprison the largest numbers of writers and intellectuals and explore the impact of the pandemic on the freedom to write; the role of these individuals in protest movements; and the continued threats to writers and intellectuals working in languages subject to political repression.

## ABOUT THE FREEDOM TO WRITE INDEX

The [2020 Freedom to Write Index](#) provides a count of the writers, academics, and public intellectuals who were held in prison or detention during 2020 in relation to their writing or for otherwise exercising their freedom of expression. For the past century, PEN America and the global PEN network have defended the rights of writers and intellectuals to express themselves freely, and advocated on behalf of those who have faced threats as a result of their writing or other forms of expression. The criteria for inclusion in the Freedom to Write Index thus adhere closely to PEN International's standards for selection for their annual [Case List](#).

The Index is a count of individuals who primarily write literature, poetry, or other creative writing; essays or other nonfiction or academic writing; or online commentary. The Index includes journalists only in cases where they also fall into one of the former categories, or are opinion writers or columnists. To be included in the count, individuals must have spent at least 48 hours behind bars in a single instance of detention between January 1 and December 31, 2020.

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. Writers are, of course, also subject to other types of threats, including censorship, harassment, legal charges without detention, or physical attacks, and these are also analyzed to a lesser degree in this report.

PEN America works closely with the [PEN International](#) Secretariat and Writers in Prison Committee (WiPC), as well as the other members of the global PEN network. The Index and this report draw significantly from [PEN International's Case Lists](#), which in turn reflect input from PEN Centers around the world. The cases included in the Index are also based on PEN America's own internal case list, the [Writers at Risk Database](#), and PEN America's [Artists at Risk Connection](#) (ARC) case list. Additionally, PEN America draws from press reports; reports from the families, lawyers, and colleagues of those in prison; and data from other international human rights, press freedom, academic freedom, and free expression

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<sup>6</sup> Shohret Hoshur, "Prominent Uyghur Poet and Author Confirmed to Have Died While Imprisoned," *Radio Free Asia*, January 25, 2021, [rfa.org/english/news/uyghur/poet-01252021133515.html](https://rfa.org/english/news/uyghur/poet-01252021133515.html)

<sup>7</sup> "Bangladesh: UN rights chief urges transparent probe into writer's death, review of law under which he was charged," *UN News*, March 1, 2021, [news.un.org/en/story/2021/03/1086002](https://news.un.org/en/story/2021/03/1086002)

<sup>8</sup> "Egyptian writer and Sisi critic Amin El-Mahdy dies days after release from jail," *Middle East Eye*, October 12, 2020, [middleeasteye.net/news/egypt-sisi-critic-amin-mahdy-dies](https://middleeasteye.net/news/egypt-sisi-critic-amin-mahdy-dies)

organizations. The methodology behind the Index is explained in greater detail [here](#).

The annual Freedom to Write Index has become an essential component of PEN America’s long-standing Writers at Risk Program, which encompasses support for and advocacy on behalf of writers under threat around the world. Another flagship component of PEN America’s year-round advocacy is the [PEN/Barbey Freedom to Write Award](#), given annually to an imprisoned writer targeted for exercising their freedom of expression. Of the 48 jailed writers who have received the Freedom to Write Award from 1987 to 2020, 44 have been released due in part to the global attention and pressure the award generates. PEN America also publishes the [Writers at Risk Database](#), a searchable catalog of the writers, journalists, artists, academics, and public intellectuals under threat around the world, including those counted in the [2019 Index](#) and [2020 Index](#). This database offers researchers, rights advocates, and the public a wealth of actionable evidence of ongoing global threats to free expression.

## THE PANDEMIC AND THE FREEDOM TO WRITE

The COVID-19 pandemic has been a world-changing event, affecting everyday life for billions. The pandemic has also deeply impacted the freedom to

write, and the lives of many of the writers and public intellectuals who comprise PEN America’s case list. In many countries, the pandemic has caused not only a public health crisis, but has also caused or exacerbated crises of human rights and democracy.

Governments around the world have used the pandemic as an opportunity to further police people’s speech. The International Center for Not-for-Profit Law (ICNL) has identified 52 examples of countries introducing new laws or policies—or amending existing ones—in response to the pandemic that criminalize disinformation or otherwise limit free expression.<sup>9</sup> They have documented another 40 examples of practical crackdowns or constraints on expression.<sup>10</sup> Perhaps most widespread is the introduction of new laws, regulations, or other policies criminalizing “false information” or “rumors” about the pandemic.<sup>11</sup>

In Saudi Arabia, at least one individual has been prosecuted, facing a maximum sentence of five years, under Article 6 of the Saudi Anti-Cyber Crimes Law for “producing COVID-19 rumors and news from unknown sources that affect public order.”<sup>12</sup> In Indonesia, police have arrested and charged several people for allegedly defaming the president by criticizing his COVID-19 policies, a criminal charge that can carry up to 18 months’ imprisonment.<sup>13</sup> The Algerian government amended its penal code in April 2020 to provide for new penalties for the “dissemination of false information,” with harsher penalties during a public health lockdown or “catastrophe.” Under these

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<sup>9</sup> COVID-19 Civic Freedom Tracker, International Center for Not-for-Profit Law (ICNL), and European Center for Not-for-Profit Law (ECNL) [hereinafter “ICNL COVID Tracker”] [icnl.org/covid19tracker/?location=&issue=4,9&date=&type=1,2,3,4](https://icnl.org/covid19tracker/?location=&issue=4,9&date=&type=1,2,3,4)

<sup>10</sup> ICNL COVID Tracker.

<sup>11</sup> E.g., Arab News, “As dangerous as the virus: Middle East cracks down on COVID-19 rumor mongers,” *Arab News*, March 30, 2020, [arabnews.com/node/1649286/middle-east](https://arabnews.com/node/1649286/middle-east)

<sup>12</sup> Saudi Gazette report, “Saudi Arabia to prosecute rumor monger,” *Saudi Gazette*, March 19, 2020, [saudigazette.com.sa/article/591052/SAUDI-ARABIA/Saudi-Arabia-to-prosecute-rumor-monger](https://saudigazette.com.sa/article/591052/SAUDI-ARABIA/Saudi-Arabia-to-prosecute-rumor-monger)

<sup>13</sup> ICNL COVID Tracker - Indonesia; ICJR Staff, “Enforcing Article on the Defamation of the President, Police sets their face against Constitutional Court’s Decision,” April 8, 2020, [icjr.or.id/enforcing-article-on-the-defamation-of-the-president-police-sets-their-face-against-constitutional-courts-decision/](https://icjr.or.id/enforcing-article-on-the-defamation-of-the-president-police-sets-their-face-against-constitutional-courts-decision/)



new provisions, those arrested for “false information” about COVID-19 face up to five years’ imprisonment.<sup>14</sup> In Tanzania, new ministerial regulations released in July 2020 prohibit citizens sharing COVID-19 information “without the approval of the respective authorities,” at the risk of one-year imprisonment.<sup>15</sup> Uzbekistan amended its criminal statutes in March 2020 to provide for up to three years’ imprisonment for the online or media distribution of “false” information about quarantine or infectious diseases.<sup>16</sup> Also in March, Bolivia’s president promulgated a decree that included the imposition of criminal charges for those who “misinform or generate uncertainty among the population,” with a penalty of up to 10 years’ imprisonment.<sup>17</sup> Such laws pose an obvious threat to freedom of expression, granting officials broad new powers they can wield against writers, bloggers, journalists, dissidents, or critics of any kind. Others have used the virus as a justification to dramatically limit press freedom, such as Iran, where the government invoked the virus when attempting to implement a wholesale ban on print media in April of 2020.<sup>18</sup>

Some of those who have raised their voices to criticize their governments’ handling of the pandemic have found themselves targeted or imprisoned as a result. In China, for example, the Wuhan doctor who first sounded the alarm over the coronavirus before succumbing to it himself, Dr. Li Wenliang, was harassed by police for

**During 2020, governments detained and imprisoned writers and public intellectuals who criticized their response to the pandemic on the grounds of national security, public order, or prohibitions against disinformation.**

“spreading rumors” in the earliest days of the epidemic, and Chinese writers, public intellectuals, and everyday citizens have since been targeted for either sharing uncensored information or criticizing the government’s response to the virus.<sup>19</sup> Poet **Zhang Wenfang**, was sentenced to six months’ imprisonment for her online poem about the coronavirus that included vignettes of people’s experiences, with lines such as “The one who died while sitting up, whose family cradled their head as they waited for the hearse/The one who starved to death in their home during quarantine.”<sup>20</sup> After legal scholar **Xu Zhangrun** wrote an essay “Viral Alarm” criticizing the government’s repressive response to COVID, authorities placed him under house arrest, then subsequently detained him for seven days on retaliatory charges that he had solicited a sex worker in 2018.<sup>21</sup>

In Turkey, President Recep Tayyip Erdoğan and his political allies implied that physician and columnist **Şebnem Korur Fincancı** was an “enemy of Turkey,”<sup>22</sup> after the Turkish Medical Association (TTB), an organization that

<sup>14</sup> ICNL COVID Tracker - Algeria.

<sup>15</sup> ICNL COVID Tracker - Tanzania.

<sup>16</sup> ICNL COVID Tracker - Uzbekistan.

<sup>17</sup> ICNL COVID Tracker - Bolivia.

<sup>18</sup> Radio Farda, “Iran Journalists Protest Coronavirus Taskforce Ban On Print Media,” *Radio Farda*, March 31, 2020, [en.radiofarda.com/a/iran-journalists-protest-coronavirus-taskforce-ban-on-print-media-/30519547.html](https://en.radiofarda.com/a/iran-journalists-protest-coronavirus-taskforce-ban-on-print-media-/30519547.html)

<sup>19</sup> Alice Su, “A doctor was arrested for warning China about the coronavirus. Then he died of it,” *Los Angeles Times*, February 6, 2020, [latimes.com/world-nation/story/2020-02-06/coronavirus-china-xi-li-wenliang](https://latimes.com/world-nation/story/2020-02-06/coronavirus-china-xi-li-wenliang)

<sup>20</sup> Joseph Brouwer, “TRANSLATION: WEIBO USER SENTENCED TO SIX MONTHS OVER WUHAN POEM,” *China Digital Times*, February 24, 2021, [chinadigitaltimes.net/2021/02/translation-weibo-user-sentenced-to-six-months-over-wuhan-poem/](https://chinadigitaltimes.net/2021/02/translation-weibo-user-sentenced-to-six-months-over-wuhan-poem/)

<sup>21</sup> Chris Buckley, “Seized by the Police, an Outspoken Chinese Professor Sees Fears Come True,” *The New York Times*, July 6, 2020, [nytimes.com/2020/07/06/world/asia/china-detains-xu-zhangrun-critic.html](https://nytimes.com/2020/07/06/world/asia/china-detains-xu-zhangrun-critic.html)

<sup>22</sup> BIA News Desk, “Erdoğan calls Turkish Medical Association Chair ‘a terrorist’, hints at new law,” *Bianet*, October 14, 2020, [bianet.org/english/politics/232726-erdogan-calls-turkish-medical-association-chair-a-terrorist-hints-at-new-law#](https://bianet.org/english/politics/232726-erdogan-calls-turkish-medical-association-chair-a-terrorist-hints-at-new-law#)

she chairs, criticized the Turkish government's response to the COVID-19 pandemic.<sup>23</sup> In Bangladesh, cartoonist **Ahmed Kabir Kishore** and writer **Mushtaq Ahmed** were among a group of 11 people arrested on May 6, 2020, for criticizing the government's response to the pandemic. Mushtaq Ahmed died in prison in February 2021, while Kishore remains in prison where he has reportedly been tortured and is in failing health.<sup>24</sup> In Kazakhstan, blogger **Aigul Otepova** was placed under house arrest and later forced into a psychiatric clinic after criticizing her government's response to the virus on Facebook.<sup>25</sup> Government figures the world over have not hesitated to respond to public criticism or even illustrations of the severity of the pandemic by punishing the messenger.

As the coronavirus has grabbed the world's attention, it has given additional cover to autocrats to push repressive agendas, secure in the knowledge that the pandemic would depress popular turnout at protests and distract the international community from forcefully responding. The Chinese government appeared to seize this opportunity in June of 2020, imposing a draconian National Security Law that essentially strips Hong Kong's 7.5 million people of the civic and political rights they had enjoyed under the "One Country, Two Systems" framework—including in the realm of academic freedom, freedom of expression, and press freedom.<sup>26</sup> Just the year before, public outcry from both Hong Kong residents and the international com-

munity convinced the government to pull back from a lesser far-reaching bill, one whose principal effect would have been to allow people in Hong Kong to be extradited to mainland China, rather than applying the mainland's draconian restrictions on all of Hong Kong. The fact that Beijing was able to impose a far more repressive law on Hong Kong, only a year later, indicates the extent to which the coronavirus has enabled authorities to take such repressive measures.

And the COVID-19 pandemic has also provided a convenient pretext for authorities to harass, detain, and arrest dissenters more broadly. In Uganda, novelist and journalist **Kakwenza Rukirabashaija** was detained and tortured in April, under charges purportedly related to COVID but which appear to have been motivated by authorities' displeasure over his writing.<sup>27</sup> In China, police officers used the pretext of a "coronavirus prevention check" to find and arrest the essayist and activist **Xu Zhiyong** at his lawyer's home, and to place poet **Li Bifeng** into "enforced quarantine" as a form of detention.<sup>28</sup> In Cuba, police invoked a coronavirus-related "health code violation" in November as a pretext to raid the headquarters of the artistic San Isidro Movement, arresting more than a dozen members of the movement.<sup>29</sup>

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<sup>23</sup> BIA News Desk, "Turkish Medical Association: We stand by our words, we are on our duty," *Bianet*, September 17, 2020, [bianet.org/english/politics/231035-turkish-medical-association-we-stand-by-our-words-we-are-on-our-duty](https://bianet.org/english/politics/231035-turkish-medical-association-we-stand-by-our-words-we-are-on-our-duty)

<sup>24</sup> Julfikar Ali Manik and Mujib Mashal, "Bangladeshi Writer Detained Over Social Media Posts, Dies in Jail," *The New York Times*, February 26, 2021, [nytimes.com/2021/02/26/world/asia/bangladesh-mushtaq-ahmed-dead.html](https://nytimes.com/2021/02/26/world/asia/bangladesh-mushtaq-ahmed-dead.html)

<sup>25</sup> RFE/RL's Kazakh Service, "Kazakh Blogger Critical of Government Forcibly Admitted to Psychiatric Clinic," *Radio Free Europe Radio Liberty*, November 23, 2020, [rferl.org/a/kazakh-blogger-critical-of-government-forcibly-admitted-to-psychiatric-clinic/30964357.html](https://rferl.org/a/kazakh-blogger-critical-of-government-forcibly-admitted-to-psychiatric-clinic/30964357.html)

<sup>26</sup> "Hong Kong security law: What is it and is it worrying?" *BBC News*, June 30, 2020, [bbc.com/news/world-asia-china-52765838](https://bbc.com/news/world-asia-china-52765838)

<sup>27</sup> "Day of the Imprisoned Writer 2020: Take Action for Kakwenza Rukirabashaija," PEN International, November 9, 2020, [pen-international.org/news/day-of-the-imprisoned-writer-2020-take-action-for-kakwenza-rukirabashaija#:~:text=On%2013%20April%202020%2C%20Uganda,had%20been%20subjected%20to%20torture](https://pen-international.org/news/day-of-the-imprisoned-writer-2020-take-action-for-kakwenza-rukirabashaija#:~:text=On%2013%20April%202020%2C%20Uganda,had%20been%20subjected%20to%20torture)

<sup>28</sup> Helen Davidson, "Hong Kong arrests and Taiwan flybys: China advances its interests during Covid-19 crisis," *The Guardian*, April 25, 2020, [theguardian.com/world/2020/apr/26/hong-kong-arrests-and-taiwan-flybys-chinas-advances-its-interests-during-covid-19-crisis](https://theguardian.com/world/2020/apr/26/hong-kong-arrests-and-taiwan-flybys-chinas-advances-its-interests-during-covid-19-crisis); Guo Rui, "Chinese police detain fugitive rights activist Xu Zhiyong during 'coronavirus check,'" *South China Morning Post*, February 17, 2020, [scmp.com/news/china/politics/article/3051000/chinese-police-detain-fugitive-rights-activist-xu-zhiyong](https://scmp.com/news/china/politics/article/3051000/chinese-police-detain-fugitive-rights-activist-xu-zhiyong)

<sup>29</sup> "Cuban police raid HQ of dissident San Isidro Movement," *BBC News*, November 27, 2020, [bbc.com/news/world-latin-america-55098876](https://bbc.com/news/world-latin-america-55098876)

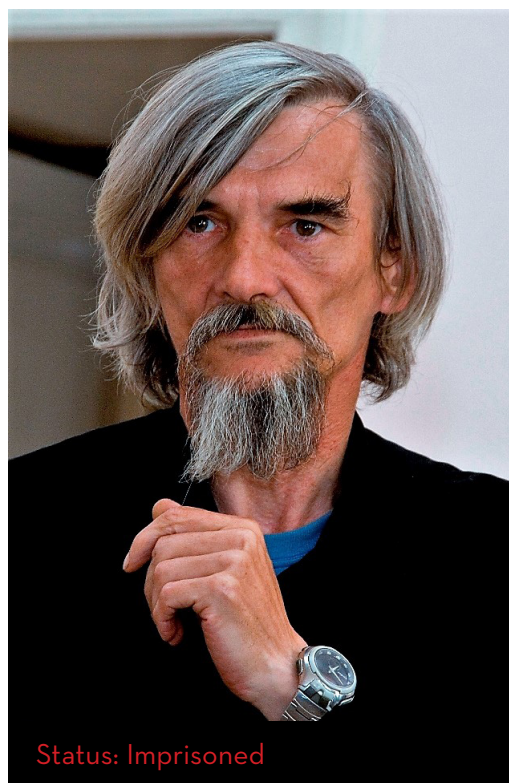
# CASE STUDY

RUSSIA

## YURY DMITRIEV

SCHOLAR, ACTIVIST

Yury Dmitriev is a Russian **historian** and head of the Karelian branch of Memorial, one of Russia's best known human rights organizations. His work has uncovered the burial places and mass graves of thousands of victims of **Stalin-era mass executions**. He has also authored several books providing details about people who were killed under Stalin's "Great Purge" of 1936-1938, including 9,500 people executed by the state and buried in the Sandarmokh memorial cemetery, individuals for which Dmitriev has also held **annual memorials**. Dmitriev's work to uncover the truth behind these horrific atrocities have made him a **target of the Putin regime**, which has worked to rehabilitate the Soviet era and whitewash Stalin-era atrocities. Dmitriev is currently serving a 13-year prison sentence for charges related to child pornography, charges that human rights organizations argue have been levied against him **specifically to discredit** Dmitriev's work. It also seems likely the Russian regime hopes such charges will **discourage** rights advocates from taking up his case. In September 2020, the European Union **called on Russia to release Dmitriev**, and more than 200 prominent Russian writers, scholars, journalists, artists, scientists, and activists signed an **open letter** calling for his release.



Status: Imprisoned

Photo by Medifond and Visem



**I've already spent nine years working on the book - how could I give up now? Well, those nine years don't really matter. This is information that people need: they're waiting for it, they want to find their relatives.**

*Yury Dmitriev, "It Was All Preparation for What I Do Now"*

Initially, local **government officials** supported Dmitriev's work and attended memorial events at the site of the discovered graves. Then, attitudes shifted as the current regime grew more eager to glorify rather than criticize Russia's complicated past. In 2017, Putin gave an **interview in which he stated** that pointing to dark points in Russia's history amounts to an **"attack" on Russia**. Opposition to Dmitriev's work also coincided with **successive promotions** of **Anatoly Seryshev**, who was previously in charge of the regional FSB department in Karelia. Dmitriev's work with Memorial also may have triggered the ire of the state; his first arrest came shortly after broadcasters on state television accused

the human rights organization of helping “those who aim to **destroy** the Russian state.”

Dmitriev was detained in Petrozavodsk on December 13, 2016, on claims of production of child pornographic material for taking pictures of his 11-year-old daughter, **claims for which he was acquitted in 2018**; however, a week after the acquittal, Dmitriev was again detained on similar charges. This time, he was again acquitted on pornography charges, but **convicted** of a more severe charge of sexual assault. On July 22, 2020, he was sentenced to three and a half years in prison. Because of the time he had served in pretrial detention, it was expected he would be released in November, but in September, the Karelia Supreme Court **overturned** Dmitriev’s earlier acquittals and, in a closed-door hearing, handed him a new sentence of 13 years in prison. He was deprived of proper defense at this trial as his lawyer was ill and unable to attend, and the court refused to move the hearing. Not only was his state-appointed lawyer only given three days to familiarize himself with the four-year long case, but Dmitriev himself was not allowed to be present due to COVID-19 restrictions, and had to attend via a weak **video** link.

Dmitriev has denied all allegations, and the European Union has twice cast doubt on the lawfulness of Dmitriev’s arrest, describing charges as “**in response to his work as a historian.**” Despite this, he has been in detention nearly the entire time since his initial arrest in 2016. Russian authorities’ continued attempts to target and silence Dmitriev, regardless of his acquittals—themselves **exceedingly rare** in Russia—serve as indications that the true motivation behind these charges is retaliation for his high-profile historical inquiry efforts, efforts which fly in the face of the government’s historical narrative. As Dmitriev’s elder daughter **told *The New York Times***, “My dad’s work has clearly made some people very uncomfortable.”

## INCREASED URGENCY: CONDITIONS OF IMPRISONED WRITERS DURING THE PANDEMIC

Prisons and jails, in particular, have been severely impacted by COVID-19 and its profound and rippling social and economic effects. Prisons and other sites of detention around the world are likely to be overcrowded, poorly maintained, unhygienic, and lacking adequate medical care and equipment. These conditions, often combined with malign neglect from authorities, have made prisons breeding grounds for the virus. Human rights advocates, public health professionals, and UN officials have repeatedly warned that prisoners face a disproportionate impact from COVID-19.<sup>30</sup> In the United States, for example, the *Journal of the American Medical Association (JAMA)* found that by July 2020, the COVID death rate for those incarcerated in the United States was more than five times higher than the average U.S. death rate.<sup>31</sup> In recognition of this reality, early in the pandemic, the United Nations High Commissioner for Human Rights Michelle Bachelet directly called on governments “now more than ever” to “release every person detained without sufficient legal basis, including political prisoners and others detained simply for expressing critical or dissenting views.”<sup>32</sup>

This is a matter of serious moral concern, warranting global attention and action, and its impacts have not

been limited to imprisoned writers and intellectuals but to all those imprisoned or detained.<sup>33</sup> In this context, we focus on the cases of writers, public intellectuals, and others within the scope of the Index who face an increased risk of contracting COVID-19 in prison, and the subsequent increased urgency of ensuring their freedom. This is especially the case for those who are older, in ill-health, or in other high-risk categories.

Despite these risks and calls for governments to free political prisoners, many, including writers and intellectuals, have remained or been newly placed in state custody during the pandemic, while governments have simultaneously downplayed the risks and at-



**This virus not only knocks down old men like myself but also all kinds of aged concepts, beliefs and ideas. We are painfully crossing the threshold of a new world and, even more important, a new kind of human being.**

***Ahmet Altan, "I'm watching the coronavirus unfold from a Turkish prison. Here's why I'm hopeful."***

<sup>30</sup> Miriam Berger, “Prisons are covid hot spots. But few countries are prioritizing vaccines for inmates,” *The Washington Post*, January 15, 2021, [washingtonpost.com/world/2021/01/14/global-coronavirus-vaccines-prisons/](https://www.washingtonpost.com/world/2021/01/14/global-coronavirus-vaccines-prisons/); “Impact of COVID-19 ‘heavily felt’ by prisoners globally: UN expert,” UN News, March 9, 2021, [news.un.org/en/story/2021/03/1086802](https://news.un.org/en/story/2021/03/1086802); “Prisoners forgotten in COVID-19 pandemic, as crisis grows in detention facilities,” *Amnesty International*, March 18, 2021, [amnesty.org/en/latest/news/2021/03/prisoners-forgotten-in-covid-19-pandemic-as-crisis-grows-in-detention-facilities/](https://www.amnesty.org/en/latest/news/2021/03/prisoners-forgotten-in-covid-19-pandemic-as-crisis-grows-in-detention-facilities/); see also <https://covidprisonproject.com/additional-resources/global-outbreaks/>

<sup>31</sup> Brendan Saloner, Kalind Parish, Julie A. Ward, Grace DiLaura, and Sharon Dolovich, “COVID-19 Cases and Deaths in Federal and State Prisons,” *The Journal of the American Medical Association (JAMA)* 324, no. 6 (2020): 602–603, [doi.org/10.1001/jama.2020.12528](https://doi.org/10.1001/jama.2020.12528)

<sup>32</sup> Michelle Bachelet, “Urgent action needed to prevent COVID-19 ‘rampaging through places of detention,’” UN High Commissioner for Human Rights Michelle Bachelet calls on governments to take urgent action to protect the health and safety of people in detention and other closed facilities, Geneva, March 25, 2020, transcript, [ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25745&LangID=E](https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25745&LangID=E)

<sup>33</sup> PEN America’s Prison & Justice Writing Program examines and shines a light on these issues in the U.S.; read more at: [pen.org/prison-writing/](https://pen.org/prison-writing/). See also PEN America’s April 2020 statement on the use, availability, and cost of e-readers in American prisons during the pandemic, at [pen.org/press-release/prison-e-readers-and-tablets-should-be-free-during-coronavirus-outbreak/](https://pen.org/press-release/prison-e-readers-and-tablets-should-be-free-during-coronavirus-outbreak/)

tacked those who have attempted to draw attention to them. In March 2020, the family and supporters of Egyptian imprisoned blogger and activist [Alaa Abd El Fattah](#) staged a protest in front of the government's cabinet building to bring attention to the acute risks that those held in prison face during the pandemic.<sup>34</sup> Abd El Fattah's family held a placard that read, "Underestimating coronavirus in prisons puts the lives of inmates, police officers, conscripts and all who work in prisons and their families in danger. Release the prisoners."<sup>35</sup> In response, the protesters—including Abd El Fattah's mother, academic Leila Soueif; author [Ahdaf Soueif](#); activist Mona Seif; and academic Rabab El-Mahdi—were forced to spend one night in jail before being released on bail.<sup>36</sup> They were charged with inciting a protest and disseminating false news, and blogger Abd El Fattah remains in pretrial detention.<sup>37</sup> In protest of the unjust living conditions facing prisoners in Iran's Evin prison, writer and human rights lawyer [Nasrin Sotoudeh](#) went on a 46-day hunger strike from August through September 2020.<sup>38</sup>

Sotoudeh ended her weeks-long hunger strike after spending five days hospitalized in the cardiac care unit of Taleghani Hospital.<sup>39</sup> After she was temporarily released on medical furlough in November and reunited with her family, Sotoudeh tested positive for COVID-19.<sup>40</sup> Against the advice of medical professionals, officials ordered Sotoudeh's return to prison the following month.<sup>41</sup>

In Belarus, the mass detentions that accompanied the public protests after the August 2020 election put many at additional and unnecessary risk of contracting COVID for their free expression and dissenting views.<sup>42</sup> In an interim report by the International Committee for the Investigation of Torture on Belarus, analysts argued that overcrowding, medical neglect, and non-isolation for COVID-positive individuals in Belarusian prisons was a deliberate strategy of abuse and torture.<sup>43</sup> In October 2020, writer and philosopher [Olga Shparaga](#) served a 15-day administrative detention at Zhodzina prison in relation to her role in

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<sup>34</sup> Louisa Loveluck and Sudarsan Raghavan, "How the coronavirus is igniting riots, releases and crackdowns in world's prisons," *The Washington Post*, March 26, 2020, [washingtonpost.com/world/how-coronavirus-is-igniting-riots-releases-and-crackdowns-in-the-worlds-prisons/2020/03/25/6ca94494-6aba-11ea-b199-3a9799c54512\\_story.html](https://www.washingtonpost.com/world/how-coronavirus-is-igniting-riots-releases-and-crackdowns-in-the-worlds-prisons/2020/03/25/6ca94494-6aba-11ea-b199-3a9799c54512_story.html); Emma Graham-Harrison, "Egypt arrests activists including Ahdaf Soueif over coronavirus protest," *The Guardian*, March 18, 2020, [theguardian.com/world/2020/mar/18/egypt-arrests-activists-calling-prisoners-release-coronavirus-ahdaf-soueif](https://www.theguardian.com/world/2020/mar/18/egypt-arrests-activists-calling-prisoners-release-coronavirus-ahdaf-soueif); PEN America, "Egyptian Writer Detained for Protesting Prison Conditions That Could Worsen COVID-19 Spread," press release, March 18, 2020, [pen.org/press-release/egyptian-writer-detained-for-protesting-prison-conditions-that-could-worsen-covid-19-spread/](https://pen.org/press-release/egyptian-writer-detained-for-protesting-prison-conditions-that-could-worsen-covid-19-spread/)

<sup>35</sup> Loveluck and Raghavan, "How the coronavirus is igniting riots."

<sup>36</sup> Loveluck and Raghavan, "How the coronavirus is igniting riots;" PEN America, "Egyptian Writer Detained for Protesting Prison Conditions That Could Worsen COVID-19 Spread," press release, March 18, 2020.

<sup>37</sup> Loveluck and Raghavan, "How the coronavirus is igniting riots."

<sup>38</sup> "COVID-19 Fear in Iran's Prisons: Iran Must Do More to Protect Prisoners, Summer 2020 Update," Abdorrahman Boroumand Center, September 2, 2020, [iranrights.org/library/document/3764](https://iranrights.org/library/document/3764)

<sup>39</sup> "Jailed Iran human rights lawyer hospitalised after hunger strike," *Al Jazeera*, September 20, 2020, [aljazeera.com/news/2020/9/20/jailed-iran-human-rights-lawyer-hospitalised-after-hunger-strike](https://www.aljazeera.com/news/2020/9/20/jailed-iran-human-rights-lawyer-hospitalised-after-hunger-strike)

<sup>40</sup> Joseph Hincks, "'It's Like We're Hanging in the Air.' Iranian Activist Nasrin Sotoudeh's Husband on Her Temporary Release From Prison," *Time*, November 20, 2020, [time.com/5914225/nasrin-sotoudeh-iran-covid-19/](https://www.time.com/5914225/nasrin-sotoudeh-iran-covid-19/); "Iran lawyer tests positive for Covid-19 after release from jail," *France 24*, November 10, 2020, [france24.com/en/live-news/20201110-iran-lawyer-tests-positive-for-covid-19-after-release-from-jail](https://www.france24.com/en/live-news/20201110-iran-lawyer-tests-positive-for-covid-19-after-release-from-jail)

<sup>41</sup> Maziar Motamedi, "Nasrin Sotoudeh: Iran human rights lawyer ordered back to jail," *Al Jazeera*, December 2, 2020, [aljazeera.com/news/2020/12/2/nasrin-sotoudeh-iranian-human-rights-lawyer-to-go-back-to-jail](https://www.aljazeera.com/news/2020/12/2/nasrin-sotoudeh-iranian-human-rights-lawyer-to-go-back-to-jail)

<sup>42</sup> Associated Press, "Virus Besets Belarus Prisons Filled With President's Critics," *Voice of America*, December 26, 2020, [voanews.com/covid-19-pandemic/virus-besets-belarus-prisons-filled-presidents-critics](https://www.voanews.com/covid-19-pandemic/virus-besets-belarus-prisons-filled-presidents-critics)

<sup>43</sup> PEN America, "PEN America Demands Belarus Drop Charges Against Olga Shparaga," press release, October 16, 2020, [pen.org/press-release/pen-america-demands-belarus-drop-charges-against-olga-shparaga/](https://pen.org/press-release/pen-america-demands-belarus-drop-charges-against-olga-shparaga/)



A poster in support of Iranian women's rights activist Nasrin Sotoudeh and demanding her release hangs on a building in Marseille, France in July 2020. Photo by Wikimedia Commons/Lewisicrazy

the protests against Alexander Lukashenka, who has routinely downplayed the severity of COVID-19.<sup>44</sup> Detained at Zhodzina prison, Shparaga shared a cell with eight people—in addition to the constant transfers of people detained amid the protests.<sup>45</sup> Following her release, Shparaga and five other people she was detained alongside tested positive for COVID-19.<sup>46</sup>

In India, where the New Delhi-based National Campaign Against Torture has cited a direct correlation between overcrowding in prisons and positive cases of COVID-19,<sup>47</sup> writer and human rights activist **Gautam Navlakha** was transferred in May 2020 from Tihar Jail in Delhi to a school in Maharashtra as a result of overcrowding, and described the conditions in the

<sup>44</sup> Yauhenia Stepus, "Belarus: Authorities Accused of Weaponising Covid-19 Against Protesters," *Institute for War and Peace Reporting*, March 15, 2021 [iwpr.net/global-voices/belarus-authorities-accused-weaponising-covid-19-against-protesters](http://iwpr.net/global-voices/belarus-authorities-accused-weaponising-covid-19-against-protesters); Mary Ilyushina and Nathan Hodge, "Post-Soviet strongmen prescribe vodka, hockey and folk medicine against coronavirus," *CNN*, March 31, 2020, [edition.cnn.com/2020/03/30/europe/soviet-strongmen-coronavirus-intl/index.html](http://edition.cnn.com/2020/03/30/europe/soviet-strongmen-coronavirus-intl/index.html)

<sup>45</sup> Stepus, "Belarus: Authorities Accused of Weaponising Covid-19 Against Protesters."

<sup>46</sup> Stepus, "Belarus: Authorities Accused of Weaponising Covid-19 Against Protesters."

<sup>47</sup> HT Correspondent, "One-fourth jails in India report Covid-19 cases, many 'highly' congested": Report," *Hindustan Times*, September 16, 2020, [hindustantimes.com/india-news/one-fourth-jails-in-india-report-covid-19-cases-many-highly-congested-report/story-Fb3z8MvZEtHvXQBOYfZK.html](http://hindustantimes.com/india-news/one-fourth-jails-in-india-report-covid-19-cases-many-highly-congested-report/story-Fb3z8MvZEtHvXQBOYfZK.html)

school as “deplorable.”<sup>48</sup> Navlakha reported that, with 350 inmates crowded into six classrooms, he had to share a room with 35 other inmates and few restrooms and bathing spaces were available.<sup>49</sup> Octogenarian poet **P. Varavara Rao** contracted COVID-19 in July 2020 while detained and was reportedly initially cared for by co-accused academics **Vernon Gonsalves** and **Arun Ferreira** due to prison authorities’ grave neglect of his health.<sup>50</sup> After his diagnosis, Rao was transferred to three different hospitals in a single week, where his existing ailments and medical conditions worsened.<sup>51</sup>

In the United Arab Emirates (UAE), where multiple detention centers faced outbreaks of COVID-19,<sup>52</sup> the lengthy detention of writers including economist **Nasser bin Ghaith**, lawyer **Mohammed Al-Roken**, and poet **Ahmed Mansoor** during 2020 have raised serious concern, particularly as reports confirmed inhumane conditions of imprisonment.<sup>53</sup> In Egypt, which detained the sixth highest number of writers and public intellectuals around the world, authorities at Tora prison, where blogger **Abd El Fattah** is held, reportedly denied coronavirus tests to detainees in June 2020 despite the reported spread of COVID-19 in multiple cell blocks.<sup>54</sup> In July 2020, when then-de-



**Life does not exist in Qarchak Prison of Varamin, the largest women’s prison in the Middle East. And this is what could be said in a nutshell. Here you can see the depth of the catastrophe created by those who hold the positions of power... This is a full reflection of our society under an authoritarian rule.**

***Golrokh Ebrahimi Iraee, September 7, 2020 letter from Qarchak prison***

tained Turkish columnist **Murat Ağirel** reported severe tooth pain, he was taken to the prison hospital room and reportedly detained for five hours with COVID-19 positive patients.<sup>55</sup> In Iran, journalist and human rights activist **Narges Mohammadi** also displayed COVID-19 symptoms over the summer while imprisoned. Mohammadi, who suffers from an underlying health condition, wrote a public letter from Zanjan prison stating that she was showing symptoms of COVID-19, while one of her cellmates had tested

<sup>48</sup> Scroll Staff, “‘350 inmates in six rooms’: Activist Gautam Navlakha kept in deplorable conditions, says partner,” *Scroll.in*, June 22, 2020, [scroll.in/latest/965327/350-inmates-in-six-rooms-no-fresh-air-activist-gautam-navlakha-details-temporary-jail-condition](https://scroll.in/latest/965327/350-inmates-in-six-rooms-no-fresh-air-activist-gautam-navlakha-details-temporary-jail-condition)

<sup>49</sup> Scroll Staff, “‘350 inmates in six rooms.’”

<sup>50</sup> Shruti Ganapatye, “Varavara Rao denied medical care: Family,” *Mumbai Mirror*, October 10, 2020, [mumbaimirror.indiatimes.com/coronavirus/news/varavara-rao-denied-medical-care-family/articleshow/78584481.cms](https://mumbaimirror.indiatimes.com/coronavirus/news/varavara-rao-denied-medical-care-family/articleshow/78584481.cms)

<sup>51</sup> The Wire Staff, “Varavara Rao’s Continued Custody Amounts to Inhuman Treatment, Says Wife in SC Petition,” *The Wire*, October 16, 2020, [thewire.in/law/varavara-rao-bail-petition-supreme-court-elgar-parishad-case-bhima-koregaon](https://thewire.in/law/varavara-rao-bail-petition-supreme-court-elgar-parishad-case-bhima-koregaon); K A Y Dodhiya, “Varavara Rao fell from bed, unable to do anything on his own; allow us to help: Family to state,” *Hindustan Times*, July 21, 2020, [hindustantimes.com/mumbai-news/give-us-updates-on-health-allow-kin-to-help-him-varavara-rao-s-family-to-state/story-a2Mv5dYQ7ma8tokaPVQVeK.html](https://hindustantimes.com/mumbai-news/give-us-updates-on-health-allow-kin-to-help-him-varavara-rao-s-family-to-state/story-a2Mv5dYQ7ma8tokaPVQVeK.html); Sukanya Shantha, “Varavara Rao Tests Positive for COVID-19, Moved to St. George Hospital,” *The Wire*, July 16, 2020, [thewire.in/rights/varavara-rao-covid-19-positive-st-george-hospital](https://thewire.in/rights/varavara-rao-covid-19-positive-st-george-hospital)

<sup>52</sup> Human Rights Watch, “UAE: Reported Covid-19 Prison Outbreaks,” news release, June 10, 2020, [hrw.org/news/2020/06/10/uae-reported-covid-19-prison-outbreaks](https://hrw.org/news/2020/06/10/uae-reported-covid-19-prison-outbreaks)

<sup>53</sup> Reuters Staff, “UN rights expert urges UAE to free jailed activists,” *Reuters*, February 10, 2021, [reuters.com/article/emirates-rights-int/un-rights-expert-urges-uae-to-free-jailed-activists-idUSKBN2AA1U](https://reuters.com/article/emirates-rights-int/un-rights-expert-urges-uae-to-free-jailed-activists-idUSKBN2AA1U); “Ailing Economist Confined in Jail in UAE Threatened to Contract COVID-19,” *Committee of Concerned Scientists*, August 3, 2020, [concernedscientists.org/2020/08/ailing-economist-confined-in-jail-in-uae-threatened-to-contract-covid-19/](https://concernedscientists.org/2020/08/ailing-economist-confined-in-jail-in-uae-threatened-to-contract-covid-19/)

<sup>54</sup> “Egypt detainees report covid-type symptoms in 3rd cell block as virus spreads,” *Middle East Monitor*, June 5, 2020, [middleeastmonitor.com/20200605-egypt-detainees-report-covid-type-symptoms-in-3rd-cell-block-as-virus-spreads](https://middleeastmonitor.com/20200605-egypt-detainees-report-covid-type-symptoms-in-3rd-cell-block-as-virus-spreads)

<sup>55</sup> BIA News Desk, “Jailed columnist Murat Ağirel: It is torture, I will not consent to this,” *Bianet*, July 14, 2020, [m.bianet.org/english/human-rights/227411-jailed-columnist-murat-agirel-it-is-torture-i-will-not-consent-to-this](https://m.bianet.org/english/human-rights/227411-jailed-columnist-murat-agirel-it-is-torture-i-will-not-consent-to-this)



positive.<sup>56</sup> After repeated requests, prison authorities only tested Mohammadi—who tested positive for COVID-19—when her family made a direct appeal to the Zanjan prosecutor’s office, the results of which authorities withheld from Mohammadi.<sup>57</sup> Mohammadi recovered from the virus and was released from prison in October 2020 after she had finished serving her sentence.<sup>58</sup>

## COVID-19-RELATED RELEASES AND THEIR LIMITATIONS

In some cases, governments did agree to release prisoners in an effort to suppress the spread of COVID-19, although very few writers or intellectuals were freed unconditionally on health-related grounds. Specifically, imprisoned writers facing charges relating to national security—the most common category of charge used against this group—typically did not qualify for COVID-related conditional releases.

Iran’s judiciary chief announced in March 2020 that prisons would temporarily release approximately 70,000 people; but this excluded many people accused of national security crimes, which accounted

for 14 of the at least 19 writers and public intellectuals held by Iran last year.<sup>59</sup> Writers and intellectuals including **Nasrin Sotoudeh** and **Narges Mohammadi** were not among those freed in the March release.<sup>60</sup> Cultural worker and scholar **Aras Amiri** was conditionally released from Iran’s Evin prison in April 2020 as part of a virus prevention measure; however, she was similarly ordered to return only three weeks later.<sup>61</sup>

In April 2020, Turkey’s parliament passed a law that reduced prison populations by a third,<sup>62</sup> but this excluded people accused of crimes against the state.<sup>63</sup> As such, even writers and public intellectuals more senior in age or with existing medical conditions, such as 71-year-old novelist **Ahmet Altan**, were not granted release.

In India, one estimate reports that by July 2020, prisons

**Writers and public intellectuals facing charges relating to national security—55 percent of the 2020 Index—typically did not qualify for COVID-related conditional releases.**

<sup>56</sup> UN experts, “Iran: UN experts call for the urgent release from prison of human rights defender with COVID-19 symptoms,” The Office of the High Commissioner for Human Rights, Media Release, July 22, 2020, [ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26118&LangID=E](https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26118&LangID=E)

<sup>57</sup> PEN America, “Iran Must Release Activist Suspected of Having Coronavirus,” press release, July 16, 2020, [pen.org/press-release/iran-must-release-activist-suspected-of-having-coronavirus/](https://www.pen.org/press-release/iran-must-release-activist-suspected-of-having-coronavirus/)

<sup>58</sup> Miriam Berger, “Leading Iranian human rights advocate freed from prison amid fear of contracting coronavirus behind bars,” *The Washington Post*, October 9, 2020, [washingtonpost.com/world/2020/10/08/narges-mohammadi-released-from-prison-iran-coronavirus-human-rights-death-penalty/](https://www.washingtonpost.com/world/2020/10/08/narges-mohammadi-released-from-prison-iran-coronavirus-human-rights-death-penalty/)

<sup>59</sup> “UN rights chief urges Iran to release jailed human rights defenders, citing COVID-19 risk,” *UN News*, October 6, 2020, [news.un.org/en/story/2020/10/1074722](https://news.un.org/en/story/2020/10/1074722)

<sup>60</sup> Reuters Staff, “Iran temporarily releases 70,000 prisoners as coronavirus cases surge,” *Reuters*, March 9, 2020, [reuters.com/article/us-health-coronavirus-iran/iran-temporarily-releases-70000-prisoners-as-coronavirus-cases-surge-idUSKBN20W1E5](https://www.reuters.com/article/us-health-coronavirus-iran/iran-temporarily-releases-70000-prisoners-as-coronavirus-cases-surge-idUSKBN20W1E5)

<sup>61</sup> Patrick Wintour, “Fears rise Nazanin Zaghari-Ratcliffe may be returned to Iran jail,” *The Guardian*, May 5, 2020, [theguardian.com/news/2020/may/05/fears-rise-nazanin-zaghari-ratcliffe-may-be-retained-to-iran-jail](https://www.theguardian.com/news/2020/may/05/fears-rise-nazanin-zaghari-ratcliffe-may-be-retained-to-iran-jail)

<sup>62</sup> Al-Monitor Staff, “Turkey to release thousands of prisoners as coronavirus sweeps through jails,” *Al-Monitor*, April 14, 2020, [al-monitor.com/pulse/originals/2020/04/turkey-release-thousands-prisoners-coronavirus-outbreak-jail.html](https://www.al-monitor.com/pulse/originals/2020/04/turkey-release-thousands-prisoners-coronavirus-outbreak-jail.html)

<sup>63</sup> Emma Sinclair-Webb, “Turkey Should Protect All Prisoners from Pandemic,” *Dispatch*, March 23, 2020, [hrw.org/news/2020/03/23/turkey-should-protect-all-prisoners-pandemic](https://www.hrw.org/news/2020/03/23/turkey-should-protect-all-prisoners-pandemic); Kareem Fahim, “Turkish dissidents remain jailed as thousands of inmates are released to avoid prison epidemic,” *The Washington Post*, April 22, 2020, [washingtonpost.com/world/middle\\_east/turkish-dissidents-remain-jailed-as-thousands-of-inmates-are-released-to-avoid-prison-epidemic/2020/04/22/8570e65a-83ea-11ea-81a3-9690c9881111\\_story.html](https://www.washingtonpost.com/world/middle_east/turkish-dissidents-remain-jailed-as-thousands-of-inmates-are-released-to-avoid-prison-epidemic/2020/04/22/8570e65a-83ea-11ea-81a3-9690c9881111_story.html)

had released approximately 61,000 people by order of the Supreme Court to reduce overcrowding,<sup>64</sup> but despite a plea for medical bail filed by poet P. Varavara Rao's wife,<sup>65</sup> Rao was only granted a six-month medical furlough approximately six months after his positive COVID-19 diagnosis. Rao was released from custody on March 6, 2021, despite the National Investigation Agency (NIA) claiming that he was taking "undue advantage" of the pandemic.<sup>66</sup> In Egypt, journalist and Cairo University professor Hassan Nafaa was released from custody on March 19, 2020, along with 14 other prominent opposition figures and political prisoners,<sup>67</sup> a move to seemingly reduce overcrowding in the prison and avoid a coronavirus outbreak among prisoners. Yet experts estimate that Egypt continues to hold tens of thousands of political prisoners, and overcrowding and neglect threaten all those in its prisons.<sup>68</sup>

In December 2020, Eritrean authorities released 28 prisoners of conscience imprisoned in relation to their membership of the Jehovah's Witnesses group.<sup>69</sup> The Eritrean government, however, has not answered

calls to release the several writers detained in 2001 on spurious terrorism charges, including writer and playwright Dawit Isaak and short-fiction writer Idris Said.<sup>70</sup> Saudi anti-corruption columnist Saleh Al-Shehi was released from prison in May 2020, but he was immediately hospitalized and placed on a ventilator for three weeks before passing away on June 19.<sup>71</sup> Some report that he contracted COVID-19 in prison, while others state his health had already deteriorated after years of imprisonment.<sup>72</sup> Al-Shehi had been arrested in January 2018 and sentenced to five years in prison for "insulting the royal court."<sup>73</sup>

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<sup>64</sup> John Letzing, "How prison populations can be protected from Covid-19," *The Print*, July 5, 2020, [theprint.in/features/how-prison-populations-can-be-protected-from-covid-19/453095/](https://theprint.in/features/how-prison-populations-can-be-protected-from-covid-19/453095/); "STATE/UT WISE PRISONS RESPONSE TO COVID 19 PANDEMIC IN INDIA," Commonwealth Human Rights Initiative, Accessed on March 18, 2021, [humanrightsinitiative.org/content/state-ut-wise-prisons-response-to-covid-19-pandemic-in-india](https://humanrightsinitiative.org/content/state-ut-wise-prisons-response-to-covid-19-pandemic-in-india)

<sup>65</sup> Press Trust of India, "Since Feb 2020, Varavara Rao Has Spent 149 Days In Hospitals: High Court Told," *NDTV*, February 2, 2021, [ndtv.com/india-news/since-feb-2020-varavara-rao-has-spent-149-days-in-hospitals-high-court-told-2361535](https://ndtv.com/india-news/since-feb-2020-varavara-rao-has-spent-149-days-in-hospitals-high-court-told-2361535)

<sup>66</sup> Apoorva Mandhani, "2 years, 3 charge sheets & 16 arrests—Why Bhima Koregaon accused are still in jail," *The Print*, October 31, 2020, [theprint.in/india/2-years-3-charge-sheets-16-arrests-why-bhima-koregaon-accused-are-still-in-jail/533945/](https://theprint.in/india/2-years-3-charge-sheets-16-arrests-why-bhima-koregaon-accused-are-still-in-jail/533945/); "'Free At Last': Poet Varavara Rao, 81, Released After Last Month's Bail," *NDTV*, March 7, 2021, [ndtv.com/india-news/free-at-last-poet-varavara-rao-81-released-after-last-months-bail-2385277](https://ndtv.com/india-news/free-at-last-poet-varavara-rao-81-released-after-last-months-bail-2385277)

<sup>67</sup> Gamal Essam El-Din, "Egypt: Political activists released," *Ahram Online*, March 26, 2020, [english.ahram.org.eg/NewsContent/50/1201/365939/Ahram-Weekly/Egypt/Egypt-Political-activists-released.aspx](https://english.ahram.org.eg/NewsContent/50/1201/365939/Ahram-Weekly/Egypt/Egypt-Political-activists-released.aspx)

<sup>68</sup> Amnesty International, "Egypt: What do I care if you die," Amnesty International, accessed March 24, 2021, [amnesty.org/download/Documents/MDE1235382021ENGLISH.pdf](https://www.amnesty.org/download/Documents/MDE1235382021ENGLISH.pdf); Ruth Michaelson, "Egypt's political prisoners 'denied healthcare and subject to reprisals'," *The Guardian*, January 26, 2021, [theguardian.com/global-development/2021/jan/26/egypts-political-prisoners-denied-healthcare-and-subject-to-reprisals](https://theguardian.com/global-development/2021/jan/26/egypts-political-prisoners-denied-healthcare-and-subject-to-reprisals)

<sup>69</sup> Reuters Staff, "Eritrea frees 28 Jehovah's Witnesses prisoners, group says," *Reuters*, December 7, 2020, [reuters.com/article/eritrea-politics-religion/eritrea-frees-28-jehovahs-witnesses-prisoners-group-says-idUSKBN28H1E](https://www.reuters.com/article/eritrea-politics-religion/eritrea-frees-28-jehovahs-witnesses-prisoners-group-says-idUSKBN28H1E)

<sup>70</sup> United Nations, "Independent Experts Denounce Rights Violations in Occupied Palestinian Territory, Iran, Eritrea as Third Committee Delegates Split over Questions of Bias," press release, October 26, 2020, [un.org/press/en/2020/gashc4302.doc.htm](https://www.un.org/press/en/2020/gashc4302.doc.htm)

<sup>71</sup> "Saudi writer dies from COVID-19 shortly after release from prison," *Middle East Monitor*, July 20, 2020, [middleeastmonitor.com/20200720-saudi-writer-dies-from-covid-19-shortly-after-release-from-prison/](https://www.middleeastmonitor.com/20200720-saudi-writer-dies-from-covid-19-shortly-after-release-from-prison/)

<sup>72</sup> "Saudi Arabia: Writer and journalist Saleh Al-Shehi dies following release from prison," *The Gulf Centre for Human Rights*, July 20, 2020, [gc4hr.org/news/view/2430](https://www.gc4hr.org/news/view/2430); "Saudi writer dies from COVID-19 shortly after release from prison."

<sup>73</sup> "Saudi writer dies from COVID-19 shortly after release from prison."

# CASE STUDY

📍 IRAN

## GOLROKH EBRAHIMI IRAEE

LITERARY WRITER, ACTIVIST



Status: Imprisoned

Photo courtesy of Front Line Defenders

**Golrokh Ebrahimi Iraee**, an Iranian writer and human rights advocate, has been convicted twice for her writing. Since her initial conviction in 2016 for charges connected to an unpublished story, Iraee has been in and out of state custody, during which she has been physically assaulted, transferred to numerous prisons, and denied communication with her family.

Iraee was first arrested in September 2014 alongside her husband, activist Arash Sadeghi, **at his workplace**. Authorities believed to be Revolutionary Guards took Iraee and her husband to their residence to conduct



**Life does not exist in Qarchak Prison of Varamin, the largest women’s prison in the Middle East. And this is what could be said in a nutshell. Here you can see the depth of the catastrophe created by those who hold the positions of power... This is a full reflection of our society under an authoritarian rule.**

an **unauthorized home raid**. In this raid, authorities confiscated CDs, laptops, and notebooks—including a story Iraee had written in her diary—and then **detained the pair for three weeks**. Iraee’s unpublished writing detailed a **young woman’s response** to watching the film *The Stoning of Soraya M*—about the stoning of a woman falsely accused of infidelity—which leads the protagonist to burn a copy of the Quran in outrage.

In 2015, Iraee stood trial for “insulting Islamic sanctities” and “spreading propaganda;” her **fictional, unpublished story as well as her online posts about political prisoners** were used as evidence to ostensibly support the allegations, and she was convicted and **sentenced to six years in prison**. In October 2016, Iraee was forcibly taken from her home to Evin prison, though the court **never served her a written summons** as required by law. Over the next few years, Iraee was temporarily released, rearrested while caring for her ailing husband, and sent to **Qarchak prison**. To protest her unjust treatment, she went on multiple **hunger strikes and wrote open letters** while in prison.

sibly support the allegations, and she was convicted and **sentenced to six years in prison**. In October 2016, Iraee was forcibly taken from her home to Evin prison, though the court **never served her a written summons** as required by law. Over the next few years, Iraee was temporarily released, rearrested while caring for her ailing husband, and sent to **Qarchak prison**. To protest her unjust treatment, she went on multiple **hunger strikes and wrote open letters** while in prison.

In April 2019, Iraee was **released on bail**, but authorities quickly brought new charges against her. On July 18, 2019, **she was convicted** of “insulting the Supreme Leader” and “promoting propaganda against the state” and sentenced to a three-year and seven-month jail term for her **open letters sent from prison, and statements** protesting the executions of three Kurdish political prisoners. In November 2019, she was taken into custody; since then, she has been transferred to **at least three different prisons** in Iran, where she has reportedly been beaten and threatened. In December 2020, prison guards reportedly **violently attacked** the political prisoners detained in Ward 8 of Qarchak prison, dragging Iraee across the floor by her hair; the attack was reportedly sparked by the guards’ **disapproval** of the women prisoners’ clothing. Despite the risks posed by overcrowded prisons, Iraee has been kept imprisoned throughout the ongoing coronavirus pandemic. In April 2021, Iraee was smacked with a **new one-year sentence** for engaging in peaceful protests by writing open letters while at Qarchak Prison.

Iraee has not relented in her advocacy and continues to protest injustice through her writing. On September 7, 2020, in a letter from Qarchak prison translated by Iran Human Rights Monitor, **she wrote**: *“Life does not exist in Qarchak Prison of Varamin, the largest women’s prison in the Middle East. And this is what could be said in a nutshell. Here you can see the depth of the catastrophe created by those who hold the positions of power... This is a full reflection of our society under an authoritarian rule.”*

## ISOLATION AND DELAYED PROCEEDINGS

Authorities have also invoked the pandemic to justify the isolation of imprisoned writers from their families and to delay legal proceedings. In May, Saudi prison officials reportedly invoked COVID-19 as a justification for denying **Loujain Al-Hathloul** the opportunity to see her family, despite her earlier contact with her family during the pandemic.<sup>74</sup> In late August 2020, Al-Hathloul went on a six-day hunger strike to protest the denial of all communication with her family, with her sister noting that they had any contact with her since early June abrupt denial of outside communication; authorities finally permitted her to see her family on August 31.<sup>75</sup> Public reporting indicates that such communication denials appeared to be aimed at the kingdom's most prominent detainees, demonstrating a political motivation.<sup>76</sup>

In January 2020, prisons in the UAE ended all in-person visits due to COVID-19 restrictions and moved to providing communication via phone calls.<sup>77</sup> However, for at least several months, imprisoned Emirati poet **Ahmed Mansoor** was not even able to communicate with his family via phone.<sup>78</sup> At Guanghai Prison in Hubei Province, China, writer **Qin Yongmin** was de-

nied virtual communication ostensibly due to the COVID-19 pandemic, despite the end of the lockdown in Hubei two months prior.<sup>79</sup> While prisons are obligated to implement reasonable COVID-19 prevention measures, these cannot justify the denial of opportunities for remote communications.

While many countries faced challenges in keeping court proceedings moving during the pandemic, the conditions imposed by COVID-19 also created a convenient excuse for drawing out the legal processes for a number of writers and intellectuals. In several countries, in-person court proceedings were stalled for long periods of time, leaving many ongoing cases in limbo and further prolonging the incarceration of unjustly detained people. In May 2020, after Saudi courts closed due to COVID-19, the trial proceedings of several women activists and writers who had already spent two years in arbitrary detention, including **Loujain Al-Hathloul**, **Nassima Al-Sadah**, and **Nouf Abdulaziz**, were postponed for months.<sup>80</sup> In December 2020, authorities delayed court proceedings against Sri Lankan poet **Ahnaf Jazeem** by several months due to COVID-19. Jazeem was arrested in May 2020 under the Prevention of Terrorism Act, with authorities speciously claiming that he promoted extremism in his book of poetry *Navarasam*.<sup>81</sup> Imprisoned Camer-

<sup>74</sup> Chantal Da Silva, "Saudi Women's Rights Activist Detained for Two Years While Awaiting Trial Must Be Released During Pandemic, Sister Says," *Newsweek*, May 15, 2020, [newsweek.com/saudi-womens-rights-activist-detained-two-years-while-awaiting-trial-must-released-during-1504160](https://www.newsweek.com/saudi-womens-rights-activist-detained-two-years-while-awaiting-trial-must-released-during-1504160)

<sup>75</sup> MEE Staff, "Saudi activist Loujain al-Hathloul's health 'deteriorating' amid hunger strike," *Middle East Eye*, September 1, 2020, [middleeasteye.net/news/saudi-activist-loujain-hathloul-hunger-strike](https://www.middleeasteye.net/news/saudi-activist-loujain-hathloul-hunger-strike)

<sup>76</sup> Vivan Nereim, "Saudi Arabia's Most Famous Prisoners Go Silent During Pandemic," *Bloomberg News*, August 25, 2020, <https://www.bloomberg.com/news/articles/2020-08-26/saudi-arabia-s-most-famous-prisoners-go-silent-during-pandemic?sref=p1whY86y>

<sup>77</sup> "United Arab Emirates: Ahmed Mansoor denied contact with his family, remains in prison in unsanitary conditions," *The Gulf Centre for Human Rights*, June 6, 2020, [gc4hr.org/news/view/2408](https://www.gc4hr.org/news/view/2408); "Covid-19 continues to spread in UAE prisons," *Middle East Monitor*, June 22, 2020, [middleeastmonitor.com/20200622-covid-19-continues-to-spread-in-uae-prisons/](https://www.middleeastmonitor.com/20200622-covid-19-continues-to-spread-in-uae-prisons/)

<sup>78</sup> "United Arab Emirates: Ahmed Mansoor denied contact with his family, remains in prison in unsanitary conditions."

<sup>79</sup> Chinese Human Rights Defenders, "China: Stop Using COVID-19 for Unnecessary Restrictions on Detainees' Visitation Rights," *Chinese Human Rights Defenders*, June 22, 2020, [nchr.org/2020/06/china-stop-using-covid-19-for-unnecessary-restrictions-on-detainees-visitation-rights/](https://www.nchr.org/2020/06/china-stop-using-covid-19-for-unnecessary-restrictions-on-detainees-visitation-rights/)

<sup>80</sup> "Continuing arbitrary detention of Mses. Loujain al-Hathloul, Mayaa al-Zahrani, Samar Badawi, Nassima al-Sadah and Nouf Abdelazi," *World Organisation Against Torture*, March 19, 2020, [omct.org/human-rights-defenders/urgent-interventions/saudi-arabia/2020/03/d25746/](https://www.omct.org/human-rights-defenders/urgent-interventions/saudi-arabia/2020/03/d25746/)

<sup>81</sup> "Poetic injustice: Another writer languishes in prison under PTA in Sri Lanka," *Sri Lanka Brief*, December 14, 2020, [srilankabrief.org/poetic-injustice-another-writer-languishes-in-prison-under-pta/](https://www.srilankabrief.org/poetic-injustice-another-writer-languishes-in-prison-under-pta/); Ruwan Laknath Jayakody, "Complaint Lodged With HRCSL Over Poet Ahnaf Jazeem Detained Under PTA," *Colombo Telegraph*, December 31, 2020, [colombotelegraph.com/index.php/complaint-lodged-with-hrcsl-over-poet-ahnaf-jazeem-detained-under-pta/](https://www.colombotelegraph.com/index.php/complaint-lodged-with-hrcsl-over-poet-ahnaf-jazeem-detained-under-pta/)

onian writer and filmmaker **Tsi Conrad**'s appeal has been upended by COVID-19's impact on court proceedings, to the point where Conrad received a new judge in October and was forced to start the appeals process from the beginning. In all, Conrad's appeal has been postponed seven times, a delay of over a year.<sup>82</sup>

## COUNTRIES OF CONCERN

China, Saudi Arabia, and Turkey continue to lead in the concentrated targeting of writers and intellectuals, with each holding more than 20 detained or imprisoned writers in 2020, and China alone accounting for 81 of the writers and intellectuals held behind bars last year.

In **China**, which includes the Xinjiang and Tibetan Autonomous Regions, Inner Mongolia, and Hong Kong, the total number increased from the previous year, from 73 to 81. The totals for China—excluding the autonomous or special administrative regions of Xinjiang, Tibet, Inner Mongolia, and Hong Kong—and Tibet both increased, in substantial part as a result of the targeting of writers and online commentators who spoke out about the government's handling of and response to the emergence of COVID-19.

Within China (excluding Tibet, Xinjiang, Inner Mon-

golia, and Hong Kong), PEN America places the number of imprisoned writers or public intellectuals at 39. Many of these writers are political dissidents who have been targeted for their criticism of the Chinese Communist Party; people like the 2020 PEN/Barbey Freedom to Write Award honoree **Xu Zhiyong**, who was arrested in February while in hiding from the police and after penning an essay critical of President Xi Jinping's leadership, including his handling of the COVID-19 outbreak, and calling on Xi to resign.<sup>83</sup> Initially charged with "inciting subversion," the charges against Xu were reportedly upgraded in January 2021 to "subversion of state power," which carries a potential life sentence.<sup>84</sup> Xu has also reported being tortured while in custody.<sup>85</sup> Others detained in China this past year for their criticism of the Party or its leadership include scholar **Chen Zhaozhi**, who has been detained since March 2020 and is facing charges of "picking quarrels and provoking troubles" for his criticism of the government's response to COVID;<sup>86</sup> and poet **Zhang Guiqi**, facing charges of "inciting subversion" after publicly calling for President Xi's resignation in May 2020.<sup>87</sup>

Others have been targeted for speaking out against official discrimination toward minority groups in China or against local-level corruption. The poet **Cui Haoxin**, who has consistently spoken out against the discriminatory treatment of Muslims in the country, including the abuses in Xinjiang, was arrested in January 2020

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<sup>82</sup> "Tsi Conrad," Committee to Protect Journalists, accessed March 24, 2021, [cpj.org/data/people/tsi-conrad/](https://cpj.org/data/people/tsi-conrad/)

<sup>83</sup> Emily Feng, "Rights Activist Xu Zhiyong Arrested In China Amid Crackdown On Dissent," *NPR*, February 17, 2020, [npr.org/2020/02/17/806584471/rights-activist-xu-zhiyong-arrested-in-china-amid-crackdown-on-dissent](https://www.npr.org/2020/02/17/806584471/rights-activist-xu-zhiyong-arrested-in-china-amid-crackdown-on-dissent)

<sup>84</sup> PEN America, "Reports: China to Escalate Charges Against Pen America Honoree Xu Zhiyong," press release, January 22, 2020, [pen.org/press-release/reports-china-to-escalate-charges-against-pen-america-honoree-xu-zhiyong/](https://pen.org/press-release/reports-china-to-escalate-charges-against-pen-america-honoree-xu-zhiyong/)

<sup>85</sup> Guo Rui, "China arrests girlfriend of detained legal activist Xu Zhiyong on subversion charge," *South China Morning Post*, March 15, 2021, [scmp.com/news/china/politics/article/3125558/china-arrests-girlfriend-detained-legal-activist-xu-zhiyong](https://www.scmp.com/news/china/politics/article/3125558/china-arrests-girlfriend-detained-legal-activist-xu-zhiyong)

<sup>86</sup> "Chen Zhaozhi," Network of Chinese Human Rights Defenders (CHRD), August 28, 2020, [nchrd.org/2020/08/chen-zhaozhi/](https://www.nchrd.org/2020/08/chen-zhaozhi/)

<sup>87</sup> Taiwan News, "Chinese poet arrested for demanding Xi's resignation in online video," *Taiwan News*, June 23, 2020, [taiwannews.com.tw/en/news/3951952](https://www.taiwannews.com.tw/en/news/3951952)

similarly on charges of “picking quarrels and provoking troubles.”<sup>88</sup> Little is known about his case, his detention conditions, or even if he has received a trial date, and he has spent the last year incommunicado. Journalist **Chen Jieren** was sentenced to 15 years’ imprisonment in 2020, following two years of incommunicado detention, after blogging about allegations of corrupt local officials.<sup>89</sup> Consistent with its broader, ever-increasing efforts to stifle dissent and control expression, the Chinese Communist Party continues to treat peaceful criticism of its rule as a heinous crime.

Yet one does not have to criticize the government or its policies to run afoul of Beijing’s criminalization of vast categories of speech. Graphic novelist **Liu Tianyi** remains in prison serving a 10-year sentence for her homoerotic novel *Occupy*, after being sentenced in 2018. Writer and photographer **Du Bin** was detained in December for “picking quarrels and provoking trouble,” a month before the publication of his book analyzing early Soviet Communism—seeming to indicate that even historical inquiry that touches indirectly on the Chinese Communist Party’s governance may be subject to a governmental “veto” in the form of criminal charges. Authorities also questioned Du about his previous books, before eventually releasing him conditionally after 37 days.<sup>90</sup>

A small but important subset of imprisoned writers in China are citizens of other countries. Chinese-born Swedish poet and publisher **Gui Minhai**, who was kidnapped from his vacation home in Thailand by Chinese security agents in 2015, was sentenced to 10 years’ imprisonment in February 2020 for “illegally providing evidence overseas”—a charge seemingly related to Gui having been in touch with his own country’s consular officials.<sup>91</sup> Gui’s case is particularly urgent as he has reportedly been diagnosed with the neurodegenerative disease amyotrophic lateral sclerosis, or ALS.<sup>92</sup> Beijing has repeatedly ignored or denied that Gui is a Swedish citizen, at one point even claiming that Gui had conveniently renounced his Swedish citizenship while imprisoned.<sup>93</sup> **Yang Hengjun**, a Chinese-born Australian writer, was detained during a visit to China in January 2019, and officially charged with espionage in October 2020, after reportedly being subjected to hundreds of interrogation sessions.<sup>94</sup> These cases appear to indicate an ever-more-muscular approach from Beijing toward silencing its critics, wherever they may be.

We include six cases from **Tibet**, a number double that of last year’s three cases. This number increased, in major part, as a result of public reporting revealing that singer-songwriters **Lhundrub Drakpa** and **Khando Tsetan** had been detained in 2019 and sentenced

<sup>88</sup> Sing Man, Ng Yik-tung, and Wang Yun, “China Detains Hui Muslim Poet Who Spoke Out Against Xinjiang Camps,” *Radio Free Asia*, January 27, 2020, [rfa.org/english/news/china/poet-01272020163336.html](http://rfa.org/english/news/china/poet-01272020163336.html)

<sup>89</sup> Wang Zhicheng, “Journalist Chen Jieren gets 15 years for ‘denigrating’ the Communist Party with corruption charges,” *AsiaNews.it*, May 2, 2020, [asianews.it/news-en/Journalist-Chen-Jieren-gets-15-years-for-%E2%80%9Cdenigrating%E2%80%9D-the-Communist-Party-with-corruption-charges-49976.html](http://asianews.it/news-en/Journalist-Chen-Jieren-gets-15-years-for-%E2%80%9Cdenigrating%E2%80%9D-the-Communist-Party-with-corruption-charges-49976.html)

<sup>90</sup> Gao Feng, “Author Du Bin, a writer suspected of being manipulated by foreign organizations, was released from criminal detention for more than a month,” *Radio Free Asia*, January 26, 2021, [rfa.org/mandarin/yataibaodao/renquanfazhi/gf2-01262021085156.html](http://rfa.org/mandarin/yataibaodao/renquanfazhi/gf2-01262021085156.html) (Mandarin: 高锋, “疑受境外组织操控出书 作家杜斌被刑拘逾月终获释,” 自由亚洲电台, January 26, 2021, [rfa.org/mandarin/yataibaodao/renquanfazhi/gf2-01262021085156.html](http://rfa.org/mandarin/yataibaodao/renquanfazhi/gf2-01262021085156.html))

<sup>91</sup> Lily Kuo, “Hong Kong bookseller Gui Minhai jailed for 10 years in China,” *The Guardian*, February 25, 2020, [theguardian.com/world/2020/feb/25/gui-minhai-detained-hong-kong-bookseller-jailed-for-10-years-in-china](http://theguardian.com/world/2020/feb/25/gui-minhai-detained-hong-kong-bookseller-jailed-for-10-years-in-china)

<sup>92</sup> “Detained bookseller Gui Minhai had been told to seek medical treatment for ALS overseas, daughter says,” *South China Morning Post*, January 25, 2018, [scmp.com/yp/discover/news/asia/article/3069441/detained-bookseller-gui-minhai-had-been-told-seek-medical](http://scmp.com/yp/discover/news/asia/article/3069441/detained-bookseller-gui-minhai-had-been-told-seek-medical)

<sup>93</sup> Peter Dahlin, “Jailed bookseller: With Gui Minhai citizenship ploy, Beijing infringes int’l law and its own rules,” *Hong Kong Free Press*, February 29, 2020, [hongkongfp.com/2020/02/29/jailed-bookseller-gui-minhai-citizenship-ploy-beijing-infringes-intl-law-rules/](http://hongkongfp.com/2020/02/29/jailed-bookseller-gui-minhai-citizenship-ploy-beijing-infringes-intl-law-rules/)

<sup>94</sup> Kirsty Needham, “Detained Australian Yang Hengjun set to face trial in Beijing,” *Reuters*, October 9, 2020, [reuters.com/article/uk-australia-china-writer/detained-australian-yang-hengjun-to-face-trial-in-beijing-idUKKBN26V031](http://reuters.com/article/uk-australia-china-writer/detained-australian-yang-hengjun-to-face-trial-in-beijing-idUKKBN26V031)

Hong Kong activists, from right, Joshua Wong, Ivan Lam and Agnes Chow arrive at a court in Hong Kong, Monday, Nov. 23, 2020. The trio appear at court for their trial as they face charges related to an October 2019 rally. AP Photo/Vincent Yu



in 2020 on national security charges in relation to their music.<sup>95</sup> The third addition to the 2020 Index from the previous year, poet and essayist **Gendun “Lhamko” Lhundrub**, was detained in December.<sup>96</sup> As we discuss further within this report, it remains the case that writers and public intellectuals who advocate for Tibetan cultural expression or decry CCP policies affecting Tibetans risk being treated as national security threats for their peaceful expression.

In **Hong Kong**, academics and writers who led pro-democracy movements in previous years continued to face severe threats. The total number of writers and intellectuals imprisoned in 2020 in Hong Kong is comparatively low—only three cases, down from last year’s six. This number, however, fails to capture the

devastating and chilling effect that the passage of Hong Kong’s repressive National Security Law in June has had on freedom of expression in the city.<sup>97</sup> With the swift implementation of the National Security Law, writers and public intellectuals have encountered strict limitations on acceptable literature, school curriculum, and the press, while the specter of criminal charges looms over anyone who would participate in or even support the city’s besieged pro-democracy movement. The numbers for Hong Kong also do not incorporate the stunning arrest of over 50 pro-democracy leaders in January of 2021—outside the time frame of the 2020 Index—under this same law, a sweeping political purge that illustrates the draconian nature of the law as well as Beijing’s willingness to ruthlessly repress protest and civic debate in the region.<sup>98</sup>

<sup>95</sup> “China imprisons two Tibetans for song praising His Holiness the Dalai Lama,” *Central Tibetan Administration*, July 21, 2020, [tibet.net/china-imprisons-two-tibetans-for-song-praising-his-holiness-the-dalai-lama/](http://tibet.net/china-imprisons-two-tibetans-for-song-praising-his-holiness-the-dalai-lama/); “Tibetan Singer Sentenced to Six Years in Prison in Driru: China Committing ‘Crimes against Humanity’ in Tibet,” *Tibetan Centre for Human Rights and Democracy*, October 30, 2020, [tchrd.org/tibetan-singer-sentenced-to-six-years-in-prison-in-driru-china-committing-crimes-against-humanity-in-tibet/](http://tchrd.org/tibetan-singer-sentenced-to-six-years-in-prison-in-driru-china-committing-crimes-against-humanity-in-tibet/)

<sup>96</sup> “Tibetan Writer Arrested in Qinghai, Whereabouts Unknown,” *Radio Free Asia*, December 4, 2020, [rfa.org/english/news/tibet/writer-12042020164144.html](http://rfa.org/english/news/tibet/writer-12042020164144.html); “Tibetan writer arrested, whereabouts remain unknown,” *Phayul*, December 7, 2020, [phayul.com/2020/12/07/44897/](http://phayul.com/2020/12/07/44897/)

<sup>97</sup> “Hong Kong’s national security law: 10 things you need to know,” *Amnesty International*, July 17, 2020, [amnesty.org/en/latest/news/2020/07/hong-kong-national-security-law-10-things-you-need-to-know/](http://amnesty.org/en/latest/news/2020/07/hong-kong-national-security-law-10-things-you-need-to-know/)

<sup>98</sup> Rebecca Falconer, “Hong Kong police arrest 50 pro-democracy leaders under security law,” *Axios*, January 6, 2021, [axios.com/hong-kong-police-arrest-50-pro-democracy-activists-under-security-law-a0cde4ca-c009-48fb-ba1c-828e47ff6736.html](http://axios.com/hong-kong-police-arrest-50-pro-democracy-activists-under-security-law-a0cde4ca-c009-48fb-ba1c-828e47ff6736.html)



The total for **Xinjiang** stands at 33, nearly equivalent to last year's figure of 32. However, as we similarly noted in last year's Freedom to Write Index, this figure is certainly an incomplete accounting of the real number of detained and imprisoned writers and intellectuals among the vast number of people unjustly detained in Xinjiang, given the government's highly effective tactics to essentially cut off the region from the rest of the world—from censoring domestic media, to restricting foreign media access, to imposing totalitarian levels of control over the populace itself.<sup>99</sup>

The figures for Xinjiang include some of the leading lights of the region's literary and cultural community. **Chimengül Awut**, an award-winning poet and editor, was sent to a "re-education camp" in 2018 after editing a novel by another Uyghur writer, until she was finally released in December 2020.<sup>100</sup> **Qurban Mamut**, the former editor-in-chief of the journal *Xinjiang Civilization*, went missing in November 2017, and it took almost a year before his family was able to confirm he was being held in an internment camp—where he presumably is still located.<sup>101</sup> **Abdurehim Heyit**, a Uyghur folk musician, similarly disappeared in 2017, before resurfacing in 2019 with a "proof of life" vid-

eo that is widely believed to have been coerced by government officials.<sup>102</sup> Heyit similarly remains cut off from the wider world to this day.

In 2020, the world continued to learn new information about other Uyghur writers who had gone missing. Songwriter and comedian **Ablikim Kalkun** was handed an 18-year sentence in 2019 for crimes including "separatism" and "religious extremism" after singing songs that authorities disapproved of. Yet his sentence was only confirmed in 2020, after an anonymous source tipped off Radio Free Asia reporters.<sup>103</sup> Similarly, poet **Qasim Sidiq** was disappeared by authorities in 2017 after they alleged he had incited "ethnic hatred" with his song lyrics and poems, yet his detention was only confirmed in 2021.<sup>104</sup>

The government's targeting of writers, cultural figures, academics, and others in the region is deliberate, and part and parcel of its larger efforts to systematically erase Uyghur culture and forcibly remake Uyghurs into obedient subjects of the state—efforts that have led to the forced internment of over a million people,<sup>105</sup> the omnipresent and dystopian surveillance regime that authorities have set up in the

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<sup>99</sup> For additional information on the detention of writers, intellectuals, and other cultural figures in Xinjiang, see the following reports from the Uyghur Human Rights Project: *Detained and Disappeared: Intellectuals Under Assault in the Uyghur Homeland*, March 25, 2019, [uhrp.org/report/detained-and-disappeared-intellectuals-under-assault-uyghur-homeland-html/](http://uhrp.org/report/detained-and-disappeared-intellectuals-under-assault-uyghur-homeland-html/); *UHRP Update: The Persecution of the Intellectuals in the Uyghur Region Continues*, January 28, 2019, [uhrp.org/report/persecution-intellectuals-uyghur-region-continues-html/](http://uhrp.org/report/persecution-intellectuals-uyghur-region-continues-html/); *UHRP Report: The Persecution of the Intellectuals in the Uyghur Region: Disappeared Forever?*, October 2018, [uhrp.org/report/persecution-intellectuals-uyghur-region-disappeared-forever-html/](http://uhrp.org/report/persecution-intellectuals-uyghur-region-disappeared-forever-html/)

<sup>100</sup> Lily Kuo, "Poetry, the soul of Uighur culture, on verge of extinction in Xinjiang," *The Guardian*, December 5, 2020, [theguardian.com/world/2020/dec/06/poetry-the-soul-of-uighur-culture-on-verge-of-extinction-in-xinjiang](https://theguardian.com/world/2020/dec/06/poetry-the-soul-of-uighur-culture-on-verge-of-extinction-in-xinjiang); PEN International, "We have just received new information which supports reports that Uyghur-language poet, Chimengül Awut, has been released from Xinjiang's re-education camps" *Twitter*, December 5, 2020, [twitter.com/pen\\_int/status/1335334475258064901](https://twitter.com/pen_int/status/1335334475258064901)

<sup>101</sup> Shohret Hoshur and Joshua Lipas, "Prominent Uyghur Journalist Confirmed Detained After Nearly Three Years," *Radio Free Asia*, September 6, 2020, [rfa.org/english/news/uyghur/detained-06092020170643.html](http://rfa.org/english/news/uyghur/detained-06092020170643.html)

<sup>102</sup> "Abdurehim Heyit Chinese video 'disproves Uighur musician's death,'" *BBC*, February 11, 2019, [bbc.com/news/world-asia-47191952](http://bbc.com/news/world-asia-47191952)

<sup>103</sup> Shohret Hoshur and Joshua Lipas, "Xinjiang Authorities Jail Prominent Uyghur Comedian Over 'Extremist and Separatist' Songs," *Radio Free Asia*, October 6, 2020, [rfa.org/english/news/uyghur/comedian-10062020124834.h](http://rfa.org/english/news/uyghur/comedian-10062020124834.h) The first public claims over Kalkun's detention, of which PEN America is aware, date back to 2019, from activist Abduweli Ayup, on his Facebook page: [m.facebook.com/story.php?story\\_fbid=2788286744540533&id=100000777053688](https://m.facebook.com/story.php?story_fbid=2788286744540533&id=100000777053688)

<sup>104</sup> Shohret Hoshur and Joshua Lipas, "Missing Uyghur Poet and Teacher Confirmed Detained After Nearly Four Years," *Radio Free Asia*, January 1, 2021, [rfa.org/english/news/uyghur/poet-01072021174718.html](http://rfa.org/english/news/uyghur/poet-01072021174718.html)

<sup>105</sup> "China: Massive Numbers of Uyghurs & Other Ethnic Minorities Forced into Re-education Programs," CHRD, August 3, 2018, [nchr.org/2018/08/china-massive-numbers-of-uyghurs-other-ethnic-minorities-forced-into-re-education-programs/](https://nchr.org/2018/08/china-massive-numbers-of-uyghurs-other-ethnic-minorities-forced-into-re-education-programs/); see also "China: Massive Crackdown in Muslim Region," Human Rights Watch, September 9, 2018, [hrw.org/news/2018/09/09/china-massive-crackdown-muslim-region](https://hrw.org/news/2018/09/09/china-massive-crackdown-muslim-region)

region,<sup>106</sup> and the de facto criminalization of Uyghur cultural and religious expression.<sup>107</sup>

posed crime was to express his opinions on policies in the region at a meeting with friends, years before.

PEN America's figures also include writers and intellectuals imprisoned before the systemic internment of Uyghurs began in 2017, demonstrating that these attacks on Uyghur culture did not originate with the camps.<sup>108</sup> **Gulmira Imin**, a poet and Uyghur-language website moderator, was sentenced to life imprisonment in 2010 on "splittism" and other charges.<sup>109</sup> She remains in prison to this day, as does **Ilham Tohti**, an economics professor and the 2014 PEN/Barbey Freedom to Write Award honoree, whose blog on Uyghur-Han relations served as the basis for national security charges against him.<sup>110</sup> He is currently serving a life sentence. As the wider world becomes more aware of the CCP's abuses in Xinjiang, these cases serve as potent reminders that the cultural oppression of the Uyghurs has been ongoing for many years. Writers and intellectuals from other ethnic minorities have also been targeted. Kazakh writer **Nagy Muhammed** was arrested in Xinjiang in 2018, and later sentenced to life in prison for splittism.<sup>111</sup> His sup-

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<sup>106</sup> Chris Buckley and Paul Mozur, "How China Uses High-Tech Surveillance to Subdue Minorities," *The New York Times*, May 22, 2019, [nytimes.com/2019/05/22/world/asia/china-surveillance-xinjiang.html](https://www.nytimes.com/2019/05/22/world/asia/china-surveillance-xinjiang.html); Chris Buckley and Austin Ramzy, "The Xinjiang Papers—'Absolutely No Mercy': Leaked Files Expose How China Organized Mass Detentions of Muslims," *The New York Times*, November 16, 2019, [nytimes.com/interactive/2019/11/16/world/asia/china-xinjiang-documents.html](https://www.nytimes.com/interactive/2019/11/16/world/asia/china-xinjiang-documents.html); "China: Minority Region Collects DNA from Millions," Human Rights Watch, December 13, 2017, [hrw.org/news/2017/12/13/china-minority-region-collects-dna-millions](https://www.hrw.org/news/2017/12/13/china-minority-region-collects-dna-millions); "China: Voice Biometric Collection Threatens Privacy," Human Rights Watch, October 22, 2017, [hrw.org/news/2017/10/22/china-voice-biometric-collection-threatens-privacy](https://www.hrw.org/news/2017/10/22/china-voice-biometric-collection-threatens-privacy)

<sup>107</sup> "More Evidence of China's Horrific Abuses in Xinjiang," Human Rights Watch, February 20, 2020, [hrw.org/news/2020/02/20/more-evidence-chinas-horrific-abuses-xinjiang](https://www.hrw.org/news/2020/02/20/more-evidence-chinas-horrific-abuses-xinjiang)

<sup>108</sup> "China: Free Xinjiang 'Political Education' Detainees," Human Rights Watch, September 10, 2017, [hrw.org/news/2017/09/10/china-free-xinjiang-political-education-detainees](https://www.hrw.org/news/2017/09/10/china-free-xinjiang-political-education-detainees)

<sup>109</sup> Mamatjan Juma and Alim Seytoff, "Gulmira Imin Must Not be Forgotten," *Radio Free Asia*, February 16, 2018, [rfa.org/english/news/uyghur/forgotten-02162018163053.html](https://www.rfa.org/english/news/uyghur/forgotten-02162018163053.html)

<sup>110</sup> "Ilham Tohti: Uighur activist's daughter fears for his life," *BBC*, December 18, 2019, [bbc.com/news/world-asia-china-50842514](https://www.bbc.com/news/world-asia-china-50842514)

<sup>111</sup> "China: Further information: Life imprisonment for missing Kazakh writer," Amnesty International, October 29, 2020, [amnesty.org/download/Documents/ASA1732792020ENGLISH.pdf](https://www.amnesty.org/download/Documents/ASA1732792020ENGLISH.pdf)

# CASE STUDY

📍 CHINA/XINJIANG UYGHUR AUTONOMOUS REGION

## QURBAN MAMUT

JOURNALIST, POET

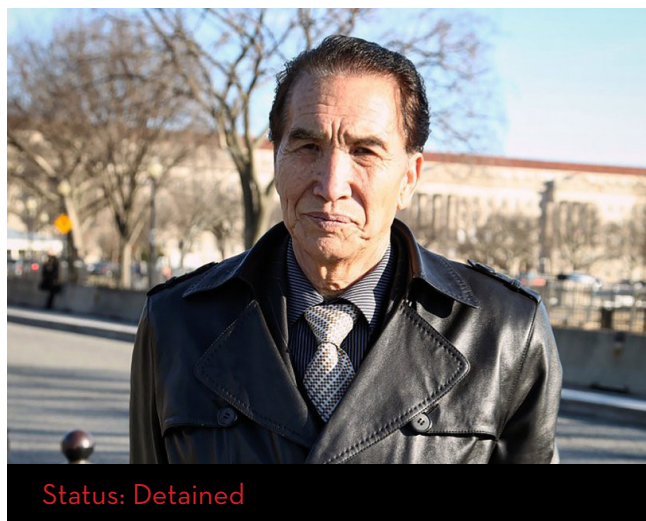


Photo courtesy of Bahram Sintash

Qurban Mamut is a **poet and longtime editor** of the popular Uyghur language culture journal *Xinjiang Civilization*, where he worked for nearly 30 years until retiring as editor in chief in 2011. **Mamut went missing** around November 2017, several months after visiting his son, Bahram Sintash, in the United States. In October 2018, Sintash **went public** with the news that Mamut had been detained at an internment camp in Xinjiang as part of the Chinese government's **ongoing assault on the Uyghur community and culture**. In June 2020, Radio Free Asia journalists **confirmed Mamut's status** as a “detained person” with a staffer at the Xinjiang Hall of Public Culture, though, as with many cases of Uyghurs detained in Xinjiang, very little additional information is known.

From Kuchar county in the Xinjiang Uyghur Autonomous Region's Aksu prefecture, Mamut has spent his entire career working for journalistic or cultural institutions in Xinjiang, becoming known as an important Uyghur intellectual and cultural voice. Graduating from Xinjiang University in 1976 with a **degree in literature**, he worked the next eight years as a journalist and editor for the official Xinjiang People's Radio Station. From 1985 to 2011, he worked as the editor in chief for *Xinjiang Civilization*, Xinjiang's state-owned culture magazine. There, Mamut was known for **working carefully within the system of censorship**, managing to use his position as editor to successfully **showcase writing by Uyghurs and other voices from the region**. Even after his retirement from *Xinjiang Civilization* in 2011 at the age of 61, Mamut continued to **work part-time** at another local institution of letters, the Xinjiang Science Publishing House.

Mamut is also well-known in Xinjiang as a poet, with many of his best-known poems published before his time at *Xinjiang Civilization*. Several of his most famous poems—including “The Reflection of Moon on Spring Water” (Bulak Diki Ay Sholisi) and “Country Girl” (Sehra Kizi)—were used as song lyrics by Uyghur musicians in the 1980s. “In his more than 40-year career,” **concluded** the Uyghur PEN Centre, “he made tremendous contributions to Uyghur journalism and culture.”

Due to government control over **domestic journalism and heavy surveillance** of Uyghurs and other Muslim minority groups in Xinjiang, the ability to confirm detailed information about detentions and disappearances in the region is often limited. Mamut's arbitrary detention stands alongside that of many other Uyghur scholars, writers, artists, and others in Xinjiang, as part and parcel of the **deliberate attempt** by **the ruling Chinese Com-**

unist Party to erase Uyghur culture and identity.

Mamut's son Bahram has been a consistent advocate for his father's case, though it has come at a cost; he has had to cut off communication with the rest of his family in Xinjiang for their own safety. Bahram believes that his father's arrest may have been connected to his own presence in the United States, noting that authorities in Xinjiang "regularly arrest people who have relatives living abroad." On September 21, 2020, Bahram spoke to the United Nations' 45th Session of the Human Rights Council, where he called on the Chinese government to provide answers to basic questions including, "Is my father still alive in detention?" and "What is China's justification for my father's detention?"

In comments about his father's case, Bahram has stressed that his father is just one among many who have been torn away from their families and systemically silenced in Xinjiang, saying he "cannot only talk about my father's story because this happened to millions of Uyghurs. I have to be the voice of voiceless Uyghurs."

## Country Girl

«ىز قارھمس»

### Qurban Mamut

Translated by Bahram Sintash

مەككۆك مەيتقاب نەم اهنەت ەچيەك قاي، In the silent night, alone, I look up at the sky,  
تەلسەي ئاي نۇلۇتۇزىڭىز ئۇي تىز ن. the full moon brings memories of your face.  
نەگەچۇچ زۇتەلۇي نەمپىتىنۇي ئۇمقاناق، How can I forget those swimming bright stars,  
زىڭىلىزۇكقۇمۇي پەز كەدقۇلۇبىز ن. shining brightly in your brilliant eyes.  
ىزىق ارھەس لۇگىرانى مەمىسىيەي، I remember, Anargul, country girl,  
مىلىنەگىيۆك نۇرۇشۇي ىس نەمەمگ. my burning hidden love for you.  
نەغىلىچىپ پەلەيەكەي مەمىسىيەي، I remember, those urging whispers,  
مىلىنەگىرۇي پىنەيلىيەي مەمەنۇت. wandering through the cloak of the dark night.  
تۆي ادنايەجىھ قۇتۇشلاشوخ، رەلەيەي تى We parted ways and the months passed in sorrow,  
زىس مەمىبەلەق مەيەدەنەشەيەي. Your memory always in my broken heart.  
تەبەھۇم نەكەيەلەۋات شىنەيغەس، تىز Love seems to toughen via yearning,  
زىس مەمىبەلەق كەپ راداپاۋ. Your memories always in my loyal heart.

In both Saudi Arabia and Turkey, the number of writers either detained or imprisoned during 2020 decreased slightly, as compared to 2019. In **Saudi Arabia**, a number of dissident writers and intellectuals have been released, though often with stringent conditions that prevented them from returning to their writing or professional life; in addition, many continued to face legal charges or ongoing trials. These cases include many advocates who have supported greater women's rights through their writings, such as academic **Hatoon Al-Fassi**, detained in the broad sweep of women human rights defenders in May 2018, and held for a full year until being released in May 2019, and professor and columnist **Eman Al-Nafjan**, also detained in May 2018 and subjected to abuse in custody before being conditionally released in March 2019. Although there were widespread detentions of groups of women's rights activists and advocates in 2018 and

2019, 2020 saw no similar large-scale new arrests. A few writers, however, were detained for expressing their support for other prominent Saudi activists and rights defenders. Novelist **Ali Al-Shadwi**, writer and professor **Aql Al-Bahili**, and writer and economist **Abdulaziz Al-Dukhail** were arrested in April 2020 after expressing condolences online after the death of imprisoned activist Abdullah Al-Hamid.<sup>112</sup>

The majority of cases in Saudi Arabia this year represent writers and public intellectuals who have been in prison for extended periods of time;<sup>113</sup> many have been in custody for five years or longer. Saudi authorities have held blogger **Fadhel Al-Manasef**, for example, in some form of state custody since 2011,<sup>114</sup> and **Raif Badawi**, a blogger and creator of the Free Saudi Liberals website, was detained in 2012 and sentenced to 10 years in prison, 1,000 lashes, and a fine of 1 mil-



Members of the Austrian Greens attend a protest in 2015 against the detainment of Saudi blogger Raif Badawi in front of the KAICIID in Vienna, Austria. Photo by AP Photo/Hans Punz, file

<sup>112</sup> "Journalists And Intellectuals Arrested For Expressing Condolences Over The Death Of Reformer Abdullah Al-Hamid," *ALQST*, July 21, 2020, [alqst.org/en/post/journalists-and-intellectuals-arrested-over-the-death-of-Abdullah-al-Hamid](https://alqst.org/en/post/journalists-and-intellectuals-arrested-over-the-death-of-Abdullah-al-Hamid); "Saudi jailed ex-deputy finance minister, son says," *Middle East Monitor*, July 24, 2020, [middleeastmonitor.com/20200724-abdulaziz-al-dakhils-son-says-father-is-in-al-hair-prison/](https://middleeastmonitor.com/20200724-abdulaziz-al-dakhils-son-says-father-is-in-al-hair-prison/)

<sup>113</sup> "Abuses Under Scrutiny: Human Rights in Saudi Arabia," *ALQST*, accessed March 17, 2021, [alqst.org/uploads/Abuses-Under-Scrutiny-En.pdf](https://alqst.org/uploads/Abuses-Under-Scrutiny-En.pdf)

<sup>114</sup> "Case History: Fadhel Mekki Al-Manasef," *Front Line Defenders*, accessed March 22, 2021, [frontlinedefenders.org/en/case/case-history-fadel-mekki-al-manasef](https://frontlinedefenders.org/en/case/case-history-fadel-mekki-al-manasef)

**Cases of arbitrary detention are particularly common in Saudi Arabia, where at least 66 percent of writers and public intellectuals are held on unknown or undisclosed charges.**

lion Saudi riyals in 2014.<sup>115</sup> Women’s rights writer-activists such as **Loujain Al-Hathloul**, **Nouf Abdulaziz**, and **Nassima Al-Sadah** remained in detention throughout 2020. After hearings in the legal cases against the women resumed, in late December, Al-Hathloul was sentenced to five years and eight months, ostensibly on national security charges.<sup>116</sup> Although the first months of 2021 have seen a flurry of releases, including of Al-Hathloul and Abdulaziz, the environment for free expression in Saudi Arabia remained extremely poor in 2020, with harsh repercussions directed at dissidents who dared to speak out, as well as their families; efforts to intimidate Saudi commentators based abroad through online trolling and threats, surveillance, and hacking; and ongoing impunity for past cases of grave abuse perpetrated by the Saudi state, such as the murder of exiled journalist and columnist **Jamal Khashoggi**.

While the numbers of writers imprisoned in **Turkey** during 2020 decreased from the previous year, this does not indicate an improvement in the environment for freedom of expression in the country. At least 25 writers and public intellectuals were held in detention or in prison in Turkey during 2020, once again putting the country third behind only China

and Saudi Arabia. Many of the prominent writers and activists who were included in the 2019 Freedom to Write Index remained imprisoned in Turkey, including novelist **Ahmet Altan** and poet **Nedim Türfent**, among dozens of others. Several members of the activist collective and musical group Grup Yorum continue to face threats: musicians **Emel Yeşilirmak**, **Tuğçe Tayyar**, and **Barış Yüksel** spent time in jail during 2020, while some members fled Turkey in exile. Tragically, Grup Yorum’s **İbrahim Gökçek** died two months following his conditional release and after 323 days on hunger strike this year. Gökçek’s death came only one month after the death of a second hunger-striking band member, **Helin Bölek**, who maintained her strike for 288 days, even after her release in November 2019. Many of the writers and columnists arrested in 2016 and 2017 on charges of being affiliated with the movement of Fetullah Gülen, including **Ali Ünal** and other former writers for the *Zaman* newspaper, remain imprisoned as well.

In 2020, Turkey implemented new statutes that only further constrain the space for free expression in the country and concentrate President Erdoğan’s power. President Erdoğan introduced legislation allowing the government to replace members of civil society organizations if a member is deemed a terrorist, which is a common designation wielded against dissidents and critics under Turkey’s sweeping anti-terrorism law.<sup>117</sup> This new statute could threaten the free association of cultural organizations already under threat for the work of their leaders and members, including detained publisher **Mehmet Osman Kavala**’s

<sup>115</sup> “Raif Badawi,” Committee to Protect Journalists, accessed March 18, 2021, [cpj.org/data/people/raif-badawi/](https://cpj.org/data/people/raif-badawi/)

<sup>116</sup> PEN America, “Loujain Al-Hathloul Sentenced in Sham Saudi Trial,” press release, March 15, 2021, [pen.org/press-release/loujain-al-hathloul-sentenced-in-sham-saudi-trial/](https://pen.org/press-release/loujain-al-hathloul-sentenced-in-sham-saudi-trial/)

<sup>117</sup> “One Man’s Terrorist: Covid-19 and repression in Turkey,” *The Economist*, January 16, 2021, [economist.com/europe/2021/01/16/covid-19-and-repression-in-turkey](https://www.economist.com/europe/2021/01/16/covid-19-and-repression-in-turkey); Ali Kucukgocmen, “Turkey debates law that would increase oversight of NGOs,” *Reuters*, December 25, 2020, [reuters.com/article/us-turkey-foundations-law/turkey-debates-law-that-would-increase-oversight-of-ngos-idUSKBN28ZO59](https://www.reuters.com/article/us-turkey-foundations-law/turkey-debates-law-that-would-increase-oversight-of-ngos-idUSKBN28ZO59)



On March 7, 2020, the sun sets at the site of the Grand Mosque, in the Muslim holy city of Mecca, Saudi Arabia, as authorities emptied Islam's holiest site for sterilization over fears of the coronavirus. Photo by AP Photo/Amr Nabil, File

Anadolu Kültür.<sup>118</sup> Writers expressing criticism of the ruling party or even President Erdoğan's family have been opportunistically prosecuted or personally maligned. Significant amendments to Internet Law No. 5651<sup>119</sup> to curb expression online came after President Erdoğan's daughter and son-in-law were insulted on social media, and the president called for a

“cleaning up” of the platforms.<sup>120</sup> In June 2020, three months into an already unjust detention,<sup>121</sup> columnist and author Murat Ağirel became the subject of an investigation by prosecutors at the behest of President Erdoğan's two sons, who claimed that Ağirel “insulted” them in Ağirel's book *Sarmal*.<sup>122</sup> Ağirel was released in September 2020 but has since faced

<sup>118</sup> Hakim Bishara, “Turkey Targets Osman Kavala's Arts Organization in Unprecedented Lawsuit,” *Hyperallergic*, February 16, 2021, [hyperallergic.com/622473/turkey-targets-osman-kavalas-arts-organization-in-unprecedented-lawsuit/](https://hyperallergic.com/622473/turkey-targets-osman-kavalas-arts-organization-in-unprecedented-lawsuit/)

<sup>119</sup> PEN America, “Turkey's New Social Media Law Puts Stranglehold on Free Expression,” press release, July 30, 2020, [pen.org/press-release/turkeys-new-social-media-law-puts-stranglehold-on-free-expression/](https://pen.org/press-release/turkeys-new-social-media-law-puts-stranglehold-on-free-expression/); Kayahan Cantekin, “Turkey: Parliament Passes Law Imposing New Obligations on Social Media Companies,” August 6, 2020, [loc.gov/law/foreign-news/article/turkey-parliament-passes-law-imposing-new-obligations-on-social-media-companies/](https://loc.gov/law/foreign-news/article/turkey-parliament-passes-law-imposing-new-obligations-on-social-media-companies/)

<sup>120</sup> The Cube, “Turkish law tightening rules on social media comes into effect,” *Euro News*, October 1, 2020, [euronews.com/2020/10/01/turkish-law-tightening-rules-on-social-media-comes-into-effect](https://euronews.com/2020/10/01/turkish-law-tightening-rules-on-social-media-comes-into-effect)

<sup>121</sup> Prosecutors charged Ağirel with spreading national security secrets for allegedly tweeting the name of a Turkish National Intelligence Organization officer who was killed in Libya. Six other journalists were also arrested for covering the story. “Turkey charges 7 journalists over coverage of intelligence agent's death,” *Committee to Protect Journalists*, May 13, 2020, [cpj.org/2020/05/turkey-charges-7-journalists-over-coverage-of-inte/](https://cpj.org/2020/05/turkey-charges-7-journalists-over-coverage-of-inte/)

<sup>122</sup> “Prosecutors launch another investigation into journalist Murat Ağirel upon Erdoğan family's complaint,” *Duvar English*, June 18, 2020, [duvarenglish.com/media/2020/06/18/prosecutors-launch-another-investigation-into-journalist-murat-agirel-upon-erdogan-family-complaint](https://duvarenglish.com/media/2020/06/18/prosecutors-launch-another-investigation-into-journalist-murat-agirel-upon-erdogan-family-complaint)



Osman Kavala attends the 2015 Armenian Genocide centennial commemoration near Taksim Square in Istanbul. Photo by Wikimedia Commons, Janbazian

intense harassment, including death threats and surveillance by unmarked cars.<sup>123</sup>

The European Court of Human Rights (ECHR) ruled in the last year that Turkish authorities violated the fundamental rights of opposition leader and writer **Selahattin Demirtaş** and cultural philanthropist and publisher **Mehmet Osman Kavala**, that their detentions were politically motivated, and that they must be immediately released.<sup>124</sup> Despite the fact that the ECHR's rulings are legally binding per the Turkish constitution,<sup>125</sup> Turkey's courts have ignored these orders. Turkish authorities have brought additional criminal charges against both Demirtaş and Kavala

during 2020 in an apparent effort to keep them imprisoned. Kavala was acquitted of several charges, notably that he allegedly conspired to “overthrow the government,” by Istanbul’s 30th Assize Court and walked free on February 18, 2020, only to be re-detained on another set of charges the same day.<sup>126</sup> These baseless charges impact not only Kavala, but writers and public intellectuals around the world as well. In October 2020, American scholar Henri Barkey was also charged as a codefendant in yet another indictment against Kavala.<sup>127</sup>

<sup>123</sup> “Murat Ağirel: When I was with my family, they blocked me by car,” *Cumhuriyet*, January 19, 2021, [cumhuriyet.com.tr/haber/murat-agirel-ailemle-beraberken-arabayla-onumu-kestiler-1807308](https://cumhuriyet.com.tr/haber/murat-agirel-ailemle-beraberken-arabayla-onumu-kestiler-1807308)

<sup>124</sup> Levent Kenez, “Turkish judge on Europe’s top human rights court acts as Erdoğan’s Trojan horse,” *Nordic Monitor*, January 16, 2021, [nordicmonitor.com/2021/01/turkish-judge-on-europes-top-human-rights-court-acts-as-erdogans-trojan-horse/](https://nordicmonitor.com/2021/01/turkish-judge-on-europes-top-human-rights-court-acts-as-erdogans-trojan-horse/)

<sup>125</sup> Kenez, “Turkish judge.”

<sup>126</sup> BIA News Desk, “Verdict of Acquittal in Gezi Trial, Ruling of Release for Osman Kavala,” *Bianet*, February 18, 2020, [bianet.org/5/97/220202-gezi-trial-continues-today](https://bianet.org/5/97/220202-gezi-trial-continues-today); “Implementing ECHR judgments: Council of Europe urges Turkey to release Osman Kavala,” Council of Europe, September 4, 2020, [coe.int/en/web/portal/-/implementing-echr-judgments-council-of-europe-urges-turkey-to-release-osman-kavala](https://coe.int/en/web/portal/-/implementing-echr-judgments-council-of-europe-urges-turkey-to-release-osman-kavala)

<sup>127</sup> PEN America, “Turkey Must Release Osman Kavala and Drop Charges Against Him and Henri Barkey,” press release, October 28, 2020, [pen.org/press-release/turkey-must-release-osman-kavala-and-drop-charges-against-him-and-henri-barkey/](https://pen.org/press-release/turkey-must-release-osman-kavala-and-drop-charges-against-him-and-henri-barkey/)



# CASE STUDY

📍 TURKEY

## MEHMET OSMAN KAVALA

PUBLISHER, ACTIVIST

Mehmet Osman Kavala is a Turkish **publisher, cultural rights activist**, and philanthropist known for his support for numerous rights-oriented civil society organizations, including his own arts organization, Anadolu Kültür. Detained since October 2017, Kavala has faced a relentless series of national security-related charges, levied against him in retaliation for his promotion of free expression and championship of cross-cultural dialogue in Turkey.

Kavala began his advocacy career in the 1990s by helping to establish several nongovernmental organizations focused on a variety of causes, ranging from **environmental protection** to **democracy**. Kavala has long been an advocate for minority rights in Turkey, and, since 2002 with the founding of **Anadolu Kültür**, has primarily focused on the preservation of cultural heritage in underdeveloped parts of Turkey and Southeast Europe. Ka-



Photo by Kerem Uzel

vala is also the **founder of several publishing houses**, including İletişim Yayınları and Ana Publishing, and is on the board of Aras Publishing.

Kavala was **initially detained** on October 18, 2017, over a year after the July 2016 attempted military coup against President Recep Tayyip Erdoğan's AKP-led government, which Erdoğan has used as pretext for a broad crackdown on dissent, and was detained in Silivri prison, notorious for holding political prisoners. Authorities **initially charged** Kavala with attempting to overthrow the constitutional order and the government of Turkey, by **supposedly playing a role** in the 2013 Gezi Park anti-government protests.

The "Gezi Park Trial," as it was commonly called, commenced in June 2019, with the government seeking a life sentence for Kavala and 15 others facing similar



**Writing, of course, is an activity that frees a person, and to publish writing is a vehicle for sharing life with other people. Both of these are hugely important for those who are in prison. Literature, as well as enhancing and developing our thinking, also allows us to enter other people's worlds and in turn literature increases our feelings of empathy.**

– Mehmet Osman Kavala

charges. On February 18, 2020, a Turkish court acquitted Kavala, but the same day, an Istanbul prosecutor **demanded Kavala be rearrested** on charges related to the attempted coup of July 2016. Along with American academic Henri Barkey, who was charged in absentia, Kavala was charged, once again, under Article 309 and **re-detained at Silivri prison**. On March 20, 2020, he was cleared of these charges, but only after being brought up on **new charges** of “espionage” under Article 328 of Turkey’s penal code.

Despite a **European Court of Human Rights (ECHR) decision** calling for Kavala’s release due to insufficient evidence for his detention—a decision with which Turkish authorities are legally bound to comply—Turkish authorities continue to unjustly detain Kavala in Silivri prison. Most recently, on February 16, 2021, Turkey’s Trade Ministry filed a lawsuit **demanding the dissolution of Anadolu Kültür**, Kavala’s arts and culture organization, accusing it of using its status as a business to evade government oversight. The lawsuit comes mere days after President Erdoğan **denounced** Kavala as “a representative of [George] Soros,” and denounced Kavala’s wife, academic Ayşe Buğra Kavala, as a “provocateur.” The Turkish state’s relentless campaign against Kavala and those around him serve to illustrate the declining rule of law, closing space for free expression, and politically motivated prosecutions that have come to be associated with President Erdoğan’s leadership in Turkey.

The number of jailed writers in **Iran** increased in 2020 from 14 to 19, despite the welcome release of several prominent critical voices, including **Narges Mohammadi**, who was released in October 2020 after serving out her sentence, and French-Iranian scholar **Fariba Adelhah**, who received a conditional release in October but remains under house arrest in Tehran, unable to return to France. Particularly notable in 2020 was a deepening crackdown on members of a professional organization, the Iranian Writers Association (IWA), which has been targeted in the past due to their insistence on upholding the rights to free expression and association. Several IWA board members—poet and filmmaker **Baktash Abtin**, writer **Keyvan Bajan**, and writer **Reza Khandan Mahabadi**—were arrested in late January 2019 for opposing state censorship policies, eventually released on bail a few days later. They were then convicted of threatening national security on May 15, 2019, and after repeated appeals to delay their incarceration on health grounds due to COVID failed, they were forced to begin serving their sentences on September 26, 2020, at Evin prison.<sup>128</sup>

Secretary of the IWA and writer/translator **Arash Ganji** was first detained in December 2019, and again in June 2020. On December 28, 2020, he was sentenced to 11 years in prison on national security charges, related to his translation of a book on a Kurdish-led uprising in northern Syria. Despite his appeal, his sentence was upheld on February 27, 2021, and he is facing a minimum of five years of imprisonment. In July 2020,

poet, translator, and IWA member **Milad Jannat** was detained in a home raid in which authorities reportedly confiscated his books, laptop, and other personal belongings.<sup>129</sup> Two weeks later, he was granted bail and released conditionally upon his payment amounting to roughly \$2,000.<sup>130</sup> The poet and IWA member **Amin Moradi** was also arbitrarily arrested on November 28, 2020, in a home raid, during which authorities also confiscated his devices and books, and temporarily detained him in Evin prison. He was released conditionally after over a week in detention.<sup>131</sup>

**Belarus** represents the most significant change from the 2019 to the 2020 Freedom to Write Index. Having been found to hold zero writers or intellectuals in prison in 2019, and thus not featuring in last year's Index at all, this year it has entered within the top five countries, with at least 18 writers and intellectuals detained in 2020. While Belarus has long had a deeply repressive political environment and is commonly referred to as "Europe's last dictatorship," writers had traditionally faced fewer threats than journalists or rights activists. However, this dynamic changed in August 2020 in the aftermath of the contested re-election of President Alexander Lukashenka, which the international community—including the European

**The largest number of new cases this past year came from Belarus, ranking fifth in the world for detaining and imprisoning writers and intellectuals in 2020.**

<sup>128</sup> "Three Iranian Authors Imprisoned In Tehran's Notorious Jail," *Radio Farda*, September 27, 2020, [en.radiofarda.com/a/three-iranian-authors-imprisoned-in-tehran-s-notorious-jail/30860892.html](https://en.radiofarda.com/a/three-iranian-authors-imprisoned-in-tehran-s-notorious-jail/30860892.html)

<sup>129</sup> Maryam Sinaiee, "Iranian Writers Association Condemns Arrest of Poet, Warns About His Health," *Radio Farda*, July 25, 2020, [en.radiofarda.com/a/30746580.html](https://en.radiofarda.com/a/30746580.html)

<sup>130</sup> "Milad Jannat, a member of the Writers' Association, was released on bail," The Campaign to Defend Political and Civil Prisoners, July 29, 2020, [kampaign.info/archive/47806.htm](https://kampaign.info/archive/47806.htm). (Farsi: [دش دازا تلافک رارق عیدوت اب ناگدنسیون نوناک یاضع ا زا ،تنج دالیم](https://www.kampaign.info/iranian-writers-association-member-arrested/30978888.html))

<sup>131</sup> "Iranian Writers Association Member Arrested," *Radio Farda*, December 1, 2020, [en.radiofarda.com/a/iranian-writers-association-member-arrested/30978888.html](https://en.radiofarda.com/a/iranian-writers-association-member-arrested/30978888.html); Niloufar Rostami, "Weekly Review of Censorship: Translator and Filmmaker Receive Long Prison Sentences," *Journalism Is Not A Crime*, March 1, 2021, [journalismisnotacrime.com/en/news/4619/](https://journalismisnotacrime.com/en/news/4619/)



Political writer Mikola Dziadok. Photo by Viasna, spring96.org



A March 2011 day of action organized by English PEN, IFEX, and the Belarus Free Theater. Photo by Cat Lucas/English PEN

Union—and the Belarusian opposition deemed to be rigged and invalid.<sup>132</sup> Cultural figures played a significant role in the movement that emerged to protest the stolen election and Lukashenka’s repressive rule, joining the protests themselves as well as participating in protest-supporting poetry readings and neighborhood concerts, and posting writing online to give voice to the protest movement. PEN America’s sister Center, PEN Belarus, has documented nearly 600 cultural rights violations in the country in 2020, with the majority of them happening after the August elections.<sup>133</sup> This includes a number of arrests and detentions, of which 18 are included in this Index.<sup>134</sup>

Poet, artist, and musician **Andrus Takindang** was ar-

rested on November 7, 2020, after his band Recha played a concert in Minsk’s Novaya Borovaya neighborhood, a popular locale for oppositional creative expression.<sup>135</sup> He was arrested and sentenced to 15 days of administrative detention.<sup>136</sup> Takindang told PEN Belarus, “Our band knew it would happen sooner or later . . . What matters is that loads of people came to our last event, and we finished it before we got detained.”<sup>137</sup> **Mikola Dziadok**, a writer who regularly publishes analysis on Belarusian politics via a popular Telegram channel, was arrested in a violent home raid in November 2020.<sup>138</sup> A group of law enforcement officers broke the windows of Dziadok’s apartment and physically beat him in order to force the disclosure of the password to his computer system, his Telegram

<sup>132</sup> Council of the European Union, “Belarus.”

<sup>133</sup> “With no right to the culture. Belarus 2020,” Belarusian PEN Centre, January 28, 2021, [pen-centre.by/en/2021/01/28/bez-prava-na-kulturu-belarus-2020.html](https://pen-centre.by/en/2021/01/28/bez-prava-na-kulturu-belarus-2020.html)

<sup>134</sup> Cases from Belarus included in this year’s Index include those individuals that fell within the parameters of the [report methodology](#), and whom PEN America could confirm were comfortable being publicly included in our database.

<sup>135</sup> Yapparova, “The angry and the powerless: How the opposition protests in Belarus became a guerilla movement. Liliya Yapparova reports from Minsk.”

<sup>136</sup> “Andrus Takindang: We Heard Cars Honking ‘Long-Live-Be-La-Rus’, It Really Cheered Us Up,” *charter97*, November 23, 2020, [charter97.org/en/news/2020/11/23/401638/](https://charter97.org/en/news/2020/11/23/401638/)

<sup>137</sup> Belarusian PEN Centre, Belarusian Cultural Solidarity Fund, “More Solidarity than Arrests: What Belarusian Culture Experienced Over the Week,” *newsletter*, 8 (December 1, 2020), [pen-centre.by/en/2020/12/01/vypusk-8.html](https://pen-centre.by/en/2020/12/01/vypusk-8.html)

<sup>138</sup> “The Arrest and Framing of Mikola Dziadok,” *The Russian Reader*, November 12, 2020, [therussianreader.com/2020/11/12/mikola-dziadok/](https://therussianreader.com/2020/11/12/mikola-dziadok/)

messaging account, and his hard drive.<sup>139</sup> Dziadok now faces up to three years in prison under Article 342 of Belarus's criminal code, accused of organizing actions that "grossly violate public order."<sup>140</sup> He remains in pretrial detention. Other prominent writers and intellectuals have faced harassment and intimidation, including Nobel Laureate, PEN Belarus President, and member of the opposition Coordinating Council **Svetlana Alexievich**, who was persistently harassed by authorities and threatened with arrest before heading into exile in October.

The number of individuals detained for their creative expression in 2020 rose in **Egypt** from 11 to 14 cases as the ongoing and persistent crackdown on freedom of thought and artistic expression under President Abdel Fattah El-Sisi continued unabated. The majority of Egyptian writers and intellectuals counted in the 2019 Freedom to Write Index remained behind bars, serving lengthy prison sentences, including researcher and freelance journalist **Ismail Alexandrani**, blogger and activist **Alaa Abd El Fattah**, and poet and songwriter **Galal El-Behairy**.

New cases of writers and intellectuals detained or imprisoned this year in Egypt include those targeted for producing online commentary or literary work critical of the government. Political analyst, writer, and well-known journalist **Amer Abdel Moneim** has written

critically of President El-Sisi's policies, among other international and current affairs, for the Egyptian Institute for Studies, a think tank and research center.<sup>141</sup> Abdel Moneim was arrested in late December 2020 and charged with spreading false news and participating in terrorist activities.<sup>142</sup> Longtime author, publisher, and El-Sisi critic **Amin El-Mahdy** was arrested in September 2020 in response to his online criticism of the president, including a Facebook post in which he described El-Sisi as "a murderer, traitor, coward, and thief."<sup>143</sup> He faced 49 charges related to his publishing work dating back nearly two decades.<sup>144</sup> Just three weeks after he was detained, however, El-Mahdy was abruptly released from prison and transferred to a hospital after he developed an unknown illness, despite having been healthy before his arrest. El-Mahdy died on October 11, 2020, at age 68, and his supporters have raised questions about the circumstances of his death.<sup>145</sup>

Writers have also been targeted for raising their voices in support of other writers at risk. In June 2020, Alaa Abd El Fattah's sister **Sanaa Seif**—a writer and film editor who has been previously arrested herself<sup>146</sup>—was attacked while waiting outside of Tora prison to receive a letter from her brother.<sup>147</sup> On her way to file a complaint the following day, she was abducted by plainclothes officers and detained on charges of "disseminating false news," "inciting terrorist crimes,"

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<sup>139</sup> Asia Panasevich and Mediazona Belarus, "They threatened to rape me or drive me out to the forest," *Voice of Belarus*, November 25, 2020, [voiceofbelarus.com/they-threatened-to-rape-me/](http://voiceofbelarus.com/they-threatened-to-rape-me/)

<sup>140</sup> "The Arrest and Framing of Mikola Dziadok."

<sup>141</sup> "Amer Abdel Moneim," Egyptian Institute for Political and Strategic Studies, accessed March 24, 2021, [en.eipss-eg.org/author/amer-abdel-moneim-en/](http://en.eipss-eg.org/author/amer-abdel-moneim-en/)

<sup>142</sup> "Two more arrests in Egypt," *Reporters without Borders*, December 23, 2020, [rsf.org/en/news/two-more-arrests-egypt](http://rsf.org/en/news/two-more-arrests-egypt)

<sup>143</sup> MEE correspondent, "Egyptian writer and Sisi critic Amin el-Mahdy dies days after release from jail," *Middle East Eye*, October 12, 2020, [middleeasteye.net/news/egypt-sisi-critic-amin-mahdy-dies](http://middleeasteye.net/news/egypt-sisi-critic-amin-mahdy-dies); "Amine El-Mahdi: Sisi created death squads in Sinai to implement the deal of the century," *Middle East Monitor*, May 14, 2020, [middleeastmonitor.com/20200514-amine-el-mahdi-sisi-created-death-squads-in-sinai-to-implement-the-deal-of-the-century/](http://middleeastmonitor.com/20200514-amine-el-mahdi-sisi-created-death-squads-in-sinai-to-implement-the-deal-of-the-century/)

<sup>144</sup> "Egyptian writer and Sisi critic Amin el-Mahdy dies days after release from jail."

<sup>145</sup> "Egyptian writer and Sisi critic Amin el-Mahdy dies days after release from jail."

<sup>146</sup> "Egypt activists jailed for three years for 'illegal protest,'" *BBC News*, October 24, 2014, [bbc.com/news/world-middle-east-29778818](http://bbc.com/news/world-middle-east-29778818)

<sup>147</sup> "Family says sister of prominent Egyptian activist arrested," *Associated Press*, June 23, 2020 [apnews.com/article/4f3c910544f1211ae14cd721a00c6a97](http://apnews.com/article/4f3c910544f1211ae14cd721a00c6a97)

and “misuse of social media.”<sup>148</sup> After a trial, she was sentenced in March 2021 to 18 months in jail.<sup>149</sup> **Shimaa Samy**, a freelance journalist and columnist, was arrested in May 2020 three weeks after she wrote an opinion piece in which she criticized the continued pretrial detention of political prisoners and highlighted Alaa Abd El Fattah’s case.<sup>150</sup>

In **Vietnam**, the number of detained writers jumped from 8 in 2019 to 11 in 2020. During 2020, Vietnamese authorities ramped up their targeting of individuals

associated with professional literary and writing organizations. This included multiple arrests of writers associated with the Independent Journalists Association of Vietnam (IJAVN), a civil society organization that advocates for press freedom consisting of writers, bloggers, and journalists. The IJAVN’s founding member and chairman **Pham Chi Dung** was detained in November 2019 and spent the entirety of 2020 behind bars,<sup>151</sup> while several other core members of the IJAVN were detained or imprisoned during 2020, including three leading members of the association—**Le**



Traffic moves beside the Saigon river during rush hour, in Ho Chi Minh City, Vietnam. Photo by AP Photo/Karley Domb Sadof

<sup>148</sup> “Family says sister of prominent Egyptian activist arrested.”; “Egyptian activist Sanaa Seif detained outside prosecutor’s office,” *Al Jazeera*, June 23, 2020, [aljazeera.com/news/2020/6/23/egyptian-activist-sanaa-seif-detained-outside-prosecutors-office](https://www.aljazeera.com/news/2020/6/23/egyptian-activist-sanaa-seif-detained-outside-prosecutors-office)

<sup>149</sup> “Egyptian activist sentenced to 18 months for ‘fake news.’” *Al Jazeera*, March 17, 2021, [aljazeera.com/news/2021/3/17/egyptian-activist-sentenced-to-18-months-for-fake-news](https://www.aljazeera.com/news/2021/3/17/egyptian-activist-sentenced-to-18-months-for-fake-news)

<sup>150</sup> MEE correspondent, “Egyptian journalist Shimaa Samy appears in custody, days after disappearance,” *Middle East Eye*, May 31, 2020, [middleeasteye.net/news/egypt-journalist-shimaa-samy-appears-prosecution-faces-formal-charges](https://www.middleeasteye.net/news/egypt-journalist-shimaa-samy-appears-prosecution-faces-formal-charges)

<sup>151</sup> An Hai, “Vietnam Arrests Prominent Blogger Pham Chi Dung,” *Voice of America*, November 22, 2019, [voanews.com/east-asia-pacific/vietnam-arrests-prominent-blogger-pham-chi-dung](https://www.voanews.com/east-asia-pacific/vietnam-arrests-prominent-blogger-pham-chi-dung); “US, EU Demand Release of Vietnamese RFA Blogger and Others Jailed For ‘Peaceful Expression’ of Views,” *Radio Free Asia*, January 6, 2021, [rfa.org/english/news/vietnam/demand-01062021170023.html](https://www.rfa.org/english/news/vietnam/demand-01062021170023.html)

Huu Minh Tuan, Pham Chi Thanh, and Nguyen Tuong Thuy—who were arrested and detained in May 2020. Pham Chi Thanh remains in pretrial detention as of this writing, while the other three have received prison sentences of over a decade each.<sup>152</sup>

In October 2020, authorities detained and arrested internationally recognized author and blogger Pham Doan Trang, hours after the conclusion of the 2020 U.S.-Vietnam Human Rights Dialogue.<sup>153</sup> A prolific author and leading member of independent Vietnamese-language publications, Trang is also the cofounder of the Liberal Publishing House, Vietnam’s only independent publishing house, from which she was forced to disassociate herself in July, after the Ministry of Public Security labeled her works “anti-state propaganda.”<sup>154</sup> As a prominent figure who has written extensively on voting rights, her arrest appears to be part of a broader crackdown on free expression ahead of the 13th National Congress of the Vietnamese Communist Party (VCP).<sup>155</sup>



**No one wants to sit in prison. But if prison is inevitable for freedom fighters, if prison can serve a pre-determined purpose, then we should happily accept it.**

**Pham Doan Trang, “Just In Case I Am Imprisoned”**

All five of these Vietnamese writers and public intellectuals were charged under Article 117 of Vietnam’s Penal Code, which criminalizes “making, storing, disseminating documents and materials for an anti-State purpose.” Article 117, previously Article 88 of the country’s Penal Code, has long been a mainstay tool for political repression in Vietnam, used by authorities to punish dissidents for their critical speech with yearslong prison sentences.

<sup>152</sup> “Vietnamese Dissident Writer Arrested on Subversion Charge,” *Radio Free Asia*, May 21, 2020, [rfa.org/english/news/vietnam/writer-05212020135521.html](https://rfa.org/english/news/vietnam/writer-05212020135521.html); Reuters Staff, “Vietnam jails journalists for ‘propaganda’ critical of state,” *Reuters*, January 5, 2021, [reuters.com/article/us-vietnam-security-trial-idUSKBN29AoVI](https://reuters.com/article/us-vietnam-security-trial-idUSKBN29AoVI)

<sup>153</sup> “Arrest of Vietnamese Writer is Escalation in Attempts to Quash Independent Political Thought,” press release, October 10, 2020, [pen.org/press-release/arrest-of-vietnamese-writer-is-escalation-in-attempts-to-quash-independent-political-thought/](https://pen.org/press-release/arrest-of-vietnamese-writer-is-escalation-in-attempts-to-quash-independent-political-thought/); RFA Vietnamese Service, “Rights Groups Deplore Arrest of Vietnam Writer and Activist Pham Doan Trang,” *Voice of America*, [voanews.com/press-freedom/rights-groups-deplore-arrest-vietnam-writer-and-activist-pham-doan-trang](https://voanews.com/press-freedom/rights-groups-deplore-arrest-vietnam-writer-and-activist-pham-doan-trang)

<sup>154</sup> Amnesty International et al., “Viet Nam, Move Beyond Repression”, PEN America, July 14, 2020, [pen.org/viet-nam-move-beyond-repression/](https://pen.org/viet-nam-move-beyond-repression/)

<sup>155</sup> Chris Humphrey, “Vietnam arrests prominent journalist as state cracks down on free speech online,” *The Guardian*, October 7, 2020, [theguardian.com/global-development/2020/oct/08/vietnam-arrests-prominent-journalist-as-state-cracks-down-on-free-speech-online](https://theguardian.com/global-development/2020/oct/08/vietnam-arrests-prominent-journalist-as-state-cracks-down-on-free-speech-online)

# CASE STUDY

📍 VIETNAM

## PHAM DOAN TRANG

ACTIVIST, JOURNALIST, LITERARY WRITER,  
ONLINE COMMENTATOR



Photo by Thinh Nguyen

Pham Doan Trang is an author, blogger, journalist, and pro-democracy activist, whose copious books and online writings in support of human rights and democratic principles have made her a direct target of the Vietnamese state for many years. A prolific writer, Trang has **published several books** about democracy, including *A Handbook for Freedom Fighters* and *Politics of a Police State*, and has repeatedly criticized the Vietnamese Communist Party and government in her writings and other advocacy. She also **cofounded *Lu t Khoa***, an online magazine on law and human rights, and serves as an editor for *The Vietnamese*, an independent news website covering political issues. Trang was also previously affiliated with the Liberal Publishing House, the only independent publishing house in Vietnam. In October 2020, in an act of retaliation for her writings and advocacy in support of democracy, she was **arrested by authorities** and charged with disseminating anti-state propaganda, and is currently in pretrial detention.



**I don't want freedom for just myself; that's too easy. I want something greater: freedom for Vietnam. It might seem like some grand goal, but it's totally possible—with your support.**

In 2018, Trang was abducted by police multiple times and interrogated about her book, *Politics for the Common People*, which explains concepts of democracy. Trang faced **harassment by Vietnamese authorities** in March 2019 after she published a book discussing a contentious draft bill on Special Economic Zones, entitled *Learning Public Policy through the Story of the SEZ Project*. Members of the secret police **tracked individuals** who delivered copies of the book, and surveilled Trang and attempted to hack into her personal Facebook account.

In July 2020, Trang once again faced intense police harassment and intimidation. She consequently **resigned** from her position at the Liberal Publishing House amid a wave of arrests and abductions of its employees and other associates. In September, Trang published **a piece on Facebook** in which she challenged the official state narrative surrounding a government attack in January 2020 on a village in Dong Tam, near Hanoi. A few weeks later, on October 6, Trang's apartment in Ho Chi Minh City was **raided** by police. Trang was **arrested** and



charged with “making, storing, disseminating, or propagandizing information, materials, and products that aim to oppose the State.” Trang remains in pretrial detention and faces up to 20 years in prison.

In 2019, anticipating her future arrest, Trang wrote a letter entitled, “**Just In Case I Am Imprisoned**,” with instructions for a fellow democracy advocate to publish it when the day came. Shortly after Trang’s most recent arrest, the letter was released along with a **prerecorded video** message from Trang. In the letter, Trang calls on the public to continue to fight for election reform laws and free and fair elections. She also urges the public to prioritize freeing all prisoners of conscience in the country, and to use her imprisonment as leverage to continue fighting for democratic reforms, writing “I don’t want freedom for just myself; that’s too easy. / I want something greater: freedom for Vietnam. / It might seem like some grand goal, but it’s totally possible—with your support.”

**India** displayed a continued negative trajectory with regards to free expression, with an increase from five cases in the 2019 Index to nine writers jailed in 2020. This increase was due to the pretrial detention in 2020 of three additional writers, **Hany Babu**, **Gautam Navlakha**, and **Anand Teltumbde**. The charges against these three date back to the inter-caste violence that occurred in the village of Bhima Koregaon in 2018, resulting in the death of one person and injuries to five others. In the aftermath of the violence, the government has aggressively pursued charges against leftist writers and intellectuals, accusing them of inciting the violence and of links to banned groups. Others implicated in the case include the writers **P. Varavara Rao**, **Arun Ferreira**, **Sudha Bharadwaj**, and **Vernon Gonsalves**, who have been detained for more than two years.

The Bhima Koregaon arrests are a sobering representation of an increasing trend that PEN America

previously explored in our 2019 Freedom to Write Index—the efforts of governments to restrict and even criminalize academic or literary narratives that diverge from their own preferred vision of history or national identity. Indian academics, writers, and intellectuals have been quick to decry the Bhima Koregaon arrests as a politically motivated attack against those who have long advocated on behalf of marginalized and minority groups in India and who have spoken out against Prime Minister Narendra Modi’s increasingly virulent Hindu nationalism.<sup>156</sup> For example, one Indian teacher’s organization, the Jamia Teachers’ Solidarity Organization, declared that the arrests formed part of a “systemic hounding of academics and activists,” alongside a “wholesale criminalization of ideas.”<sup>157</sup> More than 300 of Hany Babu’s current and former students at Delhi University, where Babu is an English professor, signed on to a public statement declaring the arrests “a direct attack on education, activists and the academic space at large.”<sup>158</sup> Scholars at Risk has



Tens of thousands of protesting farmers blocked highways across the country for three hours Saturday February 6, 2021 in Mumbai, India to press their demands for the repeal of new agricultural laws. Photo by AP Photo/Rafiq Maqbool

<sup>156</sup> CJP Team, “The Truth about the Elgaar Parishad,” *Citizens for Justice and Peace*, September 1, 2018, [cjp.org.in/the-truth-about-the-elgaar-parishad/](http://cjp.org.in/the-truth-about-the-elgaar-parishad/)

<sup>157</sup> Scroll Staff, “Bhima Koregaon: Arundhati Roy criticises Centre for arresting DU professor Hany Babu,” *Scroll.in*, July 29, 2020, [scroll.in/latest/968919/bhima-koregaon-arundhati-roy-criticises-centre-for-arresting-du-professor-hany-babu](https://scroll.in/latest/968919/bhima-koregaon-arundhati-roy-criticises-centre-for-arresting-du-professor-hany-babu)

<sup>158</sup> “A direct attack on education, activists and academic space: Prof. Hany Babu’s students speak out against his arrest,” *India Resists*, July 31, 2020, [indiareists.com/a-direct-attack-on-education-activists-and-academic-space-prof-hany-babus-students-speak-out-against-arrest/](https://indiareists.com/a-direct-attack-on-education-activists-and-academic-space-prof-hany-babus-students-speak-out-against-arrest/)



Government officials distribute face masks to vendors to help stop the spread of the coronavirus at a local market Sunday, April 12, 2020, in Myittha, Myanmar. Photo by AP Photo/Aung Shine Oo

also noted the deterioration in academic freedom in India, including violent attacks on student protesters and arrests of scholars both for their work on contentious issues, including challenging the caste system and promoting the rights of economically disadvantaged populations, and for alleged connections to the banned Communist Party of India (Maoist).<sup>159</sup>

While India remains the most open political environment among the countries jailing the largest number of writers, the environment for free expression has continued to deteriorate in 2020 beyond cases of imprisonment or detention, with several dozen writers facing online harassment, physical threats, lawsuits, or other forms of intimidation. In Freedom House’s annual *Freedom in the World* report, India declined into the “Partly Free” category, due in part to “a multiyear pattern in which the Hindu nationalist govern-

ment and its allies have . . . pursued a crackdown on expressions of dissent by the media, academics, civil society groups, and protesters.”<sup>160</sup> The Indian authorities also enforced as many as 83 internet shutdowns over the course of 2020, as a means to stifle protests and dissent.<sup>161</sup>

Eritrea and Myanmar each held eight writers in prison in 2020. In **Eritrea**, the number remained stable; many of these writers have been detained for almost two decades, having initially been arrested as part of a sweeping crackdown on dissent in the country in the week after the attacks of September 11, 2001. In an extremely repressive political environment, information about these cases is limited, and explicit charges remain unknown. Dual Eritrean and Swedish citizen **Dawit Isaak** has been detained incommunicado and without trial since 2001.<sup>162</sup> In October 2020, the Eu-

<sup>159</sup> Scholars at Risk, “Free to Think 2020,” Scholars at Risk, November 18, 2020, [scholarsatrisk.org/resources/free-to-think-2020/](https://scholarsatrisk.org/resources/free-to-think-2020/)

<sup>160</sup> “India: Freedom in the World 2021,” Freedom House, accessed March 17, 2021, [freedomhouse.org/country/india/freedom-world/2021](https://freedomhouse.org/country/india/freedom-world/2021)

<sup>161</sup> Haripriya Suresh, “At 83 internet shutdowns in 2020, India holds dubious world record,” *The News Minute*, February 4, 2021, [thenewsminute.com/article/83-internet-shutdowns-2020-india-holds-dubious-world-record-142778](https://thenewsminute.com/article/83-internet-shutdowns-2020-india-holds-dubious-world-record-142778)

<sup>162</sup> Agency Reporter, “Swedish-Eritrean journalist alive after 18 years in Eritrean jail,” *The Nation*, July 6, 2020, [thenationonlineng.net/swedish-eritrean-journalist-alive-after-18-years-in-eritrean-jail/](https://thenationonlineng.net/swedish-eritrean-journalist-alive-after-18-years-in-eritrean-jail/)

European Parliament called for Isaak's release in a resolution urging the release of prisoners of conscience held in Eritrea, including other writers and journalists detained in the September 2001 crackdown.<sup>163</sup>

Although the environment for free expression in **Myanmar** remained restrictive in 2020, the number of jailed writers and creative artists declined from 10 in 2019 to 8 in 2020, the result of the freeing in May 2019 of Reuters reporters and writer/poets **Wa Lone** and **Kyaw Soe Oo** in a presidential amnesty. Yet an ongoing internet shutdown continued to affect parts of the country, and authorities continued to target writers and intellectuals for their speech and association; poet **Saw Wai** continues to face legal charges for reciting his work at an event and had to appear for regular court hearings throughout 2020.<sup>164</sup> Members of the **Peacock Generation** satirical poetry troupe, originally arrested in April 2019, and filmmaker **Min Htin Ko Ko Gyi**, who was first detained that same month, spent part or all of the year behind bars. While this Index only covers 2020, the February 1, 2021, military coup in Myanmar has dealt a brutal blow to the country's hard-won, if still limited, freedoms. As this report goes to publication, a broad-based, countrywide civil disobedience movement involving thousands of protestors continues to challenge the military's illegal takeover and fight for their country's future. The impact of the coup—including the detention of prominent writers, poets, and cultural luminaries, the targeting of other writers and artists, and the broad

restrictions on free expression and ability to access and share information and commentary, particularly online—will be documented in the 2021 Freedom to Write Index.

## WRITERS AND INTELLECTUALS TAKE THE LEAD IN PUBLIC PROTESTS

Alongside the COVID-19 pandemic, 2020 was marked by protests that swept the globe, with millions taking to the streets to protest injustice, defend democracy, and call for change. In the U.S., the murder of George Floyd by Minneapolis police on May 25, 2020, sparked a sustained, nationwide series of demonstrations against police brutality and anti-Black racism, in what has been called the largest protest movement in American history.<sup>165</sup> These protests were accompanied by distinct protest movements elsewhere, including mass protests against the stolen presidential election in Belarus, a wave of largely student-led protests calling for democratic reforms in Thailand, and dozens more.<sup>166</sup>

A few further examples help indicate the global breadth and scope of this year in protest: In India, farmers started nationwide protest actions in August 2020 against new agriculture deregulation.<sup>167</sup> In Nigeria, youth-led protests to disband the Spe-

<sup>163</sup> European Union Parliament, "Human rights breaches in Eritrea, Nicaragua and Saudi Arabia," press release, October 8, 2020, [europarl.europa.eu/news/en/press-room/20201002IPR88448/human-rights-breaches-in-eritrea-nicaragua-and-saudi-arabia](https://europarl.europa.eu/news/en/press-room/20201002IPR88448/human-rights-breaches-in-eritrea-nicaragua-and-saudi-arabia)

<sup>164</sup> Zaw Zaw Htwe, "Myanmar Court Seeks Arrest of Lawyer and Poet in Military's Lawsuit," *Irrawaddy*, January 23, 2020, [irrawaddy.com/news/burma/myanmar-court-seeks-arrest-lawyer-poet-militarys-lawsuit.html](https://irrawaddy.com/news/burma/myanmar-court-seeks-arrest-lawyer-poet-militarys-lawsuit.html)

<sup>165</sup> Larry Buchanan, Quoc Trung Bui, and Jugal K. Patel, "Black Lives Matter May Be the Largest Movement in U.S. History," *The New York Times*, July 3, 2020, [nytimes.com/interactive/2020/07/03/us/george-floyd-protests-crowd-size.html](https://nytimes.com/interactive/2020/07/03/us/george-floyd-protests-crowd-size.html)

<sup>166</sup> Benjamin Press and Thomas Carothers, "Worldwide Protests in 2020: A Year in Review," Carnegie Endowment for International Peace, December 21, 2020, [carnegieendowment.org/2020/12/21/worldwide-protests-in-2020-year-in-review-pub-83445](https://carnegieendowment.org/2020/12/21/worldwide-protests-in-2020-year-in-review-pub-83445); Chonthicha Jangrew, "Thai student protesters in the time of COVID-19: New generation, new forms of resistance online," Coconet, July 17, 2020, [coconet.social/2020/thailand-student-online-activism-covid/](https://coconet.social/2020/thailand-student-online-activism-covid/)

<sup>167</sup> Billy Perrigo, "India's Farmers Are Leading One of the Largest Protests Yet Against Modi's Government. Here's What They're Fighting For," *TIME*, December 8, 2020, [time.com/5918967/india-farmer-protests/](https://time.com/5918967/india-farmer-protests/)



**[My activism and writing] go hand in hand because the issues I take up with my body, as a concerned citizen, are the same issues that I weave into my narrative production.**

***Tsitsi Dangarembga, Zimbabwean writer and playwright***

cial Anti-Robbery Squad (SARS) were shut down by authorities, even as they went digital and trended online.<sup>168</sup> In Ethiopia, the assassination of **Hachalu Hundessa**, a beloved singer in the Oromo community known for his protest songs,<sup>169</sup> spurred assembly in mourning across the country.<sup>170</sup> In Zimbabwe, people assembled in protest of corruption and President Emmerson Mnangagwa's leadership, existing issues exacerbated by the COVID-19 pandemic.<sup>171</sup>

Writers and public intellectuals have participated in these protests across the globe, often for the same reasons as any other member of society. But as figures of national cultural significance, they also often play a unique role in inspiring movements and articulating the forces that drive them. In some cases, especially over the past year, artistic and cultural communities have played a distinctly influential role.

Zimbabwean writer and playwright **Tsitsi Dangarembga**, who was briefly arrested and is facing charges for breaching coronavirus restrictions while protesting in July, described it best in a 2021 interview, when she noted that her activism and writing “go hand in hand because the issues that I take up with my body, as a concerned citizen, are the same issues that I weave into my narrative production.”<sup>172</sup>

As a result, governments that respond to protests with repression may also crack down specifically on writers, artists, and intellectuals who lead, participate in, inspire, or simply support these protests, sometimes going out of their way to target these figures, recognizing the persuasive power that they wield. This year, we have seen this play out most dramatically in Belarus, as well as Cuba and Hong Kong.

In Belarus, writers, artists, theater professionals, and other cultural figures have been at the forefront of the widespread protests against the 26-year-rule of Alexander Lukashenka. Most notably, PEN Belarus President and Nobel Prize-winning writer **Svetlana Alexievich** has been a leading figure in the opposition movement, as a member of the opposition Coordinating Council.<sup>173</sup> But writers, poets, and others have also lent their voices and creative work to the movement in less formal but still influential ways, through poetry readings, neighborhood concerts, and writing that has offered an essential narrative voice to the larger protest movement. Many of these individuals

<sup>168</sup> Chidozie Obasi, “The #EndSars movement: what you need to know,” *Harper's Bazaar*, October 23, 2020, [harpersbazaar.com/uk/culture/culture-news/a34459784/the-endsars-movement-what-you-need-to-know/](https://harpersbazaar.com/uk/culture/culture-news/a34459784/the-endsars-movement-what-you-need-to-know/)

<sup>169</sup> Awol K. Allo, “Haacaaluu Hundeessaa: A towering musician and an Oromo icon,” *Al Jazeera*, July 5, [aljazeera.com/opinions/2020/7/5/haacaaluu-hundeessaa-a-towering-musician-and-an-oromo-icon](https://www.aljazeera.com/opinions/2020/7/5/haacaaluu-hundeessaa-a-towering-musician-and-an-oromo-icon)

<sup>170</sup> “Ethiopian singer Hachalu Hundessa shot dead in Addis Ababa,” *Al Jazeera*, June 30, 2020, [aljazeera.com/news/2020/6/30/ethiopian-singer-hachalu-hundessa-shot-dead-in-addis-ababa](https://www.aljazeera.com/news/2020/6/30/ethiopian-singer-hachalu-hundessa-shot-dead-in-addis-ababa)

<sup>171</sup> Jeffrey Moyo and Patrick Kingsley, “Zimbabwe Locks Down Capital, Thwarting Planned Protests,” *The New York Times*, July 31, 2020, [nytimes.com/2020/07/31/world/africa/zimbabwe-coronavirus-protest.html](https://www.nytimes.com/2020/07/31/world/africa/zimbabwe-coronavirus-protest.html)

<sup>172</sup> Barbara Boswell, “Tsitsi Dangarembga's art and activism,” *New Frame*, March 1, 2021, [newframe.com/tsitsi-dangarembgas-art-and-activism/](https://www.newframe.com/tsitsi-dangarembgas-art-and-activism/)

<sup>173</sup> “Svetlana Alexievich: Nobel laureate leaves Belarus for Germany,” *Deutsche Welle*, September 28, 2020, [dw.com/en/svetlana-alexievich-nobel-laureate-leaves-belarus-for-germany/a-55079649](https://www.dw.com/en/svetlana-alexievich-nobel-laureate-leaves-belarus-for-germany/a-55079649)



Protesters at the Marina axis of Lagos in Nigeria march against police brutality. Photo by Wikimedia Commons, TobiJamesCandidis



Caption: Protesters gather in front of the Democracy Monument in Thailand on July 18, 2020. Photo by Wikimedia Commons/Supanut Arunoprayote

were already among the few who were brave enough to voice dissent in Lukashenka’s Belarus, and now their voices have taken on more significant weight. And while some writers and public intellectuals have been swept up at random in mass detentions at protests, others have been more deliberately targeted, including PEN Belarus’s own staff and members.<sup>174</sup> In addition to Alexievich, this has included PEN Belarus Project Manager **Uladz Liankevich**, and PEN Belarus Members **Olga Shparaga** and **Dmitry Strotsev**.

Artists and writers who have helped lead the opposition protests, those who have merely participated, and even those who have seemed broadly sympathetic, have been arrested, beaten, imprisoned, kidnapped, tortured, and subject to unfair trials. The crackdown against them accounts for Belarus’s dramatic shift from holding no writers or intellectuals in prison in 2019 to appearing in the top five countries of the 2020 Index. Poet **Dmitry Strotsev** was seized off the street in October and detained for almost two weeks.<sup>175</sup> Musician and opposition leader **Maria Kalesnikava** was detained by masked men in September and forcibly driven to the Ukrainian border in

## “This is How We Win”

victory  
is comprised  
of barely distinguishable  
homeopathic gestures

this is how a hundred thousand  
gather on marches in mink

droplets of yards  
streams of streets

into a human ocean

10.09.2020

By **Dmitry Strotsev**

Translated by **Valzhyna Mort**

Published by **PEN/Opp**, a publication  
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<sup>174</sup> “With no right to the culture. Belarus 2020.”

<sup>175</sup> See “Poet and PEN Belarus member imprisoned for demonstrating,” PEN America, October 22, 2020, <https://pen.org/press-release/poet-and-pen-belarus-member-imprisoned-for-demonstrating/>

an attempt to force her into exile; she thwarted this attempt by ripping up her passport and refusing to leave Belarus. Authorities, not content with their attempts to kidnap and forcibly exile her, followed up by charging her with national security offenses, and she currently faces the potential of up to 12 years in prison.<sup>176</sup> Author and political analyst Mikola Dziadok was arrested on “public order” provisions in November, beaten, imprisoned, thrown into solitary confinement, and deprived of contact with the outside world.<sup>177</sup> Journalist and author Ruslan Kulevich was detained at a protest in August by police who brutally beat him,

breaking both his arms.<sup>178</sup> The list goes on—the 18 Belarusian cases that PEN America has included within the 2020 Index are marked by disregard for the rule of law, overt intimidation and violence, and a clear determination on behalf of authorities to quash this unprecedented challenge to Lukashenka’s rule. The harsh crackdown on these protests, and its impact on the writers and artists who have been affiliated with them, is solely responsible for Belarus’s status as one of the top jailers of writers in 2020.

In Cuba, authorities have aggressively targeted the



People with old Belarusian national flags march during an opposition rally to protest the official presidential election results in Minsk, Belarus, Sunday, October 25, 2020. Photo by AP

<sup>176</sup> VOA News, “UN Urges Belarus to Release Opposition Figure Kolesnikova,” *Voice of America*, September 25, 2020, [voanews.com/europe/un-urges-belarus-release-opposition-figure-kolesnikova](https://voanews.com/europe/un-urges-belarus-release-opposition-figure-kolesnikova)

<sup>177</sup> Viasna, “Mikola Dziadok: A Tortured Political Prisoner in Belarus,” *The Russian Reader*, November 19, 2020, [therussianreader.com/2020/11/21/mikola-dziadok-a-tortured-political-prisoner-in-belarus/](https://therussianreader.com/2020/11/21/mikola-dziadok-a-tortured-political-prisoner-in-belarus/)

<sup>178</sup> “Ruslan Kulevich, journalist at the Hrodna.life portal of Grodno,” *Press Under Pressure*, accessed March 25, 2020, [en.underpressure.press-club.by/kulevich](https://en.underpressure.press-club.by/kulevich)

San Isidro Movement, a collective of artists whose work is both performance art and a form of protest. On November 9, members of the movement staged a protest outside Cuba's Ministry of Culture in Havana against the arrest of rapper **Denis Solís González**—who has since been sentenced to eight months in jail for “contempt” after insulting a police officer who entered his home without a warrant. The government responded not only by immediately detaining several members of the Movement, but also by essentially putting it under siege, trapping over a dozen of the artists in the Movement's headquarters for over a week, placing them under 24-hour surveillance, and refusing to allow them access to food.<sup>179</sup> Police raided the building on November 26, and arrested more than a dozen people—including writer and journalist **Carlos Manuel Álvarez**, musician **Maykel Castillo Pérez** (El Osorbo), and performance artist **Luis Manuel Otero Alcántara**.

In Hong Kong, a global flash point in the struggle for freedom of expression, mass protests began in 2019, initially sparked by a proposed law that would have allowed residents of Hong Kong to be extradited to mainland China, which was viewed by pro-democracy groups as a threat to the autonomy and freedoms normally extended to the territory and was eventually withdrawn.<sup>180</sup> But the movement evolved into broader protests against Hong Kong's government and against increasing political and economic pressure from the mainland. They continued into 2020, but with the advent of the pandemic and the subse-

quent passage of the new National Security Law, they waned as the year went on.

Authorities, however, have continued to punish those who participated in these and even earlier pro-democracy protests in recent years, pursuing criminal charges that are months or years old and sending the loud public message that they would use the National Security Law as a tool to punish dissent with draconian criminal penalties. This campaign of political punishment has swept up writers, publishers, and intellectuals who have played a role in the movement. Only six weeks after the passage of the National Security Law, in August of 2020, Hong Kong police arrested publisher **Jimmy Lai**, one of the highest-profile supporters of the pro-democracy protests, and raided the offices of his newspaper *Apple Daily*, which had given extensive coverage to the protests and in which Lai wrote a weekly column that “cheered on the protesters.”<sup>181</sup> Lai's two sons were also arrested, as well as several pro-democracy activists, making Lai's arrest only part of a broader antidemocratic sweep from Hong Kong police's newly formed national security unit.<sup>182</sup> Lai now faces vaguely defined charges of “collusion with a foreign enemy or external elements” under the National Security Law, which can carry a sentence of life imprisonment.

Academic **Chan Kin-Man** spent the first part of 2020 in prison for public nuisance charges stemming from his role as a leading figure in the 2014 “Occupy Central with Love and Peace” movement.<sup>183</sup> Chan,

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<sup>179</sup> Nora Gamez Torres, “Cuban police quell protest and detain young artists and academics on hunger strike,” *Miami Herald*, November 27, 2020, [miamiherald.com/news/nation-world/world/americas/cuba/article247452965.html](https://miamiherald.com/news/nation-world/world/americas/cuba/article247452965.html)

<sup>180</sup> Holmes Chan, “‘Too little, too late’: Hong Kong democrats and protesters vow further action despite extradition bill withdrawal,” *Hong Kong Free Press*, September 4, 2019, [hongkongfp.com/2019/09/04/little-late-hong-kong-democrats-protesters-vow-action-despite-extradition-bill-withdrawal/](https://hongkongfp.com/2019/09/04/little-late-hong-kong-democrats-protesters-vow-action-despite-extradition-bill-withdrawal/)

<sup>181</sup> Andrew Higgins, “A Hong Kong ‘Troublemaker’ With a Clean Conscience,” *The New York Times*, [nytimes.com/2019/08/23/world/asia/jimmy-lai-hong-kong-protests.html](https://www.nytimes.com/2019/08/23/world/asia/jimmy-lai-hong-kong-protests.html)

<sup>182</sup> Christy Leung, “National security law: Hong Kong media mogul Jimmy Lai's two sons first to be released on bail, followed by Agnes Chow,” *South China Morning Post*, August 11, 2020, [scmp.com/news/hong-kong/law-and-crime/article/3096968/hong-kong-media-mogul-jimmy-lais-youngest-son-first-be](https://www.scmp.com/news/hong-kong/law-and-crime/article/3096968/hong-kong-media-mogul-jimmy-lais-youngest-son-first-be); “Jimmy Lai: Hong Kong media tycoon held amid sweep of arrests,” *BBC*, August 10, 2020, [bbc.com/news/world-asia-china-53717843](https://www.bbc.com/news/world-asia-china-53717843)

<sup>183</sup> “Hong Kong ‘Umbrella’ protesters sentenced to jail terms,” *BBC*, April 24, 2019, [bbc.com/news/world-asia-china-48033156](https://www.bbc.com/news/world-asia-china-48033156)



sentenced to 16 months in April 2019, was released early for “good behavior” in March 2020, and is appealing his conviction.<sup>184</sup> Prominent pro-democracy figure and writer **Joshua Wong** has been repeatedly targeted with criminal charges for his participation in democracy protests. He—along with more than two dozen others, including several individuals included in PEN America’s 2019 *Freedom to Write Index*, such as **Nathan Law** and **Alex Chow**—was charged with “illegal assembly” in August, two months after participating in a candlelight vigil to mark the anniversary of the 1989 Tiananmen Square crackdown. Wong was arrested again in September and charged with participating in an unauthorized assembly and violating a ban on masks, this time in connection with an October 2019 rally. Wong and codefendants Agnes Chow and Ivan Lam pled guilty to the latter charges

in November, receiving sentences ranging from 7 to 13 months’ imprisonment.<sup>185</sup>

In the aftermath of the National Security Law’s passage, Wong was one of the authors whose books began disappearing from public libraries, as librarians apparently feared the possibility that stocking books from pro-democracy authors would be treated as a criminal activity.<sup>186</sup> And while outside the time frame of the 2020 *Freedom to Write Index*, Wong was among a group of pro-democracy figures arrested under the National Security Law in January 2021, alongside sociology professor **Benny Tai Yiu-ting** (included in the 2019 Index) and 53 others, a massive crackdown that is clearly aimed at decapitating the pro-democracy movement in the city.<sup>187</sup>



Scholar and writer Chan Kin-Man at a New Year’s Day rally in 2019 to protest diminishing space for political freedom in Hong Kong. Photo by Flickr/Etan Liam

<sup>184</sup> Jasmine Siu, “Benny Tai sent back to jail to await Hong Kong court’s ruling in Occupy Central appeal,” *South China Morning Post*, March 4, 2021, [scmp.com/news/hong-kong/law-and-crime/article/3124100/benny-tai-sent-back-jail-await-hong-kong-courts-ruling](https://scmp.com/news/hong-kong/law-and-crime/article/3124100/benny-tai-sent-back-jail-await-hong-kong-courts-ruling)

<sup>185</sup> PEN America, “Hong Kong Pro-Democracy Activists Plead Guilty to Charge of ‘Unlawful Assembly,’” press release, November 24, 2020, [pen.org/press-release/hong-kong-pro-democracy-activists-plead-guilty-unlawful-assembly/](https://pen.org/press-release/hong-kong-pro-democracy-activists-plead-guilty-unlawful-assembly/)

<sup>186</sup> AFP, “Democracy books disappear from Hong Kong libraries, including title by activist Joshua Wong,” *Hong Kong Free Press*, July 4, 2020, [hongkongfp.com/2020/07/04/democracy-books-disappear-from-hong-kong-libraries-including-title-by-activist-joshua-wong/](https://hongkongfp.com/2020/07/04/democracy-books-disappear-from-hong-kong-libraries-including-title-by-activist-joshua-wong/)

<sup>187</sup> “Hong Kong: Police arrest over 50 pro-democracy activists in crackdown,” *Deutsche Welle*, January 6, 2021, [dw.com/en/hong-kong-police-arrest-over-50-pro-democracy-activists-in-crackdown/a-56139138](https://dw.com/en/hong-kong-police-arrest-over-50-pro-democracy-activists-in-crackdown/a-56139138)

In Thailand, demonstrations in early 2020 against the government of Prime Minister Prayut Chan-o-cha—who first took power in a 2014 military coup—expanded into demands for reform of the Thai monarchy. For some protesters, calls for reform have been inspired in part by the foundational writings of exiled public intellectuals critical of the country’s notorious *lèse-majesté* law that criminalizes speaking ill of or criticizing the monarchy, and who have been singled out by Prime Minister Prayut in his criticism of the protests.<sup>188</sup> In response, authorities have increasingly employed the *lèse-majesté* law alongside other criminal provisions to punish protesters, with decades-long convictions becoming increasingly common.<sup>189</sup> Poet, lawyer, and activist **Arnon Nampa** has taken a central role in questioning the undemocratic nature of the *lèse-majesté* law and the growing powers of the monarchy itself. After giving a speech at an August rally, Nampa was briefly arrested alongside activists and restricted from attending future protests. When he did, however, he was re-detained for four days, and was later charged with sedition and violating the *lèse-majesté* law for his participation in protests.<sup>190</sup>

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<sup>188</sup> Patpicha Tanakasempipat and Kay Johnson, “‘Illegal thoughts’: how some exiled critics of Thai king are fuelling a revolt,” *Reuters*, September 9, 2020, [reuters.com/article/us-thailand-protests-exiles/illegal-thoughts-how-some-exiled-critics-of-thai-king-are-fuelling-a-revolt-idUSKBN26O3HS](https://www.reuters.com/article/us-thailand-protests-exiles/illegal-thoughts-how-some-exiled-critics-of-thai-king-are-fuelling-a-revolt-idUSKBN26O3HS)

<sup>189</sup> “Thailand revives law banning criticism of king in bid to curb protests,” *BBC*, November 25, 2020, [bbc.com/news/world-asia-55062397](https://www.bbc.com/news/world-asia-55062397)

<sup>190</sup> “Statement on the Bail Conditions for Arnon Nampa and Panupong Jadnok in Thailand,” *South China Morning Post*, September 17, 2020, [cfj.org/wp-content/uploads/2020/09/Statement-on-the-Bail-Conditions-for-Arnon-Nampa-and-Panupong-Jadnok-in-Thailand.pdf](https://www.scmp.com/content/uploads/2020/09/Statement-on-the-Bail-Conditions-for-Arnon-Nampa-and-Panupong-Jadnok-in-Thailand.pdf); Reuters Staff, “Two Thai protest leaders arrested, rights group says,” *Reuters*, October 14, 2020, [reuters.com/article/uk-thailand-protests-arrests/two-thai-protest-leaders-arrested-rights-group-says-idINKBN26Z38G](https://www.reuters.com/article/uk-thailand-protests-arrests/two-thai-protest-leaders-arrested-rights-group-says-idINKBN26Z38G); PEN International, “Thailand: End government crackdown and drop all charges against peaceful demonstrators,” press release, October 29, 2020, [pen-international.org/news/thailand-government-crackdown-and-drop-all-charges-against-peaceful-demonstrators](https://www.pen-international.org/news/thailand-government-crackdown-and-drop-all-charges-against-peaceful-demonstrators)

# CASE STUDY

📍 BELARUS

## IHAR BANCER

CREATIVE ARTIST, SINGER/SONGWRITER,  
ACTIVIST



Status: On Trial

Photo courtesy of Ihar Bancer

Ihar Bancer is a Polish Belarusian activist and singer-songwriter, best known as the singer and lyricist for punk rock band Mister X. Mister X bills itself as an apolitical group but is well-known in the Belarusian punk music scene as a prominent voice against fascism and racism, and Bancer has been vocal about his personal opposition to fascism. Bancer is also a former journalist, and former editor in chief of the monthly magazine *Magazyn Polski*, catering to the Polish minority community in Belarus. Bancer has been repeatedly targeted by Belarusian police forces over the years for his activism and cultural stature, including numerous arrests. He is currently appealing his conviction

Каждый день на войне со всем миром/  
Легко отступить, оступиться и сдаться/  
Намного тяжелее под градом ударов/  
Не предать идеалы - человеком остаться!

Every day in a losing battle with the whole world/  
It is easy to retreat, to misstep and to surrender/  
It is much harder under a storm of blows/  
Not to betray your ideals and to stay a human!

“Street Philosophy,” Mister X

for “hooliganism,” in relation to his role in peaceful anti-government protests, for which he has been sentenced to one and a half years of restricted freedom in an open correctional facility (known as “khimiya”).

In the aftermath of Belarus’s August 2020 election, in which President Lukashenka declared victory despite international groups concluding the election was neither free nor fair, Bancer has been detained or arrested three times. In the immediate aftermath of the election, in early August, police forces reportedly sought out Bancer and detained him for 72 hours, during which time—according to his bandmate—he was beaten twice. On August 23, he was arrested for taking part in a peaceful protest, charged with “participating in an unauthorized mass event,” convicted the next day, and sentenced to 10 days’ imprisonment.

On October 20, police officers again arrested Bancer, charging him with ‘hooliganism’ for dancing in front of a police car while wearing a thong. The record of police harassment of Bancer suggests he was targeted as a result of his influential cultural status as an activist, songwriter, and anti-fascist performer. Bancer was kept in pretrial detention until his trial began on March 3, 2021. On March 19, he was sentenced to one and a half years of restricted freedom in an open correctional facility, though his sentence is currently suspended as Bancer pursues his appeal.

# CASE STUDY

📍 CUBA

## DENIS SOLÍS GONZÁLEZ

SINGER/SONGWRITER, CREATIVE ARTIST, ACTIVIST

Denis Solís González is a Cuban rapper, lyricist, human rights activist, and member of the San Isidro Movement, a cultural collective known for championing free expression and artistic freedom. In late 2020, following continued harassment related to his songwriting and public expression, Solís was arrested and sentenced to eight months in a maximum security prison for “contempt.” His most recent imprisonment has **spurred greater calls for free expression** in Cuba from Cuban writers, artists, scholars, and journalists.

The San Isidro Movement, founded in 2018 and **composed of writers**, activists, artists, scholars, and citizens, has protested the restricted space for free expression in Cuba, notably impacted by the 2018 implementation of **Decree 349**, which codified and widened the scope of state censorship. On October 10, 2020, authorities arrested Solís and other members of the San Isidro Movement to prevent them from holding a public concert **in**



Status: Imprisoned

Photo courtesy of Movimiento San Isidro Facebook Page

to **protest of human rights abuses** by the Cuban state. A few days later, on October 19, 2020, Solís had “Cambio Cuba Libre” (Change Free Cuba) **tattooed** on his chest.

On November 9, 2020, Solís was detained and arrested in **Habana Vieja**, a few blocks from his home, a few days after he shared a video on social media in which he reproached and removed a police officer who had entered his home without a valid warrant. Solís was **sentenced to eight months** in prison for the crime of “contempt” without being assured the most basic guarantees of due process, including



**Puede ser que me metan a la celda por el peso de mi voz, pero necesité el valor para decir la verdad (it may be that they put me in a cell for the weight of my voice, but I needed the courage to tell the truth)**

**– Denis Solís González, lyrics from Sociedad Condenada**

access to counsel. On December 8, 2020, he was transferred to the Combinado del Este maximum security prison.

Other members of the San Isidro Movement protested Solís's arrest, and were in turn targeted by authorities. On November 9, police detained several members of the Movement as they read poetry outside the police station where Solís had been arrested. Authorities then cordoned off the area around the Movement's headquarters, placed the headquarters under 24-hour surveillance, and blocked food deliveries as well as journalists and diplomats who attempted to visit, placing Movement members in a state of siege. Several members responded by going on a days long hunger strike.

The siege reached its conclusion on November 26, when police raided the building under the pretext of coronavirus concerns, arresting the hunger strikers and evicting the Movement from their headquarters. Yet the outrage over the government's actions continued to grow, not dampen. On November 27, more than 300 artists, activists, and members of the public took part in a public protest outside the Ministry of Culture, condemning creative repression and censorship by Cuban authorities.

Solís remains imprisoned, and in February 2021, he was transferred to a work camp inside of the facility. His colleagues and supporters have attempted to communicate with him during his imprisonment, but prison authorities have reportedly restricted his access to the wider world.

# LANGUAGES AND CULTURES UNDER THREAT

Writers and public intellectuals, as “keepers and wielders of language,” are often targets of government efforts to silence minority populations on the basis of race and identity.<sup>191</sup> Uyghur, Turkic, Mongolian, and Kurdish languages are at particular risk, with at least 48 writers and public intellectuals detained or imprisoned for their use of or efforts to guard and preserve these languages.<sup>192</sup> In China, Turkey, and Iran, it is common for writers and public intellectuals to be criminally prosecuted under harsh national security laws that equate the celebration of diverse ethnic identities with “membership in banned or terrorist groups,” “propaganda” against the state, “separatism,” and “splittism.”

During 2020, the Chinese Communist Party (CCP) steadily continued state repression of non-Mandarin or English languages in Tibet, Xinjiang, and the Inner Mongolia Autonomous Region. As covered above, Chinese government policy in Xinjiang has been recognized as an effort to erase the culture of Uyghurs and other eth-

nic minorities in order to reconstruct them as “patriotic” citizens.<sup>193</sup> This policy goal lies behind the government’s decision to essentially outlaw the Uyghur language, largely banishing it from the public square and establishing the mere use of Uyghur language as a basis for detention.<sup>194</sup> This attack on the Uyghur language goes hand-in-hand with the systemic crackdown on Uyghur intellectuals, writers, and others.

In Inner Mongolia, the CCP announced in August 2020 that it would roll out a series of changes to education policy there, prioritizing the teaching of Mandarin over Mongolian in elementary and middle schools around the region. The policy would utilize Chinese textbooks compiled and approved by the government—rather than textbooks formerly used in bilingual Mongolian schools—and introduce Chinese language earlier to students, diminishing Mongolian language instruction in traditionally bilingual schools.<sup>195</sup> Unprecedented crowds of protesters decried the policy, prompting authorities to crack down in response, reportedly arresting thousands and shutting down access to Mongolian-language social media app Bainuu.<sup>196</sup> Amid the crackdown, prominent ethnic Mongolian writers including poet **O. Sechenbaatar**, historian **Lhamjab A. Borjigin**, and former editor of the banned publication *Voice of Southern Mongolia*

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<sup>191</sup> “Freedom to Write Index 2019,” PEN America, May 19, 2020, [pen.org/report/freedom-to-write-index-2019/](https://pen.org/report/freedom-to-write-index-2019/)

<sup>192</sup> Counting 33 writers and public intellectuals in the Xinjiang Uyghur Autonomous Region, 6 writers and public intellectuals in the Tibet Autonomous Region, 7 members of Turkish music collective Grup Yorum, and 2 Kurdish culture activists Anisa Jafari-Mehr and Dariush Moradi in Iran.

<sup>193</sup> “Chinese Persecution of the Uyghurs,” United States Holocaust Memorial Museum, accessed March 24, 2021, [ushmm.org/genocide-prevention/countries/china/case-study/current-risks/chinese-persecution-of-the-uyghurs](https://ushmm.org/genocide-prevention/countries/china/case-study/current-risks/chinese-persecution-of-the-uyghurs)

<sup>194</sup> PEN America, “Decision to Ban Uyghur Language in Xinjiang Schools an Attack on the Minority Group’s Linguistic and Cultural Rights,” press release, August 3, 2017, [pen.org/press-release/decision-ban-uyghur-language-xinjiang-schools-attack-minority-groups-linguistic-cultural-rights/](https://pen.org/press-release/decision-ban-uyghur-language-xinjiang-schools-attack-minority-groups-linguistic-cultural-rights/); Darren Byler, “The ‘patriotism’ of not speaking Uyghur,” *Sup China*, January 2, 2019, [supchina.com/2019/01/02/the-patriotism-of-not-speaking-uyghur/](https://supchina.com/2019/01/02/the-patriotism-of-not-speaking-uyghur/)

<sup>195</sup> Gegentul Baioud, “Will education reform wipe out Mongolian language and culture?,” *Language on the Move*, August 30, 2020, [languageonthemove.com/will-education-reform-wipe-out-mongolian-language-and-culture/](https://languageonthemove.com/will-education-reform-wipe-out-mongolian-language-and-culture/); Amy Qin, “Curbs on Mongolian Language Teaching Prompt Large Protests in China,” *The New York Times*, August 31, 2020, [nytimes.com/2020/08/31/world/asia/china-protest-mongolian-language-schools.html?referringSource=articleShare](https://www.nytimes.com/2020/08/31/world/asia/china-protest-mongolian-language-schools.html?referringSource=articleShare)

<sup>196</sup> “China ‘Will End’ Mongolian-Language Education Starting This Semester: Reports,” *Radio Free Asia*, August 24, 2020, [rfa.org/english/news/china/language-08242020101614.html](https://rfa.org/english/news/china/language-08242020101614.html)



Uyghur literary figure, poet, and journalist Qurban Mamut.



Photos courtesy of Bahram Sintash

Hada have faced increased restrictions on their access to the internet and their ability to speak publicly.<sup>197</sup>

In Tibet, language activists and those who openly advocate for free expression of Tibetan culture remain under serious threat. In 2020, several writers and public intellectuals remained imprisoned for their expression, including Tashi Wangchuk, Kunchok Tsephel Gopey Tsang, and Jo Lobsang Jamyang. Tashi was released from prison in January 2021, after completing a five-year sentence for “inciting separatism” related to his peaceful advocacy; he remains under a five-year sentence of “deprivation of political rights”—including the right to speak freely—and is presumed to be under continued state surveillance.<sup>198</sup> During 2020, news of the imprisonment of multiple lyricists for their expression in support of Tibetan culture and

identity came to light. Singer/songwriters Lhundrub Drakpa and Khado Tsetan were sentenced for their lyrics under national security laws, including alleged charges of separatism and state subversion.<sup>199</sup> Poet and essayist Gendun “Lhamko” Lhundrub was detained on December 2, 2020, roughly a month after publishing a poetry collection titled *Khorwa* and posting commentary on social media in support of Tibetans’ right to free expression.<sup>200</sup>

During 2020, authorities in Iran and Turkey continued to persecute writers and public intellectuals for their writing about Kurdish culture or use of Kurdish language. In Turkey, authorities in Istanbul and Şanlıurfa—a predominantly Kurdish locale—banned performances of the Italian play *Bêrû* by Teatra Jiyan a Nû, Istanbul’s largest Kurdish-language ensemble,

<sup>197</sup> “Nine Die, Thousands Arrested Amid Crackdown on Protesting Mongolians: Group,” *Radio Free Asia*, September 14, 2020, [rfa.org/english/news/china/crackdown-09142020184034.html](https://rfa.org/english/news/china/crackdown-09142020184034.html); China ‘Will End’ Mongolian-Language “Education Starting This Semester: Reports”; SMHRIC, “Activists face imprisonment and police stations in schools,” *Southern Mongolian Human Rights Information Center*, October 18, 2020, [smhric.org/news\\_683.htm](https://smhric.org/news_683.htm); “Thousands Held in Inner Mongolia as Crackdown on Language Protesters Continues,” *Radio Free Asia*, October 20, 2020, [rfa.org/english/news/china/crackdown-10202020092816.html](https://rfa.org/english/news/china/crackdown-10202020092816.html)

<sup>198</sup> “PEN America Celebrates Release of Tibetan Language Advocate Tashi Wangchuk,” PEN America, press release, January 28, 2021, [pen.org/press-release/pen-america-celebrates-release-of-tibetan-language-advocate-tashi-wangchuk/](https://pen.org/press-release/pen-america-celebrates-release-of-tibetan-language-advocate-tashi-wangchuk/)

<sup>199</sup> Staff Reporter, “China imprisons two Tibetans for song praising His Holiness the Dalai Lama,” *Central Tibetan Administration*, July 21, 2020, [tibet.net/china-imprisons-two-tibetans-for-song-praising-his-holiness-the-dalai-lama/](https://tibet.net/china-imprisons-two-tibetans-for-song-praising-his-holiness-the-dalai-lama/); “Tibetan Singer Sentenced to Six Years in Prison in Driru: China Committing ‘Crimes against Humanity’ in Tibet,” *Tibetan Centre for Human Rights and Democracy*, October 30, 2020, [tchrd.org/tibetan-singer-sentenced-to-six-years-in-prison-in-driru-china-committing-crimes-against-humanity-in-tibet/](https://tchrd.org/tibetan-singer-sentenced-to-six-years-in-prison-in-driru-china-committing-crimes-against-humanity-in-tibet/)

<sup>200</sup> “Tibetan Writer Arrested in Qinghai, Whereabouts Unknown,” *Radio Free Asia*, December 4, 2020, [rfa.org/english/news/tibet/writer-12042020164144.html](https://rfa.org/english/news/tibet/writer-12042020164144.html); Phayul Newsdesk, “Tibetan writer arrested, whereabouts remain unknown,” *Phayul*, December 7, 2020, [phayul.com/2020/12/07/44897/](https://phayul.com/2020/12/07/44897/)

on spurious charges of spreading “terrorist propaganda.”<sup>201</sup> While the theater ensemble members were not detained, the actors are reportedly under investigation.<sup>202</sup> In Iran, **Anisa Jafari-Mehr** and **Darush Moradi**, two writers for Kurdish literary and cultural publications, were detained in late November on suspicion of “propaganda against the regime” and “membership in groups opposed to the regime;” they were released on bail in early December.<sup>203</sup> These charges are similar to those brought against Kurdish language educator and culture advocate **Zahra Mohammadi**, who was detained for several months in 2019. While Mohammadi was not under detention in 2020, in February 2021, an appeals court upheld her conviction and five-year prison sentence for “forming a group against national security,” in response to her teaching of the Kurdish language; as of mid-April, Mohammadi had reportedly not yet been summoned to begin her sentence.

## CONCLUSION

The freedom to write came under myriad forms of pressure in 2020. Long-standing threats against writers collided with new realities, including the COVID-19 pandemic and repressive responses to sweeping protest movements. Writers’ influential voices have played a key role in inspiring activists, analyzing and critiquing state responses to the pandemic, and imagining different post-pandemic realities and futures in which greater rights and protections are enjoyed by broader swathes of the populace. Seeing their power, authorities in democratic

and authoritarian countries alike have constrained their individual freedom via legal charges and detention, trying to prevent their voices and ideas from reaching and influencing a wider audience. Meanwhile, writers and thinkers who attempt to preserve ethno-linguistic traditions, question social or cultural norms, or criticize government policy remain common targets for government officials treating peaceful expression as a threat.

By jailing a **Xu Zhiyong**, a **Hany Babu**, or a **Maria Kalesnikava**, governments are sending a signal that dissent will be punished, that the truth and facts will be suppressed, and that inspiring others to demand change will be considered a criminal offence. Nevertheless, the voices of writers and public intellectuals are essential ones for every society, and it remains imperative to push back against these incursions on the freedom to write and think.

2020 has been a year of unique difficulties, with a global pandemic that has powerfully and tangibly affected the lives of most people on the planet, especially through the enforced isolation that it has caused. During that isolation, the written word has been a powerful lifeline, as a source of vital information, and as an opportunity for imagination and escape from the hardships of this year. The fact that authorities across the world have used the pandemic as cover to enforce their own repressive agendas in ways that threaten the freedom to write—jailing critics, promulgating laws that grant them new censorious powers, and leaving writers to languish in unsafe prison conditions—may therefore feel like injustice heaped upon injustice.

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<sup>201</sup> Ayla Jean Yackley, “Theater Ensemble Targeted in Turkey for Kurdish Performances; Accused of ‘Terrorist Propaganda,’” *Hyperallergic*, February 18, 2021, [hyperallergic.com/623243/kurdish-theater-targeted-terrorism-propaganda/](https://hyperallergic.com/623243/kurdish-theater-targeted-terrorism-propaganda/); MEE and agencies, “Ban on Kurdish-language play in Istanbul sparks condemnation,” *Middle East Eye*, October 14, 2020, [middleeasteye.net/news/turkey-ban-kurdish-language-play-istanbul](https://middleeasteye.net/news/turkey-ban-kurdish-language-play-istanbul); BIA News Desk, “Investigation into banned Kurdish theater play,” *Bianet*, October 14, 2020, [m.bianet.org/english/print/232729-investigation-into-banned-kurdish-theater-play](https://m.bianet.org/english/print/232729-investigation-into-banned-kurdish-theater-play)

<sup>202</sup> Yackley, “Theater Ensemble Targeted in Turkey for Kurdish Performances; Accused of ‘Terrorist Propaganda.’”

<sup>203</sup> “Kurdish Activists Released on Bail,” *Kurdistan Human Rights Network*, December 12, 2020, [kurdistanhumanrights.org/en/kurdish-activists-released-on-bail/](https://kurdistanhumanrights.org/en/kurdish-activists-released-on-bail/)



But we should not lose sight of the fact that, where the COVID-19 pandemic has isolated many of us from each other throughout 2020 and now into 2021, we are still bound by our shared experiences, and our shared humanity. It is often our writers, artists, and intellectuals whose work serves to remind us of this fact—as the American writer Norman Rush once put it, “Literature is humanity talking to itself.” To demand the freedom of all those who are targeted for the peaceful articulation of their ideas and opinions is to insist that this conversation continue, and that it be held in higher esteem than the whims or prejudices of the powerful who insist on controlling it. This insistence on freedom of expression becomes more important, not less, in times of enforced isolation. As the world continues its slow emergence from the pandemic, we must continue to stand in solidarity with all those who face retribution for their decision to raise their voice in commentary or testimony—be they writers, intellectuals, or any others who are threatened.

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Read the web report online at: <https://pen.org/report/freedom-to-write-index-2020>

