

House Foreign Affairs Committee  
Tom Lantos Human Rights Commission

Briefing  
on  
Imprisoned Writers and the Right to Freedom of Expression

November 15, 2021 - 3:00 p.m.

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Chairman McGovern, Chairman Smith, and honorable members of the Commission, thank you for organizing this timely briefing on imprisoned writers and the right to freedom of expression.

My name is Nadine Farid Johnson. I serve as Washington director for PEN America, a nonpartisan, non-profit organization that stands at the intersection of literature and human rights to protect free expression around the globe.

When they are able to express themselves freely, writers and intellectuals can be influential voices that bear witness to inhumanity, unleash empathy, spark the imagination, and accelerate political change and social progress. Literature, in particular, can nurture individual inquiry, challenge orthodoxies, and provide citizens in repressive societies with a window to a different, freer, better future. Authoritarian leaders and those who would join their ilk know this.

PEN America's annual Freedom to Write Index provides a count of the writers and public intellectuals held in prison or detention for exercising their freedom of expression. The Index focuses primarily on writers of literature, fiction, poetry, essays, academic writing, and online commentary.

With these criteria, we found that in 2020, at least 273 writers and public intellectuals in 35 countries were in prison or unjustly held in detention. Nearly one third of these individuals had not been imprisoned or detained during the previous year, and the overall number increased from 238 in 2019, representing a new level of increased harassment and oppression by state actors. Existing challenges in authoritarian as well as more democratic political environments are being compounded by new threats to free expression, particularly with respect to those in the literary realm, who make up over one-third of the people noted in our Index.

The COVID-19 pandemic both exacerbated the oppressive environment against free expression in many parts of the globe and shone a harsh light on the conditions of imprisonment. Governments around the world have used the pandemic as an opportunity to further restrict people's speech, with policies criminalizing "false information" or "rumors" about the pandemic, or statements critical of the government's response to the pandemic. In fact, chief among newly

employed tactics for the detention and imprisonment of writers is the ostensible spread of “disinformation,” which is often wielded as a cudgel to quash criticism of the state. Under cover of public health concerns, draconian laws were wielded more fervently against those who spoke out--often, of course, the writers and public intellectuals whose influence is strongest. In Bangladesh, political commentator and writer Mushtaq Ahmed was detained in May 2020 and charged for his online writings in which he criticized aspects of his government’s handling of the pandemic. Ahmed died in custody after nearly 11 months in jail.

In Uganda, novelist Kakwenza Rukirabashaija was detained, questioned, and tortured under charges purportedly related to COVID-19 but which appear to have been motivated by authorities’ displeasure over his fiction novel, viewed as critical of President Yoweri Museveni.

As the pandemic raged and the urgent need to reduce the density of prison populations resulted in furloughs and releases, political prisoners were typically excluded. In many countries, those facing spurious charges under supposed national security-related restrictions were left to languish as the pandemic spread. For example, India’s Supreme Court ordered 61,000 people released from prison to reduce overcrowding, but did not release octogenarian poet P. Varavara Rao. Rao contracted COVID-19 in prison, and was only released after a lengthy medical bail appeal. Iran’s judiciary released 70,000 people from prison in March of 2020, but the writers, artists, activists whose causes we champion were not among them.

Writers and public intellectuals around the world are often at the forefront of movements for democracy, equal rights under law, and the celebration of diverse racial and ethnic identities. And they are often targeted specifically for that reason--something we have witnessed recently in Cuba and Belarus, for example. In Turkey, Iran, and China, it is also common for writers to be criminally prosecuted under harsh national security laws that equate the celebration of diverse ethnic identities such as language and cultural differences with “membership in banned or terrorist groups,” “propaganda” against the state, “separatism,” and “splittism.” This occurs frequently among Uyghur writers in China and among writers supporting Kurdish culture and language in Turkey, for example.

The top three jailers of writers and public intellectuals in 2020 were familiar and perhaps expected: China, Saudi Arabia, and Turkey. Yet we see these oppressive practices in every region, in solidly authoritarian states and in ostensible democracies. The situation in some countries deteriorated rapidly in 2020; for example, Belarus did not appear in the 2019 Freedom to Write Index. In 2020, after a fraudulent election sparked mass protests in which writers and the creative community played a key role, the country catapulted into the top five. The Lukashenka regime moved quickly to silence writers and the creative class in particular, fearing their reach and influence.

Egypt, Iran, and Vietnam also increased the numbers of writers and public intellectuals in their prisons. In Egypt, President Abdel Fattah el-Sisi leads an ongoing and persistent crackdown on freedom of thought and expression. Researcher and freelance journalist Ismail Alexandrani, blogger and activist Alaa Abd El Fattah, and poet and songwriter Galal El-Behairy remain unjustly imprisoned.

In Iran, particularly notable in 2020 was a deepening crackdown on members of a professional organization, the Iranian Writers Association (IWA), targeted in the past due to their insistence on upholding the rights to free expression and association. Three IWA members, Baktash Abtin, Kevyan Bajan, and Reza Khandan Mahabadi are the recipients of this year's PEN/Barbey Freedom to Write Award.

Vietnamese authorities are also targeting individuals associated with professional literary and writing organizations, including those connected to the Independent Journalists Association of Vietnam (IJAVN), a civil society organization that advocates for press freedom consisting of writers, bloggers, and journalists.

Perhaps most of note is the situation in India. India is the country with the most democratic political system ranking in the top 10 in the Index. Yet the Modi government is employing authoritarian tactics to silence his critics, rounding up writers in a troubling trend. The detention of poet Varavara Rao, columnist Anand Teltumbde, and writers Hany Babu and Gautam Navlakha are a few examples of a situation that affects dozens of writers, who are subjected to online harassment, physical threats, lawsuits, or other forms of intimidation at the hands of their government.

Against this backdrop of pervasive and growing threats to writers and freedom of expression worldwide, we offer the following recommendations for action by Members of Congress:

First, recognize that as we are seeing in India, even nominally open political environments are subject to the autocratic whims of their leaders. Giving silent permission to, or muted condemnation of, regimes such as Saudi Arabia or Egypt sends a loud message to those who would emulate their tactics. With its vocal recommitment to human rights, the U.S. government, in both the legislative and executive branches, should work alongside allies and employ its leverage to press for the release of writers, artists, and public intellectuals detained unjustly, and to demand governments uphold their domestic and international commitments to preserve and protect free expression.

Second, we ask that you use your legislative authority to pave the way for streamlined entry into the U.S. for these wrongfully targeted dissidents, and that you support bills offering support and protection to protestors who face persecution abroad, and to the writers, journalists, and other dissidents who live under the threat of gross violations of human rights at the hands of their home regimes.

Finally, and with our thanks to the Lantos Commission, we urge Members of Congress to commit to engaging with the Defending Freedoms Project. As the newest trusted partner of this Commission, PEN America has paired two dissidents, both from China. We thank and commend Senator Markey and Representative Good for their efforts on behalf of Xu Zhiyong and Chen Yu.

The 16 women and men on our priority list are writers and artists; poets, filmmakers, and musicians. They are well vetted, and we are putting them forward with the permission of their families, who have long suffered knowing the harassment, torture, and injustice their loved ones face. The credibility and gravitas that Members of Congress bring to the campaigns to free these individuals is unmatched. We would be grateful for your participation.

Advocacy works. Even with the most recalcitrant of dictators, success is possible. Every year, PEN America honors a writer imprisoned for their work with the Freedom to Write Award. Since the Award's inception, of the 51 jailed writers honored, 44 have been freed in part due to the attention and pressure generated by the Award. And as mentioned at the start of today's briefing, today we mark the Day of the Imprisoned Writer. Two years ago, PEN America featured the case of writer Stanislav Aseyev, imprisoned in Donbas in Ukraine. Today, Mr. Aseyev is free, and in fact he is in New York, standing alongside our colleagues to advocate on behalf of another writer, Vladyslav Yesypenko, in the hope that our efforts will once again enable a writer to walk free.

On this point, I will close with a quote I heard just this morning in talking with a formerly imprisoned Egyptian writer who was also a Freedom to Write awardee. He said, "Advocacy is everything. When you support imprisoned writers, you are raising their silenced voices again."

Thank you for your willingness to use your position to support free expression and raise these voices.

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