



SOUTH AFRICA

THE SOUTH AFRICAN CENTRE OF PEN INTERNATIONAL

A World Association of Writers

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To: SA PEN Members

E-Newsletter No. 19/2014 – 09/12/2014

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PRESS RELEASE – 8th December 2014

Konaté v Burkina Faso Decision

RIGHTS ORGANISATIONS WELCOME THE DECISION OF AFRICAN COURT TO STRIKE DOWN BURKINA FASO’S CRIMINAL DEFAMATION LAW AND CALL ON AFRICAN GOVERNMENTS TO REPEAL SIMILAR LAWS

Media and human rights organisations are delighted with today’s decision of the African Court on Human and Peoples’ Rights in the case of *Konaté v Burkina Faso* to rule that imprisonment for defamation violates the right to freedom of expression and that criminal defamation laws should only be used in restricted circumstances.

The highest court in Africa has sent a strong message that governments may not use severe criminal penalties to stifle public debate and reporting on matters of public interest.

“This is a landmark decision that will change the free expression landscape on the African Continent. The decision will not only give impetus to the continent-wide campaign to decriminalise defamation but will also pave the way for the decriminalisation of similar laws such as insult laws and publication of false news” said Adv Pansy Tlakula, Special Rapporteur on Freedom of Expression and Access to Information in Africa.

In March 2014, 18 non-governmental organisations intervened as ‘friends of the court’ in the Konaté case at the African Court in Arusha, Tanzania, to address growing concerns over the use of criminal defamation laws to censor journalists and others in Africa.

In 2012 Issa Lohé Konaté, the editor of the Burkina Faso-based weekly *L’Ouragan*, was sentenced to 12 months in prison and fined 4 000 000 CFA francs (6 000 Euros). Konaté was convicted of defaming Burkinabé State Prosecutor, Placide Nikiéma, after he published two articles raising questions about alleged abuse of power by the prosecutor’s office, particularly in the handling of a high-profile case of currency counterfeiting.

The group argued that criminal defamation and insult laws are incompatible with freedom of expression and severely undermine the democratic rights of the media and concerned citizens to hold their governments to account. Governments routinely use these laws to silence critical voices and to deprive the public of information about the misconduct of officials. Journalists, lawyers and activists who should be free to carry out their work without fear are instead vilified and criminalised under these laws. The systematic denial of freedom of expression leads countries down a slippery slope towards impunity and authoritarianism. A clear nexus links censorship to bad governance. A democratic society cannot function without an active commitment to freedom of expression.

Burkina Faso’s criminal defamation laws, like those in many African countries, are a relic of colonialism. These laws are incompatible with an independent, democratic Africa. Approximately 95% of the countries in the world have criminal libel laws. In 2013, 211 journalists were imprisoned for carrying out their work. African countries are amongst the worst offenders in using criminal defamation laws to fine and imprison journalists.

For more information about the case, please contact the following spokespersons:

Simon Delaney, Delaney Attorneys, South Africa

Tel no: +27 83 397 0057, Email: simon@delaney.co.za

Ginna Anderson, American Bar Association, United States

Tel no: +1 202 442 3438, Email: ginna.anderson@americanbar.org

Alison Meston, World Association of Newspapers and News Publishers, France

Tel no: +33 1 47 42 85 00, Email: alison.meston@wan-ifra.org

Donald Deya, Pan African Lawyers Union, Tanzania
Tel no: +255 787 066 888, Email: ddeya@lawyersofafrica.org

The organisations that intervened as friends of the court in the Konaté case are:

Centre for Human Rights: Prof Frans Viljoen, Director: frans.viljoen@up.ac.za
Malawi PEN: Alfred Msadala, President: amsadala@gmail.com
Pan Africa Human Rights Defenders Network (Pan Africa HRD-Net): Joseph Bikanda, Coordinator: panafrica@defenddefenders.org
Pan African Lawyers Union (PALU): Donald Deya, Chief Executive Officer: ddeya@lawyersofafrica.org
PEN Algeria: Mohamed Magani: med.pen.algeria@gmail.com
PEN International: Ann Harrison, Director, Writers in Prison Committee: ann.harrison@pen-international.org. Twitter: @pen_int
PEN Nigeria Centre: Tade Ipadeola, President: tadeipadeola@yahoo.com
PEN Sierra Leone: Mohamed Sheriff: msaydia@yahoo.co.uk
Media Institute of Southern Africa: Zoé Titus, Regional Director: zoe@misa.org
Southern Africa Litigation Centre (SALC): Nicole Fritz, Deputy Director: nicolef@salc.org.za
PEN South Africa: Deborah Horn-Botha: rudebs@icon.co.za
World Association of Newspapers and News Publishers (WAN-IFRA): Alison Meston, Director Press Freedom: alison.meston@wan-ifra.org

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Margie Orford – Radio 702 interview

Margie Orford was a guest of Jenny Crwys-Williams on Radio 702 on the 19th November.

If you'd like to listen to the podcast

1. go to: http://www.702.co.za/podcast/podcast_jennybookshow.asp

2. Select:

Books about Birds. 19 November 2014, 04:38:26 PM Jenny spoke to Vernon Head about one of the best books to come out this year, “ The Search for the Rarest Bird in the World.” President of Pen SA Margie Orford spoke about PEN SA’s aims to promote the advancement of writers everywhere.
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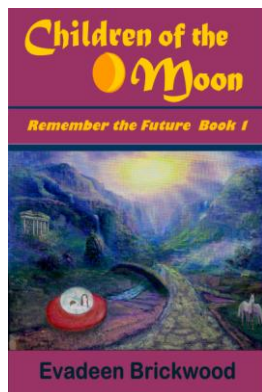
3. And click on: [20141119JCWBOOKS.mp3](#)

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PEN International have advised that the interim **Writers in Prison Committee case list** (for the period January to June 2014) is now available electronically. To request a copy please email rudebs@icon.co.za.

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Evadeen Brickwood's *Remember the Future* series



Evadeen Brickwood recently announced the online release of the first two books in the *Remember the Future* series - *Children of the Moon* and *The Speaking Stone of Caradoc*.

Children of the Moon was published by Zulu Planet Publishers in 2007. A new paperback edition will be available in 2015. This publication is also available in German - *Kinder des Mondes*.

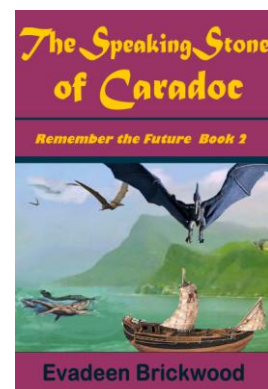
Be enchanted by a fascinating world forgotten by legend. The series begins at the Pemberton Academy, where gifted students invent a time portal device for their quantum physics project. During a school outing, they jump into the ancient city of Cydonia. Here they meet another time traveller and learn that they might be able to change the future for the better. Watch the picture-slideshow on YouTube: <http://youtu.be/-PCWeDI7UA4>

In the sequel to *Children of the Moon* the journey through the prehistoric world continues. A mysterious speaking stone must be found and returned. Katherine, Trevor and Chryseis explore remnants of a sunken continent and meet strange creatures. Then they must make their way to a very different England. Watch the picture-slideshow on YouTube: <http://youtu.be/Ry3xp8Vzs7I>. The paperback edition of *The Speaking Stone of Caradoc* will be released in 2015.

Children of the Moon is novel, pacy and exciting. Travel through time to a secret forgotten world...a fantastic creation.... an intriguing read even for adults.
Kevin Ritchie, Editor "The Star", Independent Newspapers

"I believe that teenagers of today like to read about unconventional ideas. The series goes a long way in bringing good reading material to today's market."
Michelle Edridge, social worker and mother of bookworms

For a limited time (Thursday, December 3 through Wednesday, December 10), an electronic version of *The Speaking Stone of Caradoc*, normally priced at \$1.99, will be available to the public as a free download at Smashwords: <http://www.smashwords.com/books/view/391005>. Free coupon: **HK93G. Use this code at checkout... and start reading!**



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A visit to the studio of South Africa's best-loved cartoonist

Go to: http://aerodrome.co.za/worklife-zapiro/?utm_source=AERODROME+Newsletter&utm_campaign=f7c84a3c23-Newsletter+-+December+2014&utm_medium=email&utm_term=0_2b969f7247-f7c84a3c23-120200149 to learn more about Zapiro.

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PEN Centres from Sub-Saharan Africa gather in Johannesburg, South Africa

Extract from PEN International Newsletter of 05/12/14

This week, as part of an initiative sponsored by the Commonwealth Foundation and the Finnish International Development Agency (FINNIDA), **eight PEN Centres from Sub-Saharan Africa gathered in South Africa to take part in training and knowledge-sharing workshops and advocacy planning with a focus on freedom of expression, linguistic rights, and education.** In addition to the training sessions, PEN International, South African PEN and the University of Wits Journalism Programme held a Free the Word! event in Johannesburg’s celebrated jazz venue The Orbit.

From: [Margie Orford](#)
Sent: Saturday, December 06, 2014 9:17 AM
To: [Nooshin Erfani-Ghadimi](#) ; [Anton Harber](#) ; [Dinesh Balliah](#) ; [Mandla Langa](#) ; [Carole Bloch](#) ; [Romana Cacchioli](#) ; [Paul Finegan](#) ; [Sarah Clarke](#) ; [Raymond Louw](#)
Cc: [John Ralston Saul](#) ; [Carles Torner](#) ; [Deborah Horn-Botha](#)
Subject: **PAN meeting at WITS University**

Good morning,

I would like to thank the team at WITS University for their invaluable input, energy and effort in making the meeting of the seven African PEN Centres possible. I could only be there on Thursday evening - the Free the Word event was wonderful - and Friday for the strategic planning session on the PEN African Network. You are a wonderful partner for PEN South Africa and this - our third collaboration, this time with PEN International - was very interesting. The Centres that attended were very enthusiastic and found the week productive.

Thanks must also go to the members of PEN South Africa who took part in the training and discussions and who contributed so much time and effort in making this possible.

I would also like to thank Paul, Sarah and Romana (of PEN International) for all the work they did in making a challenging week so productive and participatory. It was great to have them here in Johannesburg and is, I think, a useful way to work in building local connections and networks and also for strengthening local centres. Much needs to be done in this area but it was, I think, a very good start for the planned African meetings over the next couple of years.

All the best.

Margie Orford
President, SA PEN

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UCT Summer School – 19th to 30th January 2015

The following SA PEN members will be presenting lectures/courses as part of UCT’s Summer School:

*Dr Azila Reisenberger, Head of Hebrew, School of Languages and Literatures, University of Cape Town – Course No 1058 - **WHY DID THEY DO IT? THREE BIBLICAL DETECTIVE INVESTIGATIONS***

*Andrew Feinstein, writer, researcher, anti-corruption campaigner, Director: Corruption Watch, United Kingdom – Course No. 1008 - **A PERSONAL ACCOUNT OF THE SOUTH AFRICAN ARMS DEAL AND ITS POLITICAL CONSEQUENCES***

Costs range from R160 to R400. For more information and to register for a course go to www.summerschool.uct.ac.za, email ems@uct.ac.za or call (021) 650 2888.

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Williams Kentridge’s Refuse the Hour – 26th to 28th February 2015, Cape Town

The Cape Town City Hall auditorium will become the backdrop to the South African premiere of William Kentridge’s multimedia performance *Refuse The Hour*. Go to Computicket to book your ticket @ R400. Seats for each performance are limited to 500.

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Nelson Mandela Day Literacy Project

The Nelson Mandela Foundation, in partnership with The Book People, recently launched its book drive initiative, which aims to collect 67 000 books and promote literacy over the next three months. For more information go to: <http://www.nelsonmandela.org/news/entry/help-keep-madibas-legacy-alive-with-mandela-day-book-drive>. To donate a book please register and order here at <http://www.bookpeople.co.za/nelson-mandela-drive/>.

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Congratulations Corner!



Congratulations to **André Brink** on being awarded the 2014 Arts & Culture Trust Lifetime Achievement Award for Literature, sponsored by Media 24 Books.

Congratulations to **Karen Jennings** on her recent marriage. Wishing her and her husband a lifetime of friendship and happiness.



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PEN American Center - Surveillance Survey Follow Up

Dear friends,

I'm writing from PEN American Center with an update on our international survey on surveillance. We are very grateful to the over 700 of you who filled out the survey. The responses were fascinating, and we look forward to publishing a PEN report presenting the results shortly. We believe that, with your help, PEN stands to make an important contribution to the vital and ongoing public debate about surveillance.

As we prepare for the launch of the survey report, we are reaching out on one important point. Whether or not you filled out the original survey, we are interested in hearing more details about how concerns about surveillance may be affecting your work as a writer. To that end, we are asking if you and your PEN Center's membership can share examples of the following:

- **topics, issues, subjects, and/or questions that you have avoided exploring** due to concerns about surveillance;
- **a decision not to explore or write about a particular topic** that was influenced by concerns about surveillance;
- **a decision to curtail or avoid research** due partly or fully to concerns about surveillance; and/or
- **a choice to avoid certain conversation topics** either on the phone or in electronic communications out of concern that those communications may be surveilled.

We are pleased to keep all responses strictly confidential at the request of the respondent. We are also interested in hearing from people who would be interested in being quoted, or possibly writing or speaking publicly on this issue in the future. Please send your reply to Katy Glenn Bass, Deputy Director for Free Expression Programs, at kglennbass@pen.org. We would be very grateful for your replies by **Wednesday, December 17.**

We look forward to your responses, and thank you very much for your time.

All my best,
Katy Glenn Bass, Deputy Director of Free Expression Programs
PEN American Center
08/12/2014

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Had a book published recently? Attended or participated in a Festival? Won an award? Achieved a personal milestone of note? The compiler would welcome any news of your activities for future issues of the SA PEN e-newsletter. Please e-mail your contributions to rudebs@icon.co.za.

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Learn Africa, Love Africa Campus 2015 – Survey

The African Arts Institute will host a “Learn Africa, Love Africa” Campus in May 2015 to coincide with Africa Month, and in which 15-20 short courses (each course comprising 1-6 sessions, and each session 2-3 hours long, depending on the course) will be offered.

Please assist them in their market research by participating in a 3-minute survey. Go to: https://docs.google.com/forms/d/1y3J4mP-YiHlwvCyUv1fzeSE_Rv6-BzMOod0FmLgbo1Q/viewform

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Publications received

SA PEN has received the following publications. Should you wish to read any of them please contact Deborah on rudebs@icon.co.za

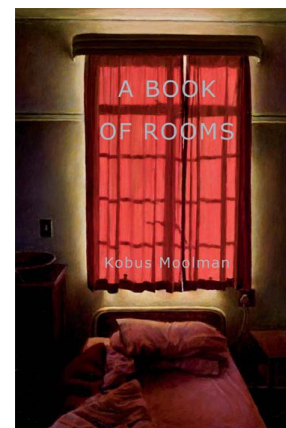
- *A Book of Rooms* by Kobus Moolman
- *Carapace 103* –November 2014
- *Japanese Book News*, Fall 2014, No. 81
- *The Taipei Chinese PEN - A Quarterly Journal of Contemporary Chinese Literature from Taiwan*, Spring 2014. No. 168

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Members’ Publications

***A Book of Rooms* by Kobus Moolman**

A Book of Rooms, Kobus Moolman’s new collection of poetry, deepens the explorations of his recent books *Light and After* and *Left Over*. While the Beckett-like sparseness and doggedness is still there, *A Book of Rooms* makes use of a realist-biographical narrative form. Arranged into physically dense scenes described as “rooms”, it inhabits the childhood and young adulthood of a man with a serious physical disability growing up in a grim family in the final years of the white side of apartheid. The reader is compelled right into the character’s bleak and constant meetings with pain and failure. At the same time, inside this present-tense current, there is a powerful will to live, with sharp flashes of humour, and an even more powerful drive to know the truth.



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Please note that SA PEN Newsletters are available to members and to the public on the SA PEN website at <http://www.sapen.co.za/newsletter-archive>