



# **PEN** American Center

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PEN American Center is an association of writers working to advance literature,  
to defend free expression, and to foster international literary fellowship.

September 9, 2010

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Your Excellencies,

On behalf of the 3,500 members of PEN American Center, the largest center of International PEN, we are writing to express our concern over reports that three of our colleagues from the Georgian PEN Center were recently arrested and convicted on what would appear to be an unfounded charge of resisting the police, and that at least one of the three may have lost his job as a result of his non-violent activism.

As we understand it, on August 14, 2010, poets Shota Gagarin, Aleksi Chigvinadze, and Irakli Kakabadze staged a peaceful demonstration on what is now called George W. Bush Street in Tbilisi, demanding that the street be renamed in honor of American poet Walt Whitman. During the demonstration, our colleagues read Whitman's poetry and then defaced the street sign. The three were arrested in connection with the protest. The arrest, which was videotaped, seems to show clearly that the men offered no resistance and were taken into custody willingly and without incident.

However, according to numerous reports, including that of the Public Defender (Ombudsman) of Georgia, the three were held overnight, where they allegedly were verbally and physically abused, and charged under Article 173 of the General Administrative Code of Georgia for "evil resistance to police." The following day, on August 15, 2010, they were convicted during a hearing that was closed to family members and the media, and fined the equivalent of US\$250. We understand they have appealed their conviction, but that no hearing has yet been granted.

We are troubled by the apparent over-charging of our colleagues, who are well-known activists who use the tools of non-violent civil disobedience to raise social

and political concerns, and by reports that they may have been mistreated while in custody. We are further concerned by what would appear to be irregularities in their trial and conviction, including the fact that their court proceeding was closed and reports that the judge chose not to view the videotape that clearly documented their peaceful arrest.

Finally, we are alarmed by reports that poet Shota Gagarin (his pen name) was fired from his job as a text stylist for the magazine *Tabula* following his arrest and conviction. We understand that he learned he had been dismissed from his job when his editor posted the news on his Facebook page. This information, coupled with reports that all three of our colleagues have faced intimidation and harassment for some time for their nonviolent political activism, obviously raises grave concerns about the climate for freedom of expression in Georgia.

We therefore ask you personally to review the arrest and conviction of our colleagues, Shota Gagarin, Aleksi Chigvinadze, and Irakli Kakabadze, and to ensure that they are able to challenge their convictions on appeal in an open proceeding. Such a proceeding would serve as an important reassurance to the citizens of Georgia and to the world that Georgia is fully committed to protecting the basic human rights of due process and freedom of expression.

Sincerely,



Kwame Anthony Appiah  
President



Larry Siems  
Director, Freedom to Write  
and International Program

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