

Reporters Without Borders

<http://www.rsf.org/burkina-faso-excessive-prison-terms-and-fines-31-10-2012,43622.html>

Africa - Burkina Faso

Legal injustice

Excessive prison terms and fines for two journalists

31 October 2012

Issa Lohé Konaté, editor in chief of the weekly *L'Ouragan*, and **Roland Ouédago**, one of the magazine's staff members, have been sentenced to 12 months in prison and a fine of four million francs FCA (6,000 euros), plus 500,000 francs FCA (750 euros) in damages and interest.

The High Court of Justice of the capital city of Ouagadougou, which handed down the sentence on 29 October, also suspended publication of the magazine for six months.

Reporters Without Borders expressed deep concern over the harshness of these penalties. "Prison and heavy fines are never a fair response to errors made in the practice of journalism," said Christophe Deloire, director general of the press freedom organization.

In two articles published in its 1 August issue, *L'Ouragan* accused state prosecutor Placide Nikiéma of trafficking in counterfeit currency and of acting as enemy of justice. A second article in the following edition was headlined, "Justice denied, Faso prosecutor a hoodlum justice official?"

Nikiéma then filed a legal complaint alleging defamation, abuse and contempt of court conducted through the press.

Konaté has admitted that publication of the articles amounted to professional misconduct, for which he apologized. His attorney, describing the sentence as unjust, is planning to appeal.

Deloire of the press freedom organization acknowledged that a legal response to the articles was understandable. But imposing prison sentences for a press law violation was "disproportionate and counter-productive," he said. In addition, he said, the high court decision sets a dangerous precedent, especially in light of the expectation that Burkina Faso would decriminalize press law violations.

"The financial penalties threaten to put *L'Ouragan* out of business," Deloire added. "We hope that the legal appeal will lead to a reasonable and appropriate sentence reduction."

Photo : Damien Meyer / AFP
