

Reporters Without Borders

<http://www.rsf.org/drc-two-tv-journalists-jailed-for-past-04-12-2012,43760.html>

Africa - DRC

Politicized justice

Two TV journalists jailed for past week on defamation charge

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TV journalists **Dadou Etiom** and **Guy Ngiaba** had been detained for the past week in the southwestern city of Bandundu for criticizing Bandundu provincial assembly president Boniface Ntwa in a broadcast, according to the Reporters Without Borders partner organization Journalist in Danger (JED).

Reporters Without Borders is very disturbed that the frequency with which journalists are subjected to this kind of arrest is again on the increase in the Democratic Republic of Congo.

"In recent months, the Congolese judicial authorities have been responding with excessive zeal whenever officials file complaints against journalists," Reporters Without Borders said.

"Prison sentences are out of all proportion to the accusations made against these journalists and run counter to all democratic principles. Jailing journalists is particularly questionable in the wake of Prime Minister Augustin Matata Ponyo's pledge on 7 May to decriminalize media offences.

"The government and judicial system need to moderate their attitude towards journalists in line with the prime minister's professed wish to respect their rights by allowing them to gather and disseminate news and information without risking imprisonment."

The two journalists are charged with "detrimental allegations," which the criminal code defines as allegations of "precise facts, true or false, against another person that harm that person's reputation."

For more information, read the JED press release:

Journalist in Danger (JED) is outraged by the detention of two journalists in the main prison in Bandundu, capital of the southwestern province of the same name. They are Dadou Etiom of *Nzondo TV*, a privately-owned station based in Bandundu, and Guy Ngiaba, the local correspondent of Kinshasa-based *Télé 50*.

JED has learned that Bandundu prosecutors jailed Etiom and Ngiaba on 27 November after bringing them face to face with provincial assembly president Boniface Ntwa, who has accused them of "detrimental allegations."

Etiom hosted a programme called "Referendum" on 2 November in which Ngiaba participated. During the programme, the two journalists criticized Ntwa's management of the provincial assembly and accused him of not wanting to hold a plenary session for fear of a no-confidence vote.

Ntwa told JED he filed an official complaint about the programme with the provincial coordinator of the media regulator CSAC and sent a copy of his complaint to the state prosecutor.

"In their programme, the two journalists criticized the provincial assembly bureau's management and went so far as to give a date when this bureau would be removed," Ntwa said. "This constitutes manipulation and disinformation. The prosecutor's office conducted an investigation after viewing a recording of the offending programme."

JED strongly condemns this blatant misuse of the judicial system by a public office holder and calls on the province's judicial authorities to release the two journalists as they have a right to be presumed innocent pending the outcome of the proceedings against them.
