

Reporters Without Borders

<http://www.rsf.org/drc-two-dangerous-weeks-for-media-in-15-05-2012,42618.html>

Africa - DRC

Mixed picture

Three journalists freed but problems persist in eastern DRC

30 May 2012

The *Radio Liberté* presenter **Kashigwe Benjamin**, known as **Pilipili Kasai**, who was arrested at his home on 13 May, was released on bail four days ago. Although he has issued an apology, he does not know whether legal proceedings brought by the military prosecutor have been dropped.

Equipment confiscated from *Radio Liberté*, located in Butembo, in North Kivu province, was returned on the orders of the military prosecutor responsible for the case, Charles Kibenga, but whether the station resumes broadcasting is dependent on the mayor of Butembo, Théodore Sikuli Uvasaka, lifting a three-month closure order.

The mayor told Reporters without Borders: "We are currently holding talks with observers and journalists and we shall assess whether or not to lift the temporary broadcasting ban on the station." However, he remained vague on when this would take place.

Reporters Without Borders said: "We welcome these two conciliatory gestures towards the media but Kashigwe Benjamin is still on probation. At the same time, we have reservations about the future of Radio Liberté, which remains under a three-month suspension.

"Instead of resorting to bans and arrests, the political and military leadership in Butembo must deepen its political dialogue with journalists to seek a solution to this dangerous situation for press freedom in a region that has a fundamental need for news and information."

On 13 May, the mayor ordered the station's closure for three months on the grounds that it was broadcasting news that could demoralize the armed forces. Around the same time, Benjamin was arrested at his home because of two interviews he carried out a week earlier in which two rebel military commanders announced the resumption of hostilities.

Charges dropped against Kisangani News journalists

Reporters Without Borders notes that **Sébastien Mulamba** and **Mbuyi Mukadi**, respectively news editor and publisher of *Kisangani News*, were released from custody on 23 May. The two journalists were accused of libel and spent two weeks in Kisangani prison. The member of parliament Alphonse Awenze, who is referred to in the disputed article, dropped his suit.

"Naturally we are pleased that the two journalists have been released, but we must point out that they should not have spent a single day in prison," the press freedom organization said.

"Deprivation of liberty is a disproportionate and dangerous response to press offences and encourages intimidation of the media. We urge the authorities to decriminalize defamation and the two sides to employ self-regulation wherever possible."

2012.05.15 - Two dangerous weeks for media in eastern provinces

Reporters Without Borders is disturbed by a spate of freedom of information violations in the eastern provinces of North Kivu, South Kivu and Orientale in the past two weeks, including the forced closure of a radio station, arrests of 11 journalists (three of whom are still detained) and threats against two journalists.

Officials hostile to media in North Kivu

Radio Liberté, a station located in Butembo, in North Kivu province, was shut down on 13 May on the mayor's orders by members of the National Intelligence Agency (ANR), who arrested the nine journalists at the station when they arrived. Presenter **Kashigwe Benjamin Pili Pili** was arrested earlier the same day at his home.

"We are shocked by Radio Liberté's arbitrary closure although residents badly need the information it provides at a time of considerable violence," Reporters Without Borders said. "By what right does a local government official usurp the power of the courts to close a radio station? Since when do members of the ANR break the law by acting on behalf of private and partisan interests?"

Reporters Without Borders added: "This is an appalling abuse of power. We urge the authorities to release of the presenter, who is still held, and to allow the radio station to resume operating at once."

The raid on *Radio Liberté*, owned by wealthy opposition politician Jean-Pierre Bemba, began at around 7 a.m. when ANR members accompanied by police and soldiers stormed into the station, grabbed all the journalists present and took them to the ANR's local headquarters in the Butembo district of Furu. The station's transmitter, generator and mobile phones were confiscated.

After learning about the raid from reports by other local media, Furu residents gathered outside ANR headquarters in the early afternoon to protest against the detention of the journalists, who were all finally released except the presenter, Benjamin, who is being held by the criminal investigation police.

The raid was prompted by Benjamin's telephone interviews during his morning "Animation Volcan" programme on 7 May with a rebel general identified as La Fontaine and a renegade army colonel identified as Kahasha who lead rebel forces fighting the regular army in the Lubero and Rutshuru regions south of Butembo.

Butembo's mayor reacted by issuing an order on 12 May closing the station for three months on the grounds that it was conducting "a campaign to denigrate the DRC government and demoralize loyalist groups, which constitutes an attack on state security."

Local sources told Reporters Without Borders the closure order may have come from North Kivu governor Julien Paluku, who is known for his hostility to the media and who, on 2 May, threatened *Radio Okapi* journalist **Gisèle Kaj Kaung**, accusing her of bias and fraternizing with the rebels for broadcasting interviews with residents and ANR members on 30 April indicating that mutinous soldiers controlled certain areas and people were fleeing towards the Rwandan border.

"In a region that is prey to widespread violence and an armed rebellion, we urge the governor to act with restraint," Reporters Without Borders said. "The responsibilities of his public office include a duty to protect media personnel who are just doing their job, not to expose individual journalists to even more danger by slandering them."

Journalist in Danger (JED), a Reporters Without Borders partner organization, said Governor Paluku's comments about Kaung, coming in the current violent climate, were tantamount to "calling for her murder." This is the second time Paluku has directly threatened her. In 2008, he accused her of being former rebel leader Laurent Nkunda's concubine.

Two journalists held on libel charge in Orientale province

Kisangani News editor **Sébastien Mulamba** and **Mbuyi Mukadi**, the newspaper's publisher, were arrested by intelligence officials and police on 9 May in Kisangani, the capital of Orientale province, for allegedly libelling local parliamentary representative Alphonse Awenze in a 15 April article accusing him of having an affair with another man's wife.

After 48 hours at police headquarters, they were transferred to Kisangani's main prison. If prosecutors decide to bring criminal libel charges against them, they could be facing a three-year jail sentence. Paradoxically, they had agreed prior to their arrest to publish Awenze's response in the newspaper by 15 May, and had been on their way to meet him when they were arrested.

“Without taking a position on the substance of the case, we deeply regret that these two journalists have been jailed in connection with their work,” Reporters Without Borders said. “We condemn their detention, for which the required legal and judicial procedures were not followed, and we call for their immediate release, so that they can prepare their defence at what we hope will be a fair trial.”

Reporters Without Borders continues to campaign for the decriminalization of media offences in the DRC.

Radio journalist ambushed by gunmen in South Kivu

David Mambo Munyaga, the manager of rural radio station *Ondese FM* in Kiliba, in South Kivu province, and fellow journalist **Malega Muyuku** were returning from a reporting trip on 30 April when they were ambushed by three masked gunmen but managed to escape on their motorcycle.

Munyaga, who had already reported receiving telephone threats in connection with his reporting, filed a complaint about both the threats and the ambush in the hope that the authorities will identify those responsible. Fearing for his life, he is now in hiding.

Reporters Without Borders condemns the dangerous climate prevailing in this region and urges the local authorities to do everything possible to put a quick end to the threats and attacks on journalists.

Photo: Long life to press freedom in DCR (AFP)

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