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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[4 June 2012]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Situation of journalists in the Democratic Republic of the Congo

At the time of the Democratic Republic of the Congo presidential elections in November 2011 till May 2012, nongovernmental organisations documented 64 cases of violence against journalists. In many cases, they were acts of random violence ordered by public authorities. This direct involvement of members of the government or other public authorities in acts of violence and mistreatment against journalists is deeply concerning.

During the presidential election in November 2011, threats and acts of coercion against local Radio and Television stations escalated beyond previous levels. Public authorities dismissed these acts or endorsed them by stating all were undertaken to ensure 'public safety'. Even in the aftermath of the election, the mobile communication network was switched off, using the same slogan for justification.

In early April 2012, the former Congolese minister of Justice Luzolo Bambi Lessa banned the Movie "L'affaire Chebeya, un crime d'Etat?" from being broadcast. His complaint was in regards to the term "[...] un crime d'Etat" -- a crime of state. The former minister of justice accused the film's Belgian director Thierry Michel of carrying "unsubstantiated allegations". The Movie "L'affaire Chebeya, un crime d'Etat?" depicts the murder of Floribert Chebeya, a Congolese human rights activist and president of the human rights group La voix des Sans Voix, who was found dead in his car on June 2, 2010. The investigation into Floribert Chebeya's death concluded the involvement of high ranking members of the Congolese police forces, though the full truth about the death of Floribert Chebeya has still not come to light. Official's claim that he was the victim of a sex related crime. This was heavily refuted by many Congolese human rights organisations. The night before his death, Floribert Chebeya had an arranged appointment with the national police chief, General John Numbi. Whether he met General Numbi or not is still unclear. "L'affaire Chebeya, un crime d'Etat?" examines the circumstances surrounding the trial of the alleged murderer of Floribert Chebeya.

Misuse, or better, abuse of the Congolese National Intelligence Agency (ANR) by public authorities, such as governors, mayors or other officials has recently become common practice. Between March and April 2012, 7 journalists were detained by the ANR and accused of insulting and libelling local authorities.

On May 10th, 2012, members of the Congolese ANR and the National Police (PNC) closed Radio Liberté, a station located in Butembo, North Kivu Province. This action was ordered by Butembo's mayor Wabunga Singa. The official reason given for the station's suspension was that Radio Liberté belittled the Congolese government and its aim was to demoralize the armed forces of the Democratic Republic of the Congo. Following this suspension, several journalists were arrested. Radio Liberté's Presenter Kashigwe Binjamin Pili Pili, was also arrested and detained for two weeks.

Just a week earlier, also in the North Kivu Province, Governor Julien Paluku, who was also alleged to be involved into the station's suspension of Radio Liberté, accused and threatened Radio Okapi journalist Gisèle Kaj Kaung for cooperating with mutinous soldiers. Julien Paluku had previously accused her, in 2008, of having a close relationship to former CNDP leader Laurent Nkunda.

Freedom of the press is an important part of the universal declaration of human rights. The Democratic Republic of the Congo has declared freedom of the press in its constitution. Also as a member state of the United Nations, the government and state officials are to uphold freedom of the press and freedom of expression. At this moment in time, even though it is stated as part of the Congolese constitution, abidance to this law is rarely

heeded. Official members of the government, the parliament or other public authorities overtly abuse their positions of power by misusing the national police or the intelligence services to prevent the release of any negative or damaging publicity. For a Journalist covering and realising information from the conflict zones within the Democratic Republic of the Congo it is, even more so, a difficult task.

Society for Threatened People calls on the Human Rights Council to urge the Government of the Democratic Republic of the Congo:

- to ensure freedom of the press in the Democratic Republic of the Congo;
 - to stop random acts against journalists based on orders by public authorities;
 - to prosecute those responsible for the violence and mistreatment enacted against journalists.
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