

NIGER

Attacks on journalists threaten freedom of expression

Never, since the institution of the multi-party system in 1990, has freedom of expression in Niger been under such threat as it is at present. The introduction of a repressive press law, a ban on broadcasting opposition communiqués, beating up journalists - these are some of the methods used to silence the dissident voices which dare to challenge the regime of President Ibrahim Baré Maïnassara.

This policy of repression has intensified since April 1998, when the opposition launched a widespread protest movement calling, in particular, for the resignation of President Maïnassara, who in January 1996 had overthrown the first democratically-elected president, Mahamane Ousmane. Since this wave of protest, the government has regularly accused the private media of disseminating false information and being in the pay of the opposition.

Freedom of expression was one of the main benefits which resulted from the establishment of the rule of law in Niger, and attacks on the private media are designed to bring a return to a situation where only one view is allowed and only the official voice can be heard. In this respect, the attack by unidentified, armed individuals on the main printing works in Niger, where the principal opposition newspapers are printed, is the most obvious sign of this determination to prevent the publication of any criticism of those in power.

Amnesty International urges the authorities to protect the freedom of expression guaranteed by article 23 of the Constitution of

Niger dated 12 May 1996 and by article 19 of the International Covenant on Civil and Political Rights, which Niger ratified in 1986. Amnesty International calls for the arbitrary attacks on and arrest of journalists and human rights defenders to be investigated and the perpetrators of such acts to be brought to justice.

The Law of July 1997

The existence of a free press, which came after decades of total control of the media by the State, has played a fundamental role in the defence of human rights in Niger. This freedom of expression was immediately threatened by the new authorities which seized power in a military coup in January 1996. Journalists were arrested and severely beaten. (See *Niger: A major step backwards*, AI Index:AFR 43/02/96).

Under the pretext of improving the professional organization of journalists, in July 1997 the Government of Niger passed a law covering the press, which contains a number of articles which are either repressive or which restrict access to the profession. Typically, the Law introduces harsher penalties and more rigorous criteria for the issue of press cards; these can be issued only to persons holding a diploma in journalism, or those with at least five years' experience in the profession, and who have no criminal record. This prevents many journalists working in the newly-established private press, which came into being in the 1990's, from carrying on this profession. The Law also provides for 2 to 5 years' imprisonment for the offence of insulting the President of the Republic.

During the months following the introduction of this Law, described by the opposition as "liberticide", two people have suffered

from its impact. In October 1997, Moussa Tchangari, editor of the independent weekly *Alternative* (Alternative), was arrested and sentenced to three months' imprisonment for having reproduced, in an article entitled "*Affairisme et passe-droits*" (Political racketeering and the dispensing of favours), an exchange of faxed correspondence between the Prime Minister's office and the Minister for Higher Education concerning the fraudulent award of supply contracts for the university of Niamey. Article 50 of the Law of July 1997 prohibits "the publication of ... any internal administrative correspondence". Moussa Tchangari was provisionally released on 4 December 1997 by the Niamey Appeal Court.

In October 1997, El Hadj Bagnou Bonkougou, the President of the *Ligue nigérienne de défense des droits de l'homme* (LNDDH), Niger League for the Defence of Human Rights, was arrested in Niamey accused of insulting the Head of State. In an interview with a *Burkinabè* newspaper, Mr Bonkougou had questioned General Maïnassara's "legitimacy", accusing him of imposing "a dictatorship" on Niger. This human rights defender was sentenced to two years' imprisonment for "insulting" the President of the Republic, in accordance with article 54 of the new Press Law. In December 1997, the Appeal Court in Niamey decided to provisionally release him.

In the light of protests by journalists, opposition parties and human rights organizations, one of the most repressive articles of the Law, which deprived the courts of the right to grant the benefit of

mitigating circumstances and to suspend sentences in the case of offences committed through the press, was repealed in July 1998.

The authorities have also taken care to monitor information transmitted by radio. In November 1997, Ali Sabo, national coordinator for a coalition of opposition parties, *le Front pour la restauration et la défense de la démocratie* (FRDD), Front for the Restoration and Defence of Democracy, was detained briefly for having responded to the Minister of the Interior on the BBC.

In January 1998, after the discovery of an alleged plot to assassinate President Baré Maïnassara, the authorities ordered private radio stations not to broadcast the views of members of the opposition on this issue.

In pursuit of journalists

After April 1998, when opposition demonstrations calling for the resignation of the Head of State resumed, the authorities led a real hunt for journalists and editors, arresting some and beating up others; one was even horsewhipped by the Minister of the Interior himself.

At the end of April 1998, two private radio stations broadcasting from Niamey on FM, Radio Anfani and Radio "R & M", received instructions not to broadcast "news and statements" likely to "increase political tension" in the country. This amounted to a ban on publishing any statements from the opposition.

By way of protest, some ten journalists from Niger and foreign press correspondents signed a declaration denouncing censorship in Niger and threats made against journalists. This text was read out on Radio Anfani by Moussa Tchangari on 4 May 1998. He was arrested a few minutes later at the entrance to the radio station and subjected to a public beating. He was transferred to the base of the Presidential Guard where he was ill-treated, then transported to the *Centre de Documentation d'Etat*, State Documentation Centre, the headquarters of the political police force. One of his friends, El Hadj Oumar Oubandawaki, who tried to protect him, was also beaten and detained. The two men were released several days later without being charged.

Radio Anfani was also closed down and silenced. Its premises were guarded by members of the security forces and it was not allowed to resume transmission until 11 May 1998.

The day of Moussa Tchangari's arrest, 4 May 1998, Souleymane Keita, a Hausa language correspondent for the BBC at Zinder, the country's second largest town, was arrested accused of disseminating false news. This arrest appeared to be connected to the cover given by the BBC to an opposition demonstration at Zinder. He was released a week later without being charged.

Other journalists closely escaped arrest. On 30 April 1998, Lawan Boucar, a correspondent for the American radio station Voice of America (VOA) in Niamey, was being sought by members of the President's security forces, but they did not succeed in finding him.

The previous evening on VOA, the journalist had broadcast an interview with Mahamadou Issoufou, the leader of the opposition *Parti nigérien pour la démocratie et le socialisme* (PNDS), Niger Party for Democracy and Socialism. Elsewhere, Ali Chékou, director of the independent weekly *Le Citoyen* (The Citizen), was sought in vain by the police, because his newspaper had published the independent press protest communiqué in May 1998.

Some journalists have been beaten up by the security forces. On 18 April 1998 Saadou Assane, a journalist working on *Le Républicain* (The Republican), was violently attacked by the police while covering the demonstrations organised by the opposition at Maradi (550 km east of Niamey). His equipment was confiscated. The Minister of the Interior himself, Souley Abdoulaye, did not hesitate to take justice into his own hands and horsewhip a journalist who had questioned his integrity. Following the publication of an article implicating the Minister in a dubious deal involving wheat intended for domestic consumption which had been sold to Cotonou, Benin, the editor of *Le Démocrate* (The Democrat), Bory Seyni, was summoned by the Minister of the Interior, who struck him with a leather horsewhip. The journalist's shirt was torn and his spectacles broken during this beating.

Journalists have also been victims of violence on the part of one of the opposition political parties. Suspected of being pro-Government, journalists of the private radio station Radio Tenere FM were manhandled on 27 April 1998 by members of the opposition. These journalists had gone to cover a meeting of the

Convention démocratique et sociale (CDS-Rahama), Democratic and Social Convention, the party of the former president Mahamane Ousmane, and one of them, Hassan Boukary, was seriously injured by party members and had to be taken to hospital.

However, it is not only journalists who have been targeted. During the night of 15 to 16 April 1998, the premises Niger's New Printing Works, owned by Maman Abou, director of the independent weekly *Le Républicain*, which prints other opposition newspapers, were attacked by a dozen or so armed men, wearing canvas boots and driving a Toyota with no number plates. The attackers tied up the guards and doused the equipment with petrol and set fire to it. The local police called the fire brigade, who were able to put out the fire before it could cause any great damage. A similar attack had taken place in March 1997 at the premises of the private radio station Radio Anfani, which was ransacked by a group of five armed commandos in military uniform. (See *Niger: Harassment of government opponents has become systematic*, AI Index: AFR 43/03/97).

The owner of the printing works, Maman Abou, who is known for his activities as a defender of human rights, immediately denounced a political attack designed to prevent him publishing his newspaper *Le Républicain* and insinuated that the government was behind the act, a fact which was strenuously denied by the Niger authorities. On 8 May 1998, Maman Abou was arrested for "aiding and abetting a fire and attempting to make fraudulent insurance claims". The accusation seems absurd because Maman Abou's business

is flourishing, but he was detained for two weeks until 26 May 1998, when he was provisionally released. During his stay in prison, he was held in deplorably unsanitary conditions.

Financial pressure was also used in an attempt to close the majority of private newspapers. In May 1998, under pressure from the Ministry of Finance, eleven private newspapers were closed down for non-payment of between four and five years' tax arrears. Their premises were locked up and their staff expelled. Several days later, President Baré Maïnassara came to the aid of these newspapers by ordering the national lottery to pay the tax arrears in exchange for free advertising posters for the gaming enterprise.

The hounding of the private press took a new turn in October 1998 when the *Conseil Supérieur de la Communication* (CSC), Higher Council for Communication, a body created in 1993 to oversee press freedom in Niger, announced that all newspapers whose editors did not have a professional qualification in journalism would be suspended, which was tantamount to closing down several independent newspapers. This measure could constitute a serious threat for newspapers such as *Le Républicain*, *Le Citoyen* and *La Tribune du peuple* (The Tribune of the People).

Again in October, the CSC tried to prevent the broadcasting in Niger of international news programmes by prohibiting private radio stations from broadcasting live international news programmes, in particular programmes broadcast by the VOA, *Deutsche Welle* (Voice of Germany), and the BBC. According to the CSC, the management

of these private radio stations must first sign a contract making them liable in the case of legal proceedings.

Clearly, the Niger authorities want to control the whole national and international news network by challenging one of the main pillars of the rule of law established in Niger in the early 1990's. Amnesty International calls on the authorities in Niger to put an end to the arrest and ill-treatment of journalists and to change their legislation with regard to the press so that it respects freedom of expression as guaranteed by national and international law.

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