

## **Protecting Civil Society, Faith-Based Actors, and Political Speech in Sub-Saharan Africa**

**Statement by Nanythe Talani**

**Representative, Torture Abolition and Survivors Support Coalition (TASSC)**

**before the House Subcommittee on Africa, Global Health, Global Human Rights and  
International Organizations**

**May 9, 2018**

My name is “Nanythe” Sylvanie Talani. I am a journalist, a survivor of torture and a human rights activist from Congo-Brazzaville, a small country of 4.5 million people in West/Central Africa. I want to thank Chairman Smith and Ranking Member Bass for holding this hearing today and giving me the opportunity to discuss the lack of press freedom and persecution of journalists in Sub-Saharan Africa, particularly the Republic of Congo, and to tell my own story.

I am here today representing the Torture Abolition and Survivors Support Coalition (TASSC), a non-profit in Washington DC which provides psychological and employment counseling, legal assistance for asylum seekers and advocacy training to almost 300 survivors of torture every year, mostly from Africa but also from South Asia, the Middle East and Central America.

I have over 10 years of experience as a broadcast producer, investigative journalist and human rights activist in Congo-Brazzaville. I was forced to seek asylum in the United States because of a great fear that the Congolese government will persecute me due to my work as an investigative journalist.

### **Government Restrictions on Media Freedom**

Like many countries in Sub-Saharan Africa, The Republic of Congo’s constitution guarantees freedom of speech and press. But this “right” is only on paper. There is widespread censorship of journalists and constant interference by government agents in the media, especially when journalists write about what the government considers “sensitive” subjects. Media freedom has deteriorated since President Denis Sassou Nguesso changed the constitution in 2015. This change removed age and term limits for the president, who has ruled Congo continually since 1979, except for five years in the 1990s. The new constitution also guarantees impunity to the president after he leaves office for any crime he may have committed while he was president.

The majority of broadcast and print media are owned and controlled by members of the president’s family or by individuals close to him -- his daughter Claudia Lemboumba owns the TOP TV station in Brazzaville and his brother Maurice owns the TV station MNTV, where I once worked. Most journalists and editors engage in self-censorship to avoid being targeted by Sassou Nguesso. Congolese journalists have basically two options—to praise and promote the ruling elite or just keep quiet. If you want to be a true professional, you risk threats at best and humiliation or even assassination at worst.

Journalists who refuse to engage in self-censorship could even be assassinated under mysterious circumstances, which is what happened to Bruno Jacquet Ossebi in 2009.

Mr. Ossebi was a reporter for the French-based Congolese website Mwindi. He was burned to death in a suspicious fire in his home along with his girlfriends and her two children. No one ever investigated the cause of the fire. After the fire, Ossebi was taken to a military hospital and appeared to be recovering. According to Bloomberg's Elie Smith, a prominent Cameroonian journalist who was my boss when he was based in Brazzaville, it was widely believed that Congolese regime tried to burn him to death because they did not want him to recover, so they ended up killing him. Why?

Just four days before the fire, Ossébi wrote a story accusing officials with Congo's national petroleum authority (SNPC) of improperly negotiating a loan with a French bank, according to Committee to Protect Journalist (CPJ) research. Neither the government nor the officials named in Ossebi's story, including Denis Christel Sassou Nguesso, the president's son, publicly commented on the story, according to local journalists. Let me note that recently, the International Monetary Fund which is considering offering budgetary relief to the Congo discovered that the gross mismanagement Ossebi was investigating.

Elie Smith himself has devoted his life to exposing corruption and promoting free expression. In September 2014, he reported about government thugs attacking members of an opposition party gathered for a legal meeting at city hall. Shortly after Smith uploaded his report on Facebook, police and soldiers invaded his house, robbed him and gang-raped his sister, who was infected with HIV. Four days later, he was expelled from Congo. According to the Committee to Protect Journalists, free-lance journalist Sadio Kante reported on what happened to Smith. Then she herself was forced to leave the country. Elie ended up coming to the United States and in 2016 he became a Visiting Fellow at the National Endowment of Democracy here in Washington DC. Said Penda (BBC Afrique) and Morgan Palmer (Courrier International) are also among journalists who has been expelled by the Congolese authorities.

### **Reporting on Ritual Murders, the First Lady and Government Harassment**

I would like to share a story from my own personal experience that demonstrate the danger to journalists in Congo. In 2014, I was working for the French –based magazine TerrAfrica and wrote a story on ritual murders in the Congolese city of Ouessou. These murders take place in parts of Africa because some people believe the blood and organs of victims can defeat their enemies, make them richer or more powerful. The murderers are often wealthy people who pay others to carry out the killings. We heard about ritual murders of women in Ouessou, which has a high concentration of pygmies—pygmies make up a tiny percent of the Congolese people and have been marginalized by the general population. My cameraman and I traveled to Ouessou to interview more than 10 people—women who had survived attacks and family members of victims. Often the people who were hired to carry out the ritual murders were pygmies, and they were the ones who ended up in prison.

I got tremendous professional satisfaction from my reporting on this subject. The mayor of Ouessou was arrested, although there was no trial proving his guilt perhaps because more powerful people were involved in these ritual murders. But my article and the gruesome photos that accompanied it put a stop to ritual murders in Congo. They did not spread into other parts of the country and become commonplace like they have in Liberia and other countries in West Africa.

But the harassment from the authorities after my report took an enormous toll on me personally. Police found the people I had interviewed in Ouessou and told them they should not have spoken to me. Then authorities called my boss at TerrAfrica and told him I should be careful about writing these kinds of “sensitive” stories. A friend with connections to a secret government agent told me my phone was being tapped. I was so frightened by government agents watching me, my friends and relatives that I left my home to move in with my cousin and some male relatives whom I felt could protect me.

This was when other journalists were also being harassed in my country. The United States Embassy, the European Union and the United Nations all told the Sassou Nguesso regime to leave journalists alone. The US ambassador at the time was Stephanie Sullivan, now Acting Principal Deputy Assistant Secretary in the State Department’s Bureau of African Affairs. I don’t what would have happened to me if the US, the EU and the UN would not have intervened.

I was also threatened when I was working at MNTV, the TV station owned by the president’s brother. A car washer had been falsely accused of stealing money from a vehicle owned by the chauffeur of Antoinette Sassou Nguesso, First Lady of Congo-Brazzaville. The chauffeur brought men to beat Aristide so badly that the car washer had to be taken to the hospital where he almost died. In my TV report, I said that people like the chauffeur think they can commit any crime and not be punished because they are connected to rich, powerful people like the First Lady. After that, security police came to my office to threaten me, saying the First Lady was unhappy with my report. “You had better stop criticizing the government on TV,” they said. And they told my friends and colleagues to warn me about offending high government officials.

When you are constantly afraid because you could be attacked, assaulted, raped, jailed or even killed by people who will walk away with impunity, what kind of professionalism can you display as journalist? What kind of daily life can you have? This is what I was facing in Congo. This is what journalists are facing in my country.

For instance, many journalists were beaten by the police when they went to cover the arrival of General Jean-Marie Michel Mokoko, one of the opposition leaders. Alphonse Ndongo, correspondent for the Congo of “Jeune Afrique Economie”, said he was beaten by several men in civilian clothes. DRTV reporters, a private television channel in Brazzaville, also say they have been stripped of their property.

These assaults take place during the very hectic arrival in Brazzaville late Tuesday of General Jean-Marie Michel Moukoko.

According to concordant sources, the police had fired tear gas to try to disperse the dozens of supporters or journalists who came to wait for the new opponent of the Brazzaville regime.

Fear of reporting the truth has a huge negative effect on journalism and the whole society. Even now, although I have been in the United States for almost three years, I still am sometimes afraid of being attacked and always lock my bedroom door if my roommate is not home.

Fortunately for me, at a time when my emotional state was deteriorating, I won a Hubert Humphrey-Fulbright Fellowship from the U.S. State Department. I arrived in the United States in 2015 and worked as an intern then a broadcast producer at Voice of America-Afrique, or *French to Africa*. I investigated how Sessou Nguesso changed the Congolese constitution through a 2015 referendum so he could stay in power indefinitely. And I wrote about a civil war in the Pool region of Congo, which had begun in 1998 but intensified after the change in the constitution, and even more following the 2016 election when Sessou-Nguesso was elected again. Villages and schools in Pool were destroyed by government troops, and over 80,000 civilians were displaced, an enormous number for such a small country. Actually what is happening in the Pool is believed by many people to be an 'ethnic cleansing'. The case of what is called "The disappeared of the Beach" is eloquent on that.

The case of the disappeared Beach is a collective killing orchestrated by senior state officials, which took place between May 5 and May 14, 1999 at the Brazzaville river landing site said Brazzaville Beach in the Republic of Congo under the chairmanship of the General Denis Sassou-Nguesso came to power two years earlier following a violent military coup in 1997.

In April 1999, in order to appease the Congo-Brazzaville civil war, Denis Sassou announced the national reconciliation. It signs agreements with the Democratic Republic of Congo and the UNHCR for the return of thousands of refugees who fled the civil war by taking refuge in Kinshasa [1], the sword of Damocles over the power of Brazzaville.

The first return of families (adults, women, children) takes place by the "crossing of the Beach" (river shuttle which makes the connections Brazzaville-Kinshasa), and includes about 1,500 people, under the control of the UNHCR. These people are welcomed as soon as they arrive at the river port of Brazzaville Beach by dozens of governmental and military personalities (including the Minister of Health according to some witnesses) and, once this part, are questioned by soldiers belonging probably to the presidential guard, sorted, the young and able-bodied men (perhaps suspected of belonging to the Ninjas, private militia of Bernard Kolelas, opponent of Denis Sassou or originating from the region of the pool, region located in the south of the Congo) being conveyed by convoys in camps or towards the presidency of Mpila according to the concordant sources. From that moment, all traces of these people are lost. Some rumors speak of people packed alive in containers, which would have been welded and thrown into the river [1], or burned in the offices of the presidency of Mpila.

A container was found, driven by the current, at the level of cataracts.

The operations were coordinated by General Moko Hilaire, nephew of General President Denis Sassou [2].

Some people will be able to escape this tragic destiny, and will come to testify. Among other things, we are talking about a half-caste who, as soon as he arrived in Brazzaville, was allowed to leave the queue. Because of the Pool conflict, myself I lost a lot of relatives, including my two young brothers.

The government back in Congo was very aware of what I was writing for VOA, and very angry. They did not want negative publicity about oppressive government actions in Pool. And the Congolese government remembered me criticizing the First Lady back at home, writing about government corruption and ritual murders. After my Pool report was published, a friend called me to say “Nanythe, I know you are very intelligent, I advise you not to return home.” I could have gone back to Congo for an amazing job g with UNESCO. But I was terrified of what might happen to me. This was when I decided to apply for asylum in the United States.

### **Government Repression and Intimidation of Journalists Today**

Today in Congo opposition leaders (Jean-Marie Michel Mokoko, Andre Okombi Salissa, Paulin Makaya, Jean Ngouabi, Libomgo Ngouaka and other as well. These people have been in prison for almost two years without trial. Their detention is contrary to the Congolese Code of Criminal Procedure, which states that pre-trial detention may not exceed four months and that it may not be extended for more than two months (Article 121).

Four student trade unionists (Bouet Beranger, Nelson Apanga, Yobi Pagel and Amour Anaclet Singou) were arrested between 9 and 15 February 2018, illegally detained and tortured in the General Directorate of Territorial Surveillance illegally, simply for having exercised their right to freedom of expression. On February 9, 2018, they launched a call to strike in order to claim their school rights, mainly the good conditions of schooling and the payment of their scholarship. They were brought to the Brazzaville prison for complicity and attempt to disturbance of public order on 2 March 2018. They were released on 16 March 2018 following a strong mobilization of civil society organizations. But two of them are seriously sick because of the torture they endured: Bouet Beranger is paralyzed and Nelson Apanga’s kidneys are in bad shape.

We can’t read about these students in the press because journalists are afraid to write about them. The Congolese diaspora in France published this news on Facebook, the only reason we have access to this information. Right now, Congo is seeking financial assistance from the International Monetary Fund and other foreign donors. The IMF says Congo has to meet certain requirements including fighting corruption, which is pervasive throughout my country, especially among the presidents and his family members. But journalists are afraid to write about corruption because of the consequences for them.

What happened to Bruno Jacquet Ossebi, to Elie Smith and numerous other journalists could also happen to them.

Corruption, abuse of human rights and presidents in power for life are three of the major problems plaguing Africa. Congo has oil and other African countries, like the Democratic Republic of Congo are rich in minerals. But government officials use these resources to enrich themselves instead of to build schools, hospitals and roads. The human rights of minorities, women, journalists and political dissidents are systematically abused. Presidents stay in power for life, some through what are called “constitutional coups” like when Sassou Nguesso changed the constitution so he could make it “legal” to remain in power.

We need journalists and a free press to write about these problems. That is why I am proud to be an investigative journalist. I just hope that someday we have press freedom in my country like you do in the United States, where journalists do not have to be afraid of exposing the truth. And that Members of Congress can pressure the Congolese and other African governments to allow journalists to practice their profession without fear.

Thank you very much for listening to my testimony today.