

Reporters Without Borders

<http://www.rsf.org/burundi-imprisoned-journalist-still-09-10-2012,43502.html>

Africa - Burundi

Servile judges

Attempt to wear down journalist's defenders suspected after second adjournment

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Reporters Without Borders is appalled by yesterday's decision by a court in the central city of Gitega to again adjourn radio journalist **Hassan Ruvakuki's** appeal against his conviction on a terrorism charge. It was the second time in ten days that the case has been adjourned after a one-day hearing.

"This latest postponement of Ruvakuki's appeal is an outrage," Reporters Without Borders director-general Christophe Deloire said. "It is based on a ridiculous pretext that points to political meddling in the judicial sphere. They seem to have decided in advance to drag out these proceedings by holding just one hearing a week, contrary to the requests made by the defendants and their lawyers.

"If the Burundian authorities are counting on these repeated delays to discourage Ruvakuki, his lawyers and his supporters, they are mistaken. We will pursue this battle to the end in order to prove his innocence and obtain his release."

At the end of yesterday's hearing (the second since the appeal began on 8 October), Gitega appeal court president Fulgence Ruberintwari announced: "We have received a letter from the governor of the province saying there is a festivity here in Gitega on Friday to launch the city's centenary. So the proceedings cannot continue tomorrow." He set the next hearing for 25 October.

Ruvakuki's lawyer, Onésime Kabayabaya, had stressed the urgency of the situation when he addressed the court yesterday morning.

"Hassan Ruvakuki has been languishing in prison for nearly a year for nothing and wants this appeal to be heard rapidly so that he can demonstrate his innocence," he said. "We therefore urge you (...) to hold these proceedings without any interruption because he would like to be cleared quickly in order to be reunited with his family and go back to work."

A reporter for *Bonesha FM* and *Radio France Internationale's* Swahili service, Ruvakuki was sentenced to life imprisonment last June on a charge of "participating in a terrorist act" after interviewing members of a Burundian rebel group.

09.10.12 - Imprisoned journalist still hopeful after appeal postponed, but colleagues are stunned

A court in the central city of Gitega began yesterday to hear the appeals of radio journalist **Hassan Ruvakuki** and 22 other defendants against their terrorism convictions but "to everyone's stupefaction" adjourned until 18 October at the end of the first session, said a Reporters Without Borders representative attending the hearing.

"All those who had gone to the hearing had expected to come back the next morning and had made preparations to do this," the Reporters Without Borders representative said.

Reporters Without Borders went to the hearing in a show of solidarity with Ruvakuki, who was given a life sentence in the eastern city of Cankuzo last June after interviewing members of a

Burundian rebel group based in Tanzania. A reporter for *Bonesha FM* and *Radio France Internationale's* Swahili service, he was convicted of "participating in a terrorist act."

The appeals of only nine of the defendants were presented in court yesterday. Ruvakuki's case has not yet been presented.

"We are going from one extreme to another," Reporters Without Borders said. "The judge was in a hurry during the original trial in Cankuzo but this court is taking its time. Burundi's erratic justice system seems confused, and so are we."

"Contrary to what happened in Cankuzo, the court now seems ready to listen and for the first time the defendants and their lawyers have been able to address the substance of the charges. But the judge's decision to postpone the next hearing means that this journalist, who has been unjustly detained for more than 10 months, will continue to languish in prison."

Bonesha FM editor in chief Patrick Nduwimana said he was very disappointed. "We were ready for a marathon appeal. Why make us wait and come back next week?" Alexandre Niyungeko, the head of the Burundian Journalists' Union (UBJ), said: "This is not a good sign. This means that this case is going to drag on even more."

Ruvakuki did not seem to be sure whether the postponement was good or bad news. "It's all right, thank you for everything," he told the Reporters Without Borders representative before leaving the court. Referring to the city where he is currently detained, he added: "I am going back to Muramvya, but it's all right."

Around 300 people attended yesterday's hearing. Those who could not fit into the courtroom sat in the sun outside and following it on loudspeakers. They included diplomats and representatives of human rights groups such as Human Rights Watch and organizations that defend journalists such as Reporters Without Borders.

Many reporters from Burundian news media such as *Bonesha FM*, *Radio Publique Africaine (RPA)*, *Iwacu* and *Net Press* were among those attending. *Net Press* editor **Jean-Claude Kavumbagu**, who spent 10 months in prison in 2010-2011, said he was there "to show my support for a colleague who is undergoing the same ordeal as I did."

Photo : Hassan Ruvakuki (Alexandre Niyungeko)

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