

**Flygtningenævnets baggrundsmateriale**

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## Freedom Of The Press - Rwanda (2010)

**Status: Not Free**

**Legal Environment: 26**

**Political Environment: 33**

**Economic Environment: 24**

**Total Score: 83**

- Article 34 of Rwanda's constitution stipulates that "freedom of the press and freedom of information are recognized and guaranteed by the state," but other clauses broadly define circumstances under which these rights can be restricted, and in practice the media remain under the tight control of the government.
- A new law passed in August 2009 gave the Media High Council (MHC) the power to grant and revoke licenses for journalists and news outlets. The MHC has been criticized for focusing more on policing the media than protecting press freedom. The legislation also upheld criminal penalties for press offenses, including statements supporting or denying the country's 1994 genocide, crimes against humanity, or war crimes. The vague language of the law similarly prohibits the publication of material deemed in "contempt to the head of state" or that "endangers public decency."
- Rwandan journalists can be prosecuted under penal code provisions on defamation and privacy infringement that carry potential prison sentences. In November, Jean Bosco Gasasira, editor of the independent bimonthly *Umuwugizi*, was convicted of defamation and invasion of privacy for an article detailing an alleged extramarital affair between the country's deputy prosecutor and the head of the National Council for Women. He was fined US\$5,720. The prosecution had also called for a jail term and the closure of *Umuwugizi*, but neither penalty was imposed by year's end.
- In December, the newspaper *Umuseso* was taken to court for allegedly defaming the Kigali city mayor and a cabinet minister. The MHC directed the newspaper to reveal its sources, and the paper's deputy editor was interrogated for over six hours by officials from the National Prosecuting Authority. A few days earlier the information minister had declared that the days of *Umuwugizi* and *Umuseso* "were numbered" after they published articles criticizing President Paul Kagame.
- Dominique Makeli, who worked with state-owned Radio

Rwanda, was sentenced to life in prison by a *gacaca* (special community court) in September for inciting genocide on national radio in 1994.

- Rwanda published a draft law on access to information that required information requests to be processed in a timely manner, suggested a strong system of oversight and enforcement by an ombudsman, and laid out an extensive system of proactive disclosure.
- Both state-owned and private media outlets regularly practiced self-censorship to avoid government interventions.
- The state-owned media, which reach the largest audiences, include radio and television outlets and the only English-language daily, the *New Times*. There were a handful of privately owned periodicals in English, French, and Kinyarwanda that published intermittently, but even in the vernacular print sector, state media predominated.
- Although there were a dozen private radio stations, their geographic reach was limited, and they avoided any coverage that could be deemed oppositionist or critical of the regime. Government officials regularly appeared as guests in the private media, unlike opposition supporters.
- No attempts have been made to transform the state radio and television outlets into editorially and financially independent public broadcasters. Both remained subservient to the ruling party.
- Foreign media outlets can generally broadcast freely. However, in April 2009, Rwanda banned the vernacular service of the British Broadcasting Corporation (BBC) from operating in the country, accusing it of ethical violations in reporting on the 1994 genocide. Two months later, the service was allowed to resume operations on the condition that it comply with the state's content and editorial restrictions.
- During the year, the state proposed establishing minimum start-up capital requirements for new newspapers, radio stations, and television stations. The sums were criticized as prohibitively large, and observers argued that the plan was designed to tighten government control over media in the run-up to elections in 2010.
- Critical newspapers such as *Umuseso* and *Umuwugizi* reported that they had been barred from government press conferences and state advertising purchases.
- The government was not known to filter internet content in 2009. About 3 percent of the Rwandan population accessed the internet, and most online news content that originated from within Rwanda was

produced by state media. Critical bloggers and publishers were generally based abroad.