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HRW – Human Rights Watch (Author)

Rwanda: End Abuses Against Journalists

(Nairobi) – [Rwandan](#) authorities should release journalist Dieudonné Niyonsenga, also known as Cyuma Hassan, and urgently investigate serious torture allegations he has made and ensure his rights to freedom of expression, a fair trial and to freedom from torture and ill treatment are respected, Human Rights Watch said today. The authorities' failure to transparently account for the [suspicious death of an investigative reporter, John Williams Ntwali](#) one year ago has compounded Rwanda's poor media freedom record.

“Harrowing accounts of torture in prison and failure to provide justice in the suspicious death of a leading investigative journalist set a somber start to the year for journalists in Rwanda,” said [Lewis Mudge](#), Central Africa director at Human Rights Watch. “Rwanda's record on press freedom will most likely continue to worsen unless the judiciary starts to act independently and immediately releases journalists jailed in violation of their freedom of expression, and authorities stop targeting journalists altogether.”

With a wound on his forehead and reportedly looking frail, Niyonsenga told a Kigali court on January 10, 2024, that he is detained in a “hole” that often fills with water, without access to light, and is beaten frequently. He said his hearing and eyesight have become impaired due to his three-year long detention in “inhuman” conditions and beatings, according to court transcripts and [the Voice of America's reporting](#). International law strictly prohibits detention in inhuman or degrading conditions, and courts should not permit detention to continue in such conditions.

Niyonsenga, who is the owner of Ishema TV, and his driver, Fidèle Komezusenge, were first arrested in April 2020 after reporting on the impact of the Covid-19 guidelines on vulnerable populations, and were accused of forgery, impersonating journalists, and hindering public works. Both were acquitted on March 12, 2021, but the prosecution appealed the verdict and Niyonsenga was rearrested on November 11, 2021, after the High Court in Kigali reversed his acquittal. His case is now before the appeal court after he requested a review of his trial.

During Niyonsenga’s detention, Human Rights Watch has [received multiple reports](#) from people who saw wounds on his face and body, and said he spoke of frequent beatings. Though Niyonsenga and others have raised this treatment in court, to the best of Human Rights Watch’s knowledge, judicial authorities have not acted to investigate or end the abuse.

Niyonsenga and his lawyers also told the court that prison authorities confiscated documents relating to his trial. It is not the first time that Niyonsenga and other prisoners have raised such interference, which violates detainees’ fair trial rights. According to the court transcripts, Niyonsenga’s lawyers told the court that when they raised this issue with prison authorities, they were told that Niyonsenga does not have the right to access his documents. Confiscating defense documents [is commonplace](#) in cases deemed politically sensitive.

The combination of suspicious [disappearances](#) and [deaths](#) with the constant threat of arrest and prosecution are an effective way of ensuring that journalists in Rwanda practice self-censorship, Human Rights Watch said.

One year after Ntwali’s suspicious death, there has been no credible accounting of the alleged road accident that caused his death. Ntwali was one of the few journalists in Rwanda who reported on sensitive issues, [including on prison conditions](#) for jailed journalists and critics such as Niyonsenga.

On January 19, 2023, Rwanda police [reported](#) that Ntwali died in a road accident in Kimihurura, Kigali on January 18 at 2:50 a.m. and that the driver of the car involved in the collision had been arrested. In the weeks that followed, Rwandan authorities failed to provide the exact location of the alleged accident, any photo or video evidence, or detailed information on others involved in it. A [hasty trial was held](#) in the absence of independent observers – including journalists – and the driver was convicted of manslaughter and unintentional bodily harm.

The reasons why Ntwali’s death is suspicious are clear. He was regularly [threatened and attacked](#) in pro-government media and expressed fear for

his safety to friends, fellow journalists, and Human Rights Watch researchers. Human Rights Watch received information that Ntwali was so worried for his safety that he was trying to leave the country.

The lack of details in the verdict suggests there was no effective investigation into Ntwali’s death, despite Rwanda’s legal obligation to conduct one. Considering the lack of transparency around the trial, scores of civil society organizations and media associations from across the globe [reiterated the call](#) on Rwandan authorities to allow an independent, impartial, and effective investigation. This has not happened.

In November 2021, the appeals court found Niyonsenga guilty of forgery, impersonation, hindering public works, and “humiliation of national authorities and persons in charge of public service.” The last charge, which was added during the appeal, is [no longer a criminal offense](#) in Rwanda. It was struck down from the 2018 Penal Code by the Supreme Court in 2019. A second appeal’s verdict [maintained](#) his seven-year sentence but overturned his conviction for humiliation of national authorities.

Although Rwanda is a party to the United Nations Convention against Torture, unlawful detention and torture are commonplace. Human Rights Watch frequently receives credible information from former prisoners about torture and ill treatment in Rwandan prisons, including Nyarugenge (Mageragere) prison in Kigali, where some have said they are being held in isolation and beaten.

In 2017, the UN Sub-Committee on the Prevention of Torture was forced to [suspend](#) and later, [cancel](#) its visit to Rwanda citing obstruction by the authorities and fear of reprisals against interviewees. It was the first time it had cancelled such a visit. Rwanda has also failed to submit its third periodic state report to the Committee against Torture, due [since December 6, 2021](#), preventing its review by the Committee.

Rwanda’s regional and international partners should call on Rwanda to release all unjustly imprisoned journalists and critics and ensure that an effective investigation is conducted into Ntwali’s death.

In December 2023, the United Kingdom government [introduced](#) a new “Safety of Rwanda (Asylum and Immigration) Bill” to parliament and signed a treaty with Rwanda, to circumvent the Supreme Court’s [November 15 ruling](#) that Rwanda that is not a safe third country for the UK to send asylum seekers. The court drew attention to [threats to Rwandans living in the UK](#) as well as extrajudicial killings, deaths in custody, enforced disappearances, torture, and restrictions on media and political freedoms in Rwanda.

On December 28, Human Rights Watch made a [submission](#) to the UK

International Agreements Committee on the UK Government’s Agreement with Rwanda detailing its concerns with the bill and treaty, and the overall plan to expel asylum seekers to Rwanda. The UK House of Commons voted in favor of the bill on January 17. The UK House of Lords will now consider the bill, and should reject it entirely while the government should abandon its Rwanda deal.

“The resounding silence and attempts to sugarcoat reality by Rwanda’s partners in the face of abuse has left many journalists feeling abandoned,” Mudge said. “If local voices in Rwanda have been silenced, regional and international voices need to rise in their place: the safety of other journalists in Rwanda depends on it.”

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