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Freedom of the Press 2011 - Rwanda

Status: Not Free**Legal Environment:** 26**Political Environment:** 34**Economic Environment:** 24**Total Score:** 84

Media freedom conditions deteriorated in Rwanda ahead of the 2010 presidential election, as authorities increasingly tried to restrict the dissemination of independent views. 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 2009 media law established onerous new regulations and licensing procedures, and requires journalists to reveal their sources when the government demands such information in the course of criminal investigations and proceedings. In order to obtain a license to practice, journalists must now present educational qualifications and a police record detailing any prior criminal activity, and media companies must pay high licensing fees. The law 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 that "shows contempt for the president" or "endangers public decency." Deogratias Mushayidi, a publisher and former head of the Rwanda Journalists Association, was arrested in March in neighboring Burundi and handed over to Rwandan authorities. Mushayidi is being tried before a Kigali court on charges of endangering state security, collaboration with terrorist groups, minimizing the genocide, genocide ideology, and divisionism.

Chapter 8 of the Rwandan penal code criminalizes defamation and provides for penalties of up to three years in prison, and journalists are frequently charged and convicted under the measure. In February 2010, a court found three journalists from the independent newspaper *Umuseso* guilty of defamation in a case relating to a 2009 article that alleged an extramarital relationship between the mayor of the capital city of Kigali and a cabinet minister. Charles Kabonero, the paper's former editor, was sentenced to one year in prison. Didas Gasana, who had replaced him as editor, and Richard Kayigamba, a reporter, received six months each. In addition, all three were fined one million Rwandan francs (\$1,800). Gasana later fled the country.

In 2009, the Media High Council (MHC) drafted freedom of information legislation, but at the end of 2010 it had yet to pass the cabinet and parliament. The MHC, set up under the 2009 media law to license journalists and media outlets, has been criticized for focusing more on policing the media than protecting press freedom. In April 2010, it suspended two of the main independent newspapers, *Umuwugizi* and *Umuseso*, for six months. This came four months after the country's information minister declared that the two papers' days "were numbered" after publishing articles critical of President Kagame. *Umuwugizi* has since launched an electronic version of its newspaper, but access to its website has been blocked inside Rwanda. A week before the August presidential elections, the MHC issued a communiqué listing 19 radio stations and 22 newspapers that had been recognized by the government as "fulfilling the publication or broadcasting conditions envisaged by the law of 12 August 2009 that regulates the media." Up to 30 media outlets were excluded for not fulfilling the publications or broadcasting conditions. Two days later, the MHC ordered the security forces to shut down the outlets that had not been approved, including the leading newspapers *Umuseso*, *Umuwugizi*, and *Umurabayo*, and the radio stations Voice of Africa Rwanda and Voice of America.

The presidential elections of 2010, the defections of senior military officers, and grenade attacks in Kigali all gave the government excuses to clamp down on the media. A journalist was killed for the first time since 1998, and several more fled the country. In June, Jean-Léonard Rugambage, a journalist with *Umuvugizi*, was shot dead outside his home in Kigali. Prior to his death, *Umuvugizi* had published an article based on information received by Rugambage alleging the involvement of senior Rwandan officials in the attempted murder of Faustin Kayumba Nyamwasa, a former Rwandan general currently in exile in South Africa. Two individuals were arrested for Rugambage's murder. The authorities allege that they confessed to killing Rugambage as revenge for a murder that Rugambage supposedly committed during the 1994 genocide. During the year, Jean Bosco Gasasira, editor of *Umuvugizi*, fled to neighboring Uganda, acting on a tip that Rwandan security forces planned to assassinate him. At the end of 2009, Gasasira had been 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. Although he was fined \$5,720, the prosecution called for a jail term and the closure of the media outlet. In July, another newspaper editor, Agnès Uwimana Nkusi of the *Umurabyo* newspaper, was arrested in connection with opinion articles her newspaper had published. Two journalists, Saidati Mukakibibi and Patrick Kambale of the same newspaper, were also arrested.

The Rwandan media is dominated by progovernment newspapers and radio stations. The state-owned radio and television outlets and the only English-language daily, the *New Times*, reach the largest audiences. There were a handful of privately owned periodicals in English, French, and Kinyarwanda that published intermittently, but state media predominated even in the vernacular print sector. No attempts have been made to transform the state radio and television outlets into editorially and financially independent public broadcasters, and both remained subservient to the ruling party. Although there were a dozen private radio stations, their geographic reach was limited, and they avoided any coverage that could be deemed critical of the regime. Government officials regularly appeared as guests in the private media, but opposition supporters were excluded. In July, copies of the first edition of the *Newsline*, an English-language newspaper produced by journalists in exile, were seized by Rwandan police at the Uganda-Rwanda border. Low pay for journalists, especially in the private media, can lead to corruption, and often journalists withhold damaging stories from publication in exchange for money and gifts. Many qualified journalists have left the profession for jobs that pay more, often in teaching or public relations. The work environment at media outlets is also made difficult by the high cost of training and the lack of modern equipment like computers and digital cameras.

Approximately 8 percent of the population accessed the internet during the year. The government, which was not previously known to filter internet content, blocked the *Umuvugizi* website in June 2010. Most online news content originating from within Rwanda was produced by state media, while critical bloggers and publishers were generally based abroad.

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