



**SUBMISSION TO THE UN HUMAN RIGHTS COMMITTEE IN VIEW OF THE
COMMITTEE'S EXAMINATION OF RWANDA'S SECOND PERIODIC REPORT
UNDER ARTICLE 40 OF THE INTERNATIONAL COVENANT ON CIVIL AND
POLITICAL RIGHTS
(ICCPR)**

LIST OF ISSUES PRIOR TO REPORTING (LOIPR) FOR RWANDA

1. Introduction

The Collaboration on International ICT Policy for East and Southern Africa (CIPESA) submits this contribution to support the preparation of the List of Issues Prior to Reporting (LOIPR) on Rwanda's implementation of the International Covenant on Civil and Political Rights (ICCPR). This submission focuses on articles 17, 19, 25, and 26 of the Covenant, drawing on CIPESA's regional research and advocacy in digital rights, freedom of expression, assembly, and association online, access to information, and data protection and privacy, with emphasis on developments in Rwanda between 2016 and 2025.

In its 2016 Concluding Observations, the Human Rights Committee raised concerns over restrictions on freedom of expression, the independence of the media, surveillance practices, and the treatment of journalists and opposition members. It was recommended that Rwanda take effective measures to ensure full enjoyment of rights to expression and privacy, to prevent arbitrary surveillance, and to align its legislation with articles 17 and 19 of the Covenant.¹

Following the 2016 Concluding Observations by the Committee, Rwanda made commitments to uphold civil and political rights. However, significant challenges persist in relation to the exercise of digital rights and civic freedoms. These include continued restrictions on media freedom, state surveillance, inadequate data protection safeguards, and suppression of dissenting voices, especially online.

The civic space in Rwanda has continued to shrink, particularly online. There has been insufficient legislative reform, the operational environment for independent media remains heavily restricted, and the use of surveillance technologies against dissenters persists.

¹ UN Human Rights Committee, *Concluding observations on the fourth periodic report of Rwanda*, UN Doc CCPR/C/RWA/CO/4 (2 May 2016) <https://www.ohchr.org/en/documents/concluding-observations/ccprcrwaco4-concluding-observations-fourth-periodic-report-rwanda>

2. Freedom Of Expression and Opinion Online (article 19)

Rwanda has placed significant limitations on freedom of expression, particularly regarding dissent expressed online. Independent journalism is rare, and critical voices, including those of civil society actors and diaspora activists, face arrest, intimidation, or smear campaigns.²

Rwanda's Law N° 60/2018 on the Prevention and Punishment of Cybercrimes criminalises certain aspects of online expression, such as "humiliation of authorities" and "spreading false information," that contradict General Comment No. 34 on Article 19, as well as media pluralism being limited, prevalence of self-censorship due to fear of reprisals and are frequently used to prosecute online critics.³

This provision has been used to suppress dissent and criticism of the government. Multiple cases have been reported of bloggers, journalists, and YouTubers arrested for content critical of public officials or institutions. Notably, journalist Théoneste Nsengimana remains a symbol of this crackdown after being arrested for allegedly spreading "false information."⁴ Additionally, the 2021 Media Law introduced licensing and registration requirements that limit independent online news outlets.

In recent years, bloggers and YouTubers, such as Dieudonné Niyonsenga (Cyuma Hassan), have faced multiple arrests, lengthy detentions, and harassment for their content.⁵

The Penal Code which was amended in 2018 criminalises defamation against the president and public officials. Article 236 punishes insults against the president and article 194 criminalises spreading of false information or harmful propaganda.

Question for the State Party:

1. What steps has the Government of Rwanda taken to align its legislation with Article 19 of the Covenant?
2. Are there any ongoing efforts to repeal or amend laws that criminalise peaceful expression online, including criticism of the government?

² Freedom House, *Freedom on the Net 2023: Rwanda* (2023) <https://freedomhouse.org/country/rwanda/freedom-net/2023>

³ Rwanda, Law No 68/2018 of 30 August 2018 Determining Offences and Penalties in General, 27 September 2018, <https://www.refworld.org/legal/legislation/natlegbod/2018/en/123720>

⁴ Human Rights Watch, 'Rwanda: Crackdown on Opposition, Media Intensifies' (19 October 2021) <https://www.hrw.org/news/2021/10/19/rwanda-crackdown-opposition-media-intensifies>

⁵ CIPESA, *State of Internet Freedom in Africa 2023: A Decade of Internet Freedom in Africa: Recounting the Past, Shaping the Future* (September 2023) https://cipesa.org/wp-content/files/reports/SIFA23_Report.pdf

3. Right To Privacy and Data Protection (Article 17)

Rwanda passed Law No. 058/2021 in 2021 Relating to the Protection of Personal Data and Privacy.⁶ While the law is a welcome development, it raises concerns over the overly broad interpretation in relation to national security laws and potentially faces political interference. Under article 52, personal data may be retained for periods beyond the purpose for collection for national security reasons among others. This law alongside the Law N° 60/2018 on prevention and punishment of cyber-crimes are overly broad in provisions which can be used to infringe on individuals' privacy. Under article 7 of the law the protection of critical information structure which extends to the processes, storing or processing and processing of personal data is placed in the hands of the president which politicises the entire information structure. In section 3 (articles 8-15) the protection against cybercrimes puts a lot of personal data in processes of investigation and prosecution at stake.

In parallel, reports of state surveillance using foreign spyware have surfaced, including allegations that Rwandan dissidents were targeted by the Pegasus spyware developed by NSO Group.⁷ These practices constitute a serious violation of the right to privacy contrary to Article 17 of the Covenant.

Question for the State Party:

1. What are the existing government initiatives to provide information on safeguards, oversight, and remedies to individuals subjected to digital surveillance, including under the new data protection law?
2. What has the government done to minimise wanton infringement on individual privacy?
3. Is there a balance between individual rights and national security concerns and demands?

4. Access to Information (Article 19(2))

The Access to Information Law (No. 04/2013) facilitates access to information. However, over the past years implementation of the law remains weak. Many public institutions either delay or refuse to provide information, particularly on issues of governance, security, and resource management.⁸ There are no effective penalties for non-compliance with the access to information law, which weakens the dissemination and access to information and the access to information enforcement framework.⁹

⁶ Rwanda, *Law No 058/2021 of 13 October 2021 Relating to the Protection of Personal Data and Privacy*, Official Gazette No Special of 15 October 2021, <https://www.risa.gov.rw/data-protection-and-privacy-law>

⁷ Amnesty International, 'Pegasus Project: Rwandan authorities chose thousands of activists, journalists and politicians to target with NSO spyware' (Press Release, 19 July 2021) <https://www.amnesty.org/en/latest/press-release/2021/07/rwandan-authorities-chose-thousands-of-activists-journalists-and-politicians-to-target-with-nso-spyware/>

⁸ Legal Aid Forum and Rwanda Media Commission, *Assessment of the Status of Freedom of Expression and Access to Information in Rwanda (2013–2021): Summary Report* (December 2021) 5 <https://e-ihuriro.rcsprwanda.org/wp-content/uploads/2023/07/Freedom-of-Expression-and-Access-to-Information.pdf>

⁹ Silenced Critics, "The Repression of Journalism in Rwanda - Human Security Centre," <http://www.hscentre.org/africa/silenced-critics-repression-journalism-rwanda/>

Furthermore, journalists report facing bureaucratic barriers and intimidation, stringent government control and surveillance measures when seeking information, especially when reporting on politically sensitive matters.¹⁰

Question for the State Party

1. What measures has the Government taken to ensure the proactive disclosure and effective implementation of the Access to Information Law?
2. What are the main factors hindering public access to information and how are they being addressed?

5. Equality And Non-Discrimination in The Digital Sphere (Article 26)

While Rwanda has achieved remarkable ICT penetration (with over 80% mobile subscription rate and over 60% internet penetration),¹¹ there remains a digital divide. Women, rural populations, and persons with disabilities face significant barriers in accessing and meaningfully participating in digital spaces.

In addition, technology-facilitated gender-based violence (TFGBV) is on the rise but is underreported and lacks specific redress mechanisms.¹² There are currently no laws specifically addressing technology-facilitated gender-based violence.

Question for the State Party

1. What policies and legal frameworks exist or are being developed to address online gender-based violence and to promote digital inclusion for marginalized populations?
2. What steps is the state undertaking to extend technology infrastructure and improve on internet access by the majority populace?

6. Freedom of Assembly (Article 21) and Association (Article 22)

The Law on the Prevention and Punishment of Cybercrime No 60/2018 of 22/8/2018, prevents dissemination of rumours which potentially incite fear, insurrection or violence or cause a person to lose credibility. The law has led to prosecution of journalists.¹³ The Law Governing Information and Communication Technologies No 24/2016 of 18/06/2016 puts a number of restrictions on activities on the internet with an element of monitoring and controlling all online activities. The Penal Code law (Organic Law 01/2012/OL) penalises genocide, sectarianism, and spreading false information that could potentially cause hostility. These laws have provisions which are vaguely worded that they promote censorship across all fronts.

¹⁰ Sam Biden, "Silenced Critics-The Repression of Journalism in Rwanda - Human Security Centre," Hscentre, July 8, 2024, <http://www.hscentre.org/africa/silenced-critics-repression-journalism-rwanda/>

¹¹ Rwanda Utilities Regulatory Authority, *ICT Sector Statistics Report as of the Third Quarter of the Year 2024* (February 2025) https://www.rura.rw/fileadmin/Documents/ICT/statistics/ICT_Sector_Statistics_Report_as_of_the_Third_Quarter_of_the_Year_2024.pdf

¹² UN Women, 'Bridging the Gender Digital Gap: Rwanda's Leadership in Technology & Innovation for Gender Equality' (11 April 2024) <https://africa.unwomen.org/en/stories/feature-story/2024/04/bridging-the-gender-digital-gap-rwandas-leadership-in-technology-innovation-for-gender-equality>

¹³ Human Rights Watch, "Rwanda: Arrests, Prosecutions over YouTube Posts," March 30, 2021, <https://www.hrw.org/news/2021/03/30/rwanda-arrests-prosecutions-over-youtube-posts>

Question for the State Party

1. How has Rwanda tried to address restrictions in the online space without harming freedom of assembly and association online?
2. What measures are in place to facilitate freedom of assembly and association online?

7. Recommendations for the List of Issues

1. Legislative Reforms:

What steps has Rwanda taken to review or repeal laws that criminalise legitimate expression, such as “spreading false information” or “humiliation of authorities,” and to bring them in line with Article 19?

2. Online Expression and Media Freedom:

What safeguards exist to ensure journalists, bloggers, and online activists are not harassed or prosecuted for exercising their rights under the ICCPR?

3. Data Protection and Surveillance Oversight:

What mechanisms ensure that data collection and surveillance practices are subject to judicial oversight and comply with Article 17 of the Covenant?

4. Access to Information:

How is the Rwandan Government addressing barriers to effective implementation of the Access to Information Law, and are there sanctions for non-compliance?

5. Digital Inclusion and Tech Facilitated Gender Based Violence (TFGBV):

What efforts are underway to address tech-facilitated gender-based violence and to ensure that all individuals, regardless of gender or location, have equitable access to digital platforms?