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	2012	2013
INTERNET FREEDOM STATUS	PARTLY FREE	PARTLY FREE
Obstacles to Access (0-25)	13	12
Limits on Content (0-35)	19	18
Violations of User Rights (0-40)	19	18
Total (0-100)	**51**	**48**

* 0=most free, 100=least free

POPULATION: 10.8 million
INTERNET PENETRATION 2012: 17 percent
SOCIAL MEDIA/ICT APPS BLOCKED: No
POLITICAL/SOCIAL CONTENT BLOCKED: Yes
BLOGGERS/ICT USERS ARRESTED: No
PRESS FREEDOM 2013 STATUS: Not Free

KEY DEVELOPMENTS: MAY 2012 – APRIL 2013

- ICT development continued to spread, expanding access. Rwandan internet users became more active on social media and vocal in criticizing the government (see **OBSTACLES TO ACCESS** and **LIMITS ON CONTENT**).

- A number of independent online news outlets and opposition blogs were intermittently inaccessible in Rwanda, though it is uncertain whether the disruptions were due to deliberate government interference, as was the case in past years, or to technical issues (see **LIMITS ON CONTENT**).

- An amended media law expanded the rights of journalists and recognized freedom for online communications; however, it retained provisions that may increase government control over internet content (see **VIOLATIONS OF USER RIGHTS**).

- A new law on interception authorized high-ranking security officials to monitor e-mail and telephone conversations of individuals considered potential threats to "public security" (see **VIOLATIONS OF USER RIGHTS**).

- SIM card registration requirements were launched in 2013 (see **VIOLATIONS OF USER RIGHTS**).

INTRODUCTION

In recent years, the government of Rwanda under President Paul Kagame has embarked on an ambitious economic development strategy that aims, among other things, to create a vibrant industry for information and communication technologies (ICTs) and position Rwanda as a regional ICT hub. Although internet penetration remains low—hampered primarily by poverty and lack of appropriate infrastructure, especially in rural areas—access is continually expanding with public and private investments in broadband technology across the country, and mobile internet access is increasing at an impressive rate. Meanwhile, the proliferation of ICTs has contributed to progress in the country's governance, health, education, agriculture, and finance sectors.[1]

While ICT development has been among the top priorities for the Rwandan government, the country's tenuous political environment and sensitive ethnic relations since the 1994 genocide has led the government to exert some controls over online content and expression. A few critical news websites that were previously blocked in 2010-2011 were intermittently inaccessible in Rwanda throughout 2012 and early 2013, though a number of critical blogs were unavailable altogether. In addition, worries remain that the government's firm restrictions on print and broadcast media—particularly on contentious content concerning the ruling party and the 1994 genocide—will cross over into the internet sphere, as occurred when the authorities blocked the online version of an independent newspaper in the lead-up to the 2010 presidential election. Nevertheless, there were no reported cases of imprisonment or violence against online journalists or internet users in 2012-2013.

Progressive amendments to the 2009 Media Law were adopted in March 2013, providing journalists with the "right to seek, receive, give and broadcast information and ideas through media;" the amendments also explicitly recognize freedom for online communications. Nevertheless, the passage of the new law has led to some fears of increasing government control over the establishment of online outlets. The government-run Media High Council systematically monitors all print and broadcast media coverage during the country's annual genocide mourning period every April, and the monitoring of online media was incorporated for the first time during Rwanda's 18th commemoration period in April 2012. Legislative initiatives in 2012 also expanded the surveillance and interception capabilities of security authorities, and there are increasing indications that the government may be systematically monitoring and intercepting e-mail and other private communications.

OBSTACLES TO ACCESS

Poverty continues to be the primary impediment barring Rwandans from accessing new ICT tools, especially the internet. Over 90 percent of the population lives in rural areas, with the majority

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[1] Ministry of Youth and ICT, "Measuring ICT sector performance and Tracking ICT for Development (ICT4D) towards Rwanda Socio-Economic Transformation," Rwanda ICT Sector Profile 2012, http://bit.ly/18lFhdJ.

practicing subsistence agriculture and approximately 45 percent living below the poverty line.[2] Consequently, internet penetration in Rwanda is still low at 8 percent in 2012, up from 7 percent in 2011, according to estimates from the International Telecommunication Union (ITU).[3] Meanwhile, official government statistics cite a penetration rate of 26 percent in 2012.[4] In addition, access is still limited mostly to Kigali, the capital city, and remains beyond the economic capacity of most citizens, particularly those in rural areas who are limited by low disposable incomes and who do not have high levels of ICT awareness or digital literacy.[5] Between 70 and 90 percent of the population speaks only Kinyarwanda, making internet content in English unavailable to the majority of Rwandans.[6]

In the face of such challenges, the Rwandan government has made ICT development a high priority. Recent government initiatives include the "National ICT Literacy and Awareness Campaign" launched in early 2013 that aims to familiarize at least 200,000 Rwandans with ICT tools within six months.[7] The government has also invested in a project to enhance digital literacy among women as part of an effort to bridge Rwanda's gender gap and encourage women entrepreneurs.[8] In addition, MTN Rwanda has launched a portable solar energy system known as the "Comeka ReadySet," which is a multifunctional energy system that can charge mobile phones as well as power lights, radios, tablets and other devices, enabling ICT use among citizens living in rural areas with little to no electricity.[9] Accordingly, Rwanda was ranked by the ITU as the most dynamic African country in the field of ICTs in its "Measuring the Information Society 2012" ICT Development Index.[10]

The expansion of broadband internet services across the country is further facilitating access to new media tools and technologies. A 2013 analysis of worldwide broadband download performance ranked Rwanda in first place in Africa for download speeds and 62nd place globally with an internet speed of 7.88 Mbps as of February 2013.[11] In partnership with the private sector, the country is

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[2] Central Intelligence Agency, "Rwanda," *The World Factbook*, accessed April 12, 2013, https://www.cia.gov/library/publications/the-world-factbook/geos/rw.html.
[3] International Telecommunication Union, "Percentage of Individuals Using the Internet, 2000-2012," http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx.
[4] Calculated as total estimated internet users divided by total population, from a 2010 RURA survey. See, Ministry of Youth and ICT, "Measuring ICT sector performance and Tracking ICT for Development (ICT4D)"; Daniel Nkubito, "ISSUE PAPER: Internet Connectivity and Affordability in Rwanda," REF. NO: 002/12/2012, http://ppd.rw/wp-content/uploads/2012/12/internet-connectivity-and-affordability-in-Rwanda-issue-paper-Final.pdf.
[5] Ministry of Youth and ICT, "Measuring ICT sector performance and Tracking ICT for Development (ICT4D)."
[6] Ann Garrison, "Rwanda Shuts Down Independent Press," *Digital Journal*, April 14, 2010, http://www.digitaljournal.com/article/290545; Beth Lewis Samuelson and Sarah Warshauer Freedman, "Language Policy, Multilingual Education, and Power in Rwanda," *Language Policy* 9, no. 3 (June 2010), http://bit.ly/1bmZW5X.
[7] "ICT Literacy Campaign Gets Under Way," *Rwanda Focus*, January 21, 2013, http://bit.ly/1fDDDuz.
[8] "Promoting Digital Opportunities for Women in Rwanda," Rwanda Telecentre Network, December 22, 2012, http://www.rtnrwanda.org/index.php/en/news/100-promoting-digital-opportunities-for-women-in-rwanda. Other major ICT projects that aim to expand access to ICTs include: the Kigali Metropolitan Network, the National Backbone , the IT innovation center, Wibro wireless broadband, the ICT Bus, One Laptop per Child, TracNet, and the Regional Communications Infrastructure Program. See, Rwanda Development Board, http://www.rdb.rw/.
[9] Eric Bright, "MTN Launches Portable Renewable Energy System in Rwanda," *Rwanda Focus*, January 29, 2013, http://focus.rw/wp/2013/01/mtn-launches-portable-renewable-energy-system-in-rwanda/.
[10] International Telecommunication Union, "Measuring the Information Society 2012," http://www.itu.int/ITU-D/ict/publications/idi/index.html; Tom Jackson, "ITU Report Ranks Rwanda's ICT Sector Most Dynamic," *Humanipo*, October 16, 2012, http://www.humanipo.com/news/1884/ITU-report-ranks-Rwandas-ICT-sector-most-dynamic.
[11] Net Index, "Rwanda," Download Index, accessed February 24, 2013, http://www.netindex.com/download/allcountries/.

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aiming to deploy a much wider National Last Mile broadband network in 2013 to expand internet penetration countrywide, complementing the 1,380 mile fiber-optic telecommunications network built in 2011 that links Rwanda to the undersea cables running along the East African coast.[12]

As a result of these infrastructural developments, internet prices are decreasing. In 2012, the Broadband Systems Corporation, a local service provider, charged monthly fees of about US$30 for single users and $46 for multiple users, while the cost of using the internet in a cybercafe is approximately $1.28 for 30 minutes.[13]

Mobile phone penetration in Rwanda is significantly higher than that for internet access, growing from 40 percent in 2011 to over 50 percent in 2012, according to the ITU, while government figures noted a penetration rate of 57 percent in May 2013.[14] This growth has been largely a result of increasing competition between the three main mobile phone operators—MTN, TIGO and AIRTEL[15]—whose respective market share is 64 percent, 34 percent, and 2 percent.[16] Rural populations have a comparatively high mobile phone usage rate compared to rural internet access rates,[17] as access has been made easier by a well-developed mobile phone network that covers nearly 98 percent of the population.[18] Innovative initiatives targeting rural populations have further encouraged increased mobile phone and internet usage, such as the e-Soko ("e-market") program created by the Rwanda Development Board that provides farmers with real-time information about market prices for their agricultural produce on their mobile devices.[19]

Internet access via mobile phones has been available since 2007, but the high cost of data-enabled handsets and limited bandwidth restrained its popularity in the first few years. With the government-sponsored fiber-optic cable expansion project completed in early 2011, internet services throughout the country have improved, facilitating increased mobile phone internet access.[20] As of September 2012, mobile internet tariffs range from 20 Rwfr/Mb to 50 Rwfr/Mb (US$0.03/Mb to $0.08/Mb), and the three mobile internet companies—MTN, TIGO and AIRTEL—offer their customers daily bundles at 1,000 Rwfr, 800 Rwfr and 650 Rwfr (US$1.52,

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[12] The fiber-optic project is meant to boost access to various broadband services, increase electronic commerce, and attract foreign direct investment through business process outsourcing. "Rwanda Completes $95 Mln Fibre Optic Network," Reuters Africa, March 16, 2011, http://af.reuters.com/article/investingNews/idAFJOE72F07D20110316.

[13] Laurent Kamana, "National Backbone Reduces Internet Prices, Increases Speed," *New Times*, February 28, 2012, http://www.newtimes.co.rw/news/index.php?i=15282&a=64384.

[14] "Rwanda Mobile Penetration Tops 57%," *Biztech Africa*, May 1, 2013, http://bit.ly/13L8xYk.

[15] Airtel and Tigo have the same tariffs for on-net (RWF20 or US$0.03) and East Africa mobile (RWF120 orUS$0.18) telephone tariffs. TIGO remains with the highest off-net (RWF90 or US$0.13) and international (RWF240 or US$0.36) tariffs. MTN charges RWF60 per minute both for off-net and EAC tariffs. MTN dominates the outgoing voice traffic with 53 percent of on-net traffic; 49 percent of off-net traffic and 89 percent of international voice traffic. See, RURA, "Statistics and Tariff Information in Telecom Sector as of September 2012," Republic of Rwanda, http://bit.ly/GzwThp.

[16] RURA, "Statistics and Tariff Information in Telecom Sector as of September 2012."

[17] As illustrated by an August 2011 report from MTN Rwanda, one of the largest telecom operators in the country, which stated that the majority (60 percent) of its mobile voice users resides outside of Kigali. See, Saul Butera, "Rwanda: High Costs Affecting Rural Internet Penetration," *New Times*, August 15, 2011, http://bit.ly/1aFj4aU.

[18] RURA, "Statistics and Tariff Information in Telecom Sector as of September 2012."

[19] Ruth Kang'ong'oi, "Rwanda Telecenter Network Introduces Web 2.0 to Farmers," CIO East Africa, November 15, 2011, http://www.cio.co.ke/view-all-top-stories/4482-rwanda-telecenter-network-introduces-web-20-to-farmers.html.

[20] MasimbaTafirenyika, "Information Technology Super-charging Rwanda's Economy," *Africa Renewal,* April 2011, http://www.un.org/ecosocdev/geninfo/afrec/vol25no1/rwanda-information-technology.html.

$1.21, and $1.00), respectively.[21] In addition, MTN Rwanda offers low-cost data-enabled mobile phones ranging from 18,500 to 20,000 RWF (US$28 to $32) to further expand internet access, especially in rural areas,[22] though in late 2012, RURA announced plans to switch off unregistered counterfeit phones.[23]

Following the country's market liberalization policies implemented in 2001,[24] the number of companies providing telephone and internet services increased from one—the state-run Rwandatel—to 10 in 2012.[25] These providers are all privately owned, with the exception of the state-owned Rwandatel,[26] which has the largest market share of fixed broadband subscriptions as of September 2012.[27]

Two government-appointed regulatory bodies—the Rwanda Information Technology Authority under the Rwanda Development Board, and the Rwanda Utilities Regulatory Agency (RURA)— supervise the regulatory frameworks and implementation of the county's policies and strategies in the telecommunications sector. Although these bodies were created by the government, they seem to be working freely, and no known complaint has been leveled against them by investors in the ICT sector. Officially, RURA is a national body with autonomy in its administrative and financial management. However, its seven board members, supervisory board, and the managing director are nominated by and work under full control of the government.[28] Despite this, RURA has taken some independent decisions, such as measures to penalize MTN Rwanda for lack of compliance with license obligations in 2012.[29]

In 2009, RURA set up the Rwanda Internet Exchange (RINEX) to connect ISPs and enable the routing of local internet communications through a central exchange point without having to pass through international networks.[30] ISPs can also opt to connect via RINEX to the international

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[21] RURA, "Statistics and Tariff Information in Telecom Sector as of September 2012."

[22] Saul Butera, "Rwanda: High Costs Affecting Rural Internet Penetration."

[23] Frank Kanyesigye, "Move to Ban Fake Phones Draws Mixed Reactions," *New Times*, October 5, 2012, http://www.newtimes.co.rw/news/index.php?i=15136&a=59161.

[24] Albert Nsengiyumva and Emmanuel Habumuremyi, *A Review of Telecommunications Policy Development and Challenges in Rwanda*, Association for Progressive Communications (APC), September 2009, http://www.apc.org/en/system/files/CICEWARwanda_20090908.pdf.

[25] These include fixed-line providers (Rwandatel, MTN Rwandacell, and Airtel International), mobile phone providers (Rwandatel, MTN Rwandacell, TIGO and AIRTEL), and internet service providers (ISPA, Rwandatel, MTN Rwandacell, New Airtel, Altech Stream Rwanda, 4G Rwanda, BSC, and 4G Networks). See, RURA, "Statistics and Tariff Information in Telecom Sector as of September 2012."

[26] Rwandatel was partially privatized in 2010 when it sold 80 percent of the company to the Libyan firm, LAP Green. Due to the political turmoil in Libya in 2011 and the subsequent freeze on Libya's investments and assets, however, LAP Green was forced to terminate its business in Rwanda.[26] In 2012, Rwandatel was liquidated; its assets were purchased by Tigo and Airtel, and the company was taken over by the Government of Rwanda. See, Shyaka Kanuma, "Bye Bye Rwandatel," *Rwanda Focus*, February 20, 2012, http://focus.rw/wp/2012/02/bye-bye-rwandatel/.

[27] RURA, "Statistics and Tariff Information in Telecom Sector as of September 2012."

[28] Article 9, "Law No. 39/2011 of 13/09/2001, Establishing an Agency for the Regulation of Certain Public Utilities," http://www.mhc.gov.rw/fileadmin/templates/PdfDocuments/Laws/RURA_Law.pdf.

[29] In line with its mission to protect consumers, RURA has imposed in November 2012 a daily fine equivalent to RWF 5,000,000 (US$7,692 for one month for non-compliance with its license obligations. See: RURA, "Decision No. 13/ICT-RURA/2012 of 4th December 2012 on MTN Rwanda Ltd. Non-Compliance with its License Obligations Related to Service Continuity," Republic of Rwanda, December 4, 2012, http://bit.ly/19iUmdf.

[30] RURA, *Guidelines for Rwanda Internet Exchange Point (RINEX) Management* (Kigali: RURA, 2009), http://bit.ly/16QXMD0.

internet. The aim, ostensibly, is to make intra-Rwandan internet communications cheaper and faster, though such control over internet traffic has the potential to facilitate efforts to systematically censor or monitor domestic online communications. As of the end of 2013, only five ISPs exchange internet traffic via RINEX,[31] and the price for national access remained the same as for international access.[32]

LIMITS ON CONTENT

In 2012 and early 2013, a number of independent online news outlets and opposition blogs were intermittently inaccessible in Rwanda, though it is uncertain whether the disruptions were due to deliberate government interference, as was the case in past years, or to technical issues. Nevertheless, users increased their engagement with social media tools in the past year and have become more vocal in criticizing the government.

While the government of Rwanda has been committed to expanding access to ICTs across the country, it has also simultaneously endeavored to restrict the types of content that users can access, particularly news content of oppositional nature. For example, in June 2010 the Media High Council ordered the website of the online version of the independent paper *Umuvugizi* to be blocked after its print version was suspended in April 2010, arguing that the ban on the newspaper applied to the online version as well.[33] *Umuvugizi* was unblocked after its six-month suspension period had expired, though it has reportedly experienced periodic blocking in the years since, including in 2012 and early 2013.[34] Some opposition sites continue to be blocked on some ISPs as of early 2013,[35] including *Umusingi* and *Inyenyeri News,*[36] which were both first blocked in 2011. *Umusingi's* content can still be accessed on its Facebook page,[37] and other news sites that have been sporadically blocked can still be accessed through their associated blogs.

Meanwhile, social-networking sites such as YouTube, Facebook, Twitter, and international blog-hosting services are freely available. The websites of international human rights organizations such as Freedom House, Amnesty International, and Human Rights Watch, as well as the online versions of media outlets like the BBC, *Le Monde*, Radio France Internationale, the *New York Times*, and many others are freely accessible. Websites of national news outlets are also easily accessible. These include the web versions of state-run media and pro-government outlets as well as independent

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[31] RINEX, accessed April 13, 2013, http://www.rinex.org.rw/.
[32] Antoine Bigirimana, "Rwanda: The Story of the Internet—One Step Forward, Two Steps Backward," *New Times*, December 12, 2009, http://allafrica.com/stories/200912150559.html.
[33] Reporters Without Borders, "Persecution of Independent Newspapers Extended to Online Versions," news release, June 11, 2010, http://en.rsf.org/rwanda-persecution-of-independent-11-06-2010,37718.html. The newspaper *Umuseso,* which was also given a six-month suspension, does not have an online version.
[34] *Umuvugizi* websites include: http://www.umuvugizi.com/, http://umuvugizi.wordpress.com, and http://umuhanuzi.blogspot.com. Accessed April 11, 2013.
[35] Examples of these opposition sites include: http://inyenyerinews.org/, www.umuvugizi.com, www.umusingi.com, www.banyarwandapoliticalparty.org, http://leprophete.fr, www.therwandan.com.
[36] *Inyenyeri News,* accessed April 5, 2013, www.inyenyerinews.org.
[37] Umusingi Newspaper's Facebook page, accessed February 24, 2013, http://www.facebook.com/pages/Umusingi-Newspaper/122730681083696.

outlets such as *The Rwanda Focus*, *Rushyashya*, *The Chronicles*, *Umusanzu* and *Rwanda Dispatch*. Most radio stations are accessible online, either through their own websites and blogs, or through social media.

As a result of the more limited space for press freedom in the traditional media sphere, Rwandan media outlets are increasingly going online to avoid government control or suspension as well as heavy production costs.[38] Nonetheless, the economic environment for online news websites remains a challenge for independent outlets, particularly in comparison to their state-run counterparts that receive income from government advertisements and direct subsidies.

According to a 2010 law relating to electronic messages, signatures and transactions, intermediaries and service providers are not held liable for the content transmitted through their networks.[39] Nevertheless, Media High Council reportedly operates an online monitoring department to screen web content,[40] and has been known to contact websites to request the removal of certain information. Two online news websites, *Umusingi* and *Umurabyo*, have experienced such requests to delete content related to local political affairs and ethnic relations in recent years. In mid-2013, an independent test conducted by Freedom House found a number of opposition blogs inaccessible altogether;[41] however, it is uncertain whether those sites were taken down out of the owners' own accord or due to external pressure to do so. Appeals can be made through the Media High Council, though they are not often successful, according to journalists.

Online journalists based in Rwanda are joining their print and broadcast colleagues in exercising self-censorship, particularly on topics that can be construed as disruptive to national unity and reconciliation. According to some journalists, self-censorship is viewed as a legitimate practice given the country's sensitive social and political environment. Nevertheless, the spread of social media tools has empowered Rwandans to discuss issues that were formerly taboo and not open to public discussion due to fears of persecution. For example, President Kagame's succession following the end of his current term in 2017 has been debated in various media with diverging views. A number of citizens support Kagame's reelection, which would require a constitutional amendment to increase presidential term limits, while others oppose Kagame's efforts to prolong his tenure and suggest a peaceful transition to a new leadership.[42]

The expansion of internet access has enabled the Rwandan blogosphere to evolve into a vibrant platform for expression, even though the websites and blogs of opposition activists both within and outside Rwanda are inconsistently available.[43] While opposition supporters living outside Rwanda,

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[38] "Rwanda: Why We Went Online: Media Icons Speak Out," *Itangazamakuru*, March 2012, http://bit.ly/18GUIy1.

[39] "Law No. 18/2010 of 12/05/2010, Relating to Electronic Messages, Electronic Signatures and Electronic Transactions," http://www.wipo.int/wipolex/en/text.jsp?file_id=243157.

[40] "Rwandan Gov't Officials to Counter 'Harmful' Propaganda Through Social Media," *Great Lakes Voice*, March 13, 2011, http://greatlakesvoice.com/?p=681.

[41] Opposition blog websites that were unavailable as of May 2013 were: http://ww.iwacu1.com, http://ww.musabyimana.be, http://rwandarwabanyarwanda.over-blog.com, http://ww.banyarwandapoliticalparty.org.

[42] Shyaka Kanuma, "Big Debate Starts on Whether Kagame Contests Another Term," *Rwanda Focus*, February 10, 2013, http://focus.rw/wp/2013/02/big-debate-starts-on-whether-kagame-contests-another-term/#comment-11752.

[43] This includes the website of opposition leader Victoire Ingabire at http://www.victoire2010.com, as well as other sites at http://rwandaspeaks.com/tag/freedom-of-the-press/, and www.newsrwanda-nkunda.blogspot.com.

mainly in Europe and the United States, are responsible for most of the criticism against the government on forums, websites, and blogs, local dissenting voices are increasingly heard in online news portals such as *Igihe*.

Facebook and Twitter are also emerging as popular platforms for online interaction, in part as a result of the increasing use of internet-enabled phones.[44] MTN Rwanda introduced a "SMS to Twitter" tool to facilitate the social media platform's use for people who do not have easy access to the internet on computers.[45] The president is an active supporter of these social networks, occasionally using the platforms to engage in discussions with users and openly respond to issues concerning the current state of governance in the country. By the end of 2012, Kagame emerged as one of the most popular African presidents on Twitter with nearly 95,000 followers.[46]

Twitter has also offered Rwandans a new platform for protest. For example, netizens flocked to Twitter in 2012 to reject a decision by the Kigali City Council to close a local entertainment venue.[47] In another instance, Rwandans came together on Twitter to denounce a controversial United Nations report on Rwanda's involvement in the conflict taking place in the Democratic Republic of Congo. Citizens also used the social media platform to circulate a petition against the United Kingdom's cuts in development aid that came in response to the UN report's findings.[48]

With mobile phones more widely accessible than the internet, text messages have become another important channel for citizens to voice discontent with the authorities and expose abuses of power. For example, the live radio programs, "Good Morning Rwanda" and "Good Evening Rwanda," have become a significant venue for citizens to criticize government malpractices via SMS messages, which are broadcast on the radio. Most recently, citizens challenged the education ministry over the country's quality of education. Nevertheless, the ability of citizens to use digital media for organizing large-scale street protests remains limited due to broader restrictions on freedom of assembly, particularly regarding politically sensitive topics.

VIOLATIONS OF USER RIGHTS

Legislative initiatives in 2012 and early 2013 had both positive and negative effects on freedom of expression and internet freedom in Rwanda, including amendments to the 2009 Media Law, an Access to Information Law, and a revised law on the interception of communications. SIM card registration requirements were also launched in 2013.

Article 34 of the Rwandan constitution, adopted in May 2003, provides for freedom of the press and freedom of information, but in practice, the government maintains tight control over the

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[44] "Facebook Statistics: Rwanda," Socialbakers, accessed February 24, 2012, www.socialbakers.com/facebook-statistics/rwanda.
[45] MTN, "MTN Twitter SMS," accessed February 25, 2013, http://www.mtn.co.rw/Content/Pages/54/MTN_Twitter_SMS.
[46] Allan Brian Ssenyonga, "Twitter: 2012 was a Very Interesting Year for 'RwOT,'" *New Times*, December 31, 2012, http://newtimes.co.rw/news/views/article_print.php?&a=13541&week=52&icon=Print.
[47] Allan Brian Ssenyonga, "Twitter: 2012 was a Very Interesting Year for 'RwOT.'"
[48] Steve Doughty, "British Aid to Rwanda 'Is Funding a Dictator': UK Millions Fuel Armed Conflict, says President's Former Aide," *Mail Online*, November 25, 2012, http://dailym.ai/Tf37yA.

media. In March 2013, the state adopted progressive amendments to the 2009 Media Law, granting journalists the "right to seek, receive, give and broadcast information and ideas through media" and explicitly providing for freedom of online communications in Section 3, Article 19.[49] Nevertheless, the passage of the new law has led to some fears of increasing government control over the internet,[50] with the freedom of expression organization Article 19 criticizing the law for containing "too many provisions which pose a threat to journalists and the independence of the media, including online media."[51] In particular, the new law gives the minister of ICTs unlimited powers to establish the conditions for both local and foreign media companies to operate in Rwanda.

A revised Access to Information Law was passed in December 2012 and is expected to allow journalists to conduct investigative journalism with more official and credible sources of information.[52] Nevertheless, the extent to which the media should have the unchecked right to free expression is often a matter of public debate in Rwanda, with some commentators suggesting that Rwanda's media practitioners should be cautious in their speech as long as the history of genocide continues to haunts the country.[53]

While there are no laws that specifically restrict internet content or criminalize online expression, Rwanda's generally restrictive legal provisions governing the traditional media could be applied to the internet, particularly given the lack of a fully independent judiciary. For example, the decision to ban the online version of *Umuvugizi* in 2011 was based on charges of publishing "divisive language,"[54] a category of expression that is criminalized by the 2001 Law on Discrimination and Sectarianism.[55]

A vague 2008 law against "genocide ideology" similarly threatens freedom of expression both online and off, prescribing heavy prison sentences and fines for any offender "…who disseminates genocide ideology in public through documents, speeches, pictures, media or any other means."[56] In response to criticisms of the law's overly broad nature, the minister of justice proposed

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[49] "Law Regulating Media, No. 02/2013 of 08/02/2013," Official Gazette 10, March 11, 2013, http://blog-tdas.s3.amazonaws.com/blog-tdas/2013/03/Official_Gazette_no_10_of_11.03.2013.pdf.

[50] "Proposed Media Law Fails to Safeguard Free Press," IFEX, January 5, 2012, http://www.ifex.org/rwanda/2012/01/05/media_law/.

[51] Article 19, "Rwanda: Media Law Does Not go Far Enough," press release, March 18, 2013, http://www.article19.org/resources.php/resource/3665/en/rwanda:-media-law-does-not-go-far-enough.

[52] Frank Kanyesigye, "Will Information Bill Change the Rwanda's Media Environment?" *Sunday Times*, February 17, 2013, http://allafrica.com/stories/201302180094.html.

[53] David Kabuye, "Rwanda's Media – Cautious of Content," *New Times*, November 19, 2012, http://www.newtimes.co.rw/news/index.php?i=15181&a=60840; Daniella Waddoup, "Press Freedom in Rwanda," *Think Africa Press*, February 18, 2011, http://thinkafricapress.com/rwanda/press-freedom-rwanda.

[54] Media Institute, "Tabloid Website Blocked," IFEX, June 8, 2010, http://ifex.org/rwanda/2010/06/08/umuvugizi_website_blocked/.

[55] "Law No. 47/2001 on Prevention, Suppression and Punishment of the Crime of Discrimination and Sectarianism," http://www.adh-geneva.ch/RULAC/pdf_state/Law-47-2001-crime-discrimination-sectraianism.pdf; Jennie E. Burnet, "Rwanda," in *Countries at the Crossroads 2007* (New York: Freedom House; Lanham, MD: Rowman and Littlefield, 2007), http://freedomhouse.org/template.cfm?page=140&edition=8&ccrpage=37&ccrcountry=167.

[56] Article 8, "Law No. 18/2008 of 23/07/2008 Relating to the Punishment of the Crime of Genocide Ideology," http://www.refworld.org/docid/4acc9a4e2.html.

amendments in November 2012 that aim to make the law more definitive and easier to interpret.[57] Awaiting consideration by the senate after its passage in the lower house in July 2013, the amended law reduces prison sentences from 25 years to a maximum of nine and requires proof of criminal intent behind an offending act that must be "characterized by thoughts based on ethnicity, religion, nationality or race to foment genocide [or] support genocide."[58] Nevertheless, the law still restricts freedom of expression by retaining the notion of "genocide ideology" as a criminal offense and by excluding a clear distinction between a private conversation and public speech.[59]

Penalties for criminal defamation may also be applicable to the internet, with defamation of the president or other public officials carrying a penalty of up to five years in prison.[60] Only one prosecution for online activity was reported in December 2012 concerning the entertainment journalist John Kalisa of the website *kigalihits*, who was arrested on allegations of defamation after he had posted a picture of a young girl on a drinking spree on his Facebook wall. The same journalist had been arrested and warned by authorities in 2011 for similar professional offenses.[61]

Although many traditional journalists view the threat of imprisonment as a key constraint on their work, detentions have been less common for online expression with the last case of imprisonment for online activities occurring in 2007.[62] There were also no reported cases of extralegal intimidation or violence against online journalists or users in 2012 and early 2013, but intimidation tactics against journalists still generally limit freedom of expression in Rwanda, which ranks among the top 10 countries from which journalists seek exile, according to the Committee to Protect Journalists.[63]

There are no restrictions on anonymous communication online in Rwanda, though RURA initiated SIM card registration requirements in early 2013 to "decrease mobile phone related crimes across the country."[64] SIM card owners were given the deadline of July 31, 2013 to register their cards with service providers, after which point unregistered cards would be disconnected.

Up until 2012, government monitoring of online communications did not appear to be widespread, though there had been instances in past years of e-mails, phone calls, and text messages belonging

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[57] Jane Nishimwe, "Rwanda: Controversial 'Genocide Ideology' Law to Send More Rwandans Behind Bars," *Jambo News*, April 25, 2013, http://bit.ly/16DxMli.
[58] "Rwanda Parliament Votes to Amend Genocide Law," *Times Live*, July 17, 2013, http://www.timeslive.co.za/africa/2013/07/17/rwanda-parliament-votes-to-amend-genocide-law.
[59] *Emmanuel R. Karake, "Gov't Seeks to Amend Genocide Ideology Law," New Times, November 3, 2012,* http://www.newtimes.co.rw/news/index.php?i=15165&a=60288.
[60] Freedom House, "Rwanda," *Freedom of the Press 2013*, http://www.freedomhouse.org/report/freedom-press/2013/rwanda.
[61] "Rwanda: K Kohn Arrested Over Defamation," *Rwanda Show*, December 20, 2013, http://www.rwandashow.com/index.php/2012/12/rwanda-k-john-arrested-over-defamation/.
[62] Freedom House, "Rwanda," *Freedom on the Net 2012*, http://www.freedomhouse.org/report/freedom-net/2012/rwanda.
[63] Committee to Protect Journalists, "Journalists in exile 2012," June 19, 2012, http://www.cpj.org/reports/2012/06/journalists-in-exile-2012-crisis-in-east-africa.php.
[64] Nizon Segawa, "Rwanda Flags Off SIM Card Registration Exercise," *Chimp Reports*, February 4, 2013, http://www.chimpreports.com/index.php/news/news-as-it-happens-around-the-east-african-region/8072-rwanda-flags-off-sim-card-registration-exercise.html.

to opposition activists being produced as evidence in trials.[65] Worryingly in December 2012, the Rwandan parliament's lower house adopted amendments to the 2008 Law Relating to the Interception of Communications that authorize high-ranking security officials to monitor e-mail and telephone conversations of individuals considered potential threats to "public security."[66] Under the amended law, communications service providers are required to ensure that their systems have the technical capability to intercept communications upon demand and, according to a report from Privacy International, such interception technology may include the use of keyword scanning to identify certain topics of discussion.[67] While the law requires government officials to apply for an interception warrant, it also includes a provision that allows for a warrant to be issued verbally in urgent security matters, to be followed by a written warrant within 24 hours.[68] The amended law is awaiting senate approval as of April 2013.

Meanwhile, the Media High Council systematically monitors all print and broadcast media coverage during the country's annual genocide mourning period every April with the aim of "highlighting the civic contribution of the media during the commemoration period and discerning the extent to which media abide by legal and professional standards while covering genocide related issues."[69] The monitoring of online media was incorporated for the first time during Rwanda's 18th commemoration period in April 2012, which has led to a growing sense that the authorities may be monitoring other online communications as well.

There have been no reported cases of serious cyberattacks in the country, though the Rwandan police recently noted an increasing threat of cybercrime associated with expanding internet penetration across the country.[70] In 2010, RURA initiated a strategy to increase awareness of such threats among business owners and ordinary users.

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[65] This was the case in the trial of opposition leader, Victoire Ingabire, during which e-mails and proof of money transfer to FDLR (French acronym for the Democratic Forces for the Liberation of Rwanda) rebels were used as evidence. These were mostly obtained via low-tech methods of confiscating suspects' mobile phones and computers rather than via service providers. See: Didas Gasana and Ann Garrison, "Ingabire trial: Rwanda prosecution fails 'evidence test,'" *Rwandinfo_ENG* (blog), accessed February 10, 2012, http://rwandinfo.com/eng/ingabire-trial-rwanda-prosecution-fails-evidence-test/.

[66] Sunny Ntayombya, "Proposed Communications Intercept Law: is our Privacy Adequately Protected," *New Times*, August 29, 2012, http://newtimes.co.rw/news/index.php?i=15099&a=57661.

[67] Carly Nyst, "Rwandan Government Expands Stranglehold on Privacy and Free Expression," Privacy International, August 25, 2012, https://www.privacyinternational.org/blog/rwandan-government-expands-stranglehold-on-privacy-and-free-expression#footnote2_4eosbda.

[68] "Online Freedoms in Rwanda," OpenNet Africa, accessed June 15, 2013, http://opennetafrica.org/dev/policy-and-legislation/rwanda/#fn-210-6.

[69] Media High Council, "Analysis of Media Coverage of the Eighteenth Commemoration of the Genocide Against the Tutsi in Rwanda," December 2012, http://bit.ly/16DxN8T.

[70] "Rwanda National Police Warns Internet Users Against Cybercrime," Rwanda National Police, October 17, 2012, http://www.scoop.it/t/african-internet/p/3006349174/rwanda-national-police-warns-internet-users-against-cyber-crime-rwanda-national-police.

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