

RWANDA

	2011	2012
INTERNET FREEDOM STATUS	Partly Free	Partly Free
Obstacles to Access (0-25)	14	13
Limits on Content (0-35)	19	19
Violations of User Rights (0-40)	17	19
Total (0-100)	50	51

* 0=most free, 100=least free

POPULATION: 11 million
INTERNET PENETRATION 2011: 7 percent
WEB 2.0 APPLICATIONS BLOCKED: No
NOTABLE POLITICAL CENSORSHIP: No
BLOGGERS/ ICT USERS ARRESTED: No
PRESS FREEDOM STATUS: Not Free

INTRODUCTION

Since Rwanda's 1994 genocide that ravaged the country's skilled workforce and destroyed its already underdeveloped telecommunications infrastructure,¹ the ruling Rwandan Patriotic Front (RPF) has set forth an ambitious plan to establish Rwanda as a globally competitive, knowledge-based society and economy.² Although the internet penetration remains low, over the past decade the country has experienced an increase in the number of fixed telephone lines, mobile phones, and technicians. The proliferation of information and communication technologies (ICTs), in return, has contributed to progress in education, good governance, human capacity development, and rural community activities.

While internet and mobile phone usage has expanded over the past two decades, the country's tenuous political environment has led the government to exert some controls over online content and expression. In addition, despite recent improvements to internet access, poverty and lack of appropriate infrastructure, especially in rural areas, continue to impede access to and the expansion of ICTs in Rwanda.

There remain concerns that the government's firm restrictions on print and broadcast media—particularly on contentious content regarding the ruling party or the 1994 genocide—will cross over into the internet sphere, as occurred when the authorities

¹ Albert Nsengiyumva and Emmanuel Habumuremyi, *A Review of Telecommunications Policy Development and Challenges in Rwanda* (Johannesburg: Association for Progressive Communications, September 2009),

<http://www.apc.org/en/pubs/research/review-telecommunications-policy-and-challenges-rw>.

² Glen Farrell, "Survey of ICT and Education in Africa: Rwanda Country Report," *infoDev*, April 2007, <http://www.infodiv.org/en/Document.423.pdf>.

blocked the online version of an independent newspaper in the lead-up to the 2010 presidential election. Furthermore, violence against online journalists, although sporadic, appears to be on the rise, with one alarming murder of an online journalist reported in December 2011.

OBSTACLES TO ACCESS

Widespread poverty is the primary impediment barring Rwandans from accessing new ICT developments, especially the internet. Over 90 percent of the population lives in rural areas, with the majority practicing subsistence agriculture and approximately 64 percent living below the poverty line. In addition, though over 70 percent of the population is literate,³ between 70 and 90 percent speak only Kinyarwanda.⁴ Further, while the cost of internet services and private VSAT⁵ satellite links has dropped in recent years, 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. Consequently, the internet penetration rate is still quite low at 7 percent in 2011, according to official government statistics and the International Telecommunication Union (ITU).⁶

In the face of such challenges, the Rwandan government has made ICT development a high priority, spending in this domain more than most other countries on the continent, and instituting incentives such as tax exemptions on ICT equipment. Although the full impact of these investments has yet to be felt, broadband internet service is progressively replacing dial-up connections, and a 2012 analysis of worldwide broadband download performance ranks Rwanda in 105th place worldwide with an internet speed of 3.60 Mbps as of March 2012,⁷ and third place in Africa for downloading speeds, outperforming both Kenya and South Africa.⁸ Broadband connectivity is expected to increase further with the completion of

³ Central Intelligence Agency (CIA), "Rwanda," *The World Factbook*, accessed June 26, 2012, <https://www.cia.gov/library/publications/the-world-factbook/geos/rw.html>.

⁴ 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://gse.berkeley.edu/faculty/swfreedman/10samuelson_freedman.pdf.

⁵ VSAT stands for "very small aperture terminal," an earthbound station used in satellite communications of data, voice and video signals, excluding broadcast television.

⁶ Rwanda Utilities Regulatory Agency (RURA), "Statistics and Tariff Information in Telecom Sector as of September 2011," Republic of Rwanda, September 2011, http://www.rura.gov.rw/docs/STATISTICS_TARIFF_INFORMATION_IN_TELECOM_SEPTMBER_2011.pdf; International Telecommunication Union (ITU), "Percentage of individuals using the Internet, fixed (wired) Internet subscriptions, fixed (wired)-broadband subscriptions," 2011, accessed July 13, 2012, <http://www.itu.int/ITU-D/ICTEYE/Indicators/Indicators.aspx#>.

⁷ Net Index, "Rwanda," Download Index, accessed June 26, 2012, <http://www.netindex.com/download/2,174/Rwanda/>.

⁸ Afrographique, "African Broadband Download Performance," April 2011, <http://afrographique.tumblr.com/post/4533385659/infographic-showing-african-broadband-download>.

a 2,300 kilometer (1,380 miles) fiber-optic telecommunications network across the country that will link Rwanda to the undersea cables running along the East African coast. 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.⁹ The project is also expected to expand internet service to the countryside.¹⁰ In 2010, e-government and videoconferencing platforms were developed to help make governance more efficient by shortening travel times, cutting expenses, and improving communication among district authorities. Advanced social-networking web applications such as YouTube, Facebook, Twitter, and international blog-hosting services are freely available.

The mobile phone penetration rate is significantly higher than that for internet access, reaching 41.3 percent and 4.4 million subscribers as of November 2011, according to official statistics and the ITU.¹¹ While there is great disparity in internet penetration rates between urban and rural areas, rural populations have a comparatively high mobile phone usage rate, 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.¹² Access is made easier by a well-developed mobile phone network that covers nearly 96 percent of the population;¹³ however, in remote border areas, coverage remains faulty or nonexistent. To facilitate greater access, the Rwanda Utilities Regulatory Agency (RURA) is attempting to reduce the price of handsets from 8,000 Rwandan francs (US\$13) to 2,000 RWF (US\$3.25). RURA's move is to cover half of the total cost, whereas operators would contribute 30 percent and consumers would pay the remaining 20 percent. Talks are also being held with the Rwanda Development Bank to provide micro-loans for handsets.¹⁴

However, the rates for calls from mobile phones to fixed lines remain prohibitively expensive for much of the population, limiting the number of these calls. The current estimate is that 90 percent of interconnection calls are from the fixed-line company, Rwandatel network, to mobile phone companies rather than the other way around. TIGO is

⁹ "Rwanda completes \$95 mln fibre optic network," Reuters Africa, March 16, 2011, <http://af.reuters.com/article/investingNews/idAFJ0E72F07D20110316>.

¹⁰ Emmanuel Habumuremyi and Alan Finlay, "Rwanda's Policy Vacuum Could Mean Trouble for Broadband," Association for Progressive Communications, October 29, 2009, <http://www.apc.org/en/news/rwanda-s-policy-vacuum-could-mean-trouble-broadban>.

¹¹ "ICT Statistics, Mobile Subscribers as of November 2011," Rwanda Utilities Regulatory Agency (RURA), accessed January 24, 2011, http://www.rura.gov.rw/index.php?option=com_content&view=article&id=296; International Telecommunication Union (ITU), "Mobile-cellular telephone subscriptions," 2011, accessed July 13, 2012, <http://www.itu.int/ITU-D/ICTEYE/Indicators/Indicators.aspx#>.

¹² Saul Butera, "Rwanda: High costs affecting rural internet penetration," The New Times, August 15, 2011, <http://in2eastfrica.net/rwanda-high-costs-affecting-rural-internet-penetration/>.

¹³ RURA, "Statistics and Tariff Information in Telecom Sector as of September 2011."

¹⁴ "Is Rwanda the Singapore of Africa," Association Rwandaise des Femmes des Medias, May 24, 2011, <http://arfem.rw/wp/?p=511>.

the cheapest in terms of both regional and international calls, which cost 120 RWF (US\$0.20) and 200 RWF (US\$0.32), respectively. MTN charges 139.8 RWF (US\$0.23) for regional calls and 250.2 RWF (US\$0.41) international calls. TIGO is also the cheapest in terms of both normal tariffs and also promotional tariffs on SMS (10 RWF for MTN and 3 RWF for TIGO).¹⁵ Though Rwanda was said to have higher internet prices in the East African region, ISPs pledged to scale them down by the first quarter of 2012.¹⁶

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 service throughout the country has improved, facilitating increased mobile phone internet access.¹⁷ In addition, MTN Rwanda has introduced low-cost data-enabled mobile phones ranging from 18,500 to 20,000 RWF (US\$20 to \$32) to expand internet access, especially in rural areas.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 to help farmers get real-time information about market prices for their agricultural produce through their mobile phones.¹⁹

Following the country's market liberalization policies implemented in 2001,²⁰ the number of companies providing telephone and internet services increased from one—the state-run Rwandatel—to about a dozen in 2011. These include fixed-line providers (Rwandatel, MTN Rwandacell, and Artel International), mobile phone providers (Rwandatel, MTN Rwandacell, and TIGO), and internet service providers (ISPA, Rwandatel, MTN Rwandacell, New Artel, Altech Stream Rwanda, Value Data Rwanda, Star Africa Media, Greenmax, Augere Rwanda, and Comium).²¹ BhartiAirtel, an Indian telecommunications company, is the newest player on the market that was awarded a license to operate 2G and

¹⁵ RURA, "Statistics and Tariff Information in Telecom Sector as of September 2011."

¹⁶ "Rwanda: Internet Charges to Be Slashed," *The New Times*, November 28, 2011, <http://allafrica.com/stories/201111280003.html>.

¹⁷ MasimbaTafirenyika, "Information technology super-charging Rwanda's economy," *Africa Renewal*, April 2011, <http://www.un.org/ecosocdev/geninfo/afrec/vol25no1/rwanda-information-technology.html>.

¹⁸ Saul Butera, "Rwanda: High costs affecting rural internet penetration," *The New Times*, August 15, 2011, <http://in2castafrica.net/rwanda-high-costs-affecting-rural-internet-penetration/>.

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 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.

²¹ National Institute of Statistics of Rwanda, *ScanICT Baseline Survey Report* (Kigali: National Institute of Statistics of Rwanda, November 2008), http://www.uneca.org/aisi/docs/RWANDA_SCAN_ICT_REPORT.pdf.

3G GSM mobile services in Rwanda in September 2011.²² These providers are all privately owned, with the exception of the state-operated Rwandatel, which 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.²³

Two government-appointed regulatory bodies—the Rwanda Information Technology Authority (RITA) and RURA—supervise the regulatory frameworks and implementation of the country'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 telecommunications. In 2009, RURA set up the Rwanda Internet Exchange (RINEX) to connect ISPs and enable local internet communications to be routed through RINEX without having to pass through international networks.²⁴ ISPs may also opt to connect via RINEX to the international internet. The aim is ostensibly to make intra-Rwandan internet communications cheaper and faster, though such control over internet traffic has the potential to facilitate any future efforts to systematically censor or monitor domestic online communications. As of the end of 2009, only several ISPs were properly connected to RINEX, and the price for national access remained the same as for international access.²⁵ By 2011, it appeared that most ISPs were reluctant to exchange their data through RINEX as only five of them were connected.²⁶

LIMITS ON CONTENT

Access to online content in Rwanda is generally unfettered; however, there have been increasing instances of government control over internet expression in recent years. 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 British Broadcasting Corporation (BBC), *Le Monde*, Radio France Internationale, the *New York Times*, and many others are freely accessible. Websites of national news outlets are also

²² "Indian firm BhartiAirtel new player on mobile market," *The Rwanda Focus*, September 9, 2011, <http://focus.rw/wp/2011/09/indian-firm-bharti-airtel-new-player-on-mobile-market/>.

²³ Samson Baranga, "UTL to get capital injection to clear debts," *The Observer*, December 14, 2011, http://www.observer.ug/index.php?option=com_content&view=article&id=16307%3Autl-to-get-capital-injection-to-clear-debts&catid=38%3Abusiness&Itemid=68.

²⁴ Rwanda Utilities Regulatory Agency (RURA), *Guidelines for Rwanda Internet Exchange Point (RINEX) Management* (Kigali: RURA, 2009), http://www.rura.gov.rw/docs/RINEX_GUIDELINES.pdf.

²⁵ Antoine Bigirimana, "Rwanda: The Story of the Internet—One Step Forward, Two Steps Backward," *The New Times*, December 12, 2009, <http://allafrica.com/stories/200912150559.html>.

²⁶ Justin Rugondihene, "Rwanda Internet Exchange Point (RINEX): Positive steps, key challenges, sustainability and management," EAIXP Taskforce Meeting, 1st to 3rd November 2011, accessed February 8, 2012, http://www.rura.gov.rw/docs/Rwand_IXP_Positives_Steps.pdf.

easily accessible, and one of the founders of the online news portal Igihe.com reported no constraints or pressures from the government in establishing and managing the website.²⁷ Nevertheless, the web versions of state-run media outlets—such as *Imvaho Nshya*, *La Nouvelle Relève*, the Rwanda News Agency, and the *New Times*—dominate the online information landscape. In addition, the economic environment for online news websites remains a challenge for independent outlets, particularly in comparison to their state-run counterparts that derive their income from government advertisements and direct subsidies.

Despite the generally open online atmosphere, an incident in the months leading up to the last presidential election in August 2010 raised concerns that the authorities may be willing and able to restrict online content. In April 2010, Rwanda's two main independent newspapers, *Umuseso* and *Umuwugizi*, both published in Kinyarwanda, were given six-month suspensions as a consequence for defaming the president and other offenses.²⁸ The suspension was widely perceived as an effort to suppress critical coverage in the run-up to the election. *Umuwugizi*'s editor, who fled Rwanda into exile, launched an online version of the paper in late April 2010, but in early June the Media High Council ordered the website to be blocked, arguing that the ban on the newspaper applied to the online version as well.²⁹ Appealing such a ban was possible based on provisions of the Media Law, although in this instance, the publications chose not to appeal. *Umuwugizi* was unblocked after the six-month suspension period had expired, though it reportedly experienced periodic filtering throughout the 2011 and was blocked again for three days in June 2011 prior to a court case that sentenced the website's exiled editor-in-chief to two and a half years in prison (see "Violations of User Rights").³⁰

The government-operated High Media Council has established an online monitoring department to screen web content, and the Council has been known to contact websites to request the removal of certain information.³¹ In addition to the blocking of *Umuwugizi*, two other online news websites, *Umusingi* and *Umurabyo*, have experienced government requests to delete content related to local political affairs and ethnic relations. There have

²⁷ Interview with Founder of Igihe.com in February 2010.

²⁸ Michael Fairbanks, "Nothing Good Comes Out of Africa," Huffington Post, May 3, 2010, http://www.huffingtonpost.com/michael-fairbanks/nothing-good-comes-out-of_b_560639.html; International Freedom of Expression eXchange (IFEX), "Rwanda Shuts Critical Papers in Run-Up to Presidential Vote," news release, April 13, 2010, http://www.ifex.org/rwanda/2010/04/14/papers_suspended/.

²⁹ 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 also was placed on a six month suspension, does not have an online version.

³⁰ "Rwanda: Exiled editor sentenced for 'insulting' president," Committee to Protect Journalists, June 6, 2011, <http://www.cpj.org/2011/06/rwanda-exiled-editor-sentenced-for-insulting-presi.php>.

³¹ "Rwandan gov't officials to counter 'harmful' propaganda through social media," Great Lakes Voice, March 13, 2011, <http://greatlakesvoice.com/?p=681>.

also been instances reported of opposition sites being blocked.³² As a result of these controls, online journalists based in Rwanda are joining their print and broadcast colleagues and exercising self-censorship, particularly on topics that can be construed as disruptive to national unity and reconciliation. Many fear the further increase of government control over online media with the proposed amendments to the 2009 Media Law currently in review as of early 2012, which if passed, may provide a legal basis for the blocking of unfavorable websites.³³

There are no clear regulations outlining the treatment of obscene content, but Article 57 of the current Media Law indicates that cybercafe operators, business owners, and parents are expected to take responsibility for preventing minors from viewing websites that display pornography or information that might incite them to crimes such as drug use or theft.³⁴ Despite the government's efforts to regulate online content, the expansion of internet access has enabled the Rwandan blogosphere to evolve into a vibrant platform for expression, largely consisting of youth who write on a variety of topics, including their political views. The websites and blogs of opposition activists both within and outside Rwanda are more or less freely available;³⁵ however, opposition supporters living outside Rwanda, mainly in Europe and the United States, are responsible for most of the criticism against the government that appears on forums, websites, and blogs.

Facebook is also emerging as a popular site for online interaction with nearly 115,000 users of whom over 70 percent are between 18 and 34 years of age as of December 2011.³⁶ A government initiative in early 2011 urged all top government officials in Rwanda to sign up for and participate in social media networks such as Facebook and Twitter, which some believe is an effort to counter the growth of opposition voices online.³⁷ Nevertheless, the social media revolution has empowered Rwandans to discuss issues that were formerly taboo and not open to public discussion due to fears of persecution.³⁸ Rwandan President Paul Kagame is an active supporter of these social networks as he occasionally engages in discussions with users and responds openly to issues relating to the current state of

³² Examples of these opposition sites include: <http://inyenyerineews.org/>, www.umuvugizi.com, www.umusingi.com, www.banyarwandapoliticalparty.org, <http://leprophete.fr/>.

³³ "Proposed media law fails to safeguard free press," IFEX, January 5, 2012, http://www.ifex.org/rwanda/2012/01/05/media_law/.

³⁴ "Law on Media," *Official Gazette of the Republic of Rwanda*, August 17, 2009, http://www.mhc.gov.rw/index.php?option=com_docman&task=cat_view&gid=81&Itemid=144&lang=en.

³⁵ This includes the website of opposition leader Ingabire Victoire Umuhoza at <http://www.victoire2010.com>, as well as other sites at <http://www.iwacu1.com>, <http://www.musabyimana.be>, <http://rwandarwabanyarwanda.over-blog.com>, and <http://www.banyarwandapoliticalparty.org>.

³⁶ "Facebook Statistics: Rwanda," Socialbakers, accessed December 29, 2010, www.socialbakers.com/facebook-statistics/rwanda.

³⁷ Gilbert Ndikubwayezu, "Social media defies oppression," Major Projects: Online Journalism in Rwanda, 2011, accessed January 16, 2012, <http://www.journalism.ryerson.ca/grad/3715/6/>.

³⁸ *Ibid.*

governance in the country. For example, Kagame was featured on YouTube's World View in 2011³⁹ answering questions submitted by viewers about Rwanda and life after the genocide.⁴⁰ Rwandans are also increasingly using Twitter. By the end of 2011, Rwanda was second in number of tweets throughout the Great Lakes region after Kenya.⁴¹

With mobile phones more widely accessible than the internet, text messages have become an important way for citizens to voice discontent with the authorities and expose abuses of power. In one widely reported example in 2009, several local officials and other well-to-do residents stole cows that had been donated by the president for needy residents in the countryside. The theft was reported to local radio stations via text messages, sparking widespread coverage by the media. As a result, the officials were forced to resign or were otherwise punished. Text messages were also used for political mobilization during the 2003 and 2008 elections. In 2010, they enabled the National Electoral Commission to improve voter education and allowed candidates and political parties to mobilize supporters. In particular, contenders from parties other than the ruling party were able to garner more votes than they might have otherwise due to the ability to reach voters via text-messaging campaigns.⁴² Most recently, mobile phones have been used for initiatives such as disease detection and prevention programs where free mobile phones are distributed to health care agents who save mothers' lives by monitoring pregnant villagers and sending text messages to hospitals.⁴³ The ability of citizens to use digital media for organizing large-scale "real life" protests remains limited, however, due to broader restrictions on freedom of assembly, particularly regarding politically sensitive topics.

VIOLATIONS OF USER RIGHTS

The Rwandan constitution, adopted in May 2003, provides for freedom of expression. In addition, Chapter IV of the Law on Media signed in August 2009 is dedicated to "ICT or internet press" and includes language that explicitly grants freedom for online communications; however, as noted earlier, the Media Law is currently under review and

³⁹ "An Interview with President Paul Kagame," YouTube World View Interview, video clip, May 10, 2011, <http://www.youtube.com/watch?v=hGbbK05nbJM>.

⁴⁰ Emmanuel Habumuremyi, "Rwanda – Balancing Freedom of Expression: The Need for Limitations and Responsibilities," Global Information Society Watch, 2011, http://giswatch.org/sites/default/files/gisw_-_rwanda.pdf.

⁴¹ David Kezio-Musoke, "Twitter craze in Rwanda: myth or reality?" The Chronicles, January 31, 2012, <http://the-chronicles.net/index.php/business/407-twitter-craze-in-rwanda-myth-or-reality.html>.

⁴² Dominique Nduhura, "Rwanda: Media Coverage of the Parliamentary Elections (September 15, 2008)," paper presented at the World Journalism Education Congress, Grahamstown/Rhodes University, July 2010, http://wjec.ru.ac.za/index.php?option=com_rubberdoc&view=doc&id=96&format=raw.

⁴³ Tracey Wilen-Daugenti, "Technology 2012: Four tech trends to watch," The Christian Science Monitor, January 1, 2012, <http://www.csmonitor.com/Business/2012/0101/Technology-2012-Four-tech-trends-to-watch/Mobile-technologies-in-2012-will-free-us-and-save-lives>.

may be amended in the near future.⁴⁴ Article 56 of the law guarantees every person the right to create a website through which he or she can publish “information to a great number of people.” Article 58 extends provisions of the law on print and audiovisual materials to ICT communications, stipulating a prohibition on censorship, on the one hand, and criminal penalties for showing contempt for the president, in addition to restrictions on certain coverage of the executive, judicial, and legislative branches, on the other. The extent to which the media should have the unchecked right to free expression is often a matter of public dispute in Rwanda, with some analysts suggesting that Rwanda’s history of genocide should always guide media practitioners.⁴⁵

While there are no laws that specifically restrict internet content or criminalize online expression, Rwanda’s generally restrictive legal provisions governing 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* was based on charges of publishing “divisive language,”⁴⁶ a category of expression that is criminalized by the 2001 Law on Discrimination and Sectarianism.⁴⁷ Similarly, penalties for criminal defamation in print and broadcast media may be applicable to the internet, though these penalties have sparked complaints from media workers, prompting discussions about amendments.⁴⁸ As of early 2012, the penalties have not yet been agreed upon or amended; nevertheless, parliament has already reduced the length of the penalty for defamation, and it is expected that sooner or later defamation will be de-penalized altogether.⁴⁹

Although many traditional journalists view the threat of imprisonment as a key constraint on their work, such punishment has been less common for online expression. One instance of imprisonment is known, that of Idesbald Byabuze, a Congolese journalist and professor based in Rwanda who was arrested in February 2007 and held in detention for one month while awaiting trial on charges of “segregation, sectarianism, and threatening national security” for several articles he had written. These included a June 2005 piece about human rights concerns in Rwanda that was published on an overseas website. The charges were

⁴⁴ “Law on Media,” *Official Gazette of the Republic of Rwanda*, August 17, 2009, available at http://www.mhc.gov.rw/index.php?option=com_docman&task=cat_view&gid=81&Itemid=144&lang=en.

⁴⁵ Daniella Waddoup, “Press Freedom in Rwanda,” Think Africa Press, February 18, 2011, <http://thinkafricapress.com/rwanda/press-freedom-rwanda>.

⁴⁶ Media Institute, “Tabloid Website Blocked,” IFEX, June 8, 2010, http://ifex.org/rwanda/2010/06/08/umuvugizi_website_blocked/.

⁴⁷ 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>.

⁴⁸ “Law on Media,” *Official Gazette of the Republic of Rwanda*.

⁴⁹ “Media Practitioners Disagree on Press Freedom in Rwanda,” November 16, 2011, Igihe.com, <http://en.igihe.com/spip.php?article1134>.

dropped after his release, but he was quickly deported from the country.⁵⁰ Since 2007, there have been no other reported cases of imprisonment for online expression, possibly because most activities by opposition forces are carried out in foreign countries. Nevertheless, intimidation tactics are becoming more common. In one case, the editor of *Umuvugizi*, Jean-Bosco Gasasira, who fled Rwanda in 2010 to operate the online version of the paper from abroad, was sentenced in June 2011 to two and a half years in prison in his absence.⁵¹

Government monitoring of online communications does not appear to be widespread; however, there have been several instances in recent years of emails, phone calls, and text messages being produced as evidence in trials. This was the case during the trial of opposition leader Victoire Ingabire in which emails and proof of money transfer to FDLR (French acronym for the Democratic Forces for the Liberation of Rwanda) rebels were used as evidence.⁵² These were mostly obtained via low-tech methods of confiscating suspects' mobile phones and computers rather than via service providers.

There are no restrictions on anonymous communication online in Rwanda. In May 2011, however, RURA announced plans to implement SIM card registration to curb mobile phone crimes and increase security over mobile phone commerce. Under the registration scheme, subscribers will be required to provide the details on their identifications cards, which will be stored by the operator. As of May 2012, the SIM card registration process had only just begun.⁵³

In a case that signaled the possibility of violence against print journalists creeping into the online sphere, in June 2010, Jean-Léonard Rugambage, an editor for *Umuvugizi*—the above-mentioned newspaper which was banned in April 2010 but continued to publish online—was assassinated in front of his home in Kigali. Rugambage was the last of the publication's journalists to remain in Rwanda and was reportedly preparing to join colleagues in exile due to threats and intimidation.⁵⁴ In November 2010, two individuals were convicted of the killing, claiming that it was a reprisal for acts of violence Rugambage allegedly committed during the 1994 genocide. However, fellow journalists expressed skepticism over the

⁵⁰ Bureau of Democracy, Human Rights, and Labor, "Rwanda," in *2007 Country Reports on Human Rights Practices* (Washington, DC: U.S. Department of State, March 2008), <http://www.state.gov/g/drl/rls/hrrpt/2007/100499.htm>; International Press Institute, "Democratic Republic of Congo," May 8, 2008, <http://www.freemedia.at/regions/africa/singleview/4140/>.

⁵¹ Reporters Without Borders, "Rwanda," August 2011, accessed January 16, 2012, http://en.rsf.org/report-rwanda_38.html.

⁵² 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/>.

⁵³ Dias Nyesiga, "Rwanda: Anxiety over Mobile Money Fraud," *The New Times*, May 22, 2012, <http://allafrica.com/stories/201205220060.html>.

⁵⁴ Danny O'Brien, "Six Stories: Online Journalists Killed in 2010," Committee to Protect Journalists (CPJ), December 17, 2010, <http://cpj.org/internet/2010/12/online-journalists-killed-in-2010.php>.

handling of the case, believing the murder was punishment for critical reporting on the government.⁵⁵

Another grave instance of violence involved the killing of Charles Ingabire, an online editor and journalist based in Uganda, who was mysteriously shot dead in Kampala in December 2011. The website for which he wrote, inyenyerinews.org, is known for publishing critical news of current Rwandan President Paul Kagame and his government. Prior to his murder in September 2011, Ingabire was beaten by unknown perpetrators and had his computer and phones stolen. Media watchdogs have blamed the killing on the Rwandan government, which has denied responsibility for the incident.⁵⁶

There have been no reported cases of serious cyberattacks in the country,⁵⁷ though the Rwandan police has recently noted an increasing trend in cybercrime.⁵⁸ RURA has initiated a strategy to increase awareness of such threats among business owners and ordinary users.⁵⁹

⁵⁵ “Journalists Killed in 2010: Jean-Léonard Rugambage,” Committee to Protect Journalists (CPJ), June 26, 2010, <http://cpj.org/killed/2010/jean-leonard-rugambage.php>.

⁵⁶ Jennifer Fierberg, “Rwandese Journalists in Distress,” MSW Salem-News.com, December 27, 2011, http://salem-news.com/articles/december272011/journalists-distress-jf.php?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+Salem-news+%28Salem-News.com%29.

⁵⁷ James Karuhanga, “Rwanda: Police Warns Against Cyber Crime, Human Trafficking,” The New Times, March 14, 2011, <http://allafrica.com/stories/201103140486.html>.

⁵⁸ “Rwanda Police Warn of Hike in Cyber Crime,” The New New Internet, March 15, 2011, <http://www.thenewnewinternet.com/2011/03/15/rwanda-police-warn-of-hike-in-cyber-crime/>.

⁵⁹ Aimable Karangwa, *Cyber Security and CIIP* (Kigali: RURA, n.d.), slides, http://www.rura.gov.rw/publication/Cyber_Security_and_CIIP.pdf, November 22, 2010.