

Rwanda

	2016	2017		
Internet Freedom Status	Partly Free	Partly Free	Population:	11.9 million
Obstacles to Access (0-25)	10	10	Internet Penetration 2016 (ITU):	20 percent
Limits on Content (0-35)	21	22	Social Media/ICT Apps Blocked:	No
Violations of User Rights (0-40)	20	21	Political/Social Content Blocked:	Yes
TOTAL* (0-100)	51	53	Bloggers/ICT Users Arrested:	Yes
			Press Freedom 2017 Status:	Not Free

* 0=most free, 100=least free

Key Developments: June 2016 – May 2017

- In May 2017, the electoral commission established new regulations to restrict the expression of political speech on social media during the election period, though it reversed its decision after widespread criticism (see **Content Removal**).
- The lead-up to presidential elections in August 2017 saw a proliferation of progovernment commentators attacking opposition candidates and critics online (see **Media, Diversity, and Content Manipulation**).
- A new ICT law passed in June 2016 created a comprehensive legal and regulatory framework for the ICT sector and codified prohibitions on the dissemination of “grossly offensive” or “indecent” messages as well as the use of IC s to cause “annoyance, inconvenience, or needless anxiety” (see **Legal Environment**).
- There were three arrests linked to online activities reported during the coverage period, including of a journalist who wrote on Facebook about the frequent police harassment he endured for his reporting, and of an opposition activist (see **Prosecutions and Detentions for Online Activities**).
- An independent online journalist faced regular police interrogations and was assaulted several times in 2016 (see **Intimidation and Violence**).

Introduction

As Rwanda geared up for presidential elections in August 2017, internet freedom in Rwanda declined due to new legal restrictions placed on online speech, the growing prevalence of progovernment trolls manipulating online content, and severe harassment and attacks against online journalists.

While Rwanda continued to make remarkable progress in its economic and ICT development in the past year, the country's tight restrictions on freedom of speech and political activity are among the world's worst, imposed under the pretext of maintaining stability in the aftermath of the 1994 genocide that claimed over 1,000,000 lives. Years of repression under President Paul Kagame's 17+ years in power have crippled independent civil society and journalism. Progovernment views dominate domestic media, while the authorities work quickly to censor critical viewpoints, resulting in an information environment that projects a single narrative of unity, peace, and progress. Unlawful detentions in secret detention centers, torture, and even extralegal killings of citizens for their critical viewpoints often go unreported.¹

Paving the way for Paul Kagame's reelection to a third term in August 2017 with over 99 percent of votes, the authorities cracked down heavily on opposition candidates and critical viewpoints throughout the year. Internet freedom deteriorated amidst the crackdown, as the authorities passed a new ICT law in June 2016 that codified prohibitions on the dissemination of "grossly offensive" or "indecent" messages as well as the use of IC s to cause "annoyance, inconvenience, or needless anxiety." Online content manipulation became more prevalent with the proliferation of progovernment trolls that set out to attack opposition candidates and critics on social media.

A few arrests for online activities encouraged increased self-censorship, including of a journalist who wrote on Facebook about the frequent police harassment he endured for his reporting, and an opposition activist who was charged with revealing state secrets based on WhatsApp messages. Another independent online journalist faced regular police interrogations and was assaulted several times in 2016.

Obstacles to Access

Rwanda continued making strides in expanding internet access and improving affordability.

Availability and Ease of Access

Access to information and communication technologies (ICTs) in Rwanda has improved notably over the past few years, supported by the Rwandan government's strategy to transform the country into an information economy. According to March 2017 statistics by the Rwanda Utilities Regulatory Agency (RURA), the sector regulator, internet penetration reached 33 percent.² Estimates from the

1 "Rwanda poor, homeless detained, says HRW," DeutscheWelle, July 21, 2016, <http://www.dw.com/en/rwandan-poor-homeless-detained-says-hrw/a-19416530>.

2 "Statistics and tariff information in telecom, media, and postal service as of the first quarter 2017," RURA, accessed September 2017, http://www.rura.rw/uploads/media/Telecom_Statistics_Report_1st_quarter_2017_.pdf; NB: Percentage calculated using total number of internet subscribers reported on page 14 of report and total population of 11.92 million (World Bank).

International Telecommunication Union (ITU) were lower at 20 percent, up from 18 percent a year prior.³ Mobile telephone penetration is significantly higher, reaching 70 percent in 2016 according to ITU data, while the government reported 73 percent as of June 2017.⁴ Notably, rural communities which comprise 90 percent of the population have a relatively high rate of mobile phone usage, made possible by a well-developed mobile network that covers nearly 100 percent of the country.

Key Access Indicators		
Internet penetration (ITU) ^a	2016	20.0%
	2015	18.0%
	2011	7.0%
Mobile penetration (ITU) ^b	2016	70%
	2015	70%
	2011	40%
Average connection speeds (Akamai) ^c	2017(Q1)	7.7 Mbps
	2016(Q1)	11.3 Mbps

^a International Telecommunication Union, "Percentage of Individuals Using the Internet, 2000-2016," <http://bit.ly/1cblxxY>.

^b International Telecommunication Union, "Mobile-Cellular Telephone Subscriptions, 2000-2016," <http://bit.ly/1cblxxY>.

^c Akamai, "State of the Internet - Connectivity Report, Q1 2017," <https://goo.gl/TQH7L7>.

Government investments in broadband technology across the country continued to grow, as well as access to electricity via hydropower and solar energy projects, which have helped improve speeds and decrease costs. According to Akamai's *State of the Internet* report, Rwanda's average internet connection speed was 7.7 Mbps in 2017, above the global average of 7.0 Mbps.⁵ Access has also become more affordable. The Alliance for Affordable Internet ranked Rwanda as the 8th most affordable internet environment among 37 developing countries in 2017.⁶ A 4G network launched by the government in partnership with Korea Telecom in November 2014 offers high-speed broadband technology which built on more than 3,000 kilometers of fiber-optic cable installed countrywide.

In a new initiative, some public buses in the capital, Kigali, are now wired with 4G internet connections, providing passengers with full access to free fast internet.⁷ The Smart Kigali initiative launched in 2015 also provides free wireless internet on public transport, including the Kigali Bus Services, Royal Express, and Rwanda Federation of Transport Cooperative bus companies.

According to the Rwanda Development Board, Rwanda continues to be one of the fastest growing African countries in ICTs, possessing several avenues for growth for the ICT sector—from e-commerce to app development to automation. The country has strived to become a regional training center for top quality ICT professionals and research, fostering a robust ICT industry to create local wealth, jobs, and entrepreneurs.

3 International Telecommunication Union, "Percentage of Individuals Using the Internet," 2000-2016, <http://bit.ly/1cblxxY>.

4 "Statistics and tariff information in telecom, media, and postal service as of the second quarter 2017," RURA, accessed September 2017, http://www.rura.rw/uploads/media/Telecom_Statistics_Report_Second_quarter_2017_Updated_.pdf

5 Akamai, "Average Connection Speed: Rwanda," map visualization, *The State of the Internet Q1 2016*, <http://akamai.me/1OqvpoS>.

6 Alliance for Affordable Internet, *The Affordability Report, 2017*, "Rwanda," <http://a4ai.org/affordability-report/data/?year=2017&indicator=INDEX&country=RWA>

7 Julius Bizimungu, "Smart Kigali: 400 buses connected to 4G internet," *The New Times*, February 20, 2016, <http://www.newtimes.co.rw/section/article/2016-02-20/197264/>

Nonetheless, poverty continues to be the primary impediment to ICT uptake, especially the internet, with the majority of the population engaged in subsistence agriculture. Internet access is concentrated primarily in Kigali and remains beyond the reach of many citizens, particularly those in rural areas who are limited by low income and low levels of ICT awareness.⁸ Only 11 percent of Rwandans are ICT literate,⁹ and over 70 percent of the population speaks only Kinyarwanda, making internet content in English inaccessible to the majority of Rwandans.¹⁰ Only 17 percent of Rwandan households have regular access to electricity.¹¹

Restrictions on Connectivity

There were no restrictions on connectivity reported in Rwanda during the coverage period, though Article 52 of the 2001 Law Governing Telecommunications gives the government powers over telecommunications networks in the name of preserving “national integrity.” These powers include the ability to “suspend a telecommunications service for an indeterminate period, either generally or for certain communications.”¹² Furthermore, the government has some control over the country’s internet infrastructure. The ITU has characterized the level of competition for Rwanda’s international gateway as “partial.”¹³

The local internet exchange point (IXP), the Rwanda Internet Exchange (RINEX),¹⁴ is managed by the Rwanda Information & Communications Technology Association, a nonprofit comprised of ICT institutions and professionals.¹⁵ As of mid-2016, five of Rwanda’s nine ISPs exchange internet traffic through RINEX, and ISPs can also opt to connect via RINEX to the international internet.¹⁶

ICT Market

Following market liberalization policies implemented in 2001,¹⁷ Rwanda’s ICT market has been vibrant and competitive, with no reported interference from the government during the period of study. However, according to local sources, government officials and agencies have shares in some telecom companies, which may enable the state to interfere in their operations at will.¹⁸ As of June 2017, there were three main mobile telecom operators—MTN, TIGO, and Airtel—and nine licensed internet service providers (ISPs), as of June 2017.¹⁹

8 Ministry of Youth and ICT, “Measuring ICT sector performance and Tracking ICT for Development (ICT4D),” 2014, <http://bit.ly/1NfV6Hb>.

9 Philippe Mwema Bahati, “Rwanda to develop a master plan for e-Government,” Rwanda Focus via All Africa, December 14, 2013, <http://bit.ly/1Loqu3j>.

10 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>.

11 The Independent, “Rwanda Signs a U.S. \$40 Million Loan to Boost Electricity Rollout,” All Africa, January 14, 2015, <http://bit.ly/1G9m4AA>.

12 Law No. 44/2001 of 30/11/2001 Governing Telecommunications, <http://bit.ly/1G9mOG3>.

13 International Telecommunication Union, “Rwanda Profile (Latest data available: 2013),” *ICT-Eye*, accessed January 3, 2016, <http://bit.ly/1LS1oJs>.

14 RINEX, accessed December 13, 2014, <http://www.rinex.org/rw/about.html>.

15 R.I.C.T.A, “About Us,” <http://www.ricta.org.rw/about-us/>.

16 Rwanda Internet Exchange (RINEX), “About Us,” <http://www.rinex.org/rw/about.html>.

17 Albert Nsengiyumva and Emmanuel Habumuremyi, *A review of telecommunications policy development and challenges in Rwanda*, Association for Progressive Communications (APC), September 2009, <http://bit.ly/1MtFpZY>.

18 There is no public information about the ownership shares of telecoms in Rwanda.

19 “Statistics and tariff information in telecom, media, and postal service as of the second quarter 2017,” RURA, accessed September 2017, http://www.rura.rw/uploads/media/Telecom_Statistics_Report_Second_quarter_2017_Updated.pdf

Regulatory Bodies

The Rwanda Utilities Regulatory Authority (RURA) oversees the regulatory aspects of ICT infrastructure rollout and operations by telecommunications operators.²⁰ Officially, RURA has administrative and financial autonomy but reports to the Office of the Prime Minister.²¹ The government audits RURA's budget while the president nominates its seven board members, supervisory board, and director general, who all work under executive oversight, which limits that autonomy in practice.²² The Ministry of Youth and ICT oversees the sector on the policy implementation level.

Limits on Content

Censorship of online content remained high, with a number of independent online media outlets still blocked in the country. In the lead-up to the August 2017 elections, progovernment commentators attacking opposition candidates on social media increased notably. The electoral commission attempted to restrict the expression of political speech on social media during the election period, though it reversed its decision after widespread criticism.

Blocking and Filtering

The Rwandan government restricts the types of online content that users can access, particularly content that strays from the government's official line. In 2016 and 2017, numerous independent news outlets and opposition blogs that have been blocked for years remained inaccessible, including the websites of *Inyenyeri News*, *The Rwandan*, and *Le Prophete*.²³ Independent regional news outlets such as *Great Lakes Voice* and websites of the Rwandan diaspora such as *Rugali* are also blocked and only accessible via web proxy. There is no transparency behind the government's blocking decisions and no avenue for appeal.

In 2017, the previously blocked news website *Ireme News* (www.ireme.net) became accessible, but visiting the site yielded a generic page from its web host, justhost.com.²⁴ According to local sources, the owner William Ntwali had negotiated with the government to unblock his website but had stopped paying the web host fees until the government granted him the right to resume operations in the country.²⁵

20 RURA, "About RURA," accessed December 10, 2014, <http://www.rura.rw/index.php?id=3>.

21 Rwanda Utilities Regulatory Authority (RURA) was initially created by the Law n° 39/2001 of 13 September 2001 with the mission to regulate certain public utilities, namely: telecommunications network and/or telecommunications services, electricity, water, removal of waste products from residential or business premises, extraction and distribution of gas and transport of goods and persons. This Law was further reviewed and replaced by Law N° 09/2013 of 01/03/2013.

22 "Law N.09/2013 of 01/03/2013 Establishing Rwanda Utilities Regulatory Authority (RURA) and Determining its Mission, Powers, Organisation and Functioning," *Official Gazette n.14bis of 08/04/2013*, <http://bit.ly/1RMmWwg>.

23 Arthur Gagwa, "A study of Internet-based information controls in Rwanda," Centre for Intellectual Property and Information Technology Law, Strathmore Law School, Kenya, October 2017, <https://www.opentech.fund/article/new-report-investigates-internet-censorship-during-rwandas-2017-presidential-election>

24 The site was added to the block list in December 2015, likely for its critical reporting on the referendum on presidential term limits at the time. See: "Rwanda news website Ireme latest to be blocked," *Great Lakes Voice*, December 1, 2015, <http://greatlakesvoice.com/rwanda-news-website-ireme-latest-to-be-blocked/>

25 Author interview, June 2017. See also: Arthur Gagwa, "A study of Internet-based information controls in Rwanda," Centre for Intellectual Property and Information Technology Law, Strathmore Law School, Kenya, October 2017.

Social-networking sites such as YouTube, Facebook, Twitter, and communications apps like WhatsApp are freely available, in addition to all international news outlets and sources of information, such as the BBC, *The Guardian*, *The New York Times*, and Wikipedia, which publish content about Rwanda that often does not align with the government's narrative. These websites remain unblocked likely because most Rwandans engage with content in the local language, Kinyarwanda.

Content Removal

The extent to which the government forces websites to delete certain content is unknown, though anecdotal incidents over the past few years suggest it happens frequently. Similar to the restrictive traditional media environment, editors of online news sites often receive calls from the authorities with demands to delete certain content, mostly related to criticisms of government officials.²⁶ According to journalists interviewed anonymously, government officials regularly order journalists to remove critical stories from online outlets or face blocking.²⁷ Local journalists refer to the practice as “kunyonga,” which means “shooting down anonymously.”

In May 2017, the National Electoral Commission (NEC) established new regulations requiring all candidates in August's presidential elections to seek approval for campaign messages they plan to post online, which the NEC executive secretary claimed was necessary to ensure that social media messages were not “poisoning the minds” of Rwandans.²⁸ Strong criticism within Rwanda amplified by high profile attention in international media led the NEC to reverse its decision on Jun 1.²⁹ If implemented, the regulation would have allowed the NEC to censor any campaign message it disagrees with, or which is critical of the ruling Rwanda Patriotic Front (RPF) party, essentially restricting political speech during the election period. Candidates would have had to submit their online campaign messages to a team set up by the NEC 24 hours before they planned to publish the post.

According to a 2010 law relating to electronic messages, signatures, and transactions, intermediaries and service providers are not held liable for content transmitted through their networks.³⁰ Nonetheless, service providers are required to take down content when handed a takedown notice, and there are no avenues for appeal.

Media, Diversity, and Content Manipulation

Government repression of the media greatly limits the diversity of the information landscape both online and offline. Critical and independent online news produced by opposition supporters overseas—mainly in Europe, the United States, and South Africa—are blocked in Rwanda. Few Rwandans are aware of this practice, though savvy journalists seeking independent sources of information report using proxy servers to access critical information.³¹ However, independent outlets

26 Interview with journalist writers of *igihe.com* and *Kigali Today* who requested to stay anonymous

27 Two online news websites, *Umusingi* and *Umurabyo*, had reported experiencing such requests to delete content related to local political affairs and ethnic relations in previous years

28 <https://www.ifex.org/rwanda/2017/06/15/presidential-candidates-censored/>

29 <https://www.hrw.org/news/2017/06/01/dwindling-options-opposition-candidates-rwanda>

30 “Law No. 18/2010 of 12/05/2010, Relating to Electronic Messages, Electronic Signatures and Electronic Transactions, accessed October 24, 2014, http://www.wipo.int/wipolex/en/text.jsp?file_id=24315 .

31 Author interviews with anonymous journalists

face economic challenges in comparison to their state-run counterparts, which receive income from government advertisements and direct subsidies.³² Large businesses only advertise with state-owned or progovernment media outlets based on an unspoken rule.

While Rwandans are active on Facebook and Twitter, which have become popular with the rise of internet-enabled mobile phone use, self-censorship has become more pervasive among both online journalists and ordinary users due to increasing government repression, social pressure to toe the government line, and fear of reprisals. National security is frequently the basis on which the authorities censor the media, and fear of prosecution contributes to a climate of self-censorship. Internet users typically avoid topics that can be construed as critical of the government or disruptive to national unity and reconciliation.³³

When online journalists try to push the boundaries, their editors frequently contend with editorial interference by security officials and other government authorities who impose redlines limiting what can be published.³⁴ Journalists say editorial decisions are heavily influenced by government forces—including police officers, army officers, and powerful leaders—whose demands colloquially known as, “I say this.” According to journalists interviewed anonymously, security officials often checked journalists’ stories and photos before they are published to ensure they to the government line.

Online content manipulation has been a persistent issue in Rwanda over the years. Social media accounts with government affiliations regularly debate and harass individuals who post online comments considered critical of the government.³⁵ Progovernment accounts also mobilize to retweet and post positive comments in response to President Kagame’s tweets to project an image of widespread support. In the lead-up to the August 2017 elections, analysts observed an increase in progovernment commentators attacking opposition candidates on social media.

Digital Activism

Digital activism over political and social issues is not common in Rwanda. Radio and television call-in programs were once a positive outlet for citizens with mobile phones to anonymously voice critical political or social viewpoints. However, given SIM card registration requirements, users have become reluctant to participate in critical or sensitive discussions out of fear of being identified.

32 In Rwanda, approximately 85 to 90 percent of advertisements come from the public sector, says Robert Mugabe, editor of the online news site Great Lakes Voice. “If you need to attract adverts, it’s simple. Don’t annoy government,” he said. <http://www.pambazuka.org/governance/advertising-and-censorship-east-africas-press>

33 Katrin Matthaei, “Rwanda: Censorship or self-censorship?” *Deutsche Welle*, December 9, 2014, <http://bit.ly/1G9oEGP>.

34 “I know very well that people would really want to read an article about some malpractices that happened in a certain District in Southern Province, where agents voted for people who were not around and influenced voters just for a certain candidate to win as was already decided. However, I know that this can endanger my outlet,” said one online journalist interviewed on February 24, 2016, who requested anonymity.

35 In 2014, an international journalist for Radio France Internationale, Sonia Rolley, was repeatedly harassed on Twitter by a user known as @RichardGoldston. Rolley had been reporting on the mysterious January 1, 2014 assassination of Patrick Karegeya, a former top intelligence official in Kagame’s inner circle who had been living in exile in Johannesburg. It was later revealed on the official Twitter account of Paul Kagame’s office (@UrugwiroVillage) that “@RichardGoldston was a unauthorized account run by an employee in the Presidency. Twitter war shines light on how Rwanda intimidates press, CPJ, <https://cpj.org/blog/2014/03/twitter-war-shines-light-on-how-rwanda-intimidates.php>; <https://rsf.org/en/news/rwandas-media-self-regulator-subjected-intimidation-campaign>

Violations of User Rights

A new ICT law passed in June 2016 created a comprehensive legal and regulatory framework for the ICT sector and codified specific restrictions on internet activities that are antithetical to internet freedom. There were three arrests linked to online activities reported during the coverage period, including of a journalist who wrote on Facebook about the frequent police harassment he endured for his reporting. Another independent online journalist faced regular police interrogations and was assaulted several times in 2016.

Legal Environment

Rwanda's legal framework is used to restrict fundamental rights to freedom of expression, despite constitutional protections. Compounding the restrictions, the Rwandan judiciary is not independent, and many journalists view the threat of imprisonment as a key constraint on their work.

A new ICT law enacted in June 2016—known as Law N°24/2016 of 18/06/2016 Governing Information and Communication Technologies published in Official Gazette n°26 of 27/06/2016 created a new legal and regulatory framework for the ICT sector and codified specific restriction on internet activities that are antithetical to internet freedom.³⁶ Most notably, provisions in the law prohibit the dissemination of “grossly offensive” or “indecent” messages as well as the use of IC s to cause “annoyance, inconvenience, or needless anxiety.”³⁷ Violations are punished in accordance with the penal code.

Many provisions in the penal code contain vague, illegitimate, and disproportionate restrictions on freedom of expression and apply to expression online. For example, insulting an official or the polic can lead to imprisonment between one to two years, a fine of up to 500,000 RWF, or both. enalties are doubled when the insult is directed towards a senior official during a parliamentary session Defamation of the president or other public officials carries a penalty of up to five years in pris ³⁸

In October 2017, parliament reportedly passed a new media law that seeks to increase penalties for criminal defamation from two to three years and introduces a specific restriction on insulting or defaming the President of the Republic. Separately, provisions on general criminal defamation carry between five to seven years in prison, and fines ranging from 5 million RWF to 7 million RWF, o both.³⁹

The law against “genocide ideology”—amended in October 2013—also threatens freedom of expression both online and off, prescribing heavy prison sentences of up to 9 years and fines for an offender “...who disseminates genocide ideology in public through documents, speeches, pictures, media or any other means.”⁴⁰

36 <http://juriafrique.com/eng/2016/12/30/rwanda-enacts-new-ict-regulations/>

37 Articles 60 and 206: Law N°24/2016 of 18/06/2016 Governing Information and Communication Technologies, Officia Gazette n°26 of 27/06/2016 http://www.myict.gov.rw/fileadmin/Documents/_olicies_and_Rugulations/ICT_laws/ICT_LAW.pdf

38 Freedom House, “Rwanda,” *Freedom of the Press 2013*, <http://www.freedomhouse.org/report/freedom-press/2013/rwanda>.

39 Ivan R. Mugisha, “Rwanda: Jail Term for Insulting Rwandan President,” *The East African*, October 28, 2017, <http://allafrica.com/stories/201710290050.html>

40 Art. 8, “Law No. 18/2008 of 23/07/2008 Relating to the Punishment of the Crime of Genocide Ideology,” <http://bit.ly/1LS2gUC>.

Prosecutions and Detentions for Online Activities

Citizens and journalists are periodically arrested for online activities in Rwanda, though the lack of critical commentary originating in the country and the high degree of self-censorship practiced by online journalists and ordinary users alike has resulted in fewer incidents. Cases may also be underreported given the government's strict controls of the media. During the June 2016 to May 2017 coverage period for this report, three arrests linked to online activities were reported.

In October 2016, Joseph Nkusi, a Rwandan blogger living in Norway since 2009, was deported following the rejection of his asylum application. Upon his return to Rwanda, he was immediately arrested and questioned for his political activities and online writings, which were known for their sharp criticism of the Rwandan government. Nkusi had also reportedly founded a radical opposition group while living in exile in Norway and made false claims about the 1994 genocide, which is illegal under Rwanda's law against "genocide ideology."⁴¹ As of mid-2017, Nkusi was in pre-trial detention on charges of genocide ideology, sectarianism, and inciting insurrection or trouble among the population.⁴²

In December 2016, Shyaka Kanuma, a veteran Rwandan journalist and proprietor of the independent *Rwanda Focus* outlet, was arrested for tax evasion and illegal procurement, which observers believed to be trumped up charges. Kanuma's arrest came a few days after he announced on social media that he had decided to quit journalism for peaceful political and social activism, a decision he attributed to frequent police harassment.⁴³ In a Facebook post prior to his arrest, he had recounted "invitations" to explain himself to the head of National Intelligence and Security Services (NISS) followed by frequent trips for questioning at the Criminal Investigations Department.⁴⁴

In February 2017, Violette Uwamahoro, a Rwandan native with UK citizenship and the wife of a political opposition activist, was reported missing in Kigali. Police revealed to her family that she had been in their custody two weeks later. In March, she was charged with revealing state secrets and other offences, reportedly based on email exchanges and WhatsApp messages that the prosecutor had presented before the court as evidence.⁴⁵ She remained on trial as of mid-2017.

Surveillance, Privacy, and Anonymity

The sophistication of the Rwandan authorities' surveillance capabilities is unknown, but there is a strong sense that surveillance is pervasive. The government closely monitors social media discussions, as evidenced by the prevalence of progovernment commentators (see "Media, Diversity, and Content Manipulation"). Exiled Rwandan dissidents have been attacked and murdered, despite their efforts to protect their identities, following threats from individuals inside or associated with the government.⁴⁶

October 2013 amendments to the 2008 Law Relating to the Interception of Communications

41 <https://www.hrw.org/news/2017/03/08/rwandan-blogger-stand-trial-genocide-ideology>

42 <http://www.bwiza.com/dr-joseph-nkusi-wazanywe-mu-rwanda-avuye-muri-norvege-agiye-gutangira-kuburana/>

43 <http://rwandaeye.com/shyaka-kanuma-starts-new-year-in-jail/>

44 <http://www.theeastafrican.co.ke/Rwanda/News/Rwandan-editor-in-custody-over-tax-evasion-and-fraud-/1433218-3504528-1nc9vk/index.html>

45 <http://www.telegraph.co.uk/news/2017/03/24/british-mother-appears-rwanda-state-secrets-charges/>

46 Human Rights Watch, "Rwanda: Repression Across Borders," January 28, 2014, <http://bit.ly/1i9HihM>.

expanded the government's surveillance powers, authorizing high-ranking security officials to tap the communications of individuals considered potential threats to "public security," including online.⁴⁷ Under the amendments, communications service providers are required to ensure that their systems have the technical capability to intercept communications upon demand, though security officials also have the power to "intercept communications using equipment that is not facilitated by communication service providers," which de facto allows the authorities to hack into a telecommunications network without a provider's knowledge or assistance.⁴⁸ While the law requires government officials to apply for an interception warrant, warrants are issued by the national prosecutor, who is appointed by the justice minister. The national prosecutor can also issue warrants verbally in urgent security investigations, to be followed by a written warrant within 24 hours. The law provides also for the appointment of "inspectors" to ensure that authorized interceptions are carried out in accordance with the law, though the inspectors are appointed by the president and lack independence.⁴⁹ There is no requirement to justify surveillance as necessary and proportionate to a legitimate aim.⁵⁰

In July 2015, email leaks from the Italian surveillance firm Hacking Team revealed that the Rwandan government attempted to purchase sophisticated spyware known as Remote Control System (RCS) in 2012.⁵¹ While the leaked emails did not confirm that a sale took place, they illustrate the government interest in acquiring technology that can monitor and intercept user communications.

The ability to communicate anonymously is compromised by mandatory SIM card registration requirements in place since 2013.⁵² Under the regulation establishing SIM card registration, the ICT regulator RURA has unfettered access to SIM card databases managed by operators, while other "authorized" individuals or institutions may also be granted access.⁵³ Unregistered SIM cards have been deactivated.

The various legal provisions that enable surveillance and limit anonymity are particularly troubling in the absence of a comprehensive data protection law to safeguard citizens' private data. A data protection provision is included in the new ICT law passed in June 2016, but it is limited by other provisions in the law that provide for broad national security exceptions.⁵⁴

Intimidation and Violence

Critical journalists frequently face violence and harassment when attempting to cover news stories, leading many to flee the country.⁵⁵ Progovernment trolls regularly harass journalists and ordinary users on social media for their posts about the government or public issues that may be deemed critical.

47 "Law Relating to the Interception of Communications" Official Gazette n° 41 of 14/10/201

48 Art. 7, "Law Relating to the Interception of Communications" Official Gazette n° 41 of 14/10/2013

49 Art. 12, "Law Relating to the Interception of Communications" Official Gazette n° 41 of 14/10/201

50 OpenNet Africa and Collaboration on Internet ICT Policy in East and Southern Africa, *Online Freedoms in Rwanda*, May 2014, <http://bit.ly/1LovLbk>.

51 WikiLeaks, "Hacking Team," July 8, 2015, <http://bit.ly/1ReTbn0>; Lorenzo Frankenstein, Twitter Post, July 9, 2015, 3:53 PM, <http://bit.ly/1hJLU>.

52 "Rwanda Flags Off SIM Card Registration Exercise," Chimp Reports, February 4, 2013, <http://bit.ly/1jHd5fr>.

53 See Regulations on SIM Card Registration, art. 13 and 15, <http://bit.ly/1VWMjBw>.

54 Article 124, Law N°24/2016 of 18/06/2016 Governing Information and Communication Technologies, Official Gazette n°2 of 27/06/2016 http://www.myict.gov.rw/fileadmin/Documents/policies_and_Regulations/ICT_laws/ICT_LAW.pdf

55 Human Rights Watch, "Rwanda: Repression Across Borders."

In October 2016, Robert Mugabe (no relation to the president of Zimbabwe), an independent journalist with the online outlet *Great Lakes Voice*, was reportedly assaulted three separate times by civilians, some of whom were armed and presented themselves as “security agents” of the state. His cell phone and laptop were stolen during the attacks, which heightened the journalist’s fear for his safety and that of his sources. Following the string of assaults, Mugabe was summoned by the police every day for a week,⁵⁶ during which he was regularly questioned about messages he exchanged with some of his sources.⁵⁷ He was also prohibited from leaving Kigali, the capital city, on several occasions. The harsh mistreatment led Mugabe to retreat from practicing journalism.⁵⁸

Other instances of severe harassment include the police intimidation of journalist Shyaka Kanuma and kidnapping of opposition activist Violette Uwamahoro, who were both also arrested (see “Prosecutions and Detentions for Online Activities”).

Technical Attacks

There was no evidence of technical attacks against online news outlets or users in Rwanda during the period under study. The last reported attack occurred in April 2014, when the investigative news website, *Ireme*, experienced a seemingly targeted cyberattack from an unknown source.⁵⁹

56 <http://greatlakesvoice.com/rwanda-journalist-robert-mugabe-interrogated-by-police/>

57 Rwanda: le journaliste Robert Mugabe, agressé, est inquiet pour ses sources, RFI, <http://www.rfi.fr/afrique/20161030-rwanda-journaliste-robert-mugabe-agresse-est-inquiet-sources>

58 <https://greatlakesvoice.com/i-regret-not-i-am-a-journalist-in-rwanda/>

59 Reporters Without Borders, “Wave of intimidation of Kigali media.”