

STATEMENT

UPR Pre-session on RWANDA

Geneva, Thursday 27 November

Delivered by: ARTICLE 19

1. Presentation of the Organisation

This statement is delivered by ARTICLE 19, an international human rights organisation with ECOSOC Special Consultative Status. Founded in 1987, ARTICLE 19 promotes and protects freedom of expression and access to information globally through nine regional hubs, including ARTICLE 19 Eastern Africa based in Kenya.

2. National consultations for the drafting of the national report

This statement draws on the joint UPR submission prepared by ARTICLE 19, Small Media, CIPESA, and the University of Birmingham. Information on the scope and inclusiveness of government-led national consultations was limited.

3. Plan of the Statement

This statement highlights Rwanda's progress and ongoing challenges in digital rights, specifically:

- Freedom of expression and media independence
- Access to information and civic space

4. Statement

We acknowledge Rwanda's efforts during this review cycle to strengthen governance, modernise its digital landscape, and expand public sector efficiency. We note initiatives undertaken under the UPR Implementation Roadmap (2021–2026), including steps to improve service delivery through digital platforms, enactment of the Data Protection and Privacy law, the continued rollout of ICT infrastructure, and the government's stated commitment to institutional reforms.

We also recognise Rwanda's engagement with international and regional human rights processes, including its participation in the UPR and efforts to align national policies with broader development goals. However, we note with concern that despite these initiatives, significant challenges remain in fully safeguarding digital rights in Rwanda.

i. Protecting Freedom of Expression and Media Independence

A. Follow-up to the first review

During the last UPR cycle, Rwanda received recommendations to protect freedom of expression, review restrictive legislation, and safeguard the media sector. However

- Vague offences such as spreading false information, harmful propaganda, and rumours that damage credibility remain in the Penal Code.
- Defamation continues to be criminalised, contrary to international human rights standards.
- The Media Law has not been amended to recognise bloggers, YouTubers, and other digital content creators.
- Media regulators, including the Rwanda Media Commission, lack structural independence.

B. New developments since the first review

The situation has not improved:

- Journalists and online commentators continue to face arrests and prosecutions including several reported cases of speech offences being used to suppress dissent.
- Several independent YouTube-based journalists have been detained or intimidated.
- The death of an investigative journalist in 2023 has not been subject to an independent and transparent investigation.
- Independent online news sites, including *The Rwandan*, *Le Prophete*, and local diaspora platforms, remain blocked.

C. Recommendations

We urge Rwanda to:

- Repeal or amend vague speech offences and decriminalise defamation.
- Amend the Media Law to recognise citizen journalists, bloggers, and freelancers.
- Guarantee the independence of media regulators.
- End harassment and reprisals against journalists and conduct independent investigations into all cases of intimidation or attacks.

ii. Ensuring the Right to Information, Safety of Journalists, and Space for Dissent

A. Follow-up to the first review

During the last UPR cycle, Rwanda received recommendations to strengthen its Access to Information framework, ensure the safety of journalists, and create an enabling environment for civil society. However, implementation has been uneven.

- No independent oversight body has been established to monitor compliance with the Access to Information Law, since the Ombudsman's ATI mandate was removed.
- Proactive disclosure obligations remain weak and inconsistent across public institutions.
- Recommendations to protect journalists and cease reprisals have not been fully implemented, with ongoing concerns about harassment, intimidation, and restrictions on the work of media advocacy organisations.

B. New developments since the first review

Despite advancements in digital service delivery:

- Access to public information remains inconsistent. Many institutions continue to deny or delay information requests, and public awareness of the law remains limited.

- Civil society organisations working on governance, human rights, or security-related issues face bureaucratic barriers that restrict their operations, particularly those engaging in advocacy or accountability work.
- Journalists continue to face threats and pressures that undermine their independence, and cases of intimidation have been documented without effective investigation or redress.

C. Recommendations

We recommend that Rwanda:

- Establish an independent oversight body to monitor and enforce the Access to Information Law, adjudicate complaints, and impose sanctions for non-compliance.
- Strengthen proactive disclosure practices across all public institutions and invest in public awareness and capacity-building to support effective use of the Access to Information Law.
- Ensure the safety and independence of journalists by investigating all cases of harassment or intimidation, and ensuring accountability for perpetrators.
- Remove administrative and political barriers inhibiting civic engagement and civil society operations