



The Unfreedom Monitor

A Methodology for Tracking Digital Authoritarianism Around the World

RWANDA
COUNTRY REPORT

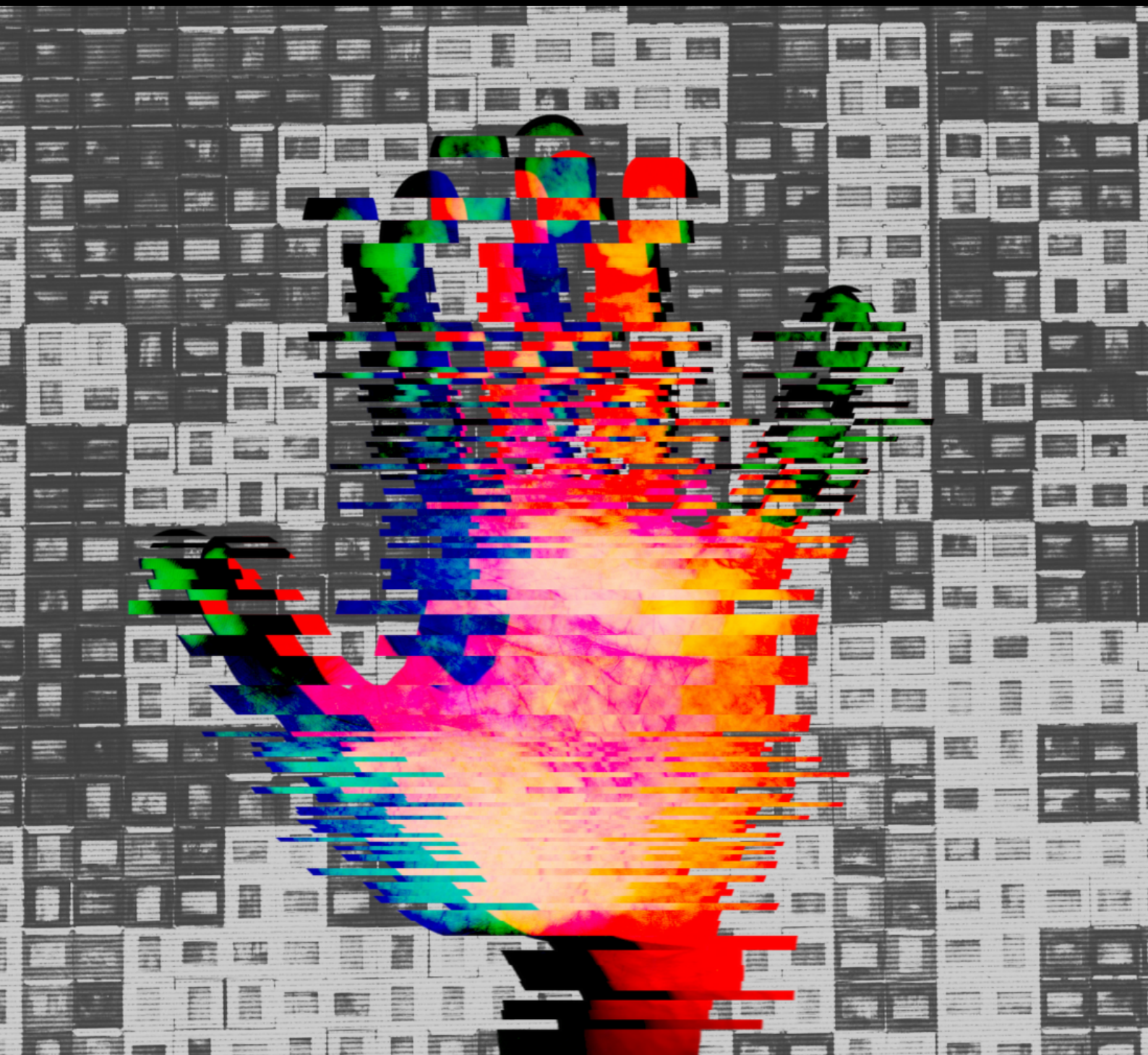


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EXECUTIVE SUMMARY

Freedom of expression is a fundamental precept of democracy, as this right allows citizens and the media to hold the state accountable and responsible for its actions in the governance of a country. Constraining free speech has been a key method to advance digital authoritarianism. The case study of Rwanda will reveal that the government uses a litany of repressive laws complemented by surveillance technology and state-led crackdowns to target voices of dissent. Most of the arrested voices of dissent who dare to question the status quo or challenge the state narrative about events leading up to the 1994 genocide face excruciating jail terms. In some cases, journalists and opposition party activists have been assassinated or have died under suspicious circumstances. This situation has generally led to a culture of self-censorship amongst citizens and a general sense of coercion and co-option into the state narrative.

The advent of digital surveillance technology in Rwanda and its use by the government for purposes of monitoring alternative voices has had a chilling effect on press freedom. Rwanda has been fingered as a key client of Israeli NSO spyware, Pegasus, which has been used to spy on political opponents of President Paul Kagame's regime and in one particular case, to pry into the private communications of South African President Cyril Ramaphosa. This is a claim that Kagame's regime has vehemently denied. In October 2019, it was reported that a vulnerability in WhatsApp had been manipulated using Pegasus spyware to target Rwandan dissidents, among them a journalist and an opposition party member ([Amnesty](#), 2021).

The right to privacy and data protection online is imperative mainly because of its close enabling role for the realisation of other rights such as freedom of speech, freedom to access information and freedom of association, among others. However, the use of surveillance technology by governments to target journalists and activists is inimical to democracy as targets of such surveillance cannot freely exercise their right to free expression in their line of work. This report examines the thematic area of speech under the Unfreedom Monitor, highlighting the range of state led threats and narratives to stifle such freedoms, using the Republic of Rwanda as a case study.

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BACKGROUND

Freedom of speech is the right to seek, receive and impart information and ideas of all kinds, by any means ([Amnesty](#), 2013). Freedom of expression is a core tenet of a democratic society as citizens can and should express their thoughts and opinions on matters of public interest. However, more governments the world over are seeking to throttle free speech as part of a broad range of authoritarianism measures. Autocratic regimes increasingly view free speech as a threat to their stranglehold on political power, which has resulted in the promulgation of a plethora of repressive laws targeting free online expression by citizens and freedom of the press.

Freedom of expression is important to the functioning of democracy as it affords citizens the liberty to exercise their fundamental human rights, such as freedom of assembly and freedom of political association among others. Free speech permits citizens to participate in law making and policy formulation, such as the public hearings normally instituted by parliaments around the world before passing a law. Free expression allows citizens to make informed choices before voting for a political candidate of their choice. This right is exercised through information presented by the media on the background and suitability of a candidate to run for public office. Additionally, free expression allows citizens and the media to report to the authorities matters of public interest without fear of reprisal — this whistleblowing role plays a key function in fostering accountability, transparency and responsibility of public office bearers.

Freedom of expression should be guaranteed and protected by a democracy's constitution, while setting parameters that prevent the executive or legislative branches from censoring free speech and muzzling the media. Under a democratic system, citizens should be afforded the right to form personal opinions and express them freely. Complementing this is the idea that a free press plays the role of keeping the public informed while holding authorities accountable for their policies and actions. Freedom of expression is the reflection of a free society that creates a marketplace of thoughts, opinions and ideas where people converse on issues of public interest without fear of reprisal.

Both the International Covenant on Civil and Political Rights (ICCPR), as well as the Universal Declaration on Human Rights (UDHR) guarantee the right to freedom of expression ([United Nations](#)). The rights embodied under Article 19 of the ICCPR include three central principles: the right to hold opinions without interference or freedom of opinion, the right to access to information or freedom of information, and the right to convey information or freedom of expression ([OHCHR](#)).

There is a proliferation of digital rights declarations with a bearing on these three principles, which is indicative of a new era of digital transformation widely seen as calling for a complete change of normative principles in the governance of digital technology ([Brown](#)). The 2019 Declaration of Principles on Freedom of Expression and Access to Information in Africa, adopted by the African Commission on Human and Peoples' Rights, recognises the role of new digital technologies in the realisation of the rights to freedom of expression and access to information. It also upholds the idea that the same rights that people enjoy offline should be protected and enjoyed online as well, in agreement with international human rights law and standards ([ACHPR](#)). The Windhoek 30+ declaration asserts that information

is a public good ([Komarova](#)) while Article 19(2) of the International Covenant on Civil and Political Rights (ICCPR) stipulates that the right to freedom of expression applies regardless of frontiers and through any media of one's choice ([OHCHR](#)).

International law holds that any limitations on free speech and freedom of the press must be established in laws that should be clear and succinct. The government imposing such restrictions should be able to demonstrate the need for them, and they must be proportionate. A general trend of jurisprudential developments indicate firm legal support for the position that restricting free speech without the necessary justification, proportionality, and necessity constitutes unjustifiable violation of free speech and freedom to access information. In July 2022 in Namibia, the Supreme Court ruled in favour of media freedom, given the litany of defamation lawsuits that placed onerous demands on journalists ([Routh](#)). The court recognised that the media's democratic role of providing information to the public should not be imperilled by the risk of defamation claims. While the United Kingdom's Freedom of Information Act 2000 has afforded the media significant access to information rights, it has also served as a legal approach by the press to matters of public interest. The infamous 2009 member of parliament expenses scandal, as a case in point, led to political resignations owing to significant investigative media liberties provided by this law ([Maitlis](#)). The European Union is discussing an anti-SLAPP (Strategic Lawsuits Against Public Participation) regulation that will permit courts to hastily dismiss claims deemed substantially unfounded and also afford the courts power to pass inhibitive measures against unnecessarily litigious claimants ([Rankin](#)).

Authoritarian regimes tend to suppress free speech under the argument of maintaining public order and security. The use of digital technology platforms has led governments to increasingly regulate cybercrimes and disinformation, much to the harm of free expression. Ethiopia, for example, passed a vague social media law — The Hate Speech and Disinformation Prevention and Suppression Proclamation, that came into effect on March 23, 2020 — that throttles online speech, while Zimbabwe passed a Cyber and Data Protection Law in December 2021, which criminalises the publishing of what the government terms false information, punishable by up to five years in prison. The absence of press freedom in democratic processes serves to enhance corruption. In Venezuela, the loss of press freedom has been accompanied by the restriction of media outlets through punitive taxation and SLAPP lawsuits. These free speech restrictions have been accompanied by disruption of TV and radio frequencies. This has led to independent voices leaving the country in search of places where they can freely express themselves.

The intimate relationship between press freedom and democracy is indisputable. The intricate link between media freedom and democracy remains incontrovertible. Inter American Press Association writer Rodolfo Dumas argues that countries that achieve balanced social development and democratic stability are those that respect essential human rights such as speech and press freedoms. Access to digital technology has facilitated human beings' ability to seek, receive and share information as well the generality of a population's right to access information of public interest ([Dumas](#)).

“ Surveillance technology has the effect of undermining press freedom as journalistic sources can be exposed and the lives of both journalist and source significantly placed under threat.

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systems, CCTV with facial recognition technology, Artificial Intelligence based internet and mobile surveillance, and vehicle licence plate recognition. Individuals targeted by the various regimes include journalists, opposition party leaders and activists, as well as other dissenting voices. The study notes that surveillance is a much more automated process where Artificial Intelligence and algorithms can be deployed to scan electronic communications of citizens on a mass scale.

Surveillance technology has the effect of undermining press freedom as journalistic sources can be exposed and the lives of both journalist and source significantly placed under threat. A number of authoritarian governments are also using Pegasus spyware from the Israeli company, NSO Group. This spyware exploits unknown vulnerabilities in software, commonly referred to as a zero day vulnerability. In El Salvador, several journalists were revealed to have been subjected to privacy invasion through Pegasus, which was a dangerous violation of source confidentiality. The governments of Rwanda and Zimbabwe are also alleged to be key clients of Pegasus spyware, which has had a chilling effect on media freedom.

Senior researcher at Citizen Lab John Scott-Railton, quoted in the Guardian, says that the Rwandan government’s use of spyware, such as Pegasus, suggests that there was a “troubling nexus” between the use of spyware and targeted violence. He points out that the use of spyware technology in Rwanda is a way for the state to extend the threat that it poses to dissenters outside its borders ([Burke and Kirchaessner](#)). Despite calls by various international bodies for a moratorium on the export of such technologies to authoritarian regimes, the trade in such spyware continues.

Analysis conducted by the Institute of Development Studies and the African Digital Rights Network posits that governments in Africa are conducting illegal digital surveillance of their citizens with impunity, despite privacy rights being well protected on paper ([Roberts et al.](#)). The right to privacy is intimately linked to free speech as people who are confident of privacy do not feel victimised or under any threat by virtue of freely expressing themselves.

The analysis looks at how the governments of Kenya, Egypt, South Africa, Sudan, Senegal and Nigeria invest in new technologies and use them to carry out illegal surveillance of citizens. Such technologies include mobile data extraction spyware, biometric digital ID

RWANDA'S POLITICAL HISTORY

Despite being a fast-growing economy that has successfully integrated information and communication technologies (ICTs) into its healthcare, financial and e-government systems well ahead of most countries in Africa, Rwanda continues to hog the international limelight for its gross human rights infractions.

The country regularly holds elections and the constitution provides for a seven-year presidential term renewable only once. However, the country held a referendum in 2015 that approved constitutional amendments permitting incumbent President Paul Kagame to run for a third term in 2017. He controversially won 99 percent of the vote in 2017 and has indicated that he may run for a fourth term in 2024. Critics argue that elections are not free and fair, as a climate of intimidation and assassinations of political opponents has been created over the years.

Rwanda is a former Belgian colony, with the settler administration implementing a 10-year development plan in 1952. The program subsequently went awry as it granted the Tutsi ethnic minority political power, as well as socio-economic domination over the Hutu ethnic majority ([Zuber](#)). Seven years later, tensions between both ethnic groups escalated, culminating in civil unrest. This situation led to the Belgian authorities declaring a state of emergency and calling in soldiers from neighbouring Zaire (now the Democratic Republic of Congo) to restore peace and order. At the instigation of Belgian authorities, new communal councils were established in the hope of diluting Tutsi power, but this only served to stoke tensions.

The Rwandan parliament is bicameral, with a Chamber of Deputies and a Senate. Deputies serve five-year terms, with 30 percent of seats reserved for women, making it a unique parliament that prioritises gender mainstreaming. However, in practice, the country is a one-party state, as opposition parties face huge challenges to maintaining their existence and activities.

Rwanda uses Belgian and German civil law systems and customary law. The President is the head of state vested with executive power while the prime minister is the constitutional head of government. President Paul Kagame is leader of the Rwanda Patriotic Front (RPF) while Prime Minister Édouard Ngirente is from the Social Democratic Party. President Kagame underwent military training in Tanzania, Uganda and the United States and is reputed to have been a founding member of Ugandan President Yoweri Museveni's rebel army in 1979. Museveni appointed him as head of the rebel army's intelligence wing and he assisted Museveni to assume power in 1986 ([Nganda](#)).

The country eventually gained independence in 1962, with Gregoire Kayibanda, of the Emancipation Movement Party or PARMEHUTU, as president. A new constitution was soon ratified but it was not sufficient to diffuse the long-standing antagonism between the Hutus and Tutsis.

In 1963, extremist Tutsis attempted to topple the country's administration but the rebellion was crushed. As part of reprisals, well over 12,000 Tutsis were massacred by the Hutu ethnic group, while several other Tutsis fled into neighbouring countries. Rwanda had effectively become a one-party state with tight centralised control, led by an ethnic Hutu.

In 1973, President Kayibanda was subsequently overthrown in a non-violent coup by the military led by Major General Juvenal Habyarimana, also of the Hutu ethnic group. Two years later, Habyarimana officially launched the Le Mouvement Revolutionaire National pour le Development (MRND). His dictatorial leadership was shown when he was reelected president in 1983 and 1988, through one party legislative balloting.

A civil war broke out in 1990 when tens of thousands of rebel Tutsis who had been in exile in Uganda invaded the country. After months of intense fighting, President Habyarimana and the rebels settled for a cease-fire on March 29, 1991. On the evening of April 6, 1994, a Dassault Falcon 50 aircraft carrying President Habyarimana and Burundian President Cyprien Ntaryamira, also of Hutu descent, was shot down by surface to air missiles as it prepared to land in Kigali, Rwanda. This incident triggered the worst genocide the world had ever seen in the late 20th century. Well over 500,000 people, including Hutu moderates, were systematically murdered over 100 days. An eight-year investigation led by French judge Jean-Louis Bruguière into circumstances surrounding the genocide determined that Paul Kagame had orchestrated the shooting down of the plane ([McGreal](#)).

After a tenuous piece was established in 1993, and, following years of efforts towards national reconstruction, a new constitution was promulgated in 2003. It uses strong language, disparaging the ethnic conflict of the past, listing the resolutions to “fight against the ideology of genocide and all its manifestations” and “the eradication of ethnic, regional and other divisions and the promotion of national unity” among its fundamental principles.

SPEECH AND CENSORSHIP

TECHNOLOGY, THE PRESS AND PUBLIC LIFE

Rwanda has taken the lead in Africa in terms of rolling out internet service provision, including to most of the country's economically marginalised areas. In 2020, the state-owned Rwanda Utilities Regulatory Union and the International Telecommunication Union undertook a joint venture project to rollout wireless broadband connectivity throughout Rwanda. The main objective of the project was to roll out low cost, in some cases free, digital access for hospitals, clinics, schools and less privileged sections of the population so they could access online facilities such as e-government services and information.

As a snapshot of the gender gap in internet use among Rwandans, in early 2023, 36.5 percent of Rwanda's social media users were female, while 63.5 percent were male. GSMA Intelligence numbers show that the number of mobile connections in Rwanda was about 75.9 percent of the total population of 13.94 million people in January 2023. Mobile connections in the country increased by 48,000 between 2022 and 2023 ([Kemp](#)).

Digital technology plays a pivotal role in the daily lives of Rwandans. For instance, the government has an e-government policy called "Irembo," which is basically a one-stop internet portal to access state services and information at the click of a button. Such services include land transfers, applications for birth or marriage certificates, and community health-based insurance, among many others. Such efficiencies in governance have been achieved courtesy of the state's infrastructure sharing policy, which aims to fast-track the rollout of broadband services and reduce telecommunications infrastructure investment costs. Although the country enjoys access to reliable internet connections, and more citizens continue to enjoy the use of social media platforms, people in rural areas have limited access to these benefits due to low incomes and poor digital literacy. Furthermore, over 90 percent of the population speaks the Bantu language Kinyarwanda, with English, even though it is an official language, not spoken widely at all, making most of the online content available in English inaccessible and incomprehensible to citizens. According to the United States Agency for International Development, less than 0.1% speaks English as of 2002 ([USAID](#)), while the Vital Statistics report of 2021 by the National Institute of Statistics of Rwanda revealed that nearly all citizens speak Kinyarwanda ([NISR](#)).

Internet Service Providers (ISPs) include state owned Rwandatel and privately owned entities Tigo, Liquid Telecom, PopConn Rwanda, Fastnet ISP, MTN, Liquid Telecom, Africell, Smile Telecom and 4G Networks Rwanda. The internet plays a key role in dialogue between citizens and conversations about issues of public interest and general social news. Most Rwandan content producers use YouTube to express their thoughts and sentiments while a sizeable number also use Facebook, Instagram and Twitter.

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The media mostly operates in Kinyarwanda, with some media outlets, including state-owned or state-affiliated entities, broadcasting and publishing in English. Freedom of the press exists in theory, in accordance with Article 34 of Rwanda's 2003 constitution which provides for freedom of the press and information.

The government of Rwanda asserts the official narrative that the ruling RPF party and President Paul Kagame heroically ended the civil war and genocide in 1994 after successfully defeating the proponents of the genocide. The government has been at pains over the years to explain that then President Juvénal Habyarimana's plane was shot down by Hutu ethnic group extremists, despite an external investigation finding that Kagame was behind it ([McGreal](#)). It is against this backdrop that the government of Rwanda does not tolerate free media and free expression by citizens, particularly on matters to do with the 1994 genocide, the role of President Kagame or any criticism of the regime. Obstacles to the free press include the use of vague laws called Genocide Ideology, a punitive penal code that harshly punishes criticism of the president or the military, the use of surveillance technology by the state to target critical reporting about the regime and a biased state security establishment that cracks down on journalists among others. As a result, several journalists censor themselves ([Yakaré-Oulé](#)).

Many independent journalists, human rights activists, online content creators, opposition party leaders and supporters have been either arrested, imprisoned or died under mysterious circumstances after criticising the regime or stating an alternative view pertaining to circumstances of the genocide. Some journalists interviewed in Rwanda choose to avoid reporting on issues that could endanger national cohesion. They firmly believe that this style of reporting has contributed to the country's post-genocide reconstruction and prioritize this role even when that means accepting restrictions and instructions from the ruling party, the RPF ([McIntyre and Sobel](#)).

This has had the effect of creating a culture of self-censorship amongst citizens as they remain aware that their digital communications are also susceptible to state interception. A number of activists and journalists who criticise the government using the hugely popular YouTube platform have been arrested and charged with subverting public order and security ([HRW](#), 2022). The public's fear of reprisals for expressing themselves freely has not only stifled freedom of speech and whittled down press freedom, but it has also led to the government dominating public discourse and narratives on matters of public interest. Online speech deemed subversive is criminalised and framed as the government's efforts to control hate speech and reign in misinformation.

Journalist Theoneste Nsengimana was arrested in October 2021 on charges of attempting to cause public disturbances through his online broadcasts ([HRW](#), 2022). Another journalist critical of the regime, Niyonsenga Dieudonne, was in 2021 sentenced to seven years imprisonment on charges of alleged assault, obstructing police officers, and operating as a journalist without a press card ([HRW](#), 2022). John Williams Ntwali, who died in a mysterious motorbike accident in the early hours

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of January 18, 2023, in the capital city Kigali, was highly critical of the regime (RSE, 2023). The owner of the speeding vehicle that rammed into the motorbike on which Ntwali was a passenger was let off with a minor fine. In most of these cases, the government has used legal justification for the clampdown on journalists or denied any involvement outright. Human rights groups, freedom of expression activists and international press associations have played a key role in calling for justice for affected journalists.

Ultimately, the use of state-run public surveillance, as well as intimidation tactics such as arbitrary arrests and direct threats by the government has led to journalists exercising self-censorship and avoiding reporting on controversial issues that the government finds unpalatable. Critical journalists, activists and online content creators who refuse to toe the government line and narratives remain particularly vulnerable to the use of spyware such as Pegasus. Nathaniel Allen and La Lime Matthew posit that, for autocratic regimes such as Rwanda, the appeal of digital espionage tools is apparent, especially in stifling freedom of expression. Governments are using digital espionage tools to undermine democracy through the surveillance and censorship of political opposition figures, human rights activists, and protestors. They argue that, to ensure this technology is used accountably and for the right purposes, Africans must continue to work to build strong, democratic institutions and promote effective executive and security sector oversight (Allen and La Lime).

LEGAL FRAMEWORK AND CONSTITUTIONAL CHALLENGES

Freedom of expression means freedom of all expression, including freedom of the press, freedom to protest, both offline and online. It also encompasses people's right to access the information they need about government decisions (Hart). Yet, freedom of speech in the Rwandan context is at face value guaranteed in a well written constitution, but is uncertain in practice. Compounding the situation is the hybrid use of exceptions and limitations attached to provisions for free speech in the constitution and the restrictive effect of laws to shut down free expression in the media and open debate on matters of public interest. Critics accuse President Kagame of exploiting the national collective memory of the bitter 1994 genocide to justify and tighten his grip on the media and freedom of expression (RSE, 2022).

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In 2003 and 2008, the Kagame regime promulgated laws aimed at addressing crimes of genocide and genocide ideology. The 2003 law went beyond the parliament's stated intention of codifying international commitments by criminalising acts of what the government calls minimising, negating or justifying the genocide (Yakaré-Oulé). Both laws are vague and open to wide interpretation as they fail to accurately describe which sort of behaviour incurs criminal liability. The state has unfettered discretion to prosecute using these laws that are laden with ambiguous terminology, in clear violation of the country's obligations under international law, such as the ICCPR. According to Article 19(2) of the covenant, "Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of

frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice” ([OHCHR](#)).

The constitution of Rwanda bears contradictory provisions that reflect an inclination to stifle free speech and freedom of the press. While it recognises and guarantees freedom of the press and information, it also carries the caveat that the conditions for exercising such freedoms shall be determined by the law. This means that in practice, expression can be heavily curtailed. For example, the 2018 penal code maintains harsh prison sentences for the crime of insulting or undermining the president in the press. The judiciary helps exploit these ill-defined restrictions to curtail freedom of expression ([HRW](#), 2022).

Rwanda has classified various forms of speech and expression as being exceptions. Under these exceptions, President Kagame proclaimed that any acknowledgment of the idea of separate people was detrimental to the unification of post-genocide Rwanda ([HRW](#), 2022). In other words, any discussions about Tutsi or Hutu ethnic tribes are prohibited, and any conceivable infractions related to this are punishable by law. This is quite evident in Article 9 of the constitution, which vaguely asserts that the state is committed to promoting, enforcing and fighting the ideology of genocide and all its manifestations. Article 13 further states that revising the story of, negating the existence of or trivialising genocide are punishable by law. In this sense, the constitution is contradictory in making provisions that guarantee free speech but remaining subject to the supreme law of the land, which also has more restrictions to free expression on the basis of good morals and public order.

Another draconian piece of legislation that significantly impedes press freedom is the 2018 Law on the Prevention and Punishment of Cyber Crimes. Article 39 of the law prohibits the publication of “rumours” that “may incite fear, insurrection or violence amongst the population or that may make a person lose their credibility.” The offence is punishable by up to 5 years in prison. William Drake and Rikke Jørgensen contend that early activist debates mainly focused on opposing the government’s attempts to impose laws and restrictions on freedom of expression and privacy rights on the internet. These activists argued that the government’s focus should be on the broader human rights agenda and promoting key issues such as gender equality, development, and non-discrimination, among others ([Drake and Jørgensen](#)).

A growing body of scholars and writers concur that some regimes, including Rwanda, are increasingly using the law as a strategic weapon and political tool to shut down free speech in the midst of an evolving digital rights discourse. Stephen Tully argues that the right to freedom of expression can illustrate the conflict between law and democracy in the context of social media. He aptly points out that states are introducing or modifying laws to increase their ability to monitor internet users’ activities as well as the content of communications without sufficient guarantees against abuse ([Tully](#)).

The Rwandan regime pushes the narrative that the state is obliged to avoid a repeat of the 1994 genocide, which it mainly blames on irresponsible politicians and the media. However, given Rwanda’s tainted record of cracking down on voices of dissent including opposition party activists and journalists who express themselves online, the variety of draconian laws present an opportunity to silence dissent. Kagame has made his views on the media well known in interviews and speeches, where he has criticised irresponsible media, suggesting that tight controls are necessary to preserve national unity and guard against a return to ethnic violence ([Harber](#)).

In one of the [media items](#) posted in the Civic Media Observatory (CMO), the government of Rwanda seeks to engage social media platforms to take down any online content that apparently violates Rwandan genocide ideology laws or has the potential to cause public disorder. In a YouTube broadcast by one Innocent Mugabo ([RwandaTV](#)), the government undertakes to engage in talks with various social media platforms to block genocide denial online content. In the same broadcast, the RIB weighs in with subtle threats to content creators to exercise self-censorship. Two key narrative frames emerge from this broadcast, in particular freedom of expression is not an absolute right, and social media should comply with state regulations to ensure content and activity online are in line with the law. Under the latter frame, the general argument is that platforms should be liable for content on their sites and in that regard, they are bound by local laws as part of compliance with authorities' rules and regulations. This frame elucidates the power struggles between platforms and governments, with the former entreating net neutrality rules. Under the framework pertaining to free expression not being an absolute right, some advocates for this frame argue that comprehensive freedom of speech would lead to the propagation of hate speech and subsequent societal chaos. This argument is selected by authorities to justify preventive repression measures including but not limited to censorship, targeted surveillance and arbitrary crackdowns on voices of dissent. And so the regime seeks to extend its control of narratives and public discourse beyond its borders to digital tech platforms.

“ *The Rwandan regime promotes human or digital rights discourse as a foreign ideology meant to suit the agenda of the detractors, which has been used as a key narrative to justify the government's excesses.* ”

Morgan Weiland posits that the close variant of negative rights discourse called the neoliberal rights discourse has allowed entities like internet service providers or social media platforms to argue against any kind of regulation, such as net neutrality rules, on the basis of their free speech rights in the transmission of data or algorithmic outputs ([Weiland](#)). These rules may have proven to be the exception to the Kagame regime's authoritarian tendencies but the government's move reflects just how determined the state is to crack down on dissent.

Although digital rights discourse represents a broad constellation of initiatives that seek to articulate a set of rights and governance norms, their applicability is systematically undermined by suppressive governments which raise the sovereignty argument. The Rwandan regime promotes human or digital rights discourse as a foreign ideology meant to suit the agenda of the detractors, which has been used as a key narrative to justify the government's excesses. Rwanda's repressive legal regime has successfully created a culture of intolerance of alternative viewpoints and genuine criticism of government policies. It can be inferred that the harsh legal framework echoes the government's resolve to maintain political control and prevent the media-led exposure of its oppressive practices.

Jean Marie Kamatali writes that states with little or no democratic experience are left in a precarious position in as far as striking a proper balance on issues of freedom of expression and justice. He points out that, when the state is both judge of and party to many disputes that arise, it must measure and adjudicate cases in which the government may well consider

itself a victim of critical reporting. At the same time, the state must observe its own laws and uphold its responsibilities to expressive freedoms, public order, national security, and the safety and welfare of all its citizens ([Kamatali](#)). Critics argue that the Rwandan regime may have genuine grounds to restrict the sort of perilous and vitriolic speech that led to the massacre of over half a million people in just 100 days in 1994, but the current legal framework and practices go beyond this remit. Rather, this situation has led to the creation of an atmosphere of fear that effectively smothers open debate and criticism of the government ([HRW](#), 2022).

THE MAIN CONTOURS OF SPEECH RESTRICTIONS IN RWANDA

The main origins of free speech and press freedom restrictions in Rwanda emanate from a state narrative of averting the possibility of a repeat of the 1994 genocide, which in part was stoked by acerbic media broadcasts. Acts of digital authoritarianism by the government such as arresting journalists and using surveillance technology are spontaneously covered by the independent media.

The key themes that surround stories about speech restrictions relate to freedom of expression, with prominent parent frames that support limitations on freedom of expression. Narrative frames include “freedom of expression is not an absolute right,” “governments must monitor media and social media to ensure political stability and public safety,” “journalists should be able to report on abuses of power without being surveilled or harmed in other ways,” “anybody critical of the state is the state’s enemy,” and “social media should comply with state regulations to ensure content and activity online are in line with the law.”

Most of these media items about Rwanda captured in the Airtable are negative and portray the Kagame regime as authoritarian and prioritising economic development over digital and human rights. Independent journalists, activists and international human rights organisations mainly deploy these narratives. Audiences rarely critically examine these narratives, though some accuse those critical of the regime of being detractors who do not wish Rwanda well.

There exists a huge gap between official narratives on events and events as interpreted when narrative frames are critically examined. This chasm is understood by observing how intolerant and aggressive the regime becomes whenever the state narrative pertaining to circumstances during the 1994 genocide is contested from any quarter. Alternative viewpoints from outside Rwanda are met with direct threats and intimidation — and, at times, assassination, as in the cases of Charles Ingabire and Patrick Karegeya ([McGreal](#)) — while localised dissenting voices face arrest, lengthy prison terms or forced disappearance.

A specific narrative frame linked to the 1994 genocide is that of freedom of expression not being an absolute right. President Paul Kagame and his spokespersons promote this narrative in the context of a need for the regime to guard its remarkable economic growth, which is surpassing many African countries, by preserving political stability. This narrative frame is juxtaposed against the background of a media sector that played an important role in inciting ethnic Hutus to murder their fellow countrymen and women of the Tutsi ethnic minority ([Zuber](#)).

When analysing how the government's narratives are absorbed into the mainstream media discourse, it is clear that a section of the public mimics the viewpoints put forward by the government, while others opt to remain silent. Citizens are aware of the regime's authoritarian tendencies but their response is barely noticeable for fear of reprisal from a well-organised state security establishment. In a paper, the International Centre for Not-for-Profit Law posits that the operating context for civil society organisations is one of enforced collaboration with the government's political and development plans. Although there are no legal barriers to free speech, assuming compliance with constitutional limitations, restrictions on free speech persist, in practice ([ICNL](#)). Only supporters of the regime are vocal in supporting the government's actions.

ANALYSIS AND CONCLUSION

The government of Rwanda pushes the narrative that it is obliged by the constitution and law to restrict free speech in the interests of national cohesion and political stability. President Kagame's regime argues that freedom of speech is permissible to a certain extent and that it upholds media freedom, rights to privacy and free expression. Stories about restrictions on free speech originate from a wide variety of sources, like local content generated on online platforms such as YouTube, international human rights organisations, government announcements of arrests of critics, and international media investigations. Stories that expose the government's excesses pertaining to free expression are usually dismissed by spokespersons as malicious fabrications designed by the country's disparagers, and at times impugned by columnists in state-owned and state-affiliated media.

The Rwandan regime has been identified as a key client of Israel's NSO Group spyware Pegasus, amid allegations that it was used to spy on the communications of journalists, political activists, and former intelligence and military officials, as well as foreign entities such as the South African Presidency. Rights groups argue that the regime's use of such technology may be the reason behind the arrests of many voices of dissent on trumped up charges of undermining the integrity and security of the state, and, at times, the mysterious disappearances and deaths of dissenters ([Amnesty](#), 2021).

“ The government of Rwanda pushes the narrative that it is obliged by the constitution and law to restrict free speech in the interests of national cohesion and political stability. ”

A selected incident in this case study pertains to the arrest and imprisonment of YouTuber Yvonne Idamange on charges of genocide denial, assaulting law enforcement officers while resisting arrest, spreading false information about the death of President Paul Kagame, and inciting public violence using an online platform. During the tough COVID-19 lockdown, Idamange called upon people to protest against the Rwandan regime. This incident, which drew international outrage at Rwanda's intolerance for democratic and constitutionally guaranteed free speech, reflects the regime's overarching desire to maintain political hegemony by cracking down on citizens who criticise the regime's policies or challenge the official

version about the 1994 genocide. When Idamange was arrested on February 15, 2021, the Rwandan Police pointed out that she had exhibited behaviour “that mixes politics, criminality, and madness” in her use of media platforms ([Mwasa](#)). This narrative thread runs throughout most of the regime's justification for clamping down on voices critical of the regime and effectively works to discredit alternative voices.

This incident is a critical portrayal of how an oppressive regime justifies its behaviour by propagating a well-planned counternarrative against calls by activists for the government of Rwanda to respect and uphold human rights. The premise of this narrative plays on collective memory of the genocide, supported by the argument that unbridled freedom of speech and the media runs against the stability and interests of Rwanda. This incident provides nuance with regard to how Kagame's government carefully uses this narrative to define and shape how the state persecutes critics, while systematically violating provisions for human rights enshrined in the constitution. The argument that human rights discourse is a ruse to erode national sovereignty plays well into this narrative.

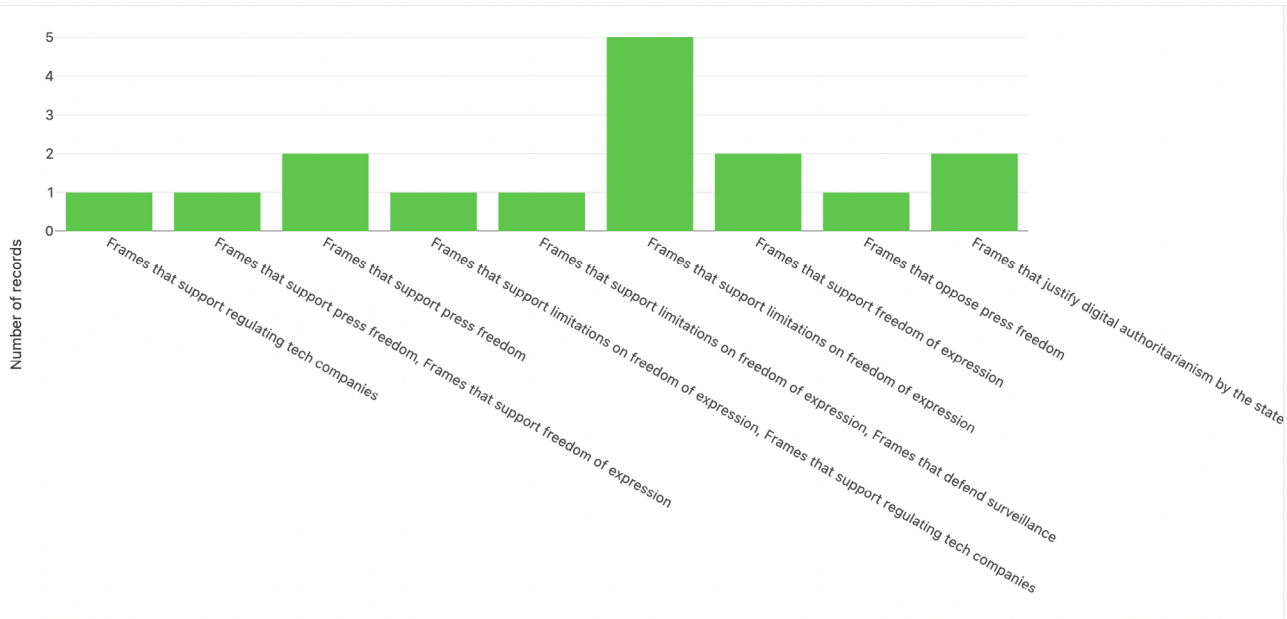


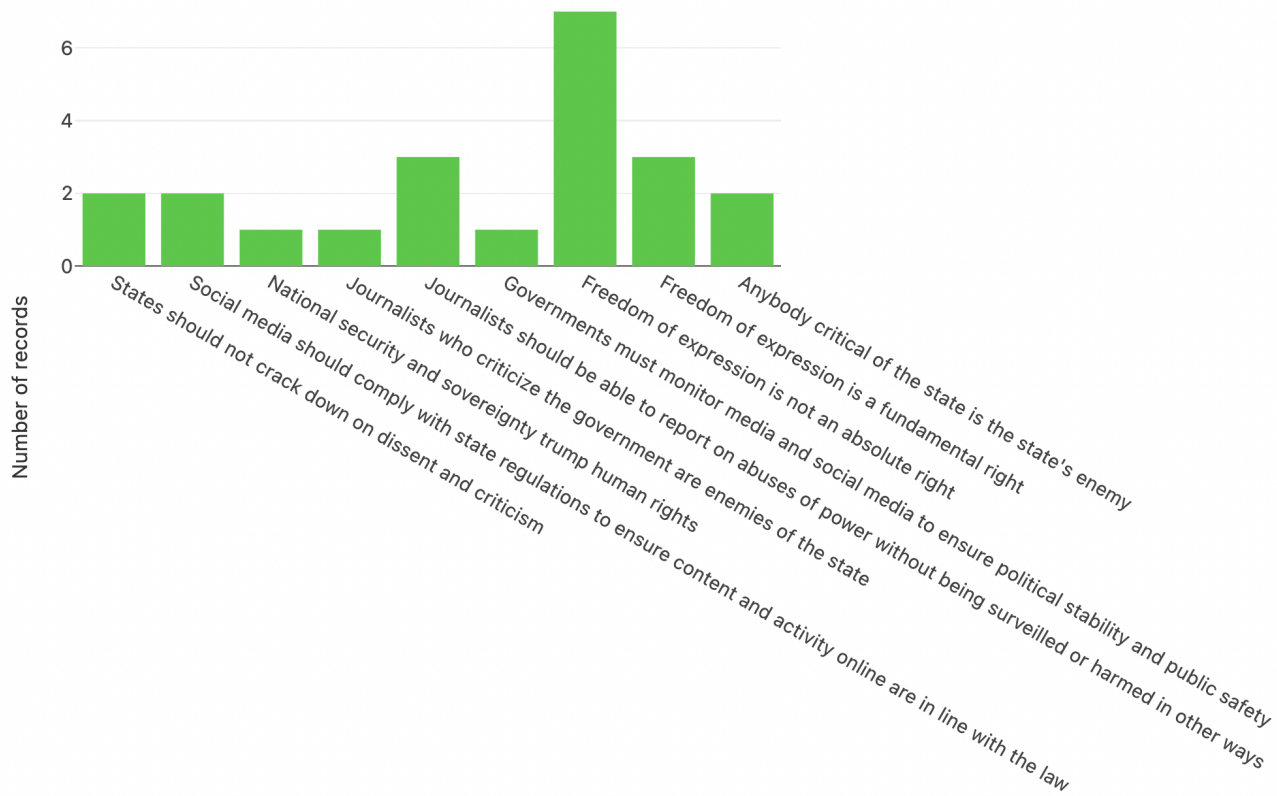
Figure 1: Graph depicting number of occurrences of specific Parent Frames of the Unfreedom Monitor.

Parent Frame Category	Percentage of Items Asserting Parent Frame
Frames that support limitation on freedom of expression	33.3%
Frames that support press freedom	13.3%
Frames that justify digital authoritarianism by the state	13.3%
Frames that support regulating technology companies	6.67%
Frames that support digital surveillance	6.67%
Others	6.67%

*(Percentages do not total to 100% as a media item can be associated with multiple narrative frames in the Unfreedom Monitor.)

Table 1: Parent frames

The high percentage of parent frames supporting limitations on freedom of expression (see figure 1) reflect the state’s propensity to silence dissent and close independent media spaces. This also reflects Rwanda’s restrictive legal framework that punishes free expression, which has earned the country the very low press freedom ranking of 136 out of 180 (RSF, 2022). The parent frames that justify digital authoritarianism by the state show that the regime enunciates the idea that it is a success story emerging from the ruins of a disastrous past — hence criticism only serves to derail the country’s efforts towards economic progress and socio-political cohesion.



* Which narrative frames are asserted in this item?

Figure 2: Graph depicting number of occurrences of specific narrative frames in relation to analysis of Speech thematic area.

Narrative frame category	Percentage of items asserting narratives
Freedom of Expression is not an absolute right.	33.3%
Journalists should be able to report on abuses of power without being surveilled or harassed in other ways.	13.3%
Anybody critical of the state is the state's enemy	6.67%
Social media should comply with state regulations to ensure content and activities online are in line with the law	6.67%
Journalists who criticize government are enemies of the state	6.67%
National security and sovereignty trump human rights	6.67%

*(Percentages do not total to 100% as a media item can be associated with multiple narrative frames in the Unfreedom Monitor.)

Table 2: Narrative frames

The dominant narrative frame in figure 2 that asserts that “freedom of expression is not an absolute right” shows the extant position of government’s strict laws and policies that have had a chilling effect on press freedom. This frame depicts the historical and political context justifying the government’s restrictions on free speech.

The narrative frame that asserts “Journalists should be able to report on abuses of power without being surveilled or harassed in other ways” shows a pushback against digital authoritarianism. Independent media, YouTube content producers and international rights groups continue to call out the regime’s excesses.

In the aftermath of the 1994 genocide, the government of Rwanda has placed economic development at the centre of its national priorities albeit at the expense of rights such as freedom of expression and privacy. Most newspapers and community radio stations hardly report on controversial issues, for fear of state reprisals.

The key actors who persistently appear within the Unfreedom Monitor (UM) dataset set are President Paul Kagame, his spokesperson Yolande Makolo, the Rwanda Investigative Bureau, activist and YouTuber Yvonne Idamange, journalists Theoneste Nsengimana and Niyonsenga Dieudonne, opposition politician Theophile Ntirutwa, High Commissioner for Rwanda to the United Kingdom, and the late journalist John Williams Ntwali.

The UM assigns a civic impact score for each of the collated media items based on international human rights standards. This helps to provide insight into the overall effect of narratives on the audience’s understanding of such key events and trends, while providing analysis of developing narratives. The research reveals two categories of actors namely, pro-free speech and pro-government actors. Pro-government actors are predominantly authors of items with civic impact scores of -1 to 0, while pro-democracy actors fall within the range of 1 to 2 civic impact scores.

In Rwanda, on the one hand, pro-government actors ranging from the president and his spokesperson to embassy officials tended to use narrative frames that justify digital authoritarianism, such as “Anybody critical of the state is the state’s enemy,” “Freedom of expression is not an absolute right,” and “Journalists who criticize the government are enemies of the state.” The government also has a tendency to assert frames that support regulating tech companies such as “Social media should comply with state regulations to ensure content and activity online are in line with the law.”

On the other hand, pro-free speech actors assert frames that support press freedom such as “Journalists should be able to report on abuses of power without being surveilled or harassed by other means,” “Freedom of expression is a fundamental right,” and “States should not crack down on dissent and criticism.”

The majority of citizens with an active online presence usually comment on articles and news items pertaining to how the government handles the question of debate on and discussion of the genocide. Most citizens remain conservative in their comments, while a few criticise the regime’s actions outright. Investigative media items about the genocide are usually met with scepticism, while a few people support the findings of independent journalism. This online activity is indicative of citizens either being too fearful of reprisals from

the regime for expressing their thoughts on the topic, or that Rwanda is quite composite with a heterogenous social structure, characterised by a decades' old ethnic stratification and tension. This situation is best explained by Anna Kamanzi's assertion that Rwanda has unconventional transitional justice and social reconciliation policies that proscribe ethnic identification in contemporary Rwandan society. Rwandans are taught that Hutu, Tutsi, and Twa ethnicity was imposed by Belgian colonials who sought to divide a previously harmonious Rwanda ([Kamanzi](#)).

Lingering questions include the following: Why does the Rwandan government engage in an all-out retribution offensive to protect its own narratives, going as far as eliminating perceived enemies both home and abroad? What do the authorities seek to cover up with regard to the 1994 genocide, which is replete with atrocities and unresolved questions on the roles played by key actors in the government? Authoritarian governments such as Rwanda drive repressive narratives based on the argument that human and digital rights are inherently indeterminate and subject to discursive contestation across different contexts. For example, President Paul Kagame dismisses any criticism of his regime's atrocious human rights record as part of a broad and sinister agenda of the country's detractors.

“ A unique threshold of limitations on free speech poses an existential threat to the future of digital rights in Rwanda, and hence more advocacy is required to counter this form of digital authoritarianism. ”

The CMO methodology can help people understand media narratives circulating around key incidents by providing context, background and nuance through subtextual or implied meaning analysis. For instance, it reveals the subtext of the word “inyenzi” (“cockroaches”) when talking about Rwanda's tragic past¹ and why Kagame's government clamps down on any discussion of ethnicity or origins.² The CMO methodology helps to illuminate how and why anti free speech narratives are used by the state to justify its behaviour.

This analysis that looks at freedom of expression controls in the digital sphere in Rwanda contributes to the existing literature by showcasing how the government's authoritarian tendencies are proliferating thanks to technology controls. There already exists international pushback from human rights organisations and independent media against the Kagame regime's high intolerance for press freedom and freedom of expression. Understanding the role of technology in this context helps us understand the nuances of the regime's contraventions of international law.

Policy makers, governments and activists should be paying attention to the unique symbiosis among Rwanda's history, the harsh legislative framework which restricts free speech, and narratives employed by politicians to successfully crush any criticism of the regime's policies. A unique threshold of limitations on free speech poses an existential threat to the future of digital rights in Rwanda, and hence more advocacy is required to counter this form of digital authoritarianism.

1. The word cockroaches was used by the Hutu ethnic group-supported radio RTLM to incite Hutus to slaughter their fellow countrymen, the Tutsis during the Rwandan genocide.

2. The government deems any discussions about the 1994 genocide as likely to cause national discord and chaos, and a possible repeat of the mass murders.

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